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PLANNING AND DEVELOPMENT ACT 2005

STATE PLANNING POLICY 2.5

**LAND USE PLANNING IN RURAL
AREAS**

PREPARED UNDER PART 3 OF THE *PLANNING AND DEVELOPMENT
ACT 2005* BY THE WESTERN AUSTRALIAN PLANNING COMMISSION.

PLANNING AND DEVELOPMENT ACT 2005

STATE PLANNING POLICY 2.5

LAND USE PLANNING IN RURAL AREAS

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PLANNING AND DEVELOPMENT ACT 2005

STATE PLANNING POLICY 2.5

LAND USE PLANNING IN RURAL AREAS**1. CITATION**

This is a State Planning Policy (SPP) made under Part 3 of the *Planning and Development Act 2005*. This policy may be cited as *State Planning Policy No. 2.5—Land Use Planning in Rural Areas* (SPP 2.5). This policy replaces *Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning* (known as *State Planning Policy 2.5*).

2. BACKGROUND TO THIS POLICY

The changes in land use in Western Australia (WA) in the years since European settlement in 1829 have been dramatic. Clearing, subdivision, development and use of land for settlement and agriculture provided significant economic and social benefits to the State's expanding community. WA's population is expected to increase to over 2.4 million people by 2026.

Demand pressures associated with economic and population growth are occurring in an environment where the quality and availability of rural land has declined, due largely to settlement pressure, natural resource degradation and climate change.

A growing economy and population will increase pressure on rural land for a wide variety of purposes including expansion of urban settlement; economic development; infrastructure and utilities; essential services such as water supply; areas for conservation, cultural and recreational purposes; and increased demand for food. Rural land also accommodates significant environmental assets and natural landscape values, and this needs to be factored into planning for rural areas.

As a result of the State's growth, rural land resources are becoming increasingly contested leading to increased competition and conflict. This policy aims to support both rural and rural living land uses to cater for both anticipated and unexpected future needs.

3. APPLICATION OF THIS POLICY**3.1 Where does this policy apply**

This policy applies to rural and rural living land in Western Australia, in particular—

- land zoned for rural or agricultural purposes in a local or region planning scheme;
- and
- land identified or proposed for rural living land uses.

3.2 When should this policy be applied

This policy should be applied throughout State and local government planning decision making in conjunction with other State planning policies—

- for the preparation of regional frameworks, sub-regional strategies and local planning strategies and schemes where it may be incorporated into local planning schemes by reference;
- when initiating or assessing amendments to region schemes or local planning strategies and schemes; and
- for rural land to guide decision making for subdivisions in tandem with *Development Control Policy 3.4—Subdivision of rural land*.

Where there is no Western Australian Planning Commission (WAPC) endorsed strategic or statutory planning instrument in place to guide decision making, the intent and measures of this policy shall apply. This policy shall prevail if, in the view of the WAPC, an endorsed strategy is outdated and/or inconsistent with current guidelines.

3.3 Other policies or guidelines that relate to this policy

Other policies and planning instruments will have either a direct or indirect influence on the implementation of this policy and as such, they should be considered where relevant.

This policy supports the aims and objectives of *SPP 1 State Planning Framework Policy* (Variation No. 2) and should be read in conjunction with relevant sections of other State Planning Policies and

guidelines. Environmental planning and settlement planning in rural areas should consider provisions of policies such as *SPP 2 Environment and Natural Resources Policy* and *SPP 3 Urban Growth and Settlement*. Specific matters such as industrial buffers and water resources are addressed in policies such as *SPP 4.1 State Industrial Buffer* policy and *SPP 2.9 Water Resources*. Alternatively, specific areas may require consideration of policies such as *SPP 2.1 Peel-Harvey Coastal Plain Catchment* policy, *SPP 6.1 Leeuwin-Naturaliste Ridge* policy and *Greater Bunbury Region Scheme—Strategic Agricultural Resource Policy*.

Guidance for the implementation of policies or sections of policies relevant to rural planning is provided through Planning Guidelines such as *Better Urban Water Management*, *Planning for Bushfire Protection (Edition 2)* and *Rural Planning Guidelines*.

