TOWN PLANNING AND DEVELOPMENT ACT 1928

STATEMENT OF PLANNING POLICY No. 11

AGRICULTURAL AND RURAL LAND USE PLANNING
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AGRICULTURAL AND RURAL LAND USE PLANNING

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Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning
1. CITATION

This is a Statement of Planning Policy made under section 5AA of the Town Planning and Development Act 1928 (as amended). It applies to the planning of rural and agricultural land in Western Australia. This policy may be cited as Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning.

2. BACKGROUND AND PURPOSE

Since 1989, land use planning for rural and rural-residential development has been guided by the Western Australian Planning Commission’s (the Commission) Policy No. DC 3.4 Rural Land Use Planning (May 1992) and its predecessors. The aim of Policy No. DC 3.4 was to establish a framework which sets out State and local government responsibilities for ensuring orderly and proper planning, and development of rural land. Policy measures were provided to address the different planning needs of rural areas, the rural economy and environment.

A number of events prompted a review of the policy and the preparation of a new policy to guide rural land use planning. Specifically, the State Government adopted the following position statement in 1994 recognising the need to identify and plan for sustainable development of agricultural land—

“The Western Australian Government considers that productive agricultural land is a finite national and State resource that must be conserved and managed for the longer term. As a general objective, the exercise of planning powers should be used to protect such land from those developments, activities or influences that lead to its alienation or diminished productivity, while always accepting the need for land for expanding urban areas and other uses of State significance.”

A series of workshops, comprehensive questionnaires and direct consultation involving State agencies and local government, key stakeholders and the general public were undertaken in 1997. This culminated in the joint release of a discussion paper by the Commission and Department of Agriculture in November 1997, titled Planning for Agricultural and Rural Land Use. Extensive statewide consultations on the options canvassed in this paper were actively pursued and the feedback from this was used in formulating the draft Agricultural and Rural Land Use Planning Policy. This was released in October 1999 for further public comment. Following consideration of submissions received, the Commission adopted this final Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning.

This Policy has been prepared by the Commission under Section 5AA of the Town Planning and Development Act 1928. Under Section 5AA of the Act, local government must have due regard to this policy in the preparation of town planning schemes, strategies and policies, and when providing comment and advice on planning applications that deal with rural land.

Agricultural production from rural areas is a significant part of the Western Australian economy. It provides essential food and fibre products, and employment and value adding opportunities. Agricultural production in Western Australia is worth nearly $5 billion per annum. Careful planning is required to maintain these benefits to regional economies and to encourage ongoing investment in agriculture and the supporting resource base.

Over the past 20 years the rate of conversion of land from active agriculture to other land uses has intensified. Land degradation has also contributed to the reduction of land available for agriculture. This reduction in the amount of land available for agriculture has also occurred through changes in land values and restrictions on farming practice where non-agricultural uses have placed restrictions on traditional farming practices.

Together with the need to reinforce the long-term protection and support for agriculture, this policy also responds to a number of other significant planning issues including—

- the provision of opportunities for producers to improve agricultural productivity;
- impacts on natural resources arising from the location, pattern and timing of subdivision and development;
- inappropriately located and poorly planned rural-residential and hobby farm development constraining opportunities for urban growth and resulting in the inefficient and uneconomical provision of services and infrastructure as well as low standards of development and land management;
- increasing interest from and recognition by communities who wish to be involved in the planning of rural areas;
- increasing concern for the conservation of rural landscapes, topographic features, remnant vegetation and ecosystems;
- provision for future urban growth and other land use needs on the fringe of urban areas;
- the need to foster the economic well-being of rural communities particularly through economic diversification and value adding, specialised agricultural activities and tourist opportunities; and
- the need to avoid or resolve conflicts between incompatible land uses.

The policy is guided by the following fundamental principles—

- The State’s priority agricultural land resource should be protected.
- Rural settlement opportunities should be provided if sustainable and of benefit to the community.
- The potential for land use conflict should be minimised.
- The State’s natural resources should be carefully managed.
Related planning policies are—

- State Planning Strategy (1997)
- Statement of Planning Policy No. 2 The Peel-Harvey Coastal Plain Catchment Policy
- Statement of Planning Policy No. 4 State Industrial Buffer Policy (under review)
- Statement of Planning Policy No. 5 Poultry Farms Policy
- Statement of Planning Policy No. 7 Leeuwin-Naturaliste Ridge Policy
- Statement of Planning Policy No. 8 State Planning Framework Policy
- Statement of Planning Policy No. 10 Basic Raw Materials
- Statement of Planning Policy (draft) Environment and Natural Resources Policy
- Statement of Planning Policy (draft) Public Drinking Water Source Policy
- Metropolitan Rural Policy (1995)
- Policy No. DC 3.4 Subdivision of Rural Land
- Policy No. DC 3.7 Fire Planning
- Planning for Bushfire Protection (2001)

** Other relevant International, National and State policies should be taken into account. See Explanatory Notes

3. APPLICATION OF THE POLICY

Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning applies to all rural land in Western Australia. It should be read in conjunction with Policy No. DC 3.4 Subdivision of Rural Land (2002) and the Metropolitan Rural Policy (1995).

