

## Land Use Planning

# Planning for Agriculture in Rural Land Use Strategies

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# 1. Introduction

Rural land is in demand for a wide range of land uses for a range of reasons. The presence of particular natural resources, land characteristics or the absence of urban land uses can influence the suitability of rural land for agriculture, extractive industries, tourist developments, offensive or hazardous industries, environmental conservation or large-scale infrastructure.

Rural land on the fringe of urban areas can contribute to the growth of those urban areas to provide land for expansion of housing and employment generating land uses. Where rural land has ecological value, physical limitations or is subject to natural hazards which restrict its use for other purposes it can provide important ecological services, separation distance between incompatible land uses or green breaks between urban areas contributing to the amenity and character of rural and surrounding urban areas.

If a strategic approach to planning for rural land is not undertaken, then rural land has the potential to be subjected to a wide range of incompatible land uses.

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## 1.1 Purpose of the Guideline

It is recognised that councils must take into account a wide range of considerations when planning for rural land. This guideline provides councils with guidance on how to plan for the needs and growth of agriculture in land use planning strategies for rural land, particularly land zoned RU1 Primary Production, or when undertaking a comprehensive review of all land uses in a local government area (LGA). The objectives of the guideline are:

- to ensure that the needs of agriculture are considered in the strategic planning process
  - to ensure that opportunities for the growth of agricultural industries are considered through the strategic planning framework
  - to ensure the strategic planning process gives careful consideration to land uses in rural areas which are incompatible with agriculture.
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## 1.2 Importance of Agriculture

Agriculture and the land on which it is undertaken is important for a number of reasons including:

- Providing a range of food and fibre products
  - Contributing to the economy
  - Supporting regional communities
  - Underpinning the character of regional communities
  - Contributing to the rural landscape amenity.
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## 1.3 Challenges Faced by Agriculture

Agriculture faces challenges from the impacts of weather events, climate change, market volatility, changes in consumer and market preferences and global events such as the recent COVID-19 pandemic. Smaller scale producers located in peri-urban areas or closer to urban centres can also face significant viability challenges due to the scale of the enterprise.

Agriculture also faces evolving pressures from urban encroachment and increased migration from cities to regional areas. The changing community needs and aspirations that result from growing regional populations can prompt changes in the use of agricultural land. When agricultural land is converted to other uses, especially to residential or industrial uses, it is permanently lost to commercial agricultural production.

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The important role that agriculture plays in regional communities and the challenges it faces highlight the importance of maintaining suitable rural land predominantly for agricultural production.



Agriculture faces evolving pressures from urban encroachment and increased migration from cities to regional areas.

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## 1.4 The Importance of Rural Land to Agriculture

Rural land is critically important to agriculture as many agricultural land uses require large areas of land. Rural areas of an LGA are often the only areas where the sizes of land parcels are large enough to support many agricultural operations and where sufficient separation distance between intensive agricultural land uses and sensitive receptors such as residential development can be achieved.

Appropriate rural zones, especially RU1 Primary Production being the principal zone for agricultural production, and associated objectives and planning controls will enable the ongoing use of rural land for agricultural production.

The NSW planning framework sets clear guidance for the objectives and preferred land uses in residential, employment and conservation zones. However, rural zones can often be viewed as left over land where a myriad of land uses compete for land for various reasons. It is important that a strategic approach is undertaken to ensure planning for rural land, and the agriculture it supports, considers the needs of agricultural industries, the expectations of the community and, the diverse land uses that occur in rural areas.

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## 1.5 What is meant by Agricultural Land?

Agricultural production can be undertaken on land with a diverse range of characteristics. Agricultural land can comprise rural land with optimal biophysical attributes which has the best combination of soil and water characteristics and is therefore ideally suited for cropping purposes.

Equally, rural land which does not have biophysical attributes suited to cropping purposes can still be valuable for agricultural production and in many cases is where most livestock production occurs. This land can support some intensive agricultural production such as poultry farms or intensive plant agriculture which does not rely on soil. It can also support production on high quality agricultural land by being the location for processing facilities or storage sheds and other supporting infrastructure or, providing areas for flood relief for livestock.

