

MidCoast Rural Strategy

Agriculture and Rural Industries Background Report

Version 5 / Date: April 2021



Version	Purpose of Document	Reviewed by	Date
1	CPSD Working Draft for MCC internal review	A Wetzel	November 2018
2	CPSD Working Draft	A Wetzel	February 2019
3	MCC Consolidation	M Griffith	November 2019
4	MCC Final Draft for Exhibition	A Macvean	October 2020
5	DPIE EIE for Amendments to Agriculture	A Macvean	April 2021

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1 Introduction

This Background Report has been prepared by MidCoast Council with assistance from City Plan Strategy and Development, in partnership with Aurora Research and Development and MJD Environmental as part of the MidCoast Rural Strategy Project ('the Project') to assist with the formulation of the MidCoast Rural Strategy ('the Rural Strategy').

This Report presents the findings of the consultant team's review of land use and development planning considerations relating to agriculture and rural based industries, as relevant to rural areas across the MidCoast Local Government Area ('LGA').

This Report should be considered in conjunction with other Background Reports prepared as part of the Project. At the time of writing, these include Report focusing on the following topics as relevant to rural areas:

1. Housing and Accommodation
- 2. Agriculture and rural-based industries (this Report)**
3. Land based conservation
4. Marine activities
5. Mining and Energy
6. Tourism
7. Transport
8. Rural Waterways

The conclusions and recommended planning framework described in all Background Reports are presented for consideration and, once finalised, will form part of the Rural Strategy information presented for public exhibition.

2 Context

This section provides a context for long-term planning associated with agricultural land use, rural industries and development assessment decision-making.

There is wide-spread recognition that agriculture and associated activities across the MidCoast contribute to the State and regional economy, as evidenced in the Hunter Regional Plan and MidCoast Regional Economic Development Strategy.

However, planning for agribusiness and related agricultural land uses must also recognise and address significant challenges, including but not limited to:

- The State Government supporting the right of farmers to operate their agricultural practices without conflict or interference from other land users and the expectation for Council planning controls or other mechanisms to:
 - Promote the continued use of agricultural land for commercial agricultural purposes;
 - Protect important agricultural land and other resources on which agriculture depends
 - Avoid land use conflict; and
 - Support the retention of critical industry mass, and access to services, infrastructure, processing facilities and markets.
- The challenges associated with identifying and mapping agricultural land at a local and regional level in accordance with the updated Department of Primary Industries - Agriculture methodology, which requires consideration of not only biophysical resources, but socio-economic factors and the location of existing agricultural industries.

While the State is driving this program, significant delays have occurred and this reflects the challenge of identifying and mapping land required for an industry that is evolving in response to not only climatic and social change, but technological advancements in production.

- Natural disasters and extreme weather events are expected to happen more frequently and be more severe,
- The success of the agribusiness industry will depend on the capacity to innovate through new technologies, value-adding, and diversifying farming practices, and
- Rural areas are undergoing social change which will have an impact on farming practices. Farmers are aging, which means there may be a shift in traditional farming communities to part-time farming, succession planning, the sale of viable farming land or increasingly, the rezoning and development of traditional farming land for residential purposes.
- Rural areas are also undergoing economic change, in some locations this is driven by the demand for additional residential land, in others the profitability of traditional farming practices where some farms are diversifying on-farm activities to provide more reliable income streams.
- Department of Planning, Industry and Environment initiatives to diversify agricultural activities in response to wide-spread natural disasters and the economic impacts of Covid 19 throughout 2019-2021, with a focus on agribusiness and agritourism.

These opportunities and challenges provide the context for consideration of agricultural and rural industries across the MidCoast discussed within this paper.

3 Evidence base

The review underpinning this Report considered publicly-available information contained in a range of State, Regional and local strategies, plans and guidelines as relevant to agriculture and rural based industry sectors in the MidCoast.

This review predominantly focused on the following key existing and emerging agriculture sectors and rural-based industries including beef cattle, dairy, poultry, horticulture, equine, aquaculture and forestry. Annual land and stock returns produced by Local Land Services has been used to inform the location of some of these important agricultural sectors within the MidCoast.

Views from selected stakeholders and the general community have been provided through the following initiatives undertaken as part of the Rural Strategy Project.

- Telephone interviews conducted by the consultant team between May 2018 and January 2019. In total, 60 interviews were conducted with several participants representing larger groups or peak organisations. Most participants referred to transport-related issues in some form.
- A Public Workshop focusing on Tourism ('Tourism Workshop') in the MidCoast, facilitated by the consultant team on 14 June 2018 in Gloucester. This was attended by over 30 people, with a focused discussion on how the planning framework regulates tourism in rural areas, and issues currently considered most relevant to the MidCoast.
- A public survey ('Rural Strategy survey'), conducted by Council with inputs from the consultant team. This was made available online and in hard copy and was open to the public between September and November 2018. In total, 63 surveys were returned.

Where relevant, views raised by participants have been incorporated into this Report for discussion.

The review has identified several data gaps, which limited the extent to which higher-level assessments could be completed:

- While there is Biophysical strategic agricultural land (BSAL) mapping is available for the MidCoast from 2013-2014. There currently is no Important Agricultural Lands mapping that considers social and economic factors e.g. infrastructure, markets, labour, location of existing industries, in addition to biophysical factors.

This type of mapping is considered best practice for strategic rural land-use planning and the Department of Planning, Industry and Environment have been engaged in preparing this mapping since at least 2016, although at the time of writing, this information has not been released.

- There is limited information on the minimum lot size/holding requirements as it relates to land-based capacity for existing or emerging agricultural industries. This information is discussed as part of a high-level review within the report, but cannot directly inform lot size, land use or zone recommendations for environmental planning instruments at this time. In this regard, enabling a diversity of activities across the rural landscape has been prioritised.

4 Strategic planning considerations

This section sets out the basis for local strategic planning in relation for agricultural lands within the MidCoast. It addresses the policy directions for plan-making in NSW, including the following Ministerial Directions issued under section 9.1 of the [Environmental Planning and Assessment Act 1979](#):

- **Direction 1.2 Rural Zones.** Aiming to protect the agricultural production value of rural land by establishing requirements for rural land that is to be rezoned or have an increased development density.
- **Direction 1.4 Oyster Aquaculture.** Matters relevant to sustaining the oyster aquaculture industry are to be considered in planning and plan-making, giving effect to the [NSW Oyster Industry Sustainable Aquaculture Strategy](#).
- **Direction 1.5 Rural Lands.** Also aims to protect the agricultural production value of rural land (identified as RU1, RU2, RU3, RU4, RU6, E1, E2, E3 and E4), while facilitating the orderly economic use and development of these lands to the social, economic and environmental benefit of the State, in accordance with the NSW Right to Farm Policy.
- **Direction 2.1 Environment Protection Zones.** Requires that environmental protection standards are upheld when amending planning controls relating to environmentally sensitive areas.
- **Direction 3.4 – Integrating Land Use and Transport.** This direction requires that urban structures, building forms, land use locations, development designs, subdivision and street layouts provide for the efficient movement of freight.
- **Direction 3.5 - Development near regulated airports and defence airfields.** Within the MidCoast this direction applies to land near regulated airports such as the Taree Airport and Gloucester Airfield.
- **Direction 5.3 - Farmland of State and Regional Significance on the NSW Far North Coast.** While this direction currently applies only to the Far North Coast, the objectives reflect the high-level aims of the [Hunter Regional Plan 2036](#) and the draft Rural Strategy to consider the location and requirements of valuable agricultural land and reduce land use conflict between agricultural and non-agricultural land uses.
- **Direction 5.10 - Implementation of Regional Plans.** Within the MidCoast, this direction gives legal effect to the [Hunter Regional Plan 2036](#), requiring any amendments to planning controls to be consistent with its vision, land use strategy, goals, directions and actions.

Discussion predominantly focuses on Government-endorsed policy directions described in long-term strategies and plan at national, state, regional and local-levels. Where relevant, reference is also made to other technical studies or reports.

4.1 National Level Considerations

4.1.1 National Agricultural Competitiveness White Paper

The Agricultural Competitiveness White Paper outlines national level considerations to strengthen agricultural industries right across Australia¹. The Paper outlines five priority

¹ Australian Government 2019

actions to build a more profitable, resilient and sustainable agriculture sector. These priority actions are:

1. **A fairer go for farm businesses:** Focus areas include improving competition and fair-trading in agricultural supply chains, reducing regulation for agricultural sectors and creating a better tax system for farm businesses.
2. **Building the infrastructure of the 21st Century:** Focus areas include improving water infrastructure to enhance water security, improve transport infrastructure along freight routes important to agricultural sectors and improving access to technology by reducing mobile black spots and rolling out the National Broadband Network (NBN) in rural areas.
3. **Strengthening our approach to drought and risk management:** Focus areas include better preparing for drought by funding insurance, risk assessment advice and providing in-drought support.
4. **Farming smarter:** Focus areas includes providing support to access skilled and reliable labour, undertake environmental projects and implement advanced technologies and practices to 'farm smarter'.
5. **Accessing premium markets:** The focus area is on improving international trade for agricultural sectors.

These priority actions may in the future affect the competitiveness of agriculture industries within the MidCoast and may be relevant to future plan-making. Key considerations include:

- The Commonwealth Government is investing \$4 billion to deliver the five priority actions listed above. Funding may be available to MidCoast Council or businesses in agriculture sectors to undertake projects relevant to improving the competitiveness of the agriculture industry. We recommend investigating potential grants and funding options.
- A Transport Network Strategic Investment Tool (TraNSIT) has been developed by the CSIRO to analyse transport and logistics options in order to improve transport networks for the agriculture industry. The CSIRO are currently using TraNSIT to analyse transport networks for more than 25 commodities across Australia. TraNSIT will assist State, Territory and local governments to plan their road transport systems to meet the existing and future needs of the agriculture sector.
- The Commonwealth Government is funding several significant water infrastructure projects to secure water supply in drought affected areas. However, DPIs combined drought indicator shows that the MidCoast LGA is usually one of the least affected areas in NSW, which means that the LGA is unlikely to be a priority area to receive water infrastructure or drought funding in the foreseeable future.
- Reliable mobile phone and internet coverage is also critical for the future growth of Australia's agriculture sector. The Commonwealth Government has extended funding for its Mobile Black Spot Program. Coverage in the regions is not only important for communication, it is used in agriculture for things like telemetry and remote monitoring and irrigation. Increased access to these services enables the integration of ag-tech data capture and on-farm management practices.

4.2 State Level Considerations

State policy considerations are set out in a range of documents endorsed by the NSW Government. The [20 Year Economic Vision for Regional NSW](#) (2018) provides a good overview of how the MidCoast LGA is considered by the State as a Functional Economic Region, with "Coastal" geographic, population and economic features.

In particular, the Guiding Principles of this document can be directly related to the Rural Strategy and the strategic importance of agriculture, rural industries and rural communities to the MidCoast:

- 1 - Affordable, reliable and fast mobile and internet connectivity to support people and businesses.
- 2 - Improved travel between regional centres and from regional centres and international gateways.
- 3 - Freight networks that will increase the competitiveness of key regional sectors.
- 4 - Reliable accessible water and energy.
- 5 - A skilled labour force for current and future needs of the regions.
- 6 - Recognising each region's strengths and underlying endowments.
- 7 - Regulation and planning to promote commercial opportunities.
- 8 - Sustainable economies and communities are better able to recover from shocks.²

This document, along with those listed below, offer goals, directions and actions for long-term land use planning for agricultural and rural industries that complement, and in some instances provide more detail, than those provided in the [Hunter Regional Plan 2036](#).

The following documents are relevant to long-term planning in the MidCoast and have been reviewed by the consultant team.

Documents applying to the whole of NSW:

- Planning Guidelines – Intensive Livestock Agriculture Development (Department of Planning and Environment, 2019)
- NSW Right to Farm Policy (NSW Department of Primary Industries, 2015)
- A Guideline to Identifying Important Agricultural Lands in NSW (NSW Department of Primary Industries, 2017)
- Maintaining land for agricultural industries (NSW Department of Primary Industries, 2011)
- Land Use Conflict Risk Assessment Guide (NSW Department of Primary Industries, 2011)
- A 20-Year Economic Vision for Regional NSW (NSW Government, 2018)
- Agriculture Industry Action Plan: Primed for Growth Investing Locally, Connecting Globally (NSW Department of Primary Industries, 2014)
- NSW Oyster Industry Sustainable Aquaculture Strategy (NSW Department of Primary Industries, 2016)
- NSW Forestry Industry Roadmap (NSW Government, 2016)
- NSW Biosecurity Strategy 2013-2021 (NSW Government, 2013)

Documents applying to the MidCoast local government area:

- Hunter Regional Plan 2036 (Department of Planning and Environment, 2016)
- Hunter Local Land Services Local Strategic Plan 2016-2021 (NSW Hunter Local Land Services, 2016)
- North Coast Forestry Industry Roadmap (NSW Government, 2016)

Collectively, these documents confirm that when planning for agribusiness and related agricultural land uses, local strategies are expected to recognise and identify the local relevance of the following considerations:

- Natural disasters and extreme weather events are expected to happen more frequently and be more severe,

² [Refreshed priorities | NSW Government](#)

- The success of the agribusiness industry will depend on the capacity to innovate through new technologies, value-adding, and diversifying farming practices, and
- Rural areas are undergoing social change which will have an impact on farming practices.
- Rural areas are also undergoing economic change, driven by the demand for additional residential land and in some locations, reduced profitability of traditional farming practices.

4.2.1 NSW Right to Farm Policy

The State Government supports the right of farmers to operate their agricultural practices without conflict or interference from other land users. This is covered in the [Right to Farm Policy](#). Under this policy, all councils are expected to apply planning controls or suitable mechanisms to:

- Promote the continued use of agricultural land for commercial agricultural purposes;
- Protect important agricultural land and other resources on which agriculture depends;
- Avoid land use conflict; and
- Support the retention of critical industry mass, and access to services, infrastructure, processing facilities and markets.

4.2.2 DPI Important Agricultural Land Mapping

Identifying and mapping agricultural land at a local and regional level is recognised as a critical tool to plan for the retention and growth of agriculture.

The Department of Primary Industries - Agriculture has developed a mapping methodology for [Important Agricultural Land](#) (IAL) that considers biophysical resources, socio-economic considerations, and the location of existing agricultural industries. IAL mapping is currently being prepared for the MidCoast LGA and is expected to identify the following five agricultural sectors: beef, dairy, horticulture, poultry and equine.

While these provisions may not be documented within future environmental planning instruments specific to the MidCoast, it will be important for Council to continue to engage with the Department of Primary Industries as the ongoing Strategic/Important Agricultural Land Mapping projects progress to ensure balanced and responsive outcomes for agriculture, mining and energy production industries that benefit the MidCoast community.

4.2.3 NSW Strategic Regional Land Use Policy 2012

In 2012 the NSW Government introduced the [Strategic Regional Land Use Policy](#) to better manage the conflicts arising from the proximity of mining and coal seam gas projects to agricultural land considered to be high value. As a part of the Policy it was provided that all exploration activities that required a Review of Environmental Factors (REF) would require an Agricultural Impact Statement to be prepared.

Noting the Policy was published in 2012, the intention was for Strategic Agricultural Land to be identified and mapped across NSW, for inclusion into Regional Strategies and the [State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#) (the Mining SEPP).

The purpose of an AIS is to ensure a focused assessment of the potential impacts of mining and petroleum (including coal seam gas) projects and exploration activities on agricultural resources or industries.³

Agricultural Impact Statement (AIS) Statement would be prepared to determine: the value of the agricultural resources and associated enterprises; the impact of the project on these resources and activities; and whether the impacts are unacceptable and should be avoided. In order to assess these impacts, the AIS includes:

- Detailed assessment of the agricultural resources and agricultural production of the project site and region;
- Identification of the agricultural resources and current agricultural enterprises within the surrounding locality of the project area;
- Identification and assessment of the impacts of the project on agricultural resources or industries, including those areas identified for conservation as environmental off-sets;
- Account for any physical movement of water away from agriculture and the requirements of the [Aquifer Interference Policy](#);
- Assessment of socio-economic impacts, including visual amenity, landscape values and tourism infrastructure relied upon by local and regional agricultural enterprises;
- Identification of options for minimising adverse impacts on agricultural resources, including agricultural lands, enterprises and infrastructure at the local and regional level;
- Document consultation with adjoining land users and Government Departments.

Despite the age of the policy, the key requirements remain relevant and appropriate for all extractive industry and exploration. Similar requirements may be appropriate for consideration with future energy production proposals on rural and agricultural land to ensure consistent assessment of potential impacts on existing or potential agricultural activities in the MidCoast.

While these provisions may not be documented within future environmental planning instruments specific to the MidCoast, it will be important for Council to continue to engage with the the Department of Planning, Industry & Environment Regional Strategic Plan review programs, to ensure balanced and responsive outcomes for agriculture, mining and energy production industries that benefit the MidCoast community.

4.2.4 NSW Net Zero Plan Stage 1: 2020-2030

The NSW Government has developed a [Net Zero Plan Stage 1:2020-2030](#) with the following precis:

The Net Zero Plan Stage 1: 2020-2030 is the foundation for NSW's action on climate change and goal to reach net zero emissions by 2050. It outlines the NSW Government's plan to grow the economy, create jobs and reduce emissions over the next decade.

The plan aims to enhance the prosperity and quality of life of the people of NSW, while helping the state to deliver a 35% cut in emissions by 2030 compared to 2005 levels. The plan will support a range of initiatives targeting electricity and energy efficiency, electric vehicles, hydrogen, primary industries, coal innovation, organic waste and carbon financing.

Under the plan, businesses will be supported to modernise their plant and increase productivity, while farmers will have access to new markets and technologies. The plan

³ [AIS Fact Sheet Nov 12 \(nsw.gov.au\)](#)

will also help to drive down the cost of living and provide consumers with more information to help them make more environmentally and financially sustainable choices.

The implementation of the Net Zero Plan, together with the NSW Energy Strategy, will result in more than \$11.6 billion of new investment for NSW, including \$7 billion in regional NSW. This will support the creation of almost 2400 new jobs, including 1700 jobs located in the regions.⁴

Of relevance to the MidCoast, the Plan specifically identifies the need to recognise and capitalise on the opportunities afforded to regional communities with:

- the manufacture and distribution of solar panels, wind turbines and associated infrastructure components, as well as the emerging battery storage industry; and
- potential to integrate 'low carbon technologies' with existing industries to reduce costs and create new commercial income or ancillary goods and services.

The priorities outlined within the Plan provide opportunities for funding and investment within the MidCoast and have the potential to improve productivity and profitability of agricultural lands through innovation and investment. Some of these priorities and associated initiatives area outlined below:

Priority 1 – Drive uptake of proven emissions reduction technologies

- Emissions Intensity Reduction Program – NSW Government funding to support businesses to transition their plant, equipment and processes to low emissions alternatives
- Climate Solutions Fund – Commonwealth funding to support Australian businesses, farms and land managers to take practical, low-cost actions to reduce emissions.
- Fast-tracking the delivery of NSW's first Renewable Energy Zone – to connect investors with communities that are looking to diversify their local industries into renewable energy.
- Primary Industries Climate Change Research Strategy – identified primary industry opportunities to reduce emissions through breeding and feed innovation; and secure new income via revegetation for carbon sequestration.

In its early years, the Primary Industries Productivity and Abatement Program will prioritise:

- *commercialising low emissions technology in the dairy, wool and red meat industries, such as those technologies identified through the CSIRO-MLA partnership*
- *connecting small landholders, including Aboriginal landowners, to carbon markets*
- *underwriting project risks from trialling new approaches to carbon sequestration*
- *developing premium land-based carbon markets that deliver stronger environmental and social outcomes compared to traditional low-cost abatement programs.*

Currently farmed livestock in Australia is worth more than \$30 billion per year and global demand for meat, dairy and eggs out to 2050 is projected to grow by 50–70%, according to the Food and Agriculture Organisation. According to the CSIRO, meeting the increasing demand for sustainable products will be critical to future growth of the agricultural sector. The Primary Industries Productivity and Abatement Program will help NSW farmers meet this growing demand and ensure the productivity of the State's primary industries is not tied to emissions intensity in the global transition to a net zero economy.⁵

⁴ [Net Zero Plan Stage 1: 2020-2030 | NSW Environment, Energy and Science](#)

⁵ [Net Zero Plan Stage 1: 2020-2030 | NSW Environment, Energy and Science](#)

Figure 4. NSW DPIE Net Zero Plan – Case Studies



**Case study:
Switching from diesel to solar-diesel
irrigation systems**

For many years a family-run cotton business in Moree NSW relied heavily on a diesel powered irrigation pump when rainfall was low during spring and summer.

With NSW Government support, the business upgraded their system to an off-grid solar-diesel hybrid power plant, allowing the pump to use solar power during the day and diesel at night. This reduced their diesel consumption by more than 60%, saving them over \$45,000 a year. The system is also more water efficient, allowing the farm to reduce its water use during peak periods.

**Case study:
Meat and Livestock Australia**



In a program known as CN30, Meat & Livestock Australia (MLA), on behalf of the red meat and livestock industry, has set a target of reaching net zero emissions from red meat production by 2030. MLA has noted that the emissions from livestock are an 'issue for customers who are also increasingly interested in the provenance of their food.'

As a result, MLA is working to make Australia a world leader as the first red meat exporting nation to have carbon neutral red meat and has teamed up with CSIRO and other partners to carry out related research and development into options for producers such as feed supplements, genetic selection and carbon capture.

**Case study:
The carbon neutral
cow and sheep farm**

Regional businesses across Australia are looking to generate new opportunities and revenue streams through carbon neutral farming.

For example, a Victorian farm with 550 cows and 25,000 sheep achieved carbon neutrality in 2010 through extensive tree planting. The owner observed significant biodiversity gains on the land.



Case study: Biodiversity Conservation Trust

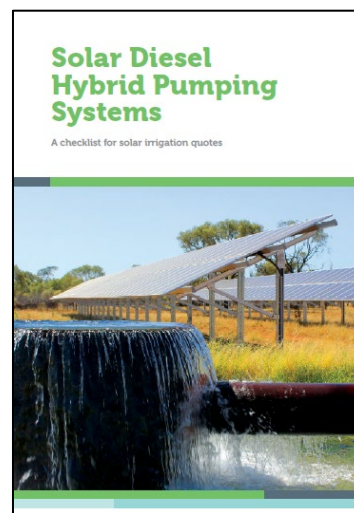


More than 70% of NSW biodiversity – including trees and other vegetation that capture and store carbon – is located on private land. The NSW Biodiversity Conservation Trust supports biodiversity conservation and habitat protection by providing private landholders who enter into biodiversity stewardship agreements, conservation agreements or wildlife refuge agreements with annual conservation payments for taking conservation actions.

The NSW Government has committed more than \$350 million to the Trust over the next five years. It has already invested more than \$100 million, resulting in 155 new conservation agreements covering more than 35,000 hectares across New South Wales.

6

The NSW government also provides assistance via the NSW Farmer's Association, to farmers looking to not only use renewable energy to reduce on-farm operational costs, but also examine the opportunities and challenges associated with hosting large-scale renewable energy production industries, such as wind and solar farms, on their property.⁷



4.2.5 Water Management Act

The commercial viability of most agricultural industries is dependent on access to a reliable water supply. Water usage is managed at a state level under the [Water Management Act 2000](#) (WM Act). Water sharing plans are legislated under the WM Act and are in force to protect the environmental needs of the river and its ecological processes. The plans outline how water is to be allocated and shared and specifically address:

- The management of access licences;
- Water allocation accounts;
- The trading of access licences and water allocation;
- The extraction of water;
- Operation of dams; and,
- The management of water flows.

⁶ [Net Zero Plan Stage 1: 2020-2030 | NSW Environment, Energy and Science](#)

⁷ [For Farmers | Energy NSW](#)

Water sharing plans and other broad catchment area issues are covered in detail within the Rural Waterways paper.

Key insights in relation to water sharing as relevant to agriculture, are provided below:

- Water allocation is outside of Council's jurisdiction. Water allocation quotas for each use are set in consultation with various State Agencies to consider landholder (domestic, agriculture, etc.) and commercial needs. When allocating water rights, environmental water and basic landholder rights take precedence over other licensed (commercial) water users.
- Water licenses for commercial use (e.g. irrigated crops, dairies, intensive livestock production) are generally granted in perpetuity but are reviewed every 10 years. This is intended to provide water security for commercial activities.
- Of the licensed water users, allocations are prioritised for water utilities, licensed stock and domestic use over other commercial purposes (e.g. dairies or intensive livestock production, aquaculture, irrigated crops, mining, etc.). This means during time of drought, when water usage is restricted, commercial industries will generally experience water shortages more acutely.
- Most of the State's commercial water supplies are already fully allocated. That means that new agribusinesses will rely on water trading (e.g. purchasing water entitlements from an existing user through a broker) to access commercial quantities of water.
- The MidCoast's water resources provide limited opportunities for commercial supply, noting only around 3% of volume can be extracted from the Manning River Extraction Unit which covers the Manning River BCA (78,100megalitres from a flow of 2,530,000) and The Great Lakes Extraction Unit (which covers Wallis Lake, Smiths Lake, The Myall Lakes and Khappinghat Creek BCAs) (2,000megalitres from a total flow of 610,000). Of the total volume that can be extracted for commercial purposes, the amount that has been allocated has not yet been confirmed. Note that 'Extraction Management Units' are identified under the *Water Sharing Plan for the Lower North Coast Unregulated and Alluvial*.

The Act also regulates 'controlled activities', which are certain types of activities in, on or under waterfront land e.g. building, removing material, carrying out works. The Act defines 'waterfront land' as the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of these waterbodies. These areas are also referred to in environmental planning instruments, as 'riparian land'.

Where controlled activities require approval, the applicant must demonstrate that the activity will be carried out in a way that avoids or minimises negative impacts on waterfront land and water users. Decision making for controlled activities is generally referred to the Natural Resource Access Regulator (Department of Industry - Water) for consideration.

Noting that several exemptions do apply, including activities carried out by public authorities or activities associated with stock rights such as installing water pumps.

In terms of land use planning for waterways and water catchments, it is therefore most appropriate to consider the application triggers within a development assessment process that relate to development and other controlled activities within these riparian lands, based on the classification of the waterway e.g. first order stream.

4.2.6 Crown Land Management Act 2016

The [Crown Land Management Act 2016](#) is relevant to the care, control and management of crown reserves and many activities will require permits and/or leases issued in accordance with this Act.

Not all crown land is managed by the State, with many reserves in the Crown Land estate, being under the care, control and management of local Councils, detailed below:

Crown reserves are land set aside on behalf of the community for a wide range of public purposes including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

New South Wales has more than 34,000 Crown reserves. The reserve management system enables the NSW Government, local councils and members of the community to work together to provide care, control and management over Crown reserves.

Through our network of regional offices, we ensure that Crown reserves are responsibly managed and that natural resources such as water, flora and fauna and scenic beauty are conserved, while still encouraging public use and enjoyment of the land.⁸

Council relies on several funding sources to maintain and improve assets within local and Crown reserves, which are generally made up of a combination of traditional revenue streams and government-funded grants including but not limited to⁹: council rates and charges; council user charges and fees; operating grants; and other ad hoc payments

Critically, the land use zone applied to Crown lands and the permissibility of land uses on that land, must be consistent with the public purpose i.e. reserve for recreation; and should reflect any plan of management that applies to that land.

Similarly, the application of zones and permissibility of land uses should reflect existing leases, licenses and activities permitted by the Crown within those reserves.

