ABOUT THIS PAPER

This paper has been prepared by Coffs Harbour City Council as a summary of the more detailed information captured in the *Coffs Harbour Rural Lands Strategy Phase 1 - Draft Issues and Options Discussion Paper 2016* (the draft Discussion Paper) and associated *Background Report* and *Community Workshop Outcomes* and reported to Council at the meeting of 24 November 2016. It has been refined with feedback received from the community in submissions made to the draft Discussion Paper and reported to Council on 24 November 2016. It also includes information outlined in the Coffs Harbour State of the Environment Report, as reported to Council on 24 November 2016; and a community submission received in response to the Korora West Sapphire Moonee Large Lot Residential Investigation Area, as reported to Council on 23 February 2017.

This paper is intended to provide an overview of the key issues and options that emerged during the community engagement and as identified by consultants working for Council in Phase 1 of the project.

Every effort has been made to acknowledge the diverse range of community feedback that has been received, particularly in relation to the potential for conflicts between different land uses.

As with all Phase 1 documents to date, it should be noted that the opinions expressed in this paper are not necessarily the view of Council, but provide an overview of the diverse and often conflicting matters.
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In 2014, Council commenced a review of its Local Growth Management Strategy (LGMS), which guides the direction of development within the Coffs Harbour Local Government Area (LGA). One of the outcomes of the review was to prepare a Rural Lands Strategy Component to guide the future direction and management of rural land in the LGA.

In recent decades, continual pressure to change land uses and develop rural land for urban, large lot residential and intensive plant horticultural uses has seen a significant shift in how it is being used, leading to land use conflict and uncertainty about the future of rural land in the LGA.

The aim of the Rural Lands Strategy (RLS) Component of the LGMS is to identify and address the various pressures and associated impacts on traditional farming, rural communities, rural environments and related industries to meet the needs of the economy, the community and the environment into the future.

Phase 1 of the RLS project, completed by consultants Edge Land Planning, involved preparation of a Background Report, which included a land use survey and an analysis of ownership patterns / size of holdings of all rural lands; and a demographic analysis of rural areas comparing them to urban areas of the LGA. It also involved the preparation of a draft Issues and Options Discussion Paper (the Discussion Paper) to identify key trends and issues relating to the management and utilisation of rural lands.

A series of community workshops were held in Bonville, Coramba and Woolgoolga to identify the key issues as well as the constraints and possible options to address these issues. The outcomes of the workshops, the draft Discussion Paper and the Background Report can be found on council’s website: [http://www.coffsharbour.nsw.gov.au/places-for-living/land-use/Pages/Draft-Rural-Lands-Strategy.aspx](http://www.coffsharbour.nsw.gov.au/places-for-living/land-use/Pages/Draft-Rural-Lands-Strategy.aspx)

Four key issues identified as being significant and therefore needing to be addressed in the preparation of the draft RLS, are:

1. Facilitating a productive and economically sustainable long-term future for rural lands, given that there has been a recent shift in the local economy’s reliance on tourism to newer emerging industries such as blueberries.

2. Addressing the changing face of the community and character of our rural lands in terms of social and cultural considerations, to ensure our planning provisions can provide for our ageing rural population and changing land use pressures.

3. Recognising and managing the opportunities and challenges presented by the environmental values of the area, by taking a broad-scale strategic analysis of whether the existing planning controls for rural lands are achieving their original intended purpose and whether updates are necessary.

4. Assisting rural production by ensuring outcomes are overseen by good governance, transparent planning policies and legible provisions.
81% of Australia’s blueberry production takes place in the Coffs Harbour LGA.
THE IMPORTANCE OF FARMING TO THE ECONOMY

Agriculture, which includes aquaculture; extensive agriculture (such as grazing of livestock and cropping); intensive plant agriculture (including horticulture, turf farming and viticulture sectors) and intensive livestock agriculture (including diaries and feedlots), supplies the food and fibre processing and manufacturing industry and is serviced and supported by agribusiness.

Farming in rural areas of Coffs Harbour is a key contributor to the economy of the entire LGA. Traditionally the area was a grazing landscape and then it moved to bananas being grown on the steep lands around the Coffs Harbour urban area and on land to the north and south along the coastal strip.

In recent years the Coffs Harbour LGA has become a significant blueberry production area with 81% of Australia’s blueberry production emanating from the LGA. Bananas are still grown but are not as significant as in the past. The importance of farming was one of the highest priorities for the local economy identified in RLS Phase 1 project - 10% of rural lands in the LGA are used for horticulture (bananas and berries).

The blueberry industry is currently valued at $140m (in 2011 it was valued at $67.2m) and it is expected to continue to grow, with overseas export markets currently being investigated. There were 22 farms in 2001, 29 in 2006, 54 in 2011 and 127 growers in 2016. It currently employs 6,000 to 7,000 casual employees and approximately 2,000 permanent employees. The high casual workforce creates some problems for accommodation, addressed elsewhere in this paper.

The importance of farming and its value as an economic driver was one of the highest priorities mentioned by the community at the workshops and a lack of awareness by the general public of where food comes from. This is due in part to the dominance of the major supermarkets in the selling of fresh fruit and vegetables.