In undertaking strategic planning for rural land, councils should be cognisant of the various agricultural industries that contribute to agricultural production in their LGA and ensure that agricultural land in its diverse forms, is recognised in rural land strategies. Even though rural land may not be identified as being critically important to agricultural production, it can still make a valuable contribution and therefore should not automatically be discounted for agricultural purposes and identified for alternative uses such as large lot residential or rural lifestyle lots.

### 1.5.1 State Significant Agricultural Land

The NSW Agriculture Commissioner's report *"Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System"* recommended the development of a map of state significant agricultural land (SSAL). DPI Agriculture is working to identify land considered to have agricultural significance to the state because of its biophysical attributes. Once this state significant agricultural land (SSAL) is identified, how such a map could be best used in the NSW planning framework will be considered.

### 1.5.2 Other Agricultural Land

Biophysical characteristics are not the only attribute that makes land suitable for agriculture. The changing nature of some agricultural industries due to intensification of practices and improved technology has meant that soil is not as critical for some food or fibre production. Industries are establishing on land which does not possess biophysical attributes, but which is located close to services and/or upstream and downstream businesses to achieve reductions in input or processing costs. Such locations are often in close proximity to reliable power, water and telecommunications infrastructure and close to a reliable supply of skilled labour.

DPI Agriculture, in response to the recommendations of the Agriculture Commissioner's report *"Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System"* will investigate where agricultural industries which do not rely on the biophysical attributes of the land are making an important contribution to agricultural production in NSW.

### 1.5.3 Locally Important Agricultural Land

It is recognised that areas of land within an LGA will have agricultural importance relative to other land in the LGA, but which may not meet the criteria to be identified as state significant agricultural land.

Agricultural land that is not of state significance still supports important agricultural activities such as extensive cropping and livestock production and also sustains environmental and biodiversity values as part of farming systems.

The mapping of existing agricultural industries in an LGA and the land which is important to agricultural production is a powerful tool in communicating to the community the scale and importance of agriculture in the LGA. It also assists in identifying areas of land on which urban and other land uses which are incompatible with agricultural land uses should be avoided.



A council may also choose to identify other locally important agriculture land to be considered as part of a rural land strategy. A process of identifying important agricultural land which councils could adopt for their LGAs is contained in DPI Agriculture's [A Guideline to Identifying Important Agricultural Lands in NSW](#) . This approach could be augmented by early engagement with the local community to identify land it perceives as having local agricultural significance.



Agricultural land sustains environmental and biodiversity values as part of farming systems.

## 2. Considering the needs of agriculture in rural land strategies

Councils have generally given agricultural land and resources sound consideration in their Local Strategic Planning Statements (LSPSs) and many included actions to prepare rural land strategies to address strategic planning for rural land in greater detail.

Rural land strategies should build on the strong strategic basis established in an LSPS to provide more detailed analysis of the planning needs for rural land.

While there is no requirement in the planning legislation for the preparation of local land use strategies, LSPSs commonly include an action to prepare a rural land strategy to inform future planning policy at an LGA level and provide evidence to inform higher level regional plans. An endorsed rural land strategy can also be used to justify any inconsistencies of planning proposals with Ministerial directions under section 9.1 of the *Environmental Planning and Assessment Act 1979*.

The following points outline key aspects that should be addressed in the preparation of a rural land strategy to ensure that agricultural land, resources and industries are adequately considered in the strategic planning framework.

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### 2.1 Agricultural Resources

Rural land strategies should recognise the importance of agricultural industries to local communities and the local and regional economies. They should support access to agricultural land, particularly SSAL once finalised, natural resources and infrastructure that are critical to agricultural production.

Agriculture is not just reliant on natural resources such as soil and water. There are other contributing factors such as transport infrastructure or processing facilities which can be integral to the viability of a particular industry.

A rural land strategy should:

- identify the linkages agricultural industries have with supporting industries, infrastructure and other components of the production chain to ensure a holistic picture of the agriculture related industry in the LGA is known.
- prioritise agricultural land, particularly SSAL once a final SSAL Map is available, for agricultural production.

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### 2.2 Growth Opportunities

Agriculture is a significant contributor to the economy of many LGAs in regional NSW. In developing a rural land strategy, a council should assess the value of agriculture to its LGA, based for example on a dollar value or the number of jobs it provides. This assessment should include a supply chain analysis which examines value adding industries and processors.

