



QUEENSLAND FARMERS' FEDERATION

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Submission

10 February 2017

The Hon. Jackie Trad MP
Deputy Premier
Minister for Infrastructure, Local Government and Planning; Minister for Trade and Investment
c/- State Interest Feedback
Planning Group
Department of Infrastructure, Local Government and Planning
PO Box 15009
CITY EAST QLD 4002

Via email: planningpolicy@dilgp.qld.gov.au

Dear Deputy Premier

Re: Review of the Planning Regulation, State Planning Policy and State Development Assessment Provisions.

The Queensland Farmers' Federation (QFF) is the united voice of intensive agriculture in Queensland. It is a federation that represents the interests of 15 of Queensland's peak rural industry organisations, which in turn collectively represent more than 13,000 primary producers across the state. QFF engages in a broad range of economic, social, environmental and regional issues of strategic importance to the productivity, sustainability and growth of the agricultural sector. QFF's mission is to secure a strong and sustainable future for Queensland primary producers by representing the common interests of our member organisations:

- CANEGROWERS
- Cotton Australia
- Growcom
- Nursery & Garden Industry Queensland
- Queensland Chicken Growers Association
- Queensland Dairyfarmers' Organisation
- Burdekin River Irrigation Area Committee
- Central Downs Irrigators Limited
- Bundaberg Regional Irrigators Group
- Flower Association of Queensland Inc.
- Pioneer Valley Water Board
- Pork Queensland Inc.
- Queensland Chicken Meat Council
- Queensland United Egg Producers
- Australian Organic.

The united voice of intensive agriculture



QFF welcomes the opportunity to participate in the state government's review of the Planning Regulation, State Planning Policy and State Development Assessment Provisions, to ensure the state's interests in plan making and development assessment are clearly, accurately and appropriately expressed.

Summary

QFF supports the revised **State Planning Policy**, particularly the agriculture state interest. However, QFF considers that there must be a more consistent approach to the protection of agricultural land; intensive animal industries should be included in the emissions and hazardous activities state interest as existing and approved land uses that should be protected from encroachment by development that would compromise their ongoing operation and production; and issues affecting large packing sheds should be addressed in the state planning policy guidelines.

QFF supports the inclusion of the urban encroachment provisions in Part 8 of the draft **Planning Regulation 2017**, but believes the process for registration of premises are excessive and duplicate the environmental licencing process that Environmentally Relevant Activities (ERAs) such as poultry farms have already undergone in order to operate in their current location.

QFF strongly suggests that there is an urgent need for a state code for the assessment of large-scale solar photovoltaic facilities in the **State Development Assessment Provisions** to ensure the impacts of these new activities are adequately assessed. QFF addressed this issue separately in a submission on 20 January 2017.

Large scale poultry farms should continue to be assessed by the State Assessment and Referral Agency (SARA) against a state wide code that addresses planning matters.

State Planning Policy

QFF is generally supportive of the revision of the agriculture state interest contained in the draft state planning policy. However, there must be a more consistent approach to protecting agricultural resources.

Protecting agricultural resources

QFF is increasingly concerned at the uncoordinated and inconsistent approach to the protection of agricultural resources afforded by the various pieces of legislation and policy that affect this issue. There are now very different approaches applied to the protection of agricultural land between the *Planning Act 2016* (PA) and the *Regional Planning Interests Act 2014* (RPIA) depending on whether a development proposal is for urban development (and other development under the PA) or resource development.

There is also the added confusion of different classifications of prime agricultural land between these approaches despite the fact that the various classifications have been derived from the same mapping base. There is an urgent need to rationalise the various land classifications — Important Agricultural Areas, Agricultural Land Class (ALC) class A and class B lands, Priority Agricultural Area (and Priority Agricultural Land Use) and Strategic Cropping Land — so that there is a single land classification that applies consistently to any assessment process for the protection of prime agricultural land. A standardised, simpler agricultural land classification framework will help ensure highly productive and irreplaceable agricultural land is protected while realising better planning outcomes.

QFF is concerned that very different outcomes are possible in the assessment of development proposals depending on whether the proposal is for a resource activity or urban development. In the case of resource activities, there is a presumption of approval of the activity provided the proponent is able to successfully negotiate a coexistence agreement with the landholder and the ability to set mitigation conditions on an approval. Under the PA, there are no provisions for compensation to the community or mitigation measures to offset the loss of agricultural land.

QFF urges the adoption of mitigation measures under the PA similar to those under the RPIA so that the losses of agricultural land to urban development can be mitigated consistently on either a regional or state basis.