4.2.7 Local Land Services

Land clearing in rural areas is generally managed by Local Land Services and is regulated under the NSW [Local Land Services Act 2013](https://www.industry.nsw.gov.au/lands/what-we-do/crown-land/reserves) (LLS Act). The land clearing rules that apply to rural land depends on how land is categorised by the Native Vegetation Regulatory Map which sits under Part 5A of the LLS Act. The map is still being developed by the Office of Environment and Heritage and when complete will categorise land into three categories:

- Exempt land (Category 1) - If the land is exempt, it can be cleared without needing to obtain authorisation under the LLS Act;
- Excluded land - If land is excluded, the LLS Act does not apply to the land and clearing will be regulated under other laws, such as planning laws. Examples of excluded land are urban areas and the National Parks and Wildlife Estate; and
- Regulated land - If land is regulated, clearing will need some form of authorisation under the LLS Act. Examples of regulated land are land already subject to private conservation agreements, or land demonstrating high ecological value (e.g. coastal wetland or littoral rainforest, identified koala habitat etc.) Some regulated land is further categorised as vulnerable or sensitive land which is subject to more restrictive controls:
 - Vulnerable regulated land is land that is steep (greater than 18 degrees), highly erodible, riparian land, or 'special category' land; and
 - Sensitive regulated land overlaps substantially with regulated land but includes a number of additional criteria.

There are three pathways to clear regulated land, which are discussed below.

⁸ <https://www.industry.nsw.gov.au/lands/what-we-do/crown-land/reserves>

⁹ NRMA 2017b

Allowable activities - The LLS Act permits the clearing of native vegetation on rural land when associated with routine land management activities such as the construction of sheds, dams and fences. NSW is divided into three zones for the purpose of allowable activities - the Western Zone, Central Zone and Coastal Zone. The rules around allowable activities differ according to the allowable activity zone in which the land is based, as shown in the table below. The range of allowable activities on sensitive or vulnerable regulated land is much more restricted and only includes boundary fences, internal or temporary fences and farm tracks.

Table 1. Local Land Services Act 2013 Allowable Activities

Allowable Activity Zone	Allowable Activities	Maximum Distances	Clearing
Coastal (former Great Lakes and greater Taree LGAs)	<ul style="list-style-type: none"> Permanent boundary fences Permanent internal fences Roads and tracks Shearing or machinery sheds Tanks, dams, pipelines, bores, pumps, water points Stockyards and windmills 	<ul style="list-style-type: none"> 15 metres Small holding (<10ha) 12 metres Sensitive/ vulnerable land 6 metres 	
Central (former Gloucester LGA)	<ul style="list-style-type: none"> Fences Roads and tracks Irrigation channels and pipelines Stock or domestic water supply pipelines Soil conservation earthworks Cut lines for stock movement Bore drains or drains to water storages Telephone lines or cables Power lines or cables Shearing, machinery, grain, hay or similar sheds Stock handling facilities Dams, ground tanks, bores, pumps, tanks, water points windmills 	<ul style="list-style-type: none"> 30 metres Small holding (<40ha) 12 metres Sensitive/ vulnerable land 6 metres 	

Code based activities - The Land Management (Native Vegetation) Code 2018 sets out parameters for the clearing of rural land using 5 categories: invasive native species, pasture expansion, continuing use, equity, and farm plan. If the proposed rural land clearing complies with the parameters outlined in the Code it does not need approval, although LLS still needs to be notified and it may need to be certified as code-compliant by LLS.

Approval based activities - Any clearing that cannot be undertaken as an allowable activity, is not code-compliant, and is for a purpose that otherwise would not require development consent, will require approval under the LLS Act. This level of clearing will trigger the Biodiversity Offset Scheme (BOS) and a Biodiversity Assessment Report (BDAR) needs to be prepared by a Biodiversity Assessment Methodology (BAM) accredited assessor. Approval is then required from the Native Vegetation Panel, noting that the Panel has not been established to date.

Key insights in relation to land clearing as relevant to agriculture, are provided below:

- The clearing of vegetation on rural zoned land is outside of the jurisdiction of Council and is instead regulated by the LLS;
- Land clearing for routine land management practices is less restrictive in the former Gloucester LGA (central zone) when compared with the former Great Lakes and Greater Taree LGAs (coastal zones); and
- Vegetation clearing in all non-rural zones is subject to the provisions under the SEPP (vegetation in Non-Rural Areas) 2017 and requires a permit granted from Council or approval from the Native Vegetation Panel.

Part 6 of the Local Land Services Act 2013 stipulates provisions of travelling stock reserves (TSR's).

travelling stock reserve means—

- (a) any route or camping place reserved for travelling stock route or camping place under the Crown Land Management Act 2016, or*
- (b) any reserve for travelling stock, water reserve, reserve for access or crossing (where the reserve is for the purpose of providing travelling stock with access to or a crossing of water, whether expressly notified for that purpose or not), or*
- (c) any stock watering place.*

TSR's are categorised by the NSW Department of Industry into 5 categories primarily based on the frequency and intensity of the land being used for travelling stock¹⁰. These categories also indicate the importance of and impact on biodiversity conservation, Aboriginal cultural heritage and recreation.

Local Land Services have developed a Travelling Stock Reserves State-wide Plan of Management to ensure the future management of TSRs aligns with Indigenous, conservation, livestock, production, recreation and community priorities.¹¹ Local land Services also have a TSR State Classification Map¹² which shows both the classification of the TSR's and their conservation value. Most TSR's in the MidCoast fall either in Category 2 or 3.

Category 2 covers TSRs that are used for travelling stock, emergency management or biosecurity purposes, but are also important and used for other reasons, such as biodiversity conservation, Aboriginal cultural heritage or recreational purposes.

Category 3 covers TSRs that are rarely, if ever, used for travelling stock or emergency management, but are important, valued and used for other reasons, such as biodiversity conservation, Aboriginal cultural heritage or recreational purposes. These TSRs are not considered stock watering places.

4.3 Regional Level Considerations

4.3.1 ABS Data – Mid North Coast New South Wales

The Australian government Department of Agriculture, Water and the Environment provides regional data on agricultural production. Critically, the MidCoast local government area is located within the Mid North Coast region of New South Wales as shown in Figure 1 below,

¹⁰ Travelling stock reserves dealings procedure (nsw.gov.au)

¹¹ Travelling Stock Reserves - TSRs - Website - Local Land Services (nsw.gov.au)

¹² ArcGIS Web Application

and agricultural production contributes significantly to National, State, regional and local economies.

In 2018–19, the gross value of agricultural production in the Mid North Coast region was \$468 million, which was 4 per cent of the total gross value of agricultural production in New South Wales (\$11.7 billion).

Figure 1. Mid North Coast Region of NSW broad agricultural land use mapping¹³

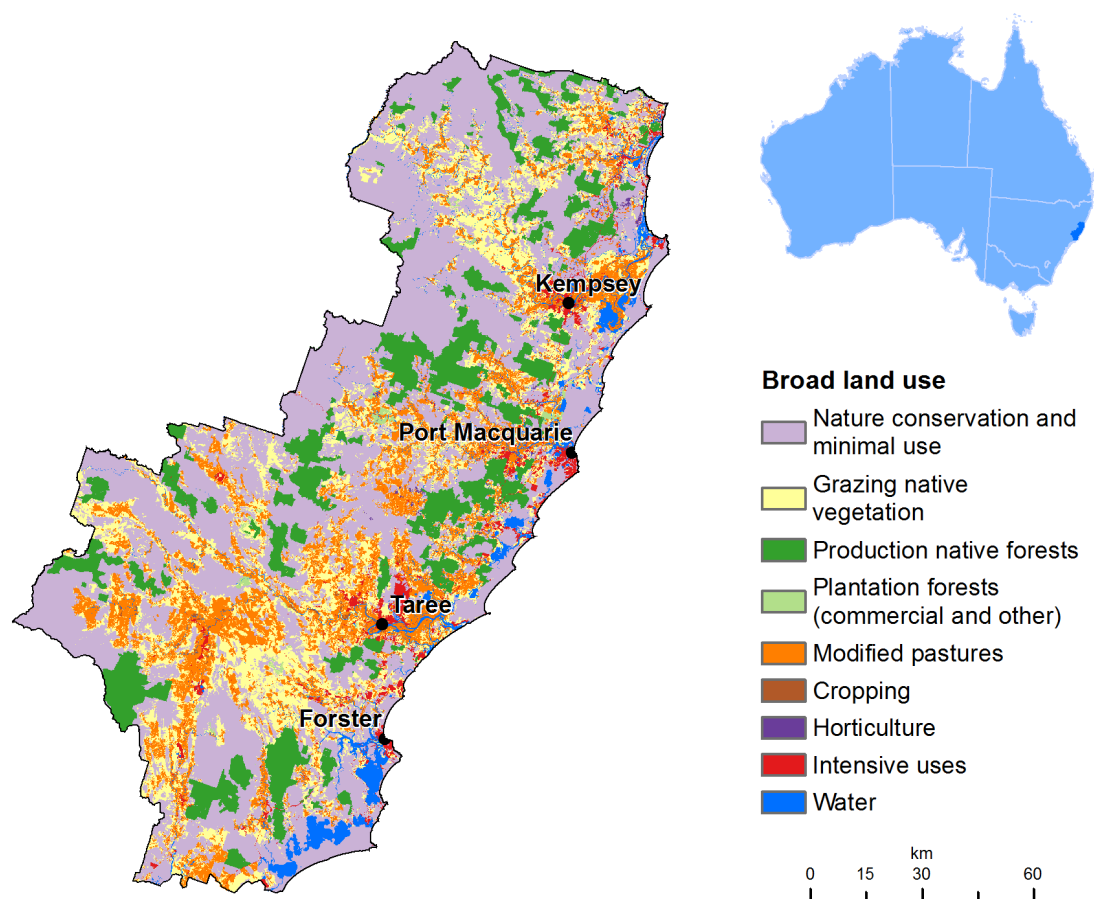


Table 2. Number of farms by Industry classification and land area% by Region and State¹⁴

Industry classification	Mid North Coast region		New South Wales	
	Number of farms	% of Region	Number of farms	Contribution of region to state total %
Beef Cattle Farming (Specialised)	671	57.7	7,009	9.6
Dairy Cattle Farming	199	17.1	709	28.0
Other Fruit and Tree Nut Growing	96	8.2	635	15.1

¹³ [About my region – Mid North Coast New South Wales - Department of Agriculture](#)

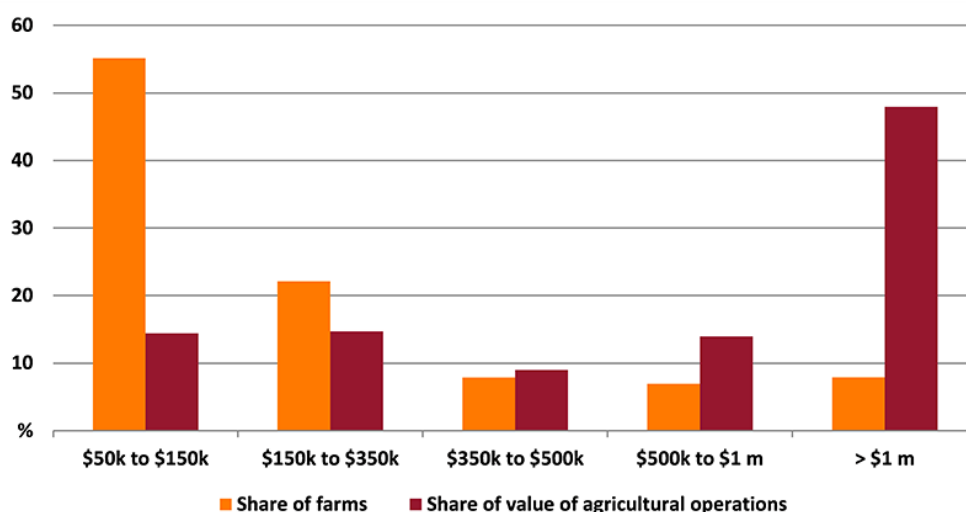
¹⁴ Australian Bureau of Statistics, Customised report, 2020

Industry classification	Mid North Coast region		New South Wales	
	Number of farms	% of Region	Number of farms	Contribution of region to state total %
Vegetable Growing (Outdoors)	53	4.6	631	8.4
Horse Farming	25	2.1	716	3.4
Other Crop Growing nec	23	2.0	294	7.9
Beekeeping	22	1.9	99	22.1
Poultry Farming (Eggs)	20	1.7	103	19.7
Poultry Farming (Meat)	15	1.3	206	7.3
Citrus Fruit Growing	12	1.0	268	4.3
Other	28	2.4	13,840	0.2
Total agriculture	1,163	100	24,509	4.7

The Mid North Coast region has a diverse agricultural sector. The most important commodities in the region based on the gross value of agricultural production were cattle and calves (\$153 million) followed by milk (\$143 million) and poultry (\$41 million). These commodities together contributed 72 per cent of the total value of agricultural production in the region. In 2018–19 the Mid North Coast region accounted for 50 per cent (\$20 million) of the total value of the state's avocado production.

ABS data indicates that in 2018–19 there were 1,163 farms in the Mid North Coast region with an estimated value of agricultural operations of \$40,000 or more. The region contains 5 per cent of all farm businesses in New South Wales.¹⁵

Table 3. Mid North Coast Region Farms by value of agricultural operation over \$50,000¹⁶



¹⁵ Australian Bureau of Statistics, cat. no. 7503.0, Value of agricultural commodities produced, Australia 2020

¹⁶ Australian Bureau of Statistics, Customised report, 2020

Farms in Table 1 above are classified according to the activities that generate most of their value of production. Beef cattle farms (671 farms) were the most common, accounting for 58 per cent of all farms in the Mid North Coast region, and 10 per cent of all beef cattle farms in New South Wales.

Estimated value of agricultural operations (EVAO) shown in Table 2, is a measure of the value of production from farms and a measure of their business size. Around 55 per cent of farms in the Mid North Coast region had an EVAO between \$50,000 and \$150,000. These farms accounted for only 14 per cent of the total value of agricultural operations in 2018–19. In comparison, 8 per cent of farms in the region had an EVAO of more than \$1 million and accounted for an estimated 48 per cent of the total value of agricultural operations in the Mid North Coast region in 2018–19.¹⁷

Therefore, the value of the agricultural sector is considerable, although it is noted that this information may have been impacted by the more recent fire and flood events of 2019-2021 within the MidCoast local government area.

In this regard, the Department also provides information on the trends in profitability and performance of agriculture by industry and for beef cattle for example, the trend is in decline.¹⁸

4.3.2 Hunter Regional Plan 2036

The [Hunter Regional Plan](#) (the Plan) identifies poultry, dairy, beef and oyster sectors as priority agricultural industries to be protected within the MidCoast LGA and this is evident in the vision, introduction and LGA narratives of this document.

Priority is given to supporting fishing and aquaculture activities, with emphasis placed on the MidCoast's role in oyster production. This includes managing the natural environments to sustain healthy coastal waters, which underpins production capacity and value.

Vision: The leading regional economy in Australia with a vibrant new metropolitan city at its heart.

The Hunter is the leading regional economy in Australia, with thriving communities and a biodiversity-rich natural environment. The Hunter is home to more than 860,000 people and is still growing due to its reputation as one of the great places to live and work.

A knowledge centre of excellence in health and education is providing world-class research into medical technologies, agricultural productivity, renewable energy and mining services.

A skilled science, technology and engineering workforce is engaged in advanced manufacturing and digital technologies.

Beyond Greater Newcastle are vibrant centres, towns and villages, many of which have benefited from emerging job opportunities in the health, agriculture, tourism, defence, energy and transport sectors. Faster inter-regional transport and digital technology are making it easier for residents and businesses to interact and do business.

The Port of Newcastle is a vital hub for exporting agricultural produce (including prized beef, lamb, dairy and oilseed) and coal to new markets throughout Asia. Productive agricultural land and natural resources are the foundations of the region's gross domestic product.

¹⁷ [About my region – Mid North Coast New South Wales - Department of Agriculture](#)

¹⁸ [Farm financial performance – New South Wales - Department of Agriculture](#)

Visitors are arriving in greater numbers on cruise ships, via Newcastle Airport and by a variety of rail and highway links to sample international quality wines and fresh food, walk along convict-built trails, trek through World Heritage-listed national parks and swim at lovely beaches.

Infrastructure investment is the linchpin of economic development across the Hunter. It supports freight, health and education services, and agribusiness and tourism, as well as building resilience to global economic cycles and climate change.

The region's protected natural environment enriches the experience of living in the region, sustains the region's water supply and protects biodiversity.¹⁹

Hunter regional plan - Local government narratives

The NSW Government will work with each council to deliver the directions and actions set out in this plan. Priorities for each council are set out in the following section and will guide further investigations and implementation.

The priorities build on the directions and actions in this plan to achieve outcomes on the ground. Planning will encourage infrastructure delivery that targets the needs of its communities. It will also encourage efficiencies in the allocation of resources and investment to improve the liveability and sustainability of the region.

The narratives identify: housing and employment projections; strategic intent, opportunities and regionally significant priorities; locations for growth for dwellings; and jobs and communities of regional significance.

MidCoast

The MidCoast Local Government Area, in the northern part of the Hunter, features pristine waterways, an extensive network of national parks and World Heritage wilderness areas. It is a popular destination for residents and visitors. The economy and employment are largely service-based, with industries such as tourism being highly seasonal. It contains diverse agricultural activities, including poultry, dairy and beef, and significant oyster-producing areas.

The new MidCoast Council will have to consider the needs of diverse communities within a regional setting. It will have to capitalise on the opportunities provided by urban centres, rural areas and the natural environment to form a thriving economy based on food production, tourism, manufacturing and services that meet the needs of an ageing and growing population.

Regional priorities

Support the visitor economy by leveraging the natural beauty of the area and enhancing nature-based tourism infrastructure.

Protect productive landscapes that sustain the poultry, dairy and beef industries.

Manage development within sensitive water catchments and protect environments that sustain the oyster industry.²⁰

Ministerial Direction 5.10 requires future changes to planning controls to be consistent with the Hunter Regional Plan. The vision, land use strategy, goals, directions and actions described in the Hunter Regional Plan are considered generally reflective of current Government policy directions at National and State levels. On that basis, the Hunter Regional Plan was used as a platform for identifying top-down considerations for local strategic planning.

¹⁹ <https://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Hunter/Hunter-regional-plan/Vision>

²⁰ <https://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Hunter/Hunter-regional-plan/Local-government-narratives>

Goal 1 – The Leading regional economy in Australia

The Hunter is the largest regional economy in Australia, ranking above Tasmania, the Northern Territory and the Australian Capital Territory in terms of economic output. It drives around 28 per cent of regional NSW's total economic output and is the largest regional contributor to the State's gross domestic product.

The Hunter is strategically situated to leverage proximity to Asia and the region's growing agricultural, health, education and tourism sectors to supply developing Asian economies with resources and products.

The Plan aims to strengthen the region's economic resilience, protect its well-established economic and employment bases and build on its existing strengths to foster greater market and industry diversification.

Emerging industries

Regional Development Australia's Smart Specialisation Strategy for the Hunter Region (2016) identified the following growth areas: advanced manufacturing; food and agribusiness; mining equipment, technology and services; and oil, gas and energy resources.

There are other industries, such as tourism, health and education, which are expected to expand as part of an overall national trend.

The Hunter Regional Plan recognises the importance of agriculture to regional economic development. The following directions are particularly relevant to high-level planning for agricultural lands within the MidCoast:

Direction 4: Enhance inter-regional linkages to support economic growth

Freight and logistics contributed \$58 billion to the NSW gross state product (14 per cent) and this is expected to grow by 2036.

Improvements to transport corridors will be needed to maintain efficiencies in the network, particularly for freight, and to allow for future growth.

Freight transport facilities, warehousing and distribution centres depend on efficient supply chains, access to customers, land availability and access to main roads. These elements need to be planned in the right locations to make the best use of existing and future improvements to road and rail.

Actions

4.3 Strengthen and leverage opportunities from the interconnections with other regions, particularly the Pacific Highway, the Golden Highway and the New England Highway.

4.4 Promote freight facilities that leverage the Port of Newcastle and its associated freight transport network.

4.5 Plan for multimodal freight facilities that support economic development of the region and respond to the location of the proposed Freight Rail Bypass.

4.6 Investigate opportunities for logistics and freight growth and other complementary land uses around airports, leveraging investments at Taree and Newcastle airports.

4.7 Enhance the efficiency of existing nationally significant transport corridors and protect their intended use from inappropriate surrounding land uses.

Direction 6: Grow the economy of MidCoast and Port Stephens

The MidCoast and Port Stephens area is defined by its pristine natural environment and diverse agriculture. The quality of the natural environment also underpins valuable rural and resource industries.

Travel times offer opportunities for industries to expand and supply products to Greater Newcastle and Sydney. This will act as a catalyst for employment growth. Attracting new industries and growing existing industries that can leverage the accessibility provided by the Pacific Highway will support economic growth.

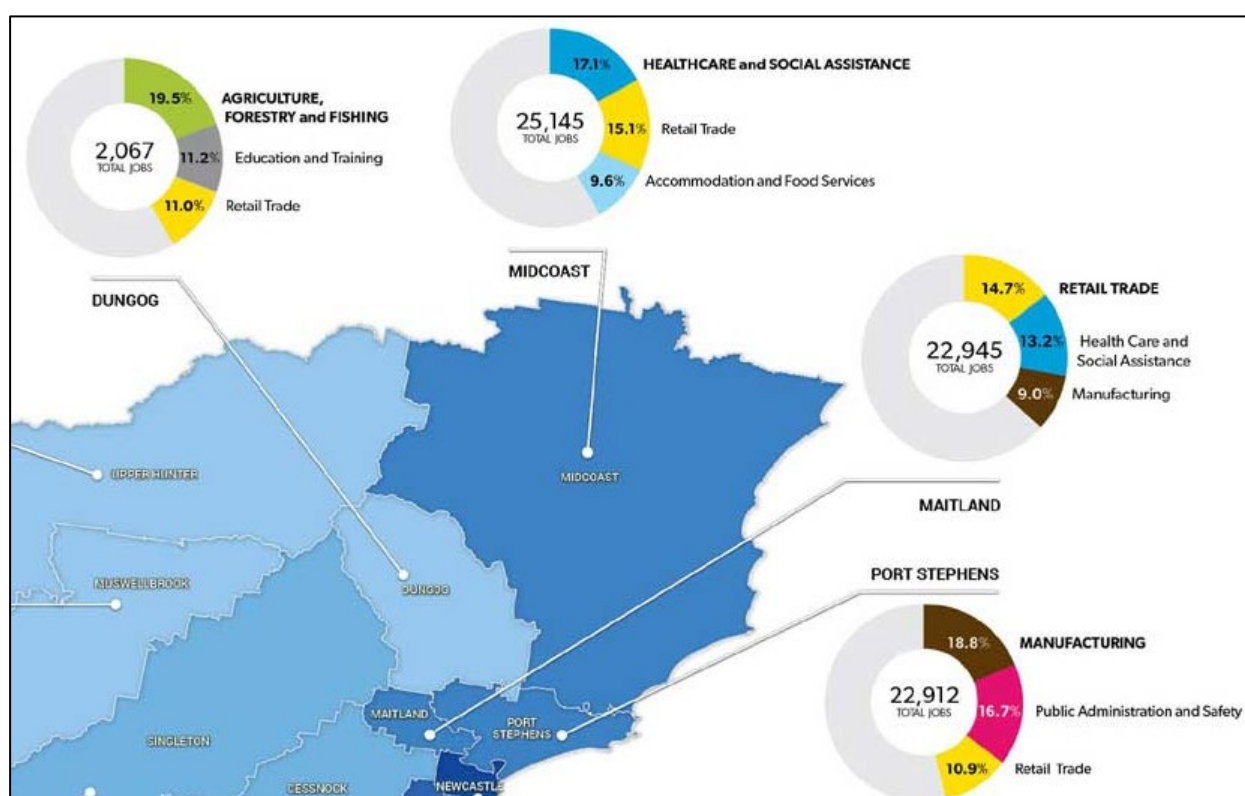
Actions

6.2 Enhance links to regional services in Greater Newcastle.

6.3 Enable economic diversity and new tourism opportunities that focus on reducing the impacts of the seasonal nature of tourism and its effect on local economies.

6.4 Promote growth of industries that can leverage accessibility provided by the Pacific Highway.

Figure 2. MidCoast Employment by Industry (2011 Census) ²¹



Direction 9: Grow tourism within the region

There is huge potential for the Hunter to increase the number of nights visitors spend in the region from an annual 8.8 million.

Protecting the Hunter's pristine natural areas will keep them attractive to visitors. The coastal areas are some of the most visited and scenic parts of the region and are entry points to the vast Barrington Tops National Park, a World Heritage area

The region can also capitalise on the growth in food-based or gastronomic tourism throughout the Manning Valley and Hunter Valley to support growers of products such as olives and oysters, as well as the beef and dairy industries.

Actions

9.4 Enable investment in infrastructure to expand the tourism industry, including connections to tourism gateways and attractions.

²¹ <https://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Hunter/Hunter-regional-plan/The-leading-regional-economy-in-Australia>

9.5 Develop capacity for growth in food-based tourism.

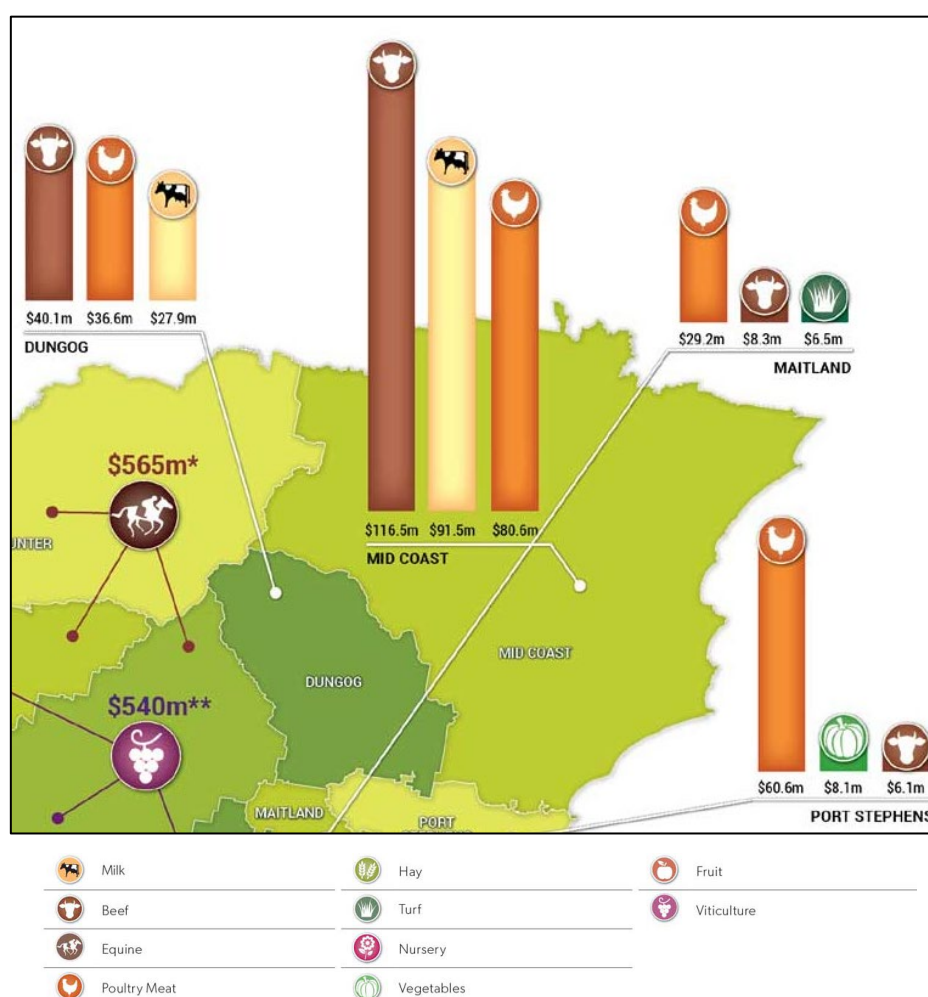
Direction 10 – Protect and enhance agricultural productivity

There are major international trends that the Hunter can capitalise on to increase agricultural productivity, such as increasing global connectivity and proximity to Asia, where the demand for fresh food is growing. Globally, middle-class markets are expected to be looking for value-added agricultural produce, including wine, cheese and other food products.

Domestically, the Hunter has competitive advantages courtesy of its proximity to the rapidly growing Sydney market, connectivity to regions to the north, west and south, and the export capability available through the Port of Newcastle and Newcastle Airport.

Further diversification will enable the region's agricultural industries to seize these opportunities. There are already 3,503 agricultural businesses operating in the region, delivering more than \$946 million in wholesale value.