RIGHT TO FARM

Agriculture is a legitimate land use like any other land use and should not be viewed as an interim land use until some future development opportunity arises. The NSW Government has recently released the NSW Right to Farm Policy (December 2015) which reinforces rights and responsibilities of rural landowners, and reinforces the abilities of existing legal agricultural activities to operate without being pressured to change or move as a result of conflict with owners of adjoining land.

Australia’s peri-urban regions are an important and contested area of agricultural production. Research has found that peri-urban areas in Australia comprise less than 3% of land used for agriculture but account for more than 25% of the gross value of agricultural production.
THE FUTURE OF FARMING

The NSW Government encourages and supports all participants in the agricultural sector to promote good agricultural practice, including technological and practical developments of modern farming equipment and techniques and good neighbour practices.

TOURISM

There is significant opportunity to further develop and promote nature-based/ regional food and produce tourism in the LGA. The Coffs Coast Local Food Framework 2010 to 2020 (an initiative of the Local Food Futures Project) aims to support the development of a sustainable local food tourism economy for the region. This type of initiative should be continued to support local producers and to enhance the visitor experience. For example, there is an opportunity to promote the range of produce on the Coffs Coast as ‘bananas, blueberries and spice’ (Coffs Coast Tourism Strategic Plan 2020).

OTHER USES

An increasing number of farmers rely on off-farm income to survive. A total of 73% of rural lands in the Coffs Harbour LGA are used for ‘rural living’ and ‘rural residential’ (now called Large Lot Residential) purposes (where residents gain little or none of their income from agriculture and rely on an off farm source). This has significant potential for rural land use conflicts throughout the whole of the LGA.

There are also a number of other uses such as private forestry which, along with the State Forests, has led to the introduction of a number of sawmills in rural areas. A number of non-agricultural land uses exist in rural areas including tourist uses and home businesses, quarries and mining exploration licences.

ECONOMIC CHALLENGES AND OPPORTUNITIES

One of the long-term concerns for the rural economy is when the cost to produce goods or services rises at a rate higher than the price paid for them (cost–price squeeze). Rural producers also face challenges from fluctuations in international market prices, changes in the value of the Australian dollar and natural disasters.

Producers must have the flexibility to adapt to these fluctuations in commodity prices. Flexibility can be achieved through diversification of farm activities, increasing production and reducing costs. The planning system should support the capacity of rural landholders to adapt and change farm activities in a timely manner. In addition, greater assistance needs to be given to identifying and accessing new markets for rural products.

Value-adding activities are also important to the food and fibre system. In the Coffs Harbour LGA this includes livestock processing, boutique cheese and wine, country markets, rural supplies, road side stalls and bed and breakfast accommodations.

DIVERSIFYING THE RURAL ECONOMY

Rural land is used for many purposes, from various forms of agriculture to mining, tourism, rural living, recreation and
conservation. Often, many of these activities are undertaken on the same property. However, in some parts of NSW, there are conflicts between land uses, such as between farming and coal seam gas extraction activities. A productive rural community should aim to provide for a diverse range of activities, all operating in harmony with each other.

The challenge for the Coffs Harbour LGA is to facilitate growth in the key agricultural industries of beef cattle, dairy cattle and horticulture, while at the same time providing for growth in a range of agricultural enterprises, from increased processing capacity, to other value-adding activities and to niche cottage industries.

Land use conflict is the key planning issue affecting the viability of agriculture in the LGA. It should be noted that horticulture does not require development consent in the RU2 Rural Landscape zone.

**WHAT THE COMMUNITY SAID**

- **Agricultural land is taken over by other non-agricultural developments.**
- **There is a lack of knowledge in the community of food and where it comes from.**
- **There is a need for acceptance from the local community that farming is important.**
- **The Council is too interested in tourism and not farming.**
- **People think their food comes from supermarkets.**

**OP TIONS TO CONSIDER**

- Create a RLS that supports, sustains and grows local food and fibre production.
- Promote farmers markets to all growers.
- Assess the capacity of the land for food production.
- Educate the community and give increased recognition of the importance of farming for food production to supply local areas.
- Consider local right to farm policies that inform all new property buyers adjoining rural land that they cannot approach Council to lodge a complaint about noise, odour, dust or routine farm management activities.
- Encourage rate rebates when land is used for food and fibre production.
- Encourage agri-tourism and development of value added products/tourism that doesn’t create land use conflicts with traditional rural land uses.
- Encourage schools to tour farms – especially infants and primary schools.
- Consider the use of zoning to give priority to agriculture, for example for key productive lands and existing horticultural operations by considering zoning these to RU1 Primary Production with the remainder of the rural land to be zoned as a mixture of RU2 Rural Landscape and environmental zones as exists at present.
- Ensure sufficient buffers to mines and quarries.
the rural population makes up 19% of Coffs Harbour LGA’s total population
The Coffs Harbour LGA’s rural community is not ageing as much as other parts of the State. The median age of the rural population is 38 which is lower than the urban population and similar to the Mid North Coast and New South Wales. However, it is slightly older than the Australian median age which is 37 years.

