



Agricultural Land Use Planning Unit

LOCAL STRATEGIC PLANNING STATEMENTS DPI AGRICULTURE ADVICE

Purpose

Recent legislative amendments requiring all Local Government Areas (LGAs) Councils to prepare **Local Strategic Planning Statements** (LSPS) provides the opportunity for communities to set and give effect to future strategic planning priorities for rural lands and agriculture. These priorities are ultimately given effect in Local Environmental Plans (LEPs) made under the Standard Instrument Order.

The following advice is intended to assist Councils with the preparation of their LSPS by addressing matters relevant to the functioning and performance of primary production and the management of rural zoned lands. This advice is not intended to replace the Department of Planning and Environment's (DPE) Guideline for preparing an LSPS but is an additional resource for Councils to use.

Introduction

Agricultural land is a finite resource. Most production systems are only suitable for certain soil types, landscapes and climatic conditions. Some areas where primary production has a long history, such as western Sydney, are under pressure from land uses incompatible with agriculture, such as housing. This can and has resulted in rural land use conflict and lead to the permanent removal of land from production. For agriculture to continue to grow and diversify, it is essential that food and fibre production is supported by local strategic and statutory land use planning. **The LSPS should coordinate and set the broad context for the ongoing protection and growth of agriculture and the resources it relies on.**

Agriculture plays a key role in the social and economic fabric of many rural and peri-urban LGAs. On current trends, agriculture in NSW will be worth approximately \$20 billion by 2020. It is also recognised that agriculture is one of the major employment-generating activities in many regional areas.

JOBS AND BUSINESSES DATA

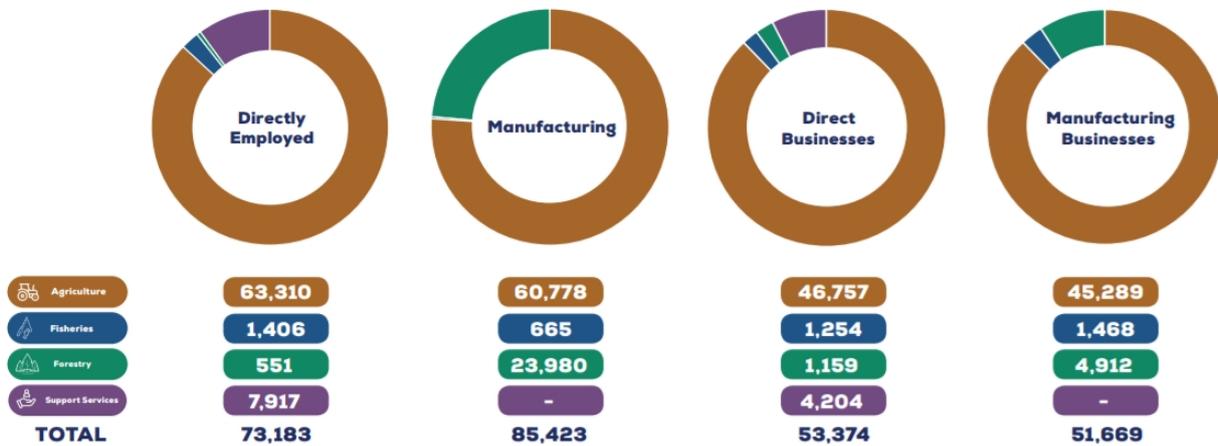


Figure 1: NSW Primary Production Jobs and Business data-2018

Land use conflict between agriculture and other land uses has been experienced in some areas, mainly through unplanned encroachment of incompatible development and the differing expectations of some members of the community. Land use conflict creates an uncertain environment for investment in primary production and makes it difficult for farmers to carry out their day-to-day business using what are lawful and typical industry practices. Sound strategic planning is the best way to ensure that land use conflict is minimised and that rural zoned lands continue to be used for the purposes of primary production, unhindered by adjacent incompatible land uses.



Figure 2: New housing estate adjacent to existing agricultural land

Government Policies for Agricultural Land Use Planning

The NSW **Right to Farm Policy** is another major policy of relevance to agricultural land use planning and the preparation of an LSPS. It was developed by the Government as a concept centred on the idea that primary producers should be able to undertake lawful activities in accordance with accepted industry standards without undue interference or nuisance complaints.