Figure 3. MidCoast contribution to NSW economy by agricultural industry (ABS data 2011) ²²



Agricultural producers require ongoing access to a specific combination of resources and conditions such as quality land and water supply, favourable climate, labour, supply chains, processing facilities and markets. The NSW Government has mapped Biophysical Strategic Agricultural Land, which contains high-quality soil and water resources capable of sustaining high levels of productivity.

²² <https://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Hunter/Hunter-regional-plan/The-leading-regional-economy-in-Australia>

The NSW Government has also worked with councils and industry to develop methodologies for mapping Important Agricultural Land. Mapping of agricultural industries will support their sustainable growth.

Promoting sustainable growth in the agribusiness sector alongside other key industries will require more focus on: regional water security; industry access to underused land resources (requiring greater appreciation of land use compatibility); new productive uses for mine and power generation buffer lands; and new economic uses for under-capacity mining infrastructure.

Biosecurity is important to the wellbeing and prosperity of the region. In 2013, the NSW Government developed the [NSW Biosecurity Strategy 2013-2021](#) to highlight the measures that can be taken to protect the economy, environment and community from the negative impacts of pests, diseases and weeds.

Biosecurity risks can often be minimised through appropriate land zoning and by applying buffers to separate different land uses, making use of distance, vegetation or topography.

Actions

10.1 Protect locations that can accommodate agricultural enterprises from incompatible development, and facilitate the supply chain, including infrastructure, distribution areas, processing facilities and research and development in local plans.

10.2 Address sector-specific considerations for agricultural industries through local plans.

10.3 Protect the region's wellbeing and prosperity through increased biosecurity measures.

10.4 Encourage niche commercial, tourist and recreation activities that complement and promote a stronger agricultural sector, and build the sector's capacity to adapt to changing circumstances

10.5 Develop an agribusiness industry strategy in areas experiencing high population growth to retain jobs and agribusiness growth for the Hunter.

10.6 Manage Biophysical Strategic Agricultural Land and other important agricultural land as locations for agricultural activities and complementary uses.

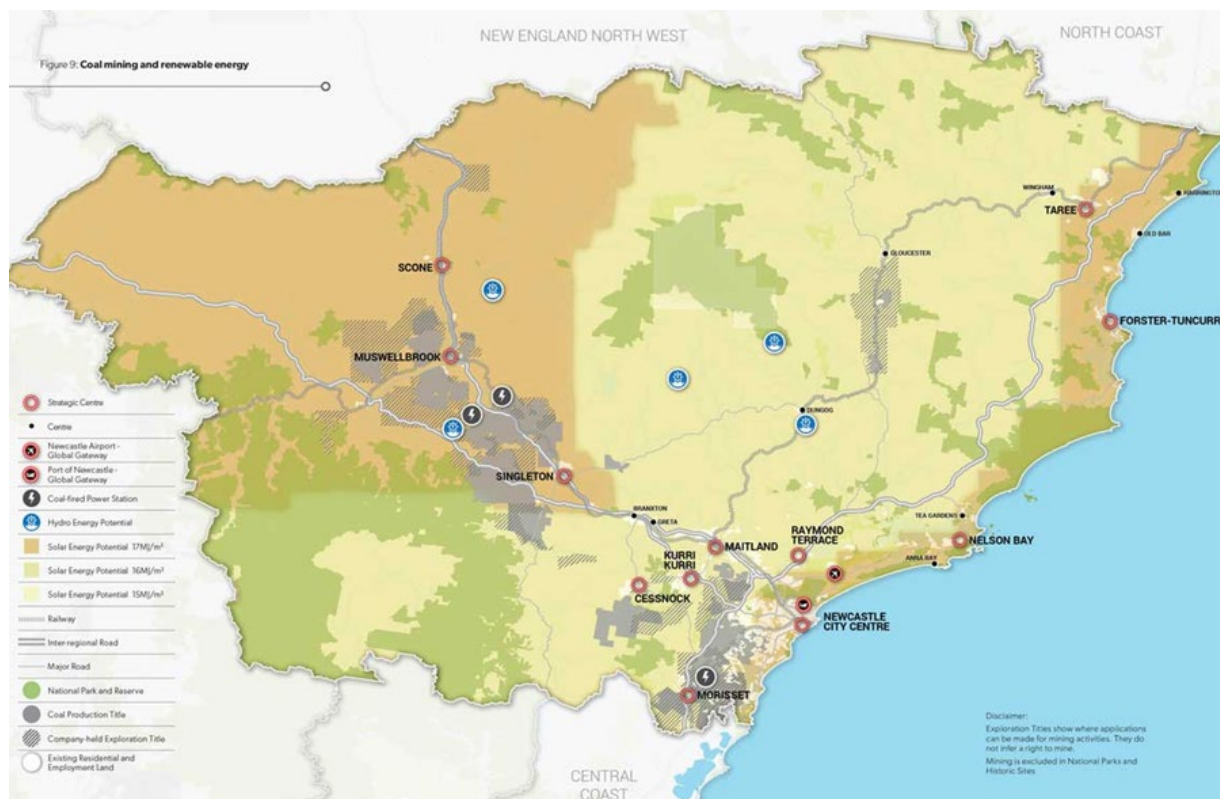
Direction 11 – Manage the ongoing use of natural resources

Mining activities have specific operational needs that can compete with other sensitive uses, however they are also temporary and depend on the productive life of the facility or resource. Once extractive resource lands have been identified, there may be opportunities to identify interim activities that can occur without sterilising the underlying resource.

Developing land use plans that respond to the lifecycle of the extractive resource area provides all stakeholders with certainty around the long term use and productive value of the land.

The NSW Government is committed to ensuring the long term profitability and sustainability of our forests and forestry industries. The region's forests provide tourism and recreation activities, habitat and wood products through harvesting, and environmental services such as good water quality, native habitat and connectivity with other forests (such as national parks).

Figure 4. Coal Mining and renewable energy map²³



Actions

11.2 Work with relevant stakeholders, including councils, communities and industry, to prepare land use plans that respond to the lifecycle of resource activity for active and emerging mining areas.

11.3 Implement the cumulative impact assessment methodology when planning for important agricultural land and water resources.

Direction 13 - Plan for greater land use compatibility

Ongoing investment in rural and resource industries will underpin the sustainable growth, economic prosperity and ongoing productivity of the Hunter region. As the Hunter continues to grow and new economic development opportunities emerge for rural and resource industries, there is potential for compatibility issues to arise and for competition to develop for water resources and for infrastructure to support other uses.

There is also potential for conflict if new housing encroaches into rural and resource areas, leading to increased management costs. Conflict could also affect the potential to sustain or grow rural and resource industries. The expansion of rural and resource industries can also affect established urban activities if not managed appropriately. Land use planning can provide greater certainty for investment in rural and resource industries by establishing clear parameters and transparent processes to support new development.

Managing the compatibility of land uses requires a whole-of-government response.

²³ <https://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Hunter/Hunter-regional-plan/The-leading-regional-economy-in-Australia>

Actions

13.1 Identify and protect important agricultural land, including intensive agricultural clusters, in local plans to avoid land use conflicts, particularly associated with residential expansion.

13.2 Limit urban and rural housing encroachment into identified agricultural and extractive resource areas, industrial areas and transport infrastructure when preparing local strategies.

13.3 Amend planning controls to deliver greater certainty of land use.

13.4 Provide non-statutory guidance on the types of land uses that would be considered most appropriate, suitable or sympathetic to existing land uses in the Upper Hunter and other areas where land use conflicts occur.²⁴

Goal 2 - A biodiversity-rich natural environment

The Hunter's diverse natural environment includes some of the most unique ecological systems in Australia. Within the region there are three terrestrial bioregions – the Sydney Basin, North Coast and Brigalow Belt South, and the Hawkesbury and Manning Shelf marine bioregions

The natural environment sustains important terrestrial and aquatic ecological systems and good habitat connections, including part of a national corridor extending from Victoria to Far North Queensland.

The Hunter contains two major water catchments, the Hunter and the Manning River, which provide water that sustains the region.

Good planning and design will be fundamental to protecting the environment and building greater resilience to natural hazards and climate change.

Direction 15 - Sustain water quality and security

Water catchments in the region include the Hunter and Manning river systems and the Karuah and Lake Macquarie water catchments, which encompass important coastal lakes and lagoons, coastal wetlands, sensitive estuaries and the protected waters of Port Stephens and the Great Lakes

Monitoring and managing the impacts of existing land uses, and in the future, those associated with growth, will be essential to protect the quality and security of the region's water supplies. This is particularly important in areas containing drinking water catchments.

Improvements to the networks operated by Hunter Water and MidCoast Water, and Muswellbrook, Singleton and Upper Hunter councils will be necessary to ensure an ongoing supply of water.

Water sharing plans form the basis of water sharing and water allocation in the Hunter. Changes in water demand from different uses may result in the potential reallocation of water over time.

Actions

15.1 Protect water catchments to sustain high quality and dependable water supplies across the region.

15.2 Effectively manage surface and groundwater use in agricultural areas to support ecosystem function and food production, and to cater for the increasing demand of urban communities and industry

15.3 Plan for the security of the region's town water supply.

²⁴ <https://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Hunter/Hunter-regional-plan/The-leading-regional-economy-in-Australia>

Direction 16 - Increase resilience to hazards and climate change

Most people in the Hunter live near the coast, bushland or rivers. The appeal of these places is obvious; however, they may also come with challenges such as flooding, coastal inundation, erosion and bushfires. For example, the Hunter and Manning rivers and their major tributaries are flood-prone. These issues are a significant factor when planning for future growth.

Climate change is likely to result in varying rainfall, higher temperatures and prolonged dry periods or drought. These conditions may cause more frequent and intense hazards. Coastal communities are likely to be more vulnerable to the threat of coastal recession and over the longer term, sea level rise.

The Hunter and Manning Valley floodplains provide some of the region's most fertile soils. The floodplains also host important inter-regional freight connections, including the Hunter Valley Coal Rail Network and North Coast Railway. Tools have to be developed to manage the risk to communities, infrastructure and agricultural productivity from the impacts of climate change.

Land use planning that supports changes to the physical environment and infrastructure can help to avoid or manage risks and build community resilience to hazards. The NSW Government will support councils to develop evidence and provide strategic advice to inform their decision-making.

Actions

16.1 Manage the risks of climate change and improve the region's resilience to flooding, sea level rise, bushfire, mine subsidence, and land contamination.

In implementing the recommendations of the Hunter Regional plan there are also significant challenges. In particular, the Plan does not resolve the lack of evidence regarding the value of agricultural land for broad community lifestyle benefits, productivity, environmental management and water security in comparison to the economic value of rezoning land for residential and urban purposes for the individual landowner.

The plan also does not recognise the competing resource requirements for different agricultural activities, for example, the use of up-stream water resources for irrigation and stock, potential nutrient run-off and down-stream impacts on water quantity and quality for successful aquaculture activities.

The challenges in identifying, protecting and valuing agricultural lands are demonstrated by the delays associated in the Department of Industry – Agriculture's release of Important Agricultural Land Mapping for NSW, discussed in the next section of this report.

The Plan also fails to acknowledge the limited resource and jurisdiction of local government in establishing and contributing to biosecurity for agricultural activities and practices. In these areas, advocacy and partnerships between agencies, local government and landowners are critical, rather than the creation and imposition of inappropriate and unnecessary planning controls.

Therefore, it is acknowledged that the greatest opportunities for local government land use planning to effectively contribute to agricultural activities and practices are to:

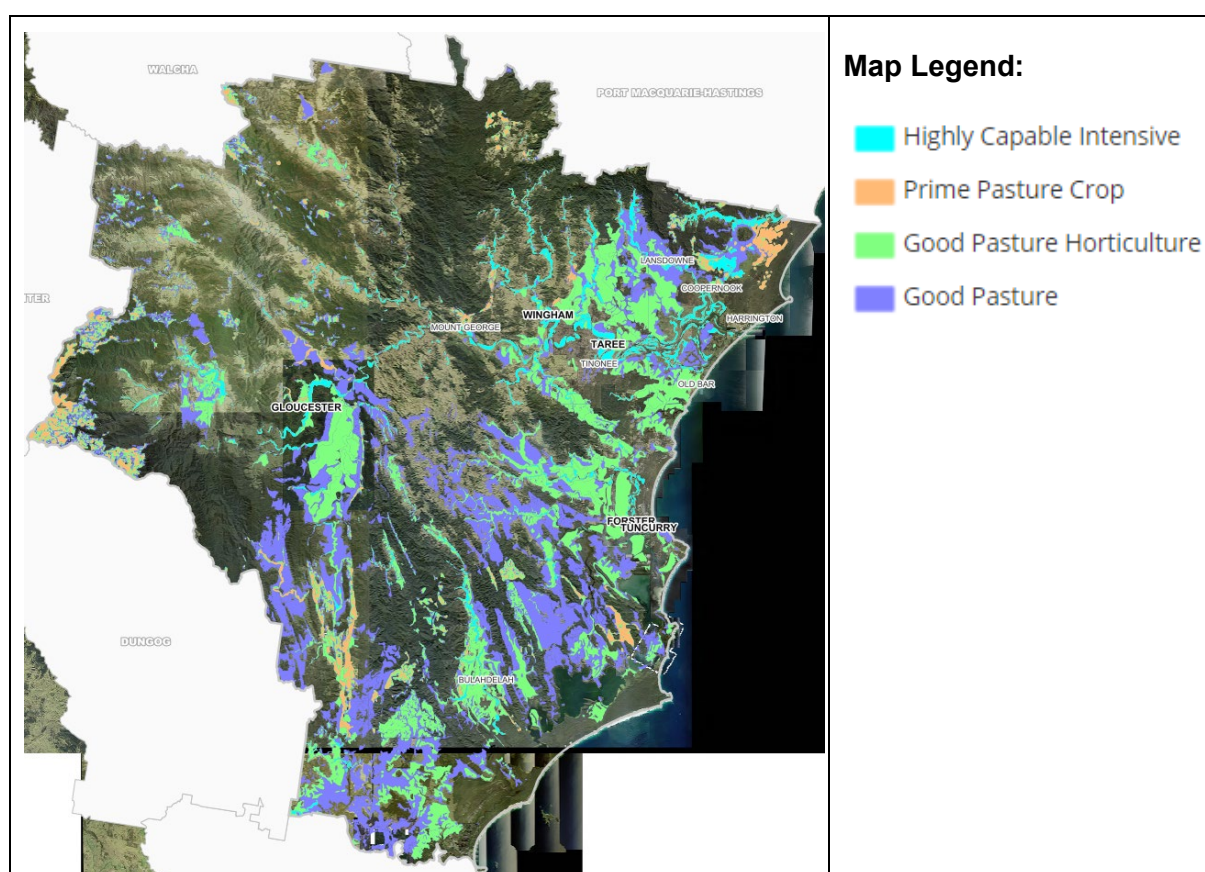
- identify and protect natural resources;
- provide a consistent approach to the management of fragmentation of rural lands;
- ensure infrastructure, services and rural industries are accessible to reduce transportation and production costs for agricultural activities;
- enable the co-location of agricultural and tourism-orientated activities, to enable paddock-to-plate productivity and increase on-site profitability;

- enable a diversity of niche commercial, tourist, educational and recreation activities that complement and strengthen not only the agricultural sector but rural communities.

4.3.3 Important Agricultural Lands Mapping

The Hunter Regional Plan recognises that identifying the agricultural sectors important to the local economy and mapping land suitable for those sectors, is important for the retention and growth of agriculture. Various projects have mapped land considered important to agricultural industries throughout NSW. These projects have generally been carried out at a regional or LGA wide scale, with each map being created for a specific purpose.

Figure 5. NSW DPI Agriculture Biophysical Agricultural Land Mapping (2012)



DPI - Agriculture categorises agricultural lands mapping into two themes, based on the criteria used to identify land:

- Biophysical Mapping: maps prepared using biophysical data only e.g. soil, climate and/or topography. This mapping approach identifies land important to agricultural industries that rely on certain biophysical criteria such as dairy farming e.g. Biophysical Strategic Agricultural Land (BSAL) mapping, Land and Soil Capability mapping.
- Biophysical and economic and social mapping: this is the preferred type of mapping use for rural land use planning. Maps are developed using both biophysical information, economic and social data e.g. infrastructure, access to markets, economic advantages, labour and the location of existing agricultural industries. This approach also identifies land important to industries that are not reliant on biophysical

criteria for their location, such as intensive poultry or protected cropping e.g. Important Agricultural Land mapping, Critical Industry Cluster mapping.²⁵

A review of the agricultural lands mapping available within the MidCoast has concluded that important agricultural lands are not adequately identified or mapped. Existing mapping identifies good quality agricultural land from a biophysical perspective but does not currently consider social and economic factors.

It is not possible to identify which areas are locally and regionally important for agricultural industries and resources based only on the BSAL mapping alone, shown in Figure 5 above, given the rapidly changing nature of agricultural activities and practices.

DPI recognises this information gap and is currently in the process of undertaking Important Agricultural Lands (IAL) mapping within the Hunter. Initial research and engagement undertaken as part of the MidCoast and Dungog IAL project identified beef, dairy, horticulture, poultry and equine sectors to be most relevant to the MidCoast economy.

At the time of writing this report, the draft IAL mapping is understood to be near completion and will be publicly exhibited before being finalised. The recommendations provided in this Report can, therefore, only be based on the Dpi methodology and preliminary findings of critical industries identified above, and how this information may be used to inform long-term planning and plan-making.

4.3.4 MidCoast Regional Economic Development Strategy 2018-22

The development of Regional Economic Development Strategies across New South Wales was the initiative of the [NSW Department of Premier and Cabinet](#), through the Centre for Economic and Regional Development (CERD). These Strategies were developed with strong linkages to the findings and recommendations of the 20 Year Economic Vision for Regional NSW strategy document.

CERD worked closely with local councils to the Strategies, which apply standardised regional economic development methodology to identify existing economic strengths; new opportunities to enhance the region's development performance and competitiveness; and to set the region on a path to sustainable economic development.

The [MidCoast Regional Economic Development Strategy](#) (REDS) was released in July 2018. The process included a series of well-attended workshops held across the region, aimed at collaborating to build sustainable economic development. The strategy includes an action plan for the next three years, leveraging regional strengths such as our land and water assets, our infrastructure, and our location, lifestyle and amenity.

The MidCoast REDS is linked with Council's Community Strategic Plan and Destination Management Plan, and provides a strategic platform for community, business and Council to work with the State Government in driving economic growth. It is an important plan that will help attract State resources to underpin economic projects and create employment in the region.

REDS identified key strengths of the MidCoast regional economy that can be capitalised upon, including our *Assets, Location* and *Infrastructure*:

Land, water and related assets

The Region has good agricultural land and reliable rainfall which produces pastures that are highly suitable for dairy and beef production. The land is suitable for other agricultural

²⁵ DPI 2017a

industries including poultry farming. There are hardwood and softwood forests located in the western sections of the Region which provide the basis of the forestry industry. The MidCoast Region has several estuaries highly suitable for aquaculture. These include areas around the Manning River, Wallis Lake, Karuah River and Port Stephens.

The Gloucester coal basin, located in the west of the Region extending from Gloucester to Stroud, provides the foundation for the coal mining industry and was identified as a source of coal-seam gas. There are a number of key industry specific assets that are used for processing product from the land and from water industries. These include the beef abattoir located in Wingham (which is export licensed), private seafood processing, saw milling facilities and mining infrastructure.²⁶

Infrastructure and location

The use of natural resources for productive purposes is supported by good transport infrastructure for delivering product to market. The Pacific Highway and other regional roads are key assets which enable agriculture, forestry and fishing products to be delivered to markets outside the Region. The rail line is an important endowment for the coal mining industry.

The main population centres in the MidCoast Region are all within a short distance to the Pacific Highway. This provides direct access to the Sydney market (3–4 hours) and to the Port of Newcastle and Newcastle Airport (~2 hours).

The Region (via Gloucester, Wingham and Taree) has rail services (via North Coast line) and local air services from Taree airport that fly direct to Sydney. Connectivity to other markets is enhanced by the NBN which has been rolled-out in key townships in the Region.

Taree's location (adjacent to the Pacific Highway) renders it a convenient location for freight and transport operations. This advantage will increase with the introduction of the Northern Gateway transport and logistics hub which is in development. The hub is expected to result in significantly reduced freight transport costs in and out of the Region.

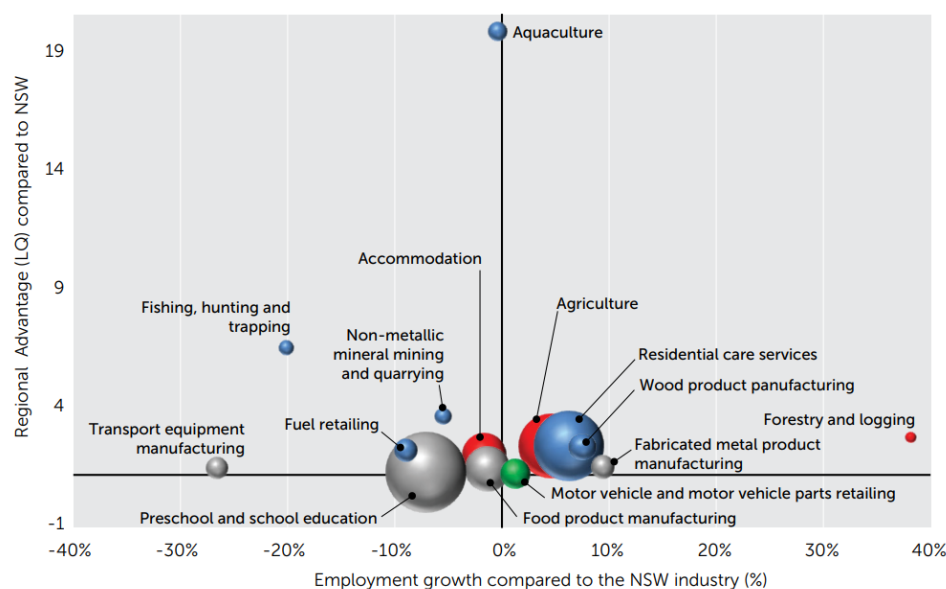
Gloucester is also conveniently located and has a rural setting. It has good access to key markets to the South (less than 3.5 hours to Sydney and 1.5 hours to Newcastle Airport) and is a gateway from the coast to the New England North West Region.

The availability and affordability of land (for employment and non-employment uses) is a key positive for the Region, particularly for industry wishing to establish in Gloucester and Taree.²⁷

²⁶ <https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/REDS/a698de0f30/MidCoast-REDS-Final-Report.pdf>

²⁷ <https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/REDS/a698de0f30/MidCoast-REDS-Final-Report.pdf>

Figure 6. Location Quotients and Employment Growth for MidCoast Industries²⁸



Source: Census 2011, 2016. See the Supporting Analysis for notes regarding the analysis.

REDS also examined the region's competitive advantage (Location Quotient) by industry and comparing these findings to the same sector across NSW.

The top five industries in the MidCoast as illustrated in Figure 6 above, were identified as: Aquaculture (LQ of 19.5); Fishing, Trapping and Hunting (LQ of 6.6); Non-Metallic Mineral Mining and Quarrying (LQ of 3.7); Forestry and Logging (LQ of 2.9); and Agriculture (LQ of 2.5). However, as illustrated by the size of the 'bubbles', these industries do not generally employ a large number of people when compared to other industries; and may not be experiencing growth when compared to the same industry across NSW.

For example - Aquaculture is a specialised industry where the MidCoast has a significant regional advantage however, it employs a relatively small number of people and this number was in slight decline compared to the rest of NSW at the time of analysis (2018).

Based on this analysis, the Strategy then identified key opportunities within the MidCoast and how infrastructure maintenance and development can ensure they are realised.

Strengthening the Region as a location of choice:

While the Region has strong existing endowments, further work and investment is required to maximise its potential. This includes improvements to core infrastructure (e.g. road and telecommunications) that are important for each of the key industry sectors and industry specific assets (e.g. tourism assets).

One of the key initiatives identified in the Strategy recommends that Council and other public agencies improve the core foundation infrastructure, including:

- *road infrastructure – in particular key routes for development (Bucketts Way, Thunderbolt's Way and The Lakes Way);*
- *infrastructure to support Northern Gateway development (employment lands adjoining the Pacific Highway near Taree);*
- *renewal of maritime facilities, particularly in Forster-Tuncurry;*

²⁸ <https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/REDS/a698de0f30/MidCoast-REDS-Final-Report.pdf>

- *mobile telephone infrastructure – to address coverage issues in rural area; and,*
- *water infrastructure – improving water security.* ²⁹

Creating a supportive environment for businesses to invest and grow

The Strategy also identifies that local businesses face barriers including land use uncertainty. This could be reduced by undertaking local action to enable development and growth:

- *identify and reduce/remove barriers that hinder business growth (including ensuring policies, procedures and charges are appropriate to support economic development consistent with the vision);*
- *resolving potential land-use conflicts through completion of a land-use strategy;*

Marketing the MidCoast Region

Growing the MidCoast Regional economy depends significantly on attracting people and investment to the Region. A significant risk is that the growth potential is not achieved due to a lack of awareness and appreciation of the Region's endowments (e.g. proximity to key markets and lifestyle options) and opportunities.

Marketing is also important in supporting the industries that are based on infrastructure and location. This is achieved by increasing awareness of the accessibility of the Region and the opportunities that the Northern Gateway project will bring. ³⁰

4.3.5 Hunter Local Land Services Strategic Plan 2016-2021

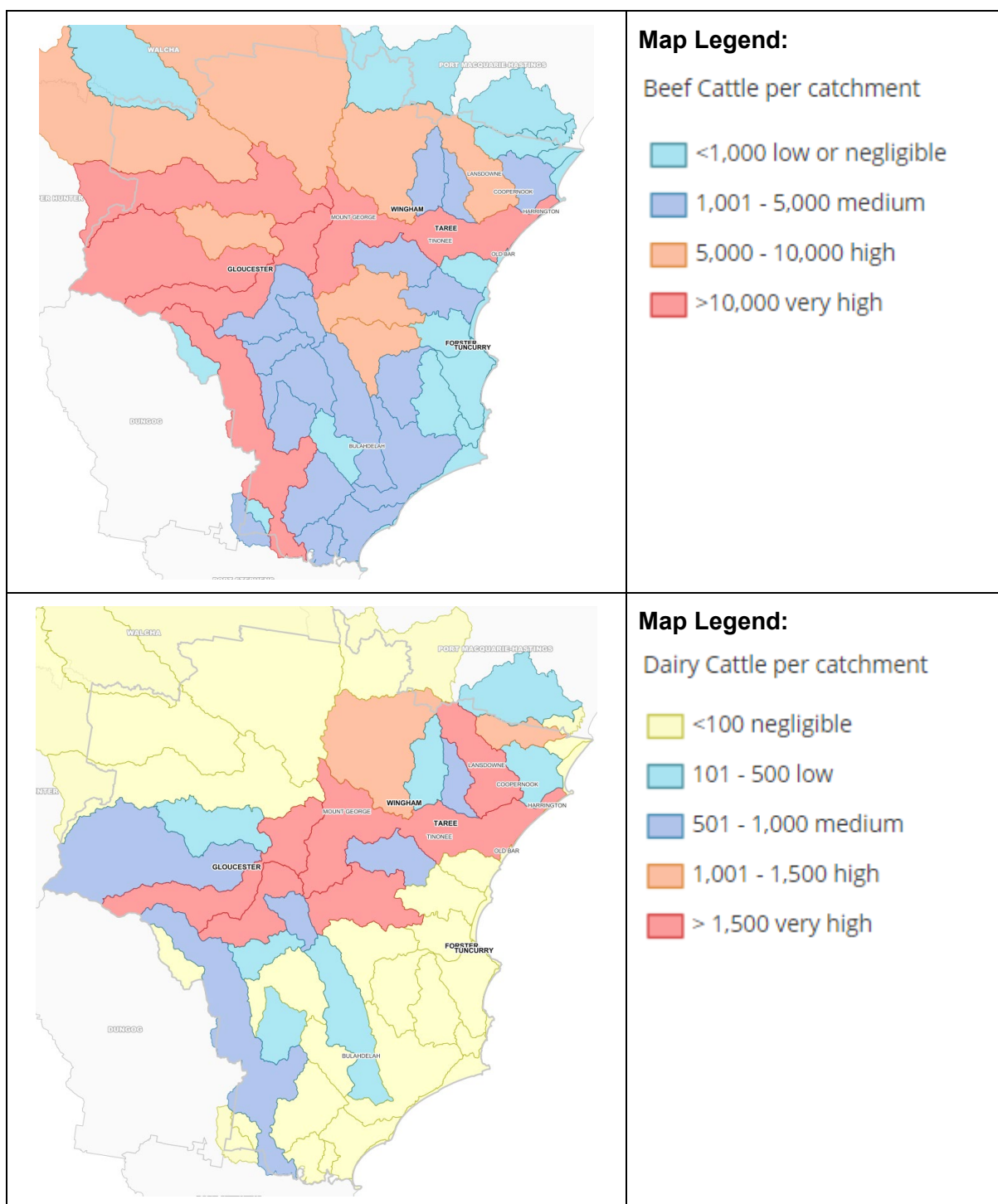
Each year, most NSW rural landholders with livestock and a Property Identification Code (PIC) are required to lodge an annual land and stock return with the Local Land Services. This data provides important information about livestock numbers across the State and other purposes i.e. underlying agricultural uses.