The rural-urban mix of the population has been changing with the rural population making up 19% of the total population in 2011. This has increased slightly from 2006 when it was 17%. However in 2001 this was 30%. The decrease has not been due to a lower number of people in the rural area, but an increase in the proportion of people living in urban areas. The occupancy rates for the rural areas are the same as in urban areas of the LGA - 2.4 persons per house.

The demographic profile has also shown that there are more people in the rural areas aged from 0 to 49 but from 50 and above there are more people living in the urban areas. There are more people in the working age population in the rural areas than in the urban areas. The rural areas have more people who are married and people who have achieved year 12 or higher level of school education. There are more children and teenagers attending school in the rural areas than the urban areas. Weekly family income in the rural areas is $1,045 per week, which is higher than the urban areas at $902 per week. There are more people in the rural areas who earn more than $2,000 a week.

The top five industry sectors of employment for people living in the rural areas are: healthcare and social assistance (14%), retail trade (12%), construction (11%), education and training (9%) and agriculture, forestry and fishing at 8%. It is significant to note that agriculture is not the number one employment sector which also indicates a residential-style use of the land rather than an agricultural use. However, in the blueberry and banana growing areas, the proportion of people working in agriculture is higher than the LGA average.

This demographic analysis shows that the people who live in and are moving into the rural areas for both farming and lifestyle opportunities are younger than the urban parts of the LGA. Employment in agriculture is also a significant indicator of the land use and this shows that the high areas of employment in agriculture correspond with the areas where a lot of blueberry production is occurring and the inland areas do not have a high employment in agriculture.

This suggests that the farmers in this area are part-time and have a residential use of the rural lands rather than a productive agricultural use. This is not to say that they do not gain any income from the farm but they also have an off farm source of income.
LAND USE CONFLICTS

Rural land use conflict is one of the most significant issues facing the viability of agriculture in the Coffs Harbour LGA.

The presence of agriculture and non-rural land uses in the one location can generate conflict due to their potential incompatibility. This is particularly evident with intensive plant agriculture such as bananas and blueberries. Conflicts arise over noise, air and water pollution from the nearby agricultural activities. Similarly, the presence of rural living and large lot residential uses creates an adverse impact on the continued operation of the agricultural enterprise.

The key issues raised by the community within recent submissions to Council relating to rural lands in general and intensive plant agriculture specifically include:

- adverse impacts on waterways due to runoff containing fertilisers, pesticides and fungicides;
- illegal water usage/dam construction above the harvestable rights capacity for a property;
- excessive water extraction (blueberries have the highest water use of any fruit) and farms exceeding the allocations set by Department of Primary Industry (DPI) Water;
- the need for a development application and/or regulations for intensive plant agriculture / horticultural activities;
- the need for buffers to resolve land use conflicts, particularly spray drift;
- storage of chemical / hazardous materials in inappropriate locations on farms;
- adverse visual impacts of white netting and covered cropping structures;
- illegal clearing of E2 Environmental Conservation zoned lands; removal of riparian vegetation along first, second and third order streams; and destruction of designated koala habitat;
- failing septic tanks due to them being inadequate for the number of workers during harvesting;
- lack of toilet facilities on farms for pickers and the impacts this has for ongoing effluent pollution;
- algal blooms in waterways and creeks adjacent to blueberry plantations;
- increased traffic load on local rural roads during harvesting;
- general degradation of rural areas;
- need for better weed control/management;
- depreciation in land values; and
- health impacts of chemical usage.

In the Coffs Harbour LGA, horticulture (which includes bananas and blueberries) and other forms of intensive plant agriculture, does not require any development consent from the Council. This does not provide for Council to control the impacts or location of them on adjoining land uses. It also needs to be noted that in a lot of cases, blueberry farms have been converted from former banana plantations.
WHAT THE COMMUNITY SAID

• There is a misunderstanding about farming in the community - residents who are not farmers don’t understand. Purchasers of land in rural areas should accept the existing rights of farmers to retain their farming practices.

• The rural / natural environment is being degraded. Rural outskirts had scenic beauty – blueberry farms are destroying this, the local environment and property values.

• Maintain privacy for residents in rural areas. No more blueberry farms close to existing dwellings. Mandatory buffers are required.

• The onus of buffers should be on the farmer not the dwelling resident.

• The rapid unregulated expansion of intensive agriculture in particular the blueberry industry has had detrimental impacts on both the environment and social identity of the Coffs Coast and hinterland.

• Council should work with State legislation to gain control of the way the land is used. DA’s should be required for blueberry farms and intensive monoculture farms to minimise impacts on neighbours and the environment; and regulated for toilets and amenities.

• The increase in intensive agricultural industries and white netting has destroyed the beauty of the hinterland that framed the city against the ocean.

• Pollution of waterways and spray drift from farms too close to dwellings is causing major health impacts.

OPTIONS TO CONSIDER

• Produce a new landowner’s kit to educate people about the issues of land use conflict.

• Require buffers between new housing and farmland.

• Use zoning and best practice farm management to deal with complaints.