When the contribution of agriculture to the economy is known, rural land strategies should address opportunities and constraints on the growth of key agricultural industries in the LGA. DPI Agriculture's [Regional Agricultural Snapshots for Land Use Planning](#) contain information on the key agricultural industries in regional NSW. This information combined with local industry knowledge can help to inform the needs of the agricultural industries in an LGA and in turn guide strategic planning for rural land.



For instance, intensification of agricultural operations or changing farm practices can result in new or increased impacts on nearby and surrounding non-agricultural land uses in the locality. A planning framework which recognises the importance of agriculture in a rural area and avoids new sensitive or incompatible land uses, such as rural residential development, in rural areas can facilitate the protection, expansion or intensification of agricultural production.

### 2.2.1 Supporting new and emerging agricultural industries

In preparing a rural land strategy, a council should identify any new or emerging agricultural trends or opportunities in the LGA. These may be changes in crops grown or the establishment of new agricultural industries in an area. Early identification of trends and opportunities enables them to be strategically planned for so that they can be realised with a minimum of change to the local planning framework.

### 2.2.2 Diversification

There are a number of land uses such as agritourism and small-scale processing activities which can support the ongoing viability of farm businesses and regional agricultural economies.

A rural land strategy should:

- support new and emerging agricultural industries and diversification by:
- establish a clear policy position that agricultural land use is supported and encouraged in rural areas.
- identify appropriate small scale complementary land uses which can be integrated into agricultural enterprise(s)/rural industries on a site.
- describe the circumstances in which small scale complementary land uses are supported on agricultural land to ensure that the primary use of the land continues to be agricultural production.
- not undermine existing safeguards for the maintenance of productive agricultural land and/or industries.
- encourage leasing and share farming practices.

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## 2.3 Climate Change

Climate change will bring challenges to agriculture in the form of hotter temperatures and higher risk of drought and more intensive fire weather or rainfall events. In low lying areas, sea level rise will reduce floodplain drainage capacity. Changing climatic conditions will likely have differing effects on agricultural industries in different regions.

It is likely that agricultural industries will adapt or change to respond to climatic and sea level changes. Rural land strategies should recognise that existing farming practices may change considerably as part of this response and this could change the way agriculture is conducted and the impacts it may have on rural areas in a region.

It is important that rural land strategies do not set policy positions based solely on the current key agricultural commodity of an area or existing land capability, but instead enable adaption of agricultural industries.

Rural land can also play an important role in mitigating the impacts or cause of climate change. Vegetated rural land can help to offset the impacts of urban heat islands, while agricultural practices and/or rehabilitation of former wetlands also sequester carbon.

#### A rural land strategy should:

- outline the expected climatic and sea level changes for the LGA identified in other studies or council/government policy.
- recognise the need for local environmental plans to permit intensification or shifting of agricultural production.
- limit fragmentation of rural land to allow for adaptation measures such as expansion or shifting of agricultural operations, provision of buffers, and provision of ecosystem services on a farm.
- recognise the changing infrastructure needs of agricultural industries.
- recognise and support the opportunities for rural landowners to contribute to mitigating climate impacts and access environmental payments.



Rural land can play an important role in mitigating the impacts or cause of climate change.

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## 2.4 Intensive agriculture and rural industries

Existing and potential intensive agricultural land uses, and rural industries should be specifically addressed in the strategic planning process.

Intensive agriculture and some rural industries can generate greater impacts on the surrounding environment than extensive agriculture practices. Therefore, there is a need for greater separation distances from incompatible or sensitive development to avoid land use conflict with incompatible land uses.

A rural land strategy should:

- recognise existing intensive agriculture production areas and rural industries and/or proposed operations, especially those located outside of mapped SSAL, and ensure these are protected from encroachment by incompatible land uses.
- recognise the need to maintain greater separation distances to allow the expansion or intensification of existing individual intensive agriculture practices within the site of their established operations to maintain market share and economic viability.
- recognise the need to prevent the encroachment of incompatible land uses on existing intensive agriculture operations to minimise potential land use conflict and adverse impacts on the agricultural operation.
- consider the appropriateness of a precinct/s within the LGA which focuses on intensive agriculture land uses by recognising the environmental characteristics of land which is well suited to intensive agriculture and developing specific planning controls which reflect this agricultural focus.
- encourage the efficient development of infrastructure to support intensive agriculture and rural industries.

