

Biophysical Strategic Agricultural Land Mapping

SUBMISSION

November 2013



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18 November 2013

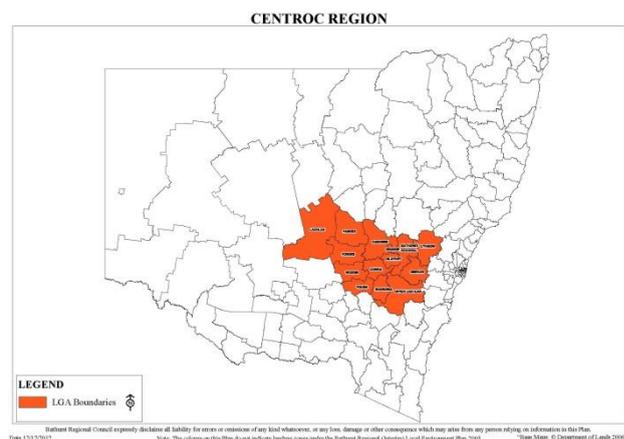
Reference: kk:vp 101331
Enquiries: Ms J Bennett : 0428 690 935

Director Assessment Policy, Systems & Stakeholder Engagement,
Department of Planning and Infrastructure
GPO Box 39,
SYDNEY NSW 2001.

Dear Committee,

Re: Biophysical Strategic Agricultural Land Mapping

Centroc is a large and long standing voluntary association of councils of varying sizes ranging from populations of around 2500 to populations of close to 40,000. It has received national recognition for its work in delivering measurable benefits to the members it serves. This recognition includes commentary and awards at the State and National levels for example the Productivity Commission and most recently the Minister for Local Government for NSW, The Hon Don Page. Most importantly, it is valued by its members.



Central NSW Councils (Centroc) comprises the Local Government Areas of Bathurst, Blayney, Boorowa, Cabonne, Cowra, Forbes, Lachlan, Lithgow, Oberon, Orange, Parkes, Upper Lachlan, Weddin, Young and Central Tablelands Water.

It has two objectives, one around advocacy and the other around supporting members operations.

The Centroc Board is made up of the 34 Mayors, elected representatives and General Managers of its member Councils who determine priority for the region. These priorities are then progressed via sponsoring Councils.

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The Biophysical Strategic Agricultural Land (BSAL) mapping for parts of Central NSW has been reviewed. The following advice is provided:

1. The concept of protecting high value agricultural land and the waterways feeding it is supported.
2. To enable review, LGA boundaries should be included.

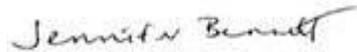
3. While it is understood that key considerations when identifying BSAL are managing possible conflicts between water resource, mining resource and high value agricultural resource, the lands identified in the mapping:
 - a. do not appear to have a consistent pattern;
 - b. do not go far enough in protecting waterways and high value lands;
 - c. do not include water utility catchments, eg Sydney Water; and
 - d. do not appear to have given sufficient consideration of LEPs showing other high value uses for example:
 - i. land zoned for industrial use in the LGA of Orange;
 - ii. racecourse and golf course use in the LGA of Orange; and
 - iii. lifestyle blocks in the LGA or Orange.

4. Further, consultation with LGAs regarding LEPs with imminent gazettal may have thrown up other conflicts for example residential blocks.

