

## **1. INTRODUCTION**

Under the Special Rural and Rural Living zones, TPS 4 provides for rural residential lifestyles on small rural holdings in a range of lot sizes including 2 and 4ha lots, and for the Rural Living zone also 10ha lots. For rural residential development in locations where land suitability is identified in the Armadale Rural Strategy (1999) as Levels 1 or 2 (High or Fair Potential), landowners generally have the opportunity to submit self-funded and detailed environmental and servicing assessments and proposing further subdivision or development. If supported by Council, such proposals can be incorporated into Scheme amendments to rezone the land to the appropriate Special Rural and/or Rural Living zones minimum lot size category.

The land mapped as Level 3 or Level 4 – (Low Potential or “Unsuitable”) is sometimes subject to significant constraints due to conditions such as the poor soil and landform qualities, existing land degradation, poor drainage and proximity to environmentally sensitive areas. These characteristics normally limit the consideration of rezoning proposals for more intensive Special Rural and/or Rural Living development.

Problems can arise however, as these same constraints also often generally limit the potential of the land for alternative uses involving rural/agricultural production and this can lead to the land becoming neglected or degraded through inappropriate land uses and/or land management practices. This issue is a particular concern in the southwest Forrestdale locality, where land capabilities are generally low and are deemed “Unsuitable” for more intensive rural residential development, however continued or expanded exploitation for rural production sometimes holds greater risks for long term decline in valued ecosystem functions such as habitat preservation and water quality.

This policy provides an avenue for owners of land in the Level 3 or Level 4 (Low Potential or Unsuitable) areas, which have been subject to or are at risk of substantial degradation, to invest significant efforts in land rehabilitation and improved management practices. In this regard Council may consider Scheme amendments to support limited further subdivision on degraded land in the Special Rural and Rural Living zones, subject to the following major strategies for improving degraded land being implemented:

- revegetation and rehabilitation (eg. planting of indigenous plants appropriate for the preservation or reestablishment of a structure of plants and animals found in the appropriate natural community);
- sensitive land use allocation and design; and
- better land management practices.

Where further subdivision may be demonstrated not to be viable, owners of land subject to substantial degradation may consider applying for the additional discretionary land uses listed in the Town Planning Scheme for their degraded land. In considering such applications Council will also take into account proposals whereby the above major strategies for improving degraded land will be achieved as part of the development or subdivision, through the implementation of an Environmental Management and Improvement Strategy prepared for the land.

The intention of the Policy is to substantially improve environmental management and to provide scope for the development and/or subdivision or consolidation of lots, where such substantial environmental improvement can be demonstrated. The outcomes to be achieved under the Policy are not intended to replace other requirements set out in the Scheme.

## **2. APPLICATION OF POLICY**

The Environmental Management and Improvement Policy will be applied to applications for rezoning of all land within the Special Rural and Rural Living zones land assessed as Level 3 or Level 4 suitability in the 1999 Rural Strategy and particularly applies to the locality of southwest Forrestdale.

The policy will also be applied in respect to of applications for development approval for land uses listed as discretionary (D and A) under the Scheme, with a view to negotiating appropriate conditions under which an approval for the proposed use may be granted.

For rezonings proposing in respect to rezoning for re-subdivision, the key requirements detailed under the submitted Environmental Management and Improvement Strategy will be incorporated into the TPS 4 text under the Schedule 8 Development (Structure Plan) Area provisions. Where subdivision is not involved, key requirements will be incorporated into the Schedule -2 Additional Use provisions of the Scheme. In cases where a Scheme amendment is not required, conditions of development approval and development envelopes will be the prime instruments of development regulation.

## **3. POLICY OBJECTIVES**

- To substantially improve overall management of the environment and improve the quantity and quality of habitat provided by the land/water resource.
- To implement practical and sustainable solutions to environmental problems including declines in remnant vegetation coverage and quality, loss of wetland and other habitat areas, soil degradation and erosion, raised water tables and poor drainage.

## 4. POLICY STATEMENT

### 4.1 Detailed Environmental and Servicing Assessments

Proposals are required to be accompanied by a report, which must include:

- a) a rigorous assessment of the subject land by a suitably qualified land planning and/or environmental practitioner to determine its current environmental and physical status, opportunities and constraints;
- b) details of the intended measures of improvement outlining the sequence of rehabilitation including earth-works, drainage control, revegetation and habitat reconstruction, and the management necessary to ensure the implementation and long term administration of these measures; and
- c) an evaluation of both "a" and "b" above by an independent qualified practitioner, funded by the applicant and selected by Council, to provide a high level of assurance that the proposed measures of environmental management and improvement are comprehensive and appropriate.

### 4.2 Environmental Management and Improvement Strategy

Proposals must include an *Environmental Management and Improvement Strategy*, which includes development guidelines detailing how the proposal will serve to achieve the following outcomes for the land:

- Rehabilitate the land to improve the condition of land, wetlands (and their buffers), surface waters (man-made and natural and their buffers) and groundwater;
- Control and reduce nutrient inputs to the land and exports from the land;
- Enhance the provision of habitat for flora and fauna on the land;
- Protect and rehabilitate wetlands (and their buffers) and remnant vegetation
- Enhance and protect the landscape amenity and rural character of the locality; and,
- Maintain and manage the land to achieve the above outcomes over the long term.

The Environmental Management and Improvement Strategy must demonstrate that substantial environmental management and improvement can be achieved in the context of the additional level of development proposed. Proposals should be practically designed to also include high standards of residential servicing, amenity and quality.

Further guidance on nutrient management principles are outlined in "Planning Guidelines for Nutrient Management" by W. Mortlock (Appendix 4 in the Armadale Rural Strategy (1999)). These specifications cover drainage retention on-site, nutrient management, retention and replanting of vegetation.

## 5. DEFINITIONS

- ***"Environmental Management and Improvement"*** means:-
  - protection and rehabilitation to improve the condition of degraded land, remnant vegetation, wetlands (and their buffers) and waters;
  - introduction of catchment management principles and nutrient management measures to land management; and,
  - ongoing management of the land to enhance its ability to provide habitat for native flora and fauna.
  
- ***"substantial"*** in the context of environmental management and improvement means Council will make a qualitative assessment based on the present condition of the site and the type of management and improvement measures included in the proposal.
  
- ***"sustainable"*** in the context of environmental management and improvement means, the implementation of environmental and management measures, which can be demonstrated to be viable in the long term.

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<b>D97/7/05</b>	<b>Development Services Committee 12 July 2005 - Adopted by Council 18 July 2005</b>
<b>D32/5/20</b>	<b>Development Services Committee 19 May 2020 – Adopted by Council 25 May 2020</b>