



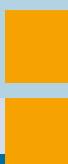
Department of Planning,
Lands and Heritage



Peel Region Scheme

Priority Agricultural and Rural
Land Use Policy

July 2017



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1. Introduction

- 1.1 Agricultural production is important to the well-being of Western Australia. It provides essential food products, textiles, employment and value-adding opportunities. Continued agricultural productivity reduces the State's reliance on imports and maximises export earnings.
- 1.2 In recognition of the ongoing loss of agricultural land close to cities and towns, the Western Australian Planning Commission's (WAPC) *State Planning Strategy 2050* (2014) highlighted the need for measures to secure land for future agricultural and food industry production. These included the strategic identification of future land areas and precincts, defined buffers, provision of land for infrastructure corridors, and innovation to improve the general status of food security.
- 1.3 Priority agricultural land areas have been identified within the Peel region. This policy aims to protect these areas by preventing development that may adversely affect their use for agricultural production now and in the future. The policy also addresses environmental limitations on conventional in-ground agricultural activities in the part of the Peel-Harvey Coastal Plain Catchment lying within the Peel Region Scheme area.

2. Background

- 2.1 This policy was first adopted by the WAPC in 2002 as one of three policies specific to the Peel Region Scheme.
- 2.2 The original mapping and methodology used to define the policy areas in the 2002 policy are set out in the report *Strategic Resource Areas for the Peel Region Scheme* (WAPC, 1999). These policy areas principally covered the horticultural areas near Dwellingup and the irrigation areas within the Shire of Waroona. In 2014 it was determined to review the policy and associated strategic agricultural resource areas to ensure it addresses increasing nutrient levels in the Peel-Harvey Estuary. The review considered current WAPC policies and strategic planning instruments, agricultural practices, and relevant economic and environmental issues.
- 2.3 This policy recognises the importance of protecting the Peel-Harvey estuarine system. It takes into consideration the environmental and associated land use planning constraints of the Peel-Harvey Coastal Plain Catchment as described in *State Planning Policy 2.1: Peel-Harvey Coastal Planning Catchment*.
- 2.4 This policy is intended to complement other relevant policies and planning instruments and should be read in conjunction with these. In particular, this policy should be read in conjunction with:
 - *State Planning Policy 2.1: Peel-Harvey Coastal Plain Catchment Policy*
 - *State Planning Policy 2.5: Rural Planning*
 - *State Planning Policy 4.1: State Industrial Buffer*
 - *Development Control Policy 3.4: Subdivision of Rural Land*
 - *Peel Region Scheme Strategic Minerals and Basic Raw Materials Policy*.



3. Application

- 3.1 This policy applies to land that is:
 - identified as priority agricultural land at **Figure 1**
 - adjacent to, or in close proximity (generally 500 metres) to the priority agricultural land areas shown in **Figure 1** and where the WAPC or the local government considers that the type or form of the proposed land use or development could be incompatible with or sensitive to agricultural activities within these areas or vice versa
 - rural land within the Peel Region Scheme area of the Peel-Harvey Coastal Plain Catchment.
- 3.2 The priority agricultural land areas identified in **Figure 1** are aligned with cadastral boundaries or the configuration of major physical features. It is acknowledged that portions of these areas may be affected by site-specific considerations that could reduce the extent of agricultural activities on portions of individual lots.

4. Policy objectives

- 4.1 Identify priority agricultural land within the Peel Region Scheme area considered to be of State or regional significance.
- 4.2 Protect the agricultural base of the Peel region from the unplanned loss of high-quality productive agricultural land due to subdivision and/or permanent changes of land use.

- 4.3 Encourage and support development of ecologically sustainable, nutrient-wise agriculture in the Peel Region Scheme area of the Peel-Harvey Coastal Plain Catchment.
- 4.4 Minimise land use conflicts between agricultural activities and other sensitive land uses within, and adjacent to, or within close proximity to the identified priority agricultural land areas.
- 4.5 Ensure the protection of priority agricultural land is taken into account in preparing regional and local planning schemes and amendments, and in assessing subdivision and development applications.
- 4.6 Minimise nutrient export from agricultural activity in the priority agricultural land and rural lands within the Peel Region Scheme portion of the Peel Harvey Coastal Plain Catchment consistent with the Environmental Protection Authority's *Water Quality Improvement Plan for the Peel-Harvey System*.

