

Agricultural Land Use Planning Strategy feedback on options to improve certainty and consistency for agriculture in the planning framework.

February 2021



**CENTRAL NSW
JOINT ORGANISATION**

- Bathurst
- Blayney
- Cabonne
- Cowra
- Forbes
- Lachlan
- Oberon
- Orange
- Parkes
- Weddin



Chair Cr John Medcalf OAM, Mayor, Lachlan Shire Council

Central NSW
Joint Organisation
PO Box 333
Forbes NSW 2871
Phone: 0428 690 935
Email: jenny.bennett@centraljo.nsw.gov.au
Website: www.centraljo.nsw.gov.au

26 February 2021

Reference: jm:jb 210226
Enquiries: Ms J Bennett: 0428 690 935

Mr Daryl Quinlivan
Agricultural Commissioner for NSW
Dept of Primary Industries
Locked Bag 21
Orange NSW 2800

agcommissioner@dpi.nsw.gov.au

To whom it may concern,

Re: Agricultural Land Use Planning Strategy, feedback on options to improve certainty and consistency for agriculture in the planning framework.

Local Government Regional Joint Organisations (JOs) were proclaimed in May 2018 under the NSW Local Government Act 1993. The Central NSW Joint Organisation (CNSWJO) represents over 200,000 people covering an area of more than 50,000sq kms comprising the Local Government Areas of Bathurst, Blayney, Cabonne, Cowra, Forbes, Lachlan, Oberon, Orange, Parkes, Weddin, and Central Tablelands Water.

Tasked with intergovernmental cooperation, leadership and prioritisation, JOs have consulted with their stakeholders to identify key strategic regional priorities. The CNSWJO Strategic Plan can be found here: https://docs.wixstatic.com/ugd/51b46b_31886650ecf546bc916f15e99a733b3e.pdf

We have the privilege of working closely with the Department of Planning through the development of the CWORP (Central West and Orana Regional Plan) and so take this opportunity to provide fair and fierce advice for the best outcomes for our communities.

We welcome the opportunity to provide feedback on options to improve certainty and consistency for agriculture in the planning framework, that will inform the Agricultural Land Use Planning Strategy (ALUP Strategy) to addressing three key issues:

1. Long term availability of productive land
2. Reducing land use conflict and supporting dispute resolution
3. Support the growth of agriculture and regional economies framework

Firstly, agriculture is of significant importance to this region. Our member Councils support the agriculture sector as a major industry in greater Central West and Orana Region. This region is the third largest regional state contributor to the GRP in NSW and the second largest GRP in agriculture forestry & fishing identified in the Central West and Orana Regional Plan 2036.

The Central NSW JO speaks for over 157,000 people covering an area of more than 47,000sq kms comprising of Bathurst, Blayney, Cabonne, Cowra, Forbes, Lachlan, Oberon, Orange, Parkes, and Weddin.

Agricultural production in the region is diverse and includes cropping, livestock grazing and horticulture. The industry supports an extensive value chain including major livestock centres, food processing, transport, logistics and intermodal transport hubs, canneries, packing and processing. The region includes the Lachlan Valley irrigation area and the upper reaches of the Macquarie River catchment. The region's crops, meat, wool, fruit and vegetables comprise a significant share of the State's production of these commodities.

Agribusiness in the Central West includes the agricultural production, food & fibre manufacturing and agricultural support services sectors. Together they produced approximately \$1.2 billion of value-added product and employed 8,960 people in 2016.

The NSW Central West Food and Fibre Strategy, developed as part of the Central West and Orana Regional Plan by RMCG in 2019 yet to be launched was aimed to grow a strong food and fibre sector in regional NSW, which supports the State's economic prosperity and resilience, and leverages off Australia's strong reputation as a producer of high quality fresh and ethical products borne out of a highly-regulated manufacturing and food safety environment.

There has been concern expressed about the missed opportunity and capacity of this investigation in terms of current planning controls for agriculture, local government's complex and important role in the regulatory framework in terms of dealing with land use conflicts, the limitations of the proposed State Significant Agricultural Land (SSAL) mapping and the problems of mapping using biophysical methods.

CNSWJO members have clear policy positions with regard to this submission:

1. Members support the Right to Farm
2. Community, through their locally elected Councils, should have the most significant role in planning controls
3. Councils are adept at managing conflict issues as they arise though more resourcing and support is always welcome

Accordingly this region makes the following recommendation:

Recommendation: LG is recognised for its role in land use conflict and given more resources and support instead of creating another entity.

The Members from our region may provide more individual responses. Please see following the comments from the region to the main three issues.

Chapter 1: Minimise the loss of productive capacity

Policy problem: There is no definition, identification or development protections for SSAL, which is leading to this land being lost to non-agricultural uses.

This region supports policy based on evidence. In the first instance, ground truthing of mapping needs to be undertaken where members report inaccuracy. Members are also keen to learn of the evidence to support the claim that there are significant issues in planning terms which do not reflect the needs of the agricultural sector.