The Land Administration Act 1997 administers the use, development, leasing and subdivision of unallocated Crown land and Pastoral Leases. The Minister responsible for the Land Administration Act 1997 should have due regard for this policy.

The provisions of this policy apply to the preparation and assessment by the Commission of—

- Region planning schemes and strategies
- Local planning strategies
- Town planning schemes and amendments to town planning schemes
- Structure plans and outline development plans; and
- Planning guidelines and non-statutory policies and plans

The Commission will use this Policy and Policy No. DC 3.4 Subdivision of Rural Land (2002) as the basis for determining applications for the subdivision of rural land.

4. POLICY OBJECTIVES

The four key objectives of the policy are—

1. Protect agricultural land resources wherever possible by—
   a. discouraging land uses unrelated to agriculture from locating on agricultural land;
   b. minimising the ad hoc fragmentation of rural land; and
   c. improving resource and investment security for agricultural and allied industry production.

2. Plan and provide for rural settlement where it can—
   a. benefit and support existing communities, and
   b. have access to appropriate community services and infrastructure.

3. Minimise the potential for land use conflict by—
   a. providing adequate separation distance between potential conflicting land uses;
   b. introducing management requirements that protect existing agricultural land uses;
   c. identify areas that are suitable and capable for intensive agricultural pursuits as agricultural priority areas; and
   d. avoid locating new rural settlements in areas that are likely to create conflict with established or proposed agricultural priority areas.

4. Carefully manage natural resources by—
   a. discouraging development and/or subdivision that may result in land or environmental degradation;
   b. integrating land, catchment and water resource management requirements with land use planning controls;
   c. assisting in the wise use of resources including energy, minerals and basic raw materials;
   d. preventing land and environmental degradation during the extraction of minerals and basic raw materials; and
   e. incorporating land management standards and sequential land use change in the land use planning and development process.

Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning
5. POLICY MEASURES

5.1 Requirements for Local Government Local Planning Strategies and Policies

(i) Local planning strategies should—
(a) express the vision of the local government and identify proposals for the future development of the district;
(b) provide a mechanism for the community to contribute to land use planning;
(c) plan to ensure compatibility of land uses;
(d) identify and protect key natural resources, including water and its dependent ecosystem, vegetation, minerals and basic raw materials;
(e) develop subdivision and development criteria for the identified agricultural, tourist and closer settlement areas;
(f) provide guidelines for land planning and development in water catchments, water resource management areas and flood affected land;
(g) provide a clear strategy for settlement growth as outlined in Appendix 2;
(h) identify areas suitable for closer settlement in rural areas;
(i) provide a guide for future land use, zoning, subdivision and development within the settlement areas identified;
(j) determine the preferred pattern of agricultural land use;
(k) identify agricultural areas of State or regional significance as outlined in Appendix 4;
(l) provide a guide for future land use, zoning, subdivision and development within areas of agricultural significance;
(m) make reference to relevant agricultural codes of practice which outline best practices for agricultural producers; and
(n) address any other local issues as appropriate.

(ii) Local planning policies may be prepared to assist a local government in making decisions under its town planning scheme. The local planning policies should be consistent with the provisions of this Policy.

5.2 Town Planning Scheme Provisions for Agricultural Land

In order to provide clarity and consistency for users of town planning schemes, local government should use the zonings and scheme provisions set out below to control planning and development in rural areas.

5.2.1 Priority Agriculture Zone

(i) Land shall be zoned “Priority Agriculture” within a town planning scheme and not zoned “Rural-Residential” or “Rural Smallholdings” where—
(a) it has been identified by State agencies and the local government in consultation with the community as an agricultural area of State or regional significance; or
(b) it has been identified in a local planning strategy as being an area of local agricultural significance; and
(c) it is not already an existing Rural-Residential or Rural Smallholdings development.

(ii) In the “Priority Agriculture” zone, the following land uses should be permitted: agriculture-intensive (may be subject to development approval), agriculture-extensive and a single dwelling. The following should be discretionary uses: animal husbandry-intensive, industry-rural, industry-extractive and farm workers' accommodation.

(iii) The town planning scheme should make provisions to minimise the impact of adjoining uses on the “Priority Agriculture” zone that may restrict or conflict with the continued use for agriculture.

(iv) Town planning scheme provisions may be appropriate within the “Priority Agriculture” zone to allow small scale tourist activities, including farm stay, chalets, and bed and breakfast, where these are incidental uses to the primary agricultural use of the land. All impacts associated with these tourist activities must be contained on-site.

(v) Where land is zoned “Priority Agriculture”, town planning scheme provisions may include minimum lot size criteria for an agricultural lot where a dwelling can be permitted.

(vi) Proposals to rezone land, subdivide or develop within the “Priority Agriculture” zone for any other beneficial non-agricultural uses are to be accompanied by an Agricultural Impact Assessment as outlined in Appendix 3.

