

31 January 2022

Agricultural Land Use Planning  
NSW Department of Primary Industries  
Locked Bag 21  
ORANGE NSW 2800

cc: Hon. Dugald Saunders, Minister for Agriculture and Western New South Wales.  
Hon. Anthony Roberts, Minister for Planning and Minister for Homes  
Mick Cassel, Secretary Department of Planning and Environment

Online submission

## **Draft State Significant Agricultural Land Map**

To whom it may concern

### **Introduction**

I write in relation to the Draft State Significant Agricultural Land Map (Draft SSAL Map) exhibition package, prepared by the NSW Department of Primary Industries (the Department), which has been made available for comment.

The mapping program to identify State Significant Agricultural Land (SSAL) is understood to be in its early draft stage. However, the draft Map as exhibited has generated considerable consternation among Urban Taskforce members. The level of inconsistency with State and Council plans for urban exposition results in uncertainty and unnecessary confusion.

The currently exhibited map is extremely inaccurate. This is recognised and acknowledged by the DPI team.

### **Current draft map is inconsistent with published land use plans.**

In its current form, the Draft SSAL map does not consider all of the available information. The map uses only select criteria for land identification, such as certain biophysical characteristics and irrigation, and much of this data varies in quality across the regions in NSW.

Urban Taskforce is concerned that the Draft SSAL Map appears to have been developed with the intention of maximising the identified SSAL land. For example, the threshold for SSAL slope has been increased to 32% to maximise the 'blue' areas on the map even though these areas include lands that are prone to erosion.

Previous documents, including the *State and Regionally Significant Farmland 2005* and the *Biophysical Strategic Agricultural Land 2014*, identified SSAL areas with a slope of up to 15% and 10% respectively. This is because steeply sloping lands (20–33% slope) are classified as Class 6 in the *Land and soil capability assessment scheme: A general rural land evaluation system for New South Wales*. This class of land “has severe to very severe site limitations for grazing and other land uses.”

The approach taken with the map as exhibited results in the identification of important agricultural land regardless of conflict with alternative land use designation. Urban Taskforce members have flagged numerous examples of sites that are wrongly identified in the Draft SSAL Map.

By way of example:

- Urban land in the West Dapto Urban Release Area being identified as state significant agricultural land.
- In Lowes Creek Maryland, at least 6 separate ‘blue’ SSAL areas on the map identify land which has already been rezoned.
- In the Central Coast LGA, there are issues within the Wadalba South Urban Release Area.
- Similar problems exist in the urban growth areas in Wollondilly Shire Council – there are several parcels of residentially zoned land in Appin, as well as land in Wilton which has been earmarked for rezoning as at 31 March 2022, that are mapped as SSAL in the draft map. The land in Wilton also has a skydiving airfield in the middle of it.

The cases brought to Urban Taskforce’s attention show that this is not an issue in one local government area but a state-wide problem.

Similarly, the buffer zones between SSAL and urban areas are not identified and there is no intention to address this issue in future. Even though it is well known that buffer zones are necessary, and in certain cases mandatory between farmland and urban areas, DPI refuses to include this information.

DPI has advised that buffer zones will not be included so that future iterations of local and regional plans direct urban growth away from the areas identified by the SSAL Map.

Leaving the buffer zones out will inevitably lead to more land use conflict. The irony is that the map aims to reduce land use conflict in NSW but with the current approach, the Draft SSAL Map will likely increase tensions between government, local communities, farmers and developers.

The Draft SSAL Map must be aligned with all other strategic planning documents on a state, regional and local level. As per the recommendation in the NSW Government Regional Housing Taskforce Recommendations Report from 2021: “There is a need for improved upfront strategic planning to resolve issues earlier in the planning process, including better alignment of the work of planning and other State agencies.”

**Recommendation 1: The Urban Taskforce recommends that the DPI's team is tasked with revising the map to ensure that all urban growth areas – current and future are excluded from the SSAL. This process should be done diligently, thoroughly and throughout the entire territory of NSW.**

### **Resourcing of the Project**

The DPI team working on this project is under resourced and appear not to have the time to prepare precise mapping.

DPI advise that they *“don't have resources to look at every single property and mark where production is occurring at that point in time.”* Further, the DPI team also acknowledge that they do not have local knowledge for the areas they are mapping. This is a serious problem that should be addressed within DPI if this project is to proceed.

The process of finalising the Draft SSAL map requires rigour and resources.

Urban Taskforce strongly objects to the apparent choice of methodology where a poor map is exhibited and industry is asked to effectively perform a quality control function for DPI. Crowdsourcing quality control of Government policy is not appropriate. A quality assurance process must be in place if DPI is to create a useful and reliable map which will help reduce land use conflict in NSW.