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## 2.5 Buffers

Strategic planning should avoid non-agricultural land uses on or near important agricultural land. However, where non-agricultural land uses are necessary in a rural area the planning authority should ensure a buffer is achieved between agricultural land uses and potentially incompatible non-agricultural land uses.

Buffers around agricultural land, particularly SSAL, and established intensive agriculture operations can provide an appropriate separation distance to mitigate against potential land use conflict and enable the expansion or intensification of an agricultural operation.

DPI Agriculture has produced “Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline” ([The Interim Buffer Guideline](#)) and is undertaking further work to review this interim Guideline and provide additional guidance around the use of buffers.



A rural land strategy should:

- include an action to include appropriate buffer requirements or the need for a land use conflict risk assessment in the council's development control plan.
- consider appropriate buffers when a rural land strategy proposes a change in land use to a non-rural zone or non-agricultural land use to avoid the encroachment of sensitive receptors on agricultural activities and operations.
- be informed by a land use conflict risk analysis (LUCRA) where a change of land use is proposed, and an appropriate buffer distance is unable to be achieved. DPI Agriculture has prepared guidance on undertaking a Land Use Conflict Risk Analysis.

### 2.5.1 Agent of change

When addressing buffers, a rural land strategy should introduce the concept of the agent of change principle into the planning framework for an LGA. The agent of change principle places the onus of providing the buffer on the proponent who changes the status quo. It is an important principle for rural land where existing agricultural land uses can be adversely restricted in their production if a new sensitive land use such as a rural dwelling is established in a rural area without considering or mitigating the potential impacts it may experience from normal farming activities. Adoption of the agent of change principle in a rural land strategy will facilitate its application in the statutory planning documents (LEPs and DCPs) which regulate development in rural zones.

Equally, the use of the agent of change principle could also be considered in housing strategies where new residential land may have an interface with rural land.

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## 2.6 Rural Character

Agricultural land provides a cultural and social purpose, contributes to landscapes that communities value and, along with conservation areas, provides green breaks between urban and industrial centres.

A rural land strategy should:

- recognise the broader role agriculture plays in establishing the character of rural areas and its importance to local communities and agritourism.

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## 2.7 Zoning and Land Uses

A rural land strategy can use the strategic planning evidence base to establish a policy position for the application of zones and planning controls for rural land in a local environmental plan (LEP).

### 2.7.1 Zoning of agricultural land

The development of a rural land strategy is the opportunity to review the land use zones applying to rural land. A review should include not just the spatial extent of the zone application across the LGA but also the appropriateness of the objectives and permissible land uses in the context of supporting agricultural production, enabling the growth of agriculture and minimising land use conflict.

The zone applied to land will have a significant impact on the perceived purpose of that land in the community and ultimately how that land is used.

The RU1 Primary Production zone should be used for the highest quality agricultural land in an LGA. Other rural zones (RU2 Rural Landscape, RU4 Primary Production Small Lots and RU6 Transition) should be used where appropriate to provide differentiation of planning controls suited to the characteristics of the land. However, as previously discussed, all rural land can contribute to agricultural production and the zone objectives and permissibility of agricultural land uses in the RU2, RU4 and RU6 zones should reflect this ability.

The R5 Large Lot Residential zone should be considered as a residential zone. It is not considered to be an appropriate zone for commercial farming operations. The generally small lot sizes of the R5 zone means neighbouring landowners have an expectation that the land will be used for residential purposes. This can increase the potential for land use conflict. Permissible land uses in the R5 zone and buffers to nearby agricultural operations should reflect this.

The use of the RU4 Primary Production Small Lot zone should be carefully considered to ensure it is not used for rural lifestyle purposes. Where the RU4 zone is used, careful consideration of permissible land uses, and minimum lot size is critical to prevent the zone becoming a rural residential area.

#### A rural land strategy should:

- reinforce that the highest quality agricultural land in an LGA should be zoned RU1 Primary Production.
- establish a strategic approach for the application of other zones based on the characteristics of the land while recognising that other rural land can contribute to agricultural production and therefore a range of agricultural land uses should be permissible in zones RU2, RU4 and RU6.
- establish a policy position for permissible land uses for the RU4 zone to prevent this zone becoming a rural residential area.

