

LOCAL PLANNING STRATEGY

RURAL LAND USE AND RURAL SETTLEMENT

SHIRE OF DANDARAGAN



BY

LANDVISION



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ENDORSEMENT

The Shire of Dandaragan Local Planning Strategy has been endorsed by the Shire of Dandaragan and the Western Australian Planning Commission.

**Chairman
Western Australian Planning Commission**

Date

**President
Shire of Dandaragan**

Date

**Chief Executive Officer
Shire of Dandaragan**

Date

TABLE OF CONTENTS

ADVICE TO READER

PART 1 - BACKGROUND INFORMATION

1	INTRODUCTION	1
1.1	BACKGROUND	1
1.2	EXTENT OF CURRENT REVIEW	3
2	STRATEGIC PLANNING CONTEXT	5
2.1	STATE PLANNING POLICIES	5
2.1.1	State Planning Policy 2.5	5
2.1.2	State Planning Policy 2.7	8
2.1.3	State Planning Policy 2.9	10
2.1.4	State Planning Policy 3	11
2.2	REGIONAL PLANNING	12
2.2.1	A Tourism Planning Strategy for the Central Coast Region (1996)	12
2.2.2	Central Coast Strategic Tourism Planning Study	13
2.2.3	Central Coast Basic Raw Materials Strategy	14
2.3	OPERATIONAL POLICIES	14
2.3.1	Development Control Policy 3.4	14
2.4	LOCAL PLANNING	15
2.4.1	Local Planning Scheme 7	15
2.4.2	District Planning Strategy	16
2.4.3	Scheme Report	16
3	LOCAL PROFILE	18
3.1	GENERAL	18
3.2	DANDARAGAN	19
3.3	BADGINGARRA	20
3.4	REGANS FORD	22
3.5	ECONOMIC ACTIVITIES IN RURAL AREAS	25
3.5.1	Agriculture and Horticulture	25
3.5.2	Fishing	25
3.5.3	Tourism	26
3.5.4	Mining	27
3.6	PHYSICAL FEATURES AND THE ENVIRONMENT	27
3.6.1	Topography & Soils	27
3.6.2	Minerals	28
3.6.2.1	Mineral and Petroleum Tenements	28

	3.6.2.2	Mining Act	29
	3.6.2.3	Mining of Construction Materials	29
	3.6.2.4	Geoheritage Sites	29
3.6.3	Hydrology		30
	3.6.3.1	Water Resources	30
	3.6.3.2	Water Quality Management	34
	3.6.3.3	Groundwater Resources	37
	3.6.3.4	Potable Water Supply	37
	3.6.3.5	Surface Water	39
	3.6.3.6	Flood/Drainage Management	40
4	LAND CAPABILITY		42
4.1	AGATON SANDPLAIN UNIT		42
	4.1.1	Description	42
	4.1.2	Capability and Management	43
	4.1.3	Opportunities	43
	4.1.4	Use and Management Practices to be encouraged	44
4.2	DANDARAGAN UNIT		44
	4.2.1	Description	44
	4.2.2	Capability and Management	45
	4.2.3	Opportunities	45
	4.2.4	Use and Management Practices to be encouraged	46
4.3	YERRAMULLAH, MINTAJA AND ALLUVIAL (NYLAGARDA) UNITS		47
	4.3.1	Description	47
	4.3.2	Capability and Management	47
	4.3.3	Opportunities	48
	4.3.4	Use and Management Practices to be encouraged	48
4.4	MINTAJA HILLS LAND UNIT ALLUVIAL (NYLAGARDA) UNIT		49
	4.4.1	Description	49
	4.4.2	Capability and Management	49
	4.4.3	Opportunities	50
	4.4.4	Use and Management Practices to be encouraged	50
4.5	BASSENDAN UNIT		51
	4.5.1	Description	51
	4.5.2	Capability and Management	51
	4.5.3	Opportunities	52
	4.5.4	Use and Management Practices to be encouraged	52
4.6	TAMALA UNIT		52
	4.6.1	Description	52
	4.6.2	Capability and Management	53
	4.6.3	Opportunities	53
	4.6.4	Use and Management Practices to be encouraged	54
4.7	COASTAL (QUINDALUP UNIT)		54
	4.7.1	Description	54

4.7.2	Capability and Management	54
4.7.3	Opportunities	55
4.7.4	Use and Management Practices to be encouraged	55
4.8	LEEMAN UNIT	55
4.8.1	Description	55
5	PLANNING AND DEVELOPMENT ISSUES	57
5.1	EXISTING RURAL - RESIDENTIAL AREAS	57
5.1.1	Koorinal Vale	58
5.1.2	Alta Mare	58
5.1.3	Marine Fields and Hill River Heights	59
5.1.4	Jurien Bay Heights	60
5.1.5	Cantabilling Springs	62
5.2	DEMAND FOR LOTS	62
5.2.1	Real Estate Activity	62
5.2.2	Rural Living Development Proposals in the Shire of Dandaragan	66
5.3	PROVISION OF MORE RURAL LIVING LOTS	67
5.3.1	Issues	67
5.3.2	Benefits	68
5.3.3	Planning to avoid adverse impacts	68
5.3.4	Planning responses	68
5.3.5	Strategy	69
5.4	POTENTIAL SITES	69
PART 2 - THE STRATEGY		
6	VISION FOR TOWN AND RURAL SETTLEMENT	74
7	STRATEGY FOR FUTURE SUBDIVISION AND DEVELOPMENT	78
7.1	PROPOSED PLANNING UNITS	78
7.2	PLANNING UNIT 1 - COASTAL SETTLEMENT	78
7.3	PLANNING UNIT 2 - COASTAL HINTERLAND	80
7.4	PLANNING UNIT 3 - RURAL & RURAL TOWNS	84
7.4.1	RURAL TOWNS	84
7.4.1.1	Planning for the growth of Dandaragan	86
7.4.1.2	Planning for the growth of Badgingarra	87
7.4.1.3	Regans Ford	88
7.4.2	RURAL PLANNING	89
7.4.2.1	Rural Land Use and Zoning	89
7.4.2.2	Subdivision for Agricultural Purposes	92
7.4.2.3	Rural - Residential Zone	92
7.4.2.4	Rural Smallholdings Zone	94
7.4.2.5	Conservation Zone	97
7.4.2.6	Reasons for Refusal of Planning Application	97

8	STRATEGIC PLAN	99
8.1	AGRICULTURE AND OTHER RURAL	99
8.1.1	Minimum rural lot size	99
8.1.2	Intensive Agriculture	101
8.1.3	Approval of dwellings in the Rural zone	104
8.1.4	More than one dwelling on a Rural property	106
8.1.5	Workers' Accommodation in Rural areas	106
8.1.6	Operating businesses in Rural, Rural-Residential and Rural Small Holding zones	107
8.1.7	Farm Restructuring	107
8.1.8	Relocation of Multiple Titles	108
8.1.9	Use of Sheds for Residential Purposes	109
8.1.10	Relocated Dwellings	110
8.2	WATER RESOURCES	110
8.2.1	Protection of Groundwater Resources	110
8.2.2	Priority Classification Areas	112
8.2.3	Eutrophication	112
8.2.4	Provision of Water	113
8.2.5	Surface Water	114
8.2.6	Catchment and Land Management	115
8.3	ENVIRONMENT	115
8.3.1	Management of Natural Resources	115
8.3.2	Bassendean Precinct Special Control Area	116
8.3.3	Tree Plantations	117
9	OTHER OPPORTUNITIES	118
10	CONCLUSION	121
11	IMPLEMENTATION	122

APPENDIX 1

Planning Considerations for Extraction of Basic Raw Materials

APPENDIX 2

Planning Considerations when assessing a Planning Application for Intensive Agriculture

LIST OF FIGURES

Figure 1	Study Area	4
Figure 2	Context Plan	18
Figure 3	Dandaragan Townsite Plan	23
Figure 4	Badgingarra Townsite Plan	24
Figure 5	Basic Raw Materials and Natural Resources	31
Figure 6	Mines and Mineral Deposits	32
Figure 7	Resource Potential for Land Use Mapping	33
Figure 8	Proclaimed Groundwater Areas within Shire of Dandaragan	35
Figure 9	Proclaimed Surfacewater Areas within Shire of Dandaragan	36
Figure 10	Opportunities and Constraints	56
Figure 11	Existing and Potential Lots where Land is zoned in Shire of Dandaragan	64
Figure 12	Land Investigated in Review in Proximity to Jurien Bay and Cervantes	72
Figure 13	Town and Rural Settlement - A long term vision	77
Figure 14	Planning Units - Shire of Dandaragan	79
Figure 15	Planning Precincts	83
Figure 16	Dandaragan Strategy Plan	90
Figure 17	Badgingarra Strategy Plan	91
Figure 18	Strategy Plan	98

LIST OF TABLES

Table 1	Lots and Development - Koorringal Vale	58
Table 2	Lots and Development - Alta Mare	59
Table 3	Lots and Development - Marine Fields	60
Table 4	Lots and Development - Hill River Heights	60
Table 5	Lots and Development - Jurien Bay Heights	61
Table 6	Summary of land release and development	62
Table 7	DEC recommended buffer distances	103

ADVICE TO READER

To assist in reading this document the following frequently used terms and abbreviations are listed below for quick reference purposes.

1. The Scheme - refers to Local Planning Scheme No 7, which was gazetted 24th October 2006 and covers the whole of the Shire.
2. The Scheme Report (SR) - refers to the existing document which sets out the planning direction for the Shire. The SR was endorsed by the WAPC in 2006 and covers the whole of the Shire.
3. Local Planning Strategy (LPS) - refers to this document which reviews the SR and sets out the long-term planning directions for the Shire of Dandaragan.
4. Rural Living - A land use that is residential in nature generally 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.
5. Rural Settlement - A sub-set of rural living, generally located on the outskirts of Cervantes or Jurien Bay. Rural settlement may also be used to describe proposals for rural living as this land use results in people settling in rural areas.
6. Closer Subdivision - refers to the breakdown in size of rural land.
7. Council - the Council of the Shire of Dandaragan.
8. Abbreviations:

WAPC	- Western Australian Planning Commission
DEC	- Department of Environment and Conservation
DPI	- Department for Planning and Infrastructure, now the Department of Planning
DoP	- Department of Planning
DoW	- Department of Water
SPP	- State Planning Policy
DC	- Development Control

PART 1 - BACKGROUND INFORMATION

1. INTRODUCTION

1.1 BACKGROUND

The Shire of Dandaragan is covered by Local Planning Scheme No 7 (the Scheme), which was gazetted on 24th October 2006. The Scheme took several years to be prepared and finally adopted by which time a number of issues affecting rural land use and rural-residential and rural settlement had arisen which are not adequately addressed in the Scheme.

Rural planning is based upon the District Planning Strategy (March 1998) and the Scheme Report (SR) which was adopted with the Scheme on 24th October 2006. In view of the time, which has passed since these planning documents were formulated, and the issues that must now be addressed, the Council resolved to carry out a review of the SR.

The draft Scheme and SR were first submitted to the WAPC for consideration in 2002 but an issue arose in respect to the need or otherwise to show proposed Water Resources and Priority Water Source Protection Areas on the Scheme Maps. After nearly two years of negotiation, the Minister advised that the Scheme would be approved subject to modifications and further advised Council as follows:

- “(a) The Commission is prepared to endorse the advertised Local Planning Strategy as a Scheme Report but, prior to future rezoning of rural land outside the townsites, will require a reviewed Local Planning Strategy which addresses the issues of:*
- providing for the realistic future growth and development over a 10 to 15 year period; and*
 - application of State and regional policies particularly those relating to protection of the coastal and rural environment and the protection of natural resources.*
- (b) The issues raised in the submissions regarding lack of commercial land in the Jurien Bay townsite, the permissibility of uses in the Tourist zone and the need and desirability of zoning land for short term residential accommodation should be addressed by way of a possible future amendment to the Scheme.”*

As an outcome of negotiations with DPI (now Department of Planning) officers, the Minister also agreed that the designation of public drinking water source protection areas need only be shown on the strategic plan in the SR and not on the Scheme Maps.

For the next three years Council sought to have the Bassendean Precinct Special Control Area (BPSCA) removed from the Scheme. Eventually after several unsuccessful attempts to have the BPSCA removed Council agreed it would pursue this matter after the Scheme was adopted.

Subsequently in October 2006 the Scheme was finally adopted and gazetted. At the time the Minister approved the current Local Planning Scheme together with the SR the Council was advised as follows:

“At the time of dealing with the Scheme in early 2003, the Minister advised the Shire of a need for the review of the SR submitted with the Scheme to provide for realistic growth and development in the Shire in the next 10 to 15 years and to address issues of environmental and coastal protection. This issue of development within the Bassendean Precinct, the expansion of the Cervantes and Jurien Bay townsites and the establishment of rural-residential areas are all issues that need to be considered in a strategic context. This would provide a framework for the amendments to the Scheme including if applicable the removal of the SCA.” (4 October, 2005).

The existing SR has served adequately to guide the growth and development of Jurien Bay and to the extent possible, Cervantes. While Jurien Bay has been able to grow to the south, Cervantes has no freehold land adjacent to its built area in which to expand. The limited land release which has occurred has been through LandCorp however any unallocated Crown land which could be considered for development is constrained by one or more factors.

While there is sufficient urban land available in and between Jurien Bay and Cervantes this is not the case for the rural areas and rural settlements where there is no zoned and un-subdivided or available land for expansion of existing rural towns and rural-residential areas. Equally important are the impacts of diversification and intensification of agriculture and a range of other activities in the rural area and how this is creating demands for more rural housing and accommodation. Council considered that as its priority is to address the immediate need for forward planning for rural towns and settlement then the whole of the Shire excluding Cervantes and Jurien Bay should be reviewed and this review document will be adopted as the Local Planning Strategy - Rural Land Use and Rural Settlement.

The existing SR will still be referred to for physical social and economic data not included in the LPS and matters relevant to the coastal area including Jurien Bay and Cervantes.

The most important role of the SR has been to guide future settlement including rural-residential and rural smallholdings and to a limited extent the towns of Jurien Bay and Cervantes.

The SR supported the growth of towns and adjacent areas in the following way:

- closer subdivision (mainly rural-residential and rural smallholding development) should occur within 10km of Jurien Bay;
- the Strategy notes that the Cervantes townsite is surrounded by State reserves and development would occur within the townsite;
- closer subdivision to occur within 5 km of the Dandaragan townsite; and
- closer subdivision within 5km of the Badgingarra townsite and land within the townsite was also identified for rezoning for rural-residential purposes.

As subdivision and development has grown at a reasonable rate more strategic direction reflecting current circumstances is required. The Western Australia Planning Commission (WAPC) requires that any further subdivision of rural land for rural-residential and rural smallholdings must be identified in an LPS.

1.2 EXTENT OF CURRENT REVIEW

The most pressing demand within the Shire is to identify new areas which could be suitable for rural living purposes. Equally important is the current lack of zoned and subdivided lots within and in proximity to the rural settlements of Dandaragan and Badgingarra.

Expansion of the town of Jurien Bay however, is well provided for with residential land extending south towards Cervantes and north towards North Head. The most urgent demand is outside the coastal towns of Jurien Bay and Cervantes in the hinterland and rural towns.

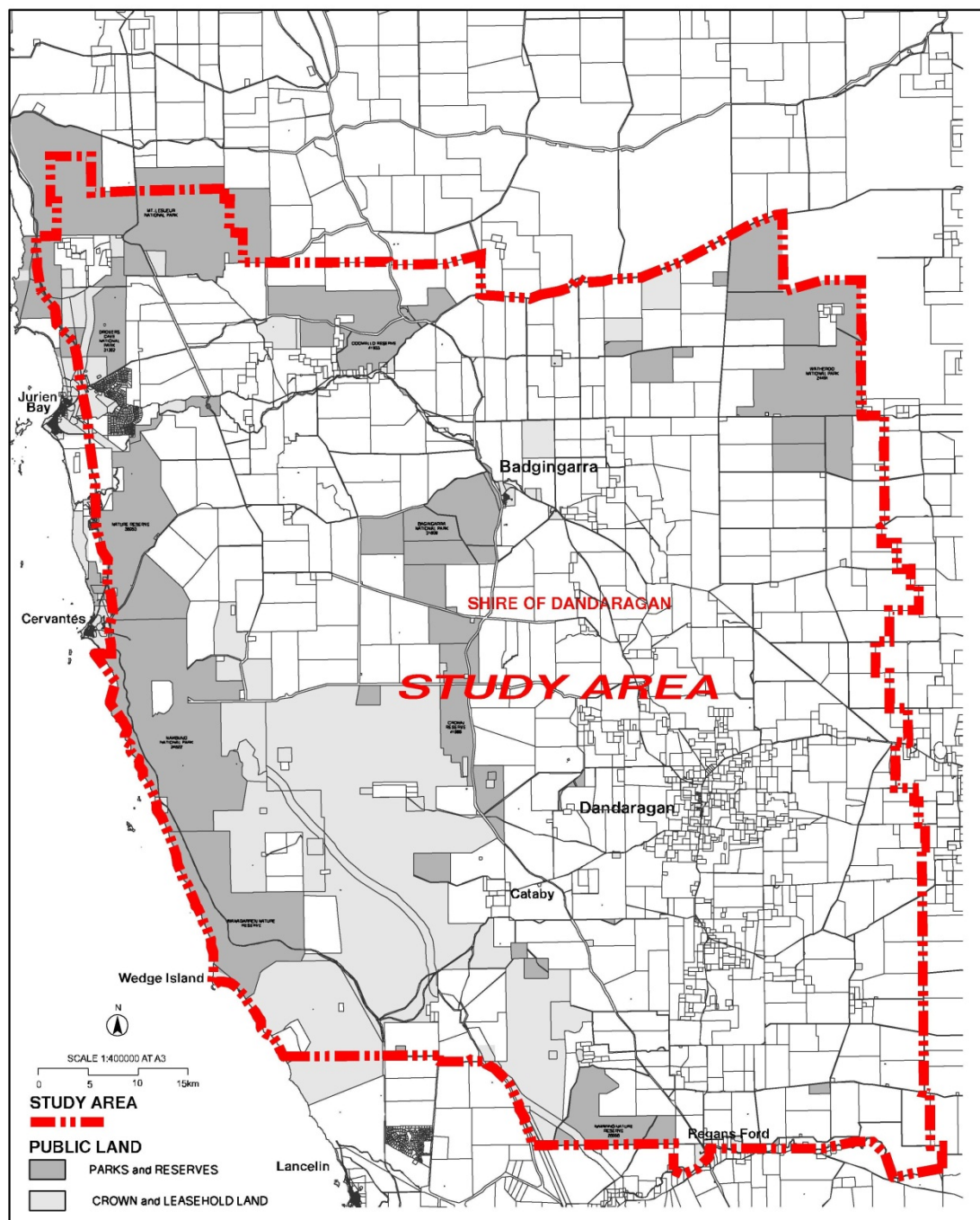
The main elements of the LPS will be to:

- assess the demand and supply for further subdivision;
- identify where it should occur;
- propose any special planning and development requirements;
- consider the need for an additional zone, for example to distinguish the difference between lots of 1ha-4ha which are zoned Rural - Residential and those lots above 4.0ha; and
- address other land use and development issues which are identified.

The study area for this LPS is shown in Figure 1. Figure 1 includes the entire Shire excluding the coastal precinct from North Head to Cervantes which includes the Jurien Bay townsite.

This LPS provides for 5-10 years growth of the rural towns of Dandaragan and Badgingarra, other smaller settlements and the expansion of opportunities for closer settlement, rural living potential and other innovative rural settlement initiatives in proximity to Jurien Bay and Cervantes.

A local planning strategy process for the coastal precinct is currently in progress and which, when prepared, will be amalgamated with this document to create a consolidated Local Planning Strategy.



2. STRATEGIC PLANNING CONTEXT

The Local Planning Strategy (LPS) has been prepared within the framework set by State and regional planning policies.

2.1 STATE PLANNING POLICIES

2.1.1 SPP 2.5 Land Use Planning in Rural Areas

The existing Statement of Planning Policy 2.5 (SPP 2.5) applies to rural and rural living land in the State, 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.

The main objectives of the policy in summary are:

- to protect rural land from incompatible land uses;
- to promote regional development through provision of ongoing economic opportunities on rural land;
- to promote sustainable settlement in, and adjacent to, existing urban areas;
- to protect and improve environmental, landscape and cultural assets; and
- to minimise land use conflicts.

As it is a Statement of Planning Policy adopted under Section 5AA of the former Town Planning and Development Act, the provisions of the policy are to be applied to the LPS and the Scheme which should incorporate the identification of Priority Agriculture Areas and other rural land uses and activities including rural-residential areas.

Joint review of SPP 2.5 Agricultural and Rural Land Use Planning

The WAPC, in partnership with the Western Australian Local Government Association (WALGA), has been consulting with local government on the review of SPP 2.5 “Agricultural and Rural Land Use Planning”. WALGA has convened a Policy Advisory Group for this purpose with representation from rural councils and staff from DPI (now the Department of Planning). The findings of this Review are yet to be released.

The outcomes of the review of SPP 2.5 may have implications for the Shire’s rural planning which will be considered once any changes have been adopted.

Identifying areas of Agricultural Significance

SPP 2.5 provides a detailed process to identify areas of Agricultural Significance. The key points are that the process:

- must be undertaken in consultation with the community;
- should be undertaken in preparation of a local or regional planning strategy;
- takes into account not only soil capability but also suitability factors in identifying areas of State/regional agricultural significance; and
- allows local government to identify areas of local agricultural significance.

The Strategy and the Scheme should:

- simplify zoning of rural land;
- designate priority agriculture for areas of State/regional or local significance;
- designate general agriculture to other areas;
- provide flexibility for all agricultural uses; and
- include provisions for agriculture related tourism.

Planning Considerations

Priority Agriculture areas, once identified, must be zoned as such in the Local Planning Scheme having been refined from Agricultural Priority Management Areas shown in the SPP 2.5 and any additional assessment advice.

There is insufficient data on soil and water currently available to allow the identification of areas for more intensive agriculture to develop and until areas are identified for this purpose applications for intensification of agriculture will be based upon the landowners assessment of their property to establish the suitability of the subject land for this purpose.

The Review does not identify Priority Agriculture areas or a Priority Agriculture zone, as the work to be undertaken by the State to identify these areas has as yet not been carried out. Broadscale rural lands will continue to be zoned as Rural which presently provides adequate planning and development controls to allow for growth and diversity in the agricultural economy subject to further recommendations made later in the LPS. The need for identification and possible zoning of Priority Agricultural areas will be monitored and reviewed at a later date.
Recommendation:

The State Government should utilise the resources of appropriate agencies to prepare the necessary level of data on water and soil quality to then work with the Council to identify areas of Priority Agriculture.

Plan and Provide for Rural Settlements

Two zonings are available under SPP 2.5: Rural-Residential and Rural Smallholdings which will be considered in the Review.

Rural-Residential:

- provides a residential use in a rural environment;
- an expectation of basic services (power, roads, water);
- 1 ha to 4 ha lots depending on local conditions (Local Planning Scheme); and
- provision of reticulated potable water supply.

Rural Smallholdings:

- provides for a residential use in association with a rural pursuit;
- 4 ha to 40 ha lots depending on local conditions (the Scheme);
- opportunities for home business, tourist and rural pursuits;
- identifiable theme (conservation, permaculture);
- potable water supply; and
- separate water supply for land and fire management.

In each case the following prerequisites are necessary:

- requirement for a subdivisional guide plan;
- identification of building envelopes;
- restriction to one dwelling per lot;
- compliance with local government environmental and health requirements;
- an outline of acceptable agricultural uses;
- consideration of landscape amenity;
- preparation of bushfire management plans; and
- identification of emergency egress.

Typical provisions for rural-residential and rural smallholding development include:

- clearing restrictions;
- tree planting/revegetation programme;
- stocking restrictions;
- identification of building envelopes; and
- protection of natural features.

Planning Considerations

The existing Scheme only contains the Rural-Residential zone and the LPS will address the need for the introduction of the Rural Smallholding zone in the Scheme and if appropriate to identify land for this purpose. The current planning for rural areas was based upon SPP 2.5 in that settlement is contained to areas closer to existing town services and facilities. Future planning will build upon this planning framework and remain consistent with SPP 2.5.

Minimising Land Use Conflict

Proposals to rezone, subdivide or redevelop require an assessment of the potential for land use conflict particularly between farming and residential activities.

In order to locate residential and rural-residential activities appropriately adequate separation needs to be provided between conflicting land uses.

Adherence to an approved settlement strategy and the incorporation of performance criteria will assist this process.

Planning Considerations

The existing Scheme addresses the need to minimise land use conflict and to optimise the productive capacity of the rural resources. The land which has been zoned for rural-residential purposes is consistent with the careful location of settlement to minimise potential conflict. The LPS will address the planning considerations relevant to the development of intensive agriculture including the need to minimise the potential for land use conflict (See Part 2 and Appendix 2).

Management of Natural Resources

Increasingly rural planning is affected by environmental legislation as it becomes integrated with the States' natural resource management objectives. The policy

requires the Local Planning Schemes to make provisions for the protection and management of natural resources and environmental management areas identified in local planning strategies. Natural resource and environmental management areas include water resource areas, minerals and basic raw material resource areas, and the integration of land, catchment and water resource planning and management.

Planning Considerations

The existing Scheme includes general provisions to protect public water resources, sensitive areas and wetlands, groundwater resources and basic raw materials. The Scheme requires all development which could have an impact on groundwater to be referred to DEC.

Licences for the use of groundwater are to be referred to the DEC and the DoW for assessment and licensing.

However, it is considered that protection of public drinking water source areas would have improved protection if Water Supply Protection Areas were shown on the Scheme Maps and included in a Special Control Area. This is recommended in 2.1.2

2.1.2 SPP 2.7 Public Drinking Water Protection Policy

SPP 2.7 informs local governments of those aspects of State level planning policy concerning the protection of Public Drinking Water Source Areas (PDWSA) which should be taken into account in planning decision making.

The objective of this policy is to ensure that land use and development within PDWSA is compatible with the protection and long term management of water resources for public water supply.

SPP 2.7 requires that:

- Local and Regional Planning Strategies should identify PDWSA based on advice from the Water and Rivers Commission (WRC) (now DoW). In areas outside of the Perth Metropolitan Region, all priority source protection areas in PDWSA should be shown as special control areas in Region Schemes and in local government Schemes in accordance with the recommendations of any relevant land use and water management strategy published by the WAPC, or any Water Source Protection Plan approved by the DoW.
- The special control area provisions should provide for referral of applications to the DoW for advice and comment, and set out the relevant considerations in determining planning applications within these areas, guided by the Water Quality Protection Note on Land Use Compatibility and Public Drinking Water Source Areas.
- Land uses and developments in all priority source protection areas that have the potential to impact detrimentally on the quality and quantity of public drinking water supplies should not be permitted unless it can be demonstrated, having regard to advice from the DoW, that such impacts can be satisfactorily managed.
- Planning schemes and decisions on land use and development should have regard for any adopted region scheme policy or relevant environmental

protection policy on public drinking water supply.

When planning for water source protection and classifying land areas the DoW looks at four key criteria when assigning priority classification to public drinking water sources. These are:

- the strategic value of the source;
- land zoning;
- land tenure (ownership); and
- current/ approved land uses.

As a guide:

Priority 1 (P1)	areas are applied to crown land and private land with strategic water value to ensure there is no degradation of the drinking water source quality.
Priority 2 (P2)	normally applies to rural land to ensure there is no increased risk of water source contamination.
Priority 3 (P3)	applies to urban and industrial land to address contaminated threats from a wide variety of land uses.

The DoW provides advice to guide land use planning decisions in these areas by State and local government agencies.

Planning Considerations

All requirements of SPP 2.7 listed above are reflected in existing provisions in Local Planning Scheme No 7. Where this review proposes any change of zoning or intensification of land use and development within the Public Drinking Water Source Area's it would need to be consistent with the land use compatibility table, of the Department of Water's Water Quality Protection Note 2004.

Likely land uses are a continuation of broadscale and intensive agriculture (e.g. irrigated), rural smallholdings, rural-residential and small scale or low density tourism (e.g. Bed & Breakfast, Caravan Park). When assessing any proposal the aim is to prevent increased risk of adversely affecting water quality and sustainability.

Rezoning proposals would need to:

- *satisfy the requirements of all relevant Government Agencies and legislation in respect to ground and surface water, sewerage and effluent disposal;*
- *address the suitability and acceptability of using private bores and where acceptable to have an indicative water allocation from DoW if the rezoning is successful and implemented; and*
- *apply the best management practices for the sustainable and environmentally acceptable use and management of surface and groundwater, sewerage and effluent disposal in planning, design and implementation.*

Recommendation:

It is recommended that the PDWSA's are shown on the Scheme Maps as 'Special Control Areas' and that the following be included in the Scheme Text by way of an appropriate amendment.

2.1.3 SPP 2.9 Water Resources

SPP 2.9 relates to the overarching SPP 2, Environment and Natural Resources Policy, and provides clarification and additional guidance to planning decision-makers for consideration of water resources in their land use planning activities.

The objectives of the policy are to:

- protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;
- assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources; and
- promote and assist in the management and sustainable use of water resources.

The policy measures relate to:

- surface and groundwater resources;
- wetlands, waterways and estuaries; and
- total water cycle management.

The policy defines water resources as “water in the landscape (above and below ground) with current or potential value to the community and the environment” (WRC, 1998). Water resources that may be the subject of this policy include:

- wetlands;
- waterways;
- estuaries;
- groundwater;
- surface water;
- irrigation dam;
- floodplain;
- foreshore;
- stormwater;
- existing and future surface and groundwater drinking water catchments and sources for public and private supplies; and
- wastewater.

The document ‘Better Urban Water Management’ (October 2008) (BUWM) by the WAPC provides guidance on the implementation of SPP 2.9. *State Planning Policy 2.9 Water Resources* (Government of WA, 2006), which is a requirement of the *State Water Strategy for Western Australia* (Government of WA, 2003).

It is designed to facilitate better management and use of our urban water resources by ensuring an appropriate level of consideration is given to the total water cycle at each stage of the planning system. The document intends to assist

regional, district and local land use planning, as well as subdivision and development phases of the planning process. It should be applied to both new greenfield and urban renewal projects where residential, commercial, industrial and rural - residential uses and development are proposed including in rural townsite areas. It is not intended to apply to brownfield or infill circumstances or to small scale subdivision or development proposals unless significant water management issues are present.

This document provides a framework for how water resources should be considered at each planning stage by identifying the various actions and investigations required to support the particular planning decision being made.

Application of the recommended approach will ensure consideration of issues which are relevant to the site at a level of detail which is appropriate to the planning decision being made and the degree of risk associated with the proposal in terms of ecological and community impacts.

If the planning process described in this document is conducted as recommended, the plans prepared will be consistent with the State Water Plan (2007), the State Water Strategy (2003), the State Planning Strategy (1997), Liveable Neighbourhoods (2007) and State Planning Policy 2.9 Water Resources (2006).

Planning Considerations

The SR shows the existing Public Water Source Drinking Areas which allow a range of land uses which are acceptable or conditionally acceptable.

Groundwater resources are also protected and managed for the sustainable use for urban growth and agriculture.

The LPS will further clarify land use and development in respect to management of water resources.

Encourage implementation of the requirements of the BUWM framework at regional, district and local planning stages to give due consideration to the total water management cycle.

2.1.4 SPP 3 Urban Growth and Settlement

The aim of SPP 3 is to facilitate sustainable patterns of urban growth and settlement by setting out the requirements of sustainable settlements and communities and the broad policy in accommodating growth and change. The policy must be taken into account in preparing regional and local planning strategies, and planning schemes and amendments, and given weight in statutory decision making in relation to urban growth and settlement.

The objectives of this policy are:

- to promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space;
- to build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and

- enhance the quality of life in those communities;
- to manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints;
- to promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community; and
- to coordinate new development with the efficient, economic and timely provision of infrastructure and services.

The policy measures include:

- creating sustainable communities;
- managing urban growth and settlement across Western Australia;
- managing urban growth in Metropolitan Perth;
- planning for liveable neighbourhoods;
- coordination of services and infrastructure;
- managing rural-residential growth; and
- planning for Aboriginal communities.

This policy will be implemented through; related statements of planning policy, regional strategies, local planning strategies and regional and local planning schemes.

Planning Considerations

The LPS will address the growth of rural living proposals in the Rural area. Growth of existing settlements is currently provided for in the Scheme however, existing constraints to development have resulted in a shortage of available lots. Any new settlement proposal other than rural living will be addressed separately and would require a further modification to the Strategy. Extension of existing Rural-Residential areas or new ones must be considered in terms of sustainability and seek to consolidate existing settlements and locate rural settlement close to existing services, infrastructure and communities.

2.2 REGIONAL PLANNING

The policy and strategy promoted in the LPS are guided by a series of more specific regional and sub-regional strategies, policy statements and structure plans.

2.2.1 A Tourism Planning Strategy for the Central Coast Region (1996)

The Tourism Planning Strategy (TPS 1996) provides the framework for regional industry, government and communities in developing tourism to facilitate efficient and effective resource allocation in an environmentally, socially and economically sustainable manner.

TPS 1996 acts as a catalyst for the attraction of major developments and promotion of the region. The coordination of tourism planning on a regional level

will provide for the identification of infrastructure needs (as well as the delegation of responsibilities to appropriate agencies) and develop a marketing plan for the region.

Planning Considerations

The LPS addresses the growing interest in providing a range of tourism related activities and land uses in the rural area and seek to both provide for appropriate tourism while protecting agriculture from any constraints which could result.

2.2.2 Central Coast Strategic Tourism Planning Study

In 2007 Tourism Western Australia in partnership with LandCorp, the Department of Planning and Infrastructure, the Wheatbelt and Midwest Regional Development Commissions and the Shires of Dandaragan, Gingin, Irwin, Coorow and Carnamah commissioned the preparation of the Central Coast Strategic Tourism Planning Study (CCSTPS).

The objective behind development of the CCSTPS was to provide strategic direction for the identification and promotion of tourism investment within the Central Coast region. To achieve this, the CCSTPS aimed to evaluate the Regions current status as a tourism destination and make recommendations that would assist the Region to realise it's realistic future tourism potential.

With the CCSTPS articulating product development opportunities and recommended planning controls, it was also anticipated that each of the five local government areas in the CCSTPS area would have the capacity to use the Study's recommendations to prepare a Local Tourism Planning Strategy, or incorporate a tourism component into its Local Planning Scheme in accordance with WA Planning Commission Planning Bulletin No 83 (Planning for Tourism).

The CCSTPS has identified a lack of long term planning for the Central Coast region. This further highlights the need for localities where tourism currently or potentially provides significant social and economic returns to the community to embrace the study. The study makes the following recommendations for the next steps towards strategic planning and taking tourism investment forward:

1. encourage the development of sustainable world class tourism attractions and products that celebrate the natural values of the Region;
2. attract accommodation investments that meet market demand at identified strategic nodes;
3. increase visitation to primary destinations in the Region;
4. ensure that the visitor experience delivered within the Region is world class;
5. integrate and coordinate the delivery of social and physical infrastructure across local government boundaries to underpin the private sector investment in tourism in the Region; and
6. ensure that the strategic and statutory planning frameworks identify and protect significant tourist sites and facilitate the development of a range of tourism products in key strategic nodes.

Planning Considerations

The LPS will take into consideration the recommendations of the CCSTP when

assessing proposals for tourism. The Scheme has a Tourist zone and there are suitable sites for tourism in all towns for new tourist uses. A number of tourist uses are also permitted in the Rural zone subject to Councils approval and where not in conflict with rural activities.

