

Mid North Coast Farmland Mapping Project



Final Recommendations Report 2008

'Keeping the best agricultural land in the region
available for food production for the benefit
of current and future generations.'



Department of Planning
Department of Environment and Climate Change
Department of Primary Industries
Northern Rivers Catchment Management Authority

Mid North Coast farmland mapping project: final report 2008
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www.planning.nsw.gov.au
March 2009

Publication number DOP 09_015
ISBN 978-0-7347-5625-1

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1 OVERVIEW OF THE PROJECT

Introduction

Traditional and emerging forms of agriculture are a significant part of the Mid North Coast's economic and community life. Mid North Coast farms produce beef, dairy products, sugar cane, fruit, nuts, vegetables, organic produce and cut flowers on floodplains, narrow river valleys, plateaux and rolling hills. The gross value of agriculture in 2001 was \$245 million (ABS National Regional Profile). Of this, crops were worth \$105 million and the livestock industry was worth \$140 million.

Areas of high quality agricultural land have in the past been converted to urban and rural residential use and hobby farms. This conversion of farmland has created two problems for agriculture: loss of a limited and non-renewable land resource, and land use conflict. As a consequence, there have been impacts on the economic efficiency and competitiveness of agriculture as well as damage to social capital in some areas. Land use conflicts between farming and non-farming neighbours have been a feature of North Coast rural life for many years, at times leading to farmers having to adjust or even close their farming operations. Increasing land prices due to development pressure create uncertainty in agricultural investment and can make it difficult for farmers to buy additional land to ensure the ongoing viability of their business. High land prices have also led to increased rates and production costs, thereby reducing profitability and competitiveness. Future population growth is likely to create additional pressure on farmland unless the land is clearly identified and consistently protected.

The need to protect agricultural land on the NSW North Coast is a long-term government initiative. It was first identified in 1995 in the North Coast Urban Planning Strategy, and subsequently in the NSW Coastal Policy (1997), the Northern Rivers Regional Strategy (1999), and the Northern Rivers, Upper North Coast and Mid North Coast Catchment Blueprints (2002).

The Upper North Coast and Mid North Coast Catchment Blueprints list the following actions respectively:

"Introduce formal regional and local planning measures to protect and exclude important agricultural lands...from urban and rural residential development."

"Identify important agricultural land that will be needed for future sustainable agricultural use and achieve local government cooperation in zoning land accordingly."

These priorities were subsequently reflected in the Northern Rivers Catchment Management Authority's Catchment Action Plan (September 2006).

The Department of Planning, the former Department of Natural Resources (now Dept of Environment and Climate Change) and Department of Primary Industries carried out this project to protect important farmland so as to keep the options open for farming into the future.

The project's background

The Mid North Coast Farmland Mapping Project followed the Northern Rivers Farmland Protection Project which was completed in March 2005.

The Northern Rivers Farmland Protection Project identified significant farmland in the local government areas of Tweed, Lismore, Byron, Ballina, Kyogle and Richmond Valley. That project was coordinated by the Department of Infrastructure, Planning and Natural Resources in partnership with the Department of Primary Industries. It implemented an action of the Northern Rivers Catchment Blueprint, 2002, and was funded partly by the Northern Rivers Catchment Management Authority.

The resulting maps showed farmland to be protected from urban and rural residential rezoning by the Minister for Planning's Section 117 Direction under the Environmental Planning and Assessment Act.

The maps were used as an information layer in development of Town and Village Growth Areas under the Far North Coast Regional Strategy. Under the Strategy, state and regionally significant farmland will be protected and zoned to reflect its significance.

An independent survey reported strong community support in the Northern Rivers Region for the protection of good quality farmland from conversion to urban and rural residential land uses. (Gibson, C., Dufty, R. and Drozdowski, D. (2005) Resident Attitudes to Farmland Protection Measures in the Northern Rivers Region, New South Wales. Australian Geographer, Vol. 36, No. 3 pp. 369-383, November 2005).

The Northern Rivers Farmland Protection Project was independently reviewed by the CSIRO's Centre for Sustainable Ecosystems. The review affirmed the maps were the result of a rigorous and transparent classification system, and that the consultation process was comprehensive and appropriate. The review indicated that the project could be applied elsewhere provided soil landscape mapping and experienced soil surveyors were available.

In view of the availability of soil landscape mapping for most of the region and the availability of soil surveyors from the former Department of Natural Resources, the Catchment Management Authority contracted the Department of Planning to coordinate the Mid North Coast Farmland Mapping Project, adapting the methodology previously used in the Northern Rivers. The CMA funding made it possible to undertake additional necessary soil survey work in the Clarence, and to produce a map to draft stage.

The project's aim

The project has aimed to identify and protect regionally significant farmland from urban and rural residential encroachment and land use conflict. Additionally, it has aimed to encourage farmland areas to be targeted for land management assistance where suitable through Catchment Management Authority funding.

Regionally significant farmland is defined, for this project, as 'land capable of sustained use for agricultural production with a reasonable level of inputs and which has the potential to contribute substantially to the ongoing productivity and prosperity of a region.'

The project's emphasis has been on protecting the agricultural land resource for the future rather than looking at the current viability of particular industries. The project has sought to help the region keep its options open for producing food and fibre, rather than growing houses on good agricultural land. Maintaining a strong resource base for the future is an important element of sustainability.

Protecting important farmland in the region can provide a range of broad community benefits, including:

- greater certainty for the production of fresh local produce;
- maintenance of agriculture as an important contributor to the regional economy;
- greater certainty for investment in agriculture and sustainable land management systems; and
- minimisation of farming/residential land use conflicts – farmers being able to operate their farms without the threat of unplanned encroachment.

By limiting urban and rural residential development on regionally significant farmland, the project protects the land resource in the long term while not placing undue restrictions on farmers' ability to support themselves on their farms.

The project has aimed to encourage natural resource management which builds on the valued status of regionally significant farmland. This may include the direction of funding and extension services to significant farmland as a priority, through the CMA's funding processes.

Regionally significant farmland is only one part of the big picture of rural land, which has a range of uses and values including catchment values, biodiversity, farming, quarrying, tourism, recreation and forestry. The aim is to protect the land which represents the most important agricultural resource.

Where the project covers

The project covers the local government areas of Port Macquarie-Hastings, Kempsey, Nambucca, Bellingen, Coffs Harbour and Clarence Valley.

Who's been involved

The project was carried out as a partnership between the Department of Planning, Department of Environment and Climate Change (DECC) and Department of Primary Industries (DPI). It was coordinated by the Department of Planning. The project team included staff from the three departments who contributed a combination of soils, agricultural, planning and geographical information systems expertise. The project team was:

Claire Aman	Dept Planning	Grafton (project coordinator)
Carlie Boyd	Dept Planning	Grafton
Michael Eddie	DECC	Kempsey
Dave Morand	DECC	Alstonville
John Schmidt	DECC	Kempsey
Scott Taylor	DECC	Grafton
Rik Whitehead	DPI	Wollongbar
Greg Yeates	Dept Planning	Grafton

Farmers' reference groups were formed in the Clarence, the Coffs-Bellingen-Nambucca area, and the Macleay-Hastings area to provide on-going feedback during the project's development. The three groups were formed so the mapping would have the benefit of farmers' local knowledge, and so that as many people as possible would know about the project and understand it. Members acted in an advisory capacity rather than in a decision-making capacity. They did not represent particular organisations, but gave advice as individuals. The reference groups' roles included:

- Providing local knowledge about specific agricultural areas
- Helping to develop criteria to identify good farmland
- Providing feedback on the draft map
- Identifying any issues in the farming community
- Acting as an information conduit between farming networks and the project team.
- Helping to get the project known and understood by rural communities

The groups were formed using a process known as 'snowballing'. This involved contacting individuals and organisations involved in the rural sector (eg NSW Farmers, Dept of Primary Industries district staff, industry groups) and asking them to recommend others in their industry or area. Those people in turn recommended others.

Groups were selected to include people from a range of agricultural industries in a range of districts throughout the Mid North Coast. Members were recruited who had:

- Personal knowledge of one or more agricultural industries
- A wide range of contacts and networks in agriculture
- A commitment to the principle of protecting agricultural land
- A long-term regional perspective.

Membership was as follows:

Clarence group

Sue and Jeremy Challacombe	South Grafton	beef, strawberries, pecans
Michael Martin	Lawrence	beef
Jan Shorrocks	Lanitza	beef
Vince Castle	Palmer's Island	sugar cane
Bob Aitken	Harwood	cane (consultant to Sugar Millers)
Keith Weatherstone	Seelands	dairy
Bill McLennan	Waterview	beef, soybeans
Tac Campbell		DPI Extension Agronomist, Grafton

Coffs-Bellingen-Nambucca group

Phil Doyle	Upper Orara	beef, rural journalist
David Wilson	Boambee	organic vegetables
John Ainsworth	Macksville	beef, bananas
Ted Knoblock	Boambee	bananas, lychees
Martin Cresswell	Valla	macadamias
Adam Darley	Dorrigo	dairy
Peter Newley		DPI District Horticulturist, Coffs Harbour

Macleay-Hastings group

Grant Taylor	Yarras	beef
Terry Schmitzer	Byabarra	beef
Rick Sharp	Pappinbarra	organic vegetables
David Gowing	Euroka	pecans
Leo Cleary	Wauchope	dairy
Barry Ramke	Collombatti	beef
Sue McGinn	Belmore River	dairy
Carol Rose		DPI Extension Agronomist, Kempsey

Local government planning staff members were briefed about the project at individual local government meetings and by telephone as needed.

Implementation

The Department of Planning has finalised the Mid North Coast Regional Strategy. The purpose of that Strategy is to ensure that adequate land is available and appropriately located to accommodate the projected housing and employment needs of the Region's population over the next 25 years. The Regional Strategy applies to the local government areas of Clarence Valley, Coffs Harbour, Bellingen, Nambucca, Kempsey, Port Macquarie-Hastings, Greater Taree and Great Lakes. Farmland in Greater Taree and Great Lakes has not been mapped as part of the Mid North Coast Farmland Project.

The farmland map has been incorporated into a regional data package of environmental constraints and natural hazards. The data package will be used by councils in preparing Local Growth Management Strategies (LGMS) under the Regional Strategy.