• Require development consent for horticulture (which includes blueberries) and lodgement of a Farm Plan with a DA. Farm Plans to include details of erosion and sediment control measures, chemical storage locations, netting, visual impacts, noise impacts, vegetation clearing, dam location, amenities, worker accommodation, buffers to nearby residences.

• Investigate the potential of changing from white to black netting and/or permanent covers for blueberry crops.

• Use zoning certificates to advise people about farming.

• Work with the Blueberry Growers Association to create a code of conduct.

• Testing of waterways for chemical residues and spray drift from adjoining properties.

• Investigate measures to ensure water is used equitably, under licence and is harvested in accordance with the law.

• Undertake a study to determine the impacts associated with intensive plant agriculture including but not limited to pesticide chemical use and associated practices, landform modification and waste product disposal.
Questions relating to subdivision and rural lot sizing are an especially important consideration for the future management of rural land in the Coffs Harbour LGA.

This was one of the highest priorities from the workshops. It is related to the ability to farm sustainably as well as providing for more rural living opportunities so that people can enjoy the idyllic lifestyle of living on a small lot surrounded by the rural landscape.

A standard minimum lot size of 40 hectares has been set by the NSW government for the subdivision of land zoned RU2 Rural Landscape, and this is common throughout the state. This minimum lot size is not intended to reflect an economically viable farm size, as many farming properties consist of more than one allotment, and their economic viability is dependent on a range of social and economic variables.

While subdivision below the prescribed minimum lot size in the rural zones is conditionally permitted, dwellings cannot be erected on such lots.

Any contemplation of lowering the minimum lot size needs to consider the impact of this on the environment through effluent disposal, road standards and traffic generation.

Council has had a different minimum size for banana growing enterprises in the past, but this is no longer an option in the current LEP. It may be appropriate to consider introducing a reduced minimum for blueberry farming; it being noted that blueberry production can be sustainable on two to three hectares.

An analysis of lots sizes for properties located in the RU2 Rural Landscape zone of Coffs Harbour LEP 2013 showed that 60% of all land parcels in the LGA are 3 hectares or smaller; and over 90% are already 40 hectares or less.

Consideration of any variation to minimum lot sizes must take into account any constraints on the land and any controls that might be required to ensure future development does not create land use conflicts, adversely impact scenic amenity or environmental qualities, or generate unserviceable demand for infrastructure.

Note that Clause 4.2 of Coffs Harbour LEP 2013 already allows for rural subdivision for primary production regardless of the minimum lot size, however it does not allow for the generation of a dwelling entitlement on the resultant parcel.

Another issue that is related to the minimum lot size is the restriction on detached dual occupancies in the rural areas. Currently, only attached dual occupancies are permitted in the RU2 Rural Landscape and R5 Large Lot Residential zones of the LGA.

The original intention of this provision (since the 1980’s) was to discourage the community’s expectation of further subdivision (subsequent to erection of a detached dual occupancy), which would further fragment viable agricultural holdings.

Given the changing face of agricultural lands in the Coffs Harbour LGA as well as the persistence of the community in desiring detached dual occupancies, it is
timely to explore viable options to resolve this matter. The permissibility of detached dual occupancies in the rural zones could have impacts on rural communities due to increases in traffic generation, the expectation for improvements infrastructure and services such as roads, garbage collection, etc, and population growth.

Lismore City Council and Byron Shire Council have provisions in their LEPs to allow detached dual occupancies in their RU1 and RU2 zones, subject to certain criteria being met. This includes the following:

(a) the development will not impair the use of the land for agriculture or rural industries, and
(b) each dwelling will use the same vehicular access to and from a public road, and
(c) each dwelling will be situated within 100 metres of each other, and
(d) the land is physically suitable for the development, and
(e) the land is capable of accommodating the on-site disposal and management of sewage for the development, and
(f) the development will not have an adverse impact on the scenic amenity or character of the rural environment.

WHAT THE COMMUNITY SAID

- Reducing the minimum lot size for subdivision in rural areas was supported generally. Support for smaller lot subdivision below the 40 hectare minimum to say 20-25ha with a dwelling entitlement as the current minimum of 40ha is too big, too costly to maintain in terms of money, time, etc and ineffective in protecting the biodiversity of the LGA.
- You don’t need 40 hectares to make good money out of blueberries.
- Reduce the minimum lot size for the construction of a dwelling house for rural lands especially in remote areas.
- Retention of the RU2 Rural Landscape zone across the majority of the LGA supported with suitable minimum lot sizes.
- Support for temporary rural workers’ accommodation with development consent in RU1 and RU2 zones provided they don’t undermine existing provisions that control the establishment of residential dwellings on rural zoned lands.
- Minimum lot size: Over development in rural areas destroys the reasons why people moved to these localities in the first place.
- Community titled subdivisions should be encouraged in rural areas.

OPTIONS TO CONSIDER

- Review the minimum lot size for horticultural activities to a minimum of around 10 hectares, based on 3 hectares of berry production and allowing for rotation of spent crops 3 times (this would allow for 6 ha of berry production at any one time). Consider only allowing this on land zoned as RU1 Primary Production (Council currently does not use the RU1 zone).
- Review the dual occupancy provisions to allow for detached dual occupancies to be permitted in the RU2 Rural Landscape zone.
SENSE OF COMMUNITY AND LIFESTYLE

The demographic profile and land use survey has shown that a significant proportion of the community have moved to the rural lands for lifestyle and the amenity of living in a landscape that comprises hilly to undulating land with scattered to dense vegetation and views of the surrounding land and coastline.