(vii) Provisions in the town planning scheme to allow more than one dwelling on a lot in the “Priority Agriculture” zone will not be supported unless the additional dwelling(s) provides—
(a) accommodation for workers employed for agricultural and intensive agricultural activities on that holding; and

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1 All agricultural uses include cyclical fallow periods required for sustainable agricultural practices.
2 The term farm workers' accommodation also includes accommodation for family members involved in the operation of the agricultural enterprise.
5.2.2 General Agriculture Zone

(i) Within the local planning strategy, rural land that is not identified as either an area of agricultural significance or as being suitable for closer settlement should be zoned "General Agriculture" within the town planning scheme.

(ii) In the "General Agriculture" zone, the following land uses should be permitted: agriculture-intensive and a single dwelling; and the following should be discretionary uses: agriculture-intensive, industry-rural, animal husbandry-intensive, industry-extractive, and farm workers' accommodation.

(iii) Town planning scheme provisions should be included within the "General Agriculture" zone to allow tourist activities, including farm stay, chalets, and bed and breakfast, where these are complementary uses to agricultural use of the land. Impacts associated with these tourist activities should be contained on-site.

(iv) Provisions in the town planning scheme to allow more than one dwelling on a lot in the "General Agriculture" zone will not be supported unless the additional dwelling(s) provides—

(a) accommodation for workers employed for agricultural and intensive agricultural activities on that holding; and

(b) the dwellings should generally be clustered in one location, to avoid future subdivision pressure and minimise constraints on adjoining uses; and

(c) all services to the dwellings from the lot boundary (including access roads) are shared where practicable.

5.2.3 Town Planning Scheme Provisions to Avoid Land Use Conflicts

(i) Proposals to rezone, subdivide or develop land within rural areas must have regard to both on-site and off-site impacts and, where necessary, should be accompanied by information identifying—

(a) environmental values and any environmental risks;

(b) the potential for land use conflict;

(c) the potential impacts and restrictions on allowed uses on adjacent or nearby locations;

(d) the separation distances and/or buffers relating to a potentially incompatible land use which need to be provided on-site and the appropriate conditions relating to subdivision and development.

5.3 Town Planning Scheme Provisions for Rural Settlement

In order to provide clarity and consistency for users of town planning schemes, local government should use the zonings and scheme provisions set out below to control the planning and development of rural settlements.

5.3.1 General Scheme Provisions for Rural Settlement

(i) Land identified in the local planning strategy as being suitable for closer settlement in rural areas should be zoned "Rural-Residential" for a residential use in a rural environment, or "Rural Smallholdings" for a residential use in association with a rural pursuit, or "Residential" in areas for townsite expansion.

(ii) In areas zoned "Rural-Residential" or "Rural Smallholdings", town planning scheme provisions should provide for—

(a) the requirement for a subdivisional guide plan;

(b) restrictions on the type and scale of any agricultural land uses or rural pursuits;

(c) the identification of clearing, land management controls and environmental repair requirements including the retention of areas of remnant vegetation or regeneration of degraded areas;

(d) the identification of either a building envelope, or building exclusion area, on each lot to which all development is restricted;

(e) the restriction of development to only one dwelling per lot;

(f) the control over the location of development (including the siting of dwellings, ancillary buildings, service roads and firebreaks) so that it does not significantly detract from any scenic landscape and/or conservation attributes;

(g) compliance with State and local government environmental and health standards in respect of dwellings and ancillary buildings and the associated services (i.e. drainage and wastewater disposal);

3 All agricultural uses include cyclical fallow periods required for sustainable agricultural practices.

4 The term farm workers' accommodation also includes accommodation for family members involved in the operation of the agricultural enterprise.
(h) requirement for all structures in high bushfire risk areas to be constructed to Australian Standard AS3959;
(i) road design to allow for safe egress in event of an emergency;
(j) the preparation and implementation of bushfire management plans; and
(k) any other matter that arises from the preparation of the local government’s settlement strategy.

(iii) The Commission will only support subdivision for Rural-Residential and Rural Smallholdings where the land has been appropriately zoned within the town planning scheme and the provisions of Policy No. DC 3.4 (2001) Clause 6 can be complied with.

5.3.2 Additional Scheme Provisions for the Rural-Residential Zone

(i) In areas zoned “Rural-Residential” the following town planning scheme provisions should apply in addition to those listed in 5.3.1(ii)—

(a) the lot size should range from 1 ha to 4 ha depending on local conditions; and
(b) mandatory provision of a reticulated potable water supply to an appropriate standard as determined by the licence holder.

5.3.3 Additional Scheme Provisions for the Rural Smallholding Zone

(i) In areas zoned “Rural Smallholdings” the following town planning scheme provisions should apply in addition to those listed in 5.3.1.(ii)—

(a) lot sizes ranging from 4 ha to 40 ha or more depending on local conditions **;
(b) design, development and management provisions to provide for a variety of housing and lifestyle opportunities;
(c) opportunities for home business, industry-cottage, tourist and rural pursuits where part- or full-time income may be derived from specialty agricultural production and value-adding activities, arts, crafts and hobbies, small scale home manufacturing, home office, home-based medical, health and healing and similar activities;
(d) an identifiable rural lifestyle theme (e.g. conservation lots, bush blocks, equestrian parks, permaculture estate);
(e) the provision of an adequate sustainable potable water supply for domestic use; and
(f) the provision of a separate water supply for land management and firefighting purposes.