The Regional Strategy implements the farmland project by directly referring to the planning recommendations at chapter 5 of this report. Additionally, the Strategy requires local environmental plans to zone regionally significant farmland to protect agricultural values. The Regional Strategy is implemented by a Section 117 Direction under the Environmental Planning and Assessment Act.

What the recommendations in this report may mean for landowners

- Mapped regionally significant farmland will not be able to be rezoned for urban or rural residential use unless specific circumstances apply. Details are at chapter 5.
- The Northern Rivers Catchment Management Authority will give priority in its funding decisions to mapped farmland areas to support education programs, industry best practice and soil health programs where needed.
- Some areas identified as important farmland may include important habitat or remnant vegetation. While the map indicates the existence of significant farmland, agriculture should not take precedence over environmental values. The mapping does not remove the need for landholders to comply with relevant environmental legislation.
- The project will not change existing entitlements under current planning instruments.
- There is no compulsory change to current land use. Land mapped as significant farmland would not have to be farmed.
- The project will not affect the way farms are currently bought and sold.
- Farmland is not mapped in existing urban, rural residential, industrial or commercial zones, or in areas identified in the Mid North Coast Regional Strategy as future urban or employment lands.

Additional themes

Farmland Project reference groups were concerned about the role of land management in protecting farmland, and encouraged the project to create links between land management incentives and mapped farmland. There is a need to do more than just preserve land – we need to look at ways to maintain productivity for the future. Existing and suggested measures to support the use of farmland are at chapter 6.

Reference groups also raised the issue of land use conflict. Conflict between farming and residential uses is a problem for many North Coast residents. Conflict can undermine the use of farmland and can cause serious neighbourhood disputes. The Farmland Mapping Project, in keeping farmland separate from residential areas, will help to avoid future land use conflict situations.

Reference group members participated in a day-long workshop in May 2006 to discuss the problem of land use conflict. The workshop found that conflict needs to be addressed from a range of angles including:

- State government and councils reaching new land purchasers with information and education about living in a rural area
- State government and councils confirming the primacy of rural uses over residential uses in rural areas

- State government and councils avoiding setting up new conflict situations by separating residential areas from farming areas
- Establishing buffers at the edge of residential areas
- Agricultural industries planning to avoid conflict
- Farmers and residents communicating, negotiating and cooperating

Specific recommendations from the workshop were passed on to the NSW Department of Primary Industries (DPI) who in partnership with Southern Cross University and the Catchment Management Authority were preparing a new publication: "Living and Working in Rural Areas" - A Handbook for Managing Land Use Conflict." A number of farmers from the Farmland Project reference groups assisted in the conflict handbook process by taking part in interviews exploring their specific experiences with land use conflict.

The handbook is now published. Aimed at local government, consulting planners, new rural landowners and farmers, it is now available on the DPI website at www.dpi.nsw.gov.au.

Chapter 5 includes further recommendations to address land use conflict.

The Department of Planning's 2008 State Environmental Planning Policy for Rural Lands aims to reduce land use conflicts. It requires consent authorities including councils to consider any likely land use conflict when assessing development applications for rural subdivisions or rural houses. The Policy can be seen at www.legislation.nsw.gov.au.

2 THE MAPPING PROCESS

The process

The project commenced in November 2005, and the three farmers' reference groups met for the first time in December 2005.

In 2006 the project team in consultation with the reference groups clarified the meaning of regionally significant farmland for the purpose of the project, developed criteria for identifying this land, and developed a preliminary map using the criteria. The project team and reference groups then reviewed the preliminary map. The review process included:

- checking that the criteria are adequate to identify farmland which is known to be of value;
- field-checking the data where necessary;
- deciding on the size range of farmland areas to be mapped; and

Following the review, a draft map was produced for public exhibition. The draft map and draft Recommendations Report were on public exhibition in July and August 2007. Details of the consultation phase are at chapter 4.

Following the exhibition, the project team reviewed submissions from the community and reviewed the draft map and report.

The mapping steps

Task
Identify dataset to be used (soil landscape mapping)
Engage farmers' reference groups
Liaise with councils regarding their strategic planning
Develop criteria for identifying regionally significant farmland in consultation with farmers' reference groups
Identify and resolve data gaps
Select preliminary soil landscapes consistent with the criteria
Check soil landscape data boundaries and classifications
Prepare preliminary draft map
Review preliminary map with farmers' reference groups
Identify minimum size units to protect
Review criteria
Check farmland soil landscapes are consistent with criteria

Task
Field check map
Produce draft map and planning recommendations for public exhibition
Exhibit draft map and recommendations report
Review submissions, identify all mapping and planning issues
Systematically check all mapping issues identified in submissions
Finalise map and planning recommendations

A detailed account of the mapping methodology is in the Methodology Report. Copies of the report (by mail or email) can be requested from the Department of Planning by telephoning 66 41 66 00.

The data

The project uses soil landscape mapping published by the former Department of Land and Water Conservation for each sub-region as a basis for identifying regionally significant farmland.

Soil landscape mapping provides a soil and landscape inventory of factors including geology, topography, terrain, soil types, soil structure, soil chemistry, drainage, vegetation and erosion hazards. It was initiated by the former Soil Conservation Service and further developed by subsequent departments, including the former Department of Natural Resources.

Soil landscapes are areas of land with a specific set of landform features and a characteristic set of soils. Landscapes and soils are formed by the same natural processes, so soil landscapes are the best way of presenting unified soil and land resource information. Soil landscapes have nothing to do with 'landscape' in the visual or scenic sense. Soil landscapes are not dependent upon land use.

Soil landscapes are defined on a terrain and soil basis. For example, the Paddys Plains soil landscape is a residual soil landscape and occurs on the undulating low hills on plateau surfaces of the Dorrigo Plateau. Formed from Tertiary basalts, its soils are deep, well-drained Krasnozems. It is here that the familiar red soil agricultural landscape of the Dorrigo Plateau is found, with productive grazing, dairying, and seasonal cropping of potatoes and forage crops.

The Austral Eden soil landscape is an alluvial landscape. Located on the mid to lower estuarine reaches of the Macleay and Hastings Rivers, this landscape is part of an extensive alluvial plain and consists of rises and swales that have formed on natural levees bordering those rivers. Formed on recently-deposited alluvium overlying estuarine deposits, its soils are deep, well-drained, well-structured and fertile. Grazing, dairying and cropping on the Austral Eden soil landscape can be seen from the Pacific Highway north of Kempsey.

The soil landscape mapping process starts with provisional soil landscapes being established, based on the process responsible for forming the landscape – eg alluvial, erosional, swamp - and on the geological parent material – eg basalt, sandstone, granite. The boundaries of these provisional soil landscapes are mapped using aerial photographs and transferred onto 1:25,000 base maps. The boundaries are then thoroughly field checked. For each 1:100,000 scale map, about 300 detailed soil profile descriptions are made, and soil samples are taken from typical sites and analysed for a range of physical and chemical properties. Each 1:100,000 scale map takes 2 to 3 years to complete.

When the project commenced, soil landscape mapping was available in complete or draft form for the Mid North Coast excluding the Clarence Valley. A soil landscape mapping process has been carried out

in 2006 in targeted areas of the Clarence as part of this project. The Clarence areas which were targeted in consultation with the reference group are alluvial landscapes, basaltic landscapes associated with the Dorrigo Plateau, and some undulating granitic country.

Using soil landscape data to identify regionally significant farmland

The farmland map was built using soil landscapes which were selected on the basis of their agricultural potential.

To determine a selection process, the farmers' reference groups started by discussing districts and types of land they considered to be useful and better for farming, using their local knowledge and the physical qualities that made such land valuable.

These discussions resulted in the reference groups and the project team defining 'regionally significant' farmland as follows:

'Land capable of sustained use for agricultural production with a reasonable level of inputs and which has the potential to contribute substantially to the ongoing productivity and prosperity of a region.'

Keeping in mind the definition, the reference groups and the project team developed draft criteria to determine which soil landscapes represented regionally significant farmland.

The criteria developed by the reference groups and project team address the following qualities as described on a broad landscape basis in the soil landscape mapping:

- slope
- landform
- drainage
- soil depth
- stoniness
- rockiness
- water-holding capacity
- intrinsic soil structure
- soil fertility
- soil surface qualities

The resulting decision-making chart for soil landscape selection is at page 14.

An important point to note is that the land qualities listed in the criteria are as described in soil landscape reports published by the former Department of Land and Water Conservation, having been mapped at a scale of 1:25,000. Soil landscapes were not mapped at property level. A soil landscape may include small areas which have different characteristics to those described for the whole soil landscape.