Planning policies and guidelines other than those listed above may also be applicable to rural land use planning and should be read in conjunction with this policy where appropriate.

4. OBJECTIVES OF THIS POLICY

- (a) To protect rural land from incompatible uses by—
 - (i) requiring comprehensive planning for rural areas;
 - (ii) making land use decisions for rural land that support existing and future primary production and protection of priority agricultural land, particularly for the production of food; and
 - (iii) providing investment security for the existing and future primary production sector.
- (b) To promote regional development through provision of ongoing economic opportunities on rural land.
- (c) To promote sustainable settlement in, and adjacent to, existing urban areas.
- (d) To protect and improve environmental and landscape assets.
- (e) To minimise land use conflicts.

5. POLICY MEASURES

5.1 Protection of rural land

The WAPC considers rural land uses to generally be the best use of land zoned for rural purposes. As a subset of rural land there may also be land with suitable soils, climate and water (rain or irrigation) which is the most productive and flexible for agriculture. This land is considered to be high quality agricultural land and may be required for food production purposes and identified under a strategy or scheme as priority agricultural land, subject to consultation and refinement at a local level.

It is the view of the WAPC that there is an existing supply of suitably sized and located rural lots to cater for intensive and emerging primary production land uses. Creation of new rural lots through ad hoc, unplanned subdivision is considered to be inconsistent with, or contrary to, the objectives of this policy. The overarching policy requirements are—

- (a) land use change from rural to all other uses is to be planned and provided for in a planning strategy or scheme;
- (b) land identified as priority agricultural land in a planning strategy or scheme is to be retained for that purpose;
- (c) beyond its principle function for primary production, rural land is also required for public purposes, natural resource management, biodiversity conservation and protection of landscapes and views;
- (d) the use of rural land for intensive or emerging primary production land uses does not warrant creation of new or smaller rural lots on an unplanned, ad hoc basis; and
- (e) creation of new rural lots will be by exception and in accordance with *Development Control Policy 3.4—Subdivision of Rural Land*, or planned in a strategy or scheme.

5.2 Rural land in the Perth metropolitan and Peel regions

In future years metropolitan Perth and Peel will continue to accommodate the majority of the State's population growth; and landowners of rural land may experience pressure for urbanisation. Rural land will become more contested as the land is either required for urban purposes, identified for environmental protection, needed for infrastructure; or set aside for basic raw material extraction. Opportunities for rural living may remain static or even decrease. Some existing rural or rural living areas may come under pressure for conversion to urban purposes. On this basis, the following principles will apply to rural land in the Perth and Peel metropolitan region—

- (a) Due to its proximity to major population centres, priority agricultural land is to be preserved for that purpose;
- (b) Conversion of land from priority agriculture to other uses must be appropriately planned in a strategy or scheme, where such conversion is required as a matter of State significance; and
- (c) Rural living proposals will be considered by exception in planning strategies and schemes, where topography, environmental or servicing constraints do not permit full urban development, and where bushfire risk is not extreme and significant biodiversity values are protected.

5.3 Regional variation, economic opportunities and regional development

Western Australia is a large and diverse state with regional variations of climate, economic activity, cultural values, demographic characteristics and environmental conditions. The WAPC's decisions will be guided by the need to provide economic opportunities for rural communities and to protect the State's primary production and natural resource assets. Therefore—

- (a) the WAPC will continue to promote rural zones in schemes as highly flexible zones that cater for a wide range of rural land uses that can support primary production and value adding, small-scale tourism, environmental protection and biodiversity conservation;
- (b) the differing needs of the various regions are recognised and regional variations may be considered where they meet the stated objectives of this policy, are evidence-based and are supported in strategies and schemes; and
- (c) if there is no strategy or scheme justifying variations to this policy, this policy shall prevail.