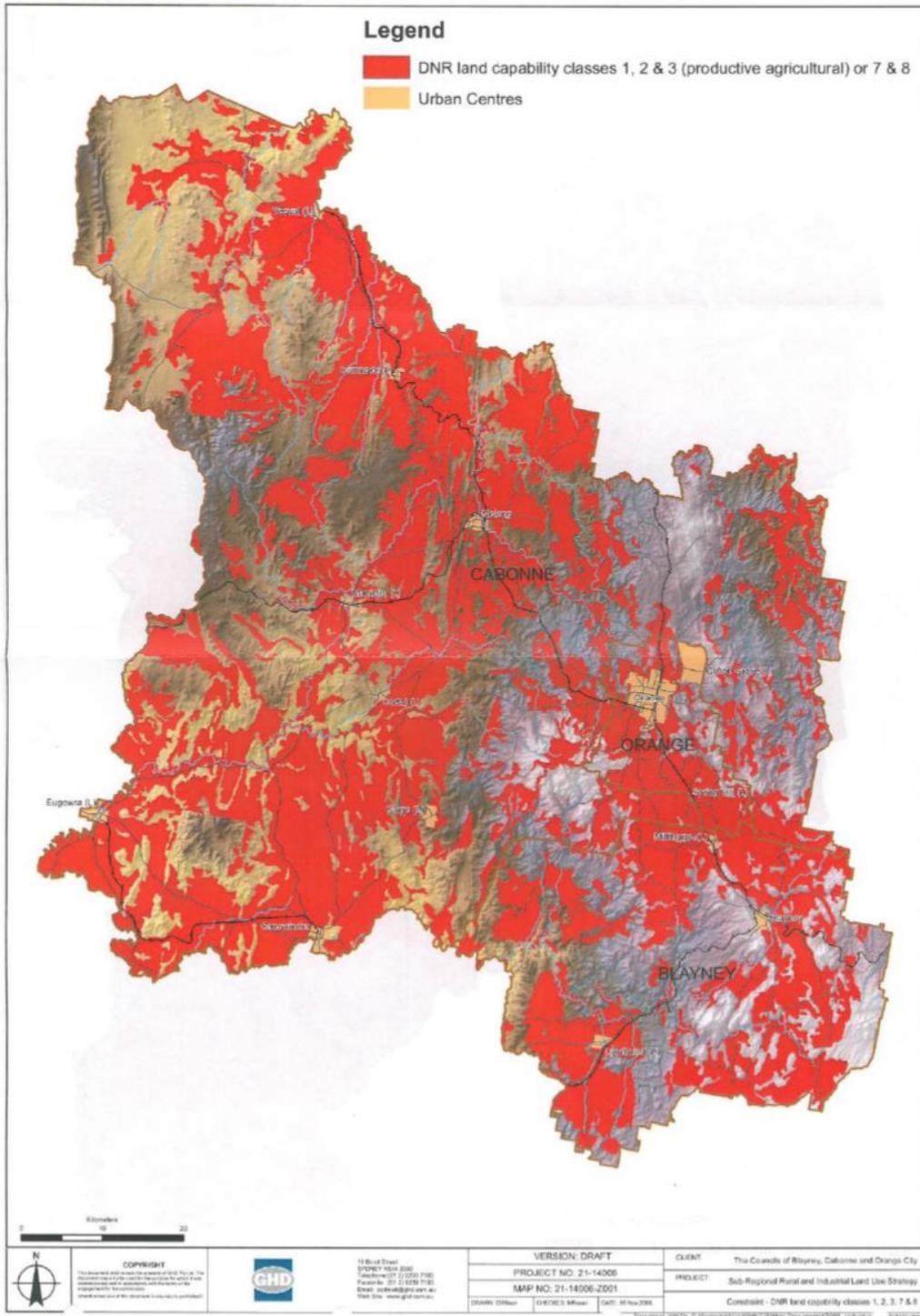
Accordingly, the region requests further consultation with Councils' planning departments before finalising mapping.

As examples, please find over mapping from Orange and the submissions from Upper Lachlan and Lachlan.

Yours sincerely,



Ms Jennifer Bennett
Executive Officer
Central NSW Councils (Centroc)



From: Jacqui Impey
Sent: Wednesday, 30 October 2013 12:29 PM
To: 'plan_comment@planning.nsw.gov.au'
Subject: Biophysical Strategic Agricultural Land Mapping Submission

Attention: Director Assessment Policy, Systems & Stakeholder Engagement, Department of Planning and Infrastructure

Submission on Biophysical Strategic Agricultural Land Mapping – Exhibition

This submission is made on behalf of Upper Lachlan Shire Council

The Biophysical Strategic Agricultural Land (BSAL) mapping for Upper Lachlan Shire has been reviewed. The BSAL mapping did not include Local Government Boundaries on the maps which made reviewing the maps more difficult. A request for BSAL maps which included the local government boundaries was made to the Department with the response provided being a link to the spatial data to enable Council to prepare this map. Unfortunately this Council does not have the in-house resources to enable preparation of such a map, especially within the time constraints for submissions. It is considered that inclusion of a line indicating the local government boundaries on these maps is a fundamental piece of information that should have been included on the BSAL mapping for the community and Council officers.

The mapping of the high quality agricultural land is generally consistent with the Upper Lachlan Strategy Plan – 2020 Vision research and mapping which was undertaken in preparation of *Upper Lachlan Local Environmental Plan 2010*. The high quality agricultural land partly correlates to the mapped RU1 Primary Production zoned land and it is noted that there are additional high quality areas identified near Taralga, which are supported. There is, however, noted to be an absence of sections of RU1 Primary Production zoned land located near Crookwell, Taralga, Breadalbane, Collector and Dalton, which are considered to be high quality agricultural land. It is requested that the BSAL mapping be amended to add/include of all the RU1 Primary Production zoned land near Crookwell, Taralga, Breadalbane, Collector and Dalton to be consistent with the Upper Lachlan Strategy Plan – 2020 Vision and relevant zoning. The relevant map references for these areas are:

- Land Zoning Map – Sheet LZN_003
- Land Zoning Map – Sheet LZN_003B
- Land Zoning Map – Sheet LZN_005
- Land Zoning Map – Sheet LZN_005B
- Land Zoning Map – Sheet LZN_005C
- Land Zoning Map – Sheet LZN_005D
- Land Zoning Map – Sheet LZN_005E
- Land Zoning Map – Sheet LZN_005F
- Land Zoning Map – Sheet LZN_005G
- Land Zoning Map – Sheet LZN_006
- Land Zoning Map – Sheet LZN_006A
- Land Zoning Map – Sheet LZN_006B
- Land Zoning Map – Sheet LZN_006C
- Land Zoning Map – Sheet LZN_008
- Land Zoning Map – Sheet LZN_008A
- Land Zoning Map – Sheet LZN_008B
- Land Zoning Map – Sheet LZN_008C

[Note: In regard to the list above, it is requested that all of the Land Zoning maps for *Upper Lachlan Local Environmental Plan 2010* be reviewed to ensure that all maps which include RU1 Primary

Production zoned land have been included]

Council would also like to bring to the attention the importance of controls required to apply to land within a drinking water catchment. Upper Lachlan Shire Council includes land within the Sydney Catchment Authority Area of Operations and Drinking Water Catchments for Crookwell and Gunning. It is considered that there should be specific controls included/exclusions applied for land within a Drinking Water Catchment to ensure the quality of drinking water for the Upper Lachlan Shire towns and villages Sydney Catchments are protected. The CSG controls specified for residential areas and areas of high quality agricultural land are considered to be equally relevant to drinking water catchments. Council has a 100 hectare minimum lot size standard for all land within a drinking water catchment as a means of protecting the drinking water for the Shire and for Sydney. The following map references are provided to identify where the Drinking Water Catchments are located for Upper Lachlan Shire:

- Lot Size Map – Sheet LSZ_003
- Lot Size Map – Sheet LSZ_003E
- Lot Size Map – Sheet LSZ_003F
- Lot Size Map – Sheet LSZ_005
- Lot Size Map – Sheet LSZ_005C
- Lot Size Map – Sheet LSZ_005E
- Lot Size Map – Sheet LSZ_005F
- Lot Size Map – Sheet LSZ_005G
- Lot Size Map – Sheet LSZ_006
- Lot Size Map – Sheet LSZ_007
- Lot Size Map – Sheet LSZ_008
- Lot Size Map – Sheet LSZ_008A
- Lot Size Map – Sheet LSZ_008B
- Lot Size Map – Sheet LSZ_008C
- Lot Size Map – Sheet LSZ_009

Your consideration of this submission from Upper Lachlan Shire Council would be appreciated.

In summary the concerns are:

1. Mapping placed on public exhibition should include, as fundamental information, the Local Government Boundaries,
2. The inclusion of additional land as high quality agricultural land, as identified above, would make the BSAL mapping consistent with Council's Strategic planning, and
3. The addition of specific controls/exclusion for land within a drinking water catchment would ensure protection of the drinking water supply for the Upper Lachlan Shire towns and villages and Sydney.

Yours faithfully

council@upperlachlan.nsw.gov.au

prepared by Senior Strategic Planner

Upper Lachlan Shire Council

6th November 2013

Contact: **J Boyce**

NSW Department of Planning and Infrastructure
Director of Assessment Policy Systems and Stakeholder Engagement
Attention: John Ross
GPO Box 39
Sydney NSW 2001

Dear Sir,

Re: Proposed Amendment to State Environmental Planning Policy (Mining Petroleum and Extractive Industries) 2007 (Mining SEPP)

Thank you for the opportunity to provide this submission on the proposed amendments to the Mining SEPP.

Council officers have been in regular contact with Department staff regarding the proposed amendments and in particular the methodology used for Biophysical Strategic Agricultural Land (BSAL) mapping.

Lachlan Shire Council considered a report on the proposed amendments to the Mining SEPP at its Ordinary Meeting of 23 October 2013 and this submission is based on the feedback given by Councillors in consideration of this matter.

1. Gateway process

Council supports the concept that a Gateway Process that will ensure the State Government is fully aware of any impacts to the State's valuable agricultural land, water resources and gives emphasis to local impacts, particularly with regard to local water supplies. As the Gateway process is the vehicle used to identify the impacts to be assessed it is important to ensure that the Gateway panel undertake thorough and independent assessments.

As it is likely these proposals will be significant in nature it would seem appropriate for the whole panel to consider each proposal rather than the three panel members currently proposed. In having only three panel members consider each proposal, the full extent of the panel's expertise is not being utilised to identify the potential impacts on the State's valuable agricultural land and water resources. In particular, Council has concerns around the panel's ability to issue unconditional certificates to the applicant, if all panel members' expertise is not utilised in the assessment process, an important impact may be overlooked and the project will be able to proceed without any further studies or modifications to the project.