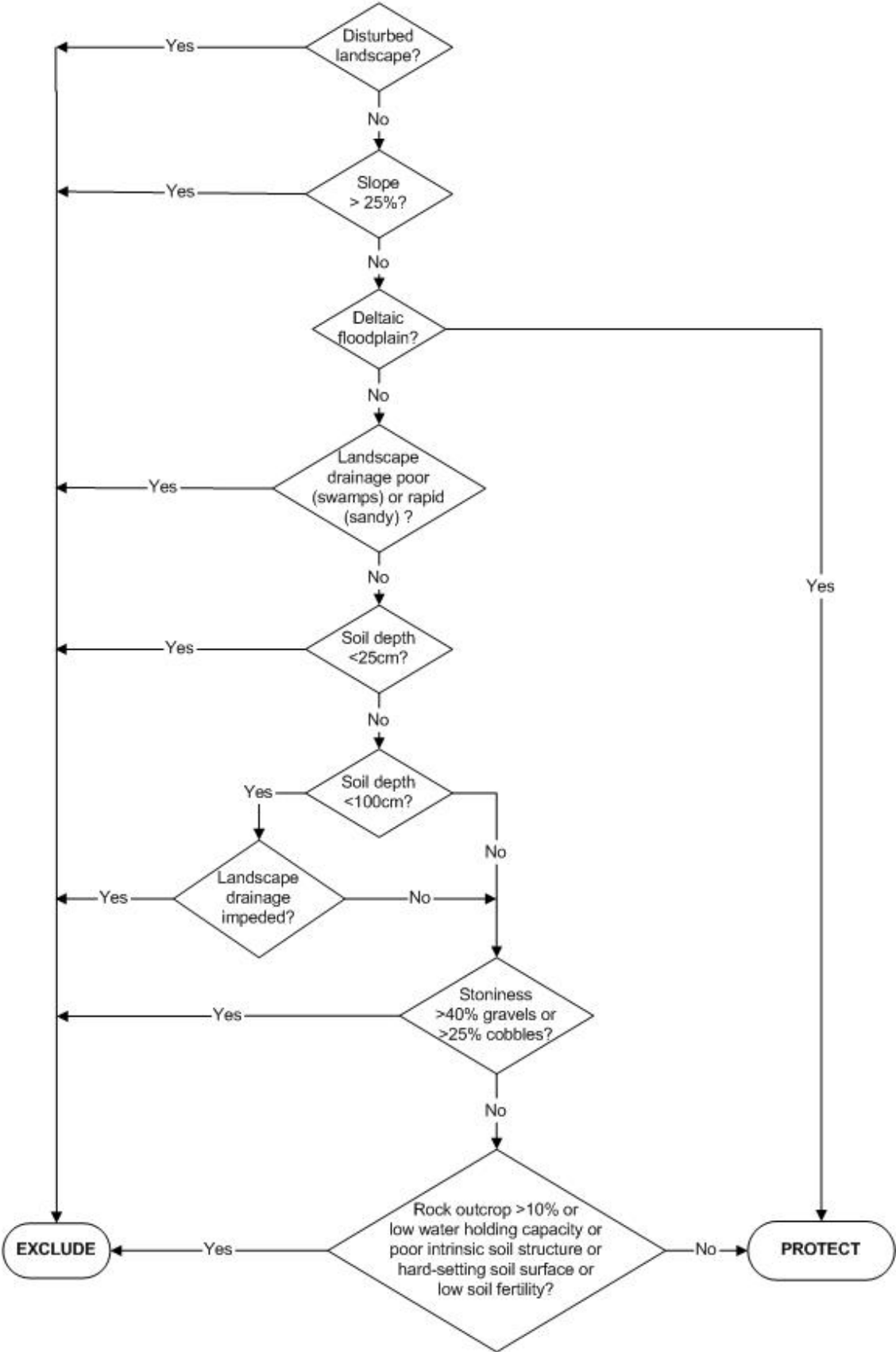
The farmland map is based on those soil landscapes which were selected based on the criteria. The selected soil landscapes generally occur on rolling low hills and undulating rises in the region's plateau areas and some other areas with suitable soils, on river floodplains, levees and terraces, and on the major deltaic floodplains. They include the Dorrigo and Comboyne Plateaux, the extensive Macleay and Clarence floodplains and the valleys of the other major rivers and coastal creeks. State Forest, National Park and areas zoned urban, commercial, industrial, open space, special uses and rural residential were excluded from consideration of farmland values.

Assumptions

In developing the criteria, the reference groups and the project team considered a number of additional issues, resulting in the following assumptions:

- Current land use can be an indicator of agricultural quality, but cannot be used as a criterion for judging long-term agricultural capability.
- The project's focus is on protecting the land resource rather than individual industries; therefore the current value of agricultural industries is not a deciding factor. However, the soil landscapes used by key agricultural industries were taken into account.
- Water availability (irrigation licenses etc) is a variable which can change over time with policy or technology. It is not a land attribute in the same way that soil or slope is a land attribute, so is not a deciding factor.
- Fragmented allotment patterns do not affect the quality of the land but can affect management. As above, lot size can change as a result of policy. It is not a biophysical land attribute, so is not used as a deciding factor.
- Microclimate is an important factor in agriculture. However, data is not available on a regional scale to make microclimate a useful criterion for selecting suitable soil landscapes.
- Extent of clearing is not a criterion. Much cleared country has not proved to be valuable farmland. Conversely, the existence of vegetation on significant farmland should not be taken to mean the land has to be farmed, or that the vegetation values are secondary to the agricultural values.
- Acid sulfate soils have the potential to be farmed sustainably, provided they are not exposed to the air by excavation or drainage. The presence of acid sulfate soils is considered to be a management issue, rather than an eliminating factor.
- Areas which support intensive agriculture but are located on inferior soils and highly dependent on irrigation or fertilisers are not considered to be regionally significant farmland. The versatility and the long-term potential economic and environmental sustainability of such land are likely to be lower than that of land which could be farmed with a more reasonable level of inputs.
- Flooding is not seen as either a limitation or a necessary inclusion for regionally significant farmland. Many of the region's valuable farming areas are fertile because they are flood-prone. Some flood-prone areas have poor drainage and infertile soils.
- Erosion risk is not included as a criterion. Erosion risk is built into other criteria such as slope class and soil structure. Soil erodibility is also not a criterion. Most soils are erodible. Erodibility refers to a fixed, inherent quality of the soil. Erosion hazard is a variable condition which refers to a combination of factors including landform, soils (including erodibility) and land management.

Soil landscapes decision-making flow chart for significant farmland



3 WHAT THE MAP SHOWS

The Farmland Mapping Project adopted a long-term perspective. It sought to protect farmland as a resource by looking at its geophysical qualities such as landform and soils. These qualities stay relatively constant over time. The project did not take into account features which have the potential to change in the shorter-term, such as property boundaries or water licenses. Properties are consolidated or subdivided, and water licenses change hands. While it might be difficult to imagine the Mid North Coast in 50 or 100 years time, we can be reasonably certain that having agricultural land available will be of benefit. The project has not mapped farmland on a property boundary basis.

The map shows:

- State Forests and National Park
- Existing urban footprint including land zoned urban, commercial, industrial, public open space and special uses
- Land zoned rural residential
- Areas earmarked for future urban and employment use under the Mid North Coast Regional Strategy – shown on the map as proposed urban areas and proposed employment lands
- Regionally significant farmland
- Other rural land

Regionally significant farmland

The map identifies regionally significant farmland in a range of landscapes that were identified from soil landscapes.¹ These encompass lands as diverse as cane land on the Clarence Valley deltaic floodplain, basaltic country used for growing vegetables at 200 metres elevation at Red Hill near Telegraph Point, and improved pasture land on Orara River terraces. These different types of country each have their specific qualities; one will be 'better' than the other for certain crops or farming methods because of factors such as soils, elevation, micro-climate and terrain. This point should be kept in mind when looking at the map: regionally significant farmland includes a diversity of land types.

Planning recommendations for regionally significant farmland are at chapter 5.

Other rural land

Rural land which has not been mapped as regionally significant farmland has its own values. As well as being useful for a current farming enterprise, these lands may have important biodiversity, catchment, scenic and cultural values. As such, they should not be seen as 'empty space'. The farmland mapping project does not recommend specific planning controls for other rural lands beyond what currently exists.

Properties which include both regionally significant farmland and other rural land

As discussed in chapter 2, regionally significant farmland has been identified on the basis of natural features including soils and landform. Significant farmland does not follow property boundaries. This means some properties may include regionally significant farmland as well as other rural land. In those

¹ The Northern Rivers Farmland Protection Project identified state significant and regionally significant farmland. This distinction allowed greater flexibility in planning controls, which allowed limited urban growth of major centres (eg Lismore, Casino) in regionally significant farmland. The Mid North Coast Farmland Project proposes similar flexibility in planning controls, but proposes a single category of farmland – regional – representing the Mid North Coast's best quality farmland. This does not mean that the best areas of Mid North Coast farmland are of a lesser quality than Northern Rivers farmland.

cases, it is only the regionally significant farmland that cannot be rezoned. However, some of the other rural land may form part of a buffer to a new urban or rural residential zone.

Limitations

The Farmland Project map was prepared for regional planning purposes. The project aimed to identify large areas which are important to agriculture - not individual properties of a certain fertility or productivity. Soil landscape mapping is broad scale (1:100,000). The minimum mappable area is 40 hectares. All of the attributes identified for a soil landscape generally may not necessarily be reflected on a single point within a soil landscape. It is possible that there will be some inclusions of lower quality lands. Nevertheless, as the selected soil landscapes include, for the most part, good agricultural land, it is important to keep the landscape free from urban or rural residential development, thus reducing potential for land use conflict. Some degree of boundary verification will be necessary in assisting councils to overcome these limitations when defining boundaries for future settlement strategies. Chapter 5 recommends a strategic boundary review process.

4 PUBLIC CONSULTATION

The consultation process

The Farmland Project draft maps and draft recommendations report were on public exhibition from 9 July to 24 August, 2007. The draft maps were on exhibition at:

- Clarence Valley Council offices at Maclean and Grafton, Coffs Harbour Council, Bellingen Council, Dorrigo Library, Nambucca Council, Kempsey Council, Port Macquarie Library, Wauchope Library, Laurieton Library and Comboyne Community Centre.
- Department of Planning office at 76 Victoria St, Grafton (ground floor foyer)
- Catchment Management Authority office at 41 Belgrave St, Kempsey
- Catchment Management Authority office at 24 Gordon St, Coffs Harbour
- Dept of Primary Industries office at 31 Elbow St, Kempsey
- Dept of Primary Industries, Grafton Ag Station, Trenayr Rd, Grafton

Copies of the draft recommendations report and methodology report were available from the above locations. Additionally, extracts of the map were sent to landowners by email or post where requested. The map and report were also available on the internet.

So that all rural landholders could know about the consultation, the project team contracted Australia Post to deliver a flyer to all rural mail boxes, post office counter pick-ups, and post office boxes. The flyer invited landowners to examine the draft map and recommendations report, and provide feedback to the project team. The flyer included information about where the maps were displayed, and the dates and venues of information sessions.

The consultation was publicised in regional newspapers and on ABC radio's rural report. The project team had throughout the project maintained a contact list of people who had registered interest in the project; those people and organisations were advised of the consultation by letter.

In July 2007, the project team held a series of information days in the following locations:

CWA Hall, Dorrigo	Tuesday 10 July 2007
Mud Huts, Coffs Harbour	Wednesday 11 July 2007
Grafton Community Centre, Grafton	Monday 16 July 2007
Jim Thompson Hall, Maclean Showgrounds, Maclean	Tuesday 17 July 2007
Senior Citizens Centre, Wauchope	Wednesday 18 July 2007
Comboyne Community Centre, Comboyne	Thursday 19 July 2007
Uniting Church Hall, Kempsey	Friday 20 July 2007
Macksville Showground, Macksville	Tuesday 24 July 2007
Uniting Church Hall, Bellingen	Wednesday 25 July 2007

People in rural communities were invited to visit one of these venues to look at the map and meet project team members. Reference group members assisted with information sessions in their districts where possible. Written comments could be left at the information days, or sent to the Department of Planning's Grafton office.