** Individual local governments should determine the size depending upon local conditions and long-term environmental sustainability for conservation theme lots.

5.4 Managing Natural Resources

This policy proposes the introduction of various measures aimed at protecting natural resources in rural areas throughout the State. They include the promotion of sustainable development and prevention of land degradation including rehabilitating salt-affected land.

Town planning schemes should make provisions for the protection and management of natural resources and environmental management areas identified in local planning strategies. These areas include water resource areas, minerals and basic raw material resource areas, and the integration of land, catchment and water resource planning and management.

5.4.1 Water Resource Areas

(i) Public drinking water source areas including gazetted underground water pollution control areas, gazetted catchment areas and gazetted water reserves should be protected and appropriately managed to maintain the sustainability of the resource.

(ii) To ensure the continued supply of drinking water, water resource areas (surface or groundwater) that provide drinking water sources must be protected by provisions in the town planning scheme to ensure that land uses are consistent with the guidelines of the Department of Environment, Water and Catchment Protection on land use compatibility within Public Drinking Water Supply Areas.

(iii) To assist with the conservation of the environmental values of the water resource, it may be necessary to include within town planning schemes, protection and environmental repair measures that are consistent with the Statement of Planning Policy (draft) Environment and Natural Resources Policy.

5.4.2 Integration of Land Use Planning, Catchment and Water Resource Management

(i) To assist catchment and water resource planning and management, town planning schemes should make provisions for land use and environmental management controls that aim to maintain or improve the quality of the natural environment and resource base.

(ii) Town planning schemes may specify provisions that restrict land clearing and promote revegetation in areas identified in the local planning strategy as requiring remediation from land degradation, including salinity, and that improve water quality.

5.4.3 Mineral and Basic Raw Material Resource Areas

(i) Town planning schemes should make provisions for the protection of basic raw materials, mineral and energy resources identified in the local planning strategy.
(iii) Town planning schemes should include provisions for the extraction of basic raw materials, mineral and energy resources. These provisions should include the development of appropriate local policies and requirements, particularly buffer requirements, that the extraction industries will be subject to; sequential land use proposals; and environmental management measures.

(iii) These activities should be regarded as generally acceptable, subject to assessment on their individual merits in rural areas.

5.4.4 Flood Risk Areas

(i) Flood risk must be considered by local government in preparing town planning schemes and amendments and in land use planning decisions to avoid increasing the impacts of flooding through inappropriately located land use and development.

(ii) Land identified as being within the floodplain should be shown on town planning scheme maps (for example, as Special Control Areas) or on maps adopted as policy under the scheme.

(iii) There is a presumption against more intensive development, such as residential, industrial, rural-residential and rural smallholdings, within any defined floodplain.

(iv) Town planning schemes should require planning approval to construct a building or to construct or carry out works, including a single dwelling, rural sheds, solid fences, landfill, clearing and excavation, for land within a floodplain.

6 IMPLEMENTATION

6.1 Mechanisms for Implementation

Implementation will occur through the preparation of regional planning strategies and statutory region schemes, and at a local level through the preparation of local planning strategies, schemes and policies consistent with the principles and objectives of this policy.

6.2 State Government Responsibilities

6.2.1 Western Australian Planning Commission

The Commission will undertake the following measures to assist with the implementation of this policy—

- Make available a basic set of relevant geographical data to assist local governments in the preparation of the local planning strategies and town planning schemes.
- Prepare and review regional plans and schemes that identify priority agricultural areas and other regional rural planning issues to provide guidance to local governments in the preparation of local planning strategies and town planning schemes.
- Develop policies to protect the sustainable use of significant agricultural land.
- Assess local planning strategies and town planning schemes against the objectives and policy measures of this policy.
- Determine applications for subdivision consistent with the objectives of this policy.

6.2.2 Department of Agriculture

The Department of Agriculture (DoA) will undertake the following measures to assist with the implementation of this policy—

- Where there is a need to assess an agricultural area for its State or regional significance, DoA may initiate a process with the relevant government agencies, the local government, other stakeholders and the community to identify such an area.
- When reviewing or preparing a local planning strategy and town planning scheme, a local government may request DoA to assist in the identification of these areas.
- Agricultural Priority Management Areas (Appendix 4) will be the subject of further investigation and refinement by DoA, Department of Environment, Water and Catchment Protection (DoEWCP), local government and stakeholders to identify agricultural areas of State or regional significance that would require appropriate zoning in town planning schemes.
- DoA will make available land resource information to local government (particularly to small local governments where additional assistance may be required) to assist with reviewing or preparing local planning strategies and town planning schemes.

6.2.3 Department of Environment, Water and Catchment Protection

The Department of Environment, Water and Catchment Protection will undertake the following measures to assist with the implementation of this policy—

- Assist in the identification of water resource areas, flood risk areas and agricultural areas of State or regional significance, with other relevant government agencies, in order to help local government identify these areas in local planning strategies and include them in town planning schemes.
- Assist in the identification of significant environmental issues to enable local government to address these in local planning strategies and incorporate appropriate provisions in town planning schemes.
6.2.4 Department of Mineral and Petroleum Resources
The Department of Mineral and Petroleum Resources will undertake the following measures to assist with the implementation of this policy—

- Assist, with other relevant agencies, in the identification of basic raw materials, minerals and energy resource areas, and help local government identify these areas in local planning strategies and include them in town planning schemes.

