

1.0 CITATION

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as Local Planning Policy 3.1 – Tree Farms.

2.0 INTRODUCTION

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

3.0 OBJECTIVES

- 3.1 To achieve a consistent, efficient, and equitable system for assessing and approving Tree Farm applications.
- 3.2 To enable the establishment of Tree Farms in appropriate locations.
- 3.3 To enable Tree Farms in areas subject to land degradation, including areas of high salinity, water logging, and high levels of chemical contamination where there are clear natural resource management benefits.
- 3.4 To ensure Tree Farm development is not undertaken upon land that is considered to be of high agricultural value.
- 3.5 Consider impacts on local road network infrastructure, and to protect surface gravel deposits for the maintenance and construction of these road networks.
- 3.6 Suitable gravel deposits must be made available to the Shire when deemed necessary by the Shire for adjoining road networks.
- 3.7 Recognise that gravel acquisition for adjoining road networks is essential.
- 3.8 To minimise the potential for any loss of population or agricultural land through the use of whole farms and encourage Tree Farms that are ancillary to an existing agricultural land use (i.e. broadacre cropping or grazing).
- 3.9 Manage fire risk/management issues for all applications.
- 3.10 Consider the visual impact of Tree Farms in close proximity and/or viewing distance to town sites, roads of local and regional significance, and areas of scenic beauty.
- 3.11 Encourage operators, managers, government and non-government agencies, investors, and landowners to work in partnership wherever possible.
- 3.12 Encourage operators to abide by the Industry Code of Practice, relevant legislation, Western Australia's Strategy for Plantations and Farm Forestry and this policy.
- 3.13 Outline the matters required to be addressed for assessment to be undertaken under the planning system and other legislation.

4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for a Tree Farm (more commonly referred to as 'Agroforestry' or 'Carbon Farming' or 'Plantations').

5.0 APPLICATION REQUIREMENTS

5.1 Applications shall include the following information:

5.1.a Planning application form duly signed by the owner(s) of the property and payment of the relevant fee.

Note: An application may be made upon land that is not in the ownership of the applicant where the application form is signed by the owner(s) of the land as specified upon the Certificate of Title and the applicant(s).

An application can cover multiple Tree Farm plantings, which may be on different titles under separate ownership, provided they are under the management of one Applicant (the form is required to be signed by the relevant landowners of each title).

5.1.b Site plan showing location of trees, access roads, structures and buildings, natural features (including native vegetation and water courses), surface gravel deposits and other relevant information, such as hazards and significant features (drawn to scale and to a professional standard).

Note: Proposed new buildings and structures relating to a Tree Farm development may be subject to additional/other applications and approvals of the Local Government and other agencies.

Should the application propose the clearing of existing remnant vegetation the applicant is required to liaise with the Department of Water and Environment Regulation to obtain the relevant approvals.

5.1.c A species list (including approximate density and number to be planted) for the proposal.

5.1.d Management Plan that displays due regard for the 'Code of Practice for Timber Plantations in Western Australia' (Forest Industries Federation WA, 2014) and 'Guidelines for Plantation Fire Protection' (Department of Fire & Emergency Services, 2011) and/or subsequent superseding documents.

5.1.e Information pertaining to the projected volume of water usage.

Note: The Shire may seek advice from the Department of Water and Environment Regulation to assist in determining the application, with specific reference to ground and surface water impacts. Should the Department of Water and Environment Regulation raise significant concerns or objections to the proposal the application may ultimately be refused by the Local Government. Applicants are therefore encouraged to consult with the Department of Water and Environment Regulation prior to lodging their application and include relevant information arising from this consultation within their lodged application.

5.1.f A visual impact assessment may be required where the development site is in close proximity and/or viewing distance from townsite boundaries, roads of regional or local significance, or areas deemed by the Local Government to have a high level of scenic or heritage value.

5.1.g Provide estimated harvest time(s) (where applicable). It will be a condition of any development approval that a Harvest/Transport Plan be submitted to Council for separate approval 12 months prior to the commencement of harvesting that details expected transport routes, and proposed machinery requirements.

Note: The Local Government recognises the future locations of processing facilities in or near the Mid-West region is currently unknown, and it is therefore difficult to prepare a transport plan prior to commencement of tree crop development. Nevertheless, the Local Government will require an understanding of expected harvest and transport routes through the Local Government at the application stage, with the requirement a transport plan/strategy to be prepared and submitted twelve (12) months prior to the commencement of harvesting depending on scale and nature of harvest.

Where the Shire considers the existing road infrastructure is not adequate to service the future harvest, the applicant/operator will be required to make suitable and safe access arrangements. If a suitable and safe arrangement cannot be identified and there is likelihood that this cannot be secured or improved, the Council may refuse the application.

6.0 POLICY STATEMENT

- 6.1 Traditional agricultural activities such as cropping, grazing and food production should generally remain the predominant land use with Tree Farms as an ancillary and complementary use.
- 6.2 This policy does not attempt to introduce maximum planting areas by means of a percentage of the lot area, simply because some flexibility needs to be afforded. As a general rule the Local Government will assess if a plantation area is 'ancillary' having regard for:
- the area of each lot.
 - the proportion or percentage of the plantation area on a lot by lot basis. Generally a 50% maximum planting area is encouraged, although each application will be assessed on its merits on a 'case by case' basis.
 - the extent of existing remnant vegetation areas.
 - whether a significant portion of each lot can continue to be used for agriculture.
- 6.3 The Local Government will be able to clearly identify whether agriculture remains as the primary use, given that detailed site plans are lodged for all applications and show the extent of planting areas.
- 6.4 This policy aims to actively encourage the integration of tree planting with agricultural farms. Whilst there are other factors contributing towards reductions of rural population, the Local Government wishes to ensure that new land uses do not exacerbate an existing ongoing problem.
- 6.5 The Local Government will not generally support the planting of whole lots or farms for tree planting due to the potential for the displacement of agricultural pursuits and loss of agricultural land.
- 6.6 The Local Government may require as a condition of approval a Management Plan to be prepared, or modified, to its satisfaction, before planting commences, and the applicant's subsequent adherence to the requirements therein.
- 6.7 Management Plans shall include ongoing commitments relating (but not limited) to the following:
- Pest Control (inclusive of weeds and animals) that displays due regard for the 'Code of Practice for Timber Plantations in Western Australia'.
 - Water Management Plan that outlines estimated water requirements, available water sources, their capacity and access points, water impact management and monitoring.
 - Fire Management (inclusive of access, perimeter and internal fire breaks/barriers, water supplies, separation distances between plantings and setbacks from on-site

and off-site dwellings) that displays due regard for the requirements of the Department of Fire and Emergency Services 'Guidelines for Plantation Fire Protection' (2011).

Note: It is an expectation that the minimum width of perimeter fire breaks/barriers shall be 30m, and that tree planting areas exceeding 200ha shall have 30m minimum width fire breaks/barriers between them (i.e. internal breaks between planting cells), and strategies be outlined regarding their maintenance.

7.0 CONSULTATION

Should the application be considered to meet the requirements of this policy the application may be dealt with under delegated authority by Shire staff. However should the application not be considered to meet the requirements of the policy or in the opinion of Shire staff require further consideration, the matter may be placed before a meeting of Council for determination.

8.0 DEFINITION

For the purposes of this policy Tree Farm shall be as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Responsible Business Unit	Planning
LPP Category	3 – Environment, Natural Resources & Waste
Public Consultation	As required
Adoption Date	20/5/20
Next Review Date	-
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