The sense of community and lifestyle was mentioned as a priority by a number of residents during the workshops. It should be noted that this could be placed under threat if more subdivision is allowed for rural living opportunities because of the increased number of houses, potential impact on the environment and traffic generation.

A number of the people who live on rural living lots farm on a part-time basis such as cattle, alpacas, or vegetables. This can be used to supplement their incomes but does not provide sufficient funds so they need to have another source of income (which provides the bulk of the household’s income). Some of them sell the vegetables at the local farmers market.

One of the impacts of this desire for a rural lifestyle has been an increase in the value of the land.

The residents and farmers in the rural areas both reported that they have a strong sense of community, peace and well-being in the rural areas.

WHAT THE COMMUNITY SAID

- We are losing a sense of community.
- The cost of land in the inland parts is not conducive to agriculture for full time income.
- The size of the grazing farms is small and the value of the land is not for farming but for residential use.
- Aboriginal cultural heritage management is important in rural areas. The Issues and Options Discussion Paper is silent on these matters and this is an omission which should be included in the final RLS.

OPTIONS TO CONSIDER

- Investigate the potential for shopping facilities such as a general store or pub in some rural localities to create a sense of place and community.
- Ensure that the final RLS addresses impacts on Aboriginal cultural heritage management in rural areas.
As a general statement it can be said that people who live in rural areas don’t enjoy the same access to services and facilities as their urban dwelling counterparts. This includes roads, garbage services, sporting facilities, schools, hospitals as well as mobile phone coverage and broadband internet.

Most rural residents accept this, however, provision and maintenance of appropriate infrastructure is required to support growth in rural communities now and into the future, particularly if there is increasing pressure for additional dwellings or subdivisions in rural areas.

The poor condition of rural roads is a concern among the community, with requests that roads be sealed.

**WHAT THE COMMUNITY SAID**

- There is a potential for increased impact on infrastructure from new developments.
- Dust causes problems with the processing of blueberries because they can’t be washed before packing resulting in dust staying on the berries.

**OPTIONS TO CONSIDER**

- Council to provide more infrastructure in the rural areas especially for roads and community services / facilities.
- Provide for more local shopping opportunities such as general stores.
Large lot residential is the zone name that covers the rural fringe style of rural residential development and it used to be known as the Rural 1(B) Living zone under Coffs Harbour LEP 2000, and was referred to as rural residential development.

R5 Large Lot Residential zoned development is technically a form of residential development, and will be addressed in the LGMA Urban Lands (Residential Lands) Component, currently being prepared by Coffs Harbour City Council.

Council prepared a Rural Residential Strategy (RRS) in 2009 which found that there was 12 years supply of land available in the current Large Lot Residential zones. It also identified five areas for investigation around Nana Glen; Coramba and Karangi; Bonville; Corindi Beach as well as Korora, Moonee and West Sapphire.

The Bonville area has now progressed to Planning Proposals in accordance with the RRS release program and the LEP amendment will be made soon. This will introduce another 10 years supply to the market.

This issue of provision of additional reserves of R5 Large Lot Residential zoned land was not seen as a high priority by the community who attended the Discussion Paper workshops. In fact, it was requested that no additional reserves be provided in key horticultural areas. However, there have been numerous requests for additional R5 zones to be provided throughout the LGA.

It should be noted that horticulture is permitted in the R5 Large Lot Residential zone with development consent.
WHAT THE COMMUNITY SAID

- We don’t want large lot residential development on farming land because it is reducing land available for farming.
- We don’t need this type of development in the blueberry farming areas.
- Allow large lot residential development to be supplied in other parts of the LGA.
- Large lot residential development and detached dual occupancies should be allowed in the Korora West Sapphire Moonee area as soon as possible.
- Large lot residential development and detached dual occupancies should be allowed in the Karangi area as soon as possible with a minimum lot size of 1-2ha.
- South Boambee Valley should be zoned to allow subdivision down to five acre (ie 2ha) lots.
- Buffers recommended in the DPI Living and Working in Rural Areas Guide should be applied for any future new release areas proposed to be zoned R5 Large Lot Residential. Further, it may be appropriate to increase buffers from existing operations to adjacent dwellings to reduce the risk of adverse consequences from spray drift.
- Properties in Middle Boambee Road should be zoned to Large Lot Residential as they adjoin already existing zoned rural residential areas, aren’t being used for agricultural practices; and are in a highly desirable area.