2.2.3 Central Coast Basic Raw Materials Strategy

A Basic Raw Materials Strategy (BRMS) was prepared for the Central Coast Region in 1997. The main purpose of the project was to prepare a strategy to protect important raw materials and provide enforceable guidelines for extraction, taking surrounding and/or competing land uses into consideration. The BRMS examined the distribution and availability of resources in the Shire of Dandaragan, planning considerations, general raw material issues and the market for raw materials.

The conclusions of the BRMS which are relevant to rural land uses planning were:

- quicklime/agricultural lime extraction is vital to the mining and agricultural industries and needs to be protected;
- protect these resources which are essential to the construction of buildings and roads; and
- amend local planning schemes to include current tenements and long term licences and resource areas specified within SPP 2.4 in an appropriate zone.

Planning Considerations

The Scheme should include an appropriate clause for the protection of basic raw materials as suggested above and should provide planning criteria and guidelines for the assessment of locations where being proposed. This will address the current lack of any specific provision in this respect in the Scheme.

'Basic Raw Materials - Extraction of basic raw materials should be in accordance with approved plans and policies and relevant legislation:

- *where possible basic raw material resources should be available for future extraction;*
- *quarry and other extraction sites must be rehabilitated in accordance with approved plans and strategies; and*
- *an application for planning approval must address the requirements in Appendix 1.'*

2.3 OPERATIONAL POLICIES

WAPC operational policies have been adopted by the WAPC under SPP 1 State Planning Framework. These policies set out the criteria to be applied when the WAPC assesses subdivisional and strata title proposals.

2.3.1 Development Control Policy 3.4 Subdivision of Rural Land

Development Control Policy 3.4 (DC Policy 3.4) indicates a general presumption against subdivision in rural areas, unless the subdivision of rural land for rural living is properly planned through the preparation and endorsement of a local planning strategy or Scheme and be accordingly zoned in local planning schemes prior to

subdivision. Rural living is considered a residential land use and not a rural land use. Therefore DC Policy 3.4 does not apply to rural living proposals or subdivision. Provisions relating to rural living proposals are now considered in SPP 2.5.

DC Policy 3.4 outlines the circumstances where subdivision of rural land may be appropriate, in order to promote better land management and achieve environmental, cultural and/or social benefits. In certain circumstances in the Homestead Lot Policy Area (in which this Strategy area falls), homestead lots are available to local authorities where specific criteria can be met.

Planning Considerations

The existing SR acknowledges the rights to subdivide in accordance with this policy and any variation will need to be justified in the LPS.

2.4 LOCAL PLANNING

The Local Planning Strategy will ultimately underpin the direction and planning controls of the Local Planning Scheme and/or associated Council and Local Planning Policies.

2.4.1 Local Planning Scheme No 7

The Shire of Dandaragan Town Planning Scheme No 7 (TPS 7) was gazetted on 24 October 2006 and is the land use based statutory Scheme for the whole of the Shire.

There are two 'Rural' zones outlined in the Shire of Dandaragan's Local Planning Scheme; the 'Rural' zone and the 'Rural-Residential' zone.

The objective of the 'Rural' zone is to provide for a range of rural activities such as broadscale and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity.

The objective of the 'Rural-Residential' zone is to provide for rural lots for residential purposes. These lots should generally range in size between 2.0ha and 20.0ha. There are specific provisions for development in a 'Rural-Residential' zone. These include provisions that:

- require not more than one single dwelling house per lot shall be erected;
- require retention of trees unless their removal is authorised by Council or to make way for house construction, fences and constructed access ways;
- require a landscape plan identifying the location and species of trees and shrubs to be planted;
- require a proven potable water supply for each allotment;
- require design construction, materials and position of buildings to be in harmony with the rural character of the land within the zone and locality generally, provisions which prohibit the keeping of livestock for commercial purposes;
- require onsite effluent disposal systems that satisfy specific Council standards; and

- prohibit the further breakdown of the lots.

2.4.2 District Planning Strategy

The key strategic elements of the District Planning Strategy (DPS), which are relevant to rural land use planning, are:

- a general presumption against subdivision of land in the productive broadacre farming areas except for farm boundary rationalisation; and
- land use changes in the broadacre farmland in the Shire should be assessed in accordance with the requirements set out in the DPS under the six Planning Precincts which are based on the different soil/land units within the region.

These strategic elements aim to preserve the viability of the agricultural industry whilst managing the land resource in an ecologically sustainable manner. The DPS specifically recommended that:

- Town Planning Scheme 6 is amended to provide guidelines for intensive land use allocation based on land capability and suitability.
- Amalgamation of “Crown Grants” in the vicinity of the town of Dandaragan be made a condition of subdivision, in view of access problems to land locked locations.
- Subdivision of small rural holdings be permitted within an approximate 5km radius precinct of the towns of Dandaragan, Badgingarra and 10km radius of Jurien Bay depending on detailed land capability assessment being acceptable.
- Subdivision outside the town precincts generally be discouraged except for intensive agricultural uses that have been identified as being suitable.
- The onus be on the applicant of a development to provide sufficient information to enable the Council to make an informed decision.

The DPS will be retained as a reference document only.

2.4.3 Scheme Report

Consistent with State Government planning legislation the Shire of Dandaragan prepared a Scheme Report (SR). Based upon analysis of the DPS and relevant strategic and background reports the strategic development direction which has guided development has been as follows:

- The main urban development direction in Jurien Bay over the next 30 years will be to the south and the possible development of the freehold land at North Head just north of Jurien Bay. The eastern sectors will be predominantly for rural-residential development. Urban development may occur to the north of Jurien Bay along the coast in the future however, no planning has been undertaken for this area.
- The main urban development direction at Cervantes will be the infill of the townsite area. This is initially expected to be to the south. There may be some opportunities to the north of the golf course with a road connection to Indian Ocean Drive.
- The main development direction at Dandaragan is expected to be to the west onto the higher ground. Some expansion to the north along Dandaragan Road is anticipated as well as some infill in the town.
- The Badgingarra townsite has been well planned and has surplus land within

the townsite for most land uses. There is some demand for rural-residential land on the northern and eastern edge of the town.

The SR identified areas as potential Rural-residential zones which further develop the recommendations of the DPS and proposes the following:

Jurien Bay

The DPS proposed that land within 10km of the townsite could be considered for closer subdivision subject to detailed structure planning and the imposition of appropriate development controls and subdivision conditions. Development and growth of the townsite is expected to expand along an urban corridor to the south and north along the coast. The land to the east of the town which is not in reserves or allocated for specific purposes is expected to be used for rural-residential uses.

Cervantes

As the town is surrounded by State reserves there is limited potential and it was anticipated that the completion of Indian Ocean Drive could accelerate the demand for land. No land therefore was identified for closer subdivision within proximity of the townsite.

Dandaragan

The SR is consistent with the DPS providing opportunities for closer subdivision of land for rural-residential purposes within 5km of the townsite but this may change as a result of the Review.

Badgingarra

The SR was consistent with the DPS providing opportunities for closer subdivision of land for rural-residential purposes within 5km of the townsite but this may change as a result of the Review.

At the time of adoption of the DPS there was a demand for rural-residential land on the northern edge of the town and supported rezoning of this land. Crown land has been zoned for rural-residential use in the Scheme, but for a range of reasons has and will never be subdivided.

Regans Ford

The DPS proposed to limit development in the townsite and had no proposals for closer subdivision in or in proximity to the townsite.

Planning Considerations

The zoning and development of land for rural-residential subdivision has been implemented to be consistent with the DPS and the SR. A summary and analysis of the release and development of these Rural-Residential estates is discussed later in the LPS and provides the basis for the future prospects of releasing more land for closer subdivision and the preferred pattern and direction of growth. The SR will be retained for reference purposes only when the LPS has been adopted.

3. LOCAL PROFILE

3.1 GENERAL

The Shire of Dandaragan is located in the Wheatbelt region with the southern boundary of the Shire located approximately 120kilometres north of the Perth central business district on the Brand Highway.

The Shire has an area of approximately 6934 square kilometres and has a population of 3146 (ABS, 2006 Census). The Shire has five townsites: Badgingarra, Cervantes, Dandaragan, Jurien Bay and Regans Ford.

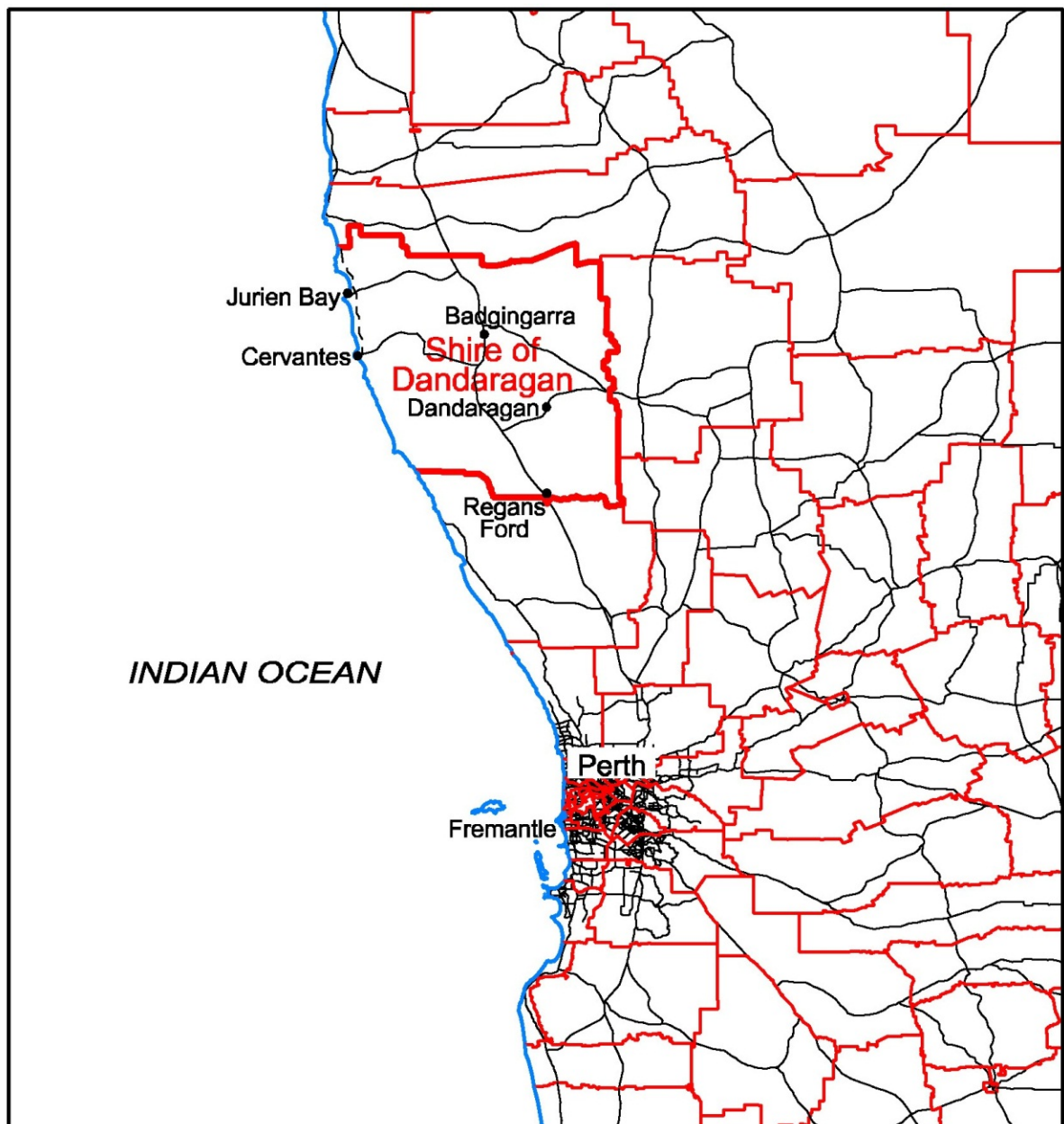


Figure 2: Context Plan

3.2 DANDARAGAN

The town is typical of many small centres throughout the broadscale agricultural area but is also becoming the centre of a thriving rural community within an area where agriculture is diversifying and innovating. The town is on the Dandaragan Road about 20km inland from the Brand Highway.

Existing Development

The townsite is substantially developed (see Figure 3) on the existing suitable land comprising:

- 54 Residential R 12.5 approximately 1000m² all with dwellings;
- 5 large un-subdivided areas of Residential R 12.5 - 50% already cleared;
- 4 lots Residential R 0.5 all developed/dwellings;
- 12 industry lots - all developed;
- large area zoned Special Development - cleared farm land - not developed;
- small town centre including Council offices, library, sport and recreation facilities including a golf course; and
- workers and backpackers accommodation and facilities.

There are strands of remnant vegetation scattered throughout the townsite which would require further assessment to determine the need to preserve some areas prior to further subdivision or development.

Key Issues

Dandaragan has limited amount of zoned land and all has been subdivided and developed.

Interviews and assessment of the real estate market revealed that the majority of purchasers of rural living lots prefer the following:

- a lot with house and shed and infrastructure in place;
- a lot with a habitable shed;
- a lot which has a mix of cleared and vegetated land but this is not essential;
- available groundwater preferably with a working bore in place;
- people do look for properties with specific features when they have an activity/business/hobby in mind; and
- a view was not a very high priority but still added value and was desirable.

Purchasers did not consider having lots connected to a reticulated water supply was essential and were happy to utilise rain water tanks supplemented in many cases by a household bore. It is sometimes difficult for rural living lots to catch sufficient amounts of water for domestic purposes. If a working bore was in place however it was a distinct advantage and attracted the attention of buyers.

As the distance from town increased lots do take longer to sell and the demand for increased lot sizes is sought after. There is potential to develop lots in the 4 to 40 ha range where there are good growing conditions and access to commercial quantities of groundwater for boutique crops and horticulture, tree farming, orchards and innovative, small-scale, intensive agricultural activities.

The most recent release of rural living lots has not fully sold out which is unusual but was attributed to the fact that some areas had no access to groundwater, limestone, few cleared areas, mainly coastal heath and was not very attractive. Native vegetation retention was acceptable to buyers and the covenants to protect bushland have been agreed and operate successfully however bushland rather than coastal heath is the more desirable to buyers.

Restrictions on business activities, the sale of products and the production of goods in rural living areas has been a deterrent to some prospective purchasers. People trying to develop a home business with some potential for expansion had looked to rural-residential lots for this opportunity. The lack of alternatives contributes to this demand (i.e. to carry out business, etc. on rural living lots).

Lack of alternative sites has resulted from many years of limited release of land for industry, mixed business and residential lots and areas where cottage industries with a dwelling and other urban purposes can be developed.

Future land releases should provide:

- for possible expansion in the range of uses, including small-scale businesses, home production, sales from properties, and for tourism purposes, etc. subject to suitable controls; and
- specific precincts identified in Outline Development Plans where the expanded range of activities may be permitted and planned for.

3.3 BADGINGARRA

Badgingarra is a small rural service centre for agricultural activity and mining in this part of the Shire and also provides for the tourist, business, commercial and other traffic passing the town on the Brand Highway. Badgingarra is an important town in the northern inland area of the Shire. The townsite is adjacent to the Badgingarra National Park, which is one of the best places to see wildflowers.

The Scheme shows an area of land zoned Residential R12.5 and Residential R2.5 where potentially up to 100 lots could be created. The land is currently un-serviced and contains good quality remnant vegetation. It is unlikely this land, which is Crown land, will be developed by State Government as it is considered unviable by the State. The balance of the town is not connected to sewer and the requirement to sewer any future lot is a significant constraint to the release of lots. The 'old' Badgingarra townsite, which is located 6km to the east, contains community infrastructure including the primary school and principal's residence.

Existing Development

The townsite is substantially developed (see Figure 4) on the existing available land comprising the following:

- Residential zone - R 12.5 there are 28 lots which are occupied with dwellings ; and
 - R 2.5 there are 3 lots which are occupied by dwellings.
- Industry zone - 12 lots of which 5 are developed and the balance have not been

cleared of vegetation.

- Roadhouse and caravan and camping ground.
- Sporting oval and recreational facilities and community centre.
- A golf course.

The townsite contains large areas of uncleared land which is designated unallocated Crown land on the Highway and east of the existing zoned and developed town land. The Hill River borders the town immediately to the north. The majority of the land adjacent to the Townsite, east of Brand Highway is cleared farming land containing pockets of remnant vegetation and vegetation along the banks of the Hill River.

While the town does not have deep sewerage it is serviced with power and reticulated water from a nearby Water Reserve with potential for expansions if necessary. Figure 4 shows the Production Well and Priority 3 protection area and Water Reserve Boundary.

Land zoned R 12.5 shown on Figure 11 which is undeveloped could accommodate more than 60 lots and an additional area zoned R 2.5 would provide 6 lots however the land contains remnant vegetation some of which may require retention

Another constraint is the lack of reticulated sewerage, however a detailed land capability investigation and assessment is being undertaken in the second half of 2010 by LandCorp to determine the potential for future subdivision of some lots based on existing zoning and settlement pattern, and provision of onsite effluent disposal.

Scheme Report

The existing planning for Badgingarra supported the potential for closer subdivision within a 5 km radius of the town. There is an existing area of Unallocated Crown land already zoned for Rural-Residential but not subdivided to the north of North West Road.

The land to the south of the Badgingarra Precinct bounded by the Brand Highway and McNamara Road is considered to be suitably located on the Highway between Cataby and Eneabba to provide services for all vehicles and road users on Brand Highway.

Uses such as truck and car repairs, tyre change, and similar light to general industrial activities would be considered appropriate, but still assessed on their merits.

These types of businesses are not meant to be in competition with businesses in existing towns, but to complement them and provide a service. This type of development supported this area would be composite industrial land uses where a residence and business are permitted on the one lot.

Detailed planning would be required to ensure issues such how to provide acceptable and safe vehicle access points onto Brand Highway or suitable

alternatives, visual impact, mix of uses, servicing, environmental impact and other planning matters are addressed.

Rural-Residential Development

A Scheme Amendment was adopted by Council in December 2007 to initiate the rezoning of Lot 3788 North-West Road from 'Rural' to 'Special Use-Rural Enterprise' zone. The development for the subject land proposed the creation of approximately 12 lots, all just over 4.0 ha for people to be able to build a dwelling and an area where a large shed would be permitted. If rezoned the amendment would allow rural enterprises, subject to management provisions aimed at ensuring the mix of uses, including limited agriculture, are all compatible.

There is a strong perception that this type of lot with rural enterprise opportunities will be in demand and this proposal will test that demand.

The Scheme Amendment has been refused by the WAPC and would only be reconsidered if supported in the LPS.

3.4 REGANS FORD

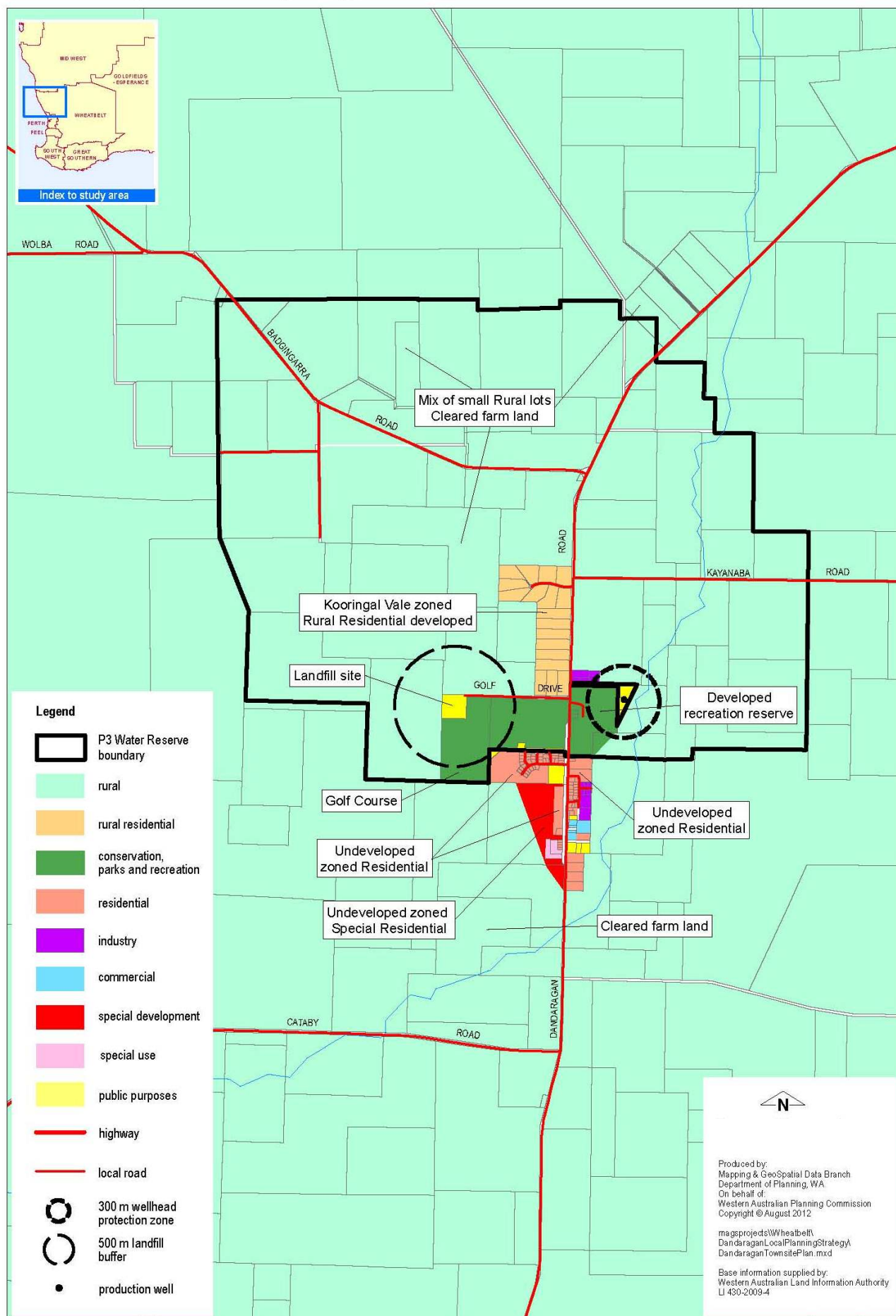
Regans Ford is a gazetted townsite located on the Brand Highway where it crosses the Moore River. Although it is a small townsite there have never been any proposals to encourage or initiate urban development in the townsite and there is no future plan to develop housing in this location.

Regans Ford is zoned Rural in the Scheme and is surrounded by Rural zoned farmland.

The location is strategically situated to serve the travelling public and local needs. It is just north of Orange Springs Road which provides an alternative route to Perth, Lancelin and the coast. The site is also just south of one of the main links for the Brand Highway to Dandaragan via Dandaragan Road.

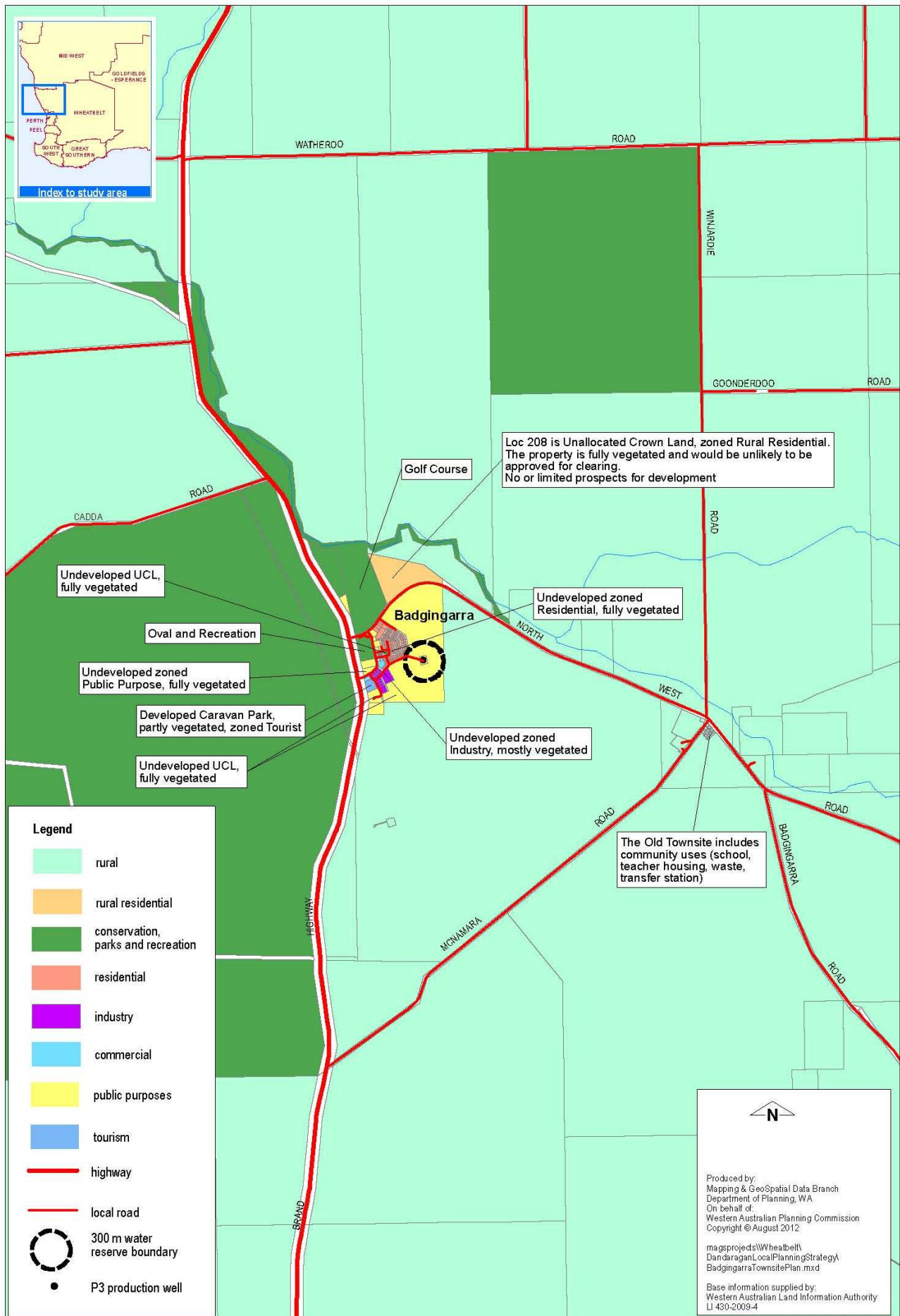
Moore River provides a very attractive rest spot on the riverbanks adjacent to the townsite and is very popular, particularly with caravanners. Windmill Roadhouse provides fuel, foods, papers and other similar goods. There is a separate Caravan Park adjacent to the Roadhouse.

Council will address any proposals to upgrade or expand the Roadhouse and the Caravan Park on their merits, but the Council does not support residential or rural living uses at this site as it is too isolated from any developed town providing goods and services required by residents.



Dandaragan Townsite Plan

Figure 3



Badgingarra Townsite Plan

Figure 4

3.5 ECONOMIC ACTIVITIES IN RURAL AREAS

The economy of the Shire of Dandaragan is based principally on primary industries, such as agriculture, and mining, which take place primarily on land zoned Rural and commercial fishing, including rock lobster fishing, and tourism. The rapid growth in tourism and use of houses in the area as holiday homes has been growing significantly in the past few years and has become even more important since the opening of Indian Ocean Drive in September 2010.

3.5.1 Agriculture and Horticulture

Agriculture in the Shire is consistently productive and the key economic activity of the Shires economy. Traditionally the agricultural activity in the Shire of Dandaragan has been grazing (sheep and cattle) and grain, particularly wheat with oats, lupins, hay and standing feed. Increasingly a number of more intensive forms of agricultural areas for a range of crops and activities (e.g. olives, orchards, feed lots) are developing in the area. Other uses such as small-scale tourist uses, alternative renewable energy production (e.g. wind farms), mining and aquaculture are being developed in the Shire.

As Perth continues to spread northward and consumes traditional horticultural areas, the potential is developing for alternative agricultural uses in the area. The Shire of Dandaragan is well placed to fill the horticultural needs of Perth and high potential for other non-traditional agricultural activities. These non-traditional agricultural activities include Agroforestry, Viticulture, Aquaculture, Floriculture and Horticulture.

Grazing and cropping involves the production of coarse grains and wool on a broadacre basis. Wheat is the predominant cereal grown in the area, though oats is grown for grain, hay and feed, with canola and white lupins having an excellent potential in the area. Sheep and cattle are considered equally important in terms of production.

Agroforestry is being undertaken on a small scale currently in the Shire. Aquaculture has also commenced, viticulture is in its experimental stage, and some horticulture is being undertaken in the south of the Shire. Wildflowers from the region are a major contributor to the export market, grown on freehold and crown land.

Agroforestry has a number of advantages for the farmer, namely; shelter and shade for livestock, stock fodder, reducing soil erosion, reducing salt scald, utilising soil nutrients and creating habitats for birds and insects. Planting of nuts, fruits, flowers, fodder and oils can further diversify farming practices.

Agroforestry for carbon sequestration and timber production appears to have a significant future judging from interest and initial projects where trees are being planted for both purposes.

3.5.2 Fishing

Fishing is a major contributor to the income of the local and State economies. More

than 50 species are fished in the area, including the Western Rock Lobster. Commercial fishing occurs in the area throughout the year, though activity is greater during the rock lobster season. A small number of fishermen live at the anchorage during the season, though with improvements to vessels, weather information and communication, fishermen no longer need to live outside the town sites.

Recreational fishing is a significant activity. The area hosts a large population during the summer months, peaking at the school holiday breaks of Christmas/New Year and Easter. Recreational fishing is undertaken by the residents of the main coastal towns all year round subject to current legislation. The area experiences economic benefits from the seasonal influx of people, through accommodation and the day to day requirements.

The reef system fringing the Central Coast provides important rock lobster and juvenile fish habitats. Rock lobsters are caught along the coast north and south of Perth, with the section of coast between Cervantes and Leeman in the Shire of Coorow providing a significant proportion of the State catch. The annual catch from these grounds is approximately 2000 tonnes, which is estimated at 21% of the Western Australian catch. While changes are occurring in the lobster and fishing industries with smaller operators leaving the industry and more restrictions on the catch, it will continue to be important economic activity and the completion of Indian Ocean Drive will improve viability of the industry through reduced transport time and cost.

3.5.3 Tourism

The Shire has traditionally been popular for Wheatbelt farmers to visit to recreate on the coast and many were involved with the original squatter shacks which have now been removed in areas under the control of Council.

More recent tourist activity and recreation activity and investment has increased with the area offering fishing, windsurfing, boating, surfing and diving together with wildflower tours, off road vehicle users, eco tours to Nambung National Park, the Pinnacles and Jurien Bay Marine Park.

There are two major tourism seasons in the Shire. The first being the wildflower season which runs from later July through to November and the second being the summer period between November and April, when people are attracted to the beaches and fishing during the school and public holidays. During the peak part of the summer season the coastal plains can fill to capacity with occasional shortage of accommodation.

A Tourism Strategy has been compiled and advertised by the Shire. The primary aims of the Tourism Strategy are:

- To provide an outline of the strengths weaknesses and threats analysis of the Shire's local tourism industry;
- Ensuring the retention of tourist zoned lots and achieving quality tourist developments in key locations; and
- Provide guidance for the provision of holiday homes and caravan parks.

The Tourism Strategy is envisaged to be finalised over the second half of 2012. The key planning recommendations of the Tourism Strategy are to be included in further Local Planning Strategy reviews.

3.5.4 Mining

The Shire has known deposits of gravel, limestone, marl, shell and sand in Crown reserves. Currently basic raw materials including sand, clay, limestone and gravel, are being extracted by the local authority and the Main Roads WA for the construction of roads and building foundations. There are additional supplies of these raw materials on privately owned land however, extraction levels, location, method of extraction, accessibility and transportation will require further investigation to ascertain their commercial feasibility. Quarrying operations are normally small in area but can have adverse environmental and amenity impacts if not managed correctly.

Coal was discovered in the Hill River area in 1961 and this coal has a similar energy level but higher sulphur and ash count compared to Collie coal. Deposits in the Mount Lesueur region are within reserved land and there are no current plans for mining. Oil and gas resources are known both on and off shore and have potential for future use.

Heavy Mineral sands resources (titanium-zircon) are located at Cooljarloo (Tiwest) on the Coastal Plain. There is further potential for the discovery of additional titanium-zircon resources within the Shire.

Extensive areas of limestone, gravel, fill and concrete sand and hard rock resources are present in the Shire. These deposits are significant in quantity and suitable for road sub-base, building and other construction. The lime sand resources suitable for agricultural use are also present within the coastal region of the Shire.

Phosphate and potash mineralisation, essential for agriculture, occurs in several parts of the Shire, such as Emu Hill and Summer Hill. The known deposits are however of low grade and are not currently economical to mine, although there is potential for high grade mineralisation. Other industrial minerals found in the area include gypsum, diatomite, bentonite and glauconite. Gypsum is used for domestic cement and plaster, whilst diatomite can be used as a filler material or a thermal and acoustic insulator.

3.6 PHYSICAL FEATURES AND THE ENVIRONMENT

3.6.1 Topography and Soils

The Darling Fault lies about 5km east of the Shire. This major structure separates the younger Phanerozoic sedimentary rocks of the Perth Basin to the west from the Archean (over 2500 million years old) rocks of the Yilgarn Craton to the east. The entire Shire is underlain by Phanerozoic sedimentary rocks of the Perth Basin, which are at least 250 million years old. Gentle folding is present in the pre-Cretaceous strata and these structure trends parallel to the Darling Fault and other major structures. These older Perth Basin sedimentary rocks are prospective for petroleum (oil and gas), coal and coal seam gas.

Younger sedimentary rocks of Cretaceous age (140 to 65 million years old) overlie the older strata in the eastern part of the Shire. These rocks belong to the Coolyena Group and include the Poison Hill Greensand, Molecap Greensand and Osborne Formation, which are known to contain low grade phosphate and potash mineralisation. Mineralisation found to date is unlikely to be currently economically viable to mine but may become so in the future. However, with continued exploration there is potential to discover sizeable areas of high-grade, relatively thick and shallow phosphate and potash mineralisation. Although such high grade mineralisation is yet to be identified or defined, global demand for fertilizer, increased potash prices and encouraging research into the extraction of potash from glauconite, have recently renewed exploration interest in the region.

Most of the Shire is covered by Cainozoic sediments, (less than 40 million years old) which are generally less than 50 metres thick. Extensive deposits of heavy mineral sands, carrying ilmenite, zircon and monazite are associated with the Gingin Shoreline.

A number of surficial materials also have potential for commercial development including; limesand deposits associated with numerous mobile dunes along the coast from Wedge Island to North Head, gypsum north of Jurien Bay and diatomite north west of Badgingarra.

3.6.2 Minerals

3.6.2.1 *Mineral and Petroleum Tenements*

There are currently 82 granted mining tenements, 62 mining tenement applications, and 7 petroleum tenements and 4 geothermal tenements wholly or partly within the Shire of Dandaragan (See Figure 6). The petroleum and geothermal tenements are targeting the Perth Basin throughout the Shire. The mining tenements cover most of the Shire, and the main minerals of interest are titanium-zircon, coal, phosphate, potash, limesand, diatomite and gypsum. One of the mining tenements is part of a State Agreement that covers heavy mineral sand mining operations in the Cooljarloo area.