6.2.5 Fire and Emergency Services Authority
The Fire and Emergency Services Authority will undertake the following measures to assist with the implementation of this policy—

- Assist in the identification of fire risk areas and emergency service requirements and assist local government to address these in local planning strategies and incorporate appropriate provisions in town planning schemes.
- Assess and comment to local government and proponents on fire management plans required for rural subdivision.

6.3 Local Government Responsibilities
Local government will—

- identify and appropriately zone agricultural areas of State or regional significance and other agricultural areas;
- where necessary, identify and appropriately zone areas for rural-residential and rural smallholdings;
- identify and zone appropriately, areas of natural resources which require protection from incompatible development;
- wherever possible, provide planning direction for agriculturally-associated rural activities or land uses;
- in the absence of a local planning strategy make recommendations to the Commission in respect to rural land subdivision having due regard to the objectives of this policy.

APPENDICES
APPENDIX 1
Glossary of Terms
Terms shall have the meanings ascribed to them in the Model Scheme Text made under section 9 of the Town Planning and Development Act 1928, unless defined below.

agricultural area of State or regional significance—An agricultural area of State or regional significance is one that contains productive agricultural land that is suitable for the sustainable development of key or specialised agricultural uses that are of significant economic or social value to the State or a particular region.

basic raw materials—Basic raw material includes sand, gravel, clay, hard rock, limestone, and gravel and other construction material.

conservation covenant—A restrictive covenant which protects and preserves remnant or regenerated vegetation, wetlands or other flora and fauna.

feedlot—Premises which are used for the rearing or fattening of stock fed entirely or largely on prepared or manufactured feed; and designed to accommodate at any one time more than 500 animals in a confinement area, with no access to pasture or crops.

floodplain—The extent of flooding area in a 1 in 100 year flood event for a particular watercourse, which includes the floodway and flood fringe areas.

integrated catchment management—The integrated management of land, water and related biological resources to achieve sustainable and balanced use of these resources by fostering co-operation and co-ordination between the many land holders and other resources users, community groups and agencies involved.

key agricultural use—A grouping of agricultural land uses with similar physical characteristics and resource requirements that are managed using similar farming systems e.g. market gardening, orchards and vineyards, irrigated crops and pastures.

land capability assessment—A documented assessment of land resources to determine its natural capability to sustain a specified land use without resulting in significant on-site or off-site degradation or damage to the land resources. Land resources are defined broadly to include geology, soils, landform, hydrology, vegetation and climate.

land degradation—Has the same meaning given to the term in the Soil and Land Conservation Act 1945, as amended being land degradation includes—

- soil erosion, salinity, eutrophication and flooding; and
- the removal or deterioration of natural or introduced vegetation, that may be detrimental to the present or future use of the land.
**land suitability**—The fitness of a given type of land for a specified land use having regard to the physical and environmental factors together with social and economic factors.

**natural vegetation**—Any local indigenous plant community containing throughout its growth the complement of native species and habitats normally associated with that vegetation type or having the potential to develop these characteristics. It includes vegetation with these characteristics that has been regenerated with human assistance following disturbance.

**Priority Agriculture zone**—Has the same meaning as set out in s5.2.1(i) of this policy.

**productive agricultural land**—Land currently in production or has the potential to be productive for agricultural purposes based on soil quality, water quality and availability, climatic factors and access to specific infrastructure or processing facilities.

**regenerated vegetation**—The return of bushland to its approximate original natural condition by repairing degradation, removing exotic species and revegetating with indigenous species.

**restrictive covenant**—A notice on a Certificate of Title indicating to owners and prospective purchasers that pre-existing conditions relating to the subject land may influence the ability to use and develop the land.

**reticulated potable water supply**—Reticulated potable water supply to a standard determined by the appropriate licence holder.

**rural**—Means—

- those areas of land where broadacre cropping and grazing are undertaken. These areas may also include large scale intensive production enterprises such as poultry farming, orchards, feedlots for livestock, dairying, viticulture and aquaculture, or
- characteristic of, or pertaining to, the country (as distinct from the city and towns) as in the rural area or rural landscape, or
- pertaining to agriculture as in rural economy, or
- the act of living in the country as in rural living.

**Rural-Residential zone**—Land used for residential purposes in a rural setting which provides for alternative residential lifestyle and which seeks to preserve the amenity of such areas and control land use impacts.

**Rural Smallholdings zone**—Land used for minor rural pursuits, hobby farm, conservation lots and alternative residential life style purposes where part-time income from cottage industries, home occupation and use of the land for agriculture may be derived. This land use seeks to preserve and enhance landscape quality, environmental values and conservation attributes.

**small scale tourism development**—Developments such as farm stay, bed and breakfast, chalets that are incidental to the predominate use of the land.