Since its inception in 2015, there has been considerable progress in the implementation of the *Right to Farm Policy* and it operates in tandem with other DPI policies and guidelines such as the *Maintaining Land for Agricultural Industries Policy (0-104)* and the *Land Use Conflict Risk Assessment (LUCRA) Guideline*. The *Right to Farm Policy* implementation also included several surveys of local government in order to document issues such as the frequency and extent of land use conflict and these surveys may also inform a Council's preparation of the LSPS. Links to the *Right to Farm Policy* and other relevant Policies and Guidelines can be found in the References.

The NSW Government introduced Regional Plans in 2017 which set out strategic directions for agriculture and rural land for the next 20 years. The Government has also consolidated several State Environmental Planning Policies (SEPPs) relating to agriculture and rural zoned land into a new Primary Production and Rural Development SEPP.

The Department of Primary Industries (DPI) Agriculture and DPE have collaborated on mapping of Important Agricultural Land* to assist Councils to prepare land use strategies and the products will be released progressively over the next few years.

An LSPS aims to draw together these strategic directions and together with other information and data, will shape local priorities in each LGA. LEPs and development control plans (DCPs) can then be revised to reflect this strategic intent. The requirement for all LGAs to prepare an LSPS provides an opportunity for communities to influence priorities for agriculture and rural lands, consistent with Government policy. For more information about the role of an LSPS in the planning framework, see the DPE website listed in References (p7).



Figure 3: Hay production set against the rear fences of new residences

Developing a Vision for Agriculture – a Strategic Process

The tables below outline the key steps, considerations and resources that will assist councils to maximise agricultural outcomes undertaken as part of the LSPS process or included as an action within the LSPS for later implementation:

Table 1: Scoping stage to preparing an LSPS to achieve outcomes for primary production

<p>What are the Regional Plan Priority Actions for agriculture and the supply chain?</p>	<ul style="list-style-type: none"> • DPE Regional Plans • Regional Agricultural Development Strategy • Section 9.1 Directions, SEPPs
<p>What is the spatial extent and capability of rural land?</p>	<ul style="list-style-type: none"> • Important Agricultural Land* mapping • Local Environment Plan zones and previous strategy • BSAL Biophysical Strategic Land Agricultural Mapping • Land and Soil Capability Assessment Scheme: 2012, Office of Environment and Heritage.
<p>What are the agricultural trends – nationally, state-wide? What does that mean in your region or locally? What are the main agricultural industries in the LGA? (economic value/ contribution, both small and large scale)</p>	<ul style="list-style-type: none"> • ABS, DPI, DPE, DPC, RDA demographic data, studies and reports • Regional Agricultural Development Strategy (DPE) & Regional Economic Development Strategy (REDS) • Any relevant reports such as the Food and Fibre Strategy for the Central West Region • Australian Bureau of Statistics data http://stat.abs.gov.au/itt/r.jsp?databyregion#/ • Livestock https://www.dpi.nsw.gov.au/animals-and-livestock • Horticulture https://www.dpi.nsw.gov.au/agriculture/horticulture
<p>Are there any instances of rural land use conflict? Where? What are the circumstances?</p>	<ul style="list-style-type: none"> • Council records • Right to Farm Agricultural Land Use Survey Reports
<p>What are the current constraints and opportunities for agriculture and lessons learnt for future agricultural development in your LGA?</p>	<ul style="list-style-type: none"> • Agricultural Industry Action Plan • https://www.dpi.nsw.gov.au/about-us/publications/aiap
<p>Are there further opportunities to support those or other emerging or small scale industries? What are their requirements? How can the supply chain and other supporting infrastructure best be supported for those industries?</p>	<ul style="list-style-type: none"> • Community & agency consultation, Identification of areas of contention, assessment of land use zones and tables, rural settlement trends and approvals. Intra-agricultural conflict should be identified as well

Table 2: Develop an Issues Assessment

Identify the constraints to agriculture	<ul style="list-style-type: none"> •biophysical, natural resources •social and economic •land use conflict •remediation of degraded farmland etc
Identify policies and trends in agriculture	<ul style="list-style-type: none"> •Policy settings •Strategic plans •Agricultural trends
Key issues	<ul style="list-style-type: none"> •summarised