5. Policy statement

- 5.1 The WAPC will give due regard to this policy when considering amendments to the Peel Region Scheme, local government local planning schemes and amendments, and subdivision and development applications within, adjacent to, or in close proximity to priority agricultural land identified in **Figure 1**; and on rural land within the Peel Region Scheme area of the Peel-Harvey Coastal Plain Catchment.
- 5.2 Local governments should give due regard to this policy when preparing local planning schemes and scheme amendments; and in making decisions about the use or development of land



within, adjacent to, or in close proximity to priority agricultural land identified in **Figure 1**, and on rural land within the Peel Region Scheme area of the Peel-Harvey Coastal Plain Catchment.

- 5.3 Local governments should ensure local planning schemes and amendments are compatible with the objectives and specific requirements of this policy.
- 5.4 Agricultural activities have been identified as a significant source of the nutrients entering the Peel Inlet and Harvey Estuary due to the combined effect of fertilizer use, low nutrient retention capacity of soils and high groundwater levels across much of the catchment. Accordingly, the areas of priority agricultural land identified by this policy are located on soils with greater nutrient retention capacity and access to suitable water resources. These areas should be classified as 'priority agriculture' on maps adopted for policy purposes under local planning schemes, and zoned as 'priority agriculture' in local planning schemes.
- 5.5 The following development permissibility categories should apply to agricultural land uses on land zoned 'rural' or 'priority agriculture' within the areas identified as priority agricultural land in this policy, and within that part of the Peel-Harvey Catchment located within the Peel Region Scheme area to ensure nutrient management and other land use planning considerations are addressed through the development application process.

Agriculture – Extensive	P
Agriculture – Intensive	D
Animal husbandry – Intensive	D
Industry – Extractive	D or A
Industry – Primary production	D or A
Rural worker's dwelling	D or A
Single dwelling/house	P
Stockyards	D or A

(Definitions for the development permissibility categories 'P', 'D' and 'A' are in **Section 9**.)

- 5.6 There is a presumption against rezoning, subdivision and development that would result in the establishment of sensitive land uses on land within, adjacent to, or in close proximity to priority agricultural land, which could prejudice current or potential agricultural activities and production.
- 5.7 Rural lands outside of priority agricultural land are generally constrained by soils with a low capability to retain nutrients and proximity to sensitive waterways, and may not be able to support conventional agricultural activities. However, it should not be implied or interpreted from the policy that such rural land does not have agricultural value. This land is still subject to the relevant WAPC rural land use planning policies, such as *State Planning Policy 2.5: Rural Planning*.
- 5.8 To reduce the risk of nutrient export to the Peel Inlet and Harvey Estuary, the use of closed (hydroponic) and zero-discharge production systems is encouraged throughout the Peel-Harvey Coastal Plain Catchment. Likewise, there is a presumption against any further 'in-ground' intensive agricultural activities that are likely to pose a significant risk to catchment water quality and, therefore, likely to be inconsistent with the objectives and provisions of *State Planning Policy 2.1: Peel-Harvey Coastal Plain Catchment*.



- 5.9 Proposals for new or expanded agricultural activities must be supported by a land capability assessment. If proposed on high-risk land (determined with reference to clause 5.11 of this policy), a quantitative nutrient budget for phosphorus and nitrogen is also required, to the satisfaction of local government in consultation with the Department of Primary Industries and Regional Development and the Department of Water and Environmental Regulation, demonstrating the proposal and nutrient management practices will not contribute to an increase in nutrient levels in surface or groundwater.
- 5.10 Additional guidance for horticultural agriculture proposals is provided in the model local planning policy Horticultural Developments in Local Governments of the Peel-Harvey Coastal Plain Catchment¹.
- 5.11 Decision-makers should give consideration to regional scale land capability mapping prepared by the Department of Primary Industries and Regional Development in determining the nutrient export risk of proposals for new or expanded intensive agricultural activities.
- 5.12 Notwithstanding clause 5.6 of this policy, decision-makers may consider approving rezoning, subdivision or development applications within, adjacent to, or in close proximity to the priority agricultural land areas where it is consistent with the relevant local planning strategy or structure plan endorsed by the WAPC. Any such proposal should not prejudice current or potential agricultural activities and production within the policy areas. The acceptability of any proposed rezoning, subdivision or development within, adjacent to, or in close proximity to the priority agricultural land areas will be determined with regard to:
- advice from the Department of Primary Industries and Regional Development on the matters referred to in clauses 6.1 and 7.2 of this policy
- any other planning or environmental considerations, including WAPC policies and local government policies adopted under their local planning schemes.
- 5.13 Proposals to rezone, subdivide or develop priority agricultural land for any non-agricultural use must comply with the requirements of *State Planning Policy 2.5: Rural Planning*.
- ## 6. Buffers
- 6.1 Land uses with the potential to create conflict with agricultural activities should be separated from such activities by buffers, to protect the primacy of agricultural activities within the priority agricultural land areas and, in doing so, protect people from emissions such as spray draft, noise, dust and odours. These buffers should be determined in accordance with *State Planning Policy 2.5: Rural Planning*.
- ## 7. Referral and applications
- 7.1 When preparing amendments to the Peel Region Scheme, local planning schemes and scheme amendments that include land within, adjacent to, or in close proximity to the priority agricultural land areas, and which are likely to substantially affect the agricultural potential of the land, the WAPC and relevant local governments should consult with, and