The information days were generally well-attended, with an average of 40 people attending each session.

Submissions

As a result of the exhibition, the project team received 43 submissions. Of these, 33 referred to specific areas on the maps. Twenty-six submissions included comments about wider agricultural and land use issues. These submissions offered a wide range of views, reflecting the diverse and changing nature of farming and land ownership in the region. A number of views recurred from throughout the Region. The most commonly expressed comments in order of frequency can be summarised as follows:

Agricultural protection: It is desirable and important to protect agricultural land.

Land prices: Sea-changers pay inflated prices for properties but don't farm. Farmers cannot afford to expand their operations as residential value far exceeds agricultural value.

Climate change: Climate change may require us to grow more food regionally in the future. The North Coast could be a future food-growing resource as conditions change and transport costs increase.

Weeds: Farmers need assistance to deal with weeds.

Issues raised during the consultation are summarised at Appendix One. A discussion of the main themes around which these issues were centred is at Appendix Two.

Map review

Of the 43 submissions, 33 referred to specific areas on the maps. There were 7 requests to include land as regionally significant and 25 requests to exclude land.

Soil surveyors from the project team considered all submissions about specific areas. The process comprised desktop analysis and field checking where necessary to check:

- The accuracy of soil landscape boundaries; and
- Whether a soil landscape met the farmland criteria

The map review process resulted in a number of changes to the map. The changes reflect the project team's investigations in response to submissions as well as the team's observations about the draft map. A meeting of each reference group discussed points raised in submissions. Specific changes to the final map are documented at Appendix Three.

5 PLANNING RECOMMENDATIONS

Regional farmland objectives

The following objectives should be used to guide development in regionally significant farmland areas:

1. To establish the priority of legitimate rural uses over non-rural uses
2. To recognise and conserve the best farmland in the region for current and future agricultural uses.
3. To keep options open for future generations to produce a range of agricultural goods throughout the region.
4. To allow for a range of activities that support agriculture, including farm diversification and value-adding, without compromising long-term agricultural production potential.
5. To protect agricultural land from adjacent development that may compromise agricultural uses.
6. To avoid creating conditions where conflict will arise between rural and non-rural land users.

Zoning

Regionally significant farmland cannot be considered for urban (residential, tourism, commercial and industrial²) or rural residential zoning unless the land is:

- a) identified in a council rural residential strategy which has been agreed to by the Department of Planning as at the completion date of the Mid North Coast Regional Strategy, (or exhibited by that time and subsequently agreed to); or
- b) part of an Growth Area under the 2008 Mid North Coast Regional Strategy; or
- c) already zoned, subdivided or approved for an urban or rural residential use under an LEP.

Regionally significant farmland can be considered where there is a need to zone land for marine-based industries that depend on access to navigable waterways.

Note: As discussed in chapter 2 regionally significant farmland has been identified on the basis of natural features including soils and landform. Farmland does not follow property boundaries. This means some properties may include regionally significant farmland as well as other rural land. In such cases, it is only the regionally significant farmland that cannot be rezoned. However, some of the other rural land may form part of a buffer to a new urban or rural residential zone.

Environmental protection

Some areas of regionally significant farmland include important habitat or remnant vegetation. Some of those areas are currently zoned environmental protection. While the map indicates the existence of significant farmland, this should not be taken to mean that vegetation and habitat values are secondary to agricultural values, or that land has to be used for agriculture. Where regionally significant farmland is zoned for environmental protection, the zoning should not be altered to rural. However, if the environmental protection zone is to be removed following an assessment of its environmental values, the land should then be protected in a rural zone.

Protecting agricultural uses

² Rural industries are important land uses in agricultural areas. The proposed planning rules would not apply to rural industry, which is defined as an industry that involves the handling, treating, production, processing or packing of animal or plant agricultural products and includes agricultural produce industry, livestock processing industry, use of composting facilities, sawmill and log processing works, stock and sale yards, and the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Residential development should not be located in areas where there is an identified risk of land use conflict near an existing agricultural enterprise, or where agricultural use of adjacent land may be compromised through loss of land providing agricultural services such as flood refuge or stock shelter.

Where a Local Growth Management Strategy proposes expansion of an urban or rural residential zone towards regionally significant farmland, any potential compromise to the agricultural use of the land must be assessed. The assessment should consider any risk of potential land use conflict as well as loss of land providing agricultural services. Buffers must be incorporated to separate potential agricultural and residential uses, the onus being on the land within the encroaching residential zone.

“Living and Working in Rural Areas - A Handbook for Managing Land Use Conflict Issues on the NSW North Coast” provides guidance on buffers and the land use conflict risk assessment process. Produced by the Centre for Coastal Agricultural Landscapes (Dept Primary Industries, Southern Cross University and the CMA), it is available on the DPI website at www.dpi.nsw.gov.au.

Where a permissible residential use is proposed on land adjoining regionally significant farmland and a Local Growth Management Strategy has not been completed, councils should assess the risk of land use conflict prior to approving a development application. The assessment should address a range of suitable measures to minimise future conflict, applying the principle that a buffer should be provided as part of the development.

Note: The State Environmental Planning Policy for Rural Lands requires consent authorities including councils to consider any likely land use conflict when assessing development applications for rural subdivisions or rural houses, and provides principles for rural planning and subdivision.

Strategic planning

Regionally significant farmland cannot be identified for future rural residential use when councils prepare Local Growth Management Strategies under the Mid North Coast Regional Strategy.

Regionally significant farmland cannot be identified for future urban use in any review of Growth Area boundaries under the Mid North Coast Regional Strategy. The only exception to this would be where the land forms an otherwise logical extension to the major regional centres of Grafton, Coffs Harbour or Port Macquarie, and the land is needed for efficient urban development and there is no practicable alternative, or where the encroachment onto mapped farmland is minor.

Infrastructure and facilities

The farmland map should be used as an information resource when councils and state agencies plan for public infrastructure and facilities. The map reflects the State Government’s assessment of the location of important agricultural resources which should be preserved for the future.

Boundary review – regionally significant farmland

While soil landscape mapping has its advantages, it also has disadvantages. One disadvantage is its broad scale (1:100,000). Farmland significance identified may not necessarily be accurate at the property scale. Some degree of boundary verification would be necessary if assisting the Department of Planning to review a boundary as part of a formal review of the MNC Regional Strategy’s ‘Growth Areas’ or if a council wishes to review a boundary as part of a Local Growth Management Strategy.

The mapped boundary is the default. Boundary review would be limited to within 150 metres of the mapped regionally significant farmland boundary.³ Boundary review could only be carried out on the outside boundary of regionally significant farmland areas. Areas wholly encompassed by regionally significant farmland would not be able to be reviewed. Boundary review could not be carried out on shared boundaries between urban/rural residential zones and significant farmland.

Councils wishing to initiate a boundary review should contact the Department of Planning. The Department of Planning will consult the Department of Primary Industries and Department of Environment and Climate Change for advice.

³ One hundred and fifty metres is nominated on the basis of the 150 metre confidence limit for 1:100,000 mapping advocated by Ridler (Agricultural Classification – Uses and Limitations: 2 Reliability and Scale Advisory Note 2/87, November 1987, Agdex 525).

6 SUPPORTING THE USE OF FARMLAND

The Farmland Mapping Project acknowledges that protection of regionally significant farmland from settlement pressures is only one of a range of measures which can support agriculture.

The following section lists land management programs available through the Northern Rivers Catchment Management Authority and provides recommendations to support the use of farmland.

Catchment Management Authority

The Northern Rivers Catchment Management Authority (CMA) acts as a conduit for natural resource investment. Its mission is to support and engage the Northern Rivers community to actively maintain and sustainably manage the natural resources within our catchment.

The CMA's Catchment Action Plan aims to give land managers incentives and skills to improve soil condition to support agricultural and associated ecosystems. Soil health activities which could be funded include:

- incentive programs to help develop or implement industry best practice
- demonstrations, field days and workshops to develop management skills and holistic farm planning approaches
- applied research programs

The CMA has earmarked funding for a range of projects associated with farmland on the Mid North Coast. The CMA has requested project contractors to link projects with mapped farmland, and to give farmland priority. Projects are listed at Appendix 3.

On an individual landholder level, CMA community support officers provide advice for land owners who are managing natural resource problems such as soil erosion. The officers provide general advice and link landholders to a range of funding opportunities, courses and programs.

Opportunities include:

- the Landscan 1 and 2 program which is a farm planning tool that enables landholders to build up a plan based on an aerial photograph.
- the mid-Clarence High Risk Soil Erosion Project which funds gully erosion projects in the Clarence valley.
- the Coastal Floodplain Acid Sulphate Soils Project which assists landholders to manage flood-gated drains and floodplains through on-ground works and extension services.

Community Support officers can be contacted through the Catchment Management Authority offices at:

49 Victoria St, Grafton – 66 420 622 (regional office)

41 Belgrave St, West Kempsey – 65 614 960

24 Gordon St, Coffs Harbour – 66 530 150

Recommendations to support the use of farmland

That the NRCMA continues to prioritise regionally significant farmland areas for soil health management, biodiversity, water and weed management programs.

That the NRCMA continues to recognise and support conservation and sustainability activities by land owners.

That councils consider providing a Notice to Purchasers of Rural Land as an annexure to the standard Section 149 certificate. Nambucca Shire includes an annexure with all 149(2) and (5) certificates for both rural zoned land and residential zoned land in the Shire. The annexure is at Appendix Five.

That agricultural industry organisations consider providing information to new landowners about the options of leasing land to farmers. Information covering agreements, rights and responsibilities, advantages and disadvantages including case studies could be made available to rural land buyers through real estate agents.

That councils consider reviewing the rating of mapped farmland, with a view to rating commercial farming properties under 40 hectares as farmland rather than rural residential.

That the brochure series 'Living in a Rural Area' be distributed through real estate agents, real estate institute, visitors' centres, Landcare networks and bushfire brigades. Note: The Resource Kit for Farmers written for Hastings/Macleay/Nambucca farmers is now available through Landcare. It includes a supplementary kit which incorporates the Living in a Rural Area brochures (DPI).