**specialised agricultural use**—A single agricultural land use that has particular physical characteristics and resource requirements and which utilises a particular management system that differentiates it from other agricultural land uses e.g. apple orchard, mango orchard, table grape vineyard, strawberry farm, seed potato farm.

**sustainable agriculture**—The use of farming practices and systems which seek over the long-term seek to maintain or enhance—

- economic viability;
- the on-farm natural resource base; and
- ecosystems which are influenced by agricultural activity.

**APPENDIX 2**

**IDENTIFICATION AND PLANNING OF RURAL SETTLEMENTS**

**A. Criteria for Preparation of Local Planning Strategies**

When preparing local planning strategies upon which town planning schemes and local policies will be based, local governments should address the following matters in the identification and planning of areas for rural settlement—

1. **Protection of Priority Agriculture zones and agricultural areas of State or regional significance**

   Priority Agriculture zones and agricultural areas of State or regional significance should be avoided for settlements and not be constrained for their future operations or productivity by adjacent or nearby rural-residential or other potentially conflicting development.

2. **Identification of settlement patterns and settlement hierarchy—Settlement Strategy**

   The existing and proposed settlement hierarchy should be identified with a view to achieving denser forms of rural settlement. This will require the establishment of existing and potential links to the regional and district network of the various settlements. Their size, servicing and growth thresholds will be considered, as will the need to maintain the economic and social
viability of town centres and their access to higher order centres. All this must happen in a way that protects the visual and environmental amenity of the rural landscape.

In areas that are experiencing a decline in population (i.e. by comparing Census collection districts (CCD) over two intercensal periods for any given area) a Settlement Strategy may support the creation of homestead lots. The Strategy and subsequent town planning scheme should provide guidance as to where homestead lots will be supported, minimum lot size and servicing requirements. Homestead lots should not be identified in areas where they would generate the need for additional government and community services.

3. Maintaining urban growth potential
The location of rural-residential and rural smallholdings should avoid areas required for urban expansion.

4. Proximity to towns and service centres
Rural-residential and rural smallholdings areas should be located where they are accessible to urban services and employment opportunities. The location of settlements likely to support existing townsites or service centres in nodal or clustered estates is preferred.

5. Service provision
Planning for rural-residential and rural smallholdings areas must be based on an assessment of local roads, power, water, telecommunications and basic community infrastructure. Service costs should be minimised by locating such areas in proximity to existing towns and service.

6. Road access
Wherever possible, Rural-Residential and Rural Smallholdings areas should use existing local roads and not create additional direct access to major roads.

7. Landscape and conservation qualities
Potential rural-residential, and rural smallholdings areas must be planned in the context of the predominant landscape and conservation attributes of an area.

8. Fire risk assessment and management
All rural settlement areas must be sited having proper regard for the relevant Commission policy on bushfire protection.

9. Natural resources
The location of rural-residential and rural smallholdings areas should avoid any unacceptable impacts on, or sterilisation of, natural primary resources including prospective areas for mineralisation and basic raw materials, water catchments and areas of environmental significance. Extraction of resources and rehabilitation of land could be staged to allow sequential development for rural-residential or agricultural land use.

10. Environment
Land should be selected taking account of the potential risk of land and water degradation and of the opportunities to promote environmental repair. Account should be taken of the need to retain native flora and fauna habitats, and the potential to revegetate riparian buffers along waterways, gullies, ridge lines, and water recharge areas.

11. On-site effluent disposal
Aerobic treatment units (ATUs) require regular servicing but maybe an acceptable alternative to septic systems in areas where soil conditions are not suitable for normal on-site effluent disposal systems. Local governments will need to impose appropriate conditions on ATUs at the time of building or planning approval stage for a service management agreement. In addition, ATUs require regular maintenance and inspection and it will be the responsibility of the local government to ensure that these inspections are carried out. Local governments that are remote or have limited resources should address these matters before agreeing to the use of ATUs.

12. Demand and supply of rural-residential and rural smallholdings lots
Present evidence regarding the current and predicted demand for and supply of lots to balance demand and supply.

13. Specific purpose rural-residential and rural smallholdings areas
Zones with provision for specific uses, such as landscape protection, landscape repair, vineyard and equestrian estates, domestic pet kennels, trotting and horse racing complexes, health retreats, rural communities with some form of inter-dependence, permaculture or alternative land management/land care based developments, may be appropriate depending upon considerations of land capability and site characteristics.

14. Land capability assessment
The identification of land for settlement should be accompanied by detailed site analysis and assessment, which demonstrates that the land is of fair to very high capability of sustaining the proposed use.

15. Tourist accommodation
Tourist accommodation associated with farm operations should be located so that it does not jeopardise or diminish the function of the farm. All impacts should be contained on-site.
B. Criteria for Preparation of Town Planning Schemes or Amendments for Rural-Residential and Rural Smallholdings

Proposals for specific rezoning of land identified for future settlement within a local planning strategy should be accompanied by evidence demonstrating that—

1. The development will not lead to any adverse impacts in terms of flooding, soil erosion, landslip or any other form of environmental impact, e.g. pollution.
2. Drainage works that may need to be carried out will not have any detrimental impact on adjoining land.
3. Site features of heritage, cultural, scenic or ecological significance should be retained.
4. Road access ways and other transport corridors are sited and designed to contribute to environmental and fire management, being appropriate for anticipated traffic volumes while maintaining a rural character and minimising adverse environmental impacts.
5. Subdivision and development should maintain and where possible enhance environmental and landscape diversity.
6. Subdivision and development will not reduce or conflict with the long-term agricultural production potential of the adjoining land.