¹ The policy is available via www.peel-harvey.org.au



give due regard to, the advice and recommendations of the Department of Primary Industries and Regional Development and the Department of Water and Environmental Regulation.

- 7.2 In providing advice on regional and local planning schemes and amendments to these schemes, the Department of Primary Industries and Regional Development and the Department of Water and Environmental Regulation should take into account:
- the potential impact of proposed land uses on existing or potential agricultural activities and production
 - whether the proposed land use is associated with, or will complement the agricultural activities within the priority agricultural land areas
 - the buffers required for particular agricultural activities or any proposed incompatible land uses
 - the suitability and capability rating of the land for one or more agricultural activities
 - the potential for nutrient export into the Peel-Harvey Estuary
 - the requirements set by *State Planning Policy 2.5: Rural Planning*.

8. Implementation

- 8.1 This policy will be implemented by the WAPC and relevant local government through the administration of:
- *Planning and Development Act 2005*
 - Peel Region Scheme
 - local planning schemes
 - relevant subdivision and development control processes

- a resolution of the WAPC under clause 21 of the Peel Region Scheme
- arrangements for delegation of certain decisions to local governments.

- 8.2 The WAPC will review this policy after a period of five years, or sooner if appropriate, and make any amendments that may be required.
- 8.3 The priority agricultural areas in **Figure 1** will be reviewed as more up-to-date land capability mapping for the Peel region becomes available and is endorsed by the Department of Primary Industries and Regional Development.

9. Definitions

A

As per the *Planning and Development (Local Planning Schemes) Regulations 2015* (Interpreting zoning table).

Agriculture – Extensive

As per the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Agriculture – Intensive

As per the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Animal Husbandry – Intensive

As per the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Buffer

As per *State Planning Policy 2.5: Rural Planning*.

Closed system (as in closed-system hydroponics)

Means a hydroponics system in which the nutrient solution is recirculated and the nutrient



concentrations are monitored and adjusted accordingly, and where there is zero or minimal discharge of the solution or water to the environment.

D

As per the *Planning and Development (Local Planning Schemes) Regulations 2015* (Interpreting zoning table).

Hydroponics

Means the process of growing plants using mineral nutrient solutions without soil. Although hydroponic systems do not involve soil, these may involve a wide variety of growing media such as perlite, gravel, peat, sand, rockwool and other.

Industry – Primary production

As per the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Local government

As per the *Planning and Development (Local Planning Schemes) Regulations 2015*.

P

As per the *Planning and Development (Local Planning Schemes) Regulations 2015* (Interpreting zoning table).

Peel Region Scheme – Strategic Minerals and Basic Raw Materials Resource Policy

Means the *Peel Region Scheme – Strategic Mineral and Basic Raw Materials Policy* adopted by the WAPC in July 2002, together with any amendments to, or any new version of that policy that may be adopted by the WAPC.

Priority agricultural land

As per *State Planning Policy 2.5: Rural Planning*.

Rural worker's dwelling

Means a dwelling which is located upon land on which there is already erected a single house, where:

- (a) the dwelling is occupied by persons substantially engaged in intensive agriculture, or similar rural land uses on the same land; and
- (b) all such dwellings are located within close proximity to the existing single house and share services where practical.

Sensitive land use

As per *State Planning Policy 2.5: Rural Planning*.

Single dwelling

As per *State Planning Policy 3.1: Residential Design Codes*.

State Planning Framework

Means *State Planning Policy 1: State Planning Framework* prepared by the WAPC under Part Three of the *Planning and Development Act 2005*, which sets out the State planning policies, strategies and guidelines that apply to land use planning and development in Western Australia.

State Planning Strategy 2050

Means the *State Planning Strategy* published by the WAPC in June 2014.

State significance

As per *State Planning Policy 2.5: Rural Planning*.

Stockyards

Means any land building or other structure used for holding and/or sale of livestock.

Strategic Resource Areas for the Peel Region Scheme

Means the report *Strategic Resource Areas for the Peel Region Scheme* prepared by Landvision (consultants) for the WAPC in October 1999.

Figure 1 : Priority Agricultural Land