5.4 Tree farming

Tree farming is a generic term used to describe land uses that centre on the planting of trees to generate economic return and/or environmental benefits. It has been an emerging industry in a number of rural locations in the south of the State. Usually this has involved the planting of trees for harvest. More recently however, the planting of trees for the purposes of carbon sequestration has emerged as a new land use on rural land. Tree farming involving harvesting is a primary production activity that also sequesters carbon. The WAPC policy position regarding tree farming is—

- (a) tree farming is supported and encouraged on rural land as a means of diversifying rural economies and providing economic and environmental benefit;
- (b) tree farming should be an acceptable use on rural land generally, except where development of a tree farm would create an extreme or unacceptable bushfire risk or when responding to local circumstances as identified in a strategy or scheme;
- (c) tree farming should generally not occur on priority agricultural land;
- (d) local governments should manage the location, extent and application requirements for tree farming in their communities through local planning strategies, schemes and/or local planning policies;
- (e) in planning for tree farming, local government considerations should include but are not limited to, the potential bushfire risk, environmental and economic benefit, visual landscape and transport impacts of tree farming (where harvesting is proposed), planting thresholds, appropriate buffers and location relative to conservation estates and sensitive land uses;
- (f) where tree farm proposals are integrated with farm management for the purpose of natural resource management and occupy no more than 10 per cent of the farm, the proposal should not be subject to local government planning approval; and
- (g) the establishment of tree farms does not warrant the creation of new or smaller rural lots.

5.5 Other policy measures to support economic development

The WAPC supports opportunities for employment and diversification of economic activity related to primary production. As such it will—

- (a) promote the establishment of precincts for primary produce processing close to services and freight routes, and with adequate buffers; and
- (b) support the concept of rural enterprise zones in strategies and schemes that combine light industry and ancillary housing, provided they are carefully planned with general proximity to urban areas, are serviced and have design features that address buffers and amenity and generally meets the criteria listed in 5.6 (b).

5.6 Rural living precincts

State Planning Policy 3—Urban Growth and Settlement provides broad strategic direction for settlement planning in Western Australia while this policy provides specific guidance in relation to establishing rural living precincts. Rural living proposals on rural land may be supported where they comply with the objectives of this policy and meet requirements of this section.

The following policy measures shall apply to WAPC decision making for rural living proposals—

- (a) The rural living precinct is part of a settlement hierarchy established in a WAPC endorsed planning strategy.
- (b) The WAPC will consider identifying rural living precincts or supporting proposals for rural living when—
 - (i) the precinct is adjacent to existing urban areas and has appropriate access to services, facilities and amenities;
 - (ii) the precinct will not conflict with rural land use activity or reduce the primary production potential of adjoining or nearby land;
 - (iii) areas required for priority agricultural land are avoided;
 - (iv) the extent of proposed rural living settlement is guided by existing land supply and take-up and population projections;
 - (v) areas required for urban expansion are avoided;
 - (vi) where lots with an individual area of 4 hectares or less are proposed and a reticulated water supply of sufficient capacity is available in the locality, the precinct will be required to be serviced with reticulated domestic water provided by a/the licensed

service provider, including water for fire fighting. Should an alternative to a reticulated water supply be proposed, it must be demonstrated that a reticulated water supply is not available;

- (vii) where a reticulated supply is demonstrated to be not available, or the individual lots are greater than 4 hectares, the WAPC may consider a fit-for-purpose domestic potable water supply, which includes water for fire fighting. The supply must be demonstrated, sustainable and consistent with the appropriate standards for water and health;
 - (viii) where an acceptable supply of potable water cannot be demonstrated, the development cannot proceed;
 - (ix) it has been demonstrated the precinct can be supplied with reticulated electricity;
 - (x) the precinct can be supplied with community facilities as identified under a strategy or scheme, and in compliance with SPP 3.6 as appropriate;
 - (xi) the precinct is predominantly cleared of remnant vegetation or the loss of remnant vegetation through clearing for building envelopes, bushfire protection, access and fencing is minimised and environmental assets are not compromised;
 - (xii) it will promote good environmental and landscape outcomes and the soil and total water management cycle are addressed, and may include rehabilitation as appropriate;
 - (xiii) the land within the precinct is capable of supporting the development of a dwelling(s) and is not located in a flood prone area;
 - (xiv) the land within the precinct is not subject to a buffer from an adjoining land use or the impact(s) from the buffer can be managed;
 - (xv) the lots can be serviced by constructed road(s) capable of providing access during all weather conditions, including access and egress for emergency purposes;
 - (xvi) it can be demonstrated that the precinct is not in an extreme bushfire risk area and any lesser bushfire risk can be minimised and managed without adversely affecting the natural environment; and
 - (xvii) in areas of moderate bushfire risk, dwellings will be required to be constructed to Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas (AS 3959) and separation distances are to comply with relevant guidelines for bushfire protection.
- (c) Development standards for rural living should be addressed in local planning schemes.
 - (d) Rural strata proposals with a residential component are considered to be rural living and will be considered in accordance with the criteria listed at 5.6 (a) and (b) of this policy.