APPENDIX 3

GUIDELINES FOR PREPARING AN AGRICULTURE IMPACT ASSESSMENT

1. Loss of productive agricultural land
   (a) Whether the proposed use is an essential use of land identified as being of State, regional or local significance.
   (b) The agricultural significance of the area where the use is being proposed.
   (c) Alternative sites that have been considered for the proposed use and their suitability.
   (d) Whether the proposal will result in the loss of productive agricultural land, including land required for the following purposes (as appropriate)—
      - perennial horticulture
      - annual horticulture
      - grazing (irrigated and natural rainfall)
      - cropping (irrigated and natural rainfall)
      - tree plantations
      - aquaculture
   (e) The impact of the use on the quantity and quality of surface and groundwater supplies available to existing and potential agricultural uses in the area.
   (f) Whether the new use will alienate adjacent agricultural land from the remainder of the agricultural area.
   (g) The impact on any processing or value-adding industries.

2. Land use conflict
   (a) Agricultural or rural uses existing or permitted by the local planning scheme—either as of right or discretionary, on land in the area and potential impacts.
   (b) Affect that existing or potential agricultural and rural uses could have on the proposal.
   (c) Recommended buffers to existing and potential agricultural uses.
   (d) The ability of the proposal to accommodate impacts within its own lot boundary.
   (e) Other measures that can be undertaken to mitigate the affects of potential land use conflict.

3. Land and environmental management and rehabilitation
   (a) The capability of the land for the proposed use.
   (b) Proposals to reduce any limiting factors.
   (c) The significance of any remnant vegetation on the site proposed to be cleared and whether the proposal has secured approvals for this land clearing.
   (d) The potential impact of the proposal on downstream uses.
   (e) Whether the site contains any contaminated land.
   (f) Design and management proposals to—
      - manage land degradation risks;
      - manage land uses for nutrient loss and erosion into on-site watercourses/bodies;
      - manage and rehabilitate degraded areas or environmentally sensitive areas, such as wetlands and remnant native vegetation;
      - remove and manage declared plants under the Agriculture and Related Resources Protection Act 1976;
      - remove neglected orchards or vineyards;
      - manage stock.
Identifying Agricultural Areas of State or Regional Significance

Agricultural land is required for a variety of competing purposes and so it is important that the agricultural industry is able to identify those areas that are irreplaceable in terms of existing and future production and those areas which may be used for other beneficial uses.

The Department of Agriculture has conceptually identified the Agricultural Priority Management Areas shown in Figures 1-9 that represent areas of potential State or regional agricultural significance. These areas are also identified in the Commission’s State Planning Strategy and Department of Agriculture’s Agricultural Land Use Planning Policy and Procedures Manual. These Agricultural Priority Management Areas will form the focus of further detailed investigations to assess the potential of and identify agricultural areas of State or regional significance.

The identification of agricultural areas of State or regional significance provides a framework for policy development and for evaluating the potential to use agricultural land for other beneficial uses if necessary.

Agricultural areas of State or regional significance are defined areas or precincts that are generally identified through a consultative process that has regard to a range of factors including existing land use and value of agricultural production; the importance of the area’s production in a State, regional or local context; the availability and comparative suitability of natural resources, infrastructure and services; and other relevant criteria.

A methodology for identifying agricultural areas of State or regional significance and evaluating their comparative suitability is outlined in Kininmonth, I (2000), Identifying Areas of Agricultural Significance, Miscellaneous Publication 15/2000, Department of Agriculture, Western Australia.

Water resources information and its management is a vital part in the identification process. The Department of Environment, Water and Catchment Protection will need to supply information such as water availability and its management as these will have an affect on the viability and long-term sustainability of any possible agricultural uses.

Identifying these areas is a priority and will be undertaken by the Department of Agriculture and the Commission in partnership with local government, relevant government agencies, relevant industry and rural groups and landholders likely to be affected. The proposed areas should be subject to community consultation before being included in local planning strategies and town planning schemes. Areas not shown in the figures may also be designated as agricultural areas of State or regional significance following more detailed assessment. Conversely, some areas may also be removed.

Agricultural areas of State or regional significance may be reviewed against changing values for other uses considered to be of greater importance to the State or region (e.g. for urban growth). Decisions will be made in the context of ongoing review of State, regional and local planning initiatives involving all levels of government and the community. The definitions for key and specialised agricultural use are linked to the methodology for identifying areas of agricultural significance and determining objectives and provisions for development and subdivision.

Terms used on the figures identifying the Agriculture Priority Management Areas have been classified into three groups—

1. **Existing Area**—an area containing a comparatively high concentration of irrigated and intensive agricultural uses. New users will still be required to seek a water allocation, if available.