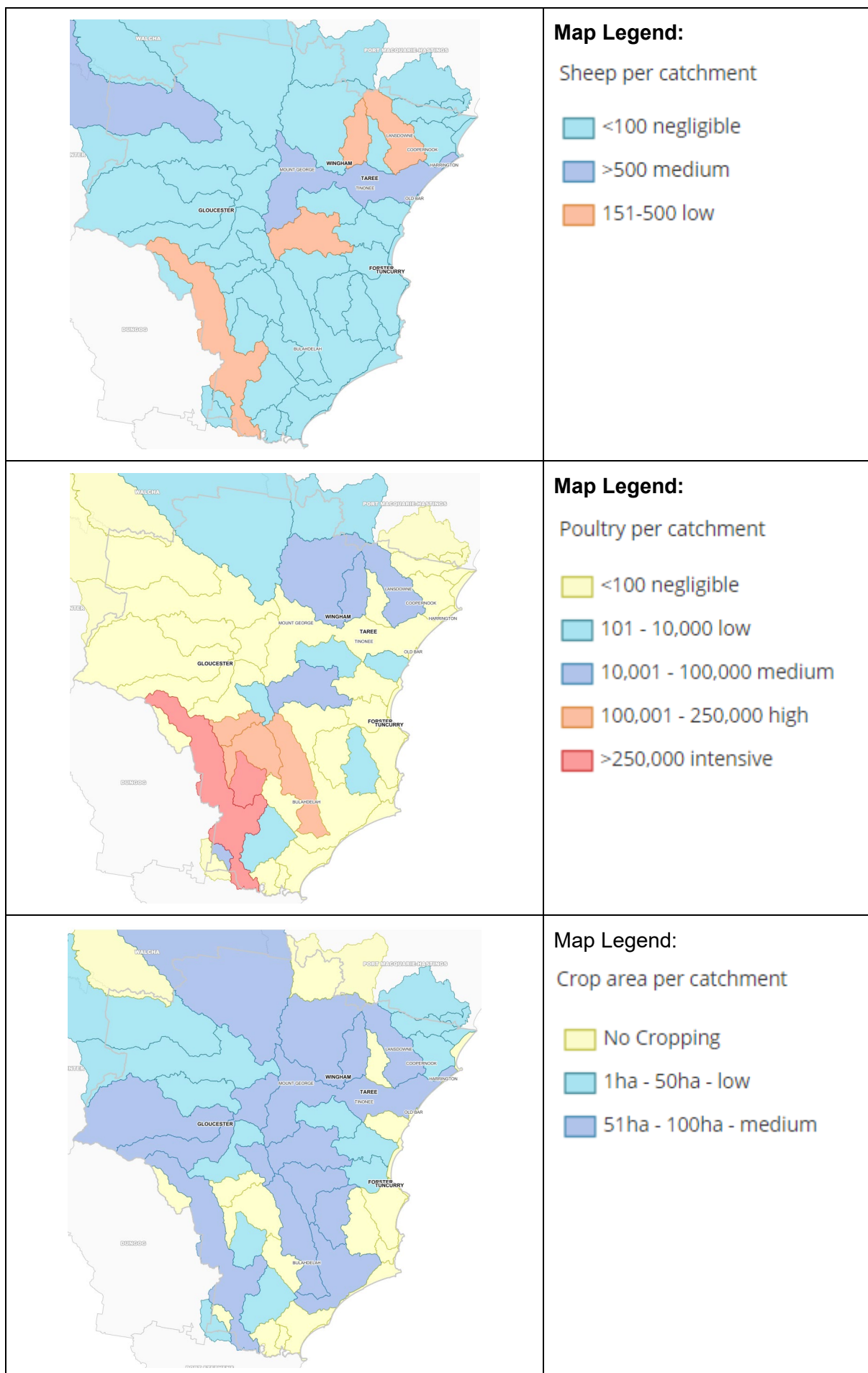
Within the MidCoast, the 2018 data was collated to inform broad-scale mapping of stock intensity rates, as illustrated below:

²⁹ <https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/REDS/a698de0f30/MidCoast-REDS-Final-Report.pdf>

³⁰ <https://www.midcoast.nsw.gov.au/Part-of-your-every-day/Council-Projects/Regional-Economic-Development-Strategy>

Figure 7. Broad-scale mapping of Stock Intensity Rates by industry (LLS data 2018)





This mapping indicates a diverse range of stocking intensity across the MidCoast, acknowledging that this is a snap-shot in time and rates are likely to vary between periods of drought; water scarcity; or other natural disasters such as flood and bushfire; and data gaps relating to the reporting of under-age cattle.

However, the broad information does support the general findings discussed previously in this report that:

- biophysical conditions (BSAL) do not necessarily determine the location of 'important' agricultural land within the MidCoast; rather
- the combination of property holdings size, nature of the agricultural activity, access to water and transportation for product (IALM), are more likely to influence the establishment, productivity and potential profitability of agricultural enterprise across the MidCoast.

Therefore, until such time as comprehensive locally-relevant Important Agricultural Land Mapping is produced by the Department of Primary Industries – Agriculture, Council can only influence the retention and expansion of agricultural industries within the MidCoast by removing potential barriers that may exist within local planning instruments.

4.4 Local Level Considerations

At the local-level additional policy considerations are set out in a range of documents endorsed by the State Government and/or Council. Again, these offer goals, directions and actions that complement, or provide more detail, than those provided in the Hunter Regional Plan 2036.

It is important to note here that the MidCoast Regional Economic Development Strategy, while it applies exclusively to the MidCoast LGA, has been recognised as a regional strategy as it has this intention and purpose. The fact that the MidCoast LGA was found to be an effectively independent Functional Economic Region during preparation of the Strategy, is informative as both an opportunity and a challenge for the MidCoast.

The following documents are relevant to long-term planning for agriculture and rural based industries in the MidCoast and have been reviewed by the consultant team:

- MidCoast Regional Economic Development Strategy ('REDS') (NSW Department of Premier and Cabinet, 2018)
- MidCoast 2030: Community Strategic Plan 2018 – 2030 (MidCoast Council, 2018)
- Agricultural Strategy for Gloucester Shire (Gloucester Shire Council, 2015)
- Draft Manning Valley Local Strategy (MidCoast Council, 2016)
- Wallis Lake Estuary and Catchment Management Plan
- Karuah River Catchment Management Plan
- Draft Manning Valley Estuary and Catchment Management Plan.

Collectively, these documents offer the following insights for agriculture and rural based industries, which will assist with formulating the MidCoast Rural Strategy:

- Both the REDS and the Agricultural Strategy for Gloucester Shire support improving infrastructure, notably roads and bridges, but also telecommunications and water infrastructure, to become a location of choice for agribusiness.
- The MidCoast Community Strategic Plan and the Agriculture Strategy for Gloucester Shire also support enhancing the diversity and sustainability of agribusiness through the utilisation of sustainable farming practices, new technologies, innovation and value adding e.g. new marketing and processing opportunities, agritourism etc.

- The Draft Manning Valley Local Strategy encouraged development of innovative rural planning controls and facilitating a broad range of rural activities to maximise the use of rural land.
- The Agricultural Strategy for Gloucester Shire and the Draft Manning Valley Local Strategy recommend identifying significant agricultural land, noting that these recommendations have been superseded by the State-led Important Agricultural Land Mapping projects.

The following Council documents, which will be discussed in additional detail below, have been identified as particularly relevant to long-term planning for agriculture and rural industries in the MidCoast:

- [MidCoast 2030: Shared Vision, Shared Responsibility](#)
- [MidCoast Destination Management Plan](#)

4.4.1 MidCoast 2030: Shared Vision, Shared Responsibility

MidCoast 2030 was the first Community Strategic Plan prepared for the new 10,000 square kilometre MidCoast local government area created in May 2016.

Our Vision: We strive to be recognised as a place of unique environmental and cultural significance. Our strong community connection, coupled with our innovative development and growing economy, builds the quality of life we value.

Within this Plan we valued: our unique, diverse and culturally rich communities; a connected community; our environment; our thriving and growing economy; strong leadership and shared vision. Critically, we also recognised that our rural areas and transport infrastructure were key to establishing and maintaining these connections:

We have a strong sense of community. We want our towns and villages to reflect the vibrancy and individuality of the people within them and provide opportunities for us to connect and socialise.

Much of the rural area is used for farming, primarily dairy and beef cattle with a growing poultry industry. Oyster farming and fishing are important industries on our coast.

Our region is also a key holiday destination.

During the summer months the population swells with tourists coming to enjoy the region's pristine coastline and beaches, coastal lakes, lagoons and other attractions.

With the Pacific Highway, a national route, running straight through the region, we are an important connection point for travellers and transit companies.

The North Coast Rail Line connects Gloucester, Wingham and Taree to both Sydney and Brisbane.

*Taree Regional Airport provides quick connection to Sydney, and from here travellers can access a range of domestic and international routes.*³¹

³¹ <https://www.midcoast.nsw.gov.au/Council/Plans-and-reports>

Table 4. Agriculture and Rural Industries Goals and Actions from MidCoast 2030³²

WE VALUE... our unique, diverse and culturally rich communities		
Where do we want to be?	How will we get there?	Who can help?
We are a diverse community that works together to care for all our members	Empower our towns and villages to retain and celebrate their unique identity, while working towards a shared community vision.	MidCoast Council NSW and Federal Government Community groups Local Aboriginal groups and organisations
We will embrace the uniqueness and creativity of our communities	Support communities to identify priorities for ensuring they are sustainable into the future.	Tourism providers and Destination NSW Chambers of Commerce and business community Education and training providers
How will we know we are on track?		
3 The community is satisfied with land use planning decisions		

WE VALUE... a connected community		
Where do we want to be?	How will we get there?	Who can help?
It is safe and easy to get around our region	Plan for, provide and maintain a safe road network that meets current and future needs.	MidCoast Council NSW and Federal Government
We utilise technologies to connect us locally and beyond	Use technology and innovation to improve the way we live, work, learn and connect. Advocate for improved telecommunications and utilities to provide consistency across the region.	Regional Development Australia Local Aboriginal groups and organisations
We protect the health and safety of our communities	Continue to develop a sustainable network of water, sewer and storm water systems to meet community needs and health and safety standards. Increase the capacity of community, businesses and organisations to understand and meet public health standards	Chambers of Commerce and business community Utility providers Transport providers
How will we know we are on track?		
3 The condition of our sealed roads has improved		

WE VALUE... our environment

³² [MidCoast-2030-Shared-Vision-Shared-Responsibility \(26\).pdf](#)

Where do we want to be?	How will we get there?	Who can help?
We protect maintain and restore our natural environment	<p>Ensure climate change risks and impacts are understood and managed.</p> <p>Protect, maintain and restore water quality within our estuaries, wetlands and waterways.</p> <p>Improve the capacity of industry and the community to achieve the best possible outcomes for the natural environment.</p> <p>Ensure our natural assets are maintained to a standard appropriate to their use.</p>	<p>MidCoast Council</p> <p>NSW and Federal Government</p> <p>Environmental groups</p> <p>Not for profit organisations</p> <p>Local Aboriginal groups and organisations</p>
We manage resources wisely	Sustainably manage our waste through reduction, reuse, recycling and repurposing. Proactively manage our resource consumption.	Education and training providers
We balance the needs of our natural and built environments	<p>Ensure growth and new development complements our existing natural assets, cultural assets and heritage sites.</p> <p>Optimise land use to meet our environmental, social, economic and development needs.</p> <p>Promote greater utilisation of sustainable design in new developments.</p>	Chambers of Commerce and business community
<p>How will we know we are on track?</p> <p>1 There are improved or maintained scores in the annual waterways report card</p> <p>2 There is a reduction in council's annual carbon emissions</p> <p>3 There is an increase in the % of household waste diverted from landfill</p> <p>4 The community is satisfied with land use planning decisions</p>		

WE VALUE... our thriving and growing economy		
Where do we want to be?	How will we get there?	Who can help?
Our region is a popular place to visit, live, work and invest	<p>Develop and promote our region as an attractive visitor destination offering products and experiences that meet the needs of our visitors and residents.</p> <p>Provide an environment to grow and strengthen local businesses and attract new business.</p> <p>Increase opportunities for quality education and training.</p> <p>Advocate and identify opportunities for increased workforce participation.</p>	<p>MidCoast Council</p> <p>NSW and Federal Government</p> <p>Not for profit organisations</p> <p>Regional Development Australia</p> <p>Local Aboriginal groups and organisations</p>
Our villages and business precincts are vibrant commercial, cultural and social hubs	<p>Ensure strategies and processes recognise, maintain and support sustainable economic growth.</p> <p>Use existing knowledge, expertise and technology to develop businesses based on new ways of thinking.</p>	Education and training providers

We encourage greater rural and agricultural economic diversity	Encourage the diversification and sustainability of agribusiness through the utilisation of sustainable farming. practices, new technologies and innovation	Tourism providers and Destination NSW Chambers of Commerce and business community
How will we know we are on track? 1 There is a reduction in the MidCoast unemployment rate 2 The net number of new businesses has increased 3 Annual visitor numbers have increased		

WE VALUE... strong leadership & shared vision		
Where do we want to be?	How will we get there?	Who can help?
We work in partnership with our community and government to ensure council is a trusted and flexible organisation that delivers on their needs	Partner with, and positively influence the State and Federal Governments in delivering local priorities and services. Provide the community with an efficient, convenient and professional experience when using council services.	MidCoast Council NSW and Federal Government Community groups Not for profit organisations
We make opportunities available for the community to inform decisions that shape our future	Provide clear, accessible, timely and relevant information to support and inform the community. Improve community understanding of how decisions are made for the local area.	Regional Development Australia Local Aboriginal groups and organisations Other councils
We develop and encourage community and civic leadership	Inform, educate and empower council, business and community leaders to respond and adapt to challenges and change. Identify and participate in initiatives for regional cooperation and collaboration.	Education and training providers Chambers of Commerce and business community
How will we know we are on track? 2 The community is satisfied that decisions are made in their best interest 3 The community is satisfied with the level of engagement by council		

4.4.2 MidCoast Destination Management Plan

The [MidCoast Destination Management Plan](#) incorporates the identified “Game Changer” Manning Valley Soils to Sea Produce Precinct which recognises the range of quality produce throughout the region and the opportunity to create the ultimate produce hub within the MidCoast. The Precinct would showcase and profile the region’s produce; strengthens collaboration between the visitor economy and the agricultural sector; and provides a base for promoting and growing agri-business and agri-education.

The project encourages agritourism development with a “Nature’s bounty” theme. This includes Soil to Sea Produce and Market events, farm gate trails and a Sharing our Produce program.

Agriculture and rural industry priorities identified in the DMP are summarised below:

- Provide access to natural areas, particularly waterways, rivers and wetlands.
- Identify and promote 'themed trails', focusing on cycling tours, horse-riding and farm gate experiences. Specific reference is made to the farm gate trail at Wootton.
- Destinations underpinning the initiative to establish the MidCoast as a World-class equestrian destination, leverage existing horse studs, racing and rodeo facilities.
- The Nabiac Agricultural Hub (economic development initiative) is understood to centre on the showground, which is home to events such as the Agricultural Show, rodeos and monthly farmer's markets³³.

4.5 Environmental Planning Instruments

The way agriculture and rural-based activities are considered through various state and local environmental planning instruments is also relevant to long-term planning and plan-making considerations.

These environmental planning instruments are: State Environmental Planning Policies (SEPP) and Local Environmental Plans (LEP). The content and format of an LEP is required to be consistent with the Standard Instrument Principal Local Environmental Plan (2006) and not inconsistent with, or repetitious of, the provisions of any relevant SEPP.

This section briefly describes how these types of activities are permitted (with or without consent), and relevant considerations relating to the assessment and determination of development applications within the MidCoast.

Note: In 2021 the Department of Planning, Industry and Environment released an [Explanation of Intended Effect for Proposed Amendments to Agriculture](#) provisions in environmental planning instruments.

In reviewing the intended effects, Council officers made a submission to the Department on 12 April 2021 which supported the initiatives at a strategic level, the recognition and increased diversity of agriculture and agritourism activities; and matters for consideration in assessment pathways in the various environmental planning instruments discussed below.

Proposed Amendments to Agriculture - Agritourism and small-scale agriculture

Thank you for the opportunity to comment on the Explanation of Intended Effect for Agritourism and small scale agriculture development.

MidCoast Council is in the process of finalising a range of strategic planning work aimed at informing the preparation of an inaugural MidCoast Local Environmental Plan and Development Control Plan. The final component of this work is a Draft Rural Strategy which is to be exhibited in 2021.

The intent and purpose of the Explanation of Intended Effect is generally supported and consistent with the objectives of the Draft Rural Strategy – to increase flexibility and diversity of land uses within the rural landscape, with a focus on ensuring appropriate development is permitted in appropriate locations.

Council is interested in making amendments to the Gloucester LEP 2021, Great Lakes LEP 2014 and Greater Taree LEP 2010 as part of an amending State Environmental Planning Policy.

³³ <https://www.midcoast.nsw.gov.au/Part-of-your-every-day/Council-Projects/Tourism-Destination-Management-Plan>

The comments below provide a summary of the feedback received in response to the exhibition material and have been reported to the elected representatives of MidCoast Council prior to lodgement of this submission.

Farm stay accommodation

1. There are no clear requirements for the property to have an existing approved dwelling house, satisfy the minimum lot size development standard or have a dwelling entitlement, within the exhibition documents.

The amendments must be consistent with the existing provisions of Model Clause 4.2A – Erection of dwelling houses on land in certain rural and environmental protection zones, to ensure that any form of residential, tourist and visitor accommodation, including farm stay accommodation, caravan parks and camping grounds must only be permitted on land with a dwelling entitlement.

2. There are no requirements for a permanent resident to be on the site.

To ensure appropriate management of the activity, particularly in emergency situations it is considered essential that any exempt or complying development activity associated with residential or tourist accommodation on rural land should only Page 2 of 6 be permitted where there is an existing, lawfully approved dwelling on the property that is occupied by a permanent resident of the property.

This requirement is consistent with the new short-term holiday accommodation definition, gazetted on Friday 9 April 2021 that will come into effect on 30 July 2021: hosted short-term rental accommodation means short-term rental accommodation provided where the host resides on the premises during the provision of the accommodation.

3. There are no on-site sewage management requirements in the documentation. The immediate and cumulative impact of providing accommodation without any form on on-site sewage management system are significant, particularly with the proposed exempt development provisions that allow up to 20 additional people for up to 14 days. Noting that this open-ended provision may result in an ongoing occupation of a site by 20 additional people at any given time.
4. The proposed setbacks are supported. The proposed setbacks should be consistently applied to farm stay accommodation and any other residential and tourism accommodation on rural lands to ensure consistency and minimise land use conflicts between accommodation and agricultural activities on rural lands.
5. Land based exclusions must be applied consistently. Any form of exempt or complying residential, tourist and visitor accommodation, including farm stay accommodation, caravan parks and camping grounds should be excluded from bushfire prone, flood affected, environmentally sensitive areas and contaminated land for consistency and to ensure environmental characteristics of the site are maintained.
6. There are no requirements for emergency management or evacuation provisions within the documentation. In this regard, there is no requirement to ensure access from a publicly constructed and maintained road is available to ensure evacuation can occur safely or consideration of parking, access and egress for visitors.

Farm gate activities including Roadside stalls

1. The intention and purpose of including 'cafes and restaurants' within the farm gate activity definition is unclear and not supported. Council would be supportive of the inclusion of artisan food and drink industry within a definition of agritourism as this activity directly relates to the intent and purpose of the Proposed Amendments for Agriculture. The definitions are provided for context:

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—

- (a) a retail area for the sale of the products,
- (b) a restaurant or cafe,
- (c) facilities for holding tastings, tours or workshops.

Note — See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.

Artisan food and drink industries are a type of light industry—see the definition of that term in this Dictionary.

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Note — Restaurants or cafes are a type of food and drink premises—see the definition of that term in this Dictionary.

2. *The introduction of exempt provisions for roadside stalls are welcomed provided access, egress and any parking areas can be safely provided in accordance with RMS requirements.*
3. *The exempt and complying development provisions for roadside stalls and farm gate activities need to be clarified to ensure both forms of activity have minimum floor areas and hours of operation:*
 - a. *Roadside stalls as exempt development is limited to 8sqm and hours of operation 7am-7pm Monday to Saturday and 9am-6pm on Sundays and public holidays;*
 - b. *No floor area or hours of operation controls appear to be specified for exempt farm gate activities. These exempt criteria should be more than roadside stalls and less than complying development e.g. maximum floor area of 50sqm, with the same hours of operation.*
4. *The criteria do not provide consistent consideration of floor areas or hours of operation between the different land use activities or approval pathways. Maximum floor areas and hours of operation must be specified for each land use – roadside stalls, farm gate activities and events - based on the relative scale of that use, to ensure impacts on neighbours and the environment are appropriately identified and managed for each of the exempt, complying and development assessment processes.*
5. *The introduction of farm gate activities for up to 50 people are supported, but require criteria like farm stay accommodation, to ensure minimal impacts on adjoining owners and the environment:*
 - a. *There are no requirements for an existing lawfully approved dwelling or a permanent resident to be on the property within the documentation.*

The amendments must be consistent with the existing provisions of LEPs in the MidCoast to ensure that any form of farm event must only be permitted on land with a dwelling entitlement.

To ensure appropriate management, particularly in emergency situations, it is considered essential that any exempt or complying development provisions for farm gate activities should only be permitted where there is an existing, lawfully approved dwelling on the property and that a permanent resident is on site during the activity.
6. *There are no on-site sewage management requirements in the documentation.*

The immediate and cumulative impact of providing farm gate activities for up to 50 people without any form of on-site sewage management system are significant. Most existing systems would only be designed to cater for existing approved dwelling houses and would require replacement or supplementary systems separate to the dwelling house, to accommodate additional demand created by these activities. Noting that this open-ended provision may result in multiple groups of up to 50 people visiting a site on any given day.

7. *The proposed setbacks are supported. The proposed setbacks should be consistently applied to avoid confusion and minimise land use conflicts between agritourism events and agricultural activities on rural lands.*
8. *Land based exclusions must be applied consistently. Any form of exempt or complying farm gate activity other than a roadside stall, should be excluded from bushfire prone, flood affected, environmentally sensitive areas and contaminated land to ensure consistency and to ensure environmental characteristics of the site are maintained.*
9. *There are no requirements for emergency management or evacuation provisions within the documentation. In this regard, there is no requirement to ensure access from a publicly constructed and maintained road is available to ensure evacuation can occur safely or consideration to the appropriate provision of parking, access and egress for visitors to a farm gate activity.*

Farm events

1. *The provisions for exempt farm events are not supported and have the potential for significant impacts upon adjoining residents, agricultural activities and generate additional land use conflicts.*
2. *Farm events are only supported as complying development if the criteria are consistent with those for development applications, in that they can be measured, managed and enforced.*
3. *The 1000sqm separation for farm events with amplified music or voices is supported but requires a specification regarding the acceptable level of noise.*
4. *The requirement to notify adjoining residents (noting that the resident may not be the landowner) is supported however one week is considered insufficient to allow for management of stock and other agricultural activities on the adjoining properties to ensure land use conflict is minimised.*
5. *The range of hours of operation and maximum number of guests and events per year are excessive. The open-ended nature of the provisions may result in multiple groups of up to 30 people visiting a site every weekend (52) per year or for 52 consecutive days, without recourse or respite for adjoining landowners. It is recommended that the wording be amended from “event days per year” to “separate events”; and include a limit to the number of consecutive “event” days.*
6. *The document as exhibited also makes no comment on dwelling entitlements; a permanent resident being on site during the event; the provision of parking, access, egress; on-site sewage management systems; setbacks to environmentally sensitive areas; or areas where these activities are excluded. Previous comments regarding these issues as they relate to farm stay accommodation and farm gate activities, are also relevant to farm events.*

Ancillary activities and structures

1. *The consideration of bushfire prone land should be consistently applied to all forms of accommodation and activities including ancillary structures.*
2. *Business identification and free-standing signs should not be exempt or complying development if the signage is illuminated, to minimise any visual impact on adjoining landowners or livestock.*

Small-scale processing plants

1. *The inclusion of a small-scale processing plant complying development provisions and criteria are not supported.*
2. *The document as exhibited does not provide any criteria or consideration of parking, access, egress, on-site sewage management systems, waste management or building/facility requirements for these activities. Therefore, the proposed small-scale processing plant provisions are insufficient for the scale of activity proposed and are not supported.*
3. *Council would support the inclusion of a small-scale processing plant definition and local clause in the local environmental plan, to enable clear and consistent criteria for a development assessment process.*
4. *Consistent with previous comments on agritourism activities, small-scale processing facilities should:*
 - a. *only be permitted where there is an existing, lawfully approved dwelling on the property;*
 - b. *only operational when a permanent resident is on site;*
 - c. *be excluded from flood and bushfire prone land; and*
 - d. *require landowners to consider emergency management requirements for facilities with employees or associated farm gate activities.*

Farm infrastructure

These provisions are generally supported on the basis that the controls will be clearly and consistently applied across all relevant environmental planning instruments.

Biosecurity for poultry farms and pig farms

No comment is provided at this time as it is unclear how planning controls could or should over-ride or otherwise interfere with industry standard bio-security requirements.

Rural dwelling setbacks from intensive livestock agriculture

1. *There are no requirements for the property to satisfy the minimum lot size development standard or have a dwelling entitlement within the exhibition documents. The amendments must be consistent with the existing provisions of Model Clause 4.2A – Erection of dwelling houses on land in certain rural and environmental protection zones to ensure that any form of residential, tourist and visitor accommodation, including farm stay accommodation, caravan parks and camping grounds must only be permitted on land with a dwelling entitlement.*
2. *The additional setbacks are supported. However, the setbacks should be measured from the property boundary to ensure clear and consistent application and ensure that potential expansion and or modification of the agricultural activity within the rural property is not affected by the location of the constructed dwelling.*

Recreational Beekeeping

The inclusion of a recreational beekeeping definition and exempt development provisions are supported.

In conclusion, while the Proposed Amendments to Agriculture provisions are supported at a strategic level, the provisions and criteria provided do not appear to adequately consider the range of natural hazards or on-site management requirements associated with accommodating or entertaining tourists and visitors on rural land.

The provisions if applied as proposed, would also exacerbate existing inconsistencies between the Gloucester, Great Lakes and Greater Taree LEPs.

Therefore, Council is interested in working with the Department to enable the introduction of clear and consistent planning controls for agritourism and related activities to ensure the opportunities created by these amendments are provided to agricultural producers across the MidCoast, and we look forward to engaging in this process.

There has been no response from the Department at the time of writing.