## 2.7.2 Non-agricultural and incompatible land uses

It is acknowledged that some non-agricultural land uses need to occur in rural areas due to resource location or other characteristics. Where non-agricultural land uses can occur in other locations it is important that those non-agricultural land uses which are incompatible with agriculture are directed away from rural areas and towards other more suitably zoned land. This can be achieved by having a strategic approach to planning for rural land which recognises the importance of agriculture and reflects this in planning controls and zone objectives which do not allow a wide range of land uses that are incompatible with agriculture in rural zones.

Rural land strategies should be informed by a review of the permissibility of non-agricultural land uses in rural zones as they may be incompatible with agriculture as the preferred use of rural land. DPI Agriculture considers non-agricultural land uses to be all land uses other than those listed in the table to Attachment 2.

Land use tables should reflect the different capacities or desired future use of the land within that zone and the list of permissible land uses should be reflective of this.

A rural land strategy should:

- be informed by a review of the range of permissible land uses in the zones applying to agricultural land to ensure they are appropriate for the intended outcomes of the zone.
- clarify that new residential development is incompatible with agriculture and should not be widely permitted in rural zones.
- ensure that a diverse range of agricultural land uses are permissible in rural zones.
- not seek to permit new non-agricultural land uses in rural zones, particularly the RU1 zone, unless:
  - a) the non-agricultural land uses are dependent on natural resources that are present on land in rural zones.
  - b) the non-agricultural land uses are broadly beneficial to agricultural production or have a clear strategic benefit to the community.
  - c) thorough consideration has been given to any potential adverse impacts that the non-agricultural land uses will on agricultural production on surrounding land

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## 2.8 Minimum Lot Size

The minimum lot size (MLS) for eligibility of a dwelling house is an important tool to implement strategic planning of rural land. The MLS which permits a dwelling house on a lot in a rural zone should be representative of agricultural needs to clearly indicate to development proponents and the community that agricultural production is the preferred use of that land.

Maintaining large lot sizes in rural areas is generally considered beneficial for agriculture. Larger lot sizes enable economies of scale to be achieved in agricultural production and land management and deter the purchase of rural land solely for rural lifestyle purposes. A large MLS can prevent further fragmentation of rural land for residential purposes and in doing so limit the number of new sensitive receptors (dwellings) in primary production areas. This benefits not only agricultural



operations but also minimises the burden on local government for providing services and infrastructure to service dwellings in rural areas.

It is recognised that rural areas of some LGAs are already significantly fragmented and contain multiple small rural lots which contain dwellings or have dwelling eligibility. The current prevailing lot size in a rural area is not necessarily indicative of the required size for a commercial agricultural holding as many commercial agriculture holdings are comprised of multiple aggregated lots. Once land is subdivided and construction of a dwelling is permitted or occurs it is more difficult to consolidate lots for agricultural purposes because the value of the dwelling becomes part of the economic consideration.

Despite the obvious advantages to agriculture of larger lot sizes, some forms of agriculture can be viable on smaller lots depending on the production method, chosen commodity and marketing approach. However, consideration of a smaller MLS should not be based solely on economic viability. Smaller lots restrict the ability of an agricultural pursuit to provide buffers within the property to mitigate impacts from more intensive agricultural practices. Smaller lots also restrict the ability of a farmer to readily expand existing production or diversify with value adding processes. Smaller lot sizes are also attractive for rural lifestyle purposes and therefore land prices reflect this demand and inhibit start-up of new agricultural developments. Small lots in rural areas do not necessarily improve affordability for new entrants to agriculture.

In many LGAs, there is an oversupply of 'small lots', being lots smaller than the applicable MLS, upon which producers can already pursue more intensive or small-scale agricultural operations. Subdivision for primary production purposes and boundary adjustments can also contribute to the availability of smaller lots for agricultural uses. A landscape of smaller lots will also inevitably lead to a wider range of land ownership and differing expectations of land management practices which can contribute to land use conflict.