5.7 Managing and improving environmental and landscape attributes

The planning system is well placed to address environmental and landscape issues when land use change is contemplated, to ensure that any adverse impacts from development are minimised.

Environmental and landscape attributes will be managed and improved by—

- (a) supporting and promoting private conservation areas within Western Australia in addition to the State's conservation estate;
- (b) supporting the establishment of environmental corridors in strategies and schemes, including connection of the State's conservation estate and waterways and wetlands with private conservation areas;
- (c) considering future management and ownership of conservation areas at strategy stage, and prior to the zoning or subdivision of land;
- (d) supporting rural living proposals with a conservation theme that result in improved environmental outcomes, where that land is identified as suitable for future rural living subdivision in a strategy or scheme in accordance with the criteria listed at 5.6 (b); and
- (e) supporting the inclusion of provisions into strategies and schemes that promote improved landscape outcomes, as required.

5.8 Avoiding land use conflicts

The introduction of sensitive or incompatible land uses such as additional housing or accommodation in rural areas can compromise rural land uses and effectively sterilise rural land. Incompatible land uses may also include uses that are acceptable in a rural zone but have a negative impact on other rural land uses. Such land uses include broadacre farming which may produce a spray drift that subsequently impacts on vineyards or market gardens, or the impact of rural industry on rural land uses within the locality. There is a need to ensure that existing rural land uses are protected and landholders are able to exercise their operational needs effectively and appropriately.

Similarly where rural living land use is identified in a strategy or scheme, there is a need to ensure such land use will not be subject to hazards and adverse health and amenity impacts.

Land use conflicts will be managed such that—

- (a) the introduction of land uses in rural areas that may constrain existing or potential rural land uses will generally not be supported;
- (b) existing and future land use conflicts are understood and demonstrated in strategies and schemes as appropriate; and
- (c) in the absence of site-specific technical studies, buffer distances will be guided by the Environmental Protection Authority's *Guidance Statement No. 3—Guidance for the Assessment of Environmental Factors—Separation Distances between Industrial and Sensitive Land Uses*.

5.9 Implementing this policy

- (a) This policy is given effect by the *Planning and Development Act 2005*.
- (b) The appropriate planning tools to protect rural land are State and regional strategies and schemes and local planning strategies and schemes, prepared in accordance with the *Town Planning Regulations 1967* (as amended).
- (c) The *Rural Planning Guidelines* provides guidance on interpretation of policy provisions and support in considering rural planning in strategies and schemes.

6. DEFINITIONS

To ensure consistency where relevant, the *Model Scheme Text* or appropriate acts are referenced for a definition. Definitions contained in this policy may also apply to *Development Control Policy 3.4—Subdivision of Rural Land*.