A State Agreement is between the State and a private sector company and gives the company exclusive rights to develop a natural resource (owned by the State) in return for the company undertaking to establish and operate a resource project. The resultant contract is presented as a Schedule to a Bill, for approval by Parliament. Parliamentary ratification means the Agreement provisions, where they are inconsistent, may override the existing statutory laws of the State. State agreements commonly include obligations:

- to develop the project within a reasonable timeframe;
- to support State economic growth and create jobs by maximising the use of local labour, services and materials;
- to establish further processing industries, if commercially viable; and
- that the Agreement will not be subsequently amended by the State, without the concurrent of the company.

3.6.2.2 *Mining Act*

In reference to legislation, Section 120 of the Mining Act states that town planning schemes and local laws are to be considered but do not derogate from the Mining Act. Therefore, planning schemes cannot prohibit or affect the granting of mining tenements (mining leases and exploration licenses) or the carrying out of any mining operation authorised by the Mining Act. Consequently, DMP recommend that no comments be made in the Town Planning Scheme in regard to constraining or providing for mining operations, although it will be important to identify particularly areas of high mineral potential.

3.6.2.3 *Mining of Construction Materials*

On Crown land, construction materials are defined as a 'mineral' and hence there is a need for mining leases under the Mining Act for rock or gravel extraction. On private property, construction material extraction and sale is authorised by the Shire through grant of Extractive Industry Licenses. It is very likely that mining of construction materials will be required for all new infrastructure (roads, bridges, telecommunications etc.) to be built in the Shire.

It is important for existing resource extraction sites, either as mining leases on Crown land or extractive industry sites under Shire authority, where there are resources that will last for a number of years, to be identified in the Strategy and protected in the Scheme from developments that would conflict with the extraction, such as any new special rural subdivisions or townsite expansions. Protection of construction material sites is important because all developments require supplies of cost effective, high quality resources. When assessing any applications for Extractive Industry Licenses the Shire will also note the requirements of the Western Australian Planning Commission's Statement of Planning Policy for Industrial-Residential buffers and the EPA's buffer guidelines which require setbacks between quarry sites and dwellings and will ensure housing is not approved within specified distances.

All operating sites are to be progressively rehabilitated, and that all sites have an end of mining land use planned so the appropriate rehabilitation can be put into place from the initiation of operations.

3.6.2.4 *Geoheritage Sites*

Geoheritage Sites are defined by the Director of the Geological Survey of Western Australia as 'Geological features considered to be unique and of outstanding value within Western Australia and to have significant scientific and educational values for the good of the community'.

The Geoheritage Site within the Shire is:

- No. 107; Pinnacles - Tertiary limestone pillars with karst, eolian and erosion processes.

Mining related activity within Geoheritage sites are closely managed by the Department of Mines and Petroleum, and it is anticipated that Geoheritage Sites

on the State Register will be protected from incompatible activities by relevant government agencies including local government.

- To develop the project within a reasonable timeframe;
- To support State economic growth and create jobs by maximising the use of local labour, services and materials;
- To establish further processing industries if economically viable; and
- That the Agreement will not be subsequently amended by the State, without the concurrence of the company.

3.6.3 Hydrology

3.6.3.1 Water Resources

The DoW is the primary Government agency responsible for the management of the water resources of the State of Western Australia. Water resources are vested in the Crown and administered by the DoW under the *Rights in Water and Irrigation Act 1914* (RiWI Act).

Many areas of the State are “proclaimed” under the RiWI Act, and certain activities require a licence or a permit. There are two Proclaimed Groundwater areas within the Shire of Dandaragan, namely the Jurien Groundwater Area (Figure 8) and the Gingin Groundwater Area and two proclaimed Surface water Areas (Hill River & Tributaries and Moore River & Tributaries Figure 9).

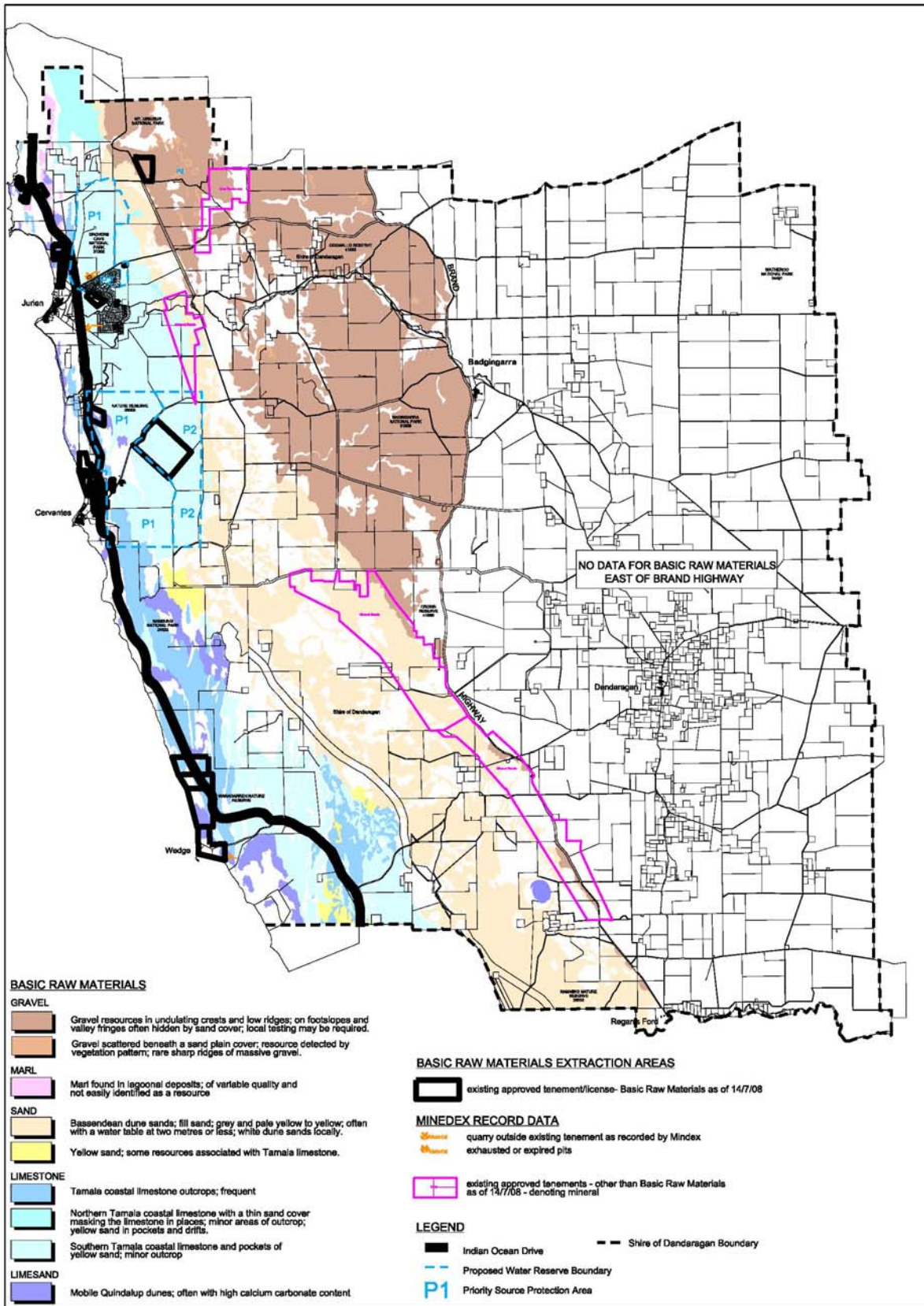
Water licensing helps to provide greater security for those who rely on water for commercial and domestic purposes, and is an efficient and effective way of managing its sustainable usage. Licenses are issued by the DoW.

The Council is also involved in the protection and management of ground and surface water through its strategic and statutory planning. The location of future development, type of development and land use allocation have the potential to impact on these resources. The intensification of land use in the ‘Rural’ zone can increase the contamination risk to ground and surface water for example through the use of chemicals and fertilisers and greater production of nutrients. This must be appropriately managed.

The requirement to obtain licences for water usage and planning approval for intensive agricultural activities provide the opportunity to protect these resources.

The Scheme does require an Application for Planning Approval for the intensification of land use in the ‘Rural’ zone but has no other guidelines for assessment of these applications.

When a licence is issued by the DoW, the Council should still be able to refuse the application (in exceptional circumstances where the licence raises new issues not previously considered by Council) or add additional conditions to the application for planning approval for other planning reasons. Therefore it is essential that both the Council and the DoW cooperate in these processes.



DATA SOURCE: BASIC RAW MATERIALS STUDY - DPI 2009

Job Number: 1411
Date: 27 NOVEMBER 2012

Landvision Pty Ltd
Land Planning & Mapping Consultants
Suite 5, 18 Nicholson Road
Subiaco WA 6008
T 08 9388 8181
F 08 9388 8185
E enquiries@landvision.com.au

BASIC RAW MATERIALS AND NATURAL RESOURCES - SHIRE OF DANDARAGAN

LOCAL PLANNING STRATEGY RURAL LAND USE AND RURAL SETTLEMENT

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Figure 5

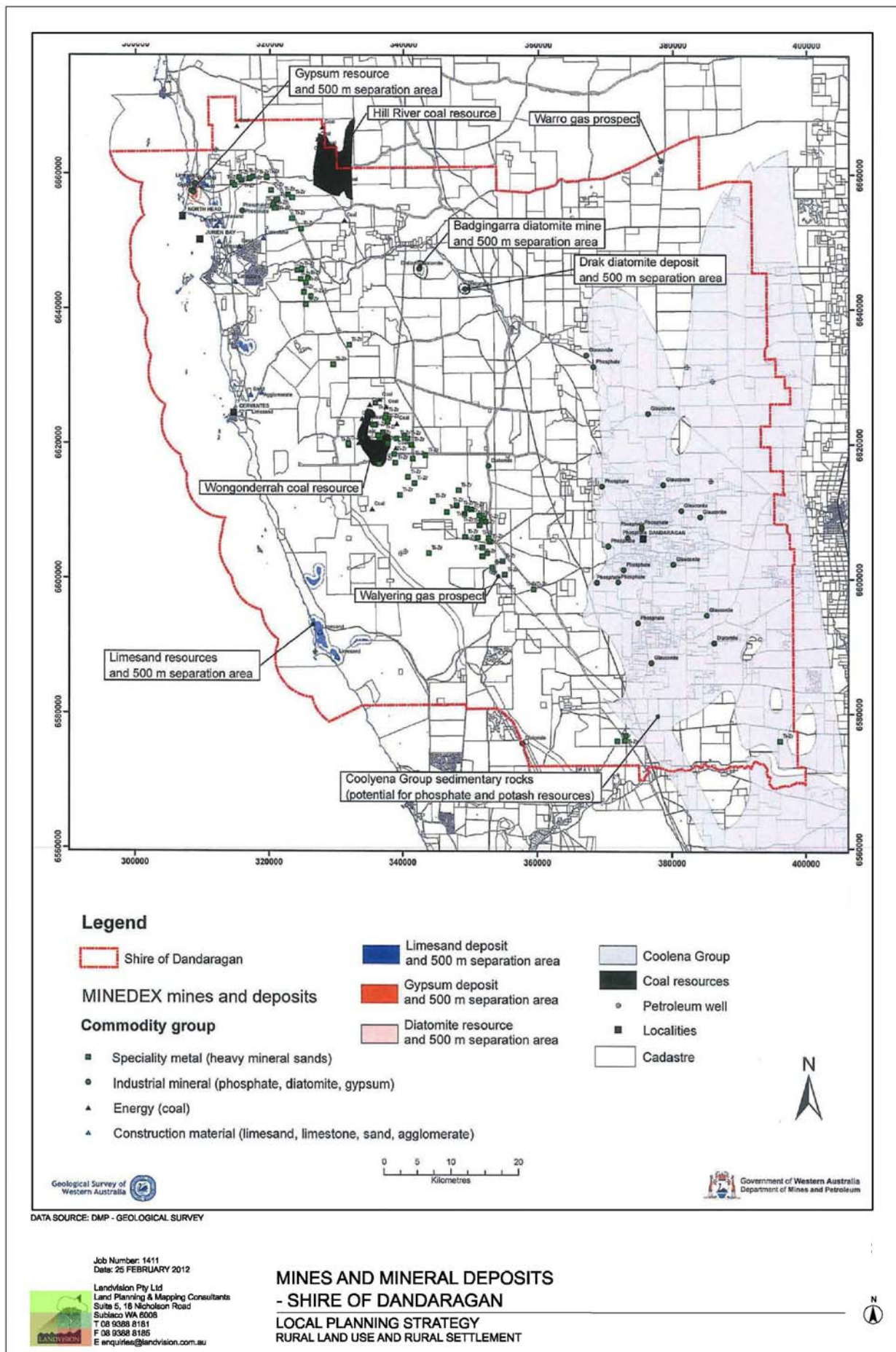


Figure 6

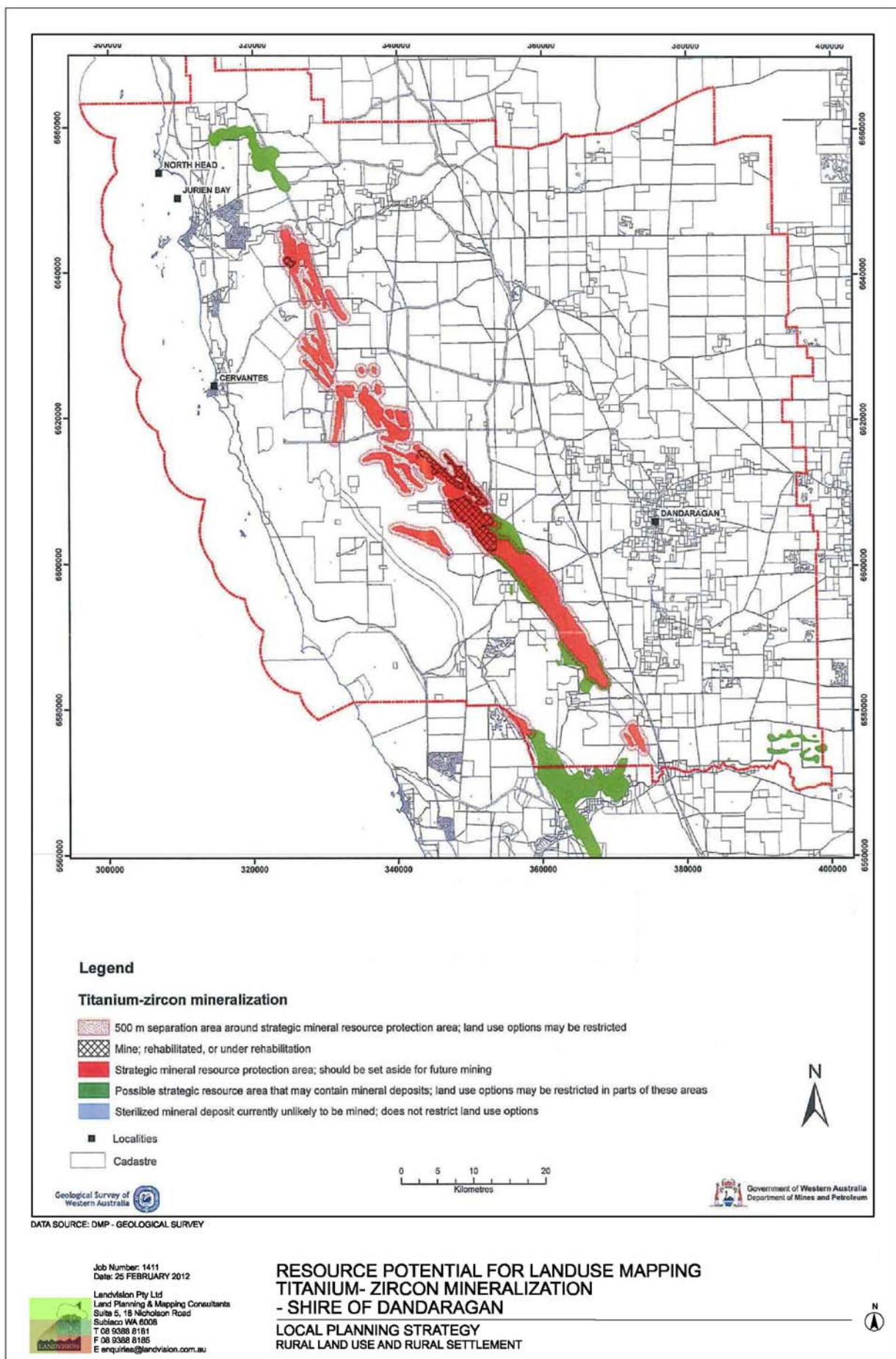


Figure 7

The Council will take account of the applications for intensive agriculture which involve:

- the use of chemicals and fertilisers;
- use of groundwater; and
- the extraction of water from rivers and streams and diversion into dams.

These are all practices which require a water licence or other approvals which are summarised below. When preparing to seek approval to commence an intensive agricultural land use or activity which requires a water licence the applicant has the dilemma of whether to gain planning approval or the licence first.

The resources required to gain a water licence in most cases require a comprehensive report on the land use and operations, drainage and nutrient management, fertiliser application and water usage. Whereas an application for Planning Approval to Council may require less resources to prepare. Approval could be granted by Council subject to the issue of a water licence so it would seem that an application for planning approval should come first.

When Council receives an application where the water licence has already been issued this can make it more difficult to assess the application objectively. This is because considerable expense may have already gone into obtaining the licence making it more difficult to actually refuse an application.

Making it a requirement that the relevant water licence applications should only be assessed if planning approval has been granted by the Council should be investigated and discussed with the DoW.

3.6.3.2 *Water Quality Management*

Generally, the DoW and Council will be involved in issues associated with the use of chemicals and fertilisers where:

- a water licence is required, has been applied for, or is already “in-force” for the property; or
- there is intensive agriculture or significant pesticide use is undertaken in proximity to sensitive water resources.

Where a property has been licensed or is under assessment, the DoW may apply certain monitoring conditions applied to the licence. The DoW may also request the applicant or licensee to develop a “Nutrient and Irrigation Management Plan” to manage the impact of fertilisers, pesticides and other chemicals. The landholder may also be required to comply with the requirements of other agencies, such as DEC and the Department of Agriculture and Food. It is recommended that the Departments are contacted to determine what comments they may have.

Refer to *Water Quality Protection Note 33 - “Nutrient and Irrigation Management Plans”* for more detailed information and Protection of foreshore reserves along waterways. Refer to Department of Water’s Foreshore Policy No. 1 and *Water Notes no. 23 Determining Foreshore Reserves*.

Proclaimed Groundwater Areas within Shire of Dandaragan

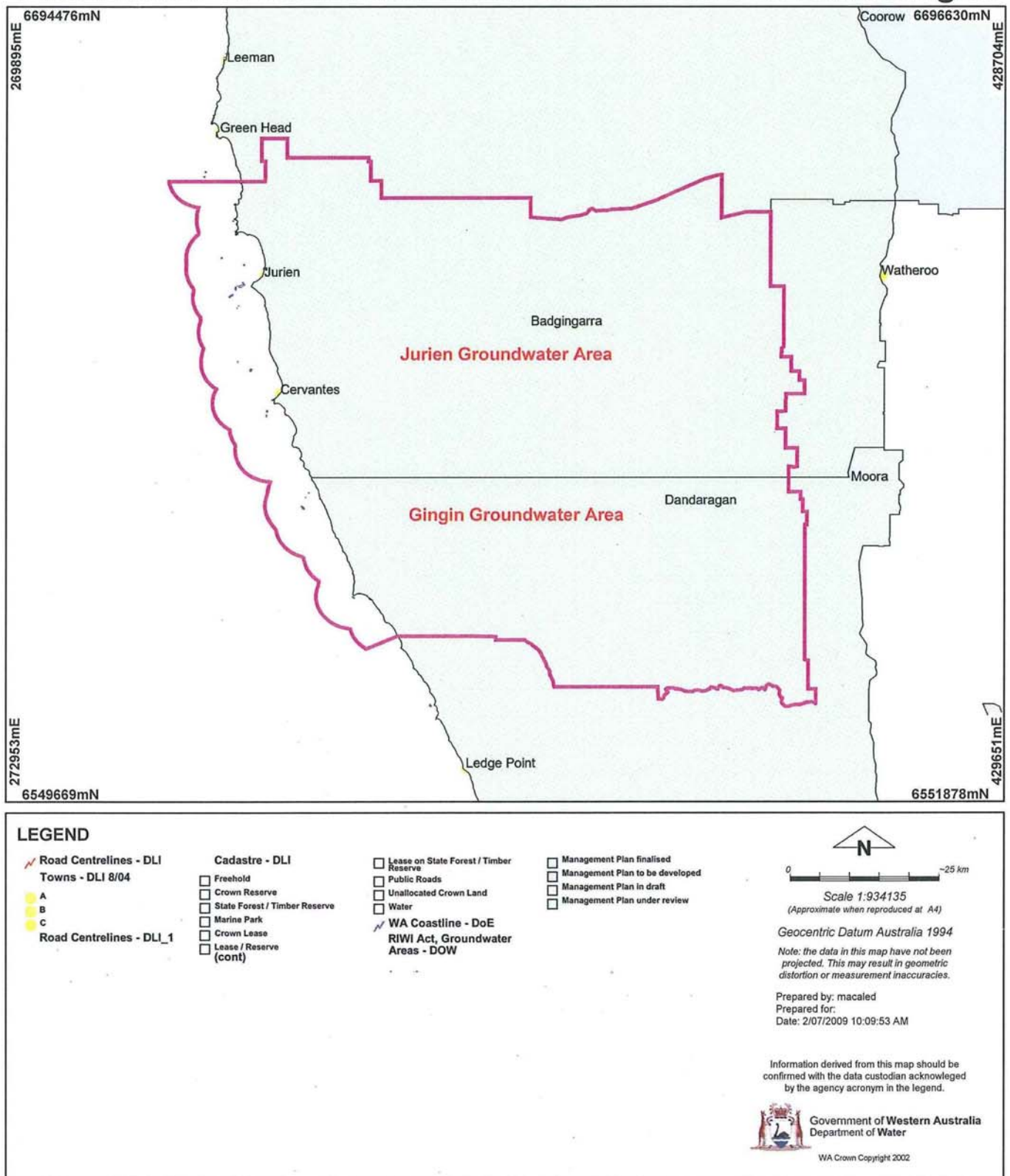


Figure 8

Proclaimed Surfacewater Areas within Shire of Dandaragan

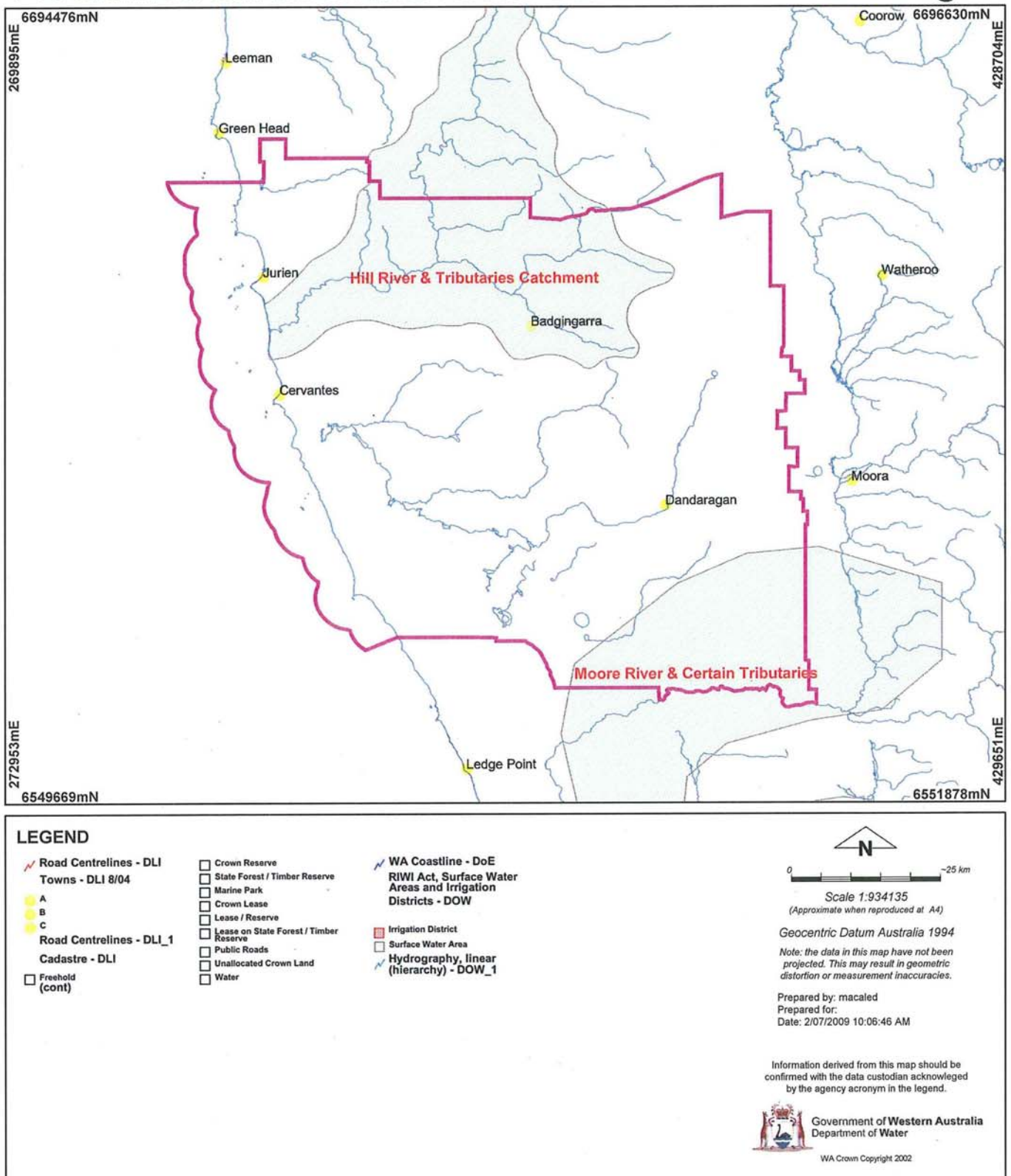


Figure 9

Objectives

- Maintain surface and groundwater quality at concentrations at pre-development levels (winter concentrations) and if possible improve the quality of water leaving the development area to maintain and restore ecological systems.
- Minimise the export of pollutants such as nitrogen and phosphorus to surface or groundwater.
- Protect riparian vegetation and ensure foreshore reserves are maintained and or improved.

3.6.3.3 Groundwater Resources

Where groundwater management areas have been established by the Department of Water (Refer to Figure 8), landowners and developers are required to obtain a licence prior to the construction of a bore or well on any property for groundwater extraction except for stock or domestic purposes.

Where a party wishes to take groundwater for purposes other than domestic usages in a proclaimed area, a water licence issued under section 5C of the RiWI Act will be required. Some groundwater usages within proclaimed areas are considered exempt from licensing requirements. These purposes are considered exempt under Part 3, Division 2, Section 21 of the RiWI Act, and include:

- fire fighting purposes;
- domestic use;
- an area of lawn or garden up to 0.2ha; and
- watering a limited number of stock (i.e.10-15 head) in non-intensive conditions.

The construction of bores and subsequent abstraction of groundwater, or the taking of surface water within a proclaimed area, for purposes other than those described above, will require a licence as issued under section's 26D of the RiWI Act and 5C respectively. Landholders are encouraged to contact their local DoW office to clarify their licensing requirements.

Objectives

- Support the protection of the Shire's water resources and future supplies.
- Support the protection of groundwater dependent ecosystems throughout the Shire

3.6.3.4 Potable Water Supply

The provision for future public water supply is managed by the DoW, in the setting of groundwater allocation limits. Water is reserved for the purpose of future public water supply. Further information can be found in the Jurien Groundwater allocation plan or in the relevant Drinking Water Source Protection Plan for Water Reserves located in the Shire.

Public Drinking Water Source Areas are areas where a water service provider abstracts groundwater for scheme water reticulation. The DoW manages these areas with the water service provider, the local community and other stakeholders. In consultation with the local community and stakeholders, the DoW has developed Water Source Protection Plans for each of these Areas. These plans are publicly

available on the DoW website (www.water.wa.gov.au).

There are four PDWSA located within the Shire of Dandaragan. These are the:

- Jurien PDWSA;
- Cervantes PDWSA;
- Dandaragan PDWSA; and
- Badgingarra PDWSA.

Certain activities and developments are restricted within these areas to protect the water supply for consumers, whilst existing land uses are managed to reduce contamination risks.

Properties not within the boundaries of a PDWSA are **not** subject to land use restrictions applied by the DoW but are still subject to compliance with the Local Planning Scheme. However, the DoW encourages landowners to be considerate of the water requirements of future generations and to limit activities which may cause contamination, such as excessive fertiliser and pesticide use, rubbish dumping and similar activities.

Protection of Groundwater Resources

When planning for water source protection and classifying land areas the DoW looks at four key criteria when assigning priority classification to public drinking water sources. These are:

- the strategic value of the source;
- land zoning;
- land tenure (ownership); and
- existing/approved land uses or activities.

The DoW definitions for P1, P2 and P3 drinking water resource protection areas, which will be shown in the Scheme, and are indicated in the LPS, provide a detailed explanation of how priority classifications are integrated with land use planning. These definitions are:

Priority 1 (P1) classification areas are managed to ensure that there is no degradation of the drinking water source by preventing the development of potentially harmful activities in these areas. The guiding principle is risk avoidance. P1 areas normally encompass land owned or managed by State agencies, but may include private land that is strategically significant to the protection of the drinking water source. Most land uses create some risk to water quality and are therefore defined as 'Incompatible' in P1 areas.

Priority 2 (P2) classification areas are managed to ensure that there is no increased risk of water source contamination/pollution. For P2 areas, the guiding principle is risk minimisation. These areas include established low risk land development (e.g. low intensity rural activity). Some development is allowed within P2 areas for land uses that are defined as either 'Compatible with conditions' or 'Acceptable'.

Priority 3 (P3) classification areas are defined to manage the risk of pollution to the water source from catchment activities. Protection of P3 areas is mainly achieved

through guided or regulated environmental (risk) management for land use activities. P3 areas are declared over land where water supply sources coexist with other land uses such as residential, commercial and light industrial development. Land uses considered to have significant pollution potential are nonetheless opposed or constrained.

The DoW provides advice to guide land use planning decisions in these areas by State and local government agencies. The land use recommendations in the Land Use Compatibility Table (LUCT) apply to land as it is already zoned but is not to be used to support rezoning of land to provide for more intensive land uses.

Objectives

- No potable water should be used outside of homes or buildings with the use of water to be as efficient as possible
- Protect public water supplies areas from potential contamination

Planning Considerations

Where this review proposes any change of zoning or intensification of land use and development within the Public Drinking Water Source Area's it would need to be consistent with the Department of Water's Water Quality Protection Note 54 Rezoning and Subdivision of land in PDWSA.

Likely land uses are a continuation of broadscale and intensive agriculture (e.g. irrigated), rural smallholdings, rural-residential and small scale or low density tourism (e.g. Bed & Breakfast, Caravan Park). When assessing any proposal the aim is to prevent increased risk of adversely affecting water quality and sustainability.

Rezoning proposals would need to:

- *satisfy the requirements of all relevant Government Agencies and legislation in respect to ground and surface water, sewerage and effluent disposal;*
- *address the suitability and acceptability of using private bores and where acceptable to have an indicative water allocation from DoW if the rezoning is successful and implemented; and*
- *apply the best management practices for the sustainable and environmentally acceptable use and management of surface and groundwater, sewerage and effluent disposal in planning, design and implementation.*

3.6.3.5 Surface Water

Along with groundwater, the DoW also manages the use of surface water resources in areas where they have been proclaimed (Refer to Figure 4). Interference with the bed or banks of a watercourse (for construction of crossings etc.), or the alteration of the stream flow (i.e. for diversion into a dam) or the extraction of surface water are prohibited under the RiWI Act unless a permit has been issued by DoW.

Major rivers and watercourses within the Shire of Dandaragan that are proclaimed include:

- Hill River;
- Boothendarra Creek;
- Coomaloo Creek;
- Warradarge Creek;
- Munbinea Creek;
- Caren Caren Brook; and
- Moore River.

There are other important rivers and water courses including for example Minyulo Creek. Activities such as surface-water extraction, construction of dams or crossings etc., on the tributaries on any of the above watercourses is prohibited unless a permit has been issued. Landholders are encouraged to contact their local DoW office to determine if a permit is required.

Objectives

- Ensure that significant wetlands, rivers, estuaries and other surface water and associated ecological systems are protected.

Planning Considerations

The protection and management of water resources including groundwater abstraction should be reinforced in the Scheme.

The modifications to the Scheme to be initiated are to:

- a) introduce SCA to protect PDWSA and to show these areas on the Scheme Maps;*
- b) introduce a new clause to the Scheme to reinforce existing provisions '5.22 Protection of Water Sources' and '5.23 Water Management and Protection' with a new clause to require the landowner to show the acceptability of an application for intensive agriculture; and*
- c) provide guidelines for the assessment of an application.*

In addition Council (has previously sought and now) seeks to remove the Bassendean Precinct Special Control Area from the Scheme and to have all rural land to be treated in the same way. This acknowledges that, with the proposed changes to the Scheme, and as the whole Shire is within Proclaimed Groundwater and Surface water areas any application in the Rural zone for intensive agriculture would be dealt with appropriately.

With the inclusion of Special Control Areas in the Scheme to protect PDWSA's the removal of the Bassendean Precinct Special Control Area is now proposed however activities in areas with Bassendean Sands and other soil types would still be managed to specifically protect ground water reserves.

3.6.3.6 Flood/ Drainage Management

Consider areas of potential inundation in the 1 in 100 year ARI events, tidal surges during storm events should also be considered for the coastal communities.

Objectives

- Manage the catchment for up to the 1 in 100 year average recurrence interval (ARI) event in developed areas to pre-development peak flows.
- Ensure that all run-off contained in the drainage infrastructure network receives treatment prior to discharge to a receiving environment consistent with the Stormwater Management Manual.

4. LAND CAPABILITY

This section is based upon information available in 1997 when the District Planning Strategy was formulated.

The land units are generalised as they are interpreted from broadscale data and should be used as a guide only. Where necessary to support a proposed land use change the applicant may provide more detailed and current analysis of soil and water for the subject land.

Land Capability is defined as the ability of land to sustain a specified use without resulting in significant onsite or off site degradation or damage to the land resources. Land resources include geology, soils, landforms, hydrology, vegetation and climate.

4.1 AGATON SANDPLAIN UNIT

4.1.1 Description

The Agaton Sandplains occupy the eastern part of the Shire of Dandaragan, sometimes called the Dandaragan Plateau, a relatively flat, gently undulating area east of the Dandaragan Scarp. The sands are yellow, siliceous sands that were blown in from the east during periods of desertification, probably in the late Tertiary period. Overall the sands are relatively fine with a small proportion of clay often present.

The sand forms a mantle between zero to several metres thick over the pre-existing landscape, covering laterite and weathered sediments of Cretaceous age.

In some areas the sand has lateritic gravel at shallow depths and this improves the nutrient holding capability of the soils. In other areas the sand grains have been bleached by the removal of the goethite (yellow iron oxide) coating of the sand grains creating areas of white sand that have little capability to retain any nutrients. There is little or no clay available in the soils and subsoils.

The yellow sands of the Agaton Sandplain are typically covered by Banksia low woodland with Dryandra heath on the leached sands and laterite.

Water tables are rising in the Agaton System following vegetation clearing. Although the water quality is good to slightly saline, the high evaporation is creating saline scars in some lower sites.

Large volumes of deep ground water are available from the Leederville Formation. Between two thirds and three quarters of this resource is reserved for future scheme and extraction may be constrained adjacent to the proposed well fields, current nature reserves and the Watheroo National Park.