That the Federal Department of Agriculture, Fisheries and Forestry continues to offer rural business and training programs.

That State, regional and local government economic development bodies recognise the need for assistance with marketing of agricultural products.

APPENDIX 1.

Planning issues raised in submissions

* Asterisks indicate the number of submissions which raised the same point.

The principle of agricultural protection	* No. Submissions
Important to protect farmland, support for agricultural protection	***** ***** *****
Concern that project will not be implemented properly	**
Open space should be protected	*
Areas available for farming are decreasing. We need maximum output from remaining land and water	*
Findings of the Healthy Rivers Commission, Commission of Inquiry, (Coffs Harbour) and Rural Lands policy should be adhered to, and rural land protected.	*
Climate change may require us to grow more food locally in the future. Conditions change. Transport costs will increase. The North Coast could be a future food-growing resource for the state.	*****
Mitigating climate change: we can reduce greenhouse gases by growing food locally.	**
Crops may be needed for fuel and power in the future.	*
Questionable whether land will be needed for food in the future.	*
Types of land which should be protected	
The Farmland Project does not protect enough land. Grazing land, banana land and blueberry land should be mapped. Land classed 'other rural land' is useful for agriculture and contributes to the region's prosperity. The criteria should be widened to include more soils - not just the very best.	**
Regionally significant farmland is a very small percentage of total farmland area. Past and current sustainable and productive agricultural use of land should be a criterion for identifying significant farmland. Any land used for farming and potentially productive with appropriate inputs should be protected.	*
Marginal land can be improved. The main criterion for assessing a 'reasonable level of inputs' should be whether an enterprise is profitable, irrespective of input costs and provided there are no adverse effects.	*
Other rural land should also be protected.	**
The project should protect rural lands which might not have such good soils but which support the better land - eg buffers, land for farm infrastructure.	**
Changing patterns in rural land ownership and their effect on land prices and landowner expectations	
Inflated farm prices are a problem for farmers. Sea-changers pay high prices for whole farms but don't use them. Hobby farms are replacing cane, beef and dairy farms. Residential value is supplanting agricultural value. Existing or new farmers can't afford to buy land at the inflated prices - returns are too low. Farmers can't expand their operations, and younger farmers cannot enter the industry.	*****
Smaller lot sizes are a problem. More intensive land uses have pushed the price of land up - dairying has been replaced by horticulture on smaller blocks. Farmer profit	*

The principle of agricultural protection	* No. Submissions
has decreased. Uncertainty is a problem.	
Leasing involves some uncertainty	* *
Larger properties are run well. But people can't make a living on small properties - 20-30 ha. Some landowners keep 5 acres around their homes and lease out the rest. Blocks of 5-10 acres should be allowed to be excised.	*
Rural blocks severed by roads should be allowed to be subdivided.	*
Landholders want smaller blocks; most landholders have off-farm incomes	*
Farm viability and the farm as an investment	
A property is an asset and an investment. The Farmland Project ignores the commercial world, erodes property rights without compensation, and devalues assets.	*
Land is farmers' superannuation. Who will farm the land? The younger generation has left. There is no living in farming. People need encouragement to farm again.	*
The most productive land cannot support a family. The Farmland Project will decrease the value of farmland which cannot be subdivided. The Project is not fair to owners of farmland.	*
Bucca Valley does not contribute to regional prosperity.	* *
The influence of farmland maps on council rates	
The council rating system puts pressure on landowners. Confusing use of terms - mapped farmland can be rated rural residential	* *
Will farmland be valued higher by the Valuer General, resulting in higher rates?	*
Avoiding land use conflict	
Additional objective - plan for conflict	*
Support for buffers	* * *
No support for buffers. Unfair for landowners who are next door to mapped farmland.	*
Buffers should not be on prime ag land or require habitat destruction	*
The role of farmland maps in councils' local and strategic planning	
New infrastructure (highway, dams, airports, airstrips) should avoid farmland.	* * *
Tourism should avoid farmland	
Industry not related to agriculture should not be allowed on farmland	*
Need restrictions on timber plantations on prime ag land rather than food. Food production is more important than timber or ethanol.	*
Opposed to dispersed settlement	*
Farmland in existing urban and rural res zones should be reassessed	*
The proposed planning rules have too many loop-holes. More certainty is needed.	*
Concern that existing subdivisions can't be zoned R5	*
Inconsistencies/ambiguities with other planning documents - eg Coffs Rural Land Policy - need to be resolved. Rural Land Policy refers to 'farmland' which is not mapped as regionally significant.	*
Some rural industry may have an impact on farming land	*
Some home industry can affect farming properties and the environment	*
Farmland project and Conservation Plan should inform the Regional Strategy, should form the basis for councils to identify future urban land	*
Locality based planning has been replaced by state control	*

The principle of agricultural protection	* No. Submissions
Subdivision and houses sterilises farmland - the last crop	* * *
What percentage of a farm renders the whole farm as regionally significant?	*
Some good agricultural areas have been zoned rural residential by poor decisions. Nambucca rural res zones should be zoned back to agricultural	*
What are the future land needs of councils?	*
The Farmland Project encourages urbanisation of agricultural land	* *
There should be a 10 year moratorium on subdivision while water matters are considered	*
Boundary adjustments should be allowed on properties that are not adjacent as long as no new lots or dwelling entitlements are created.	* *
Farmers need to build a house for their children.	*
Farmland should not prevent a town from expanding if there is no alternative	*
The need for farmers to be supported in their land management	
Need more trees on farms	*
Small farms can be sustainable	*
Farmers need help dealing with weeds.	* * * *
Project will prevent offsets for environmental protection	*
Landowners have improved environmental health through Landcare	*
Project should consider non-viability of agriculture	*
Support for CMA funding to mapped farmland. Need education and incentives to encourage landowners to be custodians	*
Farmers need support to farm sustainably. They are under pressure from supermarkets, free trade and land developers.	*
The Farmland Project methodology	
The project's methodology is not rigorous; too many value judgements; no cost/benefit analysis of outcomes compared to other settlement options; macro and micro economic factors should have been considered.	*
Farmland mapping boundaries should be able to be ground-truthed.	*
Vegetation descriptions in the Dorrigo Soil Landscape report are not accurate	*

APPENDIX 2

Discussion of the main themes emerging from the consultation period

The range of comments in submissions (summarised in the table at Appendix One) have been grouped into the following themes:

1. The principle of agricultural protection
2. The types of agricultural land which should be protected
3. Changing patterns in rural land ownership and their effect on land prices and landowner expectations
4. Farm viability and the farm as an investment
5. The influence of farmland maps on council rates
6. Avoiding land use conflict
7. The role of farmland maps in councils' local and strategic planning
8. The need for farmers to be supported in their land management
9. The Farmland Mapping Project methodology

The nine themes are discussed below, including the Department of Planning's response.

1 The principle of agricultural protection

Issue

Twenty four submissions supported the protection of agricultural land. Of these, several cited climate change as a pressing reason to preserve our agricultural land stocks. It was suggested that we might need to grow more food regionally in the future both to mitigate and adapt to climate change.

One submission expressed opposition to farmland protection, questioning whether land would be needed for food in the future, and objecting to any intervention in market forces.

Discussion

The precautionary principle is a key principle of sustainability. While the precise effects of climate change on future food production and distribution may not be fully understood, it is important to keep our options open. For example, soybean plantings on the North Coast have recently increased in response to both the drought in inland NSW and overseas demand for biofuel from US corn crops diverting land away from soybeans. This illustrates the importance of keeping land options open for market opportunities arising from global changes.

The high number of comments in support of farmland protection echoes the findings of an independent survey in the Northern Rivers region which reported strong community support for the protection of good quality farmland from conversion to urban and rural residential land uses. (Gibson, C., Dufty, R. and Drozdowski, D. (2005) Resident Attitudes to Farmland Protection Measures in the Northern Rivers Region, New South Wales. Australian Geographer, Vol. 36, No. 3 pp. 369-383, November 2005). Protection of agricultural land is a long-term priority of the State Government.

Action

The planning rules at chapter 5 are proposed to be implemented through the NSW planning system to protect the Region's farmland resource for the future.

2 The types of agricultural land which should be protected

Issue

A number of submissions expressed the view that not enough agricultural land was protected under the draft Farmland Project, suggesting that the criteria should be widened. Those submissions stressed that agriculture depends on extensive areas which, while not high quality, can be productive when managed well. Additional land recommended for protection included banana and blueberry land and grazing land.

It was also suggested that the project should protect land adjacent to significant farmland, on the basis that adjacent land often plays an important support role, providing services such as flood refuge, stock shelter and farm infrastructure land. This is particularly important in valleys and floodplain country, which comprises much of the Region's farmland.

Discussion

Mid North Coast agriculture is carried out on a range of lands including high quality farmland and other less fertile rural land.

Lands used for growing bananas, avocados, macadamias and other frost-sensitive crops do not meet the farmland criteria because of their steep slopes and/or lower soil fertility. However, such conditions tend to create unique micro-climate and/or soil characteristics which allow the cultivation of frost-sensitive horticultural crops. Frost-free land is often under pressure for residential use in some locations in the Region.

Grazing land, while important to the beef industry, is difficult to map because of its wide occurrence and variable quality. While it can be generally assumed that most cleared land can be grazed, carrying capacity varies greatly. The Newry, Ulong and Beechwood soil landscapes all have variable soils. Refining the soil information in these soil landscapes was beyond the resources of the project team.

During the first stage of the project, farmers' reference groups noted that 'prime' country was often used in conjunction with adjacent land which provided flood refuge, stock shelter, drought feed or farm infrastructure sites. The groups saw protection of this adjacent land as important to maintaining farm function. However, mapping such land proved not to be feasible because of its very specific characteristics and uses across the region. Accordingly, neither the draft nor final Farmland maps show adjacent land.

Action

The Mid North Coast Regional Strategy recommends a review of land suitable for frost-free horticulture with the aim of protecting the identified land. The Department of Planning, working with Department of Environment and Climate Change, Department of Primary Industries and councils, is in the process of carrying out that review, called the Predominantly Frost-free Horticulture Project.

The recommended planning rules at chapter 5 aim to protect any adjacent land values on a merits basis. They include as an objective the protection of agricultural land from adjacent development that may result in environmental degradation or compromise agricultural uses. A further recommendation is that where a Local Growth Management Strategy proposes expansion of an urban or rural residential zone towards regionally significant farmland, any potential compromise of the agricultural use of the land must be assessed. The assessment should consider any risk of potential land use conflict as well as loss of land providing agricultural services such as flood refuge or stock shelter.