2. **Irrigation District**—an area containing high levels of investment in irrigation infrastructure and is proclaimed under the Rights In Water And Irrigation Act 1914.

3. **Potential/Developing Area**—an area that is undergoing intensification of agricultural land use and investment in irrigation infrastructure or may be suitable for irrigated and intensive agricultural use subject to detailed investigation

Strategic Agricultural Resource Policy Areas have been identified in the Strategic Resource Policies for the Peel and Greater Bunbury Region Schemes and are also shown on Maps 1 and 2.

Where further subdivision is contemplated for intensive agriculture, the local planning strategy should address the following—

(a) Lots are of sufficient size to be environmentally and economically sustainable in the long term as agricultural enterprises;

(b) Each lot contains sufficient land of High to Very High capability for intensive agriculture;

(c) The land is suitable for the intended agricultural purpose; and

(d) Each lot has a sustainable water supply for domestic, fire management, agricultural purposes and environmental uses.

It is generally considered by the Department of Agriculture that in the absence of specific guidance from an endorsed local planning strategy, 80 ha should be the minimum lot size for a long-term sustainable, intensive agricultural use.
Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning

Agricultural Priority Management Areas for the Perth and Peel Regions

Figure 1

LEGEND

Agricultural Priority Management Areas
(Domains requiring investigation for identification of any agricultural areas of State or regional significance)

Existing Areas
Existing Agricultural Management Area
Potential Agriculture Land Use
Strategic Agricultural Resource Policy Area
Strategic Agricultural Resource Policy Area (subject to additional and detailed investigation)

Irrigation District
Potential Irrigation Zone
Crown Reserve
Local Government Boundary
Crown Reserve and Local Government Boundary Data
Crown Reserve and Local Government Boundary Data

Source: Department of Agriculture, W.A.

Index to Map Area

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Agricultural Priority Management Areas for the South-West Region

LEGEND

Agricultural Priority Management Areas

Existing Areas

Existing Areas subject to investigation

Potential/Developing Areas

Potential/Developing Areas subject to additional and detailed investigation

Major Transport / Other Road

Source:- Department of Agriculture, W.A.

Department for Planning and Infrastructure, Perth, W.A. March 2002

12 March 2002 GOVERNMENT GAZETTE, WA 1021
Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning

**Agricultural Priority Management Areas for the Gascoyne Region**

*Figure 3*

**LEGEND**

- **Agricultural Priority Management Areas**
  - Zones requiring investigation for identification of any agricultural areas of State or regional importance
- **Irrigation District**
- **Protected Developing areas and Areas under Investigation**
- **Crown Reserve**
- **Roads**
- **Wetland Area**
- **Other**

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Figure 5

Agricultural Priority Management Areas for the Mid-West Region

LEGEND

- Existing Areas
- Potential/Developing Areas
- Agricultural Priority Management Areas

INDEX TO MAP AREA

- Major Transport Route / Other Road
- Local Government Boundary
- Agricultural Priority Management Areas
- Crown Reserve
- Crown Reserve and Local Government Boundary Data
- Land Managed by Department of Conservation and Land Management
- D.C.L.M. Estate supplied by Department of Conservation and Land Management
- Source: Department of Agriculture, W.A.
- GEOCENTRIC DATUM OF AUSTRALIA

NOTES

- Agricultural areas of State or regional significance (subject to investigation)
- Agricultural areas of State or regional significance (subject to additional and detailed investigation)

Produced by Project Mapping Section, Geographic & Planning Information Branch, 30 Kilometres Northampton Block.
Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning

Agricultural Priority Management Areas for the Wheatbelt Region

Legend:
- Existing Areas
- Potential/Developing Areas
- Agricultural Priority Management Areas
- Local Government Boundary
- Geographic & Planning Information Branch
- Regional Planning
- Major Transport Route / Other Road

Source: Department of Agriculture, W.A.
Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning

Agricultural Priority Management Areas for the Kimberley Region

Crown Reserve and Local Government Boundary Data supplied by Department of Land Administration, W.A. (subject to additional and detailed investigation)

Agricultural Priority Management Areas (agricultural areas of State or regional significance) (subject to investigation)

Source: Department of Agriculture, W.A.
Stated of Planning Policy No. 11 Agricultural and Rural Land Use Planning

Agricultural Priority Management Areas for the Pilbara Region

LEGEND

- Crown Reserve
- Crown Reserve and Local Government Boundary
- Land Managed by Department of Conservation and Land Management
- Local Government Boundary
- Planning Region Boundary
- Major Transport Route / Other Roads

Source: Department of Agriculture, W.A.
Agricultural Priority Management Areas for the Goldfields-Esperance Region

LEGEND
- Local Government Boundary
- Kilometres
- Crown Reserve
- Potential/Developing Area (agricultural areas of State or regional significance)
- Land Managed by Department of Conservation and Land Management

Source: Department of Agriculture, WA

Produced by Project Mapping Section, Geographic & Planning Information Branch.

Figure 9

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GEOCENTRIC DATUM OF AUSTRALIA