4.1.2 Capability and Management

The main environmental issues are wind erosion, the poor quality of some of the soils, particularly the leached white sands and in some places rising water tables where salinity levels are increasing.

Much of the area has only been cleared within the last two or three decades and the problems that are occurring will only increase over time unless steps continue to be taken to improve farm management.

Wind erosion is a potential problem, particularly in the Capitella System where the proportion of leached white sand is higher and cleared dunes are common. Here some eroded areas have required restoration to hold the loose surface. Wind breaks are essential and should be included in all farm plans.

Surface water resources are limited to areas where water tables are rising. Deeper ground water is available in the Leederville Formation, but a significant proportion of the resource is reserved for future scheme use.

In general the soils are of lower quality although the yellow sands in the Rowes System have a proportion of clay which increases the nutrient holding potential and thus the quality of the soils. In the Beltara area lateritic gravels at depths of 300 to 500 mm increase the capability of the soil for crop rotations but the surface sand is very leached, and water repellant, making it vulnerable to wind and water erosion.

Overall a greater proportion of perennial crops is needed to alleviate the potential for wind erosion. Vegetation corridors of native plants should be considered to link areas of remnant bushland across properties and to nature reserves and national parks and help utilise the rising water tables.

The tree and shrub belts should include belts in alley patterns of commercial or feed crops such as tagasaste, pines or native oil crops, honey plants or native shelter belts. The poorer soils such as the leached sands should be planted with tagasaste or pines.

Better quality yellow sands with a small clay content and/or lateritic gravel between 300 mm and 800 mm depth are suited to crop rotations of wheat, oats, lupins, barley and perhaps the newer crops such as serradella. Grazing on improved pasture can be sustained and there is little risk of water pollution apart from wetter sites.

4.1.3 Opportunities

New opportunities are limited by areas of low land capability, but grazing rotations with cattle on tagasaste, pine plantations in clumps or belts, native oil crops and tourism are of potential. Tourism could be encouraged by providing wildflower flower drives linking to the Watheroo National Park.

There is little potential for aquaculture because surface water is limited and of variable salinity over the region. The problem of water quality is not that it is saline but that water tables have risen and high evaporation rates have produced salt scalds. Suitable surface water may be available for aquaculture in isolated lower

elevations but its availability, quality and quantity would have to be tested in each site. Measurements of 7,000 mg/L have been recorded from some sites. In addition, there is a lack of suitable clay for lining ponds and therefore any aquaculture venture will have to depend on artificial linings, thus adding to costs.

4.1.4 Uses and Management Practices to be encouraged

The following land uses and management practices are to be considered to be consistent with the capability of the land and the ongoing and sustainable operation of rural activities.

- Mineral resource development to be in accordance with the relevant State Government policies and Acts.
- Contained broadacre agricultural use involving:
 - grazing of improved or annual pasture;
 - cropping; and
 - tree plantations.
- Preservation of existing large areas of remnant vegetation.
- Wetland protection in accordance with principles of EPA's Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 (including adequate buffers or management controls for horticulture and an approved water and nutrient management plan).
- Groundwater protection.
- Encourage:
 - protection of remnant vegetation;
 - improved crop sowing techniques to overcome non-wetting soil limitations;
 - use of deep rooting perennials;
 - reduced or minimum tillage, careful stubble management, conservative stocking and establishment of windbreaks to reduce risk of erosion; and
 - environmentally acceptable and appropriate use of water and fertiliser in accordance with plants requirements and the need to protect the quality and quantity of water resources.

4.2 DANDARAGAN UNIT

4.2.1 Description

The Dandaragan System is developed on the western edge of the Dandaragan Plateau. Small streams have dissected the marri woodland plateau to form valleys between remnants of the original plateau. Weathered Cretaceous sediments of the Dandaragan Trough have been exposed in the valley sides and a shallow covering of yellow siliceous sand has been dumped over the landscape during late Tertiary periods of desertification.

As the lateritic plateau has eroded, haematite coated (red brown iron oxide) sand grains have been added to the yellow sands together with some clay from the erosion of the Cretaceous sediments.

Soils are red brown sand with generally low but variable clay content. In parts leaching has bleached the sands to form patches of white silica sand. The valley floors are generally covered by sands of variable thickness with scattered femcrete hard pan development and occasional silt and clay beds. Much of the area has

been farmed for many years and the easiest land cleared. Little remnant bushland remains and what is left should be retained whether on private or Crown land.

Good quality surface water is abundant with the potential for deeper water from the sediments of the Dandaragan Trough. Replanting and deepening of the stream channel has led to reductions in the levels of salinity. Catchment management planning is needed in both the Minyulo and Caren Caren Brook catchments to ensure various land uses do not conflict.

For example, further clearing of land may result in increased levels of salinity and rising water tables, whereas significant planting of perennial tree crops may reduce water tables and thus flows in the streams. Stream flows will also reduce if water is used for horticulture. Supplies of shallow ground water, stream water and deep ground water are available.

4.2.2 Capability and Management

Management issues include wind erosion and rising water tables. The undulating nature of the area with its increased rainfall and better soils suit the area to continued traditional agriculture and open new opportunities. There are opportunities for farms to continue to diversify with a range of productive cash crops in addition to the traditional practices.

The formulation or continued operations of catchment management groups should be encouraged and supported because land use on one farm can affect an adjoining property. The lack of deep rooted plant species and further land clearing could lead to further rises in water tables.

Duplex soils are highly susceptible to eutrophication of the shallow ground water if high levels of nutrient and water are used on any crop. The water filters down through the soil and runs along the top of the clay/mottled layer.

Continued cropping practices of wheat, barley, oats, lupins, together with newer crops such as canola and chickpeas are sustainable. Lupins are less suited to some of the duplex soils. Grazing is sustainable particularly with the incorporation of perennial fodder crops such as sub-terranean clovers, puccinellia, tagasaste and *Acacia saligna*.

4.2.3 Opportunities

Taller fodder crops such as tagasaste on the lighter sands and *Acacia saligna* on the heavier soils can be planted in patches on the poorer soils such as the leached sands, or in alleys to form useable wind breaks. Wind breaks are effective and can be considered as cash crops, tree and shrub crops for this purpose are used such as Eucalypts, essential oil shrubs, carob beans and some nutcrops. Native shelter belts should also be encouraged to link areas of remnant vegetation.

Smaller perennial crops could include floriculture of indigenous and other species such as Geraldton Wax, Banksias, Smoke Bushes, Kangaroo Paws, Honey Myrtles and Proteas. To produce quality blooms large amounts of water are needed, and require monitoring to prevent eutrophication problems, particularly on duplex soils. Growth of indigenous flowers should be encouraged to reduce the

need to collect material from reserves with the subsequent increased risk of spreading dieback disease.

The sands and loams of the valley sides and floors are suited to orchards, particularly citrus, or viticulture, using the shallow ground water. There is potential for the Dandaragan area to produce fruit for the growing Perth market and export. Other crops worth investigating are some nuts, passion fruit, blue berries, newer Asian fruit and vegetable crops.

Perfume, essential oils and essences could be incorporated into cottage and craft industries to become a focus of tourism or could be commercially grown on a large scale. There is potential for aquaculture with yabbies, marron and fresh water fish if they become available. Aquaculture is suited to the valley floors where clays are available for pond construction. The distribution of clay is likely to be patchy and each site will need individual assessment, although suitable clays have been found along Caren Caren Brook and are likely to occur along Minyulo Brook and perhaps along other small streams. Where clay is absent synthetic linings with increased establishment costs, or "through flow" ponds could be used.

4.2.4 Uses and Management Practices to be encouraged

The following land uses and management practices are to be considered to be consistent with the capability of the land and the ongoing and sustainable operation of rural activities:

- Mineral resource development to be in accordance with the relevant State Government policies and Acts.
- Horticulture would be possible in limited areas with suitable soils and available water with due consideration to the need to protect against nutrient losses to drainage.
- Contained broadacre agricultural use involving:
 - grazing of improved or annual pasture;
 - cropping; and
 - tree plantations
- Preservation of existing large areas of remnant vegetation.
- Conservation of areas of remnant vegetation on farms for the dual purpose of preventing erosion and maintaining floristic diversity.
- Aquaculture would be possible where the development and operation can satisfy relevant State policies and regulations and will be benign to other surrounding areas.
- Floriculture to be encouraged where existing vegetation is approved for the sustainable harvesting for flower markets, plant extracts for oils, health products and medicinal compounds or where degraded vegetation can be restored or new areas can be established.
- Support subdivision of established intensive agricultural operations where it satisfies the relevant State Government policies (currently SPP 2.5 and Development Control Policy 3.4).
- Wetland protection in accordance with principles of EPA's Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 (including adequate buffers or management controls for horticulture and an approved water and nutrient management plan).
- Groundwater protection.
- Encourage:

- improved crop sowing techniques to overcome non - wetting soil limitations;
 - Use of deep rooting perennials;
 - reduced or minimum tillage, careful stubble management, conservative stocking and establishment of windbreaks to reduce risk of erosion;
 - protection of remnant vegetation; and
 - environmentally acceptable and appropriate use of water and fertiliser in accordance with plants requirements and the need to protect the quality and quantity of water resources.
- Support rural-residential subdivision and development in proximity to existing townsites where not in conflict with agricultural land uses and in accordance with the Settlement Strategy.

4.3 YERRAMULLAH, MINTAJA AND ALLUVIAL (NYLAGARDA) UNITS

4.3.1 Description

Four soil-landscape systems [Yerramullah, Mintaja, Boothendarra and Alluvial (Nylagarda)] cover the dissected landscape between the Dandaragan Scarp in the east and the Gingin Scarp in the west and extend to the Mintaja area, towards Jurien and Mount Lesueur. They are developed on Mesozoic rocks of Jurassic age. The systems are typified by the Hill River area where remnants of the original plateau form laterite capped mesas breaking away to valley floors occupied by small stream systems that only flow following heavy rains. Aeolian yellow sands from the east also thinly mantle the landscape either covering or mixing with the local soils.

The remnant plateaus consist of laterite with some sandplain development intermittently containing lateritic gravel at shallow depth. The valley sides are duplex soils with sand over sandy clays and variable lateritic gravels. The Boothendarra System is a narrow band of sandy and gravelly duplexes derived from siltstone formations. Valley floors are generally sandy with significant levels of leaching to form white sands. Alluvial sands, clays and silts of the Alluvial (Nylagarda) System occur on the valley floors, near the streams.

The dominant vegetation is heath and scrub.

4.3.2 Capability and Management

Much of the area has been cleared within the last three decades with the easiest land being cleared first because of government incentives offered at the time. Some of this land is of poor quality and is in need of restoration and careful management, whereas other smaller sections of uncleared land have some potential. Landowners should continue to turn all the currently cleared land into a sustainable agricultural system without any further clearing. Some remnant bushland remains, mainly on the steeper break-always and mesa tops. Almost all of this land should remain uncleared because of the land degradation risks involved with clearing land of this type.

Water quality in the shallow ground water is of high quality because precipitation infiltrates rapidly to the underlying clay horizon. This introduces a potential for eutrophication of the resource and some dams in the area were noted as being subeutrophic due to run off of phosphates. Management of fertiliser applications is

needed if these shallow water sources are to remain fresh. Sandy soils in the area are susceptible to non-wetting. Shallow ground water is abundant and of good quality except in places such as Bibby Springs where salinity levels are increasing due to high evaporation of surface water.

The water in the streams is of good quality but varies markedly from winter to summer. One potential problem area is Bibby Springs where high evaporation rates are causing increased salinities in soaks and wetlands that are bottomed in clay. The planting of perennial trees and shrubs to solve the salinity problems will lead to a drop in the water tables.

4.3.3 Opportunities

Potential for pollution of the deep water aquifers is low but rated as moderate for the shallow systems. Some constraints on water table draw down may limit use of the resources near well fields, nature reserves and national parks.

4.3.4 Uses and Management Practices to be encouraged

The following land uses and management practices are to be considered to be consistent with the capability of the land and the ongoing and sustainable operation of rural activities:

- Some cropping for wheat, barley, oats and lupins.
- Alternative Crops.
- Mineral resource development to be in accordance with the relevant State Government policies and Acts.
- Horticulture would be possible in limited areas with suitable soils and available water with due consideration to the need to protect against nutrient losses to drainage.
- Preservation of existing large areas of remnant vegetation.
- Aquaculture would be possible where the development and operation can satisfy relevant State policies and regulations and will be benign to other surrounding areas.
- Floriculture should be encouraged where existing vegetation is approved for the sustainable harvesting for flower markets, plant extracts for oils, health products and medicinal compounds or where degraded vegetation can be restored or new areas can be established.
- Support subdivision of established intensive agricultural operations where it satisfies the relevant State Government policies (currently SPP 2.5 and Development Control Policy 3.4).
- Wetland protection in accordance with principles of EPA's Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 (including adequate buffers or management controls for horticulture and an approved water and nutrient management plan).
- Encourage:
 - improved crop sowing techniques to overcome non - wetting soil limitations;
 - use of deep rooting perennials;
 - reduce or minimum tillage, careful stubble management, conservative stocking and establishment of windbreaks to reduce risk of erosion;
 - protect remnant vegetation; and

- environmentally acceptable and appropriate use of water and fertiliser in accordance with plants requirements and the need to protect the quality and quantity of water resources.
- Support rural-residential subdivision and development in proximity to existing townsites where not in conflict with agricultural land uses and in accordance with the Settlement Strategy.

4.4 MINTAJA HILLS LAND UNIT ALLUVIAL (NYLAGARDA) UNIT

4.4.1 Description

Alluvial (Nylagarda) Unit occurs along the base of the valleys west of the Gingin Scarp, being typified by the presence of variable layers of silts and clays interbedded with sands with variable hardpan development of ferricrete and silcrete. The Hill River is a good example but Caren Caren and Minyulo Brooks are also typical. Valley soils are suited to intensive agriculture and horticulture in addition to traditional uses.

In the eastern valleys the alluvial soils can be identified by the presence of York Gums. Surface water is abundant due to land clearing and the quality is good. The system is suited to intensive agriculture and aquaculture provided nutrient levels are not allowed to build up.

The indigenous vegetation of the Alluvial areas are generally a woodland of *Eucalyptus loxophleba*, *Melaleuca raphiophylla* and *Casuarina obesa*.

Alluvial clays suited for aquaculture pond lining and loams suitable for horticulture are frequently present, but are patchy and may often be small in area.

4.4.2 Capability and Management

The main management issues are wind erosion, rising water tables in some areas and eutrophication of farm dams. The mesa-valley nature of the areas with its steeper slopes requires careful management. There are opportunities for farms to continue to diversify into a range of productive cash crops in addition to the traditional practices.

Catchment management should continue because land uses on one property have the potential to affect and adjoining property. For example the planting of deep rooted perennial species and the use of shallow ground water for horticulture both have the potential to reduce the availability of shallow ground water on properties down stream.

Duplex soils of the valley sides are highly susceptible to eutrophication of the shallow ground water levels if high levels of nutrient and water are used on crops. The water filters down through the surface soils and runs along the top of the clay/mottled zone where it ends up in one of the many dams in the area or in low lying areas prone to salinity increases such as Bibby Springs.

Continued cropping practices of wheat, barley, oats and lupins together with newer crops such as canola and chickpeas are sustainable. Lupins are less suitable for some of the duplex soils and may increase wettability problems in sandy soils. Deep furrow sowing can help solve the non wetting conditions when seeding

lupins. Grazing is sustainable, particularly with the incorporation of perennial fodder crops such as tagasaste and *Acacia saligna*.

4.4.3 Opportunities

Taller perennial fodder crops such as tagasaste on the lighter sands and *Acacia saligna* on the heavier soils can be established in patches, alleys or windbreaks on the poorer soils such as leached sands to protect against wind erosion as well as providing fodder.

The provision of more wind breaks is vital to reduce the potential for wind erosion. Windbreaks of pines or other potential tree cash crops such as Eucalypts, Carob Beans, honey production species and nut crops should be considered together with native shelter belts and corridors to link remnant vegetation. Floriculture has high potential in all areas and can be linked to tourism or emu farming, together with perfumes and essential oils.

There is also the potential for tourism with an emphasis on flora in areas such as Badgingarra National Park. Areas of loams on the valley sides and floors are suited to horticulture and viticulture, based on the shallow ground water.

Some alluvial terraces and flood plains contain larger areas of clay suitable for aquaculture ponds, with one site at Nylagarda being large enough for 50 ponds. Nutrients need to be stripped from the outflow water to prevent downstream increases in nutrient levels.

Consideration of the potential for ponds to be flooded during peak flows needs to be considered in the design and location of ponds and associated buildings.

Aquaculture ponds could be constructed in the duplex sub-soils on the more gentle slopes provided the overlying sand cover is not too deep, but each site will need to be assessed separately. In addition through flow ponds and synthetic lined ponds are possible on soaks on gentle hills with good surface flows.

These will require greater management in terms of emptying the ponds but have the benefit that the soils do not have to be impermeable. Eutrophication of downstream sites may occur if the nutrients are not stripped from the outflow water.

4.4.4 Uses and Management Practices to be encouraged

The following land uses and management practices are to be considered to be consistent with the capability of the land and the ongoing and sustainable operation of rural activities:

- Viticulture.
- Mineral resource development to be in accordance with the relevant State Government policies and Acts.
- Horticulture would be possible in limited areas with suitable soils and available water with due consideration to the need to protect against nutrient losses to protect against nutrient losses to drainage.
- Preservation of existing large areas of remnant vegetation.
- Conservation with mixed uses.

- Conservation of areas of remnant vegetation on farms for the dual purpose of preventing erosion and maintaining floristic diversity.
- Aquaculture would be possible where the development and operation can satisfy relevant State policies and regulations and will be benign to other surrounding areas.
- Floriculture should be encouraged where existing vegetation is approved for the sustainable harvesting for flower markets, plant extracts for oils, health products and medicinal compounds or where degraded vegetation can be restored or new areas can be established.
- Support subdivision of established intensive agricultural operations where it satisfies the relevant State Government policies (currently SPP 2.5 and Development Control Policy 3.4).
- Wetland protection in accordance with principles of EPA's Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 (including adequate buffers or management controls for horticulture and an approved water and nutrient management plan).
- Groundwater protection.

4.5 BASSENDEAN UNIT

4.5.1 Description

Bassendean Sands occupy the low flat area west of the Gingin Scarp. The sands are leached aeolian silica sands over yellow sands which have resulted in a gently undulating surface caused by the movement of sand, low dune formation and small blowouts.

Alluvial clays and silts inter-leave with the sands along the eastern side of the system where streams drain the Gingin Scarp. This adds considerably to the variability of the system which has numerous wetlands and perched water tables, areas of yellow sand and large areas of leached white sand to several metres thick.

The Bassendean system is covered by Banksia woodland.

The capability of the Bassendean System for agricultural activity is very low due to the low nutrient holding ability of the sand and the potential for winter water logging. Abundant good quality water holds promise of aquaculture but the variability and interleaving of the clay may increase the difficulty of constructing holding ponds in all areas.

Shallow good quality ground water is abundant.

4.5.2 Capability and Management

Abundant shallow ground water averaging less than 1,000 mg/L is widespread throughout the system but there is a high susceptibility to pollution, eutrophication and in some places salinisation from inappropriate land uses such as waste disposal systems and fertilisers.

Grazing is sustainable particularly if more perennial crops and trees are used to lower water tables and reduce the cultivation of the land. Other land uses have low

capability due to the risk of ground water pollution, but are possible in limited areas.

4.5.3 Opportunities

There is some capability for aquaculture on the eastern boundary of the systems where clays have been deposited by streams from the dissected areas to the east. Other areas have little aquaculture potential because of the lack of lining materials and the potential eutrophication risks.

There is a capability for tourism with an emphasis on viewing flora and fauna or relaxation on suitable sites. The bird life is abundant in the area and is worthy of tourist activities based in the Dandaragan area. Any development will need to be linked to non-polluting waste disposal systems by using amended soils or irrigation systems.

4.5.4 Uses and Management Practices to be encouraged

The following land uses and management practices are to be considered to be consistent with the capability of the land and the ongoing and sustainable operation of rural activities:

- Mineral resource development to be in accordance with the relevant State Government policies and Acts;
- Contained broadacre agricultural use involving:
 - grazing of improved or annual pasture;
 - cropping; and
 - tree plantations.
- Conservation with mixed uses;
- Conservation of areas of remnant vegetation on farms for the dual purpose of preventing erosion and maintaining floristic diversity;
- Floriculture should be encouraged where existing vegetation is approved for the sustainable harvesting for flower markets, plant extracts for oils, health products and medicinal compounds or where degraded vegetation can be restored or new areas can be established;
- Wetland protection in accordance with principles of EPA's Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 (including adequate buffers or management controls for horticulture and an approved water and nutrient management plan);
- Groundwater protection; and
- Support rural-residential subdivision and development in proximity to existing townsites where not in conflict with agricultural land uses and in accordance with the Settlement Strategy.

4.6 TAMALA UNIT

4.6.1 Description

The Tamala System lies inland from the coast and is developed on calcareous aeolianite (commonly called Tamala Limestone). It is divided into the Bootoo and the Pinnacles Types based on the presence of surface limestone in the Bootoo Type and mobile dunes and eroded areas in the Pinnacles Type. The limestone is well cemented but contains a variable proportion of yellow quartz sand that

concentrates into a surface layer of sand as the limestone is weathered. The sand is up to several metres thick in places with limestone forming low outcrops in other locations. Some cave development has occurred, and in areas where the vegetation cover has been removed the sand has become mobile, forming dunes in recent times.

The system is frequently used for grazing but is highly susceptible to wind erosion and more perennial fodder shrubs are desirable. There is potential for horticulture as some of the deeper sands are fine and good quality ground water is available in places. Water tables are at depths of 30 to 40 metres and the salinity levels can be expected to be less than 1,000 mg/L. Some water is required for future scheme use and this may constrain water use in areas near the well field but there are abundant resources. Constraints will also be applied near reserves or national parks.

4.6.2 Capability and Management

The capability of the Tamala sands is higher than the leached white sands found in other parts of the Shire. The yellow grains are due to goethite adhering to quartz grains assisting in nutrient retention. The small amount of clay at depth also assists this process and in areas where clay is present, horticulture and market gardens are possible.

Continued grazing is sustainable if the high potential for wind erosion is addressed. Wind breaks or alleys of fodder trees and shrubs can be used to reduce wind erosion. The use of perennial grasses and legumes such as subterranean clover will increase productivity.

Shallow ground water is abundant as is deep ground water, although away from recharge areas the salinity of the deep ground water increases.

4.6.3 Opportunities

There are opportunities for horticulture and market gardens to supply the expanding Perth urban area and for possible export. The sand grains are finer than in some locations further south and are suited to carrots and other root vegetables. The neutral pH of the soil assists vegetable production.

Horticulture has potential whether for local cut flower trade and export, essential oils and essences.

Tourism has potential for further development based on the limestone features of caves, the Pinnacles and the stromatolites of Lake Thetis.

Abundant relatively shallow ground water exists throughout the Tamala System. Pollution of ground water is possible if land use is inappropriately managed.

The potential for aquaculture is low because of a lack of suitable lining materials. Artificial lining material could be used or clay transported in but this increases the establishment costs.

4.6.4 Uses and Management Practices to be encouraged

The following land uses and management practices are to be considered to be consistent with the capability of the land and the ongoing and sustainable operation of rural activities:

- Mineral resource development to be in accordance with the relevant State Government policies and Acts;
- Horticulture would be possible in limited areas with suitable soils and available water with due consideration to the need to protect against nutrient losses to protect against nutrient losses to drainage;
- Preservation of existing large areas of remnant vegetation;
- Contained broadacre agricultural use involving;
 - Grazing of improved or annual pasture
 - Cropping; and
 - Tree plantations.
- Use windbreaks to prevent erosion
- Conservation with mixed uses
- Conservation of areas of remnant vegetation on farms for the dual purpose of preventing erosion and maintaining floristic diversity
- Floriculture should be encouraged where existing vegetation is approved for the sustainable harvesting for flower markets, plant extracts for oils, health products and medicinal compounds or where degraded vegetation can be restored or new areas can be established
- Wetland protection in accordance with principles of EPA's Environmental Protection Swan Coastal Plain Lakes Policy 1992 (including adequate buffers or management controls for horticulture and an approved water and nutrient management plan.
- Groundwater protection
- Support subdivision of established intensive agricultural operations where it satisfies the relevant State Government policies (currently SPP 2.5 and Development Control Policy 3.4); and
- Fence off sensitive areas from grazing, dune rehabilitation where required, reduced agricultural use of fragile dune areas and establish wind breaks.

4.7 COASTAL (QUINDALUP) UNIT

4.7.1 Description

The Coastal (Quindalup) Unit occurs in a strip along the coast. White calcareous and siliceous sands have been blown inland from the beaches, forming dunes which in places have continued to be mobile and are moving inland. The system has no potential for agriculture due to the proximity to the coast and the high soil erosion potential. The system is largely uncleared but is highly susceptible to wind erosion as evidenced by the numerous dunes along the coast.

4.7.2 Capability and Management

Development should be carefully managed in the Coastal (Quindalup) Unit. The shallow ground water is highly susceptible to pollution from wastes and from over pumping which will bring saline water into the ground water systems. Whilst some water is available aquaculture development is unlikely because of the ecological

sensitivity, saline ground water near the coast and a lack of clay pond lining material. Marine systems are possible where the coast is not subject to erosion and in proximity to the coast for water.

4.7.3 Opportunities

The best opportunities are for tourism activities based on wild flowers and coastal activities.

4.7.4 Uses and Management Practices to be encouraged

The following land uses and management practices are to be considered to be consistent with the capability of the land and the ongoing and sustainable operation of rural activities:

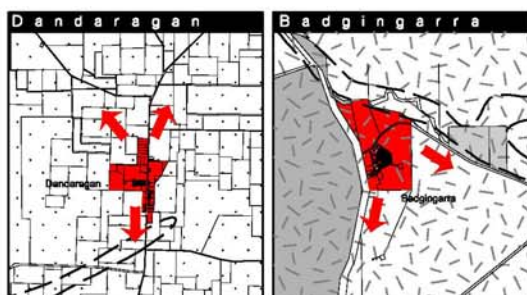
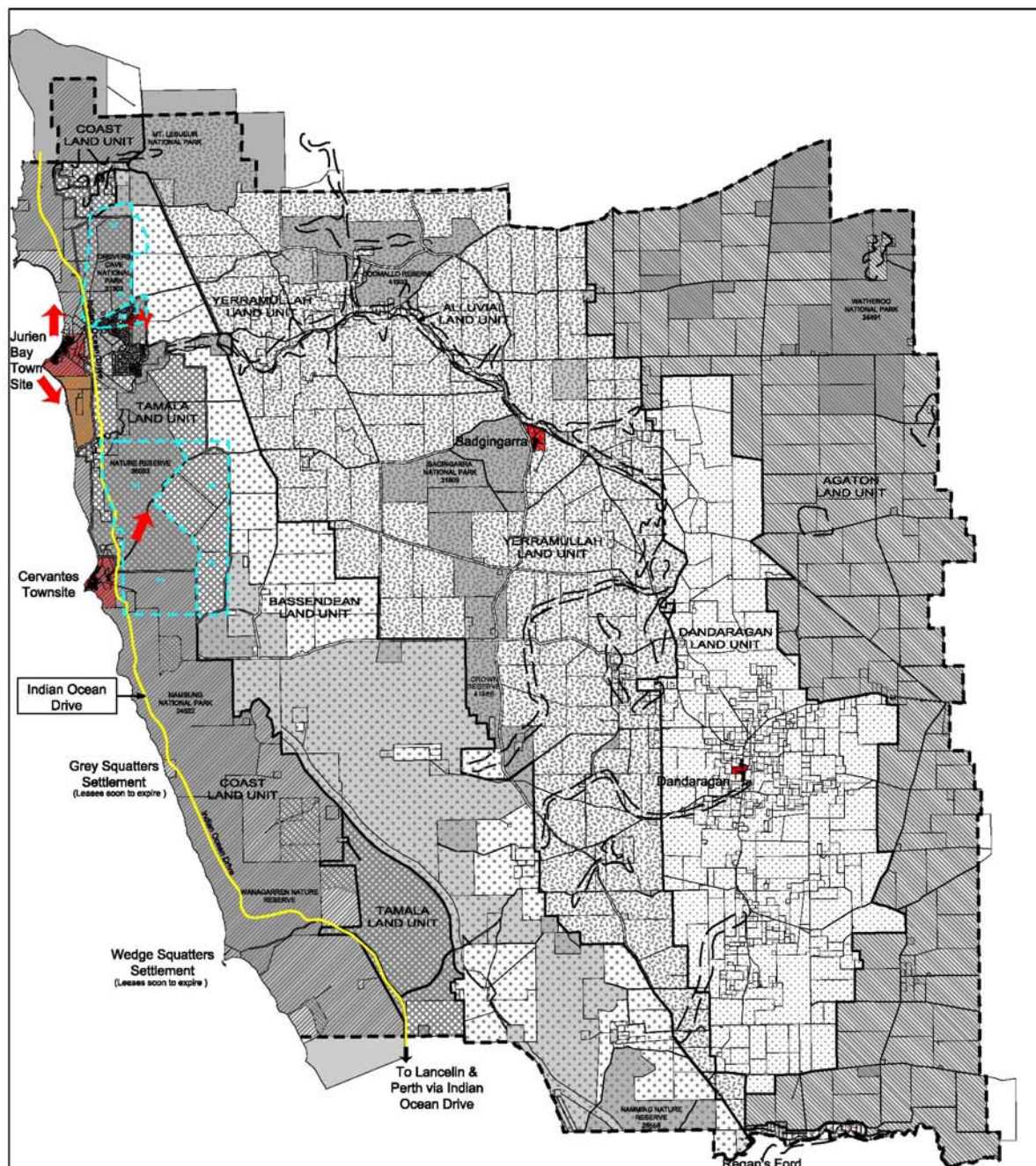
- Aim to remove all grazing and cropping
- Fence off sensitive areas from grazing, dune rehabilitation where required, reduced agricultural use of fragile dune areas and establish wind breaks
- Mineral resource development to be in accordance with the relevant State Government policies and Acts
- Conservation with mixed uses
- Conservation of areas of remnant vegetation on farms for the dual purpose of preventing erosion and maintaining floristic diversity
- Wetland protection in accordance with principles of EPA's Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 (including adequate buffers or management controls for horticulture and an approved water and nutrient management plan).
- Floriculture should be encouraged where existing vegetation is approved for the sustainable harvesting for flower markets, plant extracts for oils, health products and medicinal compounds or where degraded vegetation can be restored or new areas can be established.
- Groundwater protection; and
- Preservation of existing large areas of remnant vegetation.

4.8 LEEMAN UNIT

4.8.1 Description

The Leeman Unit is situated within reserves on the northern border of the Shire. It forms a series of lagoonal deposits just inland and parallel to the coast, typified by clays, marls and saline areas that are often inundated for some time each year.

The system has some potential for aquaculture, namely algae such as beta carotene. Apart from this conservation is the main land use option.



LEGEND

- EXISTING TOWNSITES
- FUTURE URBAN
- LONG TERM DIRECTION OF GROWTH FOR URBAN AND RURAL - RESIDENTIAL - Subject to further investigation
- INDIAN OCEAN DRIVE
- WATER RESERVE BOUNDARY TO BE INCLUDED IN A SPECIAL CONTROL AREA
- PRIORITY SOURCE PROTECTION AREA

LAND UNITS

- (See Section 4.1 for Opportunities and Constraints)
- YERRAMULLAH (including Alluvial and Mitigal)
 - AGATON
 - DANDARAGAN (including alluvial)
 - BASSEDEAN
 - TAMALA
 - COAST
 - BOUNDARY OF ALLUVIAL SOILS

PUBLIC LAND

- PARKS AND RESERVES
- CROWN AND LEASEHOLD LAND
- GAZETTED TOWNSITE
- LAND SYSTEM BOUNDARY
- MUNICIPAL BOUNDARY

MAPPING BY: CADGRAPHICS W.A. P.O. BOX 871 CLOVERDALE W.A. Ph: 9478 6366 Fax: 9478 6377
 MAPPING MODIFIED BY: LANDVISION Pty Ltd MARCH 2010
 O'BRIEN PLANNING CONSULTANTS P.O. BOX 1136, SUBIACO, W.A. AUSTRALIA Ph: 3882308 Fax: 388 2327

Job Number: 1411
 Date: 27 NOVEMBER 2012

Landvision Pty Ltd
 Land Planning & Mapping Consultants
 Suite 5, 16 Nicholson Road
 Subiaco WA 6008
 T 08 9388 8181
 F 08 9388 8185
 E enquiries@landvision.com.au

OPPORTUNITIES AND CONSTRAINTS - SHIRE OF DANDARAGAN LOCAL PLANNING STRATEGY RURAL LAND USE AND RURAL SETTLEMENT

0 5 10 15km



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Figure 10

5. PLANNING AND DEVELOPMENT ISSUES

Since the formulation and adoption of the SR and Scheme a number of issues have been identified which must be addressed and will result in either a new or modified policy or a change to the Scheme.

These land use and development issues have been identified and discussed as a result of:

- consultation with stakeholders including DPI (now the Department of Planning) and the DEC;
- from consultation with Council officers and workshops with Councillors;
- during Council consideration of planning and development applications in rural-residential areas;
- as a result of matters raised directly with Councillors and officers in a number of workshops;
- consultation and workshops with other stakeholders including business and community interests;
- an examination of planning applications and development proposals; and
- reviewing other relevant data.

5.1 EXISTING RURAL-RESIDENTIAL AREAS

Figure 11 shows the portion of the Shire where there are existing and potential subdivisions for rural-residential development. Potential areas are those which are zoned but have not been subdivided. It shows the pattern of growth of smallholdings is primarily located around and between Jurien Bay and Cervantes.

The only other zones not shown on Figure 5 are a developed area (Koorinal Vale) in Dandaragan and an undeveloped area of Crown land zoned Rural-Residential on the northern boundary of Badgingarra.

The Koorinal Vale estate comprised the first rural-residential lots released in the Shire in 1992. Since that time there have been a number of staged releases of rural-residential areas closer to the coast in the vicinity of Jurien Bay and towards Cervantes.

Three sites remain zoned but not subdivided, one just north of the townsite of Badgingarra, a second farm known as Cantabilling Springs Farm, approximately 16km north-east of Jurien Bay on the Jurien Road and the third area being the southern portion of Marine Fields, adjacent to Indian Ocean Drive between Jurien Bay and Cervantes.

A prime consideration when assessing the need and demand for further rural-residential or similar subdivision and development of rural land is the rate and amount of development. Which has already occurred and the anticipated demand for such land now and in the future.

The following sections describe each of the rural-residential estates (i.e. land already zoned Rural-Residential or Special Development providing for some type of rural-residential use), the number of lots created, those which could still be subdivided and those which have not been subdivided.

5.1.1 *Koorungal Vale*

Original Location: Melbourne Location 984 Dandaragan Road

Koorungal Vale consists of 18 rural-residential lots of approximately 2 ha to 2.5 ha. The land is cleared of remnant vegetation although landowners have grown many trees around houses over the years since its release.

The key provision applying to the subdivision is that no building shall be permitted within 30m of the front of any allotment, 10m from any side boundary of any allotment.

Table 1: Lots and Development - Koorungal Vale

YEAR	TOTAL NO. OF LOTS RELEASES P.A.	HOUSE / OCCUPIED SHED		SHED / OCCASIONAL OCCUPATION		VACANT LOT	
		NUMBER	%	NUMBER	%	NUMBER	%
1992	9	5	55	-	-	4	45
1996	9	9	100	-	-	-	-
TOTAL	18	14	78	-	-	4	22

Koorungal Vale is a highly sought after location as it is close to Dandaragan, on attractive land and there are only 18 lots with no other land zoned for this purpose in the locality. The high rate of development is complemented by a relatively high standard of development and land management.

