



Mildura Rural City Council



## MILDURA OLDER IRRIGATED AREA (MOIA)

# What can you do?

### Subdivision

Within the Farming Zone in the Mildura Older Irrigated Areas (MOIA) of Mildura, Red Cliffs and Merbein (see Map 1 overleaf) **you can:**

- **Subdivide** land into lots of **40ha** or greater (unless it is an excision of an existing dwelling);
- **Excise a dwelling** which existed on 29 May 2009 as long as:
  - o the lot created for the dwelling is **0.4ha** (unless necessary to be up to a max. 1.0ha);
  - o the parent lot is a minimum size of **3ha**;
  - o the subdivision does not compromise future urban development of the land;
  - o there are no existing agreements to the contrary;
- **Re-subdivide** existing lots as long as:
  - o it does not compromise future urban development;
- **Excise or re-subdivide** existing lots without the need for agreement restricting development of future dwellings as long as:
  - o relevant existing and residual lots are **10ha** or greater;
  - o relevant existing and residual lots are **0.2 - 2ha** in Growth Areas [re-subdivide only];
  - o there are no existing agreements to the contrary.

### Dwellings

Within the Farming Zone in the Mildura Older Irrigated Areas of Mildura, Red Cliffs and Merbein **you can:**

- Establish a **dwelling** on existing lots in Table 1 of the MOIA Incorporated Document;

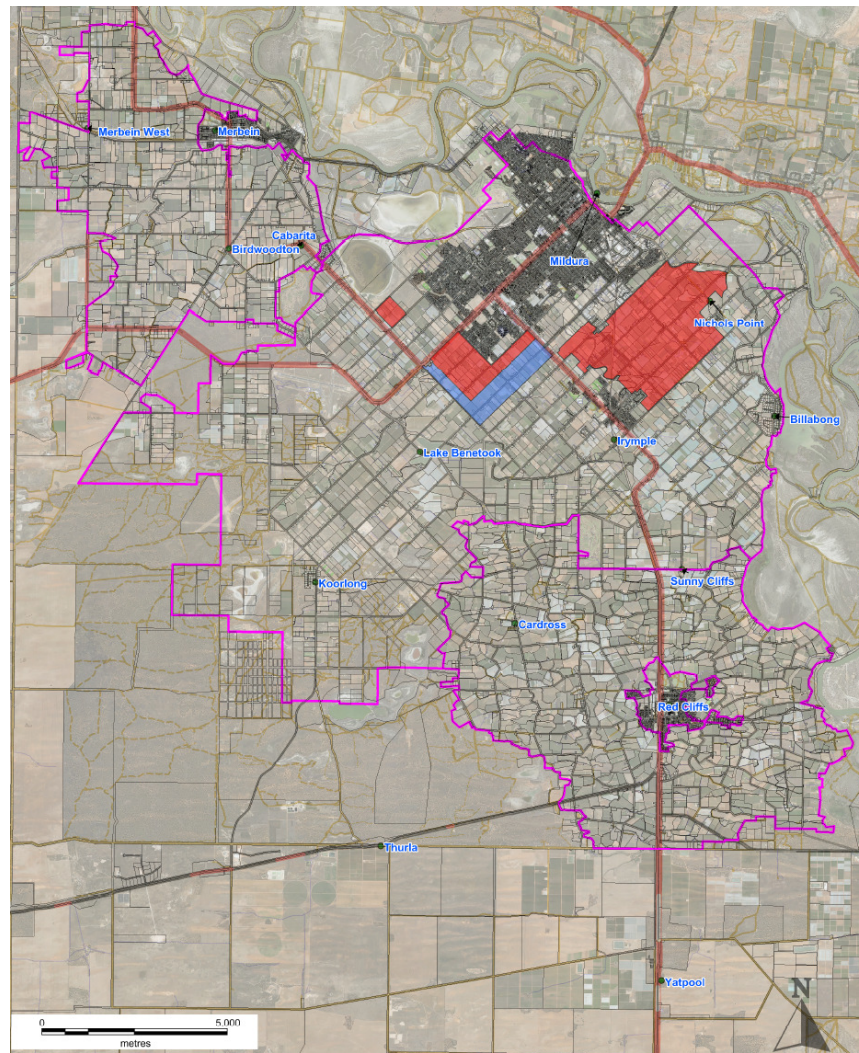
- Establish a **dwelling** (other than Table 1) on a lot which is **0.2ha** or greater but less than **10ha** as long as:
  - o it is located within either the Mildura East or the Mildura South growth area (Map 1);
  - o it does not compromise both existing horticulture and future development;
  - o there are no existing agreements to the contrary;
- Establish a **dwelling** on a lot which is **10ha** or greater but less than **20ha** in size;
- **Replace** an existing or destroyed legal dwelling;
- Establish a **dwelling** 'as of right' on lots **20ha or greater** (A permit may still be required for the development);
- Establish a dwelling abutting existing development under section 2 of the table of uses to Clause 35.07-1, if all of the following requirements are met:
  - o The dwelling is to be constructed wholly within 50 metres of the frontage and is on a lot of between 0.2 and 1.2 hectares and:
    - Within an existing row of dwellings; or
    - At the edge of an existing row of dwellings; or
    - On a lot which directly abuts land used and developed for a Camping and caravan park or Primary school.
  - o The lot must have existed on 30 June 2020; and
  - o The lot is not encumbered by a section 173 agreement ensuring no further dwellings will be constructed; and
  - o The dwelling is not located within the Mildura South By-Pass Corridor (Map 1); and
  - o The dwelling is not located within a designated bushfire prone area or subject to the
    - o Bushfire Management Overlay; and
    - o No part of the dwelling is subject to a flooding overlay; and
    - o If located within the Mildura East Growth Area or Mildura South Growth Area (Map 1), sufficient clearance of 50 metres in width is provided

All opportunities above are subject to the granting of a permit in accordance with the Mildura Planning Scheme and the Mildura Older Irrigation Area Incorporated Document August 2020 and may be subject to conditions if granted.

Conversion: 1 Acre = 0.4047ha

1 Hectare = 2.4711acres

## Map 1



**MILDURA OLDER IRRIGATION AREA INCORPORATED DOCUMENT - AREAS MAP**

- Mildura South and East growth Areas
- Mildura South By-Pass Corridor
- Mildura Older Irrigation Area

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## Further Information

More detailed information is available from Council's Strategic Planning Team on **(03) 5018 8419** or on Council's website [www.mildura.vic.gov.au](http://www.mildura.vic.gov.au)