#### SOUTH GIPPSLAND SHIRE COUNCIL

# Rural Resident's Guide

An information booklet to assist people planning to move to rural areas of South Gippsland

South Gippsland Shire Council



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#### Scare gun

Devices for producing a loud explosive sound for the purpose of scaring away birds from crops and orchards. Scare guns, also known as gas guns or scatter guns produce an explosive noise by the ignition of a charge of gas and air.

#### Silage

Fermented, high-moisture stored fodder which can be fed to cattle and sheep. Some silage is packaged in plastic bales for storage or stored in large, covered pits in the ground. Silage increases yield of pasture grown for times when feed is low. Silage improves milk production in cows.

#### Effluent

Liquid waste produced in dairy or other farming. Agricultural effluent is a natural fertilizer and soil conditioner and if managed effectively can enhance pasture growth and improve soil structure.

#### **Onsite Wastewater Management System**

A sewerage management system for properties not connected to a reticulated sewerage.



# Introduction

Rural living in South Gippsland is an attractive option for people seeking to escape the pressures of urban living or establish a rural lifestyle.

Information in this guide will:

- Outline what to expect from living in an agricultural area
- Outline the needs and responsibilities of a rural land owner
- Provide links to useful fact sheets and organisations to support rural living

# What to expect

South Gippsland is an important area for agriculture with food production industries providing employment and a considerable wealth to the region. The climate of South Gippsland supports food production not possible in other areas of Australia.

To produce high quality food and remain viable and competitive, farmers often need to work day and night, be responsive to changing weather and the needs of animal breeding cycles or critical planting or harvesting periods. The trend towards intensifying agricultural industries is likely to continue.

Our beaches, forests and mountains provide natural beauty protected for our enjoyment. It is important to understand life in a rural area may look peaceful but agriculture is an industrial activity. Rural areas are sometimes busy, noisy and smelly places.

Narrow and unsealed roads can be used by a range of vehicles and livestock.



# Residential living in a rural area

Some new residents choose to move to South Gippsland for a rural lifestyle with expectations of a peaceful environment. Many agricultural land uses can impact on neighbouring properties and affect residential amenity.

# Be informed

New rural residents, existing rural residents and commercial producers all have an equal right to live, work and enjoy rural Victoria. While there are many rules governing land use in rural areas, the reality of rural life can mean noise, odour, dust, sprays and visual impacts.

## Noise

Complaints are often received from new residents about noises disturbing the peace in a rural area including:

- Pumps for pumping drinking water or irrigation
- Bellowing cows or bleating sheep especially during weaning
- Machinery working at night and early in the morning including dairy farms or tractors cutting hay
- Scare guns on agricultural crops such as grapes
- Motorbikes
- Aerial crop spraying
- Heavy transport vehicles travelling on country roads day and night
- Extractive industries including gravel pits or mining

Dairy farms, grazing, cropping and poultry farms have been legitimate parts of the rural economy since European settlement. Noise impacts from these activities is a necessary part of rural land Farming is a 24 hour operation and noise can often occur at night.

owners staying in business and often do not require Council permission if they occur within current legislation related to farming.

# Odour

Farms produce many pleasant and unpleasant odours. While good management can minimise odour from intensive animal industries, it cannot be eliminated. Activities that are likely to produce some odour include:

- Spreading and storing manure
- · Collecting and disposing of effluent from dairy farm or piggery operations
- Silage production
- Keeping animals in contained areas (such as broiler farms)

Many rural activities that produce odour such as dairy farming do not require a planning permit and are consistent with the purposes of a rural zone in the Planning Scheme and therefore the use can operate without planning restriction .



# Dust and airborne emissions

Common sources of dust and airborne emissions are activities like:

- Vehicles on unsealed roads
- Tractors harvesting hay or ploughing crops
- Wind borne soil from cropping
- Spraying of fertilisers or pesticides

Landholders are legally responsible for ensuring that chemicals are contained within their property. Management of incompatible uses (such as aerial spraying and vineyards) is regulated by Department of Environment, Land Water and Planning and aerial spraying by the Civil Aviation Safety Authority.

## Roads

Roads in rural areas are often narrow, unsealed and have a broad mix of users. Tractors often need to travel on roads and milk tankers need to access dairy farms early in the morning or late at night. Drivers should be patient and be aware of risks from raised dust, large and slow vehicles or livestock on roads.



# Your Rural Responsibilities

Be prepared to spend time and money on your land management responsibilities. There are legal obligations that come with owing land in rural South Gippsland.

- Communicate with your neighbour and be the type of neighbour you would like to live
  next to
- Control weeds and pests
- Maintain your fences
- Look after your water supply
- · Keep bushfire fuel under control around your home and property boundaries
- Manage your waste
- Manage your animals and pets
- Check before removing native vegetation

### Absentee landowners

Not all rural landowners live permanently in the area. Absentee landowners need to be particularly aware of their responsibilities regarding care of the land, fences and animals they may have on the land. If your neighbour does not live on site permanently, Council may be able to help you make contact with them.

# Fencing

Landowners have a responsibility to keep their boundary fences well maintained. The cost of maintaining a shared fence is typically shared between neighbours. Where a fence borders on governmentowned land such as Crown land the private landholder is liable for the full costs of maintaining the fence.

Check the accuracy of fencing on property boundaries. Fences can be misaligned and some of your land may

## More Information

Permits and approvals for boundary fences: www.southgippsland.vic.gov.au/fences Fencing Law in Victoria: www.justice.vic.gov.au/home/

justice+system/laws+and+regulation, civil+law/fencing+law+in+victoria

have been used by a neighbour for a period of time. If an adjoining owner has occupied the land for a period of time they could lay claim to it by adverse possession.

A licensed surveyor may be able to assist you if you are unsure of boundaries before or after purchase of your property.

# Easements

An easement is a right held by someone to use land belonging to someone else for a specific purpose. Common examples of easements are electricity, drainage, sewerage and carriageway (access) easements. Check that you understand the nature and content of any easements shown on the property title.



# Weeds and Pests

All land owners and land occupiers are responsible for managing noxious weeds and pest animals on their land under the *Catchment and Land Protection Act 1994*. Weed management, rabbit and fox control can be expensive and time consuming but your rural neighbours or community groups such as Landcare may be able to provide you with advice and assistance regarding pest control.

# Environmental Weeds

If creating gardens and landscaping, use local native indigenous species in preference to exotic plants as gardens are one of the greatest sources of environmental weeds. Garden waste should not be dumped in reserves or bushland.

Plants that may be common on city properties can threaten natural ecosystems and invade native plant communities, resulting in the reduction of plant diversity and loss of habitat for animals and birds.

Right: Agapanthus is an environmental weed.



# More Information

Legal rights and responsibilities for noxious weed and pest animal management:

www.agriculture.vic.gov.au/agriculture/ pests-diseases-and-weeds/protectingvictoria-from-pest-animals-and-weeds/ legislation-policy-and-permits/noxiousweed-and-pest-animal-managementyour-legal-roles-and-responsibilities

Common weeds of South Gippsland: www.southgippsland.vic.gov.au/ commonweeds



# Property and legal considerations

The South Gippsland Planning Scheme zones land for particular uses. There may be planning zones and overlays that allow or restrict certain building or activities on rural land.











What you can or can't do in each planning zone:

Check your land title: land-titles/land-titles/about-land-

### Some questions you may want to ask are

- Are there any overlay controls?
- What is allowed to occur on the site or surrounding land that may or may not

# Roads and Access Standard of the road

Check with Council whether your road is a public or private road and who is responsible for its maintenance. If it is a private road it is likely that you will be responsible for it. Unsealed roads generate dust and are often slippery or boggy when wet. Ask how frequently your road is graded and be prepared to accept that it may never be sealed.

Some public roads in South Gippsland are managed by Council, others by VicRoads. There may be rural roads that have not been formally opened, existing only on a plan. These roads may be covered with native vegetation or licensed to farmers for grazing. Public access through these undeveloped roads is possible and may affect your activities on the land. Council will be able to help you with whether these roads are accessible to you or not.



### More Information

Whether a road is managed by VicRoads or Council: www.southgippsland.vic.gov.au/ localroads

Most roads in rural areas that are unsealed are likely to remain unsealed.



# **Emergency Vehicle Access**

Fire and flood are common risks in South Gippsland. It is the responsibility of rural property owners to make sure emergency vehicles can gain access to their property and that you can easily get out in emergencies.

# Roadsides, native plants and weeds

Emergency response times can be slow in rural locations. Clear precise directions to find your property are essential in emergencies. There are often local names for local roads that are not the same as official road names.

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Roadsides are public land managed by Council or VicRoads. In some cases it is the responsibility of adjoining land owners to control pests and plants. Council should be contacted prior to any works on roadsides.

Some of the few remaining areas of native vegetation are located on roadsides in South Gippsland. These areas may provide valuable habitat corridors between larger areas of native vegetation. Major threats to roadside vegetation are the spread of weeds and unsympathetic management practices such as stock grazing, burning or clearing.

Planting wind breaks and vegetation buffers can support travel of native animals and reduce impacts of noise, dust, wind and visual impacts.



# Protecting native vegetation and habitat

Many rural properties in South Gippsland contain native trees, shrubs and grasses that have remained since European settlement. Controls in the South Gippsland Planning Scheme and the Flora and Fauna Guarantee Act protect native vegetation, stream banks and wetlands.

Native Vegetation Provisions in the South Gippsland Planning Scheme outline when a planning permit is required to remove native vegetation. It is best to contact Council prior to any vegetation removal or changes to the environment.

### Removing Native Vegetation

Are you considering removing native vegetation on your land? There are regulations which affect your ability to remove native vegetation on private property



# More Information

General information about native vegetation: www.southgippsland.vic.gov.au/ nativevegetation

Limitations on clearing and processes for legal clearing: www.depi.vic.gov.au/environment-andwildlife/biodiversity/native-vegetation



## Livestock

Owners of livestock have an obligation to look after their welfare. Good animal welfare requires disease prevention and veterinary treatment, appropriate shelter, management, nutrition, humane handling and humane slaughter/killing

Information about wandering livestock, where you are allowed to keep livestock, and grazing livestock on roadsides is available on Council's website. Stock may be moved from one paddock to another along public roads

A permit must be sought for a regular stock crossing point on roads. VicRoads or Council must be contacted to request permission to install stock crossing point on a road. Stock Crossing Guidelines are available from VicRoads.

### More Information

Animal Welfare Resources: www.agriculture.vic.gov.au/ agriculture/animal-health-andwelfare/animal-welfare

Stock Crossing Guidelines: www.vicroads.vic.gov.au/traffic-androad-use/traffic-management/stockcrossing-guidelines



# Utility Services

Depending on location, many rural property owners may be responsible for their own sewerage treatment and disposal, water supply and drainage, and rubbish disposal. Services including reticulated gas, telephone, and electricity may not be available to some rural locations. Rainfall can be very unreliable and it is essential that you establish an efficient means of collecting, storing and distributing water on your rural property.

# Water Supply

Water is one of the most valuable resources in rural areas and is essential to good land management. There are several authorities responsible for water in South Gippsland including Southern Rural Water, South Gippsland Water, West Gippsland Catchment Management Authority and Council.

Water is required for domestic consumption, stock, irrigation and fire fighting purposes. Water can be collected from catchment dams, bores, rivers, streams or rainwater tanks. Water cannot be removed from designated rivers and streams without a permit from the responsible water authority.

Rainwater tanks are the most common way to store domestic water, while ground water (bores), dams and rivers are usually used for stock and gardens. It is important to maintain your rainwater tank to ensure the water is safe to drink.

# More Information

Guidance on Rainwater Tanks: www.health.gov.au/internet/main/publishing.nsf/content/ohp-enhealthraintank-cnt.htm

## Septic Systems

Rural properties are generally not connected to the reticulated sewerage system and must have a properly maintained, functioning on-site sewerage management system. Commonly a septic system is used but other types of systems are also used.

If you are building a new house or out-building which has plumbing fixtures (toilets,

Onsite wastewater systems require regular care and maintenance to ensure they function correctly.

Servicing of your system must be completed by an authorised service representative.

sinks etc.) in an unsewered area, you will need to install an on-site wastewater management system to treat the wastewater generated from your property.

On-site wastewater systems use good bacteria to break down and digest waste within the dirty water. Once treated, the effluent (treated wastewater) is dispersed onto (but not beyond) your property, usually in an underground network of pipes. Poorly maintained wastewater systems can affect public health, the environment, local waterways, drinking water supplies and the storm water system.

A permit must be obtained from Council to install and use an on-site wastewater system. More information is available at <u>www.southgippsland.vic.gov.au/wastewater</u>.



# Dams and work near watercourses

There are many ways you can improve your property including working with Landcare, improving your soil, fencing and re-vegetating waterways, and improving drainage. The West Gippsland Catchment Management Authority has limited funding available at times for approved works in priority areas

#### www.wgcma.vic.gov.au/#ForLandHolders

## More Information

Dam Construction and Approvals: www.southgippsland.vic.gov.au/dams

Agricultural Fire Management Guidelines: http://www.cfa.vic.gov.au/planprepare/fire-safety-on-the-farm/

Planning approval is required for a dam depending on size, capacity and its location (i.e. on a waterway). It is important to remember that if a dam does not need a planning permit other permits may be required. Council advises that you contact Southern Rural Water and the West Gippsland Catchment Management Authority first to see if you require any approvals.

## Water storage and fire fighting

The types of water storage you have for fire fighting purposes is critical to your ability to successfully save your home in a fire. Your local Country Fire Authority (CFA) can advise on the water storage suited to your property and circumstances including the amount of water that should be stored, the source of power supply (generator or pump) if your electricity fails and the tap fittings necessary to ensure compatibility with CFA equipment.



# Waste and Recycling Collection

Garbage and recycling collection is not available in all areas of South Gippsland. There are seven waste and recycling centres in South Gippsland and a private waste service provider.

Rural waste management is essential to a healthy, safe and productive property. Rural land owners and lessees have legal responsibilities to dispose of wastes

## More Information

Waste Disposal Facilities: www.southgippsland.vic.gov.au/tips

Farm Waste Management Guide: www.epa.vic.gov.au/~/media/ Publications/IWRG641.pdf

appropriately under the Environment Protection Act 1970 and local laws.

The Environment Protection Authority (EPA) provides rural waste management guidelines providing recommendations on how to manage:

- scrap metals/used wire
- masonry
- asbestos
- unwanted or excess chemicals
- oil and oil filters
- tyres
- dead stock

- silage wrapping and twine
- treated timber
- tree and plant waste
- recyclables
- household wastes
- empty chemical drums and used containers

# Animal Health and Management

## Domestic pets

Allowing your dog to roam and attack livestock is an offence and disrespectful to neighbours who have to deal with killed or maimed animals. You must contain any domestic animals on your property and secure them at night to prevent attacks on livestock and wildlife. If an owner of livestock finds a dog or cat at large near livestock they can destroy them. (Section 30 *Domestic Animals Act 1994*) It is the responsibility of rural land owners to ensure their dogs and cats have the appropriate registrations for their area by calling Council on 03 5662 9200.

1080 and PAPP are poisons used in the control of rabbits, foxes, wild dogs and feral pigs in Victoria. This poison if consumed will kill a domestic dog.

The maximum number of dogs and cats allowed in different rural areas within the Shire is defined in the relevant planning scheme.



### More Information

Owning Dogs and Cats in Victoria: www.southgippsland.vic.gov.au/pets



Having animals on a small acreage can be a great source of satisfaction and owners must be actively involved in their welfare.

- · Make sure your animals have adequate feed, shade and clean, fresh water
- Ensure your fencing is adequate
- Many animals require regular parasite and worm control
- Protect animals from fly strike, lice and foot rot.

There are many diseases and accidents that can occur with farm stock. They should be supervised regularly and provided with appropriate health and medical care.

Livestock health advice can be gained from your local large animal veterinarian or farm supply store.

Wandering livestock can create a serious public safety risk. Stock lean against fences while trying to access feed on adjacent road reserves and paddocks. This can cause fences to fail and animals to escape.

People have been seriously injured or killed from collisions with livestock on roads and it is important for stock owners to constantly check on their stock. On the spot fines can be issued for allowing stock to wander.

## More Information

Council's Local Laws team can assist with wandering livestock, call 5662 9200 www.southgippsland.vic.gov.au/animals

# Wildlife

Agriculture Victoria outlines key considerations for farmers and people living in rural areas in relation to protection of wildlife and biodiversity.

# Landholders' rights and obligations

Landholders looking to better understand their rights and obligations and those of their neighbours can find our more by contacting;

#### South Gippsland Shire Council

www.southgippsland.vic.gov.au Local governments typically deal with matters relating the type of land uses that are permitted to operate in a given area and whether landholders are complying with restrictions imposed by zoning and land use overlays.

#### **Environment Protection Authority**

www.epa.vic.gov.au

Responsible for regulating activities which pose a threat to the environment, including waste disposal, noise and emissions.

# More Information

For injured wildlife call 13000 WILDLIFE (1300 094 535)

Wildlife and Biodiversity Management: www.agriculture.vic.gov.au/ agriculture/farm-management/ legal-information-for-victorianlandholders/biodiversitymanagement

#### Department of Economic Development, Jobs, Transport and Resources

www.agriculture.vic.gov.au Manages biosecurity risks including obligations of landholders to manage pests, diseases and weeds.

#### **Dispute Resolution Centre**

www.disputes.vic.gov.au A free dispute resolution service funded by the Victorian Government



# Where to get help

South Gippsland Shire Council customer service staff can provide information or will direct you to other sources of assistance where particular expertise is required.