The State Government has also prepared [Planning Guidelines for Intensive Livestock Agriculture Development](#) to support the proposed planning reforms. These guidelines are useful to both applicants and Council development assessment staff as they provide considerations for assessment of new intensive livestock developments, such as feedlots and poultry farms. Where relevant, these guidelines have been integrated into the Agricultural Sectors Review provided in this report.

4.5.1 Exempt and Complying Development Codes SEPP 2008

The [Exempt and Complying Development \(CODES\) SEPP](#) contains planning provisions for developments that are likely to have minimal environmental impact to reduce the level of assessment or approval required.

For the purposes of this paper, the following agricultural and rural industry uses, and infrastructure may be classified as exempt development if it meets the required development standards:

- Aerials, antennae and communication dishes (Subdivision 2)
- Animal shelters (Subdivision 3A)
- Aviaries (Subdivision 4)
- Farm buildings (Subdivision 16)
- Stock holding yards not used for the sale of stock (Subdivision 16A)
- Grain silo and grain bunkers (Subdivision 16B)
- Fences (certain rural and environmental zones) (Subdivision 18)
- Fowls or poultry houses (Subdivision 21)
- Fuel tanks and gas storage (Subdivision 21AA)
- Rainwater tanks (above ground) (Subdivision 32)
- Rainwater tanks (below ground) (Subdivision 33)
- Windmills (Subdivision 41).

4.5.2 Primary Production and Rural Development SEPP (2019)

The [State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#) came into force in February 2019 and repealed the following Policies:

- State Environmental Planning Policy No 30—Intensive Agriculture,
- State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas,
- State Environmental Planning Policy No 62—Sustainable Aquaculture,
- State Environmental Planning Policy (Rural Lands) 2008.

As a result, the Policy aims to cover a broad range of activities and initiatives across the State:

(a) to facilitate the orderly economic use and development of lands for primary production,

(b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,

(c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,

(d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,

(e) to encourage sustainable agriculture, including sustainable aquaculture,

(f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,

(g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.

Within the context of this report, this is particularly relevant to state agricultural land, farm dams and other small scale and low-risk waterbodies and livestock industries. However, at the time of writing, there are no areas of identified State significant agricultural land or irrigation areas, within the MidCoast.

However, Part 4 SEPP contains provisions for livestock industries that do apply within the MidCoast and allow for certain temporary activities without development consent including:

- the containing of livestock (including goats) and associated activities on land where agricultural uses are already occurring, due to such factors as drought and flooding.
- the agistment or housing of livestock and some associated activities, but only in areas that are not environmentally sensitive, within 100m of a watercourse and at least 500m from a residential zone or dwelling which is not part of the development.

The need for flexibility for these sorts of temporary activities has already been demonstrated within the MidCoast, in response to recent natural disasters including drought, bush fire and flood events.

4.5.3 State Environmental Planning Policy (Infrastructure) 2007

The [Infrastructure SEPP](#) is a major consideration for local strategic planning and plan-making relating to rural transport, as it allows for certain agriculture and rural industry related development to be undertaken without consent, if it is by or on behalf of, a public authority. In particular, the provisions that enable the management and maintenance of identified travelling stock reserves (Division 22).

4.5.4 State and Regional Development SEPP (2011)

Agriculture and rural industrial developments that exceed a capital investment value of more than \$30 million, or \$10 million in any environmentally sensitive area of State significance, are classified as regionally significant developments under the [State and Regional Development SEPP](#).

Schedule 1 of the SEPP also identifies a broad range of State Significant development categories, including several related to agriculture and rural industries: abattoirs and meat packing; boning or products plants; animal or pet feed production; gelatine plants; tanneries; rendering plants; grain silos or silo complexes; edible and essential oils harvesting; cereal processing or organic fertiliser and composting works; waste and resource management facilities; and sawmills.

These activities are generally assessed by either a Joint Regional Planning Panel or the State government's Independent Planning Commission.

4.5.5 Standard Instrument Principal Local Environment Plan

The [Standard Instrument Principal Local Environmental Plan](#) (Standard Instrument LEP) was significantly amended in 2019-202 to increase the number and relevance of land use definitions relating to agriculture and rural industries:

agricultural produce industry means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

*Note — Agricultural produce industries are a type of **rural industry**—see the definition of that term in this Dictionary.*

agriculture means any of the following—

- (a) aquaculture,
- (b) extensive agriculture,
- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

Note — Part 6 of the [Plantations and Reafforestation Act 1999](#) provides that exempt farm forestry within the meaning of that Act is not subject to the [Environmental Planning and Assessment Act 1979](#).

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

aquaculture has the same meaning as in the Fisheries Management Act 1994. It includes oyster aquaculture, pond-based aquaculture and tank-based aquaculture.

*Note — Aquaculture is a type of **agriculture**—see the definition of that term in this Dictionary.*

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—

- (a) a retail area for the sale of the products,
- (b) a restaurant or cafe,
- (c) facilities for holding tastings, tours or workshops.

Note — See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.

Artisan food and drink industries are a type of **light industry**—see the definition of that term in this Dictionary.

bee keeping means a building or place used for the keeping and breeding of bees for commercial purposes.

*Note — Bee keeping is a type of **extensive agriculture**—see the definition of that term in this Dictionary.*

cellar door premises means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

Note — Cellar door premises are a type of **retail premises**—see the definition of that term in this Dictionary.

dairy (pasture-based) means a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle generally feed by grazing on living grasses and other plants on the land and are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

Note — Dairies (pasture-based) are a type of **extensive agriculture**—see the definition of that term in this Dictionary.

dairy (restricted) means a dairy that is conducted on a commercial basis where restriction facilities (in addition to milking sheds and holding yards) are present and where cattle have access to grazing for less than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief). It may comprise the whole or part of a restriction facility.

Note — Dairies (restricted) are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

extensive agriculture means any of the following—

(a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,

(b) the grazing of livestock (other than pigs and poultry) for commercial purposes on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the livestock,

(c) bee keeping,

(d) a dairy (pasture-based) where the animals generally feed by grazing on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the animals.

Note — Extensive agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

farm building means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

farm stay accommodation means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

Note — See clause 5.4 for controls relating to the number of bedrooms.

Farm stay accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

feedlot means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, but does not include a poultry farm, dairy or pig farm.

Note — Feedlots are a type of **intensive livestock agriculture**. Intensive livestock agriculture does not include **extensive agriculture**. See the definitions of those terms in this Dictionary.

forestry means forestry operations within the meaning of the [Forestry Act 2012](#) or Part 5B of the [Local Land Services Act 2013](#).

horticulture means the cultivation of fruits, vegetables, mushrooms, nuts, cut flowers and foliage and nursery products for commercial purposes, but does not include a plant nursery, turf farming or viticulture.

Note — Horticulture is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following—

- (a) dairies (restricted),
- (b) feedlots,
- (c) pig farms,
- (d) poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.

Note — Intensive livestock agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

intensive plant agriculture means any of the following—

- (a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),
- (b) horticulture,
- (c) turf farming,
- (d) viticulture.

Note — Intensive plant agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

landscaping material supplies means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

Note — Landscaping material supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

livestock processing industry means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.

Note — Livestock processing industries are a type of **rural industry**—see the definition of that term in this Dictionary.

oyster aquaculture means the cultivation of any species of edible oyster for a commercial purpose.

Note — Oyster aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary.

pig farm means land that is used to keep or breed pigs for animal production, whether an indoor, outdoor, free-range or other type of operation.

Note — Pig farms are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

plant nursery means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

Note — Plant nurseries are a type of **retail premises**—see the definition of that term in this Dictionary.

pond-based aquaculture means aquaculture undertaken predominantly in ponds, raceways or dams (including any part of the aquaculture undertaken in tanks such as during the hatchery or depuration phases), but not including natural water-based aquaculture.

Note —Pond-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical pond-based aquaculture is the pond culture of prawns, yabbies or silver perch.

poultry farm means land that is used to keep or breed poultry for animal production, whether for meat or egg production (or both) and whether an indoor, outdoor, free-range or other type of operation.

Note — Poultry farms are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

research station means a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation.

restriction facilities means facilities where animals are constrained for management purposes, including milking sheds, pads, feed stalls, holding yards and paddocks where the number of livestock exceeds the ability of vegetation to recover from the effects of grazing in a normal growing season, but does not include facilities for drought or similar emergency relief.

roadside stall means a place or temporary structure used for the retail sale of agricultural produce or hand crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property.

Note — See clause 5.4 for controls relating to the gross floor area of roadside stalls.

Roadside stalls are a type of **retail premises**—see the definition of that term in this Dictionary.

rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following—

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Note — Rural industries are not a type of **industry**—see the definition of that term in this Dictionary.

rural supplies means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

Note — Rural supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

rural worker's dwelling means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

Note — Rural workers' dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

sawmill or log processing works means a building or place used for handling, cutting, chipping, pulping or otherwise processing logs, baulks, branches or stumps, principally derived from surrounding districts, into timber or other products derived from wood.

Note — Sawmill or log processing works are a type of **rural industry**—see the definition of that term in this Dictionary.

stock and sale yard means a building or place that is used on a commercial basis for the purpose of offering livestock or poultry for sale and that may be used for the short-term storage and watering of stock.

Note — Stock and sale yards are a type of **rural industry**—see the definition of that term in this Dictionary.

tank-based aquaculture means aquaculture undertaken exclusively in tanks, but not including natural water-based aquaculture.

Note — Tank-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical tank-based aquaculture is the tank culture of barramundi or abalone.

timber yard means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.

Note — Timber yards are a type of **retail premises**—see the definition of that term in this Dictionary.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers' accommodation,
 - (b) bed and breakfast accommodation,
 - (c) farm stay accommodation,
 - (d) hotel or motel accommodation,
 - (e) serviced apartments,
- but does not include—
- (f) camping grounds, or
 - (g) caravan parks, or
 - (h) eco-tourist facilities.

turf farming means the commercial cultivation of turf for sale and the removal of turf for that purpose.

Note — Turf farming is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

veterinary hospital means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

viticulture means the cultivation of grapes for use in the commercial production of fresh or dried fruit or wine.

Note — Viticulture is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

waterbody means a waterbody (artificial) or waterbody (natural).

waterbody (artificial) or artificial waterbody means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

waterbody (natural) or natural waterbody means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).³⁴

The Standard Instrument LEP also mandates land use permissibility within zones that must be incorporated into all LEPs. However, there is some flexibility as to how Councils generally apply rural zones and the land use permissibility within these zones.

The Standard Instrument LEP also allows council to develop locally relevant planning clauses and mapped controls. In some cases, 'model clauses' have been prepared by the State Government, to provide a more uniform basis for local provisions commonly applied within similar local government areas.

Recent amendments to the Standard Instrument LEP in 2019-202, not only included new and amended definitions, but increased the number of clauses relating to agriculture and rural industries, some of which are documented below:

4.2 Rural subdivision [compulsory if clause 4.1 adopted and land to which Plan applies includes land zoned RU1, RU2, RU3, RU4 or RU6]

(1) *The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.*

(2) *This clause applies to the following rural zones—*

- (a) *Zone RU1 Primary Production,*
- (b) *Zone RU2 Rural Landscape,*
- (baa) *Zone RU3 Forestry,*
- (c) *Zone RU4 Primary Production Small Lots,*

³⁴ [Standard Instrument—Principal Local Environmental Plan \(2006 EPI 155a\) - NSW Legislation](#)

(d) *Zone RU6 Transition.*

(3) *Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.*

(4) *However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.*

(5) *A dwelling cannot be erected on such a lot.*

Note — *A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).*

5.4 Controls relating to miscellaneous permissible uses [compulsory]

(5) **Farm stay accommodation** *If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than [insert number not less than 3] bedrooms.*

(8) **Roadside stalls** *If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed [insert number not less than 8] square metres.*

(10) **Artisan food and drink industry exclusion** *If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed—*

(a) *[insert number not more than 67%] of the gross floor area of the industry, or*

(b) *[insert number not more than 400] square metres,*
whichever is the lesser.

5.5 Controls relating to secondary dwellings on land in a rural zone [optional]

If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone—

(a) *the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—*

(i) *[insert number] square metres,*

(ii) *[insert number]% of the total floor area of the principal dwelling, and*

(b) *the distance between the secondary dwelling and the principal dwelling must not exceed [insert number] metres.*

Direction — *This clause may also be adopted without paragraph (a) or without paragraph (b).*

5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones [compulsory if land to which Plan applies includes land to which clause applies and Plan is referred to in Direction 1 to clause]

(1) *The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or environment protection zones concerned (particularly between residential land uses and other rural land uses).*

(2) *This clause applies to land in the following zones—*

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RU3 Forestry,
- (d) Zone RU4 Primary Production Small Lots,
- (e) Zone RU6 Transition,
- (f) Zone R5 Large Lot Residential,
- (g) Zone E2 Environmental Conservation,
- (h) Zone E3 Environmental Management,
- (i) Zone E4 Environmental Living.

(3) A consent authority must take into account the matters specified in subclause (4) in determining whether to grant development consent to development on land to which this clause applies for either of the following purposes—

- (a) subdivision of land proposed to be used for the purposes of a dwelling,
- (b) erection of a dwelling.
- (4) The following matters are to be taken into account—
 - (a) the existing uses and approved uses of land in the vicinity of the development,
 - (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,
 - (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),
 - (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).

Direction 1 — This clause is compulsory for a Plan that—

- (a) includes any zone to which the clause applies, and
- (b) is for a local government area other than the following—
 - (i) Central Coast,
 - (ii) City of Lake Macquarie,
 - (iii) City of Newcastle,
 - (iv) City of Wollongong,
 - (v) any local government area in the Greater Sydney Region (within the meaning of the [Greater Sydney Commission Act 2015](#)).

Direction 2 — This clause is optional for a Plan that—

- (a) includes any zone to which the clause applies, and
- (b) is for any of the following local government areas—
 - (i) Central Coast,
 - (ii) City of Lake Macquarie,
 - (iii) City of Newcastle,
 - (iv) City of Wollongong,
 - (v) any local government area in the Greater Sydney Region (within the meaning of the [Greater Sydney Commission Act 2015](#)).

5.18 Intensive livestock agriculture [compulsory if intensive livestock agriculture permitted with consent]

(1) *The objectives of this clause are—*

(a) *to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and*

(b) *to provide for certain capacity thresholds below which development consent is not required for that development subject to certain restrictions as to location.*

(2) *This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent under this Plan.*

(3) *In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration—*

(a) *the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,*

(b) *the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,*

(c) *the potential for the pollution of surface water and ground water,*

(d) *the potential for the degradation of soils,*

(e) *the measures proposed to mitigate any potential adverse impacts,*

(f) *the suitability of the site in the circumstances,*

(g) *whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,*

(h) *the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.*

(4) *Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if—*

(a) *the development is of a type specified in subclause (5), and*

(b) *the consent authority is satisfied that the development will not be located—*

(i) *in an environmentally sensitive area, or*

(ii) *within 100 metres of a natural watercourse, or*

(iii) *in a drinking water catchment, or*

(iv) *within 500 metres of any dwelling that is not associated with the development, or a residential zone, or*

(v) *if the development is a poultry farm—within 500 metres of another poultry farm.*

(5) *The following types of development are specified for the purposes of subclause (4)—*

(a) *a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,*

(b) *a goat feedlot having a capacity to accommodate fewer than 200 goats,*

(c) *a sheep feedlot having a capacity to accommodate fewer than 200 sheep,*

- (d) a pig farm having a capacity to accommodate fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows),
 - (e) a dairy (restricted) having a capacity to accommodate fewer than 50 dairy cows,
 - (f) a poultry farm having a capacity to accommodate fewer than 1,000 birds for meat or egg production (or both).
- (6) For the avoidance of doubt, subclause (4) does not apply to development that is prohibited or that may be carried out without development consent under this or any other environmental planning instrument.
- (7) In this clause—

environmentally sensitive area has the same meaning as in clause 1.5 of [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#).

residential zone means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone E3 Environmental Management or Zone E4 Environmental Living.

With regards to aquaculture activities, significant additions were made to the Standard Instrument LEP, to reflect previous assessment requirements of the repealed SEPP 62 – Sustainable Aquaculture:

5.19 Pond-based, tank-based and oyster aquaculture [compulsory]

(1) **Objectives** The objectives of this clause are as follows—

- (a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced,
- (b) to set out the minimum site location and operational requirements for permissible pond-based and tank-based aquaculture development.

(2) **Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent** The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following—

- (a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development,
- (b) in the case of—
 - (i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and
 - (ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of extensive aquaculture, and
 - (iii) tank-based aquaculture in Zone R3 Medium Density Residential, Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and

(iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.

(3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent.

(4) **Extensive pond-based aquaculture permitted without consent in certain zones** Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if—

(a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and

(b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.

(5) **Oyster aquaculture—additional matters that consent authority must consider in determining a development application** in determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider—

(a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and

(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.

(6) **Oyster aquaculture permitted without consent in priority oyster aquaculture areas** Development for the purpose of oyster aquaculture may be carried out without development consent—

(a) on land that is wholly within a priority oyster aquaculture area, or

(b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area.

(7) **Definitions** In this clause—

aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the [Fisheries Management Act 1994](#).

extensive aquaculture has the same meaning as in the [Fisheries Management \(Aquaculture\) Regulation 2017](#).

NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry).

priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the NSW Oyster Industry Sustainable Aquaculture Strategy, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.

Schedule 6 Pond-based and tank-based aquaculture

(Clause 5.19)

Part 1 Pond-based and tank-based aquaculture

Division 1 Site location requirements

1 Conservation exclusion zones

(1) Must not be carried out on the following land, except to the extent necessary to gain access to water—

(a) land declared an area of outstanding biodiversity value under the [Biodiversity Conservation Act 2016](#),

(b) vacant Crown land,

(c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.

(2) Must not be carried out on the following land, except for the purposes of minimal infrastructure to support the extraction of water from, and discharge of water to, the land concerned—

(a) land declared as an aquatic reserve under the [Marine Estate Management Act 2014](#),

(b) land declared as a marine park under the [Marine Estate Management Act 2014](#).

Note — Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.

Division 2 Operational requirements

2 Species selection

Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).

3 Pond-based aquaculture that is also intensive aquaculture—pond design

For pond-based aquaculture that is also intensive aquaculture—ponds must be capable of being drained or pumped and then completely dried.

4 Pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—freshwater discharges

For pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—no discharge of freshwater used to intensively cultivate or keep fish to natural waterbodies or wetlands is permitted, except freshwater discharge from open flow through systems.

5 Outlets from culture ponds etc

All outlets from culture ponds, tanks and other culture facilities must be screened to avoid the escape of fish.

6 Definition

In this Division — **intensive aquaculture** has the same meaning as it has in the [Fisheries Management \(Aquaculture\) Regulation 2017](#).

Part 2 Extensive pond-based aquaculture

Division 1 Site location requirements

7 Conservation exclusion zones

(1) Must not be carried out on the following land, except to the extent necessary to gain access to water—

(a) land declared an area of outstanding biodiversity value under the [Biodiversity Conservation Act 2016](#),

(b) vacant Crown land,

(c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands.

Note — Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.

8 Flood liability

Must be designed or constructed on land so that it will not be inundated by the discharge of a 1:100 ARI (average recurrent interval) flood event.

Division 2 Operational requirements

9 Species selection

Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).

10 Pond design

- (1) Must not require the construction of new ponds, water storages, dams or buildings.*
- (2) Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers.*
- (3) Must be capable of preventing the escape of stock into natural waterbodies or wetlands.*

11 Culture water

Must use freshwater.³⁵

4.5.6 Land use permissibility within a Local Environmental Plan

The Standard Instrument LEP mandates that some agricultural activities must be included as either 'permitted without consent', 'permitted with consent' or 'prohibited'. Prior to the 2019-2020 amendments, these provisions generally were restricted to the rural and environmental land use tables. However, aquaculture activities, are now required to be included as a land use that is 'permitted with consent' in most zones, including residential zones, available within the Standard Instrument LEP.

4.5.7 Council as Consent Authority

Most agriculture and rural industries in rural areas, where the development is not state significant or regional development under the [State and Regional Development SEPP](#), Council will be the consent authority. Applications would be assessed against:

- any relevant considerations in the LEP, including any zone objectives
- any Development Control Plan
- any relevant Council Policy.

4.5.8 Development controls

Where development consent is required for new agricultural uses there are limited specific development control plan objectives and controls and applications are primarily assessed against a range of state policies and guidelines through State agency referral processes.

In this regard, the NSW Department of Primary Industries has prepared a range of guidelines and factsheets to assist Council officers with the assessment of not only agricultural land uses, but land uses that may impact on existing agricultural activities, including but not limited to:

- Assessing intensive plant agriculture developments;
- Best Practice Management for Meat Chicken Production in NSW;

³⁵ [Standard Instrument—Principal Local Environmental Plan \(2006 EPI 155a\) - NSW Legislation](#)

- Better site selection for meat poultry developments;
- Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline;
- Farm subdivision assessment guideline;
- Guidelines for the development of controlled environment horticulture;
- Livestock flood refuge mounds;
- Planning for turf farms;
- Planning Guidelines - Intensive Livestock Agriculture Development³⁶
- Agricultural issues for landfill developments;
- Infrastructure proposals on rural lands;
- Issues for community title in agricultural areas;
- Land Use Conflict Risk Assessment (LUCRA) Guide.
- Rural workers dwellings.

Guidelines have also been created to assist landowners when preparing a development application for a new or expanding agricultural activity:

- Preparing intensive plant agriculture development applications
- Protected Cropping and the NSW Planning & Approvals Process
- Beef stocking rates and farm size: Hunter Region – assists aspiring farmers to understand limitations for good sustainable beef grazing;
- Considerations before buying rural land - a factsheet for potential buyers of rural lands to beware and prepare for the impacts of agricultural uses;
- Confinement feeding stock – also called ‘drought lots’ which provide useful guides for how to establish, use and maintain confinement feeding areas;
- Reference material to assist in the management of horse establishments³⁷

³⁶ [Land use planning \(nsw.gov.au\)](https://www.nsw.gov.au/land-use-planning)

³⁷ [Land use planning \(nsw.gov.au\)](https://www.nsw.gov.au/land-use-planning)

5 Review of Agriculture Sectors

This section provides high-level considerations for how agriculture and associated rural industries are managed within the MidCoast local government area, given their recognised contributions to the State, regional and local economies:

The value of regional exports generated by the Mid-Coast economy is estimated at \$2.139 billion. Mid-Coast represents 5.8% of the \$37.094 billion regional exports generated in Hunter Region, 1.2% of the \$171.411 billion regional exports generated in New South Wales, and 0.4% of the \$497.905 billion regional exports generated in Australia. Agriculture, Forestry and Fishing contribute \$318.64 million, almost 15% of all regional exports from the MidCoast.³⁸

Noting that new agricultural land use and rural industries are emerging as a result of changing land use patterns in other regions, new farming practices and technological advancements in production techniques, the contents of this section are not intended to provide an exhaustive list of agricultural sectors.

Instead, this section is intended to provide an overview of existing and some emerging industries, recognising that each sector is also subject to distinct administration, funding and operational frameworks: Beef; Dairy; Poultry (chickens); Aquaculture; Emerging and complementary sectors. It is also acknowledged that there is a focus on the known industry sectors that are already subject to reporting requirements.

In this regard, each year NSW rural landholders with livestock and a Property Identification Code (PIC) are required to lodge an annual land and stock return with the Local Land Services. This data provides important information about livestock numbers across the State and other purposes i.e. underlying agricultural uses.

Within the MidCoast local government area, the 2018 stocking data was collated to inform broad-scale mapping of stock intensity rates, as illustrated previously Figure 7.

Acknowledging that this mapping is a snapshot in time and rates are likely to vary between periods of drought, water scarcity or other natural disasters such as flood and bushfire, it does indicate a diversity not only in stocking intensity by industry, but by locational across the MidCoast.

In this regard, it also illustrates for example the need to shift our assumptions on constraints to agriculture with traditional farming practices, to economic, social and infrastructure opportunities for more intensive or alternative forms of farming in the future.

This supports the general findings that:

- biophysical conditions may be critical to traditional broad-scale farming practices, but they do not determine the location of 'important' agricultural land; instead,
- holdings size, nature of the agricultural activity, access to water and transportation for product, are more likely to influence the establishment, productivity and potential profitability of agricultural enterprise in the future; and
- with acknowledgement and awareness of the need to balance environmental outcomes with commercial activities to ensure the sustainability of our land and water resources, there is an increasing recognition of legacy issues and evolution in land use management practices throughout the MidCoast.

³⁸ [MidCoast Council Economy Profile | Regional Exports, Industries | REMPLAN](#)

5.1 Beef cattle

Beef cattle farming is a form of livestock agriculture. Beef cattle are animals that are primarily bred to provide meat food for human consumption. The two main products are beef and veal, noting that veal is produced from calves that weigh less than 150kg at the time of slaughter³⁹. A range of other products include tallow; blood and bone meal; and beef bone extract.⁴⁰

It is also acknowledged that there are significant gaps in information and stock data about the production and sale of under-age cattle throughout the region. It is understood that landowners, whether they operate a commercial or lifestyle farm, are not required to report on these activities.

According to the Standard Instrument LEP beef cattle farming for commercial purposes can be defined as a type of *extensive agriculture* which may be permitted without consent in rural zones. Development consent may only be required for on-farm construction activities relating to farm buildings and the like that do not meet the criteria of the Exempt & Complying Development SEPP.

Feedlots and similar activities are referred to as *intensive livestock agriculture* for which development consent is required. These activities require development consent and are usually assessed by local Councils, with referral and input from State agencies including the Department of Primary Industries.

The processing of cattle through a *stock or sale yard* and then in an abattoir or similar, may be referred to as a *livestock processing industry* or under the broader definition of a *rural industry*. Depending on the level of investment, these activities may be State or Regionally significant development, they may also be designated development, if located in a priority drinking water catchment. These development applications may be assessed by Council with State agency referrals, and the consent authority may be the Joint Regional Planning Panel or Independent Planning Commission.

Economic and employment trends

The beef industry within the MidCoast region, shown below in Figure 8 has local, state, national and international relevance.

Cattle and calves are the most important agricultural commodity within the region and based on the gross value of agricultural production (GVP). The economic contribution of this sector was valued at \$153 million in 2018-19, which made up 32% of the region's agricultural production value of \$468 million.⁴¹

Note: The Agricultural Gross Value of Agricultural Production (GVP) is the measure often used to value agricultural commodities. The ABS definition of GVP is the value of production at the point of sale, usually wholesale. The figures above do not include additional profits made from: value adding components such as meat manufacturing; or producers that have small herds valued at less than \$50,000 per annum which are not considered to meet the criteria of 'commercial' production.

The beef cattle industry also contributes to the local, regional and state economy via the purchase of farm equipment and rural supplies such as fertiliser, seed, fencing and veterinary supplies⁴². The industry also supports local transport firms, regional processors, training providers, industry research and development. The extensive grazing associated with the beef

³⁹ RIRDC 2017a

⁴⁰ [Beef By-Products - NH Foods \(nh-foods.com.au\)](http://nh-foods.com.au)

⁴¹ [About my region – Mid North Coast New South Wales - Department of Agriculture](#)

⁴² DPI 2012a

industry also contributes to the scenic qualities of the rural landscape, that support tourism within the MidCoast⁴³.

The industry is of international importance as beef is a key export product. Australia is a major beef exporter with approximately 70% of Australian beef production being exported⁴⁴.

Within the MidCoast, the Wingham Beef Abattoir processes local beef product and sources additional product from the nearby New England and North Coast regions. The abattoir is licensed and exports around 70-80 per cent of the meat processed. Major export markets include Japan, USA, Republic of Korea, South Africa, Brazil, Chile, Europe, Taiwan, Canada, Mexico, Ukraine, Indonesia and Switzerland⁴⁵.

Opportunities

There has been growing demand for beef product in Asian markets including China and India, driven by strong economic growth and changing dietary habits. In 2018-2019, this trend was expected to continue⁴⁶. It is unknown how the current trade tensions between Australia and China may affect these trends at the time of writing.

Australia has a global reputation for producing clean, green and safe beef product giving local producers a competitive advantage. One local example is the premium beef branding 'Manning Valley Naturally' which is internationally recognised⁴⁷.

