



QUEENSLAND FARMERS' FEDERATION

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Submission

30 November 2018

Western Downs Regional Council
Western Downs Planning Scheme Submission
Attention: Strategic Planning
PO Box 551
DALBY QLD 4405

Via email: strategic.planning@wdrc.qld.gov.au

To Whom It May Concern

Re: Amendment 1 to the Western Downs Planning Scheme

The Queensland Farmers' Federation (QFF) is the united voice of intensive agriculture in Queensland. It is a federation that represents the interests of peak state and national agriculture 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 farmers by representing the common interests of our member organisations:

- CANEGROWERS
- Cotton Australia
- Growcom
- Nursery & Garden Industry Queensland (NGIQ)
- Queensland Chicken Growers Association (QCGA)
- Queensland Dairyfarmers' Organisation (QDO)
- Australian Cane Farmers Association (ACFA)
- Flowers Australia
- Pork Queensland Inc.
- Queensland United Egg Producers (QUEP)
- Bundaberg Regional Irrigators Group (BRIG)
- Burdekin River Irrigation Area Irrigators Ltd (BRIA)
- Central Downs Irrigators Ltd (CDIL)
- Pioneer Valley Water Cooperative Ltd (PV Water)
- Queensland Chicken Meat Council (QCMC).

QFF welcomes the opportunity to provide comment on the proposed planning scheme amendments to the Western Downs Regional Council Planning Scheme. QFF provides this submission without prejudice to any additional submission provided by our members or individual farmers.

The united voice of intensive agriculture



Summary

- Class A Agricultural Land must never at any time be converted to industrial use unless there is no site available elsewhere that is suitable. This is a fundamental principal which is set down as policy in the Darling Downs Regional Plan and State Planning Policy. Unnecessary and pre-emptive conversion is detrimental to the Queensland public interest and environment.
- The production value of rural land is vulnerable to biosecurity problems arising from emissions and hazardous activities. Rural land is not a suitable buffer for Industrial Activities. Any buffer zones required for High Impact Industry should be located within the designated industrial land.
- Rural residential land use should never be located on ALC Class A or B land regardless of the identified need for this land use.

Grounds:

- The proposed amendments do not adequately provide for the protection of agricultural land as required by the *Planning Act 2016*.

Issue 1: Proposed amendments to facilitate High Impact Industry

The WDRC Industrial Land Use Strategy report at 5.2 states *“While the planning scheme acknowledges that inconsistent uses such as High Impact Industry or Special Impact Industry may be supported where sufficient planning merit and compliance with the strategic framework can be demonstrated, this process may be sufficiently onerous for a proponent to look elsewhere, particularly given the current economic climate and competition for investment.”*

The report 5.2.1 further states: *“To encourage the establishment of High Impact Industrial Uses within the WDRC area, it is recommended that the potential barriers and disincentives to investment be removed. As such, it is recommended that High Impact Industry Zone be introduced to the Planning Scheme.”*

The outcome of this recommendation should not result in less onerous requirements on proponents of High Impact Industry, particularly those provisions intended to protect agricultural land and the impacts of this land use on neighbouring lawful pre-existing uses.

The report at 5.3 states WDRC will pursue a strategy actively promoting the region to attract high impact industry, well beyond the limited amount of high impact industry that is otherwise required in the region as support for the agricultural and resource sectors. At 3.5 the report states these are high impact industries which due to their noxious and/or hazardous nature are of a type that are not in general welcomed by other SEQ local governments.

The State Planning Policy requires Important Agricultural Areas to be protected from those industries, to safeguard for future generations the limited amount of highly productive land available in Queensland.

The WDRC Planning Scheme at 3.2.2.4 (2) states that: *Agriculture, forestry and fishing represents approximately 25% of the Western Downs economy and therefore the protection of this sector from competing impacts and alienation and fragmentation is necessary to maintain a healthