

### 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 3.2 – Intensive Agriculture.

### 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 provide clarity and direction with regard to the approval of intensive agriculture uses in consideration of potential conflict issues with other land uses.

### 4.0 APPLICATIONS SUBJECT OF THIS POLICY

This policy applies to applications for Intensive Agriculture (more commonly referred to as 'Aquaculture', 'Floriculture', 'Horticulture', 'Market Gardens', 'Orchards', 'Turf Farms' or 'Viticulture').

### 5.0 APPLICATION REQUIREMENTS

- 5.1 Applications for development are expected to demonstrate due regard for the accompanying information requirements as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 5.2 Applications for development are expected to include written submission demonstrating:
  - an acceptable water supply exists on the property.
  - the proposed Intensive Agriculture use/development will not adversely affect a known drinking water source.
  - the proposed Intensive Agriculture use will not impact on any neighbouring agricultural practice or be detrimental to the subject land, surrounding locality or environment by way of land degradation or erosion, noise, dust, odour, spray drift, effluent disposal or leaching, waste water disposal or runoff etc.
  - how it will satisfy bushfire requirements and other hazards.

*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.*

*Proposed new buildings and structures relating to an Intensive Agriculture 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.*

### 6.0 POLICY STATEMENT

- 6.1 Intensive Agriculture will generally be supported where the Local Government is satisfied that the following minimum criteria and standards can be achieved:

Intensive Agriculture Use	Min. Lot Size	Min. Boundary Setback	Min. Setback from Neighbouring Residence	Min. Setback from Dam or Watercourse	Min. Vegetation Screening & Buffers
Horticulture	20ha	40m	200m	100m	5m
Viticulture	30ha	40m	200m	100m	5m
Floriculture	10ha	15m	100m	100m	5m
Aquaculture	10ha	15m	100m	100m	-
Turf Farm	20ha	15m	100m	100m	-

*Note: Depending on the nature of the proposed intensive agriculture use, local wind, topography and vegetation conditions, setbacks may need to be varied to those specified above. When determining such setbacks the Local Government will consider existing characteristics and potential land-uses on adjoining and nearby properties.*

- 6.2 The Local Government will generally only support the establishment of buildings for an Intensive Agriculture use where they are clustered with other buildings on the site and are located well away from hills, mesa tops, and ridge-lines.
- 6.3 The Local Government will generally not support the damming of a watercourse or valley area for the purpose of servicing a proposed Intensive Agriculture use/development unless subject to the following:
- 6.3.a a separate application for planning consent for the proposed dam has been submitted detailing
- the overall area and holding capacity of the dam.
  - a profile of the dam wall including the provision of an overflow so as not to prohibit or substantially restrict the flow of water downstream.
  - the location of the dam in relation to property boundaries and existing residential development.
- 6.3.b the Department of Water & Environment Regulation has given its endorsement for the proposed dam.
- 6.4 The Local Government will generally only support direct retailing of produce from the property subject to the following:
- 6.4.a Separate application for planning consent for a Produce Stall, Home Store or Market has been submitted (or specifically referenced within the overall submitted application) detailing:
- location and form of building
  - vehicular access
  - disabled access (may be required in some instances)
  - provision for on-site car parking
  - provision of landscaping
  - hours of operation
- 6.4.b The retailing is incidental to an approved Intensive Agriculture use/development.
- 6.4.c Access to the property is by an 8m gravel standard road.
- 6.4.d The proposed development will not result in unacceptable environmental impacts as a result of noise, odour, light spill, or visual intrusion, contamination.

**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 Intensive Agriculture shall be 'Agriculture-Intensive' 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
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