3 Changing patterns in rural land ownership and their effect on land prices and landowner expectations

Issue

Hobby farming has increased the gap between residential land value and agricultural value. Cane farms, dairy farms and beef properties have been bought for lifestyle reasons, with new owners offering far higher prices than a farmer expecting a return from agriculture would pay. This trend appears to be occurring across the region and across industries; six submissions described it as a problem for farmers wishing to expand their holdings and for new farmers entering agricultural industries. Even where agriculture continues, smaller lot sizes can contribute to higher prices - when dairy farms for example are subdivided to the minimum allowable size for new intensive uses like horticulture.

In other submissions people suggested that there is a demand for smaller blocks for landowners with off-farm incomes, that rural blocks severed by roads should be able to be subdivided, and that farmers should be able to build a second house on their property for their children.

One submission suggested that boundary adjustments involving excision of a house block and amalgamation of the residue with another farm not necessarily adjacent should be allowed, and that this might help to address the issue of inflated land prices.

Discussion

Until the 1970s, most people living on North Coast rural properties were farmers. That is no longer necessarily the case. The planning system cannot influence whether or not a new landowner farms. However, it can assist to make sure the land resource remains available for agriculture in the long-term. If a farm is sold and taken out of production, this will not affect the basic land attributes of soil or terrain (management of weeds or vermin will depend on the owner.) The land will not be sterilised in the same way it would be sterilised by being built over. One way of addressing the problem of high agricultural land prices is through the leasing system. A new property owner who does not want to farm can lease land to a farmer who will pay based on an expected agricultural return. The new owner can still enjoy rural views without having to manage livestock or crops, and the farmer who leases can access land for a more reasonable price. Management details can be formalised through an agreement. It is likely that leasing is not widely recognised as a management option by new landowners. Farmers have long used this system despite there being some disadvantages, including a potential lack of investment certainty for the leasing farmer.

The focus of the Farmland Project is on strategic planning and the zoning of land. It does not make recommendations about minimum lot sizes in rural land, or the number of houses allowed on a rural property. Minimum lot sizes are in councils' local environmental plans. The Department of Planning's State Environmental Planning Policy on Rural Lands includes policy detail on rural subdivision. While subdivision may generate a cash injection for an individual landowner, the overall effect of inappropriate rural subdivision is fragmentation and loss of rural land, more potential for land use conflict with remaining farmers, and land prices reflecting residential demand rather than agricultural potential.

Action

Agricultural industry organisations could consider promoting the advantages to non-farming landowners of leasing land to a farmer. An information sheet providing information about agreements, rights and responsibilities, advantages and disadvantages including case studies could be made available to rural land buyers through real estate agents.

4 Farm viability and the farm as an investment

Issue

Land is sometimes seen as superannuation or an investment. Two submissions suggested that the Farmland Project would decrease the value of land, one going on to express the view that farmland protection would erode property rights without compensation and that the project ignores the commercial world.

A further three submissions raised the issue of decreasing farm viability, suggesting that unviable farms should be able to be developed. One of those indicated that people needed encouragement to farm, the younger generation having left. Another questioned the current contribution of properties in the Bucca valley to regional prosperity.

Discussion

The planning system seeks to promote the social and economic welfare of the community and to conserve natural resources for all. This is achieved by zoning land to permit or prohibit a range of land uses. While some landowners may wish to see a return from developing their land, a future urban or rural residential 'right' or potential does not exist for land zoned rural. If existing planning rules and strategies do not allow development there is no reason to expect that the land will be developed. Land speculation is based on an expectation (rather than an entitlement) that land will be rezoned. The Farmland Project does not impose new restrictions on farm use which may limit farm viability. The buying or selling of farms is not affected by the project.

The Farmland Project, by protecting the farmland resource, seeks to maintain options for producing food. The project does not focus on the current circumstances of particular industries or individual farms. However, the project team acknowledges that many farmers experience difficulties associated with overheads, commodity prices, marketing and distribution structures and weather. The Farmland Project cannot create farm viability. However, it can encourage land management funding to be directed to farmland areas.

Action

Chapter 6 of this report recommends that the Northern Rivers Catchment Management Authority direct funding to regionally significant farmland to assist landowners in natural resource management. The Project also recommends that regionally significant farmland not be available for future urban or rural residential rezoning. Details are at chapter 5.

5 The relationship between farmland maps and council rates

Issue

Some properties are mapped as regionally significant farmland while at the same time being categorised under a council's rating system as rural residential. This was raised as a source of confusion for landowners.

One submission asked whether regionally significant farmland would be valued higher by the Valuer General, resulting in increased rates.

Discussion

Councils' rating categories are separate from land use zones. This can result in some land being rated rural residential while being zoned rural. Under the Local Government Act, land categorised as farmland for rating purposes must have a dominant farming use with a significant and substantial commercial purpose or character. The farming use must be engaged in for the purpose of profit on a continuous or repetitive basis (whether or not a profit is actually made). A rated parcel which is less than 40 ha and is zoned non-urban and does not have a commercial purpose cannot be categorised as farmland for rating

purposes; it must be rated rural residential. The Department of Local Government website www.dlg.nsw.gov.au provides information on the rating system.

The Valuer General values land by estimating how much it would sell for on the open market, based on sales of comparable properties in a district. Land is not valued directly according to planning policies; only on the price it would fetch on the market. Farmland would not be rated higher by councils unless the value of the land increased because of its status as farmland - that is, if the market was paying higher prices for farmland.

Action

The Department of Planning will send the final Farmland map to the Valuer General's Department to contribute to the land information resource. Chapter 6 includes a recommendation that councils consider reviewing the rating of mapped farmland, with a view to rating commercial farming properties under 40 hectares as farmland rather than rural residential.

6 Avoiding land use conflict

Issue

Land use conflict was raised in several submissions as a problem for farmers. Buffers between incompatible land uses were supported, provided they did not occupy significant farmland or require habitat destruction. A view was expressed that buffers can be unfair to landowners who are adjacent to significant farmland.

Discussion

The social and economic effects of land use conflict are a widespread problem on the North Coast, resulting from rapid changes in land use and an increasingly mobile population. Some conflict is preventable by strategic planning - identifying areas where agriculture is the preferred dominant land use, and discouraging fragmentation of those areas. Where there is an interface between a residential zone and farmland, conflict can be minimised by the use of buffers, using the principle that the buffer should be provided as part of the new development and should occupy other rural land rather than significant farmland. The Department of Planning's State Environmental Planning Policy on Rural Lands requires potential land use conflict to be considered in the development approval process for subdivisions and dwellings. The book "Living and Working in Rural Areas - A Handbook for Managing Land Use Conflict Issues on the NSW North Coast" provides information on conflict management. Produced by the Centre for Coastal Agricultural Landscapes (Dept Primary Industries, Southern Cross University and the CMA), it is available on the DPI website at www.dpi.nsw.gov.au.

Action

The planning rules at chapter 5 include the following objective to guide development in farmland areas: to avoid creating conditions where conflict will arise between rural and non-rural land users. The planning rules recommend conflict risk assessment for new development extending towards regionally significant farmland, and the establishment of buffers as part of the new development.

7 The role of farmland maps in local and strategic planning

Issue

Several submissions commented on the role of the farmland maps in local planning. It was suggested that new public infrastructure including highways, airports and water supply dams should not be allowed in farmland. Other land uses cited as undesirable on farmland included tourism, private airstrips, industry not related to agriculture, some rural industries and some home industries, timber plantations, ethanol crop production and dispersed rural residential settlement.

On a strategic planning level, there was a view that farmland zoned urban or rural residential should be reassessed and protected where necessary, and that the farmland maps (and other regional maps) should be used as a firm constraint when future urban land is identified under the Mid North Coast Regional Strategy. There was a view expressed that farmland should not prevent a town expanding when there was no alternative.

One submission urged that inconsistencies in terminology be clarified where other planning policies referred to 'farmland'.

Some submissions expressed concern that the Farmland Project draft recommendations included too many loopholes, would not be properly implemented, and would allow continued urbanisation of farmland.

One submission expressed the view that the Farmland Project replaced locality-based planning with state control.

Discussion

The Farmland Project is implemented by the Mid North Coast Regional Strategy. The Regional Strategy is implemented by way of a Ministerial direction under Section 117 of the Environmental Planning and Assessment Act. Section 117 Directions only govern local environmental plans, which are under part 3 of the Act. Accordingly, the Farmland rules can only affect zoning matters. Because the infrastructure assessment process is normally carried out under part 3A or part 5 of the EPandA Act, the Farmland planning rules do not apply to infrastructure. However, the Farmland maps reflect the State Government's assessment of the location of important agricultural resources which need to be preserved for the future.

While the project is able to protect farmland from being rezoned for residential use, tourism or industry, it cannot control crop choices on farmland. It cannot therefore prohibit types of primary production - eg ethanol crops or timber plantations.

The Farmland maps were used as an information layer in defining growth areas under the Mid North Coast Regional Strategy.

The Farmland Project has used the term 'farmland' to avoid confusion with historical mapping methodologies which used 'prime agricultural land' terminology. The term 'farmland' has different meanings in various contexts, and should not be assumed to have a standard meaning. 'Regionally significant farmland identified by the Mid North Coast Farmland Mapping Project' refers to the maps produced as part of this project.

The Farmland Project aims to establish more rigorous protection of agricultural land than existed in the past and will achieve this by applying the specific planning rules at chapter 5.

Action

The planning rules at chapter 5 recommend that the farmland map should be used as an information resource when councils and state agencies plan for public infrastructure and facilities. The final mapping data will be sent to state agencies and councils.

Under the recommended planning rules, farmland will not be able to be rezoned to a rural residential or an urban (including industrial, commercial or tourist) use unless it is identified in a council rural residential strategy which has been agreed to by the Department of Planning, or part of a Growth Area under the Mid North Coast Regional Strategy.

Chapter 5 recommends that strategic planning processes should limit conversion of farmland while acknowledging growth requirements in the three major regional centres and recognising past land release strategies agreed to between councils and the Department of Planning.