These lots rarely come up for sale and are purchased very quickly and in most cases by local people including retiring local farmers. Council often has enquiries about the future land releases and local agents agree there is a high demand for residential and small rural lifestyle lots. Interest from outside the region, from people wanting to live in small rural towns such as Dandaragan and Badgingarra may be cyclic, affected by the economy but there continues to be such enquiries. Locals have consistently sought opportunities to live in the town or nearby.

5.1.2 *Alta Mare*

Original Location: Lot 1 and Lot 2, Portion of Victoria Location 10602 Jurien Road, Jurien Bay

Alta Mare consists of 203 rural-residential lots of an area ranging between 2 ha and 23.8 ha. Approximately 45 % of the lots are covered with remnant vegetation. The cleared land generally contains the smaller lots within the subdivision. The key provisions applying to the subdivision are:

- a) No building shall be permitted within 20m of the front of any allotments, 30m from the rear boundary of any allotment and 10m from the side boundaries of any allotment.
- b) No second-hand or relocated dwellings will be permitted on any lots in the subdivision.
- c) All development shall comply with the following development guidelines:
 1. buildings on land steeper than gradients of 1:10 shall be of split level or pier construction to minimize the amount of cut and fill;

2. non-reflective building materials only will be permitted. Non-reflective roofing material shall be of a colour consistent with the vegetation and/or predominant colours of the individual building sites;
 3. buildings shall form a unified group with the main building and should be of a similar form, colour and materials;
 4. clearing of existing native vegetation within building envelopes should be limited to 30m around buildings and should be an absolute minimum necessary for the installation of services;
 5. a minimum of 160mm topsoil should be stripped from earthworks areas and replaced immediately after construction onto disturbed areas; and
 6. landscaping should be with materials that are sympathetic with the surrounding natural landscape.
- d) No direct road access shall be permitted for lots abutting Jurien Road and Canover Road. Access to those roads will be denied by the establishment of a 0.1m pedestrian access way along the common boundary between adjoining lots and the road.

Table 2: Lots and Development - Alta Mare

YEAR	TOTAL NO. OF LOTS RELEASES P.A.	HOUSE / OCCUPIED SHED		SHED / OCCASIONAL OCCUPATION		VACANT LOT	
		NUMBER	%	NUMBER	%	NUMBER	%
1998	10	5	50	-	-	5	50
1999	36	21	58	3	8	12	34
2000	9	5	55	-	-	4	45
2001	33	21	60	6	1	6	18
2002	NIL	-	-	-	-	-	-
2003	NIL	-	-	-	-	-	-
2004	41	8	19	2	5	31	76
2005	62	13	21	4	6	45	73
2006	12	1	8	-	-	11	92
TOTAL	203	74	36	15	7	115	57

All of the available land has been subdivided and the rate of development has been very steady. The more popular lots are those with views or vegetation and potential for a bore. There is a wide range of house and shed style and standards. This estate provides for a variety of lot sizes and a large area of vegetation was included in a Reserve for Conservation.

5.1.3 Marine Fields and Hill River Heights

Original Location Melbourne Locations Pt 3112, 757, 2520, 716, 618, 744, Pt 2528 and Pt Crown Reserves 19206, 1222, 36053

Marine Fields and Hill River Heights combined consist of 58 rural-residential lots as at 2005 (approximately 12 lots have been released since that time) ranging in area between 2 ha and 16.2 ha. Nearly all of the lots are covered with remnant vegetation.

The key provisions applying to the subdivision are:

- a) No building shall be permitted within 20m of the front of any allotment, 50m

from the rear boundary of any allotment and 10m from the side boundaries of any allotment;

- b) Where the Council is of the opinion that a proposed dwelling would detract from the visual amenity of the open Molah Hill landscape, it may require the applicant to submit alternative plans which specify the use of permanent materials, and which merge buildings into the natural landscape in terms of building proportions and the colours and textures of materials;
- c) The Hamersley homestead originally built on CG 681 in the 1890s shall not be modified in any way without the prior consent of the Council. The owner of the homestead allotment will be encouraged to restore and maintain the environs of the house including original exotic and indigenous trees to conserve early European settlement associations. The homestead may be used as an Ancillary Dwelling as defined in the Residential Design Codes or as a Cabin or Chalet for the purposes of short term accommodation in addition to the other permissible uses of the Rural-Residential zone; and
- d) Development in close proximity to the Hill River and its tributaries will incorporate provisions to ensure that the environmental and recreational values of the river are protected and enhanced.

Table 3: Lots and Development - Marine Fields

YEAR	TOTAL NO. OF LOTS RELEASES P.A.	HOUSE / OCCUPIED SHED		SHED / OCCASIONAL OCCUPATION		VACANT LOT	
		NUMBER	%	NUMBER	%	NUMBER	%
2004	18	5	28	2	11	11	61
2005	20	6	30	-	-	14	70
TOTAL	38	11	29	2	5	25	66

Table 4: Lots and Development - Hill River Heights

YEAR	TOTAL NO. OF LOTS RELEASES P.A.	HOUSE / OCCUPIED SHED		SHED / OCCASIONAL OCCUPATION		VACANT LOT	
		NUMBER	%	NUMBER	%	NUMBER	%
2004	20	-	-	-	-	20	100
2005	-	-	-	-	-	-	100
TOTAL	20	-	-	1	-	19	95

Marine Fields is the first stage of the release of rural-residential lots forming part of Ardross Estate which owns and is developing all of the land between Jurien Bay and Cervantes for urban or rural - residential purposes.

These lots have only been released since 2004 and the rate of development indicated a demand for these types of coastal oriented and vegetated lots. Hill River Heights on the eastern side of Indian Ocean Drive provides a small enclave of larger lots with views to the Ocean. None has yet been developed.

5.1.4 Jurien Bay Heights

Original Location: Victorian Location 10751

Jurien Bay Heights consists of approximately 221 rural-residential Lots of ranging in size from 2ha-4.8ha. Approximately 60% of the lots are covered with remnant vegetation.

The objective of Development Guide Plan No 1A (Jurien Bay Heights) is to guide subdivision and development in a manner which will maximise economic output of the land, facilitate a range of rural-residential opportunities and other tourist and recreational uses but at all times having due regard for the relative capabilities of the land.

The provisions for the Development Guide Plan are very detailed and cover:

- location of buildings and structures;
- building design and colour;
- vegetation and revegetation;
- effluent disposal;
- keeping of stock;
- bushfire management & control;
- water supply provisions;
- road upgrading, access and design;
- notification of prospective owners;
- protection of landscape elements;
- horticultural development; and
- buffer requirements.

Jurien Bay Heights has a special set of Scheme provisions which distinguishes 3 precincts between which the land uses vary. The rate of development is similar to the adjacent Alta Mare although there has been no development on lots released in the past three years. This is probably the result of the difficulty in getting builders to take on work outside the townsites.

The estate has no more land to release and it includes a Reserve for Conservation given up at the time of subdivision.

Table 5: Lots and Development - Jurien Bay Heights

YEAR	TOTAL NO. OF LOTS RELEASES P.A.	HOUSE / OCCUPIED SHED		SHED / OCCASIONAL OCCUPATION		VACANT LOT	
		NUMBER	%	NUMBER	%	NUMBER	%
2000	13	6	46	1	8	6	46
2001	11	4	36	2	18	5	46
2002	33	17	56	3	9	13	35
2003	6	2	33	-	-	4	67
2004	76	14	18	4	5	58	77
2005	16	-	-	1	6	15	94
2006	45	-	-	-	-	45	100
2007	21	-	-	-	-	21	100
TOTAL	221	43	20	11	5	167	75

5.1.5 *Cantabilling Springs*

Original Location: Victorian Location 10338

No development has occurred on the site since the rezoning of the land from Rural to Rural-Residential in the early 1970s. The land is partially covered with remnant vegetation.

As there has been no proposal to subdivide this land in over thirty years, subject to appropriate consultation with the landowners, the land should be returned to a Rural zoning because:

- it gives a false impression in respect to an analysis of development rates, distorting the analysis slightly as it could lead to the conclusion that while land is zoned but not subdivided it can be argued that more land should not be released;
- it gives no confidence to neighbours as to the impact on their farming operations; and
- it may impact on surrounding rural land values.

5.2 DEMAND FOR LOTS

5.2.1 *Real Estate Activity*

Interviews were conducted with representatives of the local real estate industry, other stakeholders and the public to ascertain their views on supply, demand and relevant observations in respect to rural living development. These views varied however, there was a general belief that there had been very few rural living lots released in recent years and creation of more such lots is desirable. Whether the release of further lots is justified by demand is arguable.

Table 6 - Summary of land release and development

YEAR	TOTAL NO. OF LOTS RELEASED P.A.	HOUSE / OCCUPIED SHED		SHED / OCCASIONAL OCCUPATION		VACANT LOT	
		NUMBER	%	NUMBER	%	NUMBER	%
1992	9	5	55	-	-	4	45
1996	9	9	100	-	-	-	-
1998	10	5	50	-	-	5	50
1999	36	21	58	3	8	12	34
2000	22	11	50	1	5	10	45
2001	44	25	57	8	18	11	25
2002	33	17	51	3	9	13	40
2003	6	2	33	-	-	4	67
2004	154	27	18	8	5	120	78
2005	98	19	19	5	5	74	76
2006	57	1	2	-	-	56	98
2007	21	-	-	-	-	21	100
TOTAL	499	142	28	28	6	330	66

This table shows that from 1992-2007 a total of 499 lots were released which is an

average of 41 lots per year. The earlier releases, before 2003, have on average only 34% vacant lots. On average the number of rural living lots sold annually is approximately 70 being new land sales or re-sales although this has been increasing steadily as more lots have been created and demand has grown. Purchasers come from a diverse range of people and this is considered to be a very positive outcome.

People buying lots are:

- people moving from town as land and housing in the coastal towns has increased and people can get better value for money in the rural living estates;
- people selling existing holiday homes in the town and using the rural-residential lots as holiday homes;
- people from outside the district buying rural living lots as weekenders/holiday homes again partly influenced by high coastal prices/alternative lot size;
- retirees/early retirees and those seeking a lifestyle change; and
- tradespeople and other workers.

There are currently (July 2007) between 25 - 50 lots for sale depending upon what determines "for sale", e.g. lots may not have signs but be "on the books". These figures relate to the four existing estates being Alta Mare, Jurien Bay Heights, Hill River Heights and Marine Fields.

Badgingarra doesn't have any zoned land that is subdivided.

Dandaragan has limited amount of zoned land and all has been subdivided and sold.

Some people may buy lots for speculation but there are no figures on this sector of the market and the objective of sound planning and land use is to release land primarily to serve the needs of the community, not to release land for speculation which compromises Governments activity to plan for future infrastructure, community and special needs.

Koorinal Vale is a Rural-Residential zone comprising 18 lots immediately north of Dandaragan townsite and these lots rarely come up for sale and are purchased very quickly and in most cases by local people including retiring local farmers. The interviews and assessment of the real estate market revealed that the majority of purchasers of rural living lots prefer the following:

- a lot with house and shed and infrastructure in place;
- a lot with a habitable shed;
- a lot which has a mix of cleared and vegetated land but this is not essential;
- available groundwater preferably with a working bore in place;
- people do look for properties with specific features when they have an activity/business/hobby in mind; and
- a view was not a very high priority but still added value and was desirable.

Purchasers did not consider having lots connected to a reticulated water supply was essential and were happy to utilise rain water tanks supplemented in many cases by a household bore. It is sometimes difficult for those living on rural living lots to capture sufficient amounts of water for domestic purposes. If a working bore was in place however it was a distinct advantage and attracted the attention of buyers.

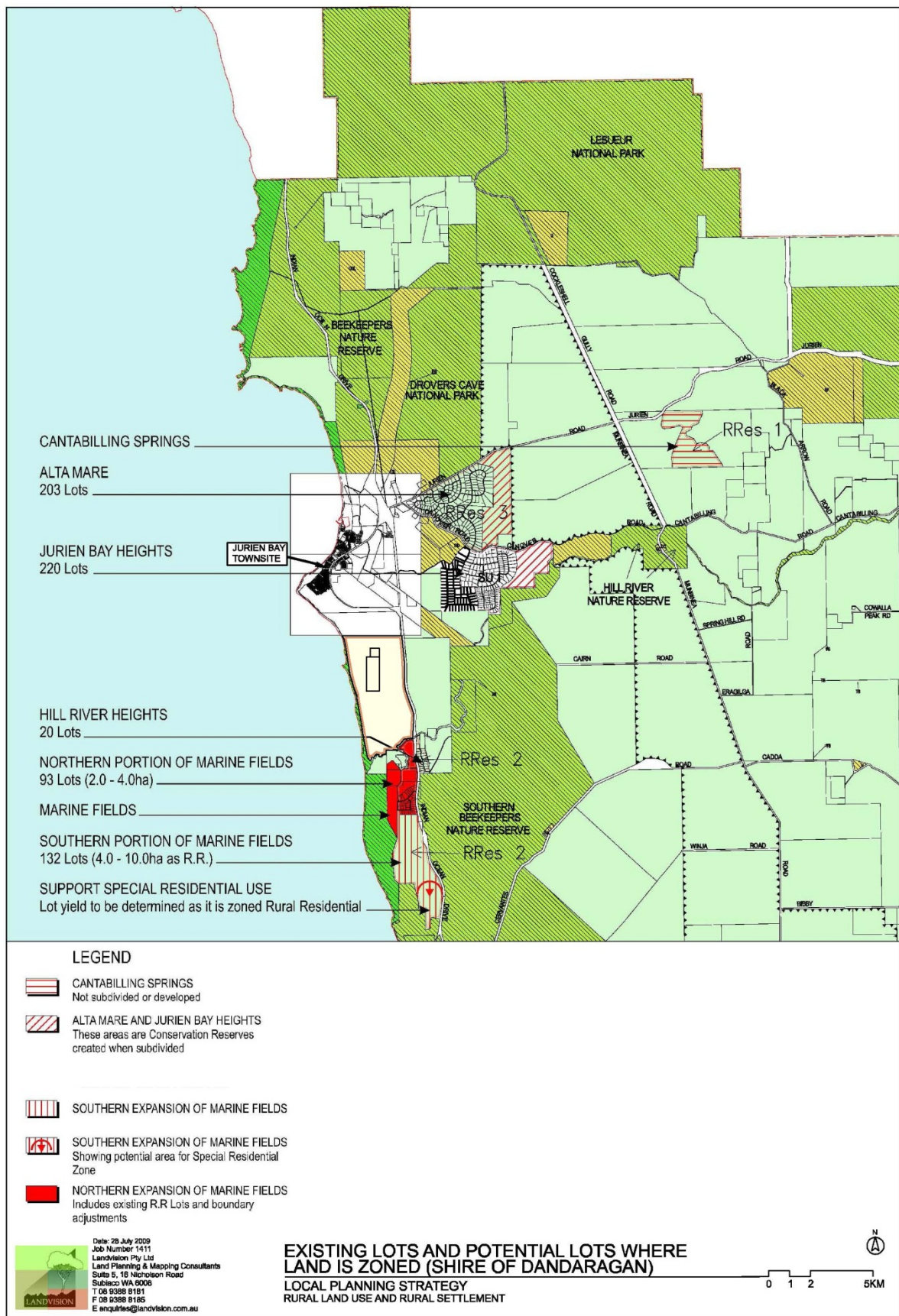


Figure 11

As the distance from town increased lots do take longer to sell and the demand for increased lot sizes is sought after. There is potential to develop lots in the 4 to 40 ha range where there are good growing conditions and access to commercial quantities of groundwater for boutique crops and horticulture, tree farming, orchards and innovative, small-scale, intensive agricultural activities.

The most recent release of rural living lots has not fully sold out which is unusual but was attributed to the fact that some areas had no access to groundwater, limestone, few cleared areas, mainly coastal heath and was not very attractive. Native vegetation retention was acceptable to buyers and the covenants to protect bushland have been agreed and operate successfully however bushland rather than coastal heath is the more desirable to buyers.

Restrictions on business activities, the sale of products and the production of goods in rural living areas has been a deterrent to some prospective purchasers. People trying to develop a home business with some potential for expansion had looked to rural-residential lots for this opportunity. The lack of alternatives contributes to this demand (i.e. to carry out business, etc. on rural living lots).

Lack of alternative sites has resulted from many years of limited release of land for industry, mixed business and residential lots and areas where cottage industries with a dwelling and other urban purposes can be developed.

Future land releases should provide:

- for possible expansion in the range of uses, including small-scale businesses, home production, sales from properties, and for tourism purposes, etc. subject to suitable controls; and
- specific precincts identified in Outline Development Plans where the expanded range of activities may be permitted and planned for.

A final observation was that there should be a variety of lot sizes and that the State policy requirement that lots from 1.0 ha to 4.0 ha require reticulated water had led to lots being planned to be larger than 4.0 ha. This does not always provide the best planning outcome, is not necessary in the Shire (ie the provision of water) and is a problem for people on a pension who lose the pension on land larger than 4.0 ha, when zoned Rural-Residential.

Consequently the view of local real estate stakeholders was generally that reticulated water should not be mandatory on lots larger than 1.0 ha but that fencing of the lots should be considered as a condition of subdivision and it would have ongoing advantages for landowners, local government and servicing agencies.

In view of the relatively large number of vacant or underdeveloped Rural-Residential zoned lots in proximity to Jurien Bay and that there are consistently a reasonable number of lots for sale it is difficult to justify the zoning of further land parcels for rural living on this basis alone. Council has therefore only selected limited areas for future rural living and it will be the developer who has to justify to the WAPC when it is appropriate to rezone this land based upon supply and demand and development rates and any other relevant factors.

5.2.2 Rural Living Development proposals in the Shire of Dandaragan

Lot 1, Location 10599 Corner of Jurien Road and Cockleshell Gully Road, Jurien Bay

A Scheme Amendment was adopted by Council in December 2010 to initiate the rezoning of the land from 'Rural' to 'Rural - Residential' zone and 'Parks and Recreation' zone. The proposed development for the subject land includes the creation of approximately 277 rural living lots ranging from 2-17ha. The proposal also seeks to provide additional use rights on four of the lots.

The land may be supported for rezoning subject to the developer/landowner being able to demonstrate that the release of additional lots, based upon an analysis of supply and demand, together with the rate of development of the lots justifies the rezoning of the land to the satisfaction of the WAPC.

Council have supported the rezoning of this land and are currently preparing the documentation for final consideration by the WAPC.

Location 3924 Cervantes Road, Cervantes

A Scheme Amendment was adopted by Council to initiate the rezoning of the land from "Rural" to "Special Use - Composite Agricultural Development" zone. The proposed development for the subject land included the creation of 198 lots. There are four different types of lots proposed:

- 26 Agricultural smallholdings of approximately 20 ha, proposed for the most capable horticultural soils which are tied to a "house lot" permitted to accommodate only a single dwelling;
- 40 Wilderness lots of 2 ha-12 ha are proposed for the uncleared western portion of the site incorporating special controls to protect vegetation;
- 125 Rural Living lots of 1 ha minimum are proposed on a predominately cleared portion of the site; and
- 7 Large agricultural lots of 40 ha are also proposed.

The proponents believe that the proposal will not be a traditional rural-residential subdivision and argue that the proposal has been planned to address the range of potentially negative or conflicting issues arising from typical rural-residential subdivision.

The property is within the P2 area of the Cervantes Water Reserve and will require approval of the DoW to support any application to the Shire for land use intensification.

The proponent is liaising with the Water Corporation and Economic Regulation Authority in order to negotiate suitable arrangements to provide a reticulated water supply to service the proposed development.

Pt Lot 3788 North-West Road, Badgingarra

A Scheme Amendment was adopted by Council in December 2007 to initiate the rezoning of the land from 'Rural' to 'Special Use-Rural Enterprise' zone. The proposed development for the subject land includes the creation of approximately

12 lots, all just over 4.0 ha for people to be able to build a dwelling and an area where a large shed would be permitted. If rezoned the amendment would allow rural enterprises, subject to management provisions aimed at ensuring the mix of uses, including limited agriculture, are all compatible.

There is a strong perception that this type of lot with rural enterprise opportunities will be in demand and this proposal will test that demand.

The Scheme Amendment has been refused by the WAPC and would only be reconsidered if supported in the LPS.

5.3 PROVISION OF MORE RURAL LIVING LOTS

The LPS has established that the local real estate industry and Council believe there is a demand for additional rural living areas to be released subject to satisfying all planning considerations. However, the evidence to support this view is not conclusive and therefore it will be up to the developer to justify the demand to the satisfaction of the WAPC. Notwithstanding this position it is anticipated that further demand may materialise as a result of:

- improved access and increased promotion of the region from the recent completion of Indian Ocean Drive;
- the possible development of the Coolimbah Power Station project and coal mine;
- considerable interest in thermal power generation and other renewable energy projects in the region;
- increased mining and resource development, particularly mineral sands and natural gas.

5.3.1 Issues

Once the demand for more lots is agreed by the WAPC then the strategic and local planning issues to be considered are:

- if more land be released;
- if so, when should it be released; and
- where should land be supported for rezoning and subdivision.

When assessing demand developers will need to review of the rate of development of rural living lots in all areas. The current estimate indicates that over 33% of existing rural living zoned lots have dwellings and/or substantial sheds. The sheds may be used for temporary or weekend accommodation. More than half of these lots however have been released in the past 5 years during which time it has been difficult to get any building undertaken. Development has been very slow recently because of the lack of builders in contrast to the much higher rates of development (over 55%) on the older lots. It is concluded that there has been sufficient development and activity in the existing estates to show that speculation is only a minor reason for demand. Possibly up to 25% of the lots but more than likely less, of the existing lots are held by true absentee landowners who have little or no contact with the property.

5.3.2 *Benefits*

The ongoing release of rural living lots (in suitably located and planned estates/communities) has the potential to provide many benefits to the local and wider community including:

- economic growth and the impact of the multiplier on the wider community;
- building industry growth;
- increased employment;
- increased population;
- support for local community services, volunteer organisations, sporting and social clubs;
- security (increased presence);
- more efficient use of services and infrastructure;
- alternative and varied lifestyle opportunities;
- agricultural diversity and entrepreneurial enterprise; and
- may contribute to making land and housing more affordable, including affordability relative to houses in Cervantes and Jurien Bay.

5.3.3 *Planning to avoid adverse impacts*

If more rural living lots are to be released, and the release is appropriately and strategically planned, the benefits to the local and wider community include the opportunity to:

- avoid adverse impact on the environment in particular the pressure on groundwater use;
- locate areas to avoid inefficient use of infrastructure and services;
- minimise the loss of agricultural land and pressure on agricultural land values from speculation;
- locate this form of housing to avoid high car and energy use; and
- assume there is a demand for manageable and fair demand on Council/Government for more services such as water supply, community and emergency services.

5.3.4 *Planning Responses*

In view of the perceived benefits of the further release of land for rural living and subject to the demand being agreed Council will support the future release of land for rural living purposes subject to:

- a) Environmental assessment and land management is a requirement of the more detailed planning which must be addressed in scheme amendments and subdivision applications for land identified for possible rural living or other zoning;
- b) Rural living development has both efficiencies and inefficiencies in the provision and use of services and facilities. For example the provision of roads and power is more sustainable in residential development due to the smaller lot sizes however, sewerage and reticulated water have not been provided in the zones and people make their own provisions for water and generally use less water than in residential areas. In the future the supply of reticulated water or

- an agreed alternative will be required by the WAPC;
- c) Only relatively small areas of the total amount of rural land is zoned for rural living uses and land which is highly productive would not be considered suitable. Zoning and clear strategic plans should reduce speculation on rural land; and
 - d) Due to distance from towns and the lack of public transport, rural living development does often result in heavy car usage and energy use. The State Government continues to support this form of low density housing and has not undertaken a comprehensive assessment of the costs and benefits of allowing further rural living areas throughout the State. Until there is evidence to the contrary, the Shire of Dandaragan supports the release of further land for this purpose and considers that landowners should be educated in sensible and sustainable collection and use of water and power and other measures to reduce their consumption of non-renewable energy and natural resources.

5.3.5 Strategy

That additional areas be identified for rural living in suitable locations to provide for future development subject to the adoption of the direction of growth proposed in the LPS and subject to appropriate detailed planning assessment. Council will generally support of the rezoning and subdivision of agreed areas when the timeframe has been agreed by the WAPC.

That the developer/landowner is required to provide the evidence to justify that there is sufficient demand and lack of supply to support the release of additional land for rural living purposes.

The rezoning of new areas identified for closer subdivision and other changes to land use and zoning will be subject to separate scheme amendments which would include structure planning and detailed assessment of the land.

5.4 POTENTIAL SITES

Figure 12 shows the land in close proximity to the towns of Jurien Bay and Cervantes. The expansion of the urban centres to the east is contained by existing reserves which create a distinct break between the towns and existing Rural-Residential zones which have already been subdivided and mostly developed.

Several sites (precincts) in proximity to Jurien Bay and Cervantes have been identified as being suitable for rural living purposes. These sites each contain one property and would have land use change managed in sustainable stages and subject to demand.

These precincts are:

- Cockleshell Precinct north of Jurien Bay Road;
- Ardross North Precinct between existing Jurien Bay Heights rural-residential estate and Reserved land and Indian Ocean Drive separating it from future residential expansion of Jurien Bay, and with the Hill River to the south;
- Ardross East Precinct immediately south of the old stock route reserve, west of the Hill River, down to and including the Hill River rural-residential lots east of Indian Ocean Drive; and
- East Cervantes Precinct which is east of the Cervantes townsite and while being more than 10kms from Cervantes it is the closest private land east of

Cervantes. This precinct has reserve land on two sides and farmland to the north east and south east.

These precincts contain land which is not being used extensively for agriculture and is relatively well buffered from active agriculture areas.

Easy access to the towns from these precincts is available by existing good standard sealed roads being, Cervantes Road, Jurien Road and Indian Ocean Drive. Part of the Cockleshell Precinct and East Cervantes Precinct are within P2 Public Drinking Water Source Areas where special consideration will be given to protection of this resource.

The possible number of lots within the precincts which could be created from land identified for release, is indicative only. Many factors will influence the size and number of lots, which could result including:

- land capability;
- conservation and environmental protection;
- topography;
- wetlands;
- cost of providing services;
- demand for lot size variety;
- demand for potentially productive smallholdings;
- demand for innovative subdivisions which integrate ongoing agricultural activities;
- distance from town (e.g. increasing fuel costs).
- government policies; and
- employment opportunities.

As discussed earlier an estimate of potential lot yield is provided based upon an average of 6.0 ha per lot. Where the property is subject to a current application, the proposed lot estimates have been used. The estimate also excludes the Dandaragan and Badgingarra Precincts as these areas cater to a different market and demand to that experienced closer to the coast.

Subject to the above considerations approximately 410 lots could be created which if the demand is for about 70 lots per year then at least 5 years supply is available based upon current investigations. But, if being more conservative, the release of say, 50 lots per year would provide a supply for 8.5 years which is still a reasonable supply target.

The forward planning for closer subdivision will continue to be reviewed and adjusted every 5 years. Demand for closer subdivision, the impact of such developments and the structure of settlement in the municipality would also be part of periodic review.

Any new proposal for closer subdivision would be assessed in the context of available lots, development rates and other relevant considerations. For example the release of the land in the short term may satisfy all demands and in the future new trends and demands will be relevant.

Land within this Precinct lies within the Bassendean Precinct Special Control Area (BPSCA) under Local Planning Scheme No 7. The land is subject to the same planning requirements in respect to the protection of surface and groundwater quality and quantity as any land not within the BPSCA. Including land within the BPSCA is perceived to devalue the property even though the planning consideration and processes are identical. Council will therefore continue to seek to remove the BPSCA from LPS No 7 as it is considered unnecessary.

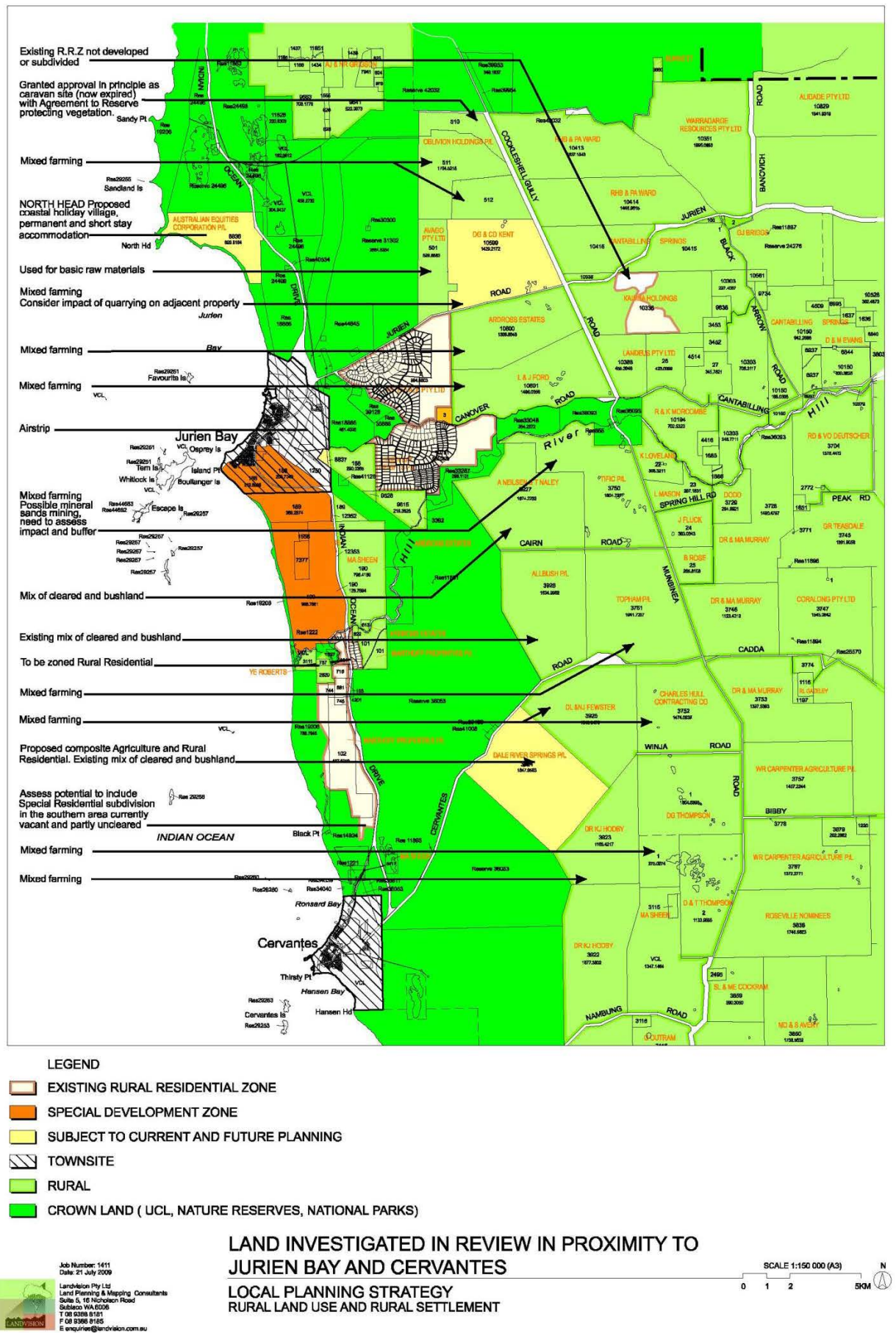


Figure 12

PART 2 - THE STRATEGY

6. VISION FOR TOWN AND RURAL SETTLEMENT

This LPS provides for 10 - 15 years growth of the rural towns of Dandaragan and Badgingarra, other small settlements and the expansion of opportunities for rural-residential, rural smallholdings and other innovative rural settlement initiatives in proximity to Jurien Bay and Cervantes.

Although Jurien Bay, Cervantes and adjacent coastal areas will be part of a future assessment and review they are shown in Figure 13. Figure 13 provides a longer term vision (20-30 years) for the Shire and in particular the rural areas of the Shire. The vision plan is simplified and is not intended to be used for decision-making purposes but does provide a context for the current review.

The hierarchy and role of settlements is summarised below and should be read in conjunction with Figure 13.

1. JURIEN BAY REGIONAL CENTRE

The Central Coast Regional Strategy shows Jurien Bay as a District Centre however in view of the development occurring within the Shire and with the completion of the Indian Ocean Drive its role is more significant. The town provides and will continue to expand provision of regional level services (the future strategy for Jurien Bay will be addressed in the next stage of the review of the LPS).

2. CERVANTES LOCAL CENTRE

Cervantes townsite is enclosed by National Park and Crown land and has very limited land for residential expansion. Its role will expand as a local service town to tourists and in particular those visiting the Pinnacles and to holiday and retirement sectors. Opportunities to utilise land within the townsite and the level of services to be provided in view of its proximity to Jurien Bay will be addressed in the next stage of the review of the LPS.

3. JURIEN BAY COASTAL GROWTH CORRIDOR

The growth of Jurien Bay is directed to the south through a series of approved structure plans and staged residential, special residential and rural-residential developments together with tourist nodes and facilities at local centres. Land to the east of Indian Ocean Drive is included in this corridor however its future use may be orientated to complementary uses supporting tourism, recreation and local needs. The future strategy for the Jurien Bay Coastal Growth Corridor will be addressed in the next stage of the review of the LPS.

4. NORTH HEAD COASTAL SETTLEMENT

Current long term plans provide for a population of up to 3000 people in the very long term accommodated within a range of permanent and holiday dwellings, tourist and recreation developments. Only local services and

facilities would be included in the area with all major services and facilities being in Jurien Bay (the future strategy for North Head will be addressed in the next stage of the review of the LPS in the Coastal Strategy).

5. JURIEN BAY HINTERLAND

This includes the existing rural-residential estates known as “Alta Mare” and “Jurien Bay Heights” which are now fully subdivided. The estates residents are dependent upon all services and facilities in Jurien Bay.

6. JURIEN BAY RURAL LIVING - DIRECTION OF GROWTH

This area identified is considered the logical extension to the existing rural living estates with good access to Jurien Bay and its services and facilities. Rural living comprises rural-residential, rural small holdings and similar rural lifestyle subdivision and development.

7. CERVANTES RURAL LIVING - DIRECTION OF GROWTH

Any development adjacent to Cervantes is separated by the existing reserved land however; the residents and visitors will still use both Cervantes and Jurien Bay for access to services and facilities.

8. RURAL SETTLEMENTS

Badgingarra and Dandaragan are small (50-120 lots) rural communities for which the Council will seek to continue to consolidate and grow to support its rural based community. Retaining these towns as adaptable and viable local community centres will support the retention of rural communities and provide opportunities for attracting new residents and small businesses.

Badgingarra also has a role as a highway service centre and Dandaragan as an administrative centre.

9. HIGHWAY SERVICE CENTRES

Cataby and Regans Ford (together with Badgingarra) provide for the sale of fuel, some accommodation and other facilities to serve the highway traffic and surrounding rural based activities. These will have limited residential opportunities mainly provided to travellers, business owners/operators and staff. Some additional residential use could be considered for nearby mining, intensive agriculture and other such activities.

10. HILL RIVER CONSERVATION AND MIXED AGRICULTURAL ACTIVITY CORRIDOR

The Hill River has high quality environmental and landscape attributes combined with a growing range of agricultural and intensive agricultural activities. This area has potential in the future to provide a range of attractions and opportunities similar to the Swan Valley or Chittering Valley models. Any future development would be subject to upgrading infrastructure, enhancing the Hill River environment and ensuring land uses while being mixed uses are compatible uses. Settlement within this area is likely to be at a higher density

than in the balance of the rural area .