## South Gippsland Shire Council

Phone (03) 5662 9200 Private Bag 4, Leongatha, 3953 www.southgippsland.vic.gov.au council@southgippsland.vic.gov.au

#### Agriculture Victoria

www.agriculture.vic.gov.au/agriculture/ farm-management/new-landholders Agriculture Victoria is a State Government authority providing advice on managing small properties including legal information for Victorian landholders. The Agriculture Victoria website provides specific advice to people thinking of moving to a rural area. Information from the website was used to develop this resource.

#### **Country Fire Authority**

www.cfa.vic.gov.au/plan-prepare/firesafety-on-the-farm Country Fire Authority provides advice on fire management planning for farmers, landowners, plantation managers and bush block owners.

#### Department of Health

Department of Health provides advice on cleaning and maintaining private drinking water supplies and rainwater and tank maintenance

Rain water and tank maintenance: www.health.vic.gov.au/public-health/ water/private-drinking-water-supplies/ private-water-supply-rainwater\_

Cleaning and maintaining private drinking water supplies:

www.health.vic.gov.au/public-health/ water/private-drinking-water-supplies/ cleaning-and-maintaining-a-private-watersupply

#### **Environment Protection Authority**

www.epa.vic.gov.au

Environment Protection Authority Victoria regulates the environment and is an authority on the things that impact on our environment.

#### South Gippsland Water

#### www.sgwater.com.au/services/water/ water-system/

South Gippsland Water's service provides water and waste water services to many South Gippsland towns. Services generally do not reach rural properties. A map showing an overview of the water system is provided on the above link

#### **Gippsland Water**

#### www.gippswater.com.au

Gippsland Water services Mirboo North town area only.

#### West Gippsland Catchment Management Authority

#### www.wgcma.vic.gov.au/about-us/aboutwgcma\_

The West Gippsland Catchment Management Authority works with farmers, landholders and community groups to create healthier catchments. The West Gippsland region covers over 17,500 square kilometres from near Warragul, to San Remo, Wilson's Promontory, Lakes Entrance and to Mount Howitt, past Licola.

# Victorian Farmers Federation www.vff.org.au

The Victorian Farmers Federation is a farming lobby group has local groups in South Gippsland. Members can access policy advice on areas such as water, land management, planning, safety and employment. Networking, events, publications and updates are available.

#### Land for Wildlife

www.wildlife.vic.gov.au/land-for-wildlife Land for Wildlife is a voluntary wildlife conservation program. If you wish to create or protect wildlife habitats on your property, then the Land for Wildlife scheme can offer you advice and assistance no matter whether you manage a farm, a bush block, a council park or school ground. Anyone can join a local Landcare, Waterwatch or Estuary Watch group – contacts for local groups in South Gippsland are available at www. wgcma.vic.gov.au/getting-involved/whatyou-can-do

#### Landcare

Landcare groups bring farmers and small land owners together to undertake local biodiversity catchment and land protection. Landcare groups organise field days, information nights and training programs. Equipment and funding programs can often be accessed through a local Landcare group.



Legal information for Victorian landholders www.agriculture.vic.gov.au/agriculture/farmmanagement/legal-information-for-victorian-landholders accessed 10 March 2017

Department of Agriculture www.agriculture.vic.gov.au/agriculture/farm-management/newlandholders/before-you-buy-in-rural-victoria/tips-before-purchasing-rural-land accessed 10 March 2017

Small Rural Property Guide 2015 www.necma.vic.gov.au/Solutions/Small-Rural-Property-Guide accessed 10 March 2017

Department of Health Rain water and tank maintenance www2.health.vic.gov.au/publichealth/water/private-drinking-water-supplies/private-water-supply-rainwater accessed 10 March 2017

Department of Health Cleaning and maintaining private drinking water supplies www2. health.vic.gov.au/public-health/water/private-drinking-water-supplies/cleaning-andmaintaining-a-private-water-supply accessed 10 March 2017

West Gippsland Catchment Management Authority www.wgcma.vic.gov.au accessed 14 March 2017

We would like to thank Surf Coast Shire Rural Development Committee for much of the research behind the content of this booklet accessed from Rural Living – what to expect Surf Coast Shire 2002



## South Gippsland Shire Council

9 Smith Street (Private Bag 4) Leongatha, VIC, 3953 Phone: 03 5662 9200 Fax: 03 5662 3744 Email: council@southgippsland.vic.gov.au Web: www.southgippsland.vic.gov.au