8 The need for farmers to be supported in their land management

Issue

Several submissions pointed to land management difficulties faced by farmers, particularly with weeds. This was a topic frequently raised at information days. There was support expressed for incentives and education to assist sustainable land management. It was noted that landowners have improved environmental health through initiatives such as Landcare. One submission suggested that we need maximum output from our remaining land and water as available areas for farming decrease. Another warned that the farmland mapping might prevent offsets such as environmental protection being delivered in return for development.

Discussion

Sustainable management is a requisite for long-term use of the farmland resource. While the planning system can protect farmland from urbanisation, it is not able to directly provide funds for land management. However, the project is able to make recommendations to the Northern Rivers Catchment Management Authority (NRCMA) as the fund manager for natural resource investment. The CMA funded the first stage of the Farmland project.

There is no reason why farmland mapping would prevent environmental protection of land.

Action

Chapter 6 outlines land management programs available through the CMA, and recommends that the CMA prioritise regionally significant farmland areas for soil health management programs and weed management programs.

The planning rules at chapter 5 recommend that where regionally significant farmland is zoned for environmental protection, the zoning should not be altered to rural unless supported by an assessment of environmental values.

9 Farmland Mapping Project methodology

Issue

One submission described the project methodology as lacking rigour; based on supposition and value judgements; and lacking evaluation of assertions, assumptions and generalisations. The submission suggested the methodology should have analysed costs and benefits of project outcomes compared to other settlement outcome options, and that macro and micro economic factors should have been considered.

Another submission, in pointing out the low proportion of mapped farmland to total agricultural land in the region, suggested that past and current sustainable and productive agricultural use of land should have been a criterion for identifying significant farmland. That submission emphasised that marginal land can be improved, and that a 'reasonable level of inputs' is demonstrated by a farm's profitability.

A further submission urged that mapped farmland boundaries should be able to be ground-truthed.

Discussion

The Mid North Coast Farmland Project maps are based on methodology developed for the Northern Rivers Farmland Protection Project (NRFPP). The Northern Rivers Farmland Project was independently reviewed by the CSIRO's Centre for Sustainable Ecosystems. That review affirmed the maps were the

result of a rigorous and transparent classification system, and that the consultation process was comprehensive and appropriate. The review indicated that the project could be applied elsewhere provided soil landscape mapping and experienced soil surveyors were available. The Mid North Coast Farmland Project built on the process and methodology of the Northern Rivers Project. By establishing farmers' reference groups, the MNC project included more intensive consultation than the Northern Rivers project.

Assessment of current economic factors was not part of the methodology. The Farmland Project aims to protect the long-term agricultural land resource for the future, rather than responding to the present economic circumstances of particular industries.

In terms of using agricultural land use as a criterion for identifying farmland, meaningful data about 'sustainable and productive use of land' is not available on a regional basis. Such data would have to factor in historical economic context and land management. The Farmland Project concentrates on the land resource: whether the land has the physical attributes that would give it the potential for productive and sustainable use. Soil landscape mapping, which provides information on the physical characteristics of a landscape, was the available dataset.

Action

The planning rules at chapter 5 reflect the strategic need to maintain settlement options as part of the major regional centres of Grafton, Coffs Harbour and Port Macquarie.

The rules provide for a strategic boundary review process to address potential scale-related errors.

APPENDIX 3

Changes to the map since public exhibition

This table lists:

- land mapped as regionally significant farmland in the draft but after checking, was removed as it is no longer considered to be regionally significant; and
- land mapped as other rural land in the draft which, after checking, remains as other rural land.

Locality	Status on draft map	Status on final map	Details
Carnham	regionally significant farmland	other rural land.	The Lilydale soil landscape was found not to meet regionally significant farmland criteria due to its poor soil structure and low fertility.
Parts of Romiaka Island	other rural land	other rural land	Some parts of Romiaka Island are mapped as Palmers Island soil landscape and are regionally significant. The remainder continues to be mapped as Romiaka soil landscape comprising tidal flats and salt marshes.
Yamba Rd Maclean behind the levee wall	regionally significant farmland	other rural land	Land was originally mapped predominantly as the Palmers Island and Cowper soil landscapes. Much of the soil material in this section is imported fill associated with the non-natural levee.
Gulmarrad	regionally significant farmland	other rural land	Small parts of Gulmarrad soil landscape had been included within the Wooloweyah soil landscape in the original CRA mapping. The Gulmarrad soil landscape does not meet regionally significant farmland criteria due primarily to poor soil quality (gleyed podzolic soils and yellow podzolic soils).
Moleville	regionally significant farmland	other rural land.	Land was originally previously mapped as the Newbold soil landscape was remapped as Cowans Pond soil landscape

Locality	Status on draft map	Status on final map	Details
			due to its sodic/dispersive soils with low fertility and very high erodibility.
Sandy Crossing, Clarence Valley	regionally significant farmland	other rural land	Land was originally mapped as the Brushgrove soil landscape. It was reclassified due to its sodic soils with low fertility, slow permeability and imperfect to poor drainage.
West of Woolgoolga	regionally significant farmland	other rural land	Edited for size and contiguity - smaller than 100 ha and isolated from other farmland areas by over 1000 metres.
Grazing land in the Coffs Harbour local government area	other rural land	other rural land	The Ulong, Newry and Beechwood soil landscapes are mapped in the Gleniffer-Bonville Hills, the Nambucca-Bellingen Hills and the lower slopes of the Hastings valley respectively. Each of these extensive erosional (sculpted by water flow) soil landscapes has variable soils. Because of this variation, the three soil landscapes were not included as regionally significant farmland. However, the project team acknowledges that some better quality soils occur within those areas, particularly around Brooklana.
Areas at western Dorrigo Plateau	regionally significant farmland	other rural land	Remapped. New soil landscape (Ebor) does not include all areas shown as farmland on exhibited map
Champions Lane, North Macksville	regionally significant farmland	other rural land	Land was originally mapped as the Raleigh soil landscape. It was remapped as Stuarts Point due to its sandy soils
Gully land at Eungai Creek	regionally significant farmland	other rural land	Land was originally mapped as the Warrell Creek soil landscape. It was remapped as Cairncross due to its poor drainage
Aldavilla soil landscape - elevated terraces and valley flats on Macleay	regionally significant farmland	other rural land	Land mapped in this soil landscape was inadvertently included as on the draft map. This alluvial soil landscape

Locality	Status on draft map	Status on final map	Details
River			comprises Macleay River high terraces (eg Temagog, Bellbrook) and valley flats of smaller streams in the Macleay valley. It does not meet farmland criteria due to its poor drainage, poor soil structure and low fertility.
South of Oxley Highway, west of Pacific hwy, west of Port Macquarie	regionally significant farmland	other rural land	Remapped as Apanie soil landscape
Land used for horticulture at Stuarts Point, banana land near Coffs Harbour, and land used for growing blueberries at Corindi Plateau	other rural land	other rural land	Land used for horticulture at Stuarts Point, banana land near Coffs Harbour, and land used for growing blueberries at Corindi Plateau does not meet farmland criteria due to rapid drainage, steep slopes and low fertility respectively. However, these areas are being reviewed for protection under the Predominantly Frost-Free Horticultural Project (Department of Planning, Department of Environment and Climate Change, Department of Primary Industries.)
Areas near Arcadia Rd north of Stuarts Point	regionally significant farmland	other rural land	Land was originally mapped as the Rosewood Road soil landscape. After field checking, these areas were remapped as Tamban due to their steeper slopes and shallow infertile soils. Additionally, land was remapped from Warrell Creek to Yarrahapinni.

This table lists:

- land mapped as regionally significant farmland in the draft which, after checking, remains as regionally significant farmland in the final map; and
- land mapped as other rural land in the draft which, after checking, is identified as regionally significant farmland in the final map.

Locality	Status on draft map	Status on final map	Details
Dulgigan Creek area, upper Clarence	other rural land	regionally significant farmland	Creek flats remapped as Ghinni Ghi soil landscape
Washpool Creek	other rural land	regionally significant farmland	Remapped as Keembin Creek soil landscape
Gulmarrad	other rural land	regionally significant farmland	Small area remapped from Gulmarrad soil landscape to Wooloweyah variant.
North St, Great Marlow	regionally significant farmland	regionally significant farmland	Land is consistent with the Brushgrove soil landscape, which meets farmland criteria. Farmland classification does not affect any existing development approval.
Tallawudja Rd Glenreagh	regionally significant farmland	regionally significant farmland	Narrow area. The planning rules allow boundary verification to address scale issues.
Tarkeeth, South Bellingen	other rural land	regionally significant farmland	Remapped as Nambucca River soil landscape
Roses Ck Bridge, Bellingen	other rural land	regionally significant farmland	Remapped as Glennifer soil landscape
Dundarrabin	other rural land	regionally significant farmland	Remapped as Paddys Plain soil landscape
East of Guy Fawkes National Park	other rural land	regionally significant farmland	Remapped as Ebor soil landscape
Bucca valley including Mardells Rd and Taylors Creek Rd	regionally significant farmland	regionally significant farmland	Land is consistent with the Dairyville, Gleniffer, Orara and Bucca soil landscapes, which meet farmland criteria. The Bucca valley also includes the Ulong and Kooralbyn soil landscapes, which do not meet farmland criteria. Those soil landscapes are not mapped as regionally significant.
North Bonville Rd, Bonville	regionally significant farmland	regionally significant farmland	This land is identified in the Coffs Harbour 1999 Rural Residential Strategy. Land identified in council settlement strategies is exempt from farmland rules.
Nambucca river upstream of Bowraville	other rural land	regionally significant farmland	Remapped as Warrell Creek soil landscape
Missabotti	other rural land	regionally significant	Remapped as Nambucca River soil landscape