Term	Definition
Agricultural land use / agricultural purposes	A subset of rural land used specifically for agricultural purposes including agriculture—extensive, agriculture—intensive, pastoral uses, plantations and agro forestry. May include rural industry and cottage industry. Does not include rural living.
Agriculture—extensive	As per <i>Model Scheme Text</i> .
Agriculture—intensive	As per <i>Model Scheme Text</i> .
Agroforestry	As per <i>Model Scheme Text</i> .
Alternative servicing	Provision of services including drinking water, power and sewerage disposal by a householder or other body, as opposed to a licenced provider.
Alternative water supply	Water supplied by means other than a licenced water service provider (such as the Water Corporation). Includes potable water for domestic use (in accordance with Department of Health standards) and either potable or non-potable water for fire fighting, including the maintenance of fire retardant vegetation, gardens etc.
Broadacre farming	Large-scale agricultural operation, traditionally involving farming of grains and/or livestock.
Buffer (adapted from EPA Guidance Statement 3)	The land between the boundary of the area that may potentially be used by a land use that generates odour, noise, negative environmental outcomes or risk, and the boundary of the area within which unacceptable adverse impacts are possible.
Carbon sequestration	Capture and storage of carbon in a manner that prevents it from being released into the atmosphere. Often occurs through tree planting.
Conservation estate	Land with significant conservation values, reserved (or proposed to be reserved) under the National Reserve System or via the <i>Conservation and Land Management Act 1984</i> .
Environmental corridors	A network of native vegetation that maintains some of the ecological functions of natural areas and counters the effects of habitat fragmentation (adapted from <i>EPA Guidance Statement No. 33</i>).
High quality agricultural land	Areas of land identified from a combination of soil, land capability, water resource and rainfall data as the most productive and flexible for either irrigated or dry land agriculture.
Industry—cottage	As per <i>Model Scheme Text</i> .
Industry—general	As per <i>Model Scheme Text</i> .
Industry—rural	As per <i>Model Scheme Text</i> .
Industry—service	As per <i>Model Scheme Text</i> .
Landscape or bushland protection zone	A land use zone with landscape and/or conservation as the predominant land use. May be a sub-set of rural living characterised by clustering of residential development/land use on a land parcel(s) containing areas of high environmental and/or landscape value. Also refers to zones including bushland conservation, rural landscape, and rural conservation.
Locality	A place, area or district, the size of which will vary in relation to context.
Local planning strategy	A strategy prepared in accordance with s12A of the <i>Town Planning Regulations 1967</i> and endorsed by the WAPC, which sets out the long-term planning directions for a local government, applies State and regional planning policies; and provides the rationale for the zones and other provisions of the local planning scheme.

Term	Definition
Natural resources	Resources supplied by nature. These are commonly subdivided into non-renewable resources, such as minerals and fossil fuels, and renewable natural resources that propagate or sustain life and are naturally self-renewing when properly managed, including plants and animals as well as soil and water.
Pastoral land and purposes	As per Part 7 of the <i>Land Administration Act 1997</i> .
Peri-urban	General term used to describe land on the outskirts of a major urban area or capital city eg. Perth, Geraldton, Northam, Kalgoorlie, Bunbury, Albany. Between the suburbs and the countryside. Combination of the words peripheral and urban. Refers to a general location and is not a land use.
Plantation	As per <i>Model Scheme Text</i> .
Primary production	Production based on natural resources. Most products from this sector are considered raw materials for other industries. Major businesses in this sector include agriculture, agri-business, horticulture, fishing, forestry and all mining and quarrying industries.
Priority agricultural land	Land considered to be of State, regional or local significance for food production purposes, due to its collaborative advantage in terms of soils, climate, water (rain or irrigation) and access to services. Priority agricultural land is derived from High Quality Agricultural Land data that has been subject to consultation and refinement, and has removed land required for existing and future urban/development areas, public use areas and land required for environmental purposes.
Private conservation areas	Areas with significant conservation value, but not part of the State's conservation estate.
Processing precinct for primary produce	An area set aside for concentrated or large-scale processing operations, including uses that harvest, process, preserve, slaughter and distribute primary products including animals, grains and timber products. Such processes transform primary produce into other forms for consumption by humans or animals either in the home or by other industries. These uses will generally require extensive buffers due to noise, odour and dust impacts.
Regenerated vegetation	Bushland that has been returned to its approximate original condition by repairing degradation, removing exotic species, revegetated with indigenous species or has naturally regenerated.
Remnant vegetation	Vegetation which is either a remainder of the natural vegetation of the land that was present prior to European settlement, or if altered, is still representative of the structure and floristics of the natural vegetation, and provides the necessary habitat for native species.
Regional planning and infrastructure framework	A document prepared by the WAPC that addresses planning and infrastructure matters across a planning region identified in the <i>Planning and Development Act 2005</i> .
Regional or sub-regional strategy	A strategy, usually prepared by the WAPC, which sets strategic direction over a regional area, including a number of local governments or a planning region. It could also cover an area considered to be of State significance.
Regional Variation	A variation to State Policy expressed in a strategy or scheme that may be required in a planning region or local government area on the basis of factors such as location, climate, soils and/or servicing conditions. Such variation must be evidence-based and supported by relevant statistics and/or studies demonstrating the unique characteristics of the region or local government area that justify the variation. The WAPC may also request verification from agencies with relevant expertise as required.
Rural enterprise	A predominantly light industrial zone that provides for light industrial land uses and an ancillary residential dwelling on one lot, with lot sizes in the order of 1 to 4 hectares. Also known as rural home business or rural industry.
Rural land	Land identified in an endorsed strategy or zoned for rural or agricultural land use under a local planning scheme or strategy.
Rural land use	A sub-set of rural land, and any land use that could be expected to occur in a rural zone. Does not include rural living (see s5.6).