If a rural land strategy is to consider revision of the MLS applied to rural land in an LGA it should consider the land area requirements of the likely or preferred agricultural industries in the LGA. These land area requirements include:

- Minimum land area required for sustainable agricultural operations. This should not just consider viability based on current prices and expected production volumes but should examine industry and market trends to factor in necessary expansion to maintain sustainability of the broader industry. It also needs to consider the need of agricultural production systems for suitable land to enable mitigation of the impacts of natural hazards and which is free of physical constraints.
- Land required for buffer areas to mitigate any impacts the expected or preferred land use in the area may have on neighbouring properties.
- Land that may be required for expansion of farming operations or land needed for diversification or value adding operations.
- Any required separation distance between agricultural land uses necessary to address biosecurity risks.

Any review of MLS needs to exclude pressure for smaller lots arising from rural lifestyle housing demand and other non-agricultural land uses permitted in the zone. This approach will ensure that rural lot sizes more accurately reflect the appropriate commercial agricultural holding size that necessitates a new dwelling eligibility.

Where a rural land strategy is considering the introduction of an RU4 Primary Production Small Lots zone, the accompanying minimum lot size should be selected based on the above considerations.

### 2.8.1 Historical Fragmentation

Existing fragmentation of the rural landscape means there are many small lots in rural zones across NSW which contain existing dwellings or enjoy a dwelling eligibility. Small lots without dwelling eligibilities are not an impediment to all forms of viable agricultural production. However, the general prevalence of small lots in the rural landscape means it is not necessary to continue creating small lots to support new or emerging agricultural operations.

The *Farming Together* initiative from Southern Cross University produced “Growing Agriculture in the Tweed” (November 2020) which showcases alternative approaches to farming including share farming and leasing of land and other opportunities for smaller lot sizes.

#### A rural land strategy should:

- review the holding size data in the LGA to identify the current and foreseeable supply of land holdings suitable for smaller agricultural enterprises.
- set a policy position that changes to the MLS applying to rural land in the LGA which would enable further subdivision to create additional dwelling eligibilities is not supported.
- establish that the land area requirements of the likely or preferred agricultural industries in the LGA are met before a reduction in the MLS applying to rural land is considered.

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## 2.9 Rural Housing

Managing demand for rural lifestyle housing is a significant challenge for councils. Residential land uses in rural areas can present challenges in the form of land use conflict with other rural land uses and demand for extension of infrastructure and public services such as roads, waste collection and emergency services. The provision of infrastructure and services to dispersed rural dwellings is inefficient compared to more compact urban areas.

A rural land strategy should not focus on the provision of housing in rural areas. Future housing demand and supply should be addressed in a whole of LGA housing strategy to ensure that housing is being provided in the most appropriate and efficient manner for the community. A strategic approach to limiting housing in rural areas will give certainty to landowners and the community and allow protection of mineral resources and productive agricultural land.

#### A rural land strategy should not focus on the provision of housing in rural areas.

### 2.9.1 Rural Residential Development

Planning for rural residential development should not be a focus of a rural land strategy.

Rural residential development has the potential to conflict with valuable agricultural or environmental land and requires services and infrastructure which are not as cost efficient to deliver as in urban residential areas.

Rural residential development should be considered in the context of the entirety of the housing needs of the community. The need for rural residential development should only be considered when

its need can be assessed against the alternatives of increased density and differing housing choice in existing urban areas. The appropriate context for this consideration is a housing strategy and not a rural land strategy.

### 2.9.2 Dwelling eligibilities

Councils are encouraged to phase out historical dwelling eligibilities on undersized rural lots. Ad hoc development of dwelling houses on undersized lots in rural areas undermines strategic planning for rural land and can introduce incompatible land uses into the agricultural landscape increasing risk of land use conflict and uncertainty for industries investing in rural areas.

Future rural dwellings should be provided only for the purpose of supporting commercial agricultural production.

### 2.9.3 Dual Occupancies and Secondary Dwellings

Planning for additional housing types such as detached dual occupancies and secondary dwellings should not be a focus of a rural land strategy. The provision of all forms of housing should be considered in a council's housing strategy.

A rural land strategy should not seek to permit additional housing (detached dual occupancy or secondary dwellings) in rural zones on the basis of providing affordable housing or facilitating farm succession. Affordable housing for an LGA should be located in urban areas to prevent additional servicing costs, reliance on private transport, and the creation of a demographic of 'rural poor'. Farm succession planning is a business decision and not a land use planning consideration. It should not be used as a reason to enable additional residential land uses in rural areas, which are often irreversible, and can increase the potential for future land use conflict with neighbouring agricultural operations.