11. PRIMARY RESOURCE AREAS - DISPERSED SETTLEMENT

The majority of the broadscale farming properties are included within the Primary Resource Area where the range of activities is becoming more diversified. Settlement is dispersed throughout however there is a growing demand for and development of workers accommodation and additional dwellings on smaller properties as investment and activity increases. With the development of intensive agriculture and feedlots and abattoirs, mining, energy production etc. there will be more forms of accommodation developed throughout the area.

12. CONSERVATION

Crown land, National Parks, and other reserves have been included in the Conservation Estate.

13. MAJOR ROADS AND ROAD CONNECTIONS

The most important road connections have been shown on Figure 13. Some of these are currently gravel roads but the long term aim will be to upgrade these to a sealed standard to cater to demand.

Indian Ocean Drive is an uninterrupted sealed coastal route linking Perth's northern suburbs with coastal towns and tourist destinations up to Dongara. Overlooking the Indian Ocean, the road provides a scenic alternative route for local and tourist traffic away from heavy traffic on Brand Highway. The visual impact of infrastructure along Indian Ocean Drive should be minimised by locating infrastructure within the existing coastal towns to preserve coastal views.

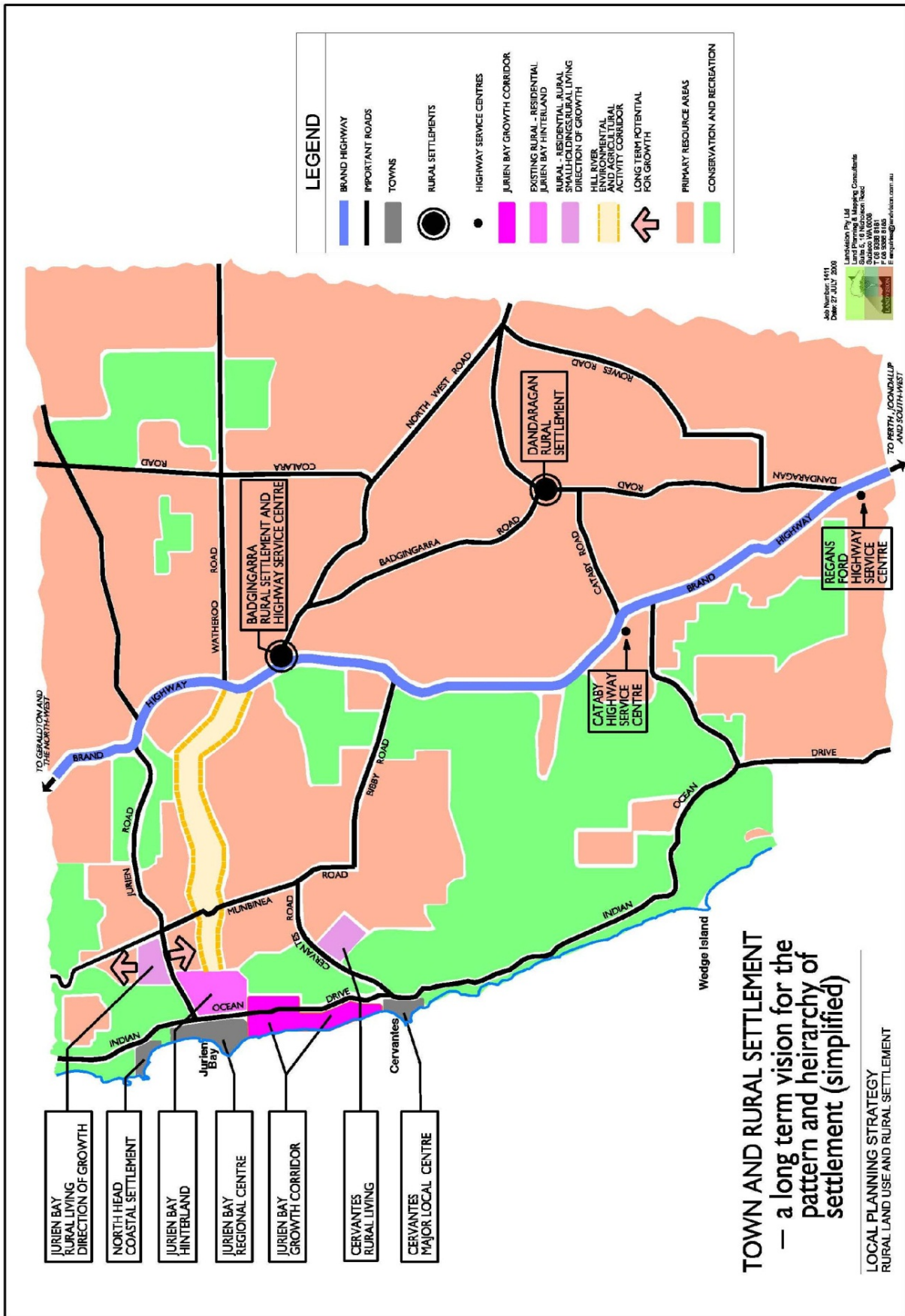


Figure 13

7 STRATEGY FOR FUTURE SUBDIVISION AND DEVELOPMENT

7.1 PROPOSED PLANNING UNITS

The LPS provides an overview of the development rates and land availability in the whole Shire excluding Cervantes and Jurien Bay but identifies areas suitable for rezoning and makes recommendations for land east of Cockleshell Gully and Munbinea Roads to the eastern Shire boundary.

Figure 14 identifies three “areas of common interest” being the urban land (PU1), the urban/rural interface (PU2) and the agricultural areas (PU3). The review of this LPS focuses on PU2 and PU3.

7.2 PLANNING UNIT 1 COASTAL SETTLEMENT (PU1)

The towns of Jurien Bay and Cervantes and the surrounding areas adjacent to the coast have been significantly planned and developed in recent years. Land is zoned and available for development, particularly for residential lots however, the potential for additional lots within this Planning Unit does require further justification in the Local Planning Strategy.

Planning Unit 1 comprises the coastal strip west of Indian Ocean Drive from the northern boundary of the Shire of Dandaragan to the southern boundary of the Cervantes town site to include the following development nodes:

- Sandy Cape;
- North Head (Rezoning has recently occurred and Structure Planning is being progressed);
- Jurien Bay Marina Structure Plan (LandCorp);
- Ardross Estates (Structure Planning has been completed);
- Marine Fields rural/residential development (already zoned);
- Marine Fields special residential (Ardross Estates proposal for more intensive residential development);
- Ardross South Precinct which is wedged between Reserved land and Indian Ocean Drive extending south to include a proportion of the Hill River; and
- Cervantes townsite (LandCorp Structure Planning).

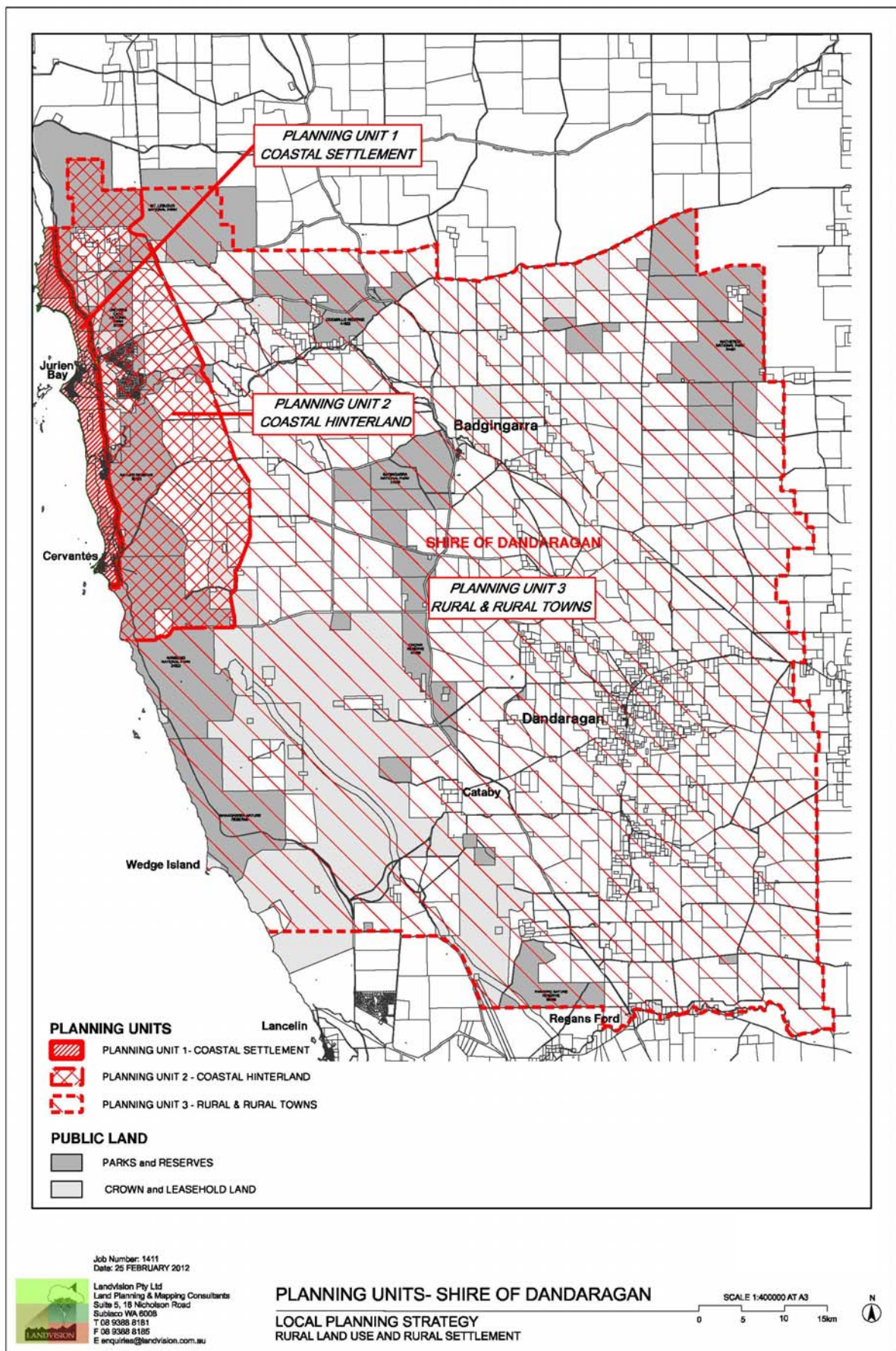


Figure 14

7.3 PLANNING UNIT 2 COASTAL HINTERLAND (PU2)

Planning Unit 2 is comprised of the coastal hinterland east from Indian Ocean Drive to Mumbinea Road. It can be described as the area east of the Jurien Bay and Cervantes townsites bounded on the east by Cockleshell Gully and Mumbinea Roads, the southern boundary being Wongonderrah Road and to the northern boundary of the Shire. This Planning Unit covers the area that includes the Jurien and Cervantes Drinking Water Source Protection Plans and the Precincts immediately east of Jurien Bay and Cervantes.

After due consideration of the existing development of rural living estates, the background reports and data, stakeholder advice and developers intentions, a number of properties have been identified for future closer subdivision subject to detailed assessment.

The properties have been classified into Planning Precincts (see Figure 15), which are described below together with the significant planning considerations to be addressed and an indication of the potential lot yield for rural living based upon an average lot size of 6.0 ha for each precinct.

As there is currently no Rural Smallholdings zone in the Scheme, any proposal for rural smallholdings would require the introduction of this zone into the Scheme. It is very difficult to provide an accurate estimate of the number of lots which could be created as the opportunities and constraints may vary significantly from property to property.

Estimates are therefore a guide only and are based upon an average of 6.0 ha per lot. The estimate is based upon averaging the lot yield from existing rural living estates and does not take into account alternative proposals for larger productive or wilderness type lots and other such proposals.

If landowners wish to pursue subdivision, the number of lots will be determined by detailed land capability and suitability assessments for each location.

When undertaking the detailed land capability and suitability assessment of each location, if the land owners wish to pursue subdivision, it will be possible to refine the number of lots.

Lot numbers and size will be influenced by a number of factors including:

1. the type of development proposed and the estimated lot sizes;
2. whether the land will be used for productive purposes;
3. what services are proposed to be provided;
4. any existing uses and activities to be retained;
5. any physical, topographical or environmental constraints;
6. other land use requirements such as ongoing mining/quarrying, and land use buffers; and
7. restrictions on or lack of infrastructure.

Cockleshell Precinct - Lot 1, Location 10599, Jurien Road, Jurien Bay

Area	1429.2172 ha
Current Zoning	Rural
Current Land Use	Rural
Vegetation	Predominantly Banksia Woodland with a wedge of Hakea Dryandra Heath Scrub Heath in the north east corner of the site.
Rural Planning Precinct	<p>The site is covered by the Bassendean precinct along the western boundary, the Bassendean precinct, and the Yerrahmullah precinct along the eastern boundary, which is characterised as,</p> <ul style="list-style-type: none"> • containing areas of clay in reasonable proportions which ensures that both extensive and intensive agriculture are possible, and • having a thin mantle of aeolian yellow sand either covering or mixing with local soils.
Special Considerations	<p>In the Scheme the land lies within the Bassendean Precinct Special Control Area. Consideration must be given to the good quality ground water found in the Bassendean system, which covers the central part of the site. This ground water is susceptible to pollution, eutrophication and salination from inappropriate land uses such as waste disposal and excessive fertiliser use. Any impacts to groundwater could affect the quality of the domestic water supply to existing and future urban areas in Jurien Bay. The protection of this ground water must be considered when planning for this site.</p> <p>Consideration must be given to the implications of the mining occurring on the property immediately to the west and possible mining on the property.</p> <p>Rural living subdivision may only occur where the application can satisfy the decision making authorities that the land use can occur and be managed to protect the quality of water and other environmental attributes of the area. The applicant will also have to provide evidence to the satisfaction of the WAPC to justify the timing of rezoning, subdivision and land release.</p>
Potential Lot Yield	300 lots
Stage for Development to Proceed	To be determined.

East Cervantes Precinct - Location 3924 Cervantes Road, Cervantes

Area	1847.9563 ha
Current Zoning	Rural
Current Land Use	Rural
Vegetation:	Predominantly Hakea Dryandra Heath Scrub Heath.
Rural Planning Precinct:	The site is covered by the Tamala Precinct. This property is in a P2-PDWSA.
Special Considerations	The property is within the P2 - PDWSA where any land use or development must address the requirements to protect the P2-PDWSA. Rural living subdivision may only occur where the application can satisfy the decision making authorities that the land use can occur and be managed to protect the quality of water and other environmental attributes of the area. The applicant will also have to provide evidence to the satisfaction of the WAPC to justify the timing of rezoning, subdivision and land release.
Potential Lot Yield	172 lots (plus 26 lots where houses are not permitted) varying in size based upon current proposal.
Stage for Development to Proceed	WAPC issued refusal.

Other Opportunities / considerations

Locations 8837, 188, 9528 and 9615 are 'Rural' zoned locations immediately adjacent to Jurien Bay and isolated by reserves and the Alta Mare rural-residential estate. It can be connected relatively easily to the townsite. These locations are not proposed for rural living development and will remain as Rural. Future planning will also need to occur in conjunction with the expansion of Jurien Bay. The land could be suitable for uses which are difficult to locate in the built up area of the townsite but need to be close by. The total area of these locations is 538.7 ha.

Ardross East Precinct - Locations 189, 190, 613, 882 and 101 Indian Ocean Drive are adjacent to the southward expansion of Jurien Bay. The future use of these locations will need to be complementary to the planning and development of the land west of Indian Ocean Drive. The range of uses may include tourist uses and activities, innovative residential and rural living developments, private recreation and other uses assessed in the context of the future growth of Jurien Bay.

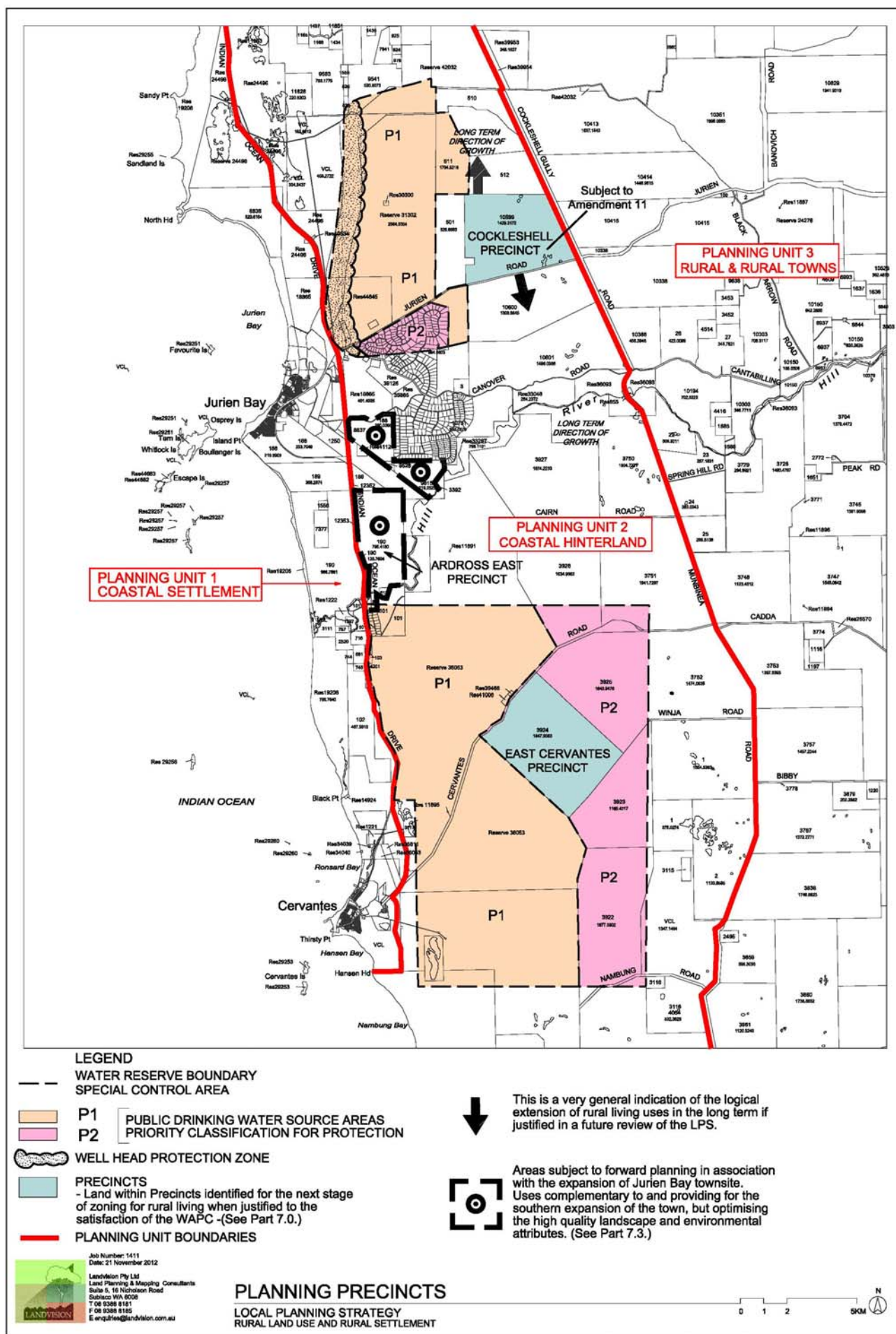


Figure 15

7.4 PLANNING UNIT 3 RURAL AND RURAL TOWNS (PU3)

Planning Unit 3 comprises the balance of the Shire taking in the broadscale farming areas and the rural towns of Dandaragan and Badgingarra together with Regans Ford (See Figure 14).

Traditionally the main agricultural activities in the broadscale agricultural areas of the Shire have been livestock (sheep and cattle) and grain production (wheat, oats, lupins, hay and standing feed). Diversification of activities has been a strong trend in recent years expanding into viticulture, horticulture, aquaculture, floriculture, agroforestry, olives and fruit orchards. Concurrently intensive agriculture operations such as stock feedlots and meat production (abattoirs) have been developed. Mining, tourism and power production (wind farms) have also continued to develop in this planning unit.

These economic activities have resulted in a demand for full time and transient workers to services these industries. Many workers and families want to live in the area but due to distance and/or higher costs of housing on the coast or for lifestyle choice, very few opportunities exist for housing the rural area workforce.

The LPS has responded by identifying areas in and around the existing rural settlements of Dandaragan and Badgingarra. Other initiatives to provide limited subdivision opportunities within the 'Rural' zone in accordance with the WAPC policies will provide limited housing opportunities, some of which will provide options for housing on small properties.

7.4.1 RURAL TOWNS

There are constraints to the development of rural-residential and other such land uses holding back further development in Dandaragan and Badgingarra. These towns of Dandaragan and Badgingarra serve an important function in the Shire and anecdotal evidence, past applications, enquiries and current development within and adjacent to these towns demonstrates a genuine demand for a variety of land use opportunities including residential, rural-residential and mixed use.

Based upon the development of the Koorinal Vale subdivision and smallholdings in Dandaragan and the development of, and dwellings on existing lots, these lots would appeal to:

- retired farmers;
- contractors;
- young farmers and workers in developing intensive agriculture and other more intensive activities;
- mine and energy workers; and
- people seeking a change in lifestyle.

The Scheme Report also supported the potential for closer subdivision within a 5 km radius of the town. Koorinal Vale is the only existing rural-residential subdivision within this 5 km radius. The demand for such developments is strong and it is appropriate to maintain the opportunity for closer subdivision. The Precinct concentrates on main transport routes and around the existing townsite.

Dandaragan until recently was the administrative centre of the Shire and Council still operates an office and library in the town and holds several Council meetings in the Council Chambers each year.

It has been established that there is demand for, and it is appropriate to maintain the opportunity for closer subdivision in the vicinity of Badgingarra and Dandaragan. Planning precincts have been identified for further assessment for subdivision and a variety of land use opportunities. The Precincts have been refined to concentrate the areas for consideration along the main transport routes and around the existing townsites. This approach is preferred as it:

- identifies land that is accessible to the towns services;
- better utilises existing infrastructure;
- does not require major works such as new road connections to facilitate subdivision;
- identifies land that is not in an area where rural character and landscape impact will be compromised; and
- should assist in avoiding potential land use conflict between rural-residential and agricultural land uses.

Both Dandaragan and Badgingarra do not have deep sewerage and there are no current forecasts for the Government to provide this infrastructure to these towns to facilitate their growth.

The “Draft Country Sewerage Policy (September 2003)” guides government agencies for development in respect to the need for and practicality of providing sewerage.

The above policy does have a provision to deal with these circumstances which reads as follows:

“5.4 Sewerage or Residential Density Development in Towns Without Sewerage Subdivision or residential density development in towns not listed in Schedule 1 may be permitted, subject to:

- *the proposals not resulting in creation of lots less than 1000m²;*
- *proposals not exceeding a maximum development density of R10;*
- *no individual proposal exceeding 25 lots or dwellings; and*
- *a total town expansion of no more than 100 lots or dwelling units, occurring within the town after the introduction of this policy.*

The sum of 25 lots or dwellings for individual proposals will include planned future extensions of a proposal, such as when a subdivision or density development is planned to occur in several stages, but will not include proposals for lots 2000m² or greater that are capable of being developed only at a density of R5 or less.

The total of 100 is deemed to have been utilised at the time of formal planning approval.”

Neither Badgingarra nor Dandaragan are towns listed in Schedule 1 in the policy and they have no prospects of having sewerage in the future.

The LPS would be reviewed no later than after the release of an additional 100 lots (irrespective of zoning) in either or both towns. Under this scenario the LPS does

not have to limit properties in the precincts where there may be no desire to rezone the subject land.

After extensive consideration of options with the benefit of local knowledge the Council has identified large areas around both Badgingarra and Dandaragan where subdivision and development for residential, rural living and other 'town' uses could occur.

Almost no subdivision has occurred in either town in the past decade however, there is ongoing interest.

Council supports the potential for the growth of these rural villages and service centres and seeks to adopt a very flexible approach to where future development may occur within the Precincts, hence the need to select large precincts.

Any proposal for residential or rural living uses within the town precincts must comply with the criteria for locating these areas within or adjacent to the existing townsites of Dandaragan and Badgingarra. Rural living lots must be provided with appropriate services, in particular power and reticulated water in accordance with SPP No. 3, SPP No. 2.5 and DC Policy 3.4 which will ensure services and infrastructure are effectively and sustainably provided and utilised.

Strategy

That future subdivision or residential density development would be supported without requiring connection to a reticulated deep sewerage system subject to satisfying all the provisions of the relevant current Sewerage Policy and the requirements of the Department of Health.

That agreed Precincts for both Badgingarra and Dandaragan must be reviewed, not later than when 100 lots in any zone have been released in one or both towns. This should be based on a graduation of lot sizes from 1-40 hectares progressively developed away from the town centre having due regard to the provisions of State policy.

When assessing proposals for rural living they should be located within or in reasonable proximity to the townsite consistent with location criteria in relevant State Policies (Currently SPP 2.5 and DC Policy 3.4). This should be based on a graduation of lot sizes from 1 - 40 hectares progressively developed away from the town centre having due regard to the provisions of State policy.

All rural living lots must be provided with power and a water supply to the standards required in the relevant State Policies (currently SPP 2.5 and DC 3.4).

7.4.1.1 Planning for the growth of Dandaragan

Objective

To support growth of the Dandaragan townsite and surrounds and provide development opportunities that meet the needs of a small but diverse settlement (See Figure 16).

Strategy

Recognise Dandaragan as a permanent settlement in the Shire of Dandaragan that is expected to experience ongoing growth. The broad objectives for the Dandaragan area are as follows:

- Ensure that land is provided for residential uses within or immediately adjacent to the Townsite, noting the significant land tenure constraints on townsite land and the lack of sewerage for lots under 1000m².*
- Council will support new and innovative proposals for small scale commercial operations, composite mixed business or industry with associated residential development within the Dandaragan precinct provided these areas are adequately serviced and will not adversely affect the amenity of the area.*
- Council will support proposals for rural living encouraging a variety of lot sizes and lifestyle opportunity and where appropriately located in close proximity to the townsite - refer to Figure 16. This should be based on a graduation of lot sizes from 1-40 hectares progressively developed away from the town centre having due regard to the provisions of State policy*
- Ensure the proposals for subdivision adequately address important environmental issues including protection of remnant vegetation, water supply and quality, air quality and noise.*
- Any proposal for rezoning, subdivision or development within the P3 area of the Dandaragan Water Reserve must be guided by the LUCT and the Dandaragan Water Reserve DWSP plan.*
- Support development which can be serviced adequately by on site effluent disposal while continuing to pursue options for the provision of an effluent disposal system to the town.*
- Work to overcome the lack of reticulated sewerage through innovative alternative treatment methods.*
- Pursue the development of zoned industrial and residential land with the Government land developer.*
- Continue to seek opportunities with the relevant Government departments for the provision of a reticulated sewerage scheme or an acceptable alternative for the town.*

7.4.1.2 Planning for the growth of Badgingarra

Objective

To support moderate growth of the Badgingarra townsite and surrounds and provide development opportunities that meets the needs of a small but diverse settlement (refer to Figure 17).

Strategy

Recognise Badgingarra as a permanent settlement in the Shire of Dandaragan that is expected to experience continual growth;

- Ensure that land is provided for residential uses within or immediately adjacent to the Townsite, rural living and industrial uses noting the significant tenure constraints on townsite land and the lack of sewerage for lots under 1000m²;*
- Council will support new and innovative proposals for small scale commercial operations, composite mixed business or industry with associated residential development within the Badgingarra precinct provided these areas are adequately serviced and will not adversely affect the amenity of the area.*
- Council will support proposals for rural living encouraging a variety of lot sizes and lifestyle opportunity and where appropriately located in close proximity to the townsite refer to Figure 17. This should be based on a graduation of lot sizes from 1 to 40 hectares progressively developed away from the town centre having due regard to the provisions of State policy.*
- Ensure that proposals for subdivision adequately address important environmental issues such as protection of remnant vegetation, water supply and quality, air quality and noise;*
- Any proposal for rezoning, subdivision or development within the P3 area of the Badgingarra Water Reserve should be guided by the LUCT and the Badgingarra Water Reserve DWSP plan;*
- Work to overcome the lack of a reticulated sewerage scheme through innovative options and alternatives;*
- Pursue development of zoned industrial and residential land with the Government land developer;*
- Council will support innovative mixed use development combining residential and small scale commercial operations on land adjacent to the Brand Highway, particularly those associated with servicing the travelling public and transport operations on the Brand Highway subject to being adequately serviced;*
- Pursue opportunities to reduce the visual impact of any development adjacent to the Brand Highway;*
- Pursue with relevant Government departments the provision of a reticulated sewerage scheme or an acceptable alternative for the town; and*
- Work with Main Roads WA to investigate the most appropriate access points onto Brand Highway or alternatively to agree to restrictions and any improvements necessary to existing access from/to Brand Highway in view of increasing traffic.*

7.4.1.3 Regans Ford

Council will address any proposals to upgrade or expand the Roadhouse and the

Caravan Park on their merits, but the Council does not support residential or rural living uses at this site as it is too isolated from any developed town providing goods and services required by residents.

Strategy

- *To support the sustainable development of the townsite to service and provide short stay accommodation for the needs of the travelling public, tourists and local residents where it does not compromise on going agricultural use or public safety on the Brand Highway.*

7.4.2 RURAL PLANNING

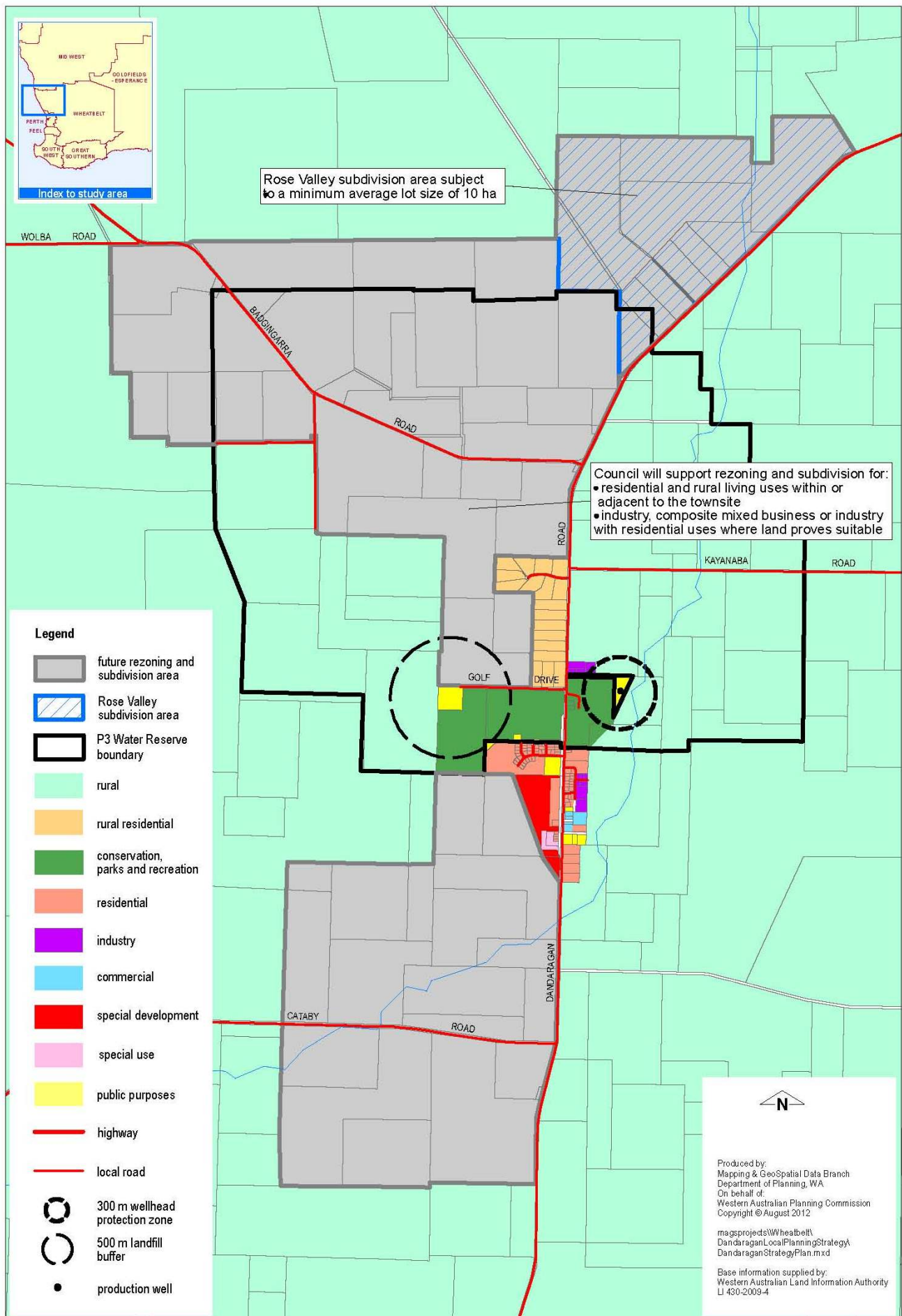
There is no strategic demand to significantly amend the existing direction of the LPS or the Scheme in the 'Rural' zone. The Scheme is consistent with State policies having a general presumption against subdivision although Council recognises that there are many land owners who do not agree with this position and believe subdivision of rural land should be possible. In the context of protecting 'Rural' zoned and a minimum lot size of 300 ha. By identifying and containing areas for rural living it is intended to maintain the agricultural potential and production in the rural zone. Most other uses would be assessed on their merits.

Rural planning and the ongoing development of rural land and rural living within the Shire will continue to change responding to new opportunities and innovation which Council will address on their merits. Land identified in the Dandaragan and Badgingarra Precincts would also be considered subject to suitability.