The Gateway process is modelled on similar provisions in strategic agricultural land mapping undertaken in the Upper Hunter and New England North West Regions, via the Strategic Regional Land Use Plan. Land in the Lachlan Shire Council local government area (LGA) has not been subject to the rigorous assessments that have been undertaken in the Upper Hunter and New England North West Region, and as such should be addressed as a matter of priority.

Council supports the concept that project decisions for all coal seam gas or large coal mining activities in NSW which could have a significant impact on a water resource will consider the advice of the Commonwealth's Independent Expert Scientific Committee (CIESC). This will ensure the assessment process remains independent and free of political influences.

2. Coal Seam Gas Exclusion Zones

Council supports the concept of coal seam gas (CSG) exclusion zones however given that large lot residential areas (land zoned R5) are residential in nature and are identified as such in the State Governments Standard Template for Local Environmental Plans, they should be subject to the same CSG exclusion zones as other land zoned residential (example - General Residential R1 and Low Density Residential R2).

In addition, clarification is needed as to whether extractive activities can occur below the surface of the CSG exclusion zones. As is the case with long wall mining, the entrance of the mine is often a considerable distance away from where the actual mining activities occur.

3. Biophysical Strategic Agricultural Land Mapping

Council supports the concept of mapping biophysical strategic agricultural land (BSAL) and also supports the concept that project decisions for a proposal on land identified in the BSAL mapping will consider the advice of the Commonwealth's Independent Expert Scientific Committee (CIESC).

Biophysical strategic agricultural land mapping seeks to identify land that has the best quality soil and water resources, and plays a sustaining role in the State's agricultural industry. The draft mapping identifies a very small area of the LGA as containing BSAL and appears inaccurate, in particular the mapping has been undertaken on a regional scale and as such lacks accuracy at ground level. As an example, Council would draw the Departments attention to Draft BSAL Map 11 where the identified BSAL appears to terminate at the LGA boundary with Forbes Shire Council.

Management of rural land has been taken seriously and to this extent Council, with financial assistance from the Department has invested in a Primary Production / Resource Strategy to assist in decision making around rural land uses. A copy of this document is attached to

assist the Department in refining the accuracy of BSAL Mapping in the LGA.

Council has also recently produced the Lachlan Environmental Plan 2013, gazetted in August 2013, supporting this document are relevant mapping overlays which include biodiversity and wetlands. These documents are also attached.

Council would contend that there is valuable agricultural land along the Lachlan River and in the vicinity of Lake Cargelligo that should be identified as BSAL. In these vicinities there is access to ground water that provides a constant supply for crops and livestock.

As Council is concerned in how accurately the mapping reflects the landform characteristics, it would be appreciated if we could be supplied with a copy of the data set from which the draft BSAL maps were derived. This would allow dialogue between Council and the Department to ensure the accuracy required.

It is believed that the BSAL mapping should be applied more broadly to afford more protection to a greater area. Council is happy to work with the Department to ensure the accuracy of BSAL mapping as it applies to the LGA.

All water resources should be mapped with a buffer of approximately 1km or greater. This would ensure the vital water resources of the LGA are protected for future generations. Currently the LGA has a reliable water supply, and any threat to this supply is a major concern due to the limited storage capacity available. Consideration should be given to whether short term supply of coal seam gas and extractive resources can justify a threat to water supply and the agricultural industry as agriculture is one of the largest industry sectors in the LGA, it is important that the sector is protected.

It is indicated in the NSW Government's document titled 'Getting the balance right: NSW land use' that \$12 billion and 120,000 jobs are indirectly and directly created by high-quality agricultural land, while mining creates 123,000 jobs indirectly and directly and creates \$20 billion. From this data it is clear that high-quality agricultural land generates more jobs per billion dollars created. Given that this is only high-quality agricultural land, it would be worthwhile the Department providing the data for less productive agricultural land, as it did when it prepared the New England, North West Strategic Regional Land Use Plan to include areas with a high agricultural value but lower soil fertility such as important cotton producing areas around Gunnedah, Moree and Narrabri, these areas were subsequently included as BSAL. The data on high quality agricultural land reaffirms the point that agriculture is of high importance to the state and agriculture should not be threatened.

Farming and agriculture are also of major importance to the LGAs' character and tourism industry. Not only do they contribute to the amenity of the area, farming and agriculture also provide opportunity for tourist attractions including farm stays, horse riding, and farmers markets.

Thank you in anticipation of your consideration of this submission, should you wish to discuss any of the observations made on behalf of Council, please contact me by email

jim.boyce@lachlan.nsw.gov.au or telephone (02) 6895 1950.

Yours faithfully,

Andrew Johns
Director
Environment & Planning Department