Opportunities within the MidCoast may be capitalised in the future if associated with improvements to transport facilities within the local government area and broader Hunter region. Including but not limited to:

- infrastructure investment into State and regional freight routes;
- the establishment of a transport interchange at the Northern Gateway site on the Pacific Highway; and
- improvements to the local and regional airports.

These opportunities may include:

- expansion of existing abattoir facilities for export, and small-scale suppliers to local markets;
- an increased diversity of livestock processing industries in locations such as the Stratford Industrial Precinct;

Challenges

The cost to operate a commercial beef cattle farm appears to be one of the most significant challenges facing this industry, particularly during extended periods of drought and water scarcity and in response to extreme events such as bush fire and flood, as has occurred extensively across the Mid North Coast region of NSW. This is demonstrated by the farm income graph provided in Figure 8 below.

Average farm cash income of New South Wales beef industry farms declined by 70% to \$27,400 in 2018–19. Total cash receipts declined despite very high turn-over of beef cattle. Total cash costs increased substantially as a result of increased expenditure on purchased feed.

⁴³ DPI 2012a

⁴⁴ Australian Competition and Consumer Commission 2017

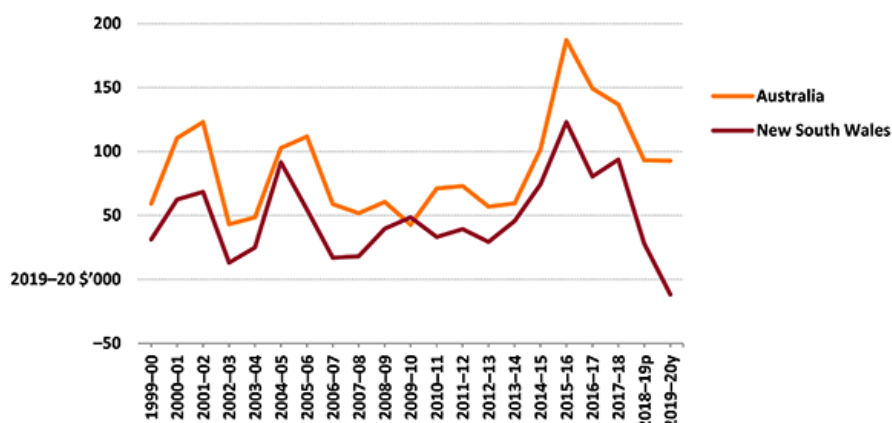
⁴⁵ NSW Department of Premier and Cabinet 2018b

⁴⁶ ABARES 2018a

⁴⁷ Regional Development Australia Mid North Coast n.d

In 2019–20 average farm cash income is projected to decline by a further 143% to negative \$12,000 per farm mostly due to projected declines in beef cattle turn-over. This projected farm cash income is around 120% below the 10-year average to 2018–19 of \$60,000 per farm.⁴⁸

Figure 8. Beef Farm Income trends 1999-2000 to 2019-2020⁴⁹



Within this information it is unclear how the fragmentation of broadacre farms into an increasing number of small-scale lifestyle farms within the MidCoast, may also be impacting on the 'financial performance' of the industry.

This trend may also contribute to the stock intensity data gap in that small-scale lifestyle farms may be owned and managed by individuals with off-farm work and income which may result in a proportionally higher number of under-aged cattle being sold - for additional income, to reduce feed and management costs, to manage the carrying capacity of the property and/or to maintain rural lifestyle benefits.

The local industry is also sensitive to global market trends given it is primarily an export product. Export markets, exchange rates and international competitors all affect prices paid for Australian cattle and hence impact upon producer returns⁵⁰. In 2018-2019, the average sale yard price for beef cattle in Australia is expected to decline due to increasing market competition from the USA⁵¹.

Climatic conditions, such as drought significantly impact the prices paid to producers, and the supply and condition of product on the market⁵². In 2018-2019, due to ongoing dry conditions across eastern Australia, the elevated supply of cattle and falling sale yards prices, are expected to continue⁵³.

Protecting the industry from biosecurity risks is critical to ensuring the quality and profitability of beef and livestock. Cattle are also susceptible to infections from bacteria, viruses or fungi, parasite infestations and nutritional issues.

Dependence on export markets, with approximately 60% of production going overseas. Supplying markets in a manner that ensures the quality and consistency of beef and livestock is crucial to the profitability of a beef cattle enterprise⁵⁴. The market is also susceptible to global market trends and changing conditions like a live export ban.

⁴⁸ ABARES Australian Agricultural and Grazing Industries Survey

⁴⁹ [Farm financial performance – New South Wales - Department of Agriculture](#)

⁵⁰ Australian Competition and Consumer Commission 2017

⁵¹ ABARES 2018a

⁵² Australian Competition and Consumer Commission 2017

⁵³ ABARES 2018a

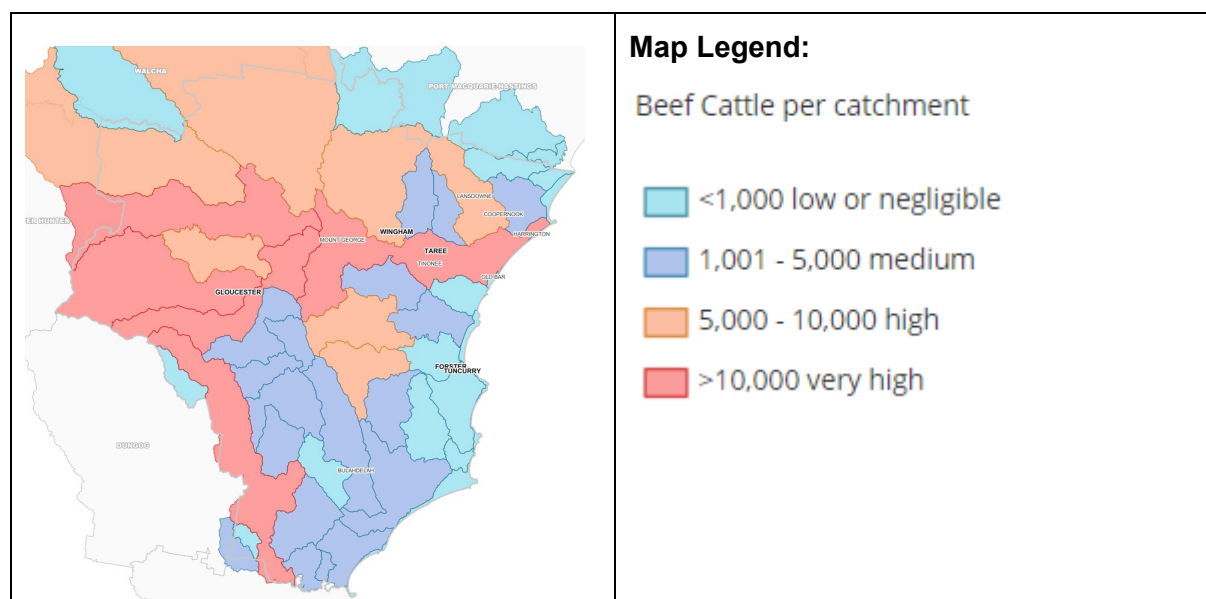
⁵⁴ RIRDC 2017a

Critical land

Important beef cattle lands are in the northern and western areas of the MidCoast, with a combination of broad-acre valley and high-country grazing, with good access to water resources and transport infrastructure. The highest intensity of cattle grazing occurs in the Manning River, Upper Manning River, Gloucester River and Karuah River sub-catchment areas of the MidCoast.

Small-scale farms are in the eastern coastal zone and approximately 75% of cattle farms in the MidCoast have less than 50 head of cattle, as illustrated by the stocking intensity rates per catchment documented previously in Figure 9 below⁵⁵.

Figure 9. Broad-scale mapping of Beef Cattle Stock Intensity Rates (LLS data 2018)



It is noted that important cattle grazing land around Gloucester has previously been acquired by mining companies, resulting in a loss of around 4,000 hectares of farmland and a 10% reduction in cattle numbers in the area⁵⁶. It is unknown at the time of writing whether this land is to be sold or leased for agricultural purposes in the future.

Land and water requirements

Beef cattle grazing can be undertaken in a variety of conditions and land capability. Fertile land is ideal for producing high quality grazing pastures, which can accommodate a larger number of cattle per hectare. As the most fertile land is generally located along the river flats and is flood prone, nearby pastures on higher ground are also required for grazing during flood events⁵⁷. Less fertile land with more constraints provides lower quality grazing pastures and can accommodate fewer head of cattle per hectare⁵⁸. Farm holding sizes in areas with lower quality agricultural land will need to be much larger to remain economically viable.

Access to a reliable water supply for livestock and pastures is important. The water can be sourced from regulated water supplies, farm dams, groundwater and natural springs. While the MidCoast has many water resources, the effects of climate change on water quantity and quality are expected to become more severe, as will competition for water resources between various users, particularly with anticipated population growth in our coastal zone.

⁵⁵ DPI 2018a

⁵⁶ Gloucester Shire Council 2015

⁵⁷ Hunter Councils Environment Division 2013

⁵⁸ DPI 2006

About one third of Australian cattle are 'finished' in feedlots where they are fed a largely grain-based diet for between 70 and 360 days. This occurs until they meet the specifications for market⁵⁹. Feedlots rely on irrigation to produce reliable fodder crops as well as reliable access to grain and roughage supplies. Feedlots are a form of intensive agriculture, requiring land holdings to be large enough to manage both environmental and amenity impacts. This includes effluent management, buffers to manage odour and appropriate separation from neighbours to avoid land use conflict⁶⁰.

Infrastructure

A good system of roads, processing facilities, markets and rural supplies is essential to support the growth of the industry. Sale yards within the MidCoast are located at Gloucester, Nabadac and Taree. Saleyards outside of the region are also used by local producers, including Maitland and Scone⁶¹.

The Wingham abattoir is the only large-scale export licenced abattoir in the MidCoast, processing local beef and beef from the neighbouring New England and North Coast regions. Regional abattoirs are also located at Tamworth, Scone and Frederickton⁶². Large-scale producers with 1,000 or more head of cattle, generally transport livestock directly to feedlots or abattoirs, predominantly in Northern NSW or Queensland⁶³. The continued operation of these abattoirs is important to the maintenance and growth of the beef cattle industry within the MidCoast.

A range of rural supply outlets are available in the MidCoast including but not necessarily limited to: Taree, Gloucester, Stroud, Nabadac, Bulahdelah, Wingham, Moorland and Jones Island. However, larger landholders and beef producers may also source products and machinery from outside the local government area, such as Armidale and Tamworth⁶⁴. There is also anecdotal evidence suggesting that existing poultry farms supply waste products to cattle farms for pasture improvement where these farms have access and equipment available to facilitate this exchange.

Important access roads include the Pacific Highway, Thunderbolts Way and The Bucketts Way. The limited B-Double vehicle access along Thunderbolts Way and The Bucketts Way has been highlighted as adding significant transport costs to local producers. This may also result in a decrease in the number of cattle processed through local saleyards, as beef producers redirect livestock to saleyards with better accessibility⁶⁵.

⁵⁹ RIRDC 2018a

⁶⁰ DPI 2012a

⁶¹ Gloucester Shire Council 2015

⁶² DPI 2018a (confidential)

⁶³ Gloucester Shire Council 2015

⁶⁴ Gloucester Shire Council 2015

⁶⁵ Gloucester Shire Council 2015

5.2 Dairy

Overview

Dairy cattle farming is a form of livestock agriculture. Dairy cattle are specially bred to provide milk and other dairy products for human consumption. Popular dairy products include milk, butter, cream, cheese and yogurt.

According to the Standard Instrument LEP, pasture-based dairy cattle farming for commercial purposes, can be defined as a type of *extensive agriculture* which may be permitted without consent in rural zones. Development consent may only be required for on-farm construction activities relating to farm buildings and the like that do not meet the criteria of the Exempt & Complying Development SEPP.

Dairy cattle farming with restriction facilities, are referred to as *intensive livestock agriculture* for which development consent is required. These activities require development consent and are usually assessed by local Councils, with referral and input from State agencies including the Department of Primary Industries. This does not include temporary facilities or arrangements required in response to for example, drought, fire or flood.

Economic and employment trends

The dairy industry has great historical significance to the MidCoast Region as it was once the largest industry and employer⁶⁶. The dairy industry remains a major economic contributor, with milk production identified as the second most important agricultural commodity in the Mid North Coast region. Based on the gross value of agricultural production (GVP), the economic contribution of this sector was valued at \$143 million in 2018-19, which made up 30% of the region's agricultural production value of \$468 million.⁶⁷

Note: The Agricultural Gross Value of Agricultural Production (GVP) is the measure often used to value agricultural commodities. The ABS definition of GVP is the value of production at the point of sale, usually wholesale. The figures above do not include additional profits made from: value adding components such as meat manufacturing; or producers that have small herds valued at less than \$50,000 per annum which are not considered to meet the criteria of 'commercial' production.

There has been a long-term trend of a declining number of dairy farms across Australia, including within the MidCoast local government area. In NSW, the number of dairy farms has fallen by over three quarters from 3,601 in 1979/1980 to 626 in 2017/2018⁶⁸. Anecdotally, remaining dairy farms have increased their size through the leasing and purchasing of neighbouring properties where possible to establish an economy of scale for individual farms and the industry generally.

In addition, milk production levels across the region have also remained high due to changing on-farm management practices and technology, although the impact of recent fires and floods is expected to have been significant on both herds and production.

Opportunities

It is acknowledged that there are established transport infrastructure and market networks within the MidCoast due to the long history of dairy farming in the region. This provides

⁶⁶ NSW Department of Premier and Cabinet 2018b

⁶⁷ [About my region – Mid North Coast New South Wales - Department of Agriculture](#)

⁶⁸ Dairy Australia 2018

primarily, value-adding opportunities such as for the local processing of fresh milk, powdered milk or cheese manufacturing⁶⁹.

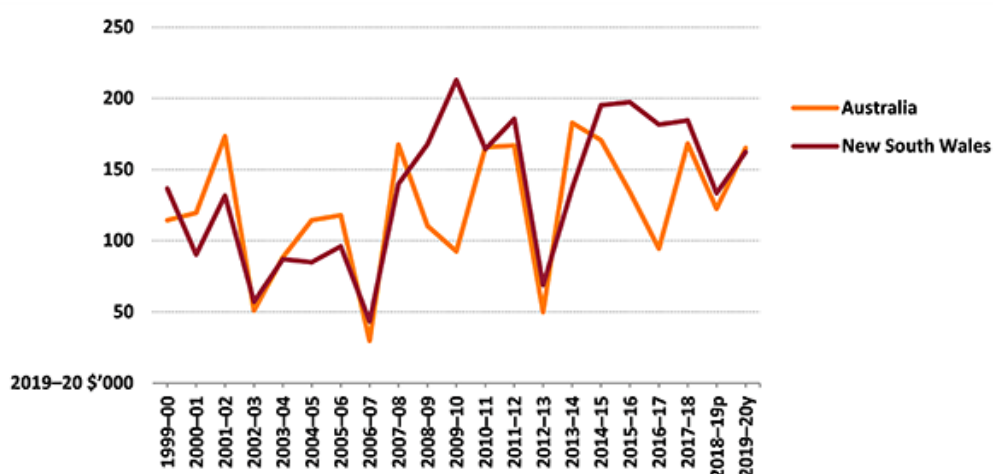
There is also a growing demand for local and boutique products, representing the 'paddock to plate' and gastronomy tourism.⁷⁰ Small independent dairies, including the emerging buffalo industry, also sell products via local and regional market networks including farmers markets, direct to restaurant sales and specialty food stores.

Additional opportunities may also exist for co-location of renewable energy production in wind and solar industries, waste re-use for energy production and pasture improvement. At the time of writing however, insufficient information is available to explore these opportunities further.

Challenges

The primary challenges to expanding the dairy industry within the MidCoast at this time would be financial viability of individual farms and land use conflict associated with residential expansion and rural lifestyle subdivision in traditional dairy catchments.

Figure 10. Dairy farm income trends 1999-2000 to 2019-2020⁷¹



Average farm cash income of New South Wales dairy farms declined by 28% to average \$131,000 in 2018–19, as illustrated in Figure 10 above. This was around 21% below the 10-year average to 2017–18. Total cash receipts rose by 10% on average because of higher milk prices and increased milk production. Total cash costs also increased mainly as a result of increased expenditure on fodder, water and hired labour.

For the New South Wales dairy industry, average farm cash income is projected to increase by 24% to \$162,000 in 2019–20. This will be slightly below the average for the 10 years to 2018–19. Farmgate milk prices are expected to be higher, leading to an increase in milk receipts and more than offsetting a reduction in average milk production per farm.

Overall, New South Wales milk production is projected to fall in 2019–20, mostly the result of the exit of farms from dairying. However, a reduction in milk production is also expected on some farms remaining in dairying. In addition, continued dry seasonal conditions and high prices for hay, silage and feed grains have maintained purchased feed costs at a

⁶⁹ Gloucester Shire Council 2015

⁷⁰ [MIDCOAST-DESTINATION-MANAGEMENT-PLAN \(10\).pdf](#)

⁷¹ ABARES Australian Dairy Industry Survey

*high level—a major expense for this industry—and have constrained the overall increase in average farm cash income.*⁷²

Climatic trends such as floods, drought and climate change impacts may also impact on these operational costs in the future, particularly with the potential for increased frequency and intensity of storm events that result in flood events similar to that experienced in 2021 in the Manning River catchment. The potential loss of land with the long-term impacts of sea level rise and loss of low-lying alluvial flats to extended or permanent inundation cannot be discounted at this time.

Recent drought and flood events have already required dairy farmers to purchase more feed, and the high demand has in turn, increased the cost of this essential product. As a result, farmers are exposed to large input prices and their profitability is severely impacted⁷³.

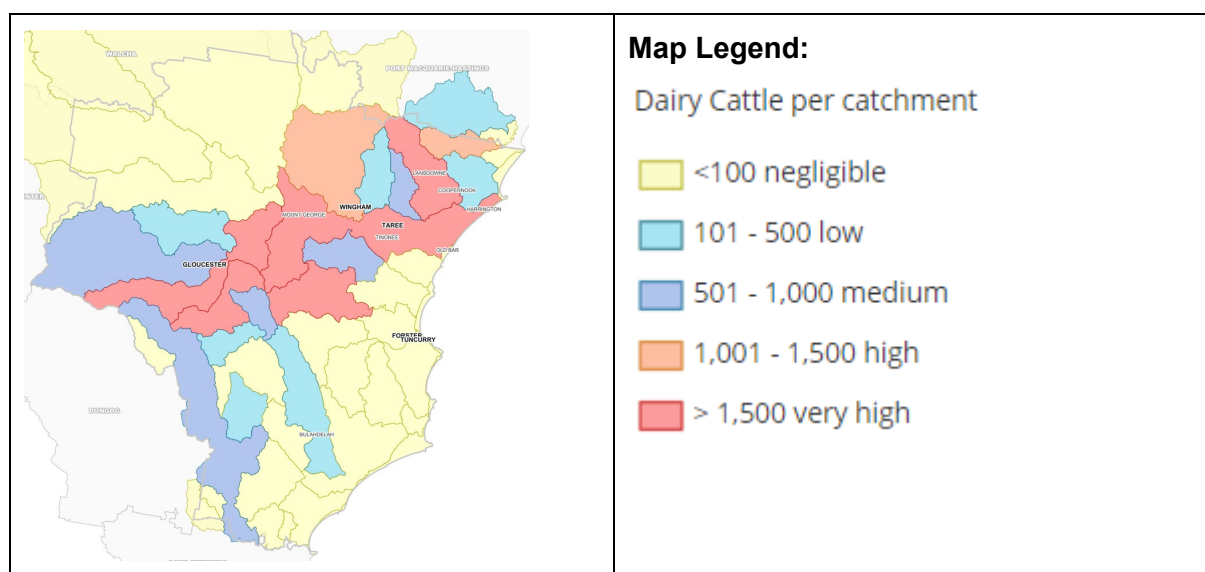
The sensitivity to market trends in comparison, results in low milk prices. International prices for milk significantly affect farm gate prices, as farmers sell to processors who access and sell to export markets. Australian dairy farmers receive a low price by world standards, and therefore must also run very efficient production systems⁷⁴.

In addition to these on-farm financial challenges, the capital costs to enter the industry are significant given the on-farm infrastructure requirements, land availability and per hectare cost required and the cost of building a quality herd⁷⁵. The ongoing management and insurance costs are unknown but may also contribute to the financial feasibility challenges for existing and future dairy farms in the region.

Within the MidCoast there has also been pressure for agricultural lands that have water views and direct riverfront, to transition from active dairy farms to rural lifestyle properties. This is evidenced by the rezoning of rural land to residential, particularly in areas where these traditional agricultural lands are adjoining existing urban centres like Taree.

Anecdotally this not only has farmers priced out of the property market in these locations but has the impact of increasing land use conflict between existing agricultural activities and new residents.

Figure 11. Broad-scale mapping of Dairy Cattle Stock Intensity Rates (LLS data 2018)



⁷² [Farm financial performance – New South Wales - Department of Agriculture](#)

⁷³ ABARES 2018b

⁷⁴ RIRDC 2017b

⁷⁵ DPI 2013a

Critical lands

Like beef cattle, dairy farms are mostly located in two broad areas of the MidCoast, the Manning Valley and the Gloucester area. Dairies tend to cluster together on productive lands which can provide a competitive advantage in terms of milk collection and processing⁷⁶.

The main industry cluster is in the Manning Valley especially around the Manning, Lansdowne, Stewarts and Wallamba River sub-catchment areas, shown in Figure 11 above.

The second industry cluster is in the Gloucester area especially around the Avon, Gloucester and Barrington River sub-catchment areas. Other areas also accommodate dairy farming, but not at the intensity of the listed sub-catchment areas.

Operational considerations

Dairying has specific operational requirements that determine where dairy farms can be located. Dairy farms require moderate to high soil fertility that is suitable for fodder production⁷⁷. These lands are predominately located on the alluvial soils of the major rivers and their adjoining slopes⁷⁸.

A substantial amount of water is used for irrigating pastures, livestock drinking water and for maintaining dairy equipment and facilities⁷⁹. Therefore, land with high rainfall and good water access is important.

The ongoing water access requirements are also acknowledged as having impacts on waterway health and management of riparian vegetation. These areas are increasingly the focus of collaborative projects between landowners, Council and other State and regional agencies, to identify legacy issues and opportunities for future rehabilitation and management to ensure sustainability of land and water resources required for these agricultural activities.

These matters are also taken into consideration for any development applications for new restricted dairy facilities and the siting and construction of any new farm buildings and facilities for paster-based dairies, that fall outside of the provisions of the Exempt and Complying Development SEPP.

Dairy farming is a long-term investment due to the significant upfront investment to set up milking and feeding equipment. The dairy industry is moving towards automation to improve the profitability and efficiency of their operations and this increases the need for reliable power, telecommunications, access to processing facilities and other support services⁸⁰. The latter is especially important during periods of drought.

Labour

The Department of Primary Industries and peak dairy bodies such as Dairy NSW have noted that a limited supply of available workers is an issue affecting the productivity of the dairy industry in NSW⁸¹. Farming is perceived as a less viable career choice for younger generations and with the retirement of older skilled dairy farmers there is an acknowledged labour shortage.

Infrastructure

⁷⁶ MidCoast Council 2016

⁷⁷ DPI 2013c

⁷⁸ ibid

⁷⁹ DPI 2012c

⁸⁰ DPI 2012c

⁸¹ DPI 2015c

A good system of roads, processing facilities, markets and rural supplies is essential to support the growth and sustainability of the dairy industry. Dairies require daily transport of milk to processing facilities and markets so good roads, bridges and cost-effective access to major population centres are essential requirements. Areas subject to flooding will restrict access to markets and impact on dairy operations⁸².

Milk is generally transported long distances for processing. The four main processors in NSW are Norco, Murray Goulburn, Dairy Farmers Supply Co and Lion⁸³. Milk is transported from farms in the MidCoast to processing facilities at Raleigh, Sydney and Lismore⁸⁴.

The saleyard, transport and access limitations experienced and documented in the previous section on beef cattle farming in the MidCoast, create the same challenges and opportunities for the dairy industry.

⁸² DPI 2012c

⁸³ DPI 2018a (confidential)

⁸⁴ Gloucester Shire Council 2015

5.3 Poultry - Chickens

Overview

Poultry farming is the keeping of chickens for egg production, meat production, or breeding. There are two primary types of egg production farms: free range or cage farms. It is noted that there are other poultry farms for ducks and turkeys, however the focus will be on chickens as the predominant form of poultry farming in the MidCoast at the time of writing.

Free range farming is defined by chickens having regular access to roam and forage outdoors and are subject to a stocking density of less than 10,000 hens per hectare (roughly 1 hen per square metre)⁸⁵. Cage farming is classified by chickens being farmed more intensively in poultry sheds with little or no meaningful access to forage outdoors. Meat production farms are called 'broiler' farms⁸⁶.

The Standard Instrument LEP defines poultry farming for commercial purposes as a type of *intensive livestock agriculture* because of the reliance on external food sources. Some small-scale poultry farms with pasture-based chickens may be considered *extensive agriculture*, but these may operate in conjunction with other agricultural activities to be financially viable.

Economic and employment trends

The poultry industry is a major economic contributor to the Mid North Coast, with over thirty commercial poultry farms that produce either poultry meat or eggs, and in 2016 the industry employed 134 people⁸⁷. In 2018-19 the Gross Value of Production (GVP) for the poultry industry was \$41 million, contributing nearly 9% to the total value of agricultural production (\$468 million).⁸⁸

The local MidCoast industry is also significant as it produces more product than any other local government area in the Hunter Region. It is also important to NSW with the area contributing 11% of the State's egg production and 5% of the State's poultry meat production. The poultry industry continues to grow due to a steady increase in domestic demand. On average, Australian's consume 47kg of chicken and 226 eggs per year. Poultry meat consumption is fuelled by the low cost when compared to other meats such as beef and pork⁸⁹.

The free-range egg industry has experienced the most growth, as people choose to consume more ethically. The local industry has experienced a 75% increase in employment between 2011 and 2016 which was mostly in egg production⁹⁰. The Manning Valley, which was not traditionally a poultry industry location, has experienced significant growth in free range egg production⁹¹.

Opportunities

The increasing demand for free range eggs and meat provides an opportunity to expand and diversify existing cage farms in the MidCoast, particularly in combination with other extensive agricultural industries.

Historically the poultry industry has been less sensitive to climatic trends such as drought, compared to other agricultural industries like beef and dairy farming, providing a stable

⁸⁵ Australian Competition and Consumer Commission 2018

⁸⁶ [Microsoft Word - Model DCP - Broiler Poultry Farms -Councils.doc \(nsw.gov.au\)](#)

⁸⁷ NSW Department of Premier and Cabinet 2018b

⁸⁸ [About my region – Mid North Coast New South Wales - Department of Agriculture](#)

⁸⁹ DPI 2017

⁹⁰ NSW Department of Premier and Cabinet 2018b

⁹¹ MidCoast Council 2016

Critical lands

Poultry farming is a form of intensive agriculture and as such, may be identified as designated development if proposed within a priority drinking water catchment, which requires a higher level of environmental impact assessment. Likewise, locating any form of intensive agriculture is not supported within aquifer catchments, due to the high level of nutrient waste produced and potential to impacts on these critical water resources.

Existing poultry farms are mostly clustered around Allworth and Stroud as illustrated in Figure 12, making it the most important poultry farming area in the MidCoast at this time. Poultry farming also occurs in the Manning Valley and other areas, but not at the intensity of these locations.

The locations of this industry cluster within the MidCoast indicates that while biophysical factors such as climate and water availability are important, this form of intensive livestock agriculture is primarily reliant on services and infrastructure including proximity to markets such as Newcastle and Sydney.

Operational and infrastructure requirements

Poultry farms generally, do not need to be located on good quality agricultural land compared to other agricultural industries like dairy and beef. As stated above, the farms do however need to be located near good freight routes and access roads, and on flat land that is flood free⁹⁵. Intensive poultry farms also require access to reliable power, water, waste management and reliable feed sources.