Intensive animal industries

The Emissions and Hazardous Activities state interest includes important principles for the location and design of hard-to-locate industries and the protection from encroachment of incompatible development. QFF is of the strong view that intensive animal industries that are ERAs should be included in this state interest so that planning and approvals are consistent with the other activities that have the potential to impact on sensitive land uses.

Large packing sheds

Large packing sheds shared by a number of producers are becoming more common in intensively farmed areas of Queensland. Producers are finding it increasingly difficult to obtain approval for the construction of these facilities due to their size and location on agricultural land.

Packing and processing facilities located on farms are important links in the value-adding process for agricultural products and should be provided for in land use planning policies and local planning schemes.

It is important that planning policy documents and their supporting guidelines provide clear guidance for the preparation and content of local planning schemes so that issues that are common across local governments are addressed in a consistent and effective way.

It is recommended that the *State Planning Policy – state interest guideline for Agriculture* include relevant guidance on the assessment of applications for large packing and processing facilities to ensure that these facilities are located appropriately, not subject to excessive assessment processes and agricultural land continues to be protected from inappropriate development.

State interest guidelines that support the state planning policy should include specific information for the treatment of value-adding facilities for agricultural production on farms. These provisions should ensure that these facilities avoid or minimise their impact on agricultural land and that proposals are not subject to excessive assessment processes as well as preventing the loss of agricultural land to inappropriate development. The following recommendations are made:

1. Code and impact assessment

The threshold area of packing and processing facilities that trigger impact assessment should be set at 2,000 m² of gross floor covered area; and at 4,000 m² for any associated outdoor area on the premises for transport and vehicle parking.

2. Definition of packing and processing sheds

The definition of value-adding facilities (Rural Service Industry) for agriculture should be restricted to those that process local and regional agricultural produce and preclude facilities that are not related to agricultural production.

3. Minimise location on agricultural land

All value-adding facilities regardless of size should avoid having a material impact on agricultural production but where it can be demonstrated that alternative locations are not available, the location of such facilities on ALC Class A or Class B land is acceptable.

Planning Regulation

Urban encroachment

The Urban Encroachment provisions in the Planning Regulation 2017 (Part 8) are an important provision to protect existing, lawfully operating industries from the encroachment of incompatible land uses that, through complaints over noise, dust, odour or light impacts, have the potential to limit or shut down these industries. From QFF's perspective, these provisions are important for large scale poultry farms that are ERAs and operate under an environmental authority often in urban fringe areas where urban development is encroaching or has the potential to encroach.

The requirements for application for registration of a premises are set out in section 53 of the regulation. QFF believes that for an activity that is a prescribed ERA under the *Environment Protection Act 1994*, requirements (g) and (h) are excessive and unnecessary as this information duplicates information set out in the environmental authority for the activity at the location. Requirements (g) and (h) should not apply to applicants operating under a current environmental authority for carrying out the activity.

Poultry farms

Furthermore, QFF strongly supports the retention of poultry farms with >200,000 birds as a concurrence ERA as defined in section 11 of Part 10 Environmentally relevant activities. This is necessary to ensure that the state interest in protecting the environment is carried out in a consistent manner. If not a concurrence ERA, development proposals for these activities would be assessed by each local government, resulting in an inconsistent approach and potential outcomes contrary to the state interest.

State Development Assessment Provisions

There are two matters of interest to QFF in the SDAP. These are large-scale solar farms and large-scale poultry farms (>200,000 birds).

Solar farms

With regard to solar farms, QFF formally requests that the state government immediately embarks on the development of a 'Large-Scale Solar State Code and Planning Guideline' to address an emerging number of issues associated with these new developments. Additionally, that planning for all large-scale photovoltaic facilities is impact assessable, rather than code assessable. Local Councils do not have the expertise or resources to assess these developments or ensure compliance with planning conditions should project proponents fail to comply with their obligations. This matter is the subject of a separate submission on the SDAP.

Poultry farms

With regard to poultry farms, QFF reiterates its support for the retention of a large-scale poultry farm as a 'concurrence ERA'. This is important to ensure that the state interest in protecting the environment is adequately addressed and that assessment of these proposals is carried out in a consistent manner through the application of the expertise available to state agencies and that decision outcomes are



consistent and not in conflict with decisions regarding an environmental authority for these activities. QFF contends that this would be best achieved by restricting the state wide code to planning matters and have environmental impact matters addressed through the EA process only.

If you require further clarification or have questions about this submission, please contact Michael Capelin on (07) 3837 4720 or email mick@qff.org.au.

Yours sincerely

Travis Tobin
Chief Executive Officer