Locality	Status on draft map	Status on final map	Details
		farmland	
Narrow creek valleys on Upper Nambucca River/Taylor's Arm including: Devils Nook Ck, Nulla Nulla Ck, Upper Hickeys Ck, Way Way Ck, Mistake Ck, Purgatory Ck	other rural land	regionally significant farmland	Remapped as Nambucca River soil landscape
West of Macksville, Taylor's Arm Rd	other rural land	regionally significant farmland	Remapped as Raleigh soil landscape
South east of Macksville	other rural land	regionally significant farmland	Remapped as Raleigh soil landscape
Pacific Highway, North Macksville	regionally significant farmland	regionally significant farmland	Land is consistent with the Raleigh soil landscape, which meets farmland criteria. Shallow soils may be due to past land management. The farmland classification is correct at map scale.
Stuarts Point/Arcadia	other rural land	regionally significant farmland	Remapped as Rosewood Road soil landscape
Near Yarriabini NP	other rural land	regionally significant farmland	Remapped as Rosewood Road soil landscape
North of Way Way SF	other rural land	regionally significant farmland	Remapped as Nambucca River soil landscape
Dungay Creek near the confluence of Dungay Creek and the Macleay River	other rural land	regionally significant farmland.	Land was originally mapped as the Cairncross soil landscape. It was remapped as Huntingdon due to its terrain attributes
Lemon Tree Ck, Upper Macleay	other rural land	regionally significant farmland	Remapped as Nambucca river soil landscape
Marys Bay Rd, Euroka	regionally significant farmland	regionally significant farmland	Land is consistent with the Redbank soil landscape, which meets farmland criteria. This land may include the Eungai soil landscape, which is not regionally significant.
Oxley Highway, Wauchope	regionally significant	regionally significant	Rocks Ferry soil landscape meets farmland criteria. This land is partly

Locality	Status on draft map	Status on final map	Details
	farmland	farmland	identified in the Hastings Council's Wauchope Growth Strategy. Land identified in council settlement strategies is exempt from farmland rules.
Kings Creek Rd, Kings Creek	regionally significant farmland	regionally significant farmland	Land is consistent with the Rocks Ferry landscape, which meets farmland criteria. The farmland classification is correct at map scale. This land is identified in the Hastings Council's Rural Residential Strategy; land identified in council settlement strategies is exempt from farmland rules.
Bushlands Drive, Sancrox	regionally significant farmland	regionally significant farmland	This land is identified in the Hastings Council's Rural Residential Strategy; land identified in council settlement strategies is exempt from farmland rules
South west of Port Macquarie, east and west of Pacific Hwy, south of Oxley Hwy	other rural land	regionally significant farmland	Remapped from Moripo to Thrumster soil landscape to reflect better quality soils
Stoney Creek Rd, Wauchope	regionally significant farmland	regionally significant farmland	Land is consistent with the Hursley and Redbank soil landscapes, which meet farmland criteria. The farmland classification is correct at map scale.
Lorne Rd, Kendall	regionally significant farmland	regionally significant farmland	Land is consistent with the Rocks Ferry landscape, which meets farmland criteria. While the land includes some localised poorly drained areas, the farmland classification is correct at map scale. This land is identified in the Hastings Council's Rural Residential Strategy; land identified in council settlement strategies is exempt from farmland rules.
Small areas at Comboyne Plateau			Comboyne soil landscape boundary remapped, some areas removed, some added
Land zoned 6(a) throughout the region	Urban uses	regionally significant farmland	Mapped as urban in draft map. Public infrastructure is permitted on farmland.

APPENDIX 4

Northern Rivers Catchment Management Authority projects associated with farmland on the Mid North Coast

The Comboyne Soil and Land Management Project:

This project will facilitate capacity-building activities including field days and skills workshops looking at ways to monitor and improve soil health. The project will assist landholders to develop awareness, knowledge and skills in relation to sustainable land management practices to improve soil health on the Comboyne Plateau. This will be achieved through a range of on ground demonstrations of techniques and products that monitor and improve soil health, and capacity building activities such as field days; skills/training workshops and information products.

The Dorrigo Area Integrated River Health and Land Management Project.

This project contributes to achieving targets about river structure, riparian vegetation, soil health, habitat connectivity, biodiversity threat mitigation, habitat rehabilitation and revegetation, as well as community awareness, knowledge, skills, engagement and support, in the draft Catchment Action Plan (CAP). It will assist landholders' skills in sustainable land management through activities such as field days, skills workshops and on-ground incentive training. It will also assist landholders to protect and rehabilitate riparian areas, including funding incentives for weed control, fencing and off-stream watering points.

Waterwise on Farms

Waterwise on Farms is a NSW Agriculture initiative that promotes best irrigation practice management through training courses, irrigation plans and water-use efficiency incentives. The program has been running on the North Coast for 7 years. Incentives for plans commenced 2001. Between then and the cessation of the scheme in 2003 over 90 Irrigation and drainage management plans (IDMP) were approved. The previous incentive scheme attracted a 4.5:1 leverage for incentive investment

Coastal Floodplain and Acid Sulfate Soil Management Projects

The Acid Sulfate Soil project has been on going over several years, although each individual project is only 12 months. It will facilitate through on-ground works and extension outcomes the active management of North Coast floodgated drains and floodplains. Active management of floodgated drains involves modifications and maintenance of floodgates, and drains and the installation of upstream water level controlling structures to reduce the impact of over drainage. On-ground works to facilitate active management of the floodplains include upstream structures to prevent low-lying areas from overtopping with tidal water, drain shallowing and modification, rehabilitation of ASS scalds and the reintroduction of natural wetting and drying cycles, utilising seasonally ponded freshwater and the re-establishment of native wetland species. Other floodplain on-ground works include the provision of off stream watering points and fencing of waterways from livestock. The project includes the Clarence floodplain, the Macleay and Hastings floodplains, and the Bellinger and Nambucca floodplains.

Soils Baseline Data Project

In collaboration with farmers and landholders the project objectives are to collect soil samples from a range of priority landscapes and have them laboratory tested for soil physical, chemical and biological indicators. The sites will be GPS recorded with the data collated, mapped and recorded for future use as soil health benchmarks. Dorrigo/Comboyne soil landscapes are to be used as a representative sample for assessment of the soil health status of those areas.

Biodiversity Conservation in Productive Landscapes

Through this project, the NRCMA, in partnership with contractors and industry, seeks to provide programs that support landholders improve sustainable management and increased conservation of native vegetation in productive landscapes (including farming and forestry) within the NRCMA region.

This could include programs and activities such as demonstration sites, field days, devolved grants, promoting uptake of rural industry BMP, property planning, vegetation rehabilitation and conservation.

Trees for Cane Farms Stage 3 - Managing Native Vegetation and Riparian Zones.

This project builds upon the NRCMA Trees for Cane Farms projects carried out on the Clarence Floodplain where cane growers are assisted in managing remnant vegetation, riparian vegetation and replanting native species.

The NRCMA have also funded the NSW Sugar Industry's Farming Code of Practice. This project will assist in the promotion of the code and application of identified practices (particularly those relating to the riparian zone) throughout the NRCMA sugar area.

The NRCMA recognises that cane growers manage significant areas of remnant native vegetation including endangered ecological communities (EECs) on their farms. The NRCMA wishes to support growers and the NSW sugar industry to improve and maintain these areas through access to funding mechanisms including Incentive PVPs and Management Agreements (where funding and resources allow).

Land and Soil Rehabilitation Project

This project aims to target erosion in the following areas

Part A - Gully Erosion in the Mid Clarence, Upper Clarence and Casino areas

Part B - Steep-lands in the Coffs Harbour and Nambucca LGAs and/or Tweed and Byron LGAs.

Coastal Landscapes Sustainable Grazing Management

This project focuses on the incorporation of sustainable grazing management systems into land management throughout coastal catchment areas of the NRCMA region, with a focus on agricultural lands as identified in the NRCMA Farmland Mapping Project.

Managing the Interface between Development and Natural Resources

The outcome of this project is the book "Living and Working in Rural Areas - A Handbook for Managing Land use Conflict Issues on the NSW North Coast." Produced by the Centre for Coastal Agricultural Landscapes (Dept Primary Industries, Southern Cross University and the CMA) in 2007, it is available on the DPI website at www.dpi.nsw.gov.au.

APPENDIX 5

Example of Notice to Rural Land Purchasers

Below is a copy of annexure provided by Nambucca Council with all section 149 (2) and (5) certificates for land zoned rural or residential.

[Name of council] supports the rights of persons to carry out legitimate rural and agricultural uses and practices in rural areas. [Name of council] supports responsible and sustainable rural land management and rural enterprises. Landholders should avail themselves to all relevant information, guidelines, codes and best practice notes that are relevant to their industry and enterprise.

[Name of council] will not support any action to interfere with the legitimate rural and agricultural use of rural land where such activities or uses are carried out in accordance with industry standards, relevant regulations and policies or approvals. [Name of council] points out that some of the activities listed below will require formal consent of council and/or government agencies or the Catchment Management Authority. These organisations should be contacted if any person has any doubt as to the approvals required for these land uses.

Intending purchasers are advised that legitimate rural and agricultural uses of land include:

- Agricultural processing establishments
- Application of manure, fertiliser and soil amendments
- Animal husbandry and animal husbandry practices
- Bush fire hazard reduction burning
- Cane burning
- Cultivation of land
- Construction of access roads and tracks
- Construction of dams, drains, landfill and contour banks
- Construction of fire breaks
- Dairies
- Extractive industries, mines and related works
- Fencing
- Harvesting operations
- Intensive animal industries
- Intensive livestock waste disposal systems and ponds
- Logging and milling of timber
- Machinery sheds and rural outbuildings
- Movement of livestock over public roads
- Pesticide application, storage and disposal
- Piggeries
- Pumping and irrigation
- Poultry keeping and meat chicken establishments
- Revegetation
- Rural industries (e.g. agricultural processing facilities)
- Rural tourist facilities
- Silage production
- Slashing and mowing of pasture and grasses
- Stock yards
- Use and repair of agricultural machinery and equipment
- Use of aircraft in aerial spraying, seed and fertiliser application.
- Use of unsealed public roads
- Weed control
- Woodlots and shelter belts.

Intending purchasers of rural land who consider they may have objection or difficulty in living in the rural area where the above land uses and practices occur should seriously consider their decision to purchasing land in a rural area. Rural areas are dynamic and are subject to change. Some rural and agricultural practices involve the use of pesticides and can create odour, noise, dust. Smoke, vibration, blasting and change the amenity of an area. While off site impacts from rural industries and rural activities should be minimised, they can rarely be completely eliminated. Some activities are carried out in the early morning, late evening and on weekends.

This notice does not exempt any activity or development from any statutory requirements that applies. This notice does not affect the rights of individuals to take action under common or statutory law. ('Living and Working in Rural Areas' A Handbook for Managing Land use Conflict on the NSW North Coast.' NSW DPI.)