The size of the farm needed for commercial operations depends on a few factors such as environmental constraints (e.g. nearby waterways), the size of the operation, and technological inputs. Generally, the smaller the block the higher the reliance on technology will be to manage environmental impacts. Legislative requirements will also be an important consideration. For example, free range egg standards require that there are no more than 10,000 birds per hectare, which is approximately one bird per square metre⁹⁶.

Poultry farms also rely on proximity to poultry abattoirs, and processing and distribution facilities. For poultry meat production, distance limits of approximately 200km from the processing facility is supported by the poultry meat industry for welfare and economic reasons⁹⁷. Poultry abattoirs within 200km of the Stroud broiler farm include:

- Steggle's Poultry Abattoir, Thornton (62km)
- Ingham's Poultry Abattoir, Cardiff (76km)
- Supreme Poultry and Chickens, Mangrove Mountain (157km)

There are several poultry abattoirs located in the south and west of Greater Sydney, just over 200km from Stroud. These poultry abattoirs include Kellyville (210km), Blacktown (214km), Girraween (215km), Padstow (224km), Milperra (228km), Shanes Park (229km) and Austral (249km).

Egg farms can be located further from packaging facilities, and some producers have small on-site facilities to process and grade eggs on site to supply direct to markets.

Land use permissibility

⁹⁵ MidCoast Council 2016

⁹⁶ ACCC 2018

⁹⁷ DPI 2012b

Most commercial poultry farming is assessed as *intensive livestock agriculture* as they rely on externally sourced feed and uses shed facilities to house the animals. Additional clarity on what is classified as an *intensive livestock agriculture – poultry farm* requiring development approval, and the matters for consideration in development assessment has recently been provided within the Standard Instrument LEP with the inclusion of the following clause:

5.18 Intensive livestock agriculture [compulsory if intensive livestock agriculture permitted with consent]

(1) The objectives of this clause are—

(a) to ensure appropriate environmental assessment of development for the purpose of intensive livestock agriculture that is permitted with consent under this Plan, and

(b) to provide for certain capacity thresholds below which development consent is not required for that development subject to certain restrictions as to location.

(2) This clause applies if development for the purpose of intensive livestock agriculture is permitted with consent under this Plan.

(3) In determining whether or not to grant development consent under this Plan to development for the purpose of intensive livestock agriculture, the consent authority must take the following into consideration—

(a) the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,

(b) the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,

(c) the potential for the pollution of surface water and ground water,

(d) the potential for the degradation of soils,

(e) the measures proposed to mitigate any potential adverse impacts,

(f) the suitability of the site in the circumstances,

(g) whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,

(h) the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.

(4) Despite any other provision of this Plan, development for the purpose of intensive livestock agriculture may be carried out without development consent if—

(a) the development is of a type specified in subclause (5), and

(b) the consent authority is satisfied that the development will not be located—

(i) in an environmentally sensitive area, or

(ii) within 100 metres of a natural watercourse, or

(iii) in a drinking water catchment, or

(iv) within 500 metres of any dwelling that is not associated with the development, or a residential zone, or

(v) if the development is a poultry farm—within 500 metres of another poultry farm.

(5) The following types of development are specified for the purposes of subclause (4)—

(a) a cattle feedlot having a capacity to accommodate fewer than 50 head of cattle,

- (b) a goat feedlot having a capacity to accommodate fewer than 200 goats,
- (c) a sheep feedlot having a capacity to accommodate fewer than 200 sheep,
- (d) a pig farm having a capacity to accommodate fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows),
- (e) a dairy (restricted) having a capacity to accommodate fewer than 50 dairy cows,
- (f) a poultry farm having a capacity to accommodate fewer than 1,000 birds for meat or egg production (or both).
- (6) For the avoidance of doubt, subclause (4) does not apply to development that is prohibited or that may be carried out without development consent under this or any other environmental planning instrument.
- (7) In this clause—

environmentally sensitive area has the same meaning as in clause 1.5 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

residential zone means Zone RU4 Primary Production Small Lots, Zone RU5 Village, Zone RU6 Transition, Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone R5 Large Lot Residential, Zone B4 Mixed Use, Zone B6 Enterprise Corridor, Zone E3 Environmental Management or Zone E4 Environmental Living.⁹⁸

Many of these considerations include issues associated with standard poultry farm practices:

- Odour - from issues such as inadequately vented sheds and spreading of chicken litter on farms.
- Air quality - from dust emissions, which may come from vehicles on unsealed roads, poultry sheds and chicken litter.
- Noise - from on-site activities including the catching and loading of birds loaded late at night for welfare reasons, ventilation noise, vehicle and machinery noise.
- Biosecurity management requirements - as diseases can easily travel between poultry farms and other birds. While there is potentially higher risk for farms near waterbodies, the risk of disease transfer between poultry and humans is minimal.
- Contamination and pollution of land and water resources - which can be caused by fertilisers, chicken manure, dead birds and other contaminants.

The above impacts should be addressed in an environmental management plan for the site including applying appropriate buffers between poultry farms and sensitive receptors including but not limited to adjoining residential areas, waterways other farms; and include nutrient mapping and management; and appropriate noise and odour modelling.

In 2015, the former Great Lakes Council ran a Poultry Practical Knowledge Program to build knowledge and strengthen relationships between the poultry industry and Council. Key insights regarding improving planning process included:

- Building knowledge of development assessment requirements of poultry farmers and consultants;
- Better define how the process is regulated and which authority has responsibility for different aspects of the assessment, establishment and management processes; and
- Support the industry with better research that considers strategic constraints and opportunities.⁹⁹

⁹⁸ [Standard Instrument—Principal Local Environmental Plan \(2006 EPI 155a\) - NSW Legislation](#)

⁹⁹ Great Lakes Council 2015

5.4 Aquaculture - oyster industry

Overview

The definitions for aquaculture activities, land and water based, are spread across several Acts and Environmental Planning Instruments. Aquaculture generally means the cultivating of fish or marine vegetation with the intention to sell commercially. The definition of aquaculture, referred to in the Standard Instrument LEP, is sourced from the *Fisheries Management Act 1994*. The definitions 'fish' and 'marine vegetation' are sourced from the *Fisheries Management Act 1994*.

Like many other agricultural industries, the cultivating of fish or marine vegetation can occur intensively or extensively. Definitions under the [Fisheries Management \(Aquaculture\) Regulation 2017](#) are used to determine the difference between intensive and extensive aquaculture. The key difference is whether food is provided when cultivating fish or marine vegetation and under the regulation, 'food' includes any form of nutrient.

It is noted that this distinction is not replicated within the Standard Instrument LEP and generally aquaculture is an activity that requires development consent in any zone.

The focus of this section is on the oyster industry however, there is recognition that commercial fishing and other aquaculture industries occur throughout the MidCoast.

Economic and employment trends

The Sydney Rock Oyster is the main aquaculture species grown in NSW, and accounts for approximately 58% of all aquaculture species grown in NSW¹⁰⁰.

The MidCoast Region is renowned as one of Australia's oldest and most significant producers of oysters, particularly in cultivation of Sydney Rock Oysters. Total oyster production in the MidCoast Region in 2017-2018 reached a value of \$12.8 million which was an increase on previous years' value of production. This value represented 25% of the NSW total oyster production value making the local industry of state significance¹⁰¹. Around 85% of all oysters grown in NSW are sold within the state, while the remaining oysters are either sold to interstate markets or exported overseas.¹⁰²

Generally, productivity and employment in the oyster industry, is highly seasonal and is dependent on environmental and weather conditions. The oyster industry is expected to be reasonably stable in terms of output for the foreseeable future.

Opportunities

The aquaculture industry contributes to other sectors within the economy both directly and indirectly including:

- The purchase of equipment from local and regional suppliers for oyster farming including but not limited to racks, fuel, machinery and boats;
- Employment of local labour throughout the year in a range of areas associated with the maintenance and management of farms and equipment; and seasonal labour in peak producing seasons;
- Tourism through the promotion of local seafood, farm tours, festivals, direct sales to local restaurants, and complementary recreational fishing activities close to paddocks¹⁰³;

¹⁰⁰ ABARES 2019

¹⁰¹ DPI 2019

¹⁰² [Australian fisheries and aquaculture production 2018 - Department of Agriculture](#)

¹⁰³ [Oysters and wine a 'magnifique' combination for Australian grower taking a cue from the French - ABC News](#)

- With any expansion of existing or establishment of new pond-based aquaculture, there would be similar growth in other sectors, including the potential to increase contracting of earthmoving and construction services.

Challenges

Adapting to changing interstate and international market and industry trends can be costly. For example, the demand for single seed oysters which are more uniform in shape and easier to open, has required oyster farmers to upgrade equipment from old timber trays to long line plastic baskets. This has in turn created challenges with the reuse and/or disposal of old equipment, stakes and racks.

There is some evidence that climate change is an increasing challenge for aquaculture industries, with reports into the changing temperatures and pH levels of oceanic waters resulting in changes to the growth and size of oysters¹⁰⁴. Anecdotally there are also challenges associated with maintaining oyster paddocks, with changing sedimentation rates and water flows.

For land-based aquaculture there are additional challenges, many of which are identified during the application assessment process, which can involve Council and several State agencies, including but not limited to:

- Potential groundwater contamination from open or semi-closed farm or tank systems;
- Excavation and potential interception with acid sulfate soils and high ground water tables;
- Locational challenges related to disturbance of sensitive and protected environments adjoining coastal waters and lakes including coastal wetlands, littoral rainforests and mangroves;
- Establishing consistent and reliable water access, circulation and management of nutrient into receiving waters, particularly within areas of the Port Stephens-Great Lakes Marine Park.

Critical lands

The coastal estuarine areas are the most important areas for aquaculture production. These estuarine areas provide ideal ecological conditions to produce a range of habitats and aquatic communities. In part, these suitable estuarine conditions are a result of the semi-tropical climate and intricate river, coastal and wetland systems.

The most suitable areas for oyster cultivating have been designated as priority oyster aquaculture areas (POAAs) in line with the recommendations of the Healthy Rivers Commission¹⁰⁵. The designated as priority oyster aquaculture areas within the MidCoast are discussed in more detail in the Marine Activities Background Report.

Land-based aquaculture systems support the growing and harvesting of aquatic species in either artificial ponds, dams or tanks. The increasing pressure on wild fish stocks and increasing national and global demand has prompted the NSW Government to promote the development of land-based aquaculture.

Operational and infrastructure requirements

Oyster farmers are dependent on healthy estuarine environments to cultivate oysters. They also require a good system of boating infrastructure including boat ramps and landings for mooring boats; processing facilities and markets including cooperatives and oyster retailers,

¹⁰⁴ [Sydney rock oysters getting smaller as oceans become more acidic | Australia news | The Guardian](#)

¹⁰⁵ DPI 2016

that are essential to support the growth of the industry. Additional information is available within the Marine Activities Background Report.

There is also significant capital investment to set up aquaculture operations, from the ongoing management and renewal of oyster leases, land-based sheds and facilities for open-water activities; to the purchase of land and equipment, construction and approval costs for land-based industries, the economies of scale for individual businesses can be challenging, particularly in start-up phases.

Planning Considerations

The Standard Instrument LEP defines *aquaculture*, including *oyster, pond-based and tank-based aquaculture*, as a type of *agriculture*. Recent amendments to the Standard Instrument include the following clause:

5.19 Pond-based, tank-based and oyster aquaculture [compulsory]

(1) Objectives The objectives of this clause are as follows—

(a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced,

(b) to set out the minimum site location and operational requirements for permissible pond-based and tank-based aquaculture development.

(2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following—

(a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development,

(b) in the case of—

(i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and

(ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of extensive aquaculture, and

(iii) tank-based aquaculture in Zone R3 Medium Density Residential, Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and

(iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water.

(3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent.

(4) Extensive pond-based aquaculture permitted without consent in certain zones Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if—

(a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and

(b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6.

(5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application. In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider—

(a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and

(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.

(6) Oyster aquaculture permitted without consent in priority oyster aquaculture areas Development for the purpose of oyster aquaculture may be carried out without development consent—

(a) on land that is wholly within a priority oyster aquaculture area, or

(b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area.

(7) Definitions In this clause—

aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the [Fisheries Management Act 1994](#).

extensive aquaculture has the same meaning as in the [Fisheries Management \(Aquaculture\) Regulation 2017](#).

NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry).

priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the NSW Oyster Industry Sustainable Aquaculture Strategy, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.¹⁰⁶

The land use and planning approvals process for aquaculture industries involves Council and several other local and state government authorities including, at the time of writing:

- Department of Primary Industries - Fisheries for aquaculture leases and an aquaculture licence
- Department of Primary Industries - Food Authority for a licence
- Crown Lands – for approvals and management of land and water-based activities
- NSW Roads and Maritime Services,
- Marine Estate Management Authority – for activities within or in proximity to the Port Stephens – Great Lakes Marine Park; and

The recent amendments to the Standard Instrument LEP land use tables and inclusion of the clause detailed above, have aimed to streamline some components of the approval process, that require the preparation of economic, social and ecological assessments, by repealing out-dated and overlapping State planning policies and incorporating the relevant provisions into the LEP.

In this regard, there is recognition that applicants are also required to seek leases and permits that require design criteria and quality processes to be met at considerable cost, despite uncertainty throughout the development approval process.

¹⁰⁶ [Standard Instrument—Principal Local Environmental Plan \(2006 EPI 155a\) - NSW Legislation](#)

5.5 Emerging and Complementary Sectors

The nature of farming in the MidCoast Region has changed over the last 30 years. The changing nature of farming, aging farming population and ‘tree changers’ moving to the area, have resulted in increasing land prices and demand for smaller hobby farms.

Traditional farming activities such as dairying and beef cattle grazing have had to expand and innovate to remain commercially viable under less favourable market conditions. Collectively, these changes encourage opportunities to grow new and emerging industries, which are new industries with high growth potential¹⁰⁷.

Emerging industries that are complementary, secondary or value-add to traditional agricultural sectors can provide opportunities for rural landholders to diversify on-farm income, stay financially viable and to grow the rural economy more broadly. In turn these initiatives would improve the sustainability of our rural communities, rural suppliers, agricultural educational programs and facilities.

There are many emerging rural industries that could be pursued, including native foods, honey, essential oils, alpacas, specialty breads of cattle and sheep, and hemp production. Noting that diversity in agricultural activities may also provide incentives to investigate other renewable energy industries as discussed in the Mining and Energy Background Paper; conservation initiatives discussed in the Land-Based Conservation Background Paper; and/or tourism opportunities outlined in the Tourism Background Paper.

5.5.1 Horticulture

Overview

Horticulture is the growing of fruits, vegetables, nuts, mushrooms, cut flowers and foliage and nursery products for commercial purposes. The Standard Instrument LEP defines *horticulture*, in addition to *turf farming* and *viticulture* for commercial purposes, as a types of *intensive plant agriculture*. The definition includes all farm sizes, so long as the product is grown for commercial processes.

Economic and employment trends

Horticulture is a relatively small industry in the MidCoast when compared to other agricultural industries. The total Gross Value of Production (GVP) for the entire horticulture industry in 2015/2016 was \$2.7 million¹⁰⁸. Horticultural commodities that contribute the most to the economy of the MidCoast are cut flowers (\$1.3 million), avocados (\$0.6 million), berries (\$0.2 million), macadamias (\$0.2 million) and beans (\$0.1 million)¹⁰⁹.

New South Wales had an estimated 580 vegetable-growing farms in 2017–18. Most farms were in Greater Sydney, the Murrumbidgee Irrigation Area and the Far North Coast. The highest value vegetables were mushrooms, potatoes, tomatoes and melons. New South Wales had the smallest average area operated (108 hectares) and area of vegetables cropped (22 hectares). This is mainly because of the relatively high proportion of farms in the Greater Sydney region which are typically small ‘market garden’ type growers.

In 2017–18, average farm cash income for New South Wales vegetable-growing farms increased by an estimated 19 per cent to \$204,200 per farm as shown in Figure 13 below. Total vegetable production per farm increased as a result of a rise in average area planted to vegetables. Average total cash costs increased by 17 per cent to around

¹⁰⁷ RIRDC 2019

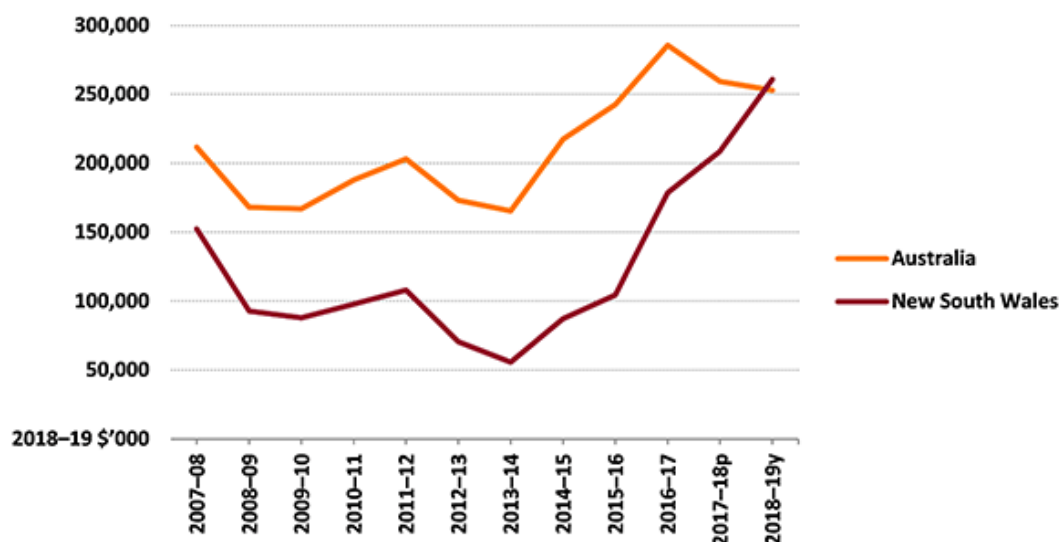
¹⁰⁸ ABS 2017a

¹⁰⁹ ABS 2017a

\$408,500 per farm. Contracts paid, freight, hired labour and seed costs were the largest contributors to the increase in total cash costs in 2017–18.

Average farm cash income is estimated to have increased by a further 28 per cent in 2018–19 to \$261,000 per farm, mainly because of an increase in average vegetable prices and quantity of vegetables sold.¹¹⁰

Figure 13. Vegetable-growing Income trends 2007-08 to 2018-19¹¹¹



Most horticultural products grown locally are of local importance, supplying local grower's markets and restaurants, while grain and fodder crops are a source of supplementary feed to local beef and dairy industries. Some commodities, such as macadamias, are important export products, with Australia producing around 30% of the world's macadamias¹¹².

There are only a small number of businesses that grow fruits, nuts and vegetables commercially in the MidCoast. The Australian Bureau of Statistics (ABS) records the number of businesses that have an estimated value of agricultural operations (EVAO) more than \$40,000. At the time of writing this included five macadamia, five lemon, two berry, four vegetable and five cut flower businesses that meet or exceed these criteria¹¹³. There may be many other horticultural growers making a smaller, but important contribution to the supply of fresh food within the MidCoast and broader region, but are not recorded by the ABS.

Opportunities

Increasingly, intensive plant agriculture operations are evolving to meet market demands using purpose-built greenhouses and technological advances including hydroponics, renewable energy sources, and waste reuse. These forms of agriculture represent significant opportunities in the MidCoast given proximity and access to regional, State and inter-State markets and reduced reliance on biophysical classifications of land.

With an expansion of the agriculture-related processing and small-retail land uses within rural zones, additional on-farm value adding opportunities such as the production of jams, chutneys, boutique products e.g. chocolate coated blueberries, flavoured macadamia nuts, convenience products e.g. ready-made sauces and meals.

¹¹⁰ [Farm financial performance – New South Wales - Department of Agriculture](#)

¹¹¹ Australian vegetable-growing farms survey

¹¹² RIRDC 2017c

¹¹³ ABS2017b

Opportunities also exist for the expansion of agri-tourism, particularly in on-farm activities, food trails and events e.g. berry picking, cafes, cellar doors, functions and events, would increase financial viability of individual farms and increase sustainability of rural communities.

Many consumers are becoming more discerning about where their food comes from and how it is grown for example, free-range, organic, permaculture and/or chemical-free products. The recent restrictions to travel and transportation of goods due to the pandemic have provided new opportunities for local growers to sell products via local market networks and on-line direct to the consumer, rather than only to large supermarket chains¹¹⁴.

Smaller growers rely on local farmers markets to sell their produce direct to the consumer while larger growers sell to larger markets such as supermarkets. A range of farmers markets operate within the MidCoast, generally on a weekly or monthly basis, and promoted on the Council website and via Barrington Coast on-line promotional material:¹¹⁵

Growers also travel beyond the local government area to access larger regional markets, including but not limited to Newcastle City Farmers Market, Lake Macquarie City Farmers Market, Wauchope Farmers Market, and Kempsey Riverside Farmers Market.

Challenges

The MidCoast is not recognised as having extensive areas of high quality biophysical agricultural lands, resulting in many areas traditional agricultural production providing marginal productivity and profitability. However, these challenges may be off-set by a temperate climate, reasonable water security, and proximity and access to market benefits.

The marginal nature of land resources has resulted in fragmentation of historic agricultural properties, and a diversity of agricultural products. The challenge for many small-scale operators is the lack of flexibility for on-farm value-adding activities such as processing and small-scale retail.

Co-operatives of organic, niche and diverse agriculture producers across the Gloucester region have been successful but discontinued when the produce cannot be sold at a price needed to recover costs; and regular, reliable transport to local and regional markets cannot be provided.¹¹⁶

As with other agricultural activities, there are high capital costs to enter the industry due to the costs of equipment, on-farm infrastructure and time for plants to reach maturity. Intensive horticulture can require significant cash outlays in the first two to three years to set up green houses, irrigation, planting and processing infrastructure before the farmers are able to receive a return for their product e.g. macadamias, blueberries, avocados.

Horticulture, viticulture and other intensive plant agriculture can also be sensitive to market trends. The market environment can change significantly over the period it takes for a plant crop to reach full production (3-10 years) for example, the profitability of a 'new' crop may be significantly affected by the number of producers at any given time, for example, the rapid and wide-spread transition from bananas to blueberries on the North Coast of NSW¹¹⁷.

Commodities produced for export markets, such as macadamias, are also sensitive to global market trends and there can be a significant variability in demand and pricing depending on exchange rates and production in other countries¹¹⁸.

¹¹⁴ [Food & Produce \(buyfromthebush.com.au\)](http://buyfromthebush.com.au)

¹¹⁵ MidCoast Council 2019

¹¹⁶ Gloucester Shire Council 2015

¹¹⁷ [Blueberry oversupply hits farmers as prices on supermarket shelves drop to a low - ABC News](https://www.abc.net.au/news/2017-09-14/blueberry-oversupply-hits-farmers-as-prices-on-supermarket-shelves-drop-to-a-low/4471112)

¹¹⁸ RIRDC 2017c

Poor transport infrastructure to access markets, including load limits on wooden bridges; and potential isolation due to extreme weather events such as the fires and floods of recent years, can make it difficult for growers to access regular markets.

Intensive horticulture includes a range of activities that can lead to conflict with neighbouring properties, including visual impact of greenhouses and netting; excessive water use; native vegetation removal; erosion on steep slopes; chemical spray drift; chemical and nutrient run-off impacting on receiving environments; dust generation during transportation of produce along dirt roads; and noise from harvesting activities¹¹⁹.

Critical lands

Suitable land for horticulture is determined by the operational requirements of the specific product, but as indicated previously, is becoming less reliant upon soil classification with improved on-farm practices. An example of specific crop requirements for three growing markets is provided below:

Avocadoes: the only variety of avocado recommended for planting in NSW is the Hass Avocado. This crop is adaptable to a range of growing climates, but is sensitive to frost, wind, sunburn and salt spray. They require well drained soil and irrigation, even in high-rainfall areas. The minimum commercially viable size for an avocado orchard is around 10ha but varies region to region¹²⁰.

Macadamias: are a subtropical rainforest tree and are the only Australian native tree to become commercially grown in a major way. They are best grown along the seaboard at elevations up to 600m. Macadamia trees are sensitive to frost, heat, wind and poorly drained soils¹²¹. Optimum growth occurs between 20 and 25 degrees Celsius. Planting macadamias requires long-term investment with trees taking 7-10 years to reach full production. Orchard sizes vary greatly for macadamia growing with the average orchard size in 2004 being 20ha, although some orchards are as large as 600ha¹²².

Blueberries: can be grown in a variety of climates but require irrigation, even in high rainfall areas. Farms using chemical irrigation must ensure that chemical runoff is managed on-site to ensure surrounding land and water resources are not impacted. The minimum recommended size for a commercial blueberry orchard is 4ha, but larger sites may incorporate on-farm packing and processing facilities¹²³.

The cropping intensity rates illustrated in Figure 14 mapping below, does not clearly distinguish between broadacre cropping and horticulture farming, but does generally correspond with anecdotal information provided by landowners, producers and community members in workshops and interviews, that there is an increasing diversity of both wholesale and retail product being farmed in the MidCoast.

The main horticultural industries: berries, macadamias, avocadoes, beans and cut flowers are expanding throughout the MidCoast with a concentration of commercial berry, macadamia nut and avocado growers in the northern part of the local government area.

¹¹⁹ DPI 2011c

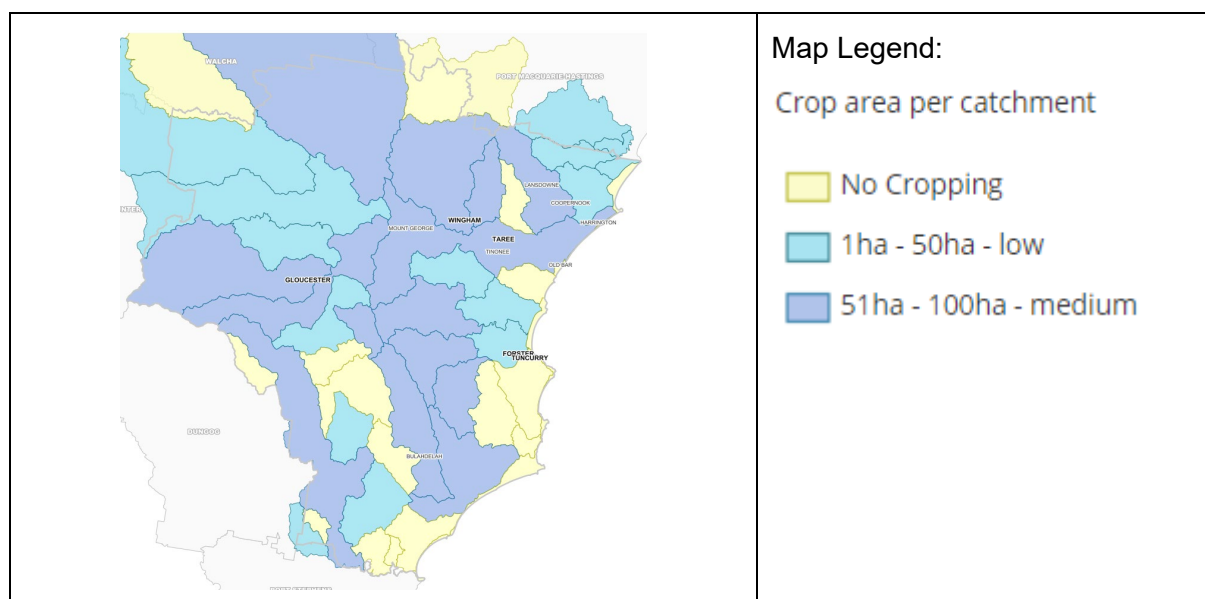
¹²⁰ Queensland Government 2001

¹²¹ RIRDC 2017c

¹²² Queensland Government 2004

¹²³ DPI 2015b

Figure 14. Broad-scale mapping of Cropping Intensity Rates (LLS data 2018)



5.5.2 Equine activities

Overview

The equine industry encompasses a range of equestrian activities including horse breeding, horse training, and competitive equestrian sports such as racing, dressage and show jumping. With the expansion of mining activities in the Hunter region, there has been an anecdotal increase in the number of commercial equine properties establishing within the MidCoast local government area, although the industry is not comparable in scale or capacity to those in the Scone-Muswellbrook region in the Upper Hunter¹²⁴.