### 2.9.4 Workers' Accommodation

Some agricultural industries will require additional farm workers at specific times of the production cycle. Where farms are located a large distance from nearby accommodation it may be necessary to provide on-farm accommodation.

Rural workers' dwellings are the preferred method of providing on farm accommodation for itinerant workers. Secondary dwellings and detached dual occupancies are not considered appropriate to provide accommodation for rural workers. These forms of residential accommodation do not require the demonstration of a nexus between the farming activities and the dwelling. They also cannot be restricted for rural worker use meaning that they have the potential to be rented for pure residential purposes which can create an additional sensitive receptor in the rural landscape and increase the risk of land use conflict.

Councils should consider the need for rural workers' dwellings and locations within an LGA where they are considered to be appropriate in a rural land strategy. Such consideration should include the size of the holdings in an area and the need to accommodate rural workers, the proximity and location of existing housing and services, the existing rental supply in an area, and current and future location of industries which may require itinerant workers.

Councils can adopt the rural workers' dwellings model clause for inclusion in their LEP to ensure that appropriate matters are considered when a rural workers' dwelling is proposed. Other arrangements can be pursued through temporary or informal housing options as well as camping grounds on farms.



A rural land strategy should:

- establish a policy position for where and when rural workers' dwellings are considered appropriate in an LGA.
- include an action to adopt the rural workers' dwellings model clause for inclusion in the LEP where rural workers' dwellings are permissible.

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## 2.10 Maximising engagement in development of a Rural Land Strategy

How a rural land strategy is developed is critical to ensuring rural land stakeholders engage with the process to achieve the best outcomes for agriculture and the community.

Stakeholders for a rural land strategy can be many and varied and can include rural landowners, farmers, industry bodies for key agricultural industries or agricultural processors, government agencies and researchers. A wide range of consultation will ensure all issues affecting rural land and particularly agriculture, is captured.

It is acknowledged that councils are bound by legislated consultation requirements. However, where possible, consultation methods which take into account the demands of key agricultural industries and bring information to farmers such as information booths at sale yards or avoiding the exclusive use of online resources can maximise engagement. Similarly avoiding public exhibition periods during peak harvesting times when farmers are busiest will increase the opportunity for involvement.

Finally, all the research and consultation should result in actions to implement the strategic planning for rural land. Such actions should be able to be implemented through a recognised mechanism in the planning framework, they should be funded and have an allocated time frame to inform their priority.

A rural land strategy should demonstrate genuine consultation and engagement with agricultural industries and landholders.

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# Attachment 1

## Developing a Vision for Agriculture – a Strategic Process

The table below outlines the key considerations and resources that will assist councils to maximise outcomes for agriculture through the strategic planning process.