**Recommendation 2: The Urban Taskforce recommends that DPI evaluates the scope of the task and allocates appropriate resources so that an accurate and useful draft Map is produced.**

**Recommendation 3: The Urban Taskforce urges DPI to implement necessary quality assurance processes to ensure a higher level of accuracy of the draft map and not solely rely on “crowdsourcing expertise”.**

### **Current map risks misleading communities**

It must be made clear to all stakeholders, particularly councils in NSW, that this draft map should not be used to undermine the growth of urban development. Councils and NSW government agencies must be explicitly instructed not take the draft map into consideration.

Furthermore, the community and industry should be made aware that the currently mapped SSAL area is very likely to significantly change. In further consultations with local communities and businesses, it must be clear that changes have risen as a result of the correction of errors and inconsistencies with government plans and policies.

**Recommendation 4: The Urban Taskforce recommends that DPI should formally advise stakeholders that the draft map is an early iteration and it should not be used until finalised. Until then, existing published land use planning documents prevail.**

## **What is the point of this?**

The lack of direction and poor development of the draft map as exhibited is, in part, explained by the lack of policy clarity behind it. The publication of the draft map was not supported by any explanation of how and by whom it should be used.

Urban Taskforce members are concerned about the possible future use of this map and would like to understand the policy objectives.

We note that the NSW Agriculture Commissioner's Report, "Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System," recommends that a State Significant Agricultural Land Use Planning Policy (SSALUP Policy) is drafted. This represents the starting point of a long process which will include consultation and a **phased** adoption process of the statutory document (Recommendation 1 in the Report). The still-to-be-drafted policy will then need to be supported by a SSAL Map (Recommendation 3).

We note that the projected timeline is for a draft SSALUP Policy to be exhibited in April/May 2022. It is unclear why the order has been changed and the map is put on exhibition without a draft policy.

The policy must be informed by a whole of government response. The Urban Taskforce strongly recommends that the development industry if consulted during the early development of this policy rather than asked to provide feedback once the policy is drafted.

**Recommendation 5: The Urban Taskforce recommends that the policy is drafted and the point of the exercise is made clear (before the map is completed) and that the consultation process includes the development industry.**

## **Economic analysis is essential for the identification of State Significant Agriculture Land**

The development of the SSALUP Policy will also assist in solving yet another problem with the Draft SSAL Map.

The Draft SSAL Map currently relies on the best **available** datasets. This poses a methodological problem in that the outcome will only be as good as the currently ready-made information.

Instead, the development team should identify which information is necessary to create an accurate, useable and useful map and then, in case the information does not exist, DPI should create and collate those datasets to produce an accurate map.

It is difficult to understand how land can be identified, even in a draft map, as 'State Significant Agriculture Land' without any effort to assess economic viability. A significant work needs to be undertaken to produce analysis which will outline the economic viability of the agricultural land – even if this is done at a strategic or regional level.

The SSAL Map will have economic implications. It picks winners as to which parcels must be protected and where urban growth will be **prohibited**. If the objectives of this process are for the agricultural sector to achieve further regional growth and to meet its agricultural production targets then it is unclear why economic analysis is not currently a factor in identifying SSAL lands.

**Recommendation 6: DPI should create the scope, identify specific datasets which are necessary for the SSAL map – regardless of whether or not they are available – and proceed to create the planning tool.**

### **Final remarks**

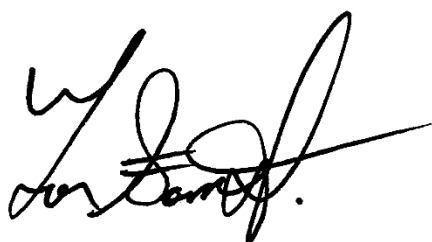
DPI's position is apparently that any SSAL map, even an inaccurate one, is better than having no map at all. The Urban Taskforce objects to this view and believes that is a poor planning practice causing confusion and uncertainty.

Ultimately, the SSAL map will make it harder for Councils to rezone land for future housing. DPI seems to underestimate the risk of some local activists and some councillors in NSW to weaponize the SSAL map and be used to provide arguments against urban growth areas. This draft map runs the serious risk of stopping housing supply on urban fringes across the State.

Therefore, if DPI does not change its view and its approach in developing the SSAL map, then this initiative will likely become another restrictive layer in the planning system which will prevent the much-needed development of housing in NSW.

The Urban Taskforce remains hopeful that the issues raised in this submission can be addressed. We look forward to additional engagement with DPI in further development of the map and its associated SSALUP Policy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Forrest', written in a cursive style.

**Tom Forrest**  
Chief Executive Officer