The Standard Instrument LEP has a range of definitions relevant to the equine industry, however the primary land use activity is *animal boarding or training establishments*, which includes horse studs and equestrian training facilities. These activities generally require development consent for the construction of stables and other buildings and facilities on the property.

Keeping horses is also a popular pastime and this land use generally does not need development consent, including the provision of animal shelters, and other small farm buildings, which are generally permitted without consent under the Exempt and Complying Development SEPP.

Economic and employment trends

No information is available on the contribution of the equine industry to the local economy and employment. The economic contribution of the industry is difficult to determine because the industry includes breeding, training, recreation and professional experiences/events.

More broadly, the Australian thoroughbred industry alone contributes \$5 billion to the national economy and employs more than 65,000 people in rural and regional areas¹²⁵. The Upper Hunter Region around Scone is renowned as the horse capital of Australia, particularly for producing thoroughbred breeds.

¹²⁴ [Agriculture - Muswellbrook Shire Council \(nsw.gov.au\)](https://www.muswellbrookshire.nsw.gov.au/agriculture)

¹²⁵ DPI 2013b

'Game-changer' projects identified in MidCoast Council's Destination Management Plan include the local government area becoming a world-class equestrian destination¹²⁶. This would encompass a variety of equestrian activities and events including trail riding, dressage, rodeo and show jumping. It would also capitalise on established infrastructure, including equestrian centres and horse studs within the area.

Opportunities

Horse breeding of thoroughbreds and other high-performance horses can make a significant contribution to the local economy as some foals can cost upwards of a \$1 million when sired from a renowned stallion. The value is dependent on the reputation of the studs, fees for servicing and agistment for mares and foals.

While there are some existing equestrian activities such as trail-riding on farms and beaches, riding for the disabled¹²⁷, pony camps, rodeos and eventing in the region, improvement and promotion of facilities and growth in frequency and diversity of events represent additional opportunities to attract people and economic investment to the area.

In this regard, Pony Clubs are already located at Stroud, Bulahdelah, Nabad, Gloucester, Oxley Island, Wingham and Coopernook¹²⁸. A range of other training and competition facilities also existing in the MidCoast at the time of writing:

- Pampoolah, Taree Equestrian Centre and Pacific Warmblood Stud
- Bungwahl, Beechwood Lodge Equestrian Centre
- Mondrook, Hillstead Equestrian Park for show jumping and eventing events
- Tuncurry, Forster-Tuncurry Racecourse
- Taree, Manning Valley Race Club
- Taree showgrounds, Manning Valley Dressage and Hack Club
- Rainbow Flat, Riding for Disabled Australia Manning Great Lakes Centre
- Gloucester Showground, show jumping and camp draught events

The North Coast TAFE in Taree offers certificates in equine studies and provides an on-site farm and equestrian centre, which keeps horses for training students. Equine industry training is also offered at Scone TAFE and Tocal Agricultural College.

The broader Hunter Region has extensive facilities and services dedicated to the equine industry with the majority concentrated in the Upper Hunter. A world class Hunter Valley Equine Research Centre and specialist equine hospital are both located at Scone, and another large equestrian facility is in the New England Tablelands at Tamworth.

Challenges

The growth of the equine industry is dependent on suitable infrastructure including equestrian centres for teaching and training; appropriate properties to breed and agist horses; showgrounds, racetracks and eventing facilities.

Good accessibility to equine facilities, support services and infrastructure is critical to the success of the industry including:

- Breeding and training facilities including stables, indoor and outdoor arenas, racetracks and show grounds;

¹²⁶ MidCoast Council 2017

¹²⁷ [Centres \(rdansw.org.au\)](http://Centres.rdansw.org.au)

¹²⁸ Pony Club Association of NSW 2019

- Support services including equine vets, access to supplementary grain and hay, rural supplies stores that sell tack gear e.g. saddles, bridles, and horse floats to transport horses.
- Properties close to or located within attractive landscapes is particularly important for tourism activities such as trail riding and pony camps;
- Proximity to towns and centres for trainers to provide good access for clients and investors;
- Good road infrastructure and proximity to airports ensure good access for people and horses, both of whom may regularly travel long distances;
- Competition facilities and events such as equestrian centres, pony clubs, show jumping and eventing courses and racecourses. Accommodation, camping and associated facilities for horses and people attending these events is also required on-site and nearby for large events.

Critical lands

Equestrian properties are located throughout the MidCoast and incorporate horse studs, horse training facilities, trail riding, and horse-related camping opportunities. The highest intensity of equine businesses is in northern portion of the local government area as shown in Table 5 below.

This may be influenced by smaller land area requirements for equine industry i.e. larger properties have been retained and used by other agricultural activities such as beef and dairy farms. In this regard, anecdotally the numbers and density of horses kept on smaller rural farms and properties has increased throughout the MidCoast.

Horses are tolerant of a variety of conditions and land capabilities, but they should generally be kept in paddocks that have good grass coverage, drainage, natural shelter and a reliable water supply for both horse watering and maintaining grass coverage throughout the year. The ideal paddock size for one horse is 1ha and paddocks should be no smaller than 0.4ha¹²⁹.

Table 5. Equine stocking rates in areas of the MidCoast (LLS data 2018)

Sub-catchment:	Nearby centres and villages	Approx. stock:
Manning River (not including Upper Manning River)	Bundook, Mount George, Tinonee, Wingham, Taree, Oxley Island and Croki	885
Wallamba River	Krambach and Dyers Crossing	405
Cedar Party Creek	Killabakh and Wingham	280
Karuah River	Karuah, Allworth, Booral and Stroud Road	275
Lansdowne River	Lansdowne, Upper Lansdowne and Coopernook	275
Dingo Creek	Wherrol Flat and Bobin	215
Gloucester River	Gloucester	215
Burrell Creek	Burrell Creek	205

¹²⁹ Department of Primary Industries 2019

5.5.3 Bee keeping

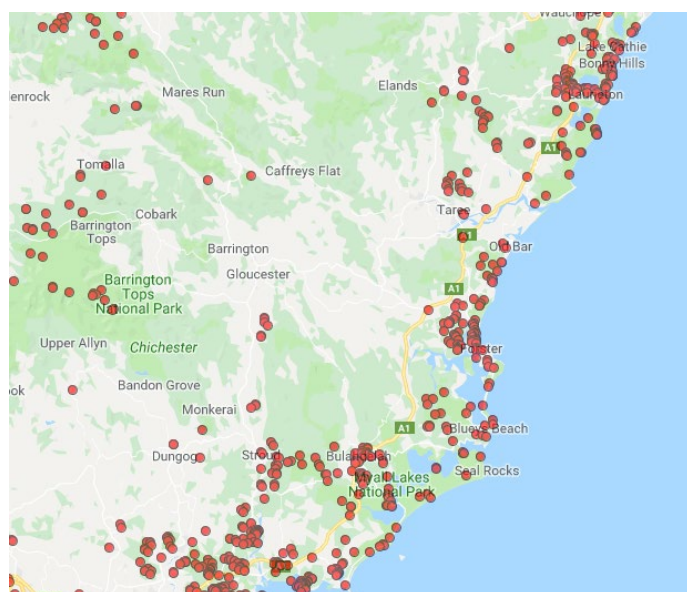
Bee keeping predominately occurs along the east coast of Australia with the highest number of registered beekeepers operating in NSW, approximately 45%. Most commercial beekeepers keep between 400 to 800 beehives, however some beekeepers have over 10,000 hives¹³⁰. The local bee keeping industry is currently small with around 1,600 beehives recorded in the MidCoast area with nine businesses making over \$40,000 from bee keeping¹³¹.

Bee keeping is a form of extensive agriculture under the provisions of the Standard Instrument LEP, and as an activity generally does not required development consent from Council. The storage of hives and processing facilities, however, do require consent.

There is significant potential for the industry to expand locally. The greatest limiting factor is the availability of food for honeybees rather than the climate. Around 70% of Australian honey is produced using nectar from native plants¹³². Large expanses of native vegetation remain in the MidCoast Region making it an ideal location to expand the industry due to the availability of food source, nectar from native flowering plants.

One opportunity for local beekeepers is the production of Manuka Honey. Manuka Honey is a specialised product, reliant on pollen of the *Leptospermum scoparium* shrub, which is a form of tea tree. There are over 80 species of *Leptospermum scoparium* native to Australia, and a study undertaken by the University of Technology Sydney, shows that the medicinal properties of Manuka Honey varieties in Australia are just as active as those in New Zealand¹³³.

Figure 15. Recorded locations of *Leptospermum scoparium* in the MidCoast¹³⁴



This anti-bacterial honey has been highly effective in treating skin ulcers and wounds, especially those resistant to mainstream treatment and has led to the development of specific honey-infused wound dressings and products. The success of the Medi-honey range of products around the globe means that New Zealand is unlikely to be able to meet the demand for bio-active medicinal grade honey into the future.

¹³⁰ RIRDC 2017d

¹³¹ ABS 2018b

¹³² RIRDC 2017d

¹³³ UTS 2017

¹³⁴ The Atlas of Living Australia 2019

While *Leptospermum scoparium* is a species native to southern NSW, Victoria and Tasmania, Figure 15 above, shows the recorded locations in the MidCoast Region of the species used as a food source to make Manuka Honey. There is the potential for commercial beekeepers to establish *Leptospermum scoparium* plantations for the local production of Manuka honey.

Key operational requirements

Beehives cannot be exposed to pesticides or other toxins commonly used in modern, broad acre agriculture. Hives must be situated close to permanent water sources, or have access to water supplies in hot, dry conditions. They should also be situated in a sunny north-east aspect which is sheltered from wind.

Bee access to native flowering flora and uncultivated public lands is critical to maintain adequate nutrition on which honey production relies. Sources of nectar and pollen should be within a 2km radius of beehives¹³⁵.

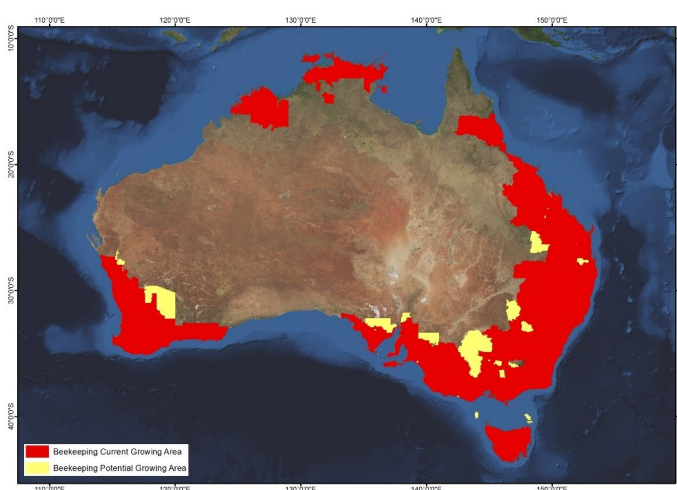
Markets and marketing opportunities to sell honey are important to the viability of commercial bee keeping operations. In general, Australian honey has a global reputation for being high quality and can fetch a high premium in international markets when compared to honey from other countries¹³⁶.

Opportunities

The extensive areas of native vegetation on private properties, National Parks, State forests and Crown land represents a significant opportunity for increased honey production within the MidCoast.

The anti-bacterial honey production, while of high value, is not the only opportunity for increases in bee keeping and honey production industries within the MidCoast. With the decreasing populations of native and honeybees acknowledged as a world-wide phenomenon there is an opportunity to expand the industry within the MidCoast.¹³⁷

Figure 16. Map of current and potential bee keeping areas of Australia¹³⁸



With improvements to transport access within and to the region the opportunities to increase this industry lie primarily in establishing partnership programs with private land holders looking to diversify agricultural activities on their properties.

¹³⁵ [Beekeeping \(honey bees\) | AgriFutures Australia](#)

¹³⁶ RIRDC 2017d

¹³⁷ [Bees are dying. What can we do about it? - ABC News](#)

¹³⁸ [Beekeeping \(honey bees\) | AgriFutures Australia](#)

Challenges

Challenges to the existing industry is the reliance on access and establishment of hives within Crown and Forestry lands, where access via existing fire trails or newly created access tracks may be limited. If the apiarist requires a new access track, this may trigger development application requirements depending on the zoning, and Native Title must be properly addressed, in addition to standard permit requirements¹³⁹.

Noting that bee hives must be moved at night, the standard of these access trails may also limit the size of vehicles and therefore number of hives able to be transported to suitable sites.¹⁴⁰

Given significant losses of hives during the 2019-2020 bush fires, there may also be concerns regarding additional risks associated with the theft of hives that cannot be easily monitored¹⁴¹.

Challenges with siting and maintaining the health of the hives would also require consideration and negotiation between landowners and apiarist to ensure hives are not affected by chemical spray drift and are managed to ensure suitable biosecurity measures are in place.

Critical lands

As stated previously, bee keeping is reliant upon access to flowering vegetation. Vegetation may include native species, orchards or domestic gardens, but most collection is over the Spring- Autumn period, which in Australia is October to May.¹⁴²

Bee keeping is permissible in National Parks in some instances. This includes when bee keeping is an existing use that was being carried out before the land was included in the NPWS Estate. NPWS may also introduce new bee keeping activities in National Parks in instances when it clearly benefits the conservation of nature in the park¹⁴³.

The NSW Government is currently in the process of implementing a whole of government policy framework for the management of bee keeping sites on public lands including but not limited to State Forests, National Parks, Crown land and Travelling Stock Reserves¹⁴⁴.

The new framework is likely to make it easier for bee keepers to establish sites on public lands through a consistent process. It will also provide more security to bee keepers in the industry by introducing a standard permit of five years, with the ability to renew subject to a compliance and usage test¹⁴⁵.

Bee keepers must be registered with the DPI and must comply with the Biosecurity Act 2015¹⁴⁶.

5.5.4 Private Native Forestry

Permissibility of forestry in rural zones is another example of key conflicts and inconsistencies across environmental planning instruments such as land use permissibility in

¹³⁹ <https://www.forestrycorporation.com.au/about/permits>

¹⁴⁰ [Beekeeping \(honey bees\) | AgriFutures Australia](#)

¹⁴¹ [How to Prevent Beehive Theft - 5 Key Measures | Perth Honey \(perthhoneycompany.com.au\)](#)

¹⁴² [Beekeeping \(honey bees\) | AgriFutures Australia](#)

¹⁴³ OEH 2018

¹⁴⁴ <https://www.dpi.nsw.gov.au/animals-and-livestock/bees/beekeeping-on-public-land>

¹⁴⁵ DPI 2019c

¹⁴⁶ DPI 2017d

local environmental plans administered by Councils and Private Native Forestry (PNF) agreements between landowners and Forestry corporations.

During research into this activity the consultancy team found that PNF determinations may be made in the absence of advice or consideration of whether that PNF is permitted within the land use zone under the LEP.

For instance, even in some land use zones where forestry is currently permitted with consent, there were no recorded development applications or approvals for this activity and Council had only been provided with formal notification of a PNF agreement to ensure it was recorded on a Planning Certificate for the land, in accordance with the requirements of the [Environmental Planning & Assessment Regulation 2000](#).

This inconsistent consideration of relevant legislation and approval requirements should be resolved to improve understanding of the opportunities and challenges associated with this land use. This could be formalised by introducing an integrated referral or dual-consent process between Local Land Services, Council and any other relevant agencies and provide clarity and confirmation of land owners that:

1. Private native forestry applications must go through the dual-consent process in zones where forestry is permitted with consent; and
2. Development approvals nor Private Native Forestry agreements can be granted where forestry is prohibited in the zone.

This would allow for a more thorough assessment of ecological values, potential access requirements, amenity impacts on surrounding land owners with for example, increased truck movements on unsealed roads; and enable off-setting and conditions to be applied to adequately protect sensitive environments and waterways.

6 Recommended Planning Framework

This section outlines the recommended planning framework that could apply to support a sustainable and diverse agricultural sector within the MidCoast. Recommendations provided for planning, plan-making and development processes below, have been prepared in consideration of the content of the preceding report, State-level guidelines and requirements.

Noting the diversity of existing, emerging and unknown future agricultural activities and the potential changes from broad acre to more intensive forms of both plant and animal agriculture, these recommendations are purposefully strategic in nature and are not exclusively related to planning instruments, but focus on enabling agriculture wherever locationally appropriate, throughout the MidCoast.

Council increase collaboration with State and regional agencies to improve understanding of opportunities and challenges faced by farmers and agricultural industries across the MidCoast, to ensure that planning provisions and controls are appropriate and consistent and do not replicate or conflict with regulations, codes of practice or other on-farm management requirements of other agencies.

Increase integration of agritourism and agribusiness activities with existing and emerging agricultural industries, either through on-farm experiences, rural community events, food trail and gastronomic tourism. This also requires review and identification of agricultural industry clusters, accommodation and facilities within rural communities to facilitate this diversification.

As documented within this Report and the Transport background Report, identify and recognise shared-service locations, trading needs and infrastructure upon which priority agricultural industries rely. Long-term planning should support growth and change within these areas in line with industry requirements and promote safe and efficient vehicle access to and from production areas.

Diversify the rural industry activities that may be undertaken on-farm or in rural communities, to enable value-adding of raw products locally, prior to retail or wholesale distribution. Including but not limited to small-scale abattoir facilities, egg processing and packaging, fertiliser and bio-fuel production utilising agricultural waste¹⁴⁷, compost production from urban green waste for soil improvement¹⁴⁸.

Ensure complementary and secondary agricultural and tourism activities can be undertaken on-farm and in rural communities to enhance sustainability and economic viability across the region.

To achieve this, additional guidance is required in the development control plan for those activities that cannot be undertaken without a development application: commercial bee keeping; private native forestry and on-farm forestry, land-based aquaculture, farm stay accommodation opportunities, and farm-based visitation e.g. farm gates, cellar doors, artisan food and drink outlets¹⁴⁹¹⁵⁰, education and training facilities, , to ensure environmental, social and amenity impacts are identified and managed.

In addition, the identification of priority drinking water catchments, aquifer catchments should be prioritised to ensure these critical water resources protected from intensive plant and

¹⁴⁷ [Biofuels: Australian farmers' untapped resource \(nswfarmers.org.au\)](http://nswfarmers.org.au)

¹⁴⁸ [Green waste helps feed Australians through innovative composting system \(msn.com\)](http://msn.com)

¹⁴⁹ [Game on for venison | The Land | NSW](#)

¹⁵⁰ [Eungai Creek Buffalo](#)

animal agriculture activities, rural industries and other land uses that may impact on water quantity and quality, or represent an unacceptable level of risk to these resources.

Establish a local clause for subdivision of rural lands that:

- enables a range of property sizes to encourage a diversity of agricultural pursuits across the MidCoast, while ensuring that:
- the existing and inherent environmental values of the land e.g. steep land, significant vegetation, waterbodies and water courses, are protected; and
- new residents are located safely on the site, in consideration of fire and flood hazards; and
- with direct access to publicly constructed and maintained roads, rather than battle-axe allotments or extended private access roads.

When the Department of Primary Industries releases the Important Agricultural Land Mapping for the MidCoast, review: the application of rural zones to reflect the identification of any State-significant land within the local government area; the planning controls and provisions within the development control plan; consider the identification of industry clusters; game-changer development opportunities; and review potential urban release areas and planning proposals to rezone rural land, to ensure the immediate and cumulative loss of valuable agricultural land and activities is adequately considered.

Council, in consultation with other State and regional agencies may also consider non-planning recommendations including but not limited to:

Preparation of industry-specific economic or employment strategies to promote and grow agricultural sectors, consumption of local agricultural products, and upgrades to infrastructure to improve accessibility and sustainability.

It is noted that the development of planning controls that ensure new agricultural activities are located in areas where potential environmental impacts can be identified, monitored and managed does not address legacy issues; which require ongoing collaboration and partnership between Council, landowners and other key stakeholders to identify, rectify and rehabilitate land and water resources to ensure sustainability of the beef cattle farming in the MidCoast.

Establish an 'agricultural working group' with key industry groups, producers, community organisations, State agencies and Council staff. The purpose of this group would be to open the dialogue between farmers and Council to create better land use outcomes that will protect and grow important agricultural industries of the MidCoast. Consultation and collaboration on diverse issues such as:

- diversification of income streams via agribusiness and agritourism opportunities,
- on-farm management of biodiversity, land and water resources to increase or restore land carrying capacity,
- partnership programs with alternative industries including but not limited to education, honey and native food collection and production.
- development assessment processes that require consideration of the potential impacts of subdivision and residential development near new or proposed agricultural activities.
- provisions, supplementary to existing State guidelines, may also be developed to consider measures to protect land and water resources including management of stock access to waterways; identify and manage potential amenity impacts on adjoining land owners, including noise, odour and light spill.
- the establishment of complementary and value-adding industries in rural areas and communities, for example at the Stratford Industrial Precinct;

- collaborative approaches to biosecurity, environmental, amenity impact management and management of existing activities within priority drinking water catchments and aquifer catchments;
- opportunities for intensive plant agriculture to be undertaken within rural communities in for example, industrial areas with suitable infrastructure and services¹⁵¹.
- opportunities to overcome key barriers to growth include limited selling, marketing and poor transport infrastructure and distribution services¹⁵²; and
- for specialist industries such as forestry, increase understanding of the industry, associated activities and infrastructure requirements e.g. saw mills and timber processing facilities, and options to manage environmental impacts with conservation initiatives.

¹⁵¹ [The Producers: The Mushroom Guys, Kardinya \(broadsheet.com.au\)](http://broadsheet.com.au)

¹⁵² [Kempsey Shire Council 2019](#)

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8 Appendix



Primary
Industries

Policy

Maintaining land for agricultural industries

NUMBER 0-104	VERSION 1
AUTHORISED BY Principal Director, Industry Development Agriculture & Forestry	AUTHORISED DATE 20/05/2011
ISSUED BY Resource Planning and Development	EFFECTIVE DATE 20/05/2011

Purpose

To guide the planning system in providing certainty and security for agricultural enterprises over the long term and to enable those enterprises to respond to future market, policy, technology and environmental changes. Key elements are;

- land with the best combination of soil, climate, topography and water for agricultural production is a limited resource in New South Wales and should be maintained for future generations;
- agricultural land should not be alienated directly through lands being used for non-agricultural purposes and indirectly by incompatible developments on adjacent land restricting routine agricultural practices; and
- agricultural industries are a fundamental asset to the state of NSW as they provide a long term means of providing employment, raw materials and fresh safe secure food while supporting regional communities.

Scope

This policy document provides direction to Industry and Investment staff and guidance to planning authorities and communities in developing and implementing environmental planning instruments relevant to agriculture or rural communities. These instruments include State Environmental Planning Policies, Regional Environmental Plans, Local Environmental Plans and Development Control Plans developed under the *Environmental Planning and Assessment Act, 1979*.

Policy

1. Environmental planning instruments should be structured to;

- a. promote the continued use of agricultural land for commercial agricultural purposes, where that form of land use is sustainable in the long term;
- b. avoid land use conflicts;
- c. protect natural resources used by agriculture;
- d. protect other values associated with agricultural land that are of importance to local communities, such as heritage and visual amenity;
- e. provide for a diversity of agriculture enterprises, including specialised agricultural developments, through strategically planned locations to enhance the scope for agricultural investment in rural areas; and
- f. allow for value adding and integration of agricultural industries into regional economies.

2. Conversion of land

The conversion of land used by agricultural enterprises to other uses should only take place where fully justified in the strategic planning context. Considerations include;

- all alternative sites and options for non agricultural developments;
- any decisions to convert agricultural land of high value to regional and state agricultural industries should be a last option; and
- the impact of non agricultural developments on agricultural business and infrastructure reliant on the surrounding agriculture production.

It is recognised that changing community needs and aspirations may require a change in the use of agricultural land. Once land is converted to other uses, especially to residential or industrial uses, it is most unlikely to return to agricultural production. Since these decisions cannot be practically reversed, the long term social and economic costs and benefits (including intergenerational equity), need to be evaluated before a decision is made (i.e. triple bottom line or people, planet, profit assessment).

The objective is not to prevent or discourage other land uses, but rather through planning ensure that land resources are efficiently allocated so as to maximise total benefit to the community. To achieve this goal, planning authorities should develop planning strategies for rural and agricultural industries when they develop strategies for other land uses. The determination of the economic, environmental and social contributions from agricultural land uses can be undertaken preferably through an agricultural industry study or regional rural land use study with emphasis on the major agricultural industries.

Where a change in land use appears to be desirable, any changes to environmental planning instruments should only be made after open and informed consultation with the community. Spot rezonings and other ad hoc approaches to planning are undesirable. Changes should be implemented in a way that minimises the impact on existing agricultural enterprises, such as by phasing in the change and providing buffers between agricultural and non-agricultural properties.

3. Minimum size of holdings for dwelling entitlement

Criteria in environmental planning instruments to determine the minimum size of holdings necessary for a dwelling entitlement in rural areas needs to be based on sustainable productive agriculture.

Setting the minimum area necessary for a building entitlement is a commonly used tool to influence residential land uses in agricultural zones. The objective is to reduce opportunities for conflict between residential development and commercial agricultural enterprises by minimising residential uses that are not directly associated with commercial farms.

The minimum area for a dwelling entitlement and other provisions in Environmental Planning Instruments to regulate subdivisions should take into account:

- a. the agricultural productivity and suitability of the land in question;
- b. the nature and requirements of agricultural industries in the area being considered;
- c. the risk of creating land use conflict;
- d. the current distribution of property sizes and the agricultural industry they support;
- e. the trends in the size of properties engaged in agriculture; and
- f. cumulative impacts eg gradual subdivision of agriculture becomes rural residential zone.

4. Minimising land use conflict

Councils should also consider other approaches to achieving the goal of minimising conflict in agricultural production zones so that farms can operate without unnecessary restrictions. An explanation of strategies to minimise or prevent land use conflict is found in *Living and Working in Rural Areas: A handbook for managing land use conflict issues on the NSW North Coast*.

Guidelines are available to assist consent authorities assess agricultural development proposals. These Primefacts cover a wide variety of topics. Please see "other related documents" below.

Procedures

1. NSW Department of Primary Industries (Agriculture) is not a consent authority for Agricultural issues. Local Government is the consent authority.
2. NSW Department of Primary Industries (Agriculture) where appropriate will provide input into planning decisions of a strategic nature which affect agriculture. Specific technical advice may be provided for intensive animal development applications.
3. NSW Department of Primary Industries (Agriculture) will continue to provide information, guidelines and tools to inform state and local government and the community about the value and needs of agriculture.

Roles and responsibilities

- Land use planning advice is provided by NSW DPI Regional Services Land Use.

Delegations

- No specific delegations.

Legislation

- Environmental Planning and Assessment Act, 1979
- State Environmental Planning Policy (Rural Lands), 2008

Related policies

- Policy for Sustainable Agriculture in New South Wales 1998.

Other related documents

- Development Application and Assessment guidelines
 - Agricultural Issues for Extractive Industries on Rural Lands
 - Agricultural issues for landfill developments
 - Farm subdivision assessment guideline
 - Guidelines for the development of controlled environment horticulture
 - Infrastructure proposals on rural lands
 - Issues for community title in agricultural areas
 - Livestock flood refuge mounds
 - NSW meat chicken farming guidelines
 - Planning for horse establishments
 - Preparing a development application for intensive agriculture in NSW
 - Rabbit farming: Planning and development control guidelines
 - Rural workers dwellings
 - Some precautions when buying rural land
- Strategic planning
 - 'Living and working in rural areas' - handbook
 - 'Living and working in rural areas' - brochure
 - Minimum lot size methodology
 - Agricultural land classification
 - Strategic plan for sustainable agriculture in the Sydney region
 - Understanding the social context of land-use in the Boorowa catchment
 - Agricultural land classification study - Taree shire
 - Agricultural land classification study - Walgett shire

Definitions

- See Standard Instrument (LEP) Order for definitions.

Superseded documents

This policy replaces:

- Policy for protection of agricultural land (2004)

Revision history

Version	Date issued	Notes	By
1	20/05/2011		Manager RPD

Review date

19/04/2012

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