Consideration	Source of Information
<b>Scoping Stage</b>	
<b>Policy Framework</b>  Directions and actions in the strategic planning framework that relate to agriculture and the supply chain.	<ul style="list-style-type: none"> <li>Regional Plans</li> <li>Ministerial Directions (section 9.1 of the <i>Environmental Planning and Assessment Act 1979</i>)</li> <li>Planning circulars</li> <li>Council's Local Strategic Planning Statement</li> <li>Rural Land Studies</li> </ul>
<b>Mapping</b>  Identify the spatial extent and capability of agricultural land in rural areas of the LGA.  Identify natural hazards and constraints relevant to agricultural production.  Identify the location of irrigation districts and clusters of agricultural industries.  Identify infrastructure which is important to agricultural industries.	<ul style="list-style-type: none"> <li>Preliminary draft State Significant Agricultural Land Map <a href="#"><i>Preliminary Draft SSAL Map</i></a></li> <li>NSW Planning Portal <a href="#">Spatial Viewer</a> for               <ul style="list-style-type: none"> <li>Biophysical Strategic Agricultural Land (BSAL) Mapping,</li> <li>Flooding and bushfire</li> <li>Terrestrial biodiversity</li> </ul> </li> <li>Land and Soil Capability Assessment Scheme: 2012, Office of Environment and Heritage. (<a href="#">SEED Portal</a> )</li> <li>Irrigation corporations and districts.</li> <li>North Coast Important Farmland</li> <li>Development approvals and local knowledge of key agricultural industries for the region/LGA.</li> <li>Land Ownership Change in Rural NSW, University of Sydney and DPI, Feb 2022</li> </ul>
<b>Industry Information</b>  Identify the main agricultural industries in the LGA based on economic value/contribution.	<ul style="list-style-type: none"> <li><a href="#">Regional Agricultural Snapshots for Land Use Planning</a></li> <li>Demographic data, studies and reports</li> <li>Regional Economic Development Strategies (REDS)</li> <li>Any relevant reports such as the NSW Central West Food and Fibre Strategy <a href="#">NSW Central West Food and Fibre Strategy</a></li> <li>Australian Bureau of Statistics data</li> <li>Livestock <a href="#">DPI - Animals and Livestock</a></li> <li>Horticulture <a href="#">DPI - Horticulture</a></li> <li><a href="#">Industry Websites</a></li> </ul>
<b>Land Use Conflict</b>  Identify any instances of land use conflict in rural areas of the LGA that could be addressed by the strategic planning process. Include agriculture-agriculture conflict.	<ul style="list-style-type: none"> <li>Council records</li> <li>Environment Protection Authority (EPA) records</li> <li>Right to Farm Agricultural Land Use Survey Reports</li> <li>Australian Farm Institute's 'Managing farm-related land use conflicts in NSW' <a href="https://www.farminstitute.org.au/report-managing-land-use-conflict-in-nsw/">https://www.farminstitute.org.au/report-managing-land-use-conflict-in-nsw/</a> Examine rural subdivision/settlement trends by analysis of subdivision approvals and ownership.</li> </ul>

### **Trends, Opportunities and Challenges**

Identify the agricultural trends – nationally/ state-wide/regionally/locally and the implications for agriculture in the region or LGA.

Identify the current challenges and opportunities for agriculture and lessons learnt for future agricultural development in the LGA e.g., infrastructure, local markets, diversification

Identify the implications that climate change has on agriculture in the LGA and any adaptation mechanisms may be required for local industries.

- [Regional Agricultural Snapshots for Land Use Planning](#)
- Adapt NSW: <https://climatechange.environment.nsw.gov.au/Adapting-to-climate-change/Regional-vulnerability-and-assessment>
- Consultation with those industries most at risk to natural hazards regarding risk preparedness needs
- Consultation with local food networks, business chamber, Destination NSW.



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## Attachment 2

### Agricultural Land Uses

Table of land uses in the Standard instrument Local Environmental Plan considered to be agricultural land uses for the purpose of this document.

Agricultural Land Uses	
<ul style="list-style-type: none"><li>• advertising structure</li><li>• airstrip</li><li>• agriculture</li><li>• agricultural produce industries</li><li>• agritourism</li><li>• animal boarding or training establishments</li><li>• aquaculture</li><li>• artisan food and drink industries</li><li>• bee keeping</li><li>• boat launching ramps</li><li>• building identification sign</li><li>• business identification sign</li><li>• cellar door premises</li><li>• dairy (pasture-based)</li><li>• dairies (restricted)</li><li>• environmental facilities</li><li>• environmental protection works</li><li>• farm stay accommodation</li><li>• farm buildings</li><li>• feedlots</li><li>• flood mitigation works</li><li>• forestry</li><li>• helipad</li><li>• home industry</li><li>• home business</li></ul>	<ul style="list-style-type: none"><li>• home occupations</li><li>• horticulture</li><li>• intensive livestock agriculture</li><li>• intensive plant agriculture</li><li>• livestock processing industries</li><li>• Oyster aquaculture</li><li>• plant nurseries</li><li>• Pond-based aquaculture</li><li>• recreation areas</li><li>• research stations</li><li>• roads</li><li>• roadside stalls</li><li>• rural worker's dwellings</li><li>• rural supplies</li><li>• rural industries</li><li>• sawmill or log processing industries</li><li>• signage</li><li>• stock &amp; sale yards</li><li>• Tank-based aquaculture</li><li>• timber yards</li><li>• turf farming</li><li>• veterinary hospitals</li><li>• viticulture</li><li>• water storage facility</li></ul>

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