7.4.2.1 Rural Land Use and Zoning

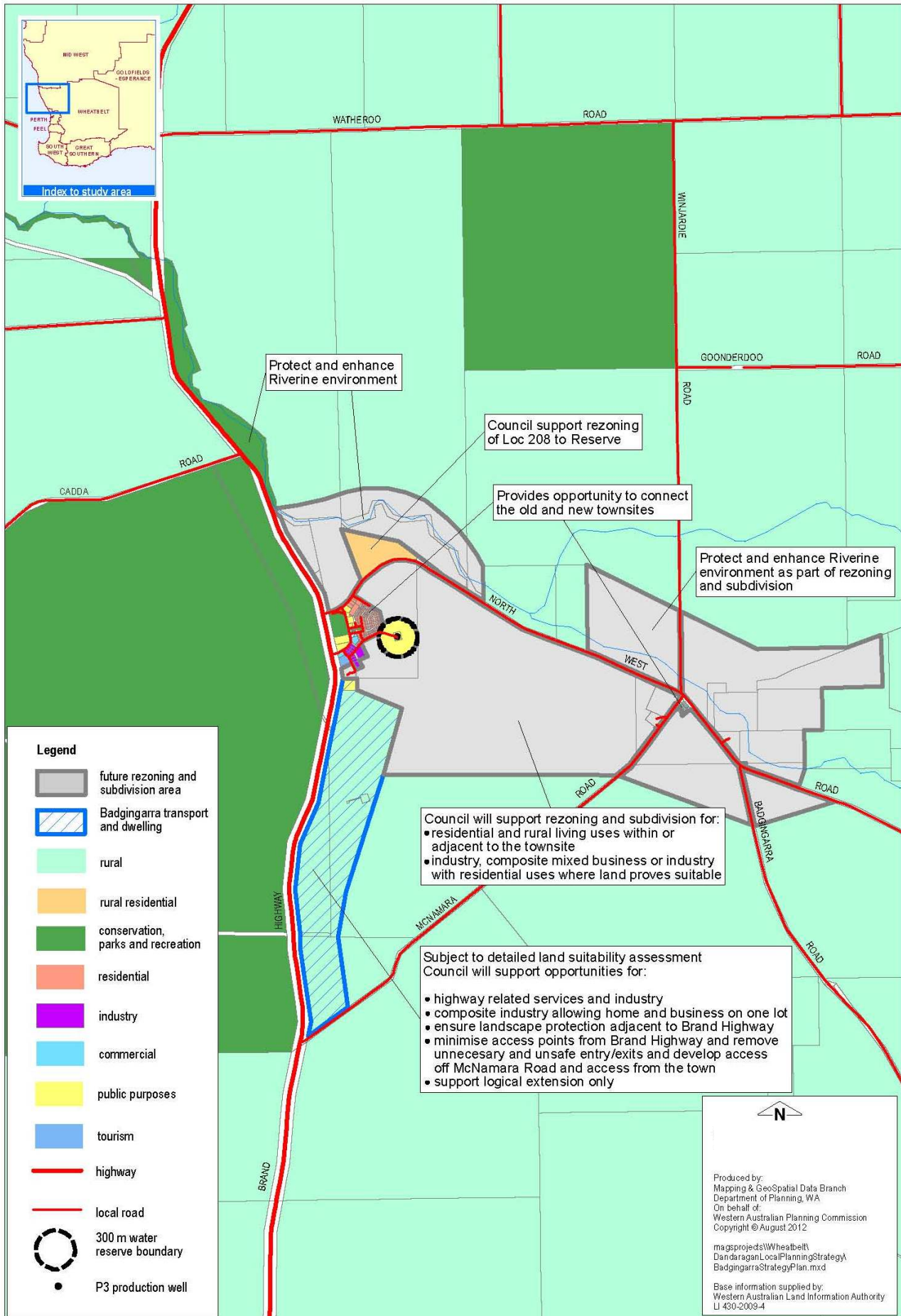
The purpose of the 'Rural' zone is to provide for the sustainable use of rural land which primarily accommodates a range of rural pursuits compatible with the capability of the land and which retains the rural character and amenity of the locality within the Shire for future generations. The Council's objectives in managing and guiding land use, development and subdivision within the 'Rural' zone will be to:

1. encourage the protection of the rural infrastructure and land resource;
2. encourage the use of rural land for commercial agricultural production including grazing, cropping, agro forestry, tree plantations, intensive agricultural production where appropriate;
3. recommend support for subdivision where it provides for boundary adjustments, realignments and farm restructuring and new lot creation which promotes effective land management practices and environmental and landscape enhancement; and
4. support appropriate non-rural uses where they are compatible with adjoining and nearby rural uses, environmental attributes and landscape to complement the primary productive use of the land where a site contains remnant vegetation and other environmental features or lacks realistic potential for agricultural use the Council will consider the proposed non-rural uses as the predominant use on its merits.



Dandaragan Strategy Plan

Figure 16



Badgingarra Strategy Plan

Figure 17

Planning Considerations for Development

In assessing applications for development in the 'Rural' zone, the Council will consider the following:

- the availability of services required to support the proposed development and the economic impact of the provision of, extension or upgrading of those services that may be required;
- the impact proposals such as wind farms and other emerging contemporary uses may have on the primary uses in the zone and adjoining landowners;
- the adequacy of the roads, existing or proposed in the area which may be needed to support the amount of road traffic expected to be generated by the development; and
- the need to enforce such conditions as the Council deems appropriate in order to minimise any adverse effect the development may have on the general environment of the area.

Strategy

The Council's policies in controlling development and influencing subdivision within the 'Rural' zone will be to:

- *confirm that the existence of a second house is not to be construed as support or justification for the subdivision of the land whether under the Planning and Development Act 2005 or Strata Titles Act 1985;*
- *confirm that rural-residential or rural smallholdings subdivisions will not be supported unless and until the land is identified in the LPS for rural living and has been rezoned for that purpose; and*
- *require proposals for non-agricultural uses to be supported and justified by an Agricultural Impact Assessment unless otherwise varied by the Council.*

7.4.2.2 Subdivision for Agricultural Purposes

In order to protect the productive capacity of agricultural land and the basis of State, regional and local economies, the LPS will only support the further subdivision of land in the Rural zone, where it can be clearly demonstrated that the subdivision will not be detrimental to viable and sustainable agricultural production and land management on the subject land and will not be prejudicial to similar production and management on adjoining lands or where the proposal is consistent with established criteria and State policy.

7.4.2.3 Rural - Residential Zone

The purpose of the Rural-Residential zone is to provide for low density residential development in a rural setting consistent and compatible with adjacent land use activity, landscape and environmental attributes of the land.

The Council's objectives in managing and guiding land use, development and subdivision within the Rural-Residential zone will therefore be to:

- encourage a variety of lot sizes and appropriate designs which accommodate environmental opportunities and constraints and landscape protection

- requirements;
- encourage the introduction of clearing and land management controls and restrictions, and environmental repair where appropriate;
- provide the opportunity for subdivision where identified in the Strategy, in order to provide for the more efficient use of existing rural-residential areas in close proximity to existing townsites (where essential services are available and where the existing landscape and conservation values of the locality will not be compromised);
- facilitate the conservation of native vegetation, water courses and water bodies and other environmental features and, where appropriate, to provide for environmental repair; and
- encourage opportunities for innovative design and clustering of houses and other structures to minimise the impact on adjacent land uses, protect landscape and remnant vegetation and to utilise the more efficient use of services.

Strategy

The Council's policies in controlling development and influencing subdivision within the 'Rural-Residential' zone will therefore be to:

- *consider approving low-key development where the applicant suitably demonstrates the development/use is consistent with the objectives for the zone;*
- *to support lots between 1.0ha - 4.0ha in area;*
- *ensure that subdivision and development comply with a Subdivision and Development Guide Plan, the Strategy and the principles of any local Planning Policy adopted by the Council: and*
- *not support additional rural-residential areas unless outlined in an endorsed LPS.*

Zoning Requirement

Should an owner of land within the District or a proponent request the rezoning of a site to Rural-Residential zone, the Council shall require that owner or proponent to provide to the Council a submission supporting the rezoning, and such submission shall include the following:

1. a clear statement of the objectives of the proposal;
2. a statement indicating the relationship of the proposal to the Council's adopted LPS, and any other approved planning study adopted by the Council and specific to the area in which the subject land is located;
3. a full description of the site characteristics of the subject land including an analysis of the geology and soil types of the area, existing land forms and land uses;
4. a landscape assessment including an analysis of slopes, vegetation cover, skylines, vistas, stream environs and identifiable natural features;
5. information regarding the availability of potable/non-potable/secondary water, and the methods whereby it is proposed to supply potable water to service each proposed lot;
6. a brief outline of the planning structure, including the proposed areas to be subdivided, areas to be set aside for public open space, pedestrian access ways, trails, community facilities, those physical features including places,

- things, buildings and structures intended to be conserved or preserved;
7. identification of any special development controls considered necessary or desirable; and
 8. such other particular information details or documents as the Council reasonably requires to decide upon the merits of the rezoning.

Scheme Amendment Requirement

Where the Council supports a rezoning the Scheme Amendment documents should include a Subdivision Guide Plan indicating:

1. the proposed ultimate subdivision including approximate lot sizes and dimensions;
2. areas to be set aside for public open space, pedestrian access ways, horse trails, community facilities and such other matters relevant to the amenity and orderly and proper planning of the area as the Council considers appropriate;
3. those physical features including places, things, buildings and structures which it is intended to conserve or preserve;
4. the proposed staging of the subdivision where relevant;
5. strategic firebreaks, where required; and
6. other matters deemed appropriate by the Council.

Scheme Amendment documents are to include a Fire Management Plan. These requirements for water and access to groundwater are addressed elsewhere in the Strategy.

7.4.2.4 Rural Smallholdings Zone

Rural Smallholdings are zones where larger lifestyle, hobby farming or special purpose lots can be developed in a planned estate. The SPP 2.5 provides for this zone to be included in LPS and for opportunities for this zone to be identified in a LP Strategy.

While a Rural Smallholding zone is not excluded from the Precincts in Planning Unit 2, currently, there are no proposals for a Rural Smallholdings zone within the Shire and Council does not wish to subjectively nominate any area for this zone because:

- it could put financial pressure on existing farming operations forcing them to cease due to rising land values and associated costs of rates and taxes resulting from land speculation and increased valuation;
- it may sterilise land from other opportunities; and
- it may discourage innovative, unforeseen but desirable proposals from being developed.

Rural Smallholdings may take many forms and themes, examples of which include:

- conservation and wilderness lifestyles;
- small boutique crop/orchard/vine farmlets;
- equestrian/equine uses; and
- hobby farms etc.

Because of the wide range of potential styles of Rural Smallholdings they may not always be located in close proximity to existing settlements. This is an important issue regarding the sustainability of any proposed Rural Smallholding zone.

Any proposal which is distant from town services and facilities raises the cost of travel for landowners and distance for service providers. When considering such proposals for their economic, social and environmental sustainability, those where they are remote from towns will need to show other important attributes which outweigh other negative factors. SPP 2.5 has a list of planning considerations and criteria to guide the assessment of the sustainability of a proposal for rezoning.

The following, which is adapted from SPP 2.5, will be used to guide Council when assessing an application for rezoning and to be addressed in the application:

Planning Considerations for Locating Rural Smallholdings

When assessing a proposal for rezoning to create a Rural Smallholding zone the Council will take into consideration, but not be limited to the following points:

- avoid areas of agricultural significance;
- seek to support the existing settlement pattern;
- it should not restrict urban expansion;
- access to towns and service centres;
- road access and the impact on the roads in the area;
- landscape and conservation attributes;
- fire risk assessment and management;
- protection of natural resources including Basic Raw Materials;
- potential risks to the environment taking into account the risks of land and water degradation;
- ability to adequately manage waste and effluent disposal;
- establish demand;
- identify purpose;
- provision of an acceptable land capability assessment;
- potential for land use conflict with agricultural activities in the area; and
- the benefits of the proposed development.

Although Council does not propose any areas for this purpose it does recommend introducing the zone to the Scheme. The following is a model of the amendment which will be initiated to include the Zone into the Scheme.

Purpose

The purpose of the Rural Smallholdings zone is to provide for rural lifestyle opportunities in strategic locations consistent and compatible with adjacent land use activity, landscape and environmental attributes of the land.

Objectives

The Council's objectives in managing and guiding land use, development and subdivision within the Rural Smallholdings zone will therefore be to:

1. encourage a variety of lot sizes and appropriate designs which accommodate

- environmental opportunities and constraints and landscape protection requirements;
2. encourage the introduction of clearing and land management controls and restrictions, and environmental repair where appropriate;
 3. provide the opportunity for subdivision, in order to provide for the more efficient use of existing rural-residential areas in close proximity to existing townsites (where essential services are available and where the existing landscape and conservation values of the locality will not be compromised);
 4. facilitate the conservation of native vegetation, water courses and water bodies and other environmental features and, where appropriate, to provide for environmental repair; and
 5. encourage opportunities for innovative design and clustering of houses and other structures to minimise the impact on adjacent land uses, protect landscape and remnant vegetation and to utilise the more efficient use of services.

Strategy

The Council's policies in controlling development and influencing subdivision within the Rural Smallholdings zone will therefore be to:

- *consider approving low-key development where the applicant suitably demonstrates the development/use is consistent with the objectives for the zone;*
- *ensure that subdivision and development comply with a Subdivision and Development Guide Plan, the Strategy and the principles of any Local Planning Policy adopted by the Council; and*
- *support application for lot sizes between 4.0ha and 40.0 ha in area.*

Zoning Requirement

Should an owner of land within the District or a proponent request the rezoning of a site to Rural Smallholdings zone, the Council shall require that owner or proponent to provide to the Council a submission supporting the rezoning, and such submission shall include the following:

1. a clear statement of the objectives of the proposal;
2. a statement indicating the relationship of the proposal to the Council's adopted LPS, and any other approved planning study adopted by the Council and specific to the area in which the subject land is located;
3. a full description of the site characteristics of the subject land including an analysis of the geology and soil types of the area, existing land forms and land uses;
4. a landscape assessment including an analysis of slopes, vegetation cover, skylines, vistas, stream environs and identifiable natural features;
5. information regarding the availability of potable/non-potable/secondary water, and the methods whereby it is proposed to supply potable water to service each proposed lot;
6. a brief outline of the planning structure, including the proposed areas to be subdivided, areas to be set aside for public open space, pedestrian access ways, trails, community facilities, those physical features including places, things, buildings and structures intended to be conserved or preserved;
7. identification of any special development controls considered necessary or

- desirable;
8. such other particular information details or documents as the Council reasonably requires to decide upon the merits of the rezoning;
 9. to support lot sizes between 4.0 ha to 40ha in area; and
 10. Address the points under `Planning considerations for Locating Rural Smallholdings Zones.

7.4.2.5 Conservation Zone

Parts of the rural area of the Shire of Dandaragan are well vegetated or a mixture of cleared and vegetated land. If it is appropriate, Council on behalf of a landowner with an appropriate proposal may consider introducing a Conservation zone where the objectives would include:

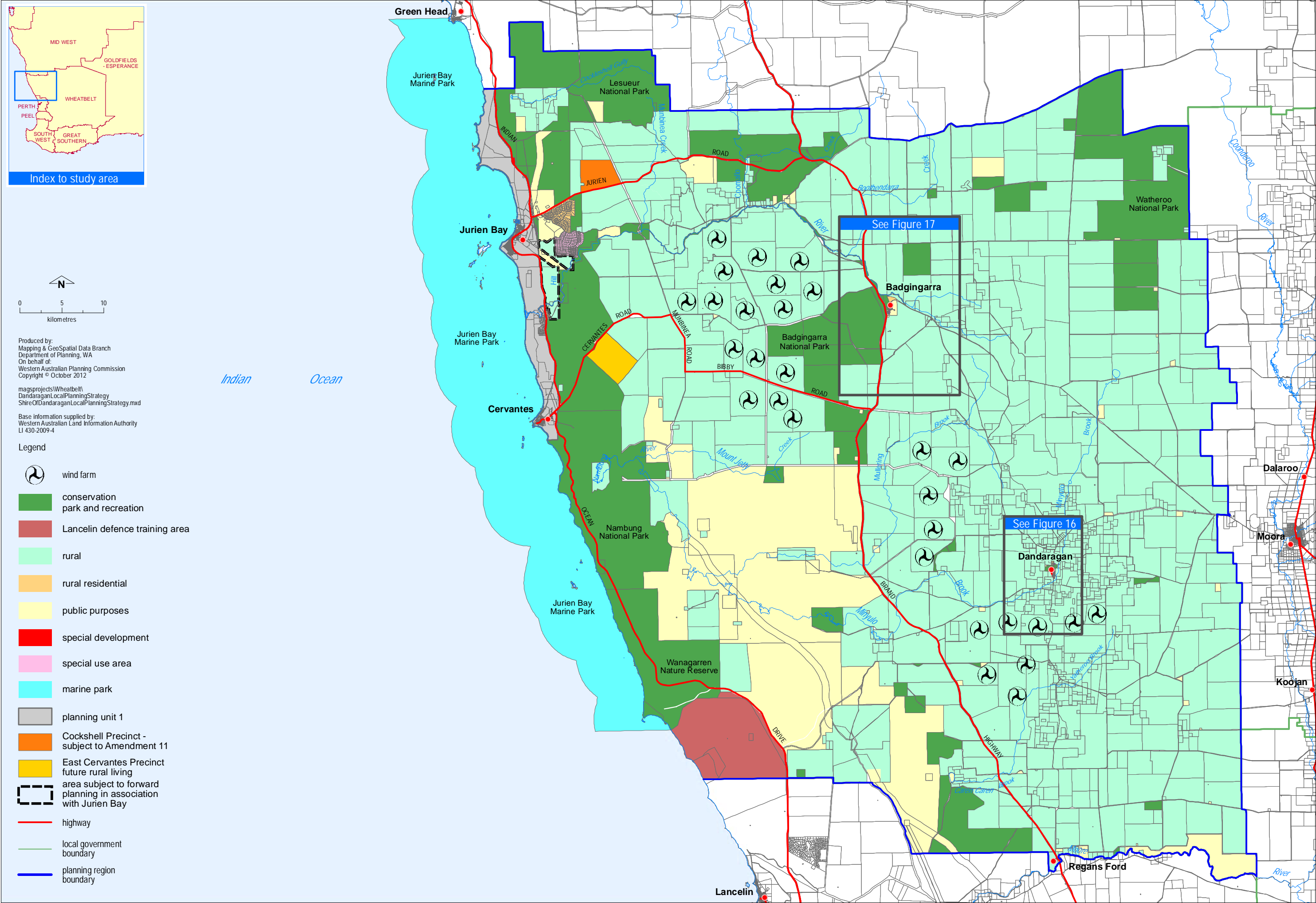
- to provide large lots for bush retreat living opportunities;
- to protect natural features, topography, flora and fauna;
- to provide a transition between rural-residential or similar development and National Parks and Conservation reserves;
- to minimise visual impacts; and
- to minimise environmental impacts.

Limited opportunities for subdivision and development would be justified within the zone where it can be demonstrated that such development will be compatible with the protection of, and where appropriate, the rehabilitation of the flora and landscape qualities of the zone. Applications would be assessed on their merits and would require a scheme amendment in accordance with the Strategy and would but not require an amendment to the Strategy. Any application must ensure that the Scheme Amendment does not result in conflict with access to areas with known or high potential for basic raw materials, minerals or petroleum resources. GSWA has serious concerns about the potential impact conservation covenants may have on exploration and extraction activities, particularly conservation covenants that explicitly deny landowners the right to conduct, permit or consent to investigations or explorations for minerals, petroleum and other resources. GSWA opposes proposals of this type in areas with known significant mineral petroleum or geothermal energy prospectivity.

7.4.2.6 Reasons for Refusal of Planning Application

The Council may refuse an application for planning consent where in its opinion the proposed development will:

1. adversely affect the rural landscape;
2. adversely impact upon the agricultural use of the land and adjoining/nearby areas;
3. cause detrimental environmental impacts;
4. result in unacceptable fire management risk;
5. place unacceptable servicing requirements which have not been appropriately addressed by the applicant;
6. result in impacts which cannot be adequately contained on the application site; and
7. in the opinion of the Council will result in an undesirable planning outcome and will be contrary to the orderly and proper planning of the locality.



8. STRATEGIC PLAN

8.1 AGRICULTURE AND OTHER RURAL

8.1.1 Minimum rural lot sizes

The Shire is comprised on a broad range of rural lot sizes spread throughout the productive agricultural areas. While large lots up to 1500ha and overall land holdings of several thousand hectares are common, smaller lots are scattered throughout the rural area ranging from 40ha to 200ha and these are more commonly along creeks and rivers, around the townsites and closer to the coast and along transport routes.

Lots may be held individually or as a group comprising a farming operation. There are also individual titles which are made up of a number of the original Crown Grants which can be created as separate titles by the Registrar of Titles. These titles may also be land-locked like many existing lots however that is a separate issue regarding access addressed elsewhere in the LPS.

People use lots in the rural area for a wide range of agricultural activities. While it is traditionally broadscale cropping and grazing which are the main activities, this is diversifying in the range of stock and crops. But now other activities are developing such as olives, tree farms, horticulture and orchards.

The traditional model where the farm was passed onto the sons is also changing and new residents are investing in and practising farming. At the same time, larger companies are also investing in and practising agriculture building up large operations comprising many titles or very large lots or alternatively developing diversified intensive agricultural activities.

The outlook for agriculture will continue to be dynamic with the use of land and products being produced, having to adapt to changing economic circumstances (e.g. fuel prices, overseas competition, economic subsidiaries to overseas producers, etc.), markets, climatic forecasts, environmental management responsibilities, consumer tastes and demand.

Council believes that the response to these factors requires greater flexibility in being able to subdivide larger rural lots to improve opportunities for:

- long-time farmers, ageing farmers and farming families to stay on the land;
- diversification of assets such as houses, land and farming infrastructure within family farming units;
- investment by farmers into property improvements through the sale or mortgaging of only portions of the farm;
- people to move to the country for many reasons - lifestyle, change of occupation, early retirement, part-time income, etc.; and
- separation of intensive activities where investment per hectare is significant relative to the balance of the farm.

Current Planning Position

Subdivision of rural zoned land is guided by State and local government planning policies and controls. The WAPC Statement of Planning Policy 2.5 - Agricultural and Rural Land Use Planning, seeks to:

- 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;
 - iii. providing investment security for the existing and future primary production sector;
- to promote regional development through provision of ongoing economic opportunities on rural land;
- to promote sustainable settlement in, and adjacent to, existing urban areas;
- to protect and improve environmental, landscape and cultural assets; and
- to minimise land use conflicts.

The SPP 2.5 does not provide a minimum lot size and requires this matter to be addressed in the Strategy but apart from specific circumstances, subdivision of broadscale agricultural land is not encouraged.

DC Policy 3.4 - Subdivision of Rural Land which is a policy of the WAPC has recently been updated, February 2012. Rural Subdivision may be permitted:

- to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses;
- to protect and actively conserve places of cultural and natural heritage;
- to allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;
- to allow for the continued occupation of existing houses when they are no longer used as part of a farming operation; and
- for other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary in the public interest.

The WAPC will also consider the merits of subdivision of rural and agricultural land:

- where there is a significant physical division;
- for public utilities and ancillary uses;
- for property rationalisation to improve land management;
- for conservation of heritage buildings and places;
- for conservation of biodiversity and natural heritage; and
- for homestead lots.

Any variation to these two policies must be justified in the Local Planning Strategy. Currently the Shire of Dandaragan have a SR and the Scheme, which are

consistent with the two State policies described above and have no additional opportunities for the subdivision of rural land.

This Strategy acknowledges that in simplified terms the WAPC/State Government/Department of Food and Agriculture aim to maintain rural lots in their present size and encourage larger rather than smaller lots in the broadacre rural area. As detailed earlier Council also accepts that D.C 3.4 does provide a number of opportunities for subdivision however Council also considers the farming community and economy would benefit from having additional opportunities for subdivision.

It should be noted by the reader that subdivision of rural zoned land would be determined by the WAPC and in most cases would be refused - unless it was consistent with the policies of the WAPC. Council however generally support such an application down to a minimum size of 300 ha still subject to satisfying all other relevant State/WAPC policies.

Strategy

Council supports the State's aims and objectives as outlined in this section but is not supportive on the overall restrictions on the subdivision of rural zoned land. Council feels that an acceptable balance can be achieved by allowing a minimum lot area which is large enough to:

- *not attract rural lifestylers who would normally purchase rural-residential and rural smallholdings;*
- *not greatly influence land values so rural land values are maintained;*
- *not lead to a demand for additional services and infrastructure; and*
- *retain lots large enough to continue to be used for broadscale agriculture.*

The minimum lot size in the 'Rural' zone will be 300ha for any property and any proposed smaller lots would only be supported when they are consistent with other relevant State policies and the approved LPS.

8.1.2 Intensive Agriculture

In order to protect the productive capacity of agricultural land and the basis of the State, regional and local economies, there is a general presumption against future subdivision of land creating lots with an area less than 300 ha in the Rural zone, except where it can be clearly demonstrated that subdivision will be beneficial to viable and sustainable agricultural production and land management on the subject land and will not be prejudicial to similar production and management of adjoining lands.

Subdivision may be supported for intensive agricultural development where the lot is a minimum of 40ha in area and all of the following criteria are met:

- An agronomists report or similar demonstrates that each new lot will contain a minimum of 30 ha of land with a high capacity rating (class 1 or 2) for annual or perennial horticultural production;
- A hydrologists report or similar demonstrates that each new lot has long term, secure access to a supply of water of a sufficient quantity and quality as applicable to the potential agricultural production of that land and the

- Department of Environment and Conservation is prepared to agree that the capture of the water is within the limits of an endorsed water allocation management plan or is within the sustainable yield for that sub catchment; and
- The total lot area incorporates the minimum area of 30ha of high capability land, plus the water capture and/or storage area (as necessary) plus an area for farm infrastructure and buildings with sufficient setback from adjoining properties so as not to restrict potential agricultural productivity on those properties, setbacks from watercourse and wetlands, plus the retention of any remnant vegetation that should be protected from clearing.

The Council may refuse an application for planning consent where in its opinion the proposed development will:

1. adversely affect the rural landscape;
2. adversely impact upon the agricultural use of the land and adjoining/nearby areas;
3. cause detrimental environmental impacts;
4. result in unacceptable fire management risk;
5. place unacceptable servicing requirements which have not been appropriately addressed by the applicant;
6. seek to ensure the impacts of the proposed use/development can be adequately contained on the application site; and
7. in the opinion of the Council will result in an undesirable planning outcome and will be contrary to the orderly and proper planning of the locality.

Avoiding Landuse Conflict

Intensive animal industries such as feedlots and piggeries, and some horticultural activities have the potential for detrimental impacts of water pollution, noise, dust, odour and possible soil erosion. The location of these uses therefore requires careful consideration by the Council in order to avoid environmental degradation and land use conflict.

Department of Environment and Conservation guidelines in relation to buffers to minimize land use conflicts between rural industries and residential areas are summarised in Table 7. These buffer distances should be considered as a starting point for planning purposes and not the sole means of minimising the risk of land use conflict.

In some cases of rural-residential or small-lot development, conflict avoidance can be achieved through consultative processes that allow neighbours to have greater understanding or the ability to 'work around ' issues associated with farm management practices and impacts. Also for some industries the adoption of improved management practices could lessen buffer requirements.

In rural planning land use conflict is usually considered to result from the inappropriate juxtaposition of rural and ' non-rural' activities such as tourism and rural-residential development.

Although there have been very few incidences of land use conflict setbacks or buffers may still be necessary between some tourist developments and productive agricultural uses. The existing low level of conflict may be a reflection of Special

Rural zones being appropriately located in close proximity to the townsite and due to the relatively large lot size.

Table 7: DEC recommended buffer distances between Rural Industries and Residential areas*

INDUSTRY	BUFFER DISTANCE (metres)
Abattoir	500
Animal feedlot	2000 - 3000
Aquaculture	Case by Case
Composting Facility	1000 - 2000
Feed Mill	500
Dairies	500
Horse Stables	100 - 500
Greenhouse/hot house	200 - 300
Market Gardens	500
Mushroom Farm	100
Nurseries	1000
Orchards	500
Piggery	300 - 500 depending on size of operation and neighbouring land use - refer Dept. of Agriculture guidelines (Latto et al 2000)
Poultry industry	500
Rabbitries	300 - 500
Sawmill	500
Stockyards	1000
Tannery	200 - 100 metres depending on use of sulphide or not
Turf Farms	200
Vineyards	500
Woolscourer	1000

* Source: Environmental Protection Authority (1997)

Conflict can also occur between various forms of agricultural land use but for many agricultural practices it is not feasible to contain impacts within lot boundaries.

In most rural areas where agriculture is diversifying, there is increasing support for landholders and spray operators to be aware of their responsibilities and 'duty of care' as outlined in the relevant Code of Practice (Rutherford 2000).

Greater awareness of, and adherence to, relevant Codes of Practice for other agricultural land use activities can also help to minimise land use conflict as well as off-site environmental impacts.

Registering of memorials on land titles offers another means of conflict avoidance relevant to rural-residential or rural small-holdings. This requires purchasers to acknowledge they are going to be living in an agricultural area where farm management practices may impinge on their quality of lifestyle.

Strategy

When assessing an application for intensive agriculture or non-agricultural uses in the 'Rural' zone, Council will take account of Table 7 DEC Recommended Buffer Distances Between Rural Industries and Residential Areas and the planning considerations in Appendix 2.

8.1.3 Approval of dwellings in the 'Rural' zone

Under the Scheme a dwelling is a P (Permitted) use in the 'Rural' zone. There is no provision in the Scheme to limit the number of dwellings permitted on a property in the 'Rural' zone and no other Act Local Law or Policy which would prevent several dwellings on a single 'Rural' zoned location.

Council did introduce Clause 5.10 "Development on Lots Abutting Unconstructed Roads or with no Gazetted Road Access" to the Scheme. This clause requires planning approval for any development, which could include all farm buildings including a dwelling.

Clause 5.10 was intended to address the problem of people building houses on rural properties which were land-locked, i.e. having no legal road access. When problems arise in respect to the access through private property to the dwelling, the Shire comes under pressure to resolve the situation which is usually problematic and often results in legal issues arising.

Equally important is when people build houses where there is legal access but it is unconstructed and may be difficult and expensive to build an all-weather road. Again it is usually the Shire that is expected to construct the road which may be a totally inequitable and unreasonable expectation.

Clause 5.10 in the Scheme requires planning approval in both the above situations which requires Council to be satisfied with the access to the dwelling site before planning approval is issued.

It was not Council's intention to require all development to be included in Clause 5.10. For example Council does not want to require farmers to have to request planning approval for a dwelling when on a land-locked title where it is part of an overall operational farm comprising a number of contiguous titles. There is the possibility however that this flexibility could be exploited by land speculators or people seeking a cheap rural lifestyle block in areas not planned for closer settlement. The WAPC has recently introduced provisions in DC Policy 3.4 which are relevant to this issue.

One provision in DC Policy 3.4 allows for the opportunity for subdivision "to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses".

When determining an application DC Policy 3.4 states that the following criteria will be assessed:

"6.3 Property rationalisation to improve land management

Multiple lots in one ownership may be rationalised provided that:

a) there is no increase in the number of lots; and

b) the new boundaries achieve improved environmental and land management practices and minimise adverse impacts on rural land use; and

c) no new roads are created, unless supported by the local government; and

d) new vehicle access points on State roads are minimised; and

e) Lots (1 - 40ha) created as a result of the rationalisation have appropriate buffers from adjoining farming uses and may have notifications placed on title advising that the lot is in a rural area and may be impacted by primary production.”

As a result of this provision there may be an increase in subdivision applications to provide access to land-locked blocks and Council would have the opportunity to recommend the standard of access required. This would become the responsibility of the applicant to satisfy.

Access can also be gained to land-locked lots by placing an Easement over an adjoining lot which does have frontage to a road through an agreement between neighbours. This can be done independently of Council and can be removed from the title if all parties agree. It is likely however that if they had a dwelling, a land-locked lot owner would not agree to the lifting of the Easement as it would not be in their interests, unless an alternative was arranged.

Two clear methods of ensuring Council could determine the standard of access and the responsibility for the cost of construction can be implemented, that is:

- when a landlocked lot applies for subdivision to gain access; and
- when a landowner applies for planning approval for development of a dwelling.

If the requirement to seek a planning approval for a dwelling is removed, Council would only be able to determine the road standard and responsibility when a subdivision occurs.

Strategy

A dwelling in the Rural zone does not require planning approval where:

- *it is on a Rural location which has frontage to a gazetted road reserve which contains a constructed road connected to the municipality road network; (Note: a constructed road is one which has been constructed to at least a gravel standard (4m min) and is maintained by the local government.)*
- *it will be sited more than 20m from the road reserve boundary or 200m from Brand Hwy or Indian Ocean Drive; and*
- *it will be sited more than 20m from any other boundary.*

Planning approval is not required for other farm buildings which will be sited to comply with the above Clause for dwelling - these would include sheds, grain storage, stock yards, shearing and machinery sheds but would not include:

- *buildings associated with manufacturing, processing and similar rural industries;*
- *buildings to be used for tourist purposes; and*
- *additional dwellings such as managers premises, staff accommodation, short term worker accommodation.*

Where an application for planning approval is received for a dwelling in the Rural zone on a location which does not have frontage to a road reserve as required in the Scheme, the local government may grant approval where the following criteria are satisfied:

- the location is part of a multi-titled farming operation owned by one family, business entity or trust;*
- it adjoins titles which in turn have frontage to a road reserve;*
- the owners of the location placing a Notification on Title (Section 70) stating that if the lot is sold separately the local government is not responsible for providing legal road access to the property and its improvements; and*
- legal access will generally be considered to include a road reserve, right of way or battleaxe leg and does include a registered easement over a separate property in separate ownership.*

8.1.4 More than one dwelling on a ‘Rural’ property

There are many examples throughout the ‘Rural’ zone where more than one dwelling for residential use has been permitted. This does not necessarily include workers accommodation but refers more to other family members building a second residence.

Once developed people can find that circumstances change and the following issues can arise where the result is that people must seriously consider seeking subdivision of land for the purpose of allowing dwellings on separate parcels of land. This can occur where:

- family disputes arise;*
- divorce leads to property break-ups;*
- the location being over capitalised but this can’t be realised on sale;*
- difficulties raising finance when borrowing to build; and*
- mortgages over the property including the original dwelling (defaulting can lead to the loss of the family home).*

Strategy

That Council would not generally support the subdivision of land for the purpose of allowing dwellings on separate parcels of land, but would assess each case on its merits. This position needs to be expressed in the Scheme. In addition the Scheme could require applicants to sign an acknowledgment that they understand the problems which may arise (e.g. borrowing money against the existing house) and accept that Council will not necessarily support a future application to subdivide the additional dwelling.

A policy regarding the location and servicing of additional dwellings would then need to be developed and the Scheme would need to be modified to reflect the preferred option.

8.1.5 Workers’ Accommodation in Rural Areas

As the agricultural activities diversify and costs increase for travel, etc. there is a growing interest in providing on-site accommodation for managers, full-time, part-time and seasonal workers working on the property. Many Schemes support this

activity and some have restrictions on numbers and location of workers' accommodation. It is very difficult to try to anticipate the range of uses and scenarios which could justify requiring workers' accommodation and the associated planning and design requirements.

Strategy

That Council supports the use of workers' accommodation on the properties on which they work in the rural area but each application must be assessed on its individual merits. Development conditions would be imposed based upon:

- (a) providing suitable access to the property;*
- (b) the availability of services and infrastructure;*
- (c) being able to avoid or manage any potentially adverse impacts including not creating any conflict with adjoining land use activity;*
- (d) the preference to cluster these uses on the property; and*
- (e) Council will not support the use of workers accommodation to justify a future application to subdivide the facilities developed for this purpose.*

8.1.6 Operating businesses in Rural, Rural-Residential and Rural Small Holding zones

Over recent years the local government has received a number of requests to operate businesses and undertake some manufacturing from Rural and Rural-Residential zoned land. Some estates have additional businesses, tourist or small manufacturing areas identified and permitted via specific scheme provisions.

Strategy

That Council proposes no changes to permit more opportunities or flexibility for existing zones but the rezoning of land for closer subdivision will be required to clearly identify and address detailed planning requirements described above and provide a management and allocation plan for all or any landowners to ensure there is no potential for conflict between different land uses.

8.1.7 Farm Restructuring

In the case of farm restructuring or boundary adjustment, where no additional lots are created, the principal issue of consideration in assessment will be improving the sustainability and viability of the farming operation and observing the primary principle of protecting and enhancing the productive capacity of agricultural land.

Where a farm consists of multiple titles and the proposal is to consolidate the main operation into a single title, consideration will be given to the creation of lots smaller than the outlined criteria or in other parts of the Strategy, provided that:

- the smaller lots have sufficient size to allow for the construction of a house and other farm infrastructure and buildings with sufficient setback from adjoining properties so as not to restrict potential agricultural productivity on those properties;
- the smaller lots are located so as to have minimal adverse impact on the viability and sustainability of the main farming property;
- the total number of resulting lots is not greater than the original number of lots;

- and
- the lots have frontage to a legal road reserve from which practical access can be obtained or, the Council being satisfied with the proposed method of access to the lots.