OPTIONS TO CONSIDER

- Review the current supply and demand for R5 Large Lot Residential development.
- Don’t provide for more R5 Large Lot Residential development near horticultural (banana and blueberry production) areas.
- Allow for a minimum lot size of 1 and 2 ha in certain areas (which would be zoned as large lot residential) with specific performance criteria related to the constraints of the land, ecological principles and the capability of the land (slope, proximity to waterways and native vegetation, etc).
- Review the dual occupancy provisions to determine whether detached dual occupancies should be permitted with consent in the R5 Large Lot Residential zone.
69% of the Coffs Harbour LGA is covered by native vegetation
(State of the Environment Report 2016)
The North Coast of New South Wales is one of Australia’s most biologically diverse regions with the Coffs Harbour LGA supporting biodiversity that is important from national, state, regional and local perspectives. It is one of the few places along eastern Australia where the Great Diving Range and Escarpment connects to the coastal plain. Many of these environmental values are present in the rural areas and this creates a significant number of biophysical constraints to development within the rural areas.

In addition, the conservation of biodiversity and the aesthetic appeal of the Coffs Harbour rural and natural areas are important to existing and future residents and visitors.

**TOPOGRAPHY**

The topography of the Coffs Harbour LGA varies from steep to undulating in the west to flat along the coastal strip. The steep land comes to the western edge of the urban area of Coffs Harbour.

The topography of an area is important because land with a slope can become unstable and when the soil is disturbed, can lead to erosion. A lot of sloping land is also heavily vegetated which becomes an important consideration for the future use of the land.

Traditionally, bananas have been grown on the hilly land around the Coffs Harbour urban area and to the north, however this is now being replaced by blueberries. The bananas have caused erosion in the past and this is still an issue for the growing of blueberries.
The native vegetation of the LGA is an important resource that is essential to ecological and land management as well as contributing to the visual landscape of the LGA. It is an important component of the LGA as it provides habitat for native flora and fauna as well as being a landscape and visual feature.

There are a significant number of Endangered Ecological Communities (EECs) in the LGA. There are also a number of endangered fauna, the most iconic being the Koala. The Background Report has mapped these EECs and the extent of koala habitat. This habitat is under threat from urban expansion, rural living and large lot residential use as well as agricultural pursuits. Other threats emanate from hunting by feral and domestic predators, introduced diseases, road kill and through the construction of barriers which limit fauna’s ability to move to other habitat areas.

Council has zoned the most important areas of koala habitat as E2 Environmental Conservation zone. Removal of vegetation in this zone requires development consent and there are additional provisions in Council’s Development Control Plan (DCP) 2015 to protect this threatened species.

Clearing of native vegetation is currently controlled by the Native Vegetation Act 2003 which requires consent to be obtained from the Local Land Services. In the Coffs Harbour LGA, if the land is zoned E2 Environmental Conservation consent is required from Council under the provisions of the LEP and DCP for matters which may otherwise be exempt under the Native Vegetation Act 2003. This does not create a ‘dual consent’ situation however this is a common misconception amongst the community.

It should be noted that the NSW Government has recently exhibited land management and conservation reforms to support landholders to manage their land to ensure more productive farming methods and systems, and deliver improved environmental outcomes. These reforms impact the regulations controlling the clearing of Native Vegetation with a new native vegetation regulatory map that will give clarity and certainty about managing vegetation. The implications of the reforms are still unclear however the legislation is expected to come into force in mid-2017.

Legislation and restrictions was an area of concern discussed at the community workshops however non-compliance with planning and environmental legislation is an ongoing problem within the intensive plant agricultural sector. Common issues are:

- illegal clearing of native vegetation;
- clearing of riparian vegetation;
- land and water pollution from poor fertiliser and chemical use practices;
- poor or absent erosion and sediment control; and
- high water use leading to downstream impacts such as dry creeks and loss of habitat for native flora and fauna.

These reforms impact the regulations controlling the clearing of Native Vegetation with a new native vegetation regulatory map that will give clarity and certainty about managing vegetation. The implications of the reforms are still unclear however the legislation is expected to come into force in mid-2017.
Private Native Forestry (PNF) is a common use of vegetated rural land with the 2016 Regional State of the Environment Report for the North Coast Region of New South Wales stating that, ‘since 2007, private native forestry in the North Coast region has increased significantly. Of the 2,916 PNF agreements approved in NSW between 2007 and June 2015, 69.4% were in the reporting region, covering 49.7% of the total area under PNF agreements in NSW (EPA Public Register 2016)’.

Private Native Forestry can impact heavily on threatened species with analysis revealing that of the almost 19,370 hectares of Koala Habitat in the Coffs Harbour LGA, up to 23% are covered by PNF approvals. It is noted that Council does not receive mapping data to indicate how much of a property might be affected by a PNF approval and as such that this percentage might be somewhat magnified. However given the PNF approval usually covers the vegetated areas, and that these same areas are koala habitat, the figure is likely to still be representative. It should also be noted that only a fraction of these approvals have been enacted. Given that a PNF approval lasts for 15 years the impact and legacy of these approvals cannot be underestimated.

The 2016 Regional State of the Environment Report for the North Coast Region of New South Wales also noted that ‘during consultation with councils in the reporting region in 2012, a number reported that they considered private native forestry to be the biggest threat to biodiversity’. With additional issues relating to PNF being raised in 2016 including, ‘Approvals being issued on land designated as koala habitat’ and ‘Failure to adhere to the PNF Code of Practice’.