Table 3 Consultation phases

Identify stakeholders	<ul style="list-style-type: none"> •Community, farmers, government agencies, researchers and others consulted to discuss issues & challenges. Highlight relevant policy settings and invite submissions
Discussion points	<ul style="list-style-type: none"> •key issues •challenges •policy settings •invitation to make submissions
Submissions	<ul style="list-style-type: none"> •Submissions are recorded, summarised, considered and assessed

Table 4 Development of Options to test findings:

Options from issues identified	<ul style="list-style-type: none"> •Using the assessment of issues and consultation findings, identify strategic and statutory mechanisms to manage rural land for optimal outcomes
Identify legal mechanisms	<ul style="list-style-type: none"> •Suggest legal mechanisms to prevent and overcome identified constraints on agriculture
Recommendations	<ul style="list-style-type: none"> •Recommendations for final LSPS content

Local Strategic Planning Statement - Suggested Content

Below is an example of suggested agricultural content for a Council's LSPS. Best practice planning principles for agriculture have been incorporated in the following priorities:

XXXX Council recognises the value of agriculture for growing food and fibre for domestic and international markets. Agriculture is a significant industry, employing **% of the population and contributing \$B/M to the local economy. Council is concerned about the potential loss or impaired use of agricultural land as the industry is the most important contributor to **XXXX Council's** economy and communities.

1. XXXX Council priorities for agriculture:

Consistent with the XXXX Regional Plan and the XXXX local strategy, XXX Council will implement the following priorities for agriculture to increase local investment, provide certainty for existing and future agricultural use, protect agricultural resources and promote growth and diversity in the industry:

- **Resource access.** Identify and protect agricultural lands* best suited to support a diverse range of agricultural commodities and production systems.
- **Maintaining a critical mass** of industries through the retention of agricultural land and continued access to the agricultural supply chain: specific services, infrastructure, processing facilities and markets.
- **Encourage diversification** and value-adding in agriculture by recognising the diversity of modern agricultural enterprises and facilitate their growth through the XXXX LEP.
- **Infrastructure is provided and maintained** - efficient transport, energy and water infrastructure identified and provided to critical and strategic rural enterprises.
- **Avoid fragmentation** of agricultural land and other pressures of urban growth by setting appropriate lot sizes in agricultural areas consistent with the economics of local and regional production systems.
- **Avoid Land Use Conflict** and provide for compatible rural uses in defined areas through planning instruments; prevent the location of incompatible land uses in and adjacent to agricultural production areas and where necessary require buffers between incompatible land uses.
- **Social and ancillary services** for agriculture are identified and provided in compact, self-contained rural towns and villages within clearly defined urban boundaries.
- **Ecosystem services and rural amenity** provided by agricultural land are protected from incompatible land uses.

2. Council actions to achieve land use conflict priorities:

Councils will prioritise agriculture and primary production where strategically identified and endorsed by DPE. Through preparation and implementation of local strategic plans and LEPs, Council will:

- Prepare new LEP provisions to prevent reoccurrence of land use conflict following assessment of historic land use and subdivision criteria[^].
- Advise intending purchasers of rural land about the priorities for agriculture through Section 10.7 Certificates.
- Manage land use conflict by supporting pre-existing, lawfully operating agricultural land uses in the case of nuisance complaints and in a manner consistent with the *Right to Farm Policy*.
- Control the form and scale of permissible development in rural areas.

3. Complementary Actions

- Maintaining and increasing the range and diversity of agricultural commodities and production systems be encouraging investment, marketing and capacity building.
- Building capacity through education and stakeholder engagement
- Assessing the biosecurity risks of new developments on agriculture.
- Collaboration with education facilities to provide research support to agriculture.
- Support actions that link agriculture and appropriate forms of rural tourism.

*NOTE: DPI Agriculture and partner agencies have completed agricultural land mapping in some regions and are currently working on a program to expand the mapping of Important Agricultural Land.

^NOTE: DPE Regional Agricultural Development Strategies provide guidance for new strategy and LEP provisions.