Term	Definition
Rural living	A land use that is residential in nature, characterised by a grouping of lots generally in the order of 1 to 40 hectares. Although primary production may occur on some rural living properties it is usually for hobby farming, lifestyle activities or incidental income purposes. In terms of land use zones this includes, but is not limited to, special residential, rural living, rural retreat, rural residential, special rural, rural smallholdings, and landscape protection zones. This also includes subdivision of rural land into smaller landholdings eg. a boundary realignment which results in lots of a size where residential is the predominant land use. Rural living is not considered a rural or agricultural land use, as defined by the <i>Planning and Development Act 2005</i> .
Rural residential zone / Special rural zone	A sub-set of rural living and a land use zone with land parcels from 1 to 4 hectares in size and generally provided with scheme water and power supply.
Rural settlement	A sub-set of rural living, generally located on the outskirts of an existing town. Rural settlement may also be used to describe proposals for rural living as this land use results in people settling in rural areas.
Rural smallholdings zone	A sub-set of rural living, and a land use zone where lots are developed as an estate, predominantly with a lifestyle focus. Primary production may occur on the site, but is not guaranteed. Land parcels range from 4 to 40 hectares in size. May also be known as rural retreat.
Rural strata	A concept that involves subdividing a rural property into a number of residential strata lots, with the balance of the property being retained and operated as a farm. The farm is generally owned and operated by the owners of the residential lots.
Special residential zone	A sub-set of rural living, a residential zone, which is an exception to the minimum lot sizes for rural living, is used in some schemes for land parcels in the size range of 2000m ² to 1 hectare.
State significance	An area or issue that is considered to be of significance to the State of Western Australia by virtue of any or all of the economic, social, cultural or environmental values for that area or issue.
Strategy or scheme	A generic term used to capture a range of planning instruments endorsed by the WAPC and/or Minister for Planning and either guide or direct planning decision making. Specifically it refers to: a regional planning and infrastructure framework; a local planning strategy; a region planning scheme; a local planning scheme; and/or any other relevant strategy endorsed by the WAPC.
Tree farm – Chip logs	Land used, generally on a large scale, for commercial tree production where it is intended the trees are to be harvested to produce wood chips or wood pulp.
Tree farm – Saw logs	Land used, generally on a smaller scale, for commercial tree production where it is intended the trees are harvested to produce higher quality sawn timber or veneers, for furniture or the construction industry.
Tree farm – integrated	Tree farm proposals that are small in scale, integrated into existing farming operations and are generally for natural resource management purposes.
Tree farm – carbon sequestration	Land used for the capture and storage of carbon in a manner that prevents it from being released into the atmosphere. Regulated in WA by the <i>Carbon Rights Act 2003</i> .
Urban land use	Land uses of, relating to, or located in a city or an established urbanised area within a townsite in the country, including but not limited to residential, commercial, industrial, parks and recreation, community purpose, infrastructure.