Some land holders are under the misconception that the zoning of land for E2 Environmental Conservation has disallowed landowners to continue private forestry in accordance with permits already issued. As existing use rights apply this is not the case.

The issue of Council having additional restrictions on land clearing was a matter that was raised as being of high priority at all of the community workshops.
WHAT THE COMMUNITY SAID

• There is a dual consent requirement for land in the E2 Environmental Conservation zone which is a duplication of red tape. (Note, this is not correct).
• Rezoning of land for Large Lot Residential development has taken land that once grew blueberries but there isn’t any ability to clear land to compensate for this loss.
• Expansion into previously uncleared forest areas as land becomes less available will see a dramatic impact on the region’s landscape and biodiversity.
• Rural land should be supported to sustain and grow local food and fibre, without environmental restrictions.
• Intensive plant agriculture should be required to lodge a DA to reduce impacts on neighbouring properties and the environment.
• An investigation into the amount of illegal clearing for intensive plant agriculture should be undertaken.
• Vegetation management practices for any future large lot residential areas should be consistent with bushfire legislation.
• Need to recognise existing uses of rural land and zone accordingly.
• If government limits an owner’s use of a forested property by regulation there should be compensation.
• Waive or reduce rates for landowners with forested lands.
• Simplify regulations on forested land.
• Offsets should not be required for clearing a building envelope of blocks that are largely forested.
• Remove all environmental zones from land zoned rural.
• Use the updated vegetation mapping to inform zoning.
• More restrictions on intensive plant horticulture will set a precedent for all horticultural production regardless of scale.

OPTIONS TO CONSIDER

• Review the current environmental zoning throughout the LGA.
• Review environmental controls in Coffs Harbour LEP 2013 and DCP 2015 with the commencement of the land management and conservation reforms.
• Review controls in Coffs Harbour LEP 2013 and DCP 2015 to assist with the regulation of intensive plant agricultural industries. Investigate reducing rates for land zoned Environmental Conservation.
• Review the Coffs Harbour Koala Plan of Management 1999.
Farming in Coffs Harbour uses water for irrigation – especially horticulture. This is both irrigated from dams that are used to collect water from the property and direct from watercourses. Blueberries require amongst the highest water volumes of any fruit and due to the relatively small size of blueberry farms, the holdings are not large enough to allow for a sufficiently sized dam.

Common issues in relation to water use and impacts by the intensive plant agricultural sector include:

- illegal dam construction;
- excessive water extraction;
- land and water pollution from poor fertiliser use practices;
- spray drift impacting neighbours, workers, and water supply; and
- inappropriate chemical use and storage.

The NSW Farm Dams Policy controls the size of the dam which is based on a calculation using the property size and runoff with the farmer being able to capture 10% of the runoff. This is called the ‘harvestable right’ for constructing dams. However, the blueberry and banana industries have reported that the policy does not enable sufficient water to be captured to enable enough water to irrigate their crops.

A typical blueberry farm only requires 2 – 3 ha of production and if a farm has a total size of 5 – 10 ha this does not allow for the creation of an adequately large enough dam using the harvestable right calculations under the Farm Dams Policy administered by the Department of Primary Industries - Water.

Extraction from creeks appears to be exceeding the allocations set by DPI Water in many coastal creeks. Solitary Islands Marine Park staff have monitored the opening and closing frequencies of the coastal lagoons since 1991 and have seen a reduction in the flushing of the coastal lagoons since 2010 when the blueberry industry was established along the coastal creeks.

The Solitary Islands Marine Park is the third largest marine protected area in New South Wales. It covers a total area of 71,000 hectares and extends along 75 kilometres of coast, from Coffs Harbour north to the Sanden River mouth. The park is home to a huge diversity of marine life and is an important tourism attraction that should be protected.

The downstream impact of water harvesting has to be considered. If more water is used for irrigation with larger dams or by increased extraction, this could have an impact on the amount of water available to downstream users and the natural environment. Any review of the Farm Dams Policy will have to lead to a sustainable outcome for the environment as well as the farming sector.

In addition to the water use issues, elevated levels of nutrients, and algal blooms, have been found adjacent to intensive plant agriculture, and there is preliminary evidence of increased heavy metals. This is a concern for many in the community.

The close proximity of intensive plant agriculture to residences, sometimes mere metres, with no buffers is also a concern. Spray drift may impact drinking water as rural residences primarily use either rainwater
WATER USE AND IMPACTS

(impacted by spray residue on roofs) or creek/bore water which may also be impacted.

Chemical use is of great concern to the community who have lived through health impacts from the spraying of chemicals in previous decades of banana growing. Recent floods have washed up chemical containers with hazardous materials and there have been reports of inappropriate chemical use such as spraying when there is wind and using the incorrect chemical for the purpose required.

There is the potential to use reclaimed water from the various sewerage treatment plants (STP) to water the blueberries; it being noted that this irrigation practice uses drippers that only water the roots.

WHAT THE COMMUNITY SAID

• There is not much history of irrigation practices and no water licencing for irrigation in the Coffs Harbour area.

• The harvestable rights (Farm Dams) policy does not take into consideration the local rainfall and size of property.