Acronyms

- DPE: Department of Planning and Environment
- ABS: Australian Bureau of Statistics
- RDA: Regional Development Australia
- DPC: Department of Premier and Cabinet
- LEP: Local Environmental Plan
- LGA: Local Government Area
- SEPP: State Environmental Planning Policy
- BSAL: Biophysical Strategic Agricultural Land
- IAL: Important Agricultural Land (mapping)

References

- [NSW Right to Farm Policy](https://www.dpi.nsw.gov.au/agriculture/lup/legislation-and-policy/right-to-farm-policy) <https://www.dpi.nsw.gov.au/agriculture/lup/legislation-and-policy/right-to-farm-policy>
- [Maintaining land for agricultural industries policy](https://www.dpi.nsw.gov.au/agriculture/lup/legislation-and-policy/maintaining-land-for-agricultural-industries)
<https://www.dpi.nsw.gov.au/agriculture/lup/legislation-and-policy/maintaining-land-for-agricultural-industries>
- [Primary Production and Rural Development State Environmental Planning Policy](https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies-review/draft-primary-production-sepp) (currently under review) <https://www.planning.nsw.gov.au/policy-and-legislation/state-environmental-planning-policies-review/draft-primary-production-sepp>
- [Land Use Conflict Risk Assessment Guide](https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0018/412551/Land-use-conflict-risk-assessment-LUCRA-guide.pdf) https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0018/412551/Land-use-conflict-risk-assessment-LUCRA-guide.pdf
- [Living and working in rural areas. A handbook for managing land use conflict issues on the NSW north coast](http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0010/234001/Living-and-working-in-rural-areas-complete.pdf) (currently under review).
http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0010/234001/Living-and-working-in-rural-areas-complete.pdf
- [Department of Planning Regional plans - objectives, principles and actions](https://www.planning.nsw.gov.au/plans-for-your-area/regional-plans) <https://www.planning.nsw.gov.au/plans-for-your-area/regional-plans>
- [Department of Planning - Local Strategic Planning Statements.](https://www.planning.nsw.gov.au/About-Us/Departmental-education-resources-and-training-events/Planning-Connects/The-Local-Strategic-Planning-Statement-LSPS-rationale-purpose-and-practical-use)
[https://www.planning.nsw.gov.au/About-Us/Departmental-education-resources-and-training-events/Planning-Connects/The-Local-Strategic-Planning-Statement-LSPS-rationale-purpose-and-practical-use.](https://www.planning.nsw.gov.au/About-Us/Departmental-education-resources-and-training-events/Planning-Connects/The-Local-Strategic-Planning-Statement-LSPS-rationale-purpose-and-practical-use)
- [Buffer Zones to Reduce Land Use Conflict with Agriculture - An Interim Guideline.](https://www.dpi.nsw.gov.au/agriculture/lup)
<https://www.dpi.nsw.gov.au/agriculture/lup>

Other resources:

- [Australian Bureau of Statistics data](http://stat.abs.gov.au/itt/r.jsp?databyregion#/) <http://stat.abs.gov.au/itt/r.jsp?databyregion#/>
- [Livestock](https://www.dpi.nsw.gov.au/animals-and-livestock) <https://www.dpi.nsw.gov.au/animals-and-livestock>
- [Horticulture](https://www.dpi.nsw.gov.au/agriculture/horticulture) <https://www.dpi.nsw.gov.au/agriculture/horticulture>
- [Buffer zones: Agriculture and other land uses. An interim guideline. March 2018.](#)
- [Important Agricultural Land Mapping Program \(underway by region\)](https://www.dpi.nsw.gov.au/agriculture/lup/agriculture-industry-mapping/ag-mapping)
<https://www.dpi.nsw.gov.au/agriculture/lup/agriculture-industry-mapping/ag-mapping>
- [Agricultural Industry Action Plan](https://www.dpi.nsw.gov.au/about-us/publications/aiap) <https://www.dpi.nsw.gov.au/about-us/publications/aiap>

Contact:

The Agricultural Land Use Planning Unit encourages all Councils who wish to access assistance to prepare their LSPS to contact the team and one of our staff will be happy to help. Contact by emailing landuse.ag@dpi.nsw.gov.au

DPE Offices can be contacted through www.planning.nsw.gov.au/Contact-Us