Members have concerns about the mapping of the SSAL in general and the complicated nature of the planning to reflect the complete needs of all people and uses in the agriculture sector.

The Central NSW JO speaks for over 157,000 people covering an area of more than 47,000sq kms comprising of Bathurst, Blayney, Cabonne, Cowra, Forbes, Lachlan, Oberon, Orange, Parkes, and Weddin.

There is concern about the limited criteria for mapping of SSAL in terms of the biophysical characteristics i.e. near water and high quality soil, which may not accurately reflect the capacity of land for agriculture. This simplistic view may not truly represent the length and breadth of the importance agricultural enterprises in this Region and further west of NSW.

The criteria for the SSAL is limited when comprising of biophysical and climactic characteristics is a limited view on Agriculture for many reasons. Mapping based on current zoning may be more appropriate.

Members ask “how is the important extensive agriculture going to be mapped?”

Dry land cropping, feed lots, beef and sheep production are typically possibly and have none or limited biophysical attribute. They not irrigated, some not currently mapped etc. How will zoning work in this regard? We raise why was this way of identifying agricultural land dismissed in the beginning of the document and may actually apply to most of the State.

It is noted that the rural zoning does not include RU5.

Chapter 2: Reduce and manage land use conflict

Policy problem: There is no simple, accessible and impartial mechanism for farmers to resolve land use conflict regarding their operations.

Land use conflict is inevitable and planning cannot control personalities and how different issues affect individuals and their expectations. Council has a regulatory role in dealing with noise and odour complaints, amongst others. For example, in relation to noise emanating from the production of agriculture by-product and Council is the authorised regulatory authority, under the POEO Act.

In the majority of the instances Council can resolve dispute and in some instances it is an ongoing challenge - even when the use is compliant.

Early education from Council through the provision of Right to Farm policy with all planning certificates for rural land (or land adjoining rural zones) appears to reduce the number of complaints received. The majority of complaints Councils receive is between concessional lots or ‘hobby’ farms and genuine primary producers.

Regarding detail of methods to mitigate land use conflict, when a setback between land uses cannot be achieved (e.g. 100m between dwellings and vineyards) Council would ordinarily request a vegetation buffer to be planted to alleviate potential conflicts. Standardised methods from DPIE (Ag) to be used when these setbacks (under DPIE (ag) buffer guidelines) cannot be achieved would be of great assistance to Council (whether it be vegetation buffers, noise mitigation etc.).

Chapter 3: Support the growth of agriculture and regional economies

Policy Problem: The planning framework does not reflect the needs of agriculture

Firstly, all land uses compete for land not just agriculture.

The Central NSW region certainly considers agriculture in its strategic planning. Many LG’s west of the Blue Mountains have identified agriculture as the primary generator of GDP. Some LG planning staff in region are considerably experienced in agriculture and seek assistance from DPI when necessary. However, it is noted that not all Councils have the same levels of expertise and support is always welcome.

The Central NSW JO speaks for over 157,000 people covering an area of more than 47,000sq kms comprising of Bathurst, Blayney, Cabonne, Cowra, Forbes, Lachlan, Oberon, Orange, Parkes, and Weddin.

Agriculture is significant to our local economy and region for tourism, economic growth and development and employment.

If mapping, as proposed in this document occurs, it is paramount that this mapping is ground truthed to ensure this is accurate. Most Councils could not undertake a mapping exercise without financial support. Key decision makers need to be aware that Councils are rate capped and typically in the Central NSW region just the increases in the Rural Fire Service costs take up the ENTIRE rate capped increase and more every year. There is NO capacity for Councils to offer a higher level of service without support.

With the continued diversification and evolution of agricultural uses and land, there is a requirement, in land use planning to cater for these needs which includes non-agricultural uses as a value-add or diversification which need to be catered for in this document. Too stringent application of controls will not allow for this diversity.

Other

- Commentary that Council staff/Planners are risk averse in relation to agriculture uses is generally untrue and an unnecessary criticism of a highly valued and skilled profession. Council planners are at the forefront of economic development. Commentary of this type in the document should be reviewed.
- Climate change scenarios may change the nature of agriculture in a short time frame. How has this document catered for this? How will this document deal with the immediate and changing needs of agriculture in general, if climate changes quickly? Is mapping the biophysical attributes in a climate change scenario appropriate?
- How in western NSW will 'Production Areas' be identified and the subsequent access to markets, likely to include the SAP in Parkes? B-Doubles and Road Trains still transport the majority of agricultural produce to major ports and centres i.e. Sydney, Canberra, Newcastle and Brisbane. Even within the Region there is no direct access to the SAP for agricultural sector, no rail, no new roads or even adequate road infrastructure or planned future upgrades.

Please contact feel free to contact me on 0428 690 935 should you wish to discuss further.

Yours sincerely,



Jennifer Bennett
Executive Officer
Central NSW Joint Organisation (CNSWJO)