• The harvestable rights is different on the coast from the inland areas of NSW.

• Neighbouring landholders are concerned with the water quality and whether it is safe for domestic use.

• There should be a mandatory requirement for a buffer zone between blueberry farms and rural residential areas in regard to chemical spraying.

• Land clearing near environmentally sensitive areas and expansion of dams requires guidance from Council and other government bodies to ensure the protection of the area’s valuable resources.

• Intensive agriculture such as blueberry production should be required to lodge a development application which addresses environmental and amenity issues.

• A review by the NSW Department of Primary Industries into agricultural practices employed on blueberry farms is needed.
• Address the lack of sanitation facilities to prevent effluent pollution.

• Blueberry farming should be regulated with respect to netting, water runoff, spray drift and buffers.

• Development should be excluded along water courses.

• Further development in rural areas should be dependent on an adequate water supply, preferably town water.

• Increasing development in rural areas increases water harvesting and the number of effluent disposal systems.

• Blueberry farming has a poor record in regards to land and water management.

• Blueberry farming requires high levels of chemical which are polluting our waterways.

• Water should be used equitably, under licence and in accordance with the laws.

• Intensive plant agriculture is incompatible with rural residential areas due to the chemicals used.

• Polluted runoff from agricultural land and reduction of water flows may impact the Solitary Islands Marine Park.

OPTIONS TO CONSIDER

• Request the Department of Primary Industries to review the Farm Dams Policy to allow for irrigation on small holdings such as horticultural crops.

• Allow for reclaimed water to be piped to irrigate blueberry farms in an environmentally sustainable manner.

• Review controls in Coffs Harbour LEP 2013 and DCP 2015 to assist with the regulation of intensive plant agricultural industries.

• Request DPI – Water to increase investigations and compliance for water use associated with the intensive plant agricultural industry.

• Request DPI to undertake more education for responsible farming in the intensive plant agricultural industry.
Weeds are a common problem in rural areas and their control causes a large cost to the farming sector nationally. This is an issue in both the coastal and inland parts of the rural lands. In a lot of cases, people who move onto rural living lots do not understand the importance of weed control.

The issue of weed control on private and State Government owned land was an issue raised at the community workshops.

It has been reported that weeds are not controlled in National Parks and State Forests and that they have the potential to escape into surrounding farmland. It must be recognised, however that the agencies do control weeds within the limited resources allocated.

This was mentioned by the community as a priority during the community workshops.

**OPTIONS TO CONSIDER**

- Educate the community about the impact of weeds on farmland.
- Work with State Forests and National Parks to effectively control weeds within the boundaries of the State Forest and National Parks.
- Increase resources for Noxious Weed Management.
- Incorporate Noxious Weed controls into Coffs Harbour Development Control Plan 2015.

**WHAT THE COMMUNITY SAID**

- **Weeds are not contained because people don’t maintain their land.**
- **It is considered to be a farmer’s problem, not an urban one as well.**
- **Weed infestation are occurring on properties not being farmed anymore.**
- **Weeds are growing in the State Forests and have the potential to escape into surrounding farmland.**
- **A more comprehensive weed infestation approach is needed that helps fund and support landowners to control noxious weeds and protect waterways.**
- **Weeds are a costly problem for both the environment and agriculture, hopefully biodiversity reforms will assist.**
- **Council should be more proactive in implementing the Noxious Weed Act across all tenures.**
Governance is the process or system of making decisions about an issue and how that decision is implemented. In relation to the rural lands of Coffs Harbour, governance refers to the ways that the Council and Government Agencies relate to the rural community.

Good governance is about the process for making and implementing decisions, it is not just about making the correct decision. Rather, it is about the best possible process for making that decision. Good governance has a number of key characteristics, including accountability, transparency, responsiveness, being equitable and inclusive, efficiency, participatory and following laws and policies.

Good governance is an important aspect of any strategic planning exercise and its effectiveness is ultimately in the development of transparent and relevant policies and strategies for the rural lands of the Coffs Harbour LGA. It is also about ensuring that policies and strategies that are developed are sustainable and allow for a range of uses to exist in harmony with each other and the environment.

Council has a duty of care to ensure that development does not harm the environment or causes land use conflict and loss of amenity by existing residents. For this reason, calls from some parts of the community to get rid of red tape for the sake of development expediency need to be treated with caution.

Good governance requires that Council decisions have a net community benefit by considering social, economic and environmental aspects and not be swayed by vocal and frequent calls for change, but by those with the most merit to the community as a whole. It also requires Council to demonstrate a ‘duty of care’ to ensure its policies and decisions are well justified and safe for residents now and in the future.

**WHAT THE COMMUNITY SAID**

- Regulation and red tape from Council are a constraint to development.
- Inequity in dual consent for native vegetation from Government Agencies and Council.
- Growers market impedes growers from selling food. Fruit and vegetable can only be sold by two stallholders. So things like beans can only be sold by two stalls.

**OPTIONS TO CONSIDER**

- Streamline the processes, particularly for clearing of native vegetation.
- Council should be supportive in providing advice about how to do things and not telling customers they can’t proceed or do it.