Variations to this theme may be considered on their individual merits in line with these basic principles.

In the case of farm rationalisations, where boundaries are realigned along existing fence lines, contours, creek lines, ridge lines, other topographic features or similar, rather than along rigid survey alignments, subdivision will be supported where it can be clearly demonstrated that the changes will not be detrimental to viable and sustainable agricultural production and land management on the subject land and will not be prejudicial to similar production and management on adjoining lands.

Special variations to these criteria may be stated for each planning precinct as listed in the Strategy according to the specific circumstances that apply within that planning unit.

8.1.8 Relocation of Multiple Titles

Many farms in the Shire are comprised of a number of separate, but contiguous titles. Where a title has frontage to a gazetted road reserve, the land owner may automatically sell it to another person. This has often been necessary for farmers when grain or stock prices fall or other economic hardships (e.g. drought or high interest rates) are experienced. Farmers also have the option of amalgamating their multiple titles however, this is rarely done. Landowners see a benefit in holding the separate titles to retain future options to sell them off if necessary.

The concern for local government arises when landowners are permitted to reconfigure their titles so that a land-locked title has frontage to a road reserve but which may result in:

- a) the creation of a lot with frontage to an unconstructed road reserve;
- b) the creation of small lots which attract rural lifestyle residents which can cause land use conflict with nearby farming activities; and
- c) increased land values which do not reflect rural values and may lead to pressure for more such lots.

Note: The Shire always requests that a road upgrading condition be applied.

If a landowner is unsuccessful when applying to relocate land-locked titles they may still seek to create easements to provide assured access to a land-locked title giving them the opportunity to sell the location. In such circumstances access may be difficult and expensive to construct and local government often comes under pressure to assist.

Farmers however may have genuine reasons to relocate boundaries to free up a title, for example to borrow against one title without encumbering the whole farm.

The challenge therefore is to provide for genuine applications, based upon ensuring agricultural production is ongoing while seeking to discourage and not support a subdivision application which is solely for speculation and real estate

profit. The WAPC has provisions in DC Policy 3.4 to allow subdivision of land-locked blocks to create legal access, and access can be gained by way of an Easement over an adjacent property.

Strategy

That Council supports the realignment and relocation of boundaries for land parcels subject to some or all of the following:

- *the area of each lot is consistent (i.e. within 25%) in area with surrounding lots;*
- *each lot has, or will have, frontage to a legal and constructed road;*
- *the road/s condition is to Council's satisfaction;*
- *the balance of the titles to be amalgamated with adjacent lots so that no additional lots are created;*
- *no new lot to be smaller than 40 ha; and*
- *no existing land-locked title which is already less than 40 ha will be supported by Council for realignment and relocation however, Council may support the creation of 1 new lot comprising the amalgamation of a number of small lots which have a total area of 20 ha or more.*

Notwithstanding the above Council may support the relocation of boundaries creating a lot/s less than 20 ha where the overall number of lots in the application is reduced by an agreed percentage or number.

Each application should be assessed on its merits and the local government would recommend any additional conditions.

The Scheme does require planning approval for development of land abutting an unconstructed road ,or a lot which does not have frontage to a constructed road. Until the access has been resolved to Council's satisfaction the application maybe refused or the applicant may be required to pay a sum of money towards the road construction. This clause will remain in the Scheme and is relevant to the issue of providing satisfactory access if relocation of boundaries for land-locked titles are proposed.

8.1.9 Use of Sheds for Residential Purposes

It appears that a number of the sheds on rural-residential lots within Alta Mare and Jurien Bay Heights are being used for permanent or part-time/weekend occupation, which is not currently permitted under the Scheme. Most Councils allow temporary occupation of sheds in rural-residential areas while the residence is being constructed but do not allow the ongoing occupation to occur.

The concern about residing in a shed is that the building may not satisfy the minimum requirements for a dwelling, and in any event the building is only approved as a Class 10 (non-habitable building) under the Building Code of Australia. Other concerns are that it could lead to unsightly development although this is just as likely if there is a residence and that it may discourage people from building a dwelling and could result in some devaluation of surrounding properties.

Therefore, the Council's position is to not support the use of a shed for temporary accommodation purposes, but give consideration to the use of an onsite caravan with appropriate ablution facilities for the period of up to 12 months during

construction of a dwelling, subject to a formal planning application being submitted.

Strategy

That Council oppose the use of shed for temporary accommodation and prepare a Local Planning Policy for this activity based on the use of an onsite caravan with appropriate ablution facilities for the period of up to 12 months during construction of a dwelling, in line with the permissibility afforded under the Caravan and Camping Grounds Act, 2005 and associated regulations.

8.1.10 Relocated Dwellings

The local government is receiving a growing number of applications to allow dwellings to be relocated from other locations where they have been previously established and to be transported to and established on Alta Mare and Jurien Bay Heights. It is preferable to have people living on these lots and is beneficial to the local economy and community generally.

The difficulty in getting houses built, the rising price of land, the potential to relocate existing dwellings from Cervantes, Jurien Bay and other coastal towns where large new houses are being constructed, the high cost of building and the benefits of recycling housing stock, are all factors which contribute to the demand for relocation of houses.

There are two main concerns to be addressed. Firstly, conditions should be determined to ensure that the standard and appearance of the house once relocated, is acceptable. For example some local governments require the house to be painted and if on stumps to have the foundation area enclosed. These matters are already addressed in the Council policy.

Secondly, it is not considered appropriate to allow the relocation of buildings into the Shire containing asbestos in view of the safety concerns and therefore will not be permitted.

Strategy

Council's existing policy on Relocated Dwellings be retained and that no relocated dwellings or second-hand transportables will be permitted in Jurien Bay and Cervantes townsites and that the existing policy be reviewed to ensure that the policy permits buildings containing asbestos to be removed from the townsite and relocated to the rural area or outside the municipality.

8.2 WATER RESOURCES

8.2.1 Protection of Groundwater Resources

In this respect DoW advises that the sustainable allocation limits for the Jurien Groundwater area was reviewed during the development of the Jurien allocation plan (DoW 2010). In determining these limits and the volume potentially available for licencing i.e. commercial purposes, DoW considered storage and recharge, environment, and domestic volume requirements.

The volume available for exempt unlicensed purposes (e.g. domestic bores) as at

April 2010 was calculated using existing lot sizes for land zoned rural. This means that the volume of 280,000 kL/yr available as at April 2010 in the Cervantes - Superficial aquifer is subject to change, dependent upon the degree and timing, of intensification of future rural - residential and rural smallholding developments. When the LPS is endorsed, or earlier for specific rezoning proposals, the DoW can advise on the potential quantity and quality of water likely to be available from superficial aquifers for domestic use.

Strategy

It is recommended that the PDWSA's are shown on the Scheme Maps as 'Special Control Areas' and that the following be included in the Scheme Text by way of an appropriate amendment.

'PART 6 - SPECIAL CONTROL AREAS

6.1 OPERATION OF SPECIAL CONTROL AREAS

6.1.1 The following Special Control Areas are shown on the Scheme Maps:

1. Water Supply Protection Area

6.1.2 In respect of a Special Control Area shown on a Scheme Map, the provisions applying to the Special Control Area apply in addition to the provisions applying to any underlying zone or reserve and any general provision of the Scheme.

6.2 WATER SUPPLY PROTECTION AREA

6.2.1 The purpose of the Water Supply Protection Area is to protect groundwater resources which provide a potable water supply to residents of the Shire and the region.

6.2.2 Planning approval is required for any proposed use or development within the Water Supply Protection Area, except for a Single House

6.2.3 Applications for planning approval for a use or development involving the following within the Water Supply Protection Area shall be referred to the DoW for comment:

- a. the potential increased nutrient loading, particularly having a point source for nutrients, such as a poultry farm or piggery;*
- b. intensification of the application of fertilisers and pesticides;*
- c. storage of chemicals, fuels and other potentially polluting substances;*
- d. a substantial increase in runoff;*
- e. any other impact which the local government considers to have an impact on the quality of public drinking water; and*
- f. All development proposals within the water supply area that are inconsistent with the DoW's Water quality protection note, LUCT or recommendations in current DWSP plans should be referred to the DoW for advice and recommendations.*

6.2.4 In determining any application for planning approval within the Water Supply Protection Area, the local government shall:

- a. *have regard to the Water and Rivers Commission Water Quality Protection Note: Land Use Compatibility in Public Drinking Water Source Areas;*
- b. *have regard to State Planning Policy No 2.7 (Public Drinking Water Source Policy);*
- c. *have regard to any advice from the Department of Water; and*
- d. *endeavour to ensure that the proposed use or development will not have a detrimental impact on the water resource.*

6.2.5 *Notwithstanding that a use or development may be classified as 'P', 'A' or 'D' on the Zoning Table, where the Department of Water advises that a use or development should be refused on the basis of potential impact on surface and/or groundwater resources, the local government shall refuse that use or development.'*

8.2.2 Priority Classification Areas (P2)

Areas identified for rural-residential and rural smallholdings development in some instances are within Priority 2 Public Drinking Water Source Areas. Subdivision would be possible subject to the implementation of conditions upon land use, development and protection of groundwater. Discussions have been ongoing with DoW about the acceptability of such use within a P2 area and agreement is likely subject to suitable conditions being applied. Of contention is whether landowners would be able to have access to groundwater within these subdivisions.

Strategy

Subject to addressing the acceptability of having the rights to construct bores in P2 areas and the water allocation being addressed at the rezoning stage, then the following conditions or similar would be applied to protect the quality and quantity of public drinking water resources:

- *a minimum lot size of 4 ha in P2 areas for new subdivision approvals in areas over limestone resources and two hectare minimum with an average of 4 ha in other P2 areas;*
- *alternative treatment units for effluent disposal for each lot are to be required within P2 areas for new subdivision approvals;*
- *DoW can provide advice on bore design and location within P2 areas for new subdivision approvals unless agreed with the DoW and Council and provided for in the rezoning and subdivision;*
- *vegetation clearing is prohibited for new subdivision approvals only allowing for defined building envelopes (including rain water tank storage) access ways and fencing; and*
- *the carrying of livestock is to be prohibited for new subdivision approvals unless otherwise agreed by decision-making authorities.*

8.2.3 Eutrophication

Eutrophication describes when groundwater, wetlands, rivers, streams etc. become rich in nutrients having excessive plant growth which kills animal life depriving them of oxygen.

There is a high risk of eutrophication of ground water and pollution of ground water

with pesticides from all horticultural, floricultural and orchard activities. This is particularly likely when utilising duplex soils of the Dandaragan and Yerramullah systems and the leached white sands of the Bassendean System. Management of any intensive agricultural system is vital to control the release of nutrients and to reduce wastage. Consideration should be given to the water and nutrient holding capability of the soils and other catchment users as it is not uncommon for applied fertiliser to be wasted and end up in shallow ground water systems. In addition a potential problem for many of these monoculture crops is the increased susceptibility to insect predation and disease.

The Scheme includes a number of measures to protect groundwater resources including Part 6 Special Control Areas and Clauses 5.22 Protection of Water Sources and Clause 5.23 Waterway Management and Protection. Agriculture Intensive (e.g. horticulture and other irrigated agriculture) is a Discretionary use in the Scheme and must comply with the above Scheme provisions.

8.2.4 Provision of Water

The WAPC has modified State Planning Policy 2.5 in response to submissions from a wide range of stakeholders. Statement of Planning Policy 2.5 has been amended to accept alternatives to a reticulated water supply for lots under certain circumstances.

None of the existing lots/estates are connected to reticulated water supply and all rely on rainfall captured in tanks and in many cases the supplementary use of groundwater. Some carting of water does occur over summer however, the Council argues that reticulated water supply is not necessary because:

- there is no current evidence that any problems are experienced due to lack of a water scheme (whether Private or Public);
- all such subdivisions are likely to be uneconomical if reticulated water is required and this will be detrimental to the local economy;
- the development of the necessary infrastructure and use of groundwater supplies may not be as sustainable as the alternatives; and
- the use of rainwater will encourage people to be much wiser with their use of the water and should be beneficial generally to use water in a sustainable manner.

The WAPC, however, does not support Council's view and requires that rural living areas (rural-residential and rural smallholdings) and more intensive agricultural uses must comply with State policy. The LPS therefore supports the requirements of SPP 2.5 in respect to the provision of water for rural living areas.

Recent discussions with the DoW confirms that, subject to suitable conditions to ensure the land use is environmentally acceptable, rural-residential and rural smallholdings could be acceptable in P2 water source protection areas. The DoW however, may not support such developments to have new bores for individual or group lots in new rezoning and subdivision. Councils experience is that the addition of a bore for an individual lot assists greatly in enhancing the ability to manage land, provide some economic opportunities and ensures carting of rainwater is not required in many instances.

The groundwater resource must however be managed sustainably and it is proposed that when applying to rezone and subdivide land for more intensive development such as rural-residential that the proponent should:

- a) demonstrate the DoW has provided an indicative groundwater allocation to the development; and
- b) the proponent is included in a schedule for the allocation of groundwater within the zone.

The above will ensure the sustainable use of groundwater, and that all purchasers and land owners are clear on their potential to utilise a bore or otherwise.

Strategy

The provision of a reticulated water supply to service subdivision for rural living and closer settlement must be consistent with the provisions of SPP 2.5 and alternatives to a reticulated water supply would only be supported when consistent with State policy where sustainable alternatives can be clearly demonstrated to the satisfaction of the WAPC.

The use of groundwater in other than the “Rural” zone will only be supported when the application or proposal for rezoning includes a groundwater use allocation and licensing strategy acceptable to the DoW and DEC.

8.2.5 Surface Water

In considering any development which may have impact on any waterway including rivers, estuaries, creeks, streams, drainage lines, lakes, soaks, swamps and other wetlands, the Local Government will have regard to:

- (i) managing water balance;
- (ii) maintaining and where possible enhancing water quality;
- (iii) encouraging water conservation;
- (iv) maintaining and where possible enhancing water related environmental values; and
- (v) maintaining and where possible enhancing recreational and cultural values.

Strategy

It is proposed that Agriculture - Intensive, Animal Husbandry - Intensive, Agroforestry and Aquaculture, which are the uses likely to have an impact on groundwater resources in the Rural zone, should be managed by including an additional clause to complement Clauses 5.22 and 5.23 which already impose environmental management considerations. The new clause would apply to any land and would read as follows;

‘An application for Planning Approval for Agriculture - Intensive, Agroforestry, Animal Husbandry - Intensive and Aquaculture uses will be supported where the proponent can demonstrate that the proposal does not impact adversely upon adjoining rural activity, is environmentally acceptable, Council has considered the advice of relevant Government agencies and meets the Scheme objectives for the Rural Zone. To assist in its assessment, Council may require the proponent to provide additional information deemed necessary to reach a decision.’

A development application must show that the development/land use would not result in an increase of nutrient release into the soil and water and will be subject to all other necessary approvals and must satisfy the planning requirements to be addressed in Appendix 2.

The application would be reviewed by Council when the water licence had been issued by DoW to determine if the development has changed or the conditions on the license impact on the conditions attached to the Approval in Principle issued by Council in the first instance.

Recommendation

Council to amend the Scheme to introduce an appropriate clause in accordance with the suggestion above to more effectively and efficiently manage the potential impacts from the intensification of land use in the Rural zone.

8.2.6 Catchment and Land Management

When assessing any proposal, Council will consider the degree to which the following guidelines have been addressed:

1. Support catchment management initiatives aimed at improving water quality within the catchments through encouragement of best management practices and, where possible, providing an advisory or educative role with proponents for development of land for agricultural or non-agricultural purposes;
2. Offers tangible measures to protect and enhance the remaining native vegetation within freehold land, particularly within strategically important riparian zones;
3. Uses existing land resource and capability information in the Environmental Component of the Strategy for guidance on areas likely to contain land that is physically suitable or unsuitable for particular uses, and the land management issues that need to be considered; and
4. For specific land use proposals, encourage proponents to undertake more detailed mapping and assessment as a precursor to land development.

8.3 ENVIRONMENT

8.3.1 Management of Naturel Resources

Increasingly, rural planning is affected by environmental legislation as it becomes integrated with the State's natural resource management objectives. The policy requires Local Planning Schemes to make provisions for the protection and management of natural resources and environmental management areas identified in the Strategy.

Natural resource and environmental management areas include water resource areas, minerals and basic raw material resource areas, and the integration of land, catchment and water resource planning and management.

Strategy

That Council protect and enhance its natural resources through responsible management and will continue to:

- *support the protection of sites with environmental value by adding to the States conservation estate; and*
- *ensure landowners and developers are aware of land clearing and other environmental restrictions and to provide advice where possible on appropriate measures to enhance and protect natural resources.*

8.3.2 Bassendean Precinct Special Control Area

The Bassendean Precinct Special Control Area (BPSCA) was introduced to the Scheme as the land was considered in some areas to have very low capability for agriculture due to the low nutrient holding ability of the sand and potential for winter water logging.

The Shire had sought to remove this SCA because it was considered unnecessary in that any proposal for the intensification of land use such as irrigated horticulture or rural living development anywhere in the municipality is subject to environmental assessment. The landowners within the BPSCA believed their property values are adversely affected by inclusion in this area. A number of other factors supporting removal of the BPSCA were also presented.

Council were unsuccessful in seeking to amend the Scheme to remove the BPSCA in 2007 however in its refusal the WAPC advised that;

- (i) The future deletion of the Bassendean Precinct Special Control Area from the Scheme could be considered in conjunction with the introduction of a special control area for the Jurien water reserve (in accordance with State Planning Policy 2.7), and the additional provisions in Part 5 of the Scheme to guide development in areas with vulnerable soils;

As the LPS proposes the inclusion of public drinking water source areas as Special Control Areas in the LPS and the Scheme together with other land resource management measures the DoW have no objection to the removal of the BPSCA subject to:

- adequate planning mechanisms being inserted in the Scheme to ensure that land use development does not degrade the environmental values of the area;
- considering requiring all 'A' and 'D' uses in the Rural zone to be assessed against the factors listed in Appendix 2 (in the LPS); and
- that the changes be made by an Amendment prepared in consultation with the DoW.

Strategy

The Scheme should be amended to remove the Bassendean Precinct Special Control Area subject to the inclusion in the LPS of adequate alternative mechanisms to ensure that land use and development does not degrade environmental values. The Shire will consult DoW regarding appropriate provisions to be included in the LPS and the composition of the Amendment.

8.3.3 Tree Plantations

During the last decade local governments throughout the south - west have had various degrees of concern about the impact of tree plantations as more properties change from mixed use farming to a monoculture.

Concerns include:

- the loss of agricultural land;
- loss of traditional agricultural activities for which infrastructure has been developed (e.g. saleyards or abattoir);
- loss of farming families;
- the impact of overshadowing;
- the impact on roads particularly when harvesting occurs;
- fire risk;
- use of chemicals;
- changes to water table; and
- a range of other minor matters.

The timber plantation industry and Government have developed Codes of Practice and a Planning Policy. Councils have accepted the industry and found that these concerns were either unfounded, over stated, or can be managed.

The Scheme lists Tree Plantations as a discretionary use under the definition of Agroforestry. The implementation of the Scheme will require planning approval for this use (as is for intensive agriculture). Very few applications have been received to date and most farmers would not be aware of the requirement to apply for permission to establish a tree plantation.

Strategy

That Council develop information and circulate it to landowners to explain the variety of planning approval requirements under the Scheme. Council will work with the Forest Products Commission to ensure the Companies involved with the development of tree plantations and similar activities are also aware of this requirement.

9 OTHER OPPORTUNITIES

Rural planning and the ongoing development of rural land and rural living within the Shire will continue to change responding to new opportunities and innovation which Council will address on their merits. Council does support some potential planning initiatives which have already been identified during workshops and other community consultation.

Land which could be supported for rural living would include the Cockleshell Precinct and the long term direction of growth and the East Cervantes Precinct shown in Figure 18. Land identified in the Dandaragan and Badgingarra Precincts would also be considered subject to suitability.

These areas would not require an amendment to the Strategy but areas outside that would require an amendment to the Strategy to support a Scheme Amendment.

Rural Smallholdings Zone

Currently there is no land zoned for Rural Smallholdings but should this arise as a result of the land identified in this review, Council would support the introduction of this new zone.

Conservation Zone

Parts of the rural area of the Shire of Dandaragan are well vegetated or a mixture of cleared and vegetated land. If it is appropriate, Council on behalf of a landowner with an appropriate proposal may consider introducing a Conservation zone where the objectives would include:

- to provide large lots for bush retreat living opportunities;
- to protect natural features, topography, flora and fauna;
- to provide a transition between rural-residential or similar development and National Parks and Conservation reserves;
- to minimise visual impacts; and
- to minimise environmental impacts.

Limited opportunities for subdivision and development would be justified within the zone where it can be demonstrated that such development will be compatible with the protection of, and where appropriate, the rehabilitation of the flora and landscape qualities of the zone. Applications would be assessed on their merits and would require a scheme amendment in accordance with the Strategy and would but not require an amendment to the Strategy. Any application must ensure that the Scheme Amendment does not result in conflict with access to areas with known or high potential for basic raw materials, minerals or petroleum resources. GSWA has serious concerns about the potential impact conservation covenants may have on exploration and extraction activities, particularly conservation covenants that explicitly deny landowners the right to conduct, permit or consent to

investigations or explorations for minerals, petroleum and other resources. The Geological Survey of Western Australia (GSWA) opposes proposals of this type in areas with known significant mineral petroleum or geothermal energy prospectivity.

Cantabilling Road

Cantabilling Road runs between the Brand Highway and Munbinea Road passing through often scenic landscape offering picturesque rural views. The adjacent land is developed as mixed broadscale cropping and grazing and a small number of more intensive agricultural activities, in particular aquaculture. The undulating landscape is complemented by a range of remnant vegetation and as the road in part is adjacent to the Hill River, there is fringing riverine vegetation often in good condition.

Access to the road is excellent, being relatively close to both Cervantes and Jurien Bay and offering a further link to and from Brand Highway.

These attributes combine to provide an opportunity to develop Cantabilling Road as a mixed use area where a wide range of agriculture, intensive agriculture, orcharding, aquaculture and other innovative and value-adding activities would be encouraged. The road could, in the future, become an attraction for tourists, tour buses and visitors and locals where roadside or on-site sales of produce and manufactured goods could be displayed and sold. Farming activities including those with innovative practices, new produce or crops, aquaculture and eventually café, tearoom type uses may also become an attraction.

As it develops it is envisaged it could have the character of the Swan Valley combining rural pursuits and tourism with preserving the rural landscape.

The opportunity exists to use development to preserve and enhance vegetation and to reinstate the Hill River environment and to develop bush walks and walking trails, picnic sites and other environmentally appropriate passive recreation infrastructure.

Lots 510, 511 and 512 (formerly Victoria Location 10598)

These three locations have a combined area of 1704.62ha of 'Rural' zoned land characterised by predominantly banksia woodland with pockets of hakea dryandra heath and scrub heath. Some areas have high conservation value and this relatively low flat land, which has abundant shallow good quality water, is also a significant groundwater recharge area.

Figure 18 shows that these properties are in the likely direction of long term growth of rural settlement and closer subdivision if it occurs. The LPS recognises the longer term direction of growth and Lots 510, 511 and 512 (formerly Location 10598) will remain in the Rural zone until the preferred use and possible subdivision of the land is supported in a future strategic review of the LPS and approved by the WAPC. Justification in a Scheme Amendment report and a review of the LPS would be required prior to consideration of rezoning proposals in this location.

Lot 510

A portion of the property was approved for a caravan park use but the approval has since expired. Lot 510 is still considered suitable for rural based low-key, ecologically sustainable tourist developments which could include accommodation such as a caravan park and day visitor attractions and activities subject to:

- it being compatible with the Agreement to Reserve dated 27th January 1999;
- lot sizes being assessed on their individual merits and relative to the proposed intensity and possible impact on surrounding activities;
- agreement to a contribution to the upgrading of Cockleshell Gully Road; and
- development should not proceed until Council is satisfied that Cockleshell Gully Road is constructed to a suitable standard to provide for the safety of the increased traffic volumes and to ensure the rural amenity of surrounding areas is not adversely compromised.

Lots 511 and 512

Both properties are located west of Cockleshell Gully Road north of Cockleshell Precinct, and adjacent to Drovers Cave National Park and Lesueur National Park.

The properties are considered to be in the most likely direction for expansion of rural-residential, rural smallholdings or other forms of closer settlement. The properties do have environmental constraints which would need to be addressed. Even as rural land, land use is subject to environmental requirements to protect surface and ground water described elsewhere in the LPS.

Council has identified the Cockleshell Precinct to be developed subject to the developer/landowner being able to justify the need and demand for additional lots to be created to the satisfaction of the WAPC. The landowner has shown his intention to develop the Precinct (being Location 10599). It is therefore logical that land to the north of the Cockleshell Precinct may be considered for further subdivision and development in the long term.

The LPS will be reviewed regularly and generally every 5 years, and because demand and trends in land use and ownership can change quickly it is considered too soon to include Lots 511 and 512 in the next Precinct for short term rezoning for rural living purposes including rural-residential or rural smallholding uses. At this stage the subject lots would remain zoned Rural.

Any proposal for subdivision and development must be shown to be consistent with the requirements of the Bassendean Precinct Special Control Area or other adequate planning mechanisms as designated in the Scheme to ensure land use and development does not degrade environmental values.

10 CONCLUSION

Currently the evidence suggests that the existing Rural-Residential zones have been suitably located, maintained growth in land values, have an ongoing demand and have an acceptable rate of development. Existing proposals will satisfy a pent-up or short term demand and sufficient land is identified in the LPS to cater for long term needs and any shift in what is in demand.

While seeking to plan ahead of demand the review indicates that the proposed areas will support and complement the existing towns, services and facilities.

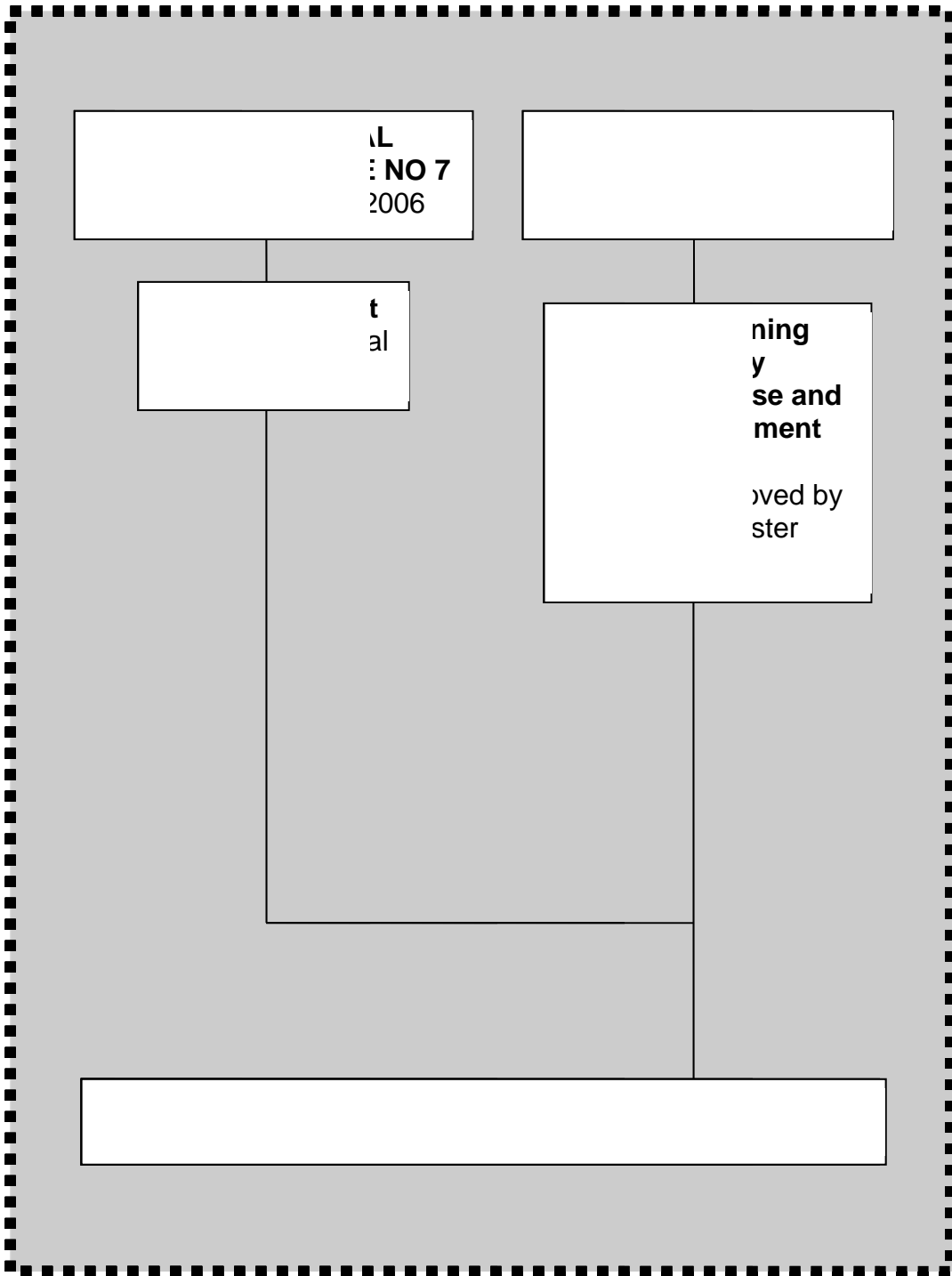
11 IMPLEMENTATION

As explained in the introduction the existing SR does not adequately address all of the requirements necessary and the WAPC require Council to update and review the SR and formulate a new LPS.

The immediate need for this to occur is in the rural areas of the Shire as adequate forward strategic planning is in place for the towns of Jurien Bay and Cervantes to cater to short term concerns. Council will need to prepare an LPS for the Planning Unit 1 Coastal Settlement which will be amalgamated with the LPS once endorsed.

The process for the Review is being undertaken in accordance with Parts 12A), 12B) and 12C) of the Town Planning Amendment Regulations 1999 and the steps to be undertaken are as follows:

- | | |
|--------|--|
| Step 1 | Council adopts the LPS Rural Land Use and Rural Settlements and forwards the adopted draft LPS to the WAPC. |
| Step 2 | WAPC considers the draft Local Planning Strategy and will either require modifications prior to advertising or no changes or will it be refused permission to advertise. |
| Step 3 | Assuming the WAPC gives endorsement for the draft LPS it is to be advertised for public submissions, it would be returned to the local government and would be advertised once a week for at least 2 consecutive weeks in a local paper, provide copies in libraries and shire offices, and send to the EPA and servicing agencies and other Government stakeholders for comment. These must be a minimum of 21 days available for submissions to be received. |
| Step 4 | Council will consider all submissions and forward to the WAPC all submissions, a Schedule of Submissions with Councils recommendations and an adopted with such modifications as Council considers appropriate. |
| Step 5 | If endorsed by the WAPC the local government will publish a notice in the local newspaper of its endorsement and an up to date copy will be available at the Council offices. |



PLANNING CONSIDERATIONS FOR EXTRACTION OF BASIC RAW MATERIALS

1. When assessing a planning application the Council should consider as appropriate:
 - The significance of the resource in terms of its positioning in a priority resource location, key extraction area, or extraction area;
 - The effect of the proposed extractive industry on any native flora and fauna, the natural landscape, groundwater quality, quantity and use, surface drainage and surface water quality, and sites of cultural and historic significance on and near the land. An application in an environmentally significant area may require referral to the Department of Environment Protection (refer to the Environmental and Conservation Reference Chart located on each of the Resource Protection Working Plans);
 - The effect of the proposed extractive industry on agricultural land;
 - The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area having regard to existing and future uses;
 - The ability to rehabilitate the land to a form or for a use which is compatible with the long term planning for the site and surrounding area; and
 - The ability to stage the extraction operations to avoid conflicts with adjacent land uses.
2. Before determining an application for a sensitive land use, such as residential, rural - residential or a land use with a substantial residential or rural - residential component within 1000m of a basic raw materials extraction area, the Council must consider the following, as the appropriate. An application in an environmentally significant area may require referral to the Department of Environment and Conservation:
 - The significance of the resource in terms of whether it is a key extraction area, priority resource area or extraction area; and
 - The likely effects of vehicular traffic, noise, blasting, dust and vibration arising from the extractive industry on the proposed use or development.
3. Applications for extractive industry operations are to be accompanied by a management plan and report which:
 - Demonstrates that sensitive land uses within 300-500m of the proposal will not be adversely affected by the extractive industry operations;
 - Identifies appropriate buffer distances, these being distances required for extraction that are needed to buffer the impact of operations to adjacent land uses;
 - Provides details of the proposed use, development and management of the site including the environmental and water resource management standards, quarry area, stock piles, machinery maintenance area, processing plans, fuel storage and on site access roads, parking for cars and other vehicles used on the site, and proposals for landscaping to screen activity on the site;

- Describes arrangements for access to the site, including the roads which it proposes will provide the main vehicular access and likely traffic flows; and
- Sets out proposals for the progressive and ultimate rehabilitation of the site for its intended long term use.

In some cases, depending on the nature of resource and location, further information may be required.

4. Sequential Land Use

In order to facilitate the exploration of basic raw materials whilst supporting future long term development for urban and other purposes, sequential land use planning should be a requirement whereby extraction and rehabilitation can take place on a programmed basis in advance of longer term use and development.

5. Other Relevant Approvals and Key Policies

- Extractive industry operations will need the relevant approvals of, and comply with relevant legislation, policies and guidelines of other agencies.

6. Planning Considerations

In determining planning proposals or applications for extractive industry, the local government may apply conditions which cover, but are not limited, to the following:

- Minimise air, water, noise and visual pollution.
- Stabilise excavations, stock piles and over burden dumps.
- Protect amenity of adjacent land uses in the local community.
- Ensure the rehabilitation of the land consistent with its long term future use.

APPENDIX 2

PLANNING CONSIDERATIONS WHEN ASSESSING A PLANNING APPLICATION FOR INTENSIVE AGRICULTURE

When Council is considering an application for either Agriculture – Intensive, Agroforestry, Animal Husbandry Intensive and Aquaculture it will take into account the following matters;

Strategic Considerations

Council will assess the potential impact of the Application and subsequent development to ensure:

- Services and infrastructure are adequate, including the road to be used to transport produce and to access the property, power, water and other requirements or can be adequately upgraded which would be the responsibility of the applicant.
- There is no wider potential for land use conflict from things such as spray drift or smoke between existing and proposed use.
- It will have no adverse impact on catchment management and ground and surface water.
- It will not sterilise land with potential for urban expansion or other long term land needs.

Local Considerations

Council will assess proposals for intensive agriculture on the ability of the subject land to accommodate the proposed use, and with due consideration of the risk of off-site environmental impacts and conflict with neighbouring land uses. Factors to be addressed by the proponent and subsequently considered by Council include:

- the nature and capability of the land;
- availability and adequacy of water supply;
- sensitivity of adjacent land uses;
- remnant vegetation and wetland protection requirements;
- crop rotation and/or specific land management requirements;
- any particular infrastructure layout or transport access requirements;
- the requirement for permission to use ground and surface water;
- demonstrate the existing pre-development hydrological regime will be maintained or enhanced where possible;
- the separation distances and/or buffers with the adjacent uses which are potentially incompatible can be contained on the subject land rather than being a constraint on adjacent land;
- the development impacts can be managed on site;
- the development should not significantly detract from any scenic landscape and/or conservation attributes identified in the locality;
- the land use will have no adverse impact on the safety, health and amenity of residents in existing dwellings and it will not sterilize land with potential for urban expansion or other long term land needs such as mining; and
- other matters which may be required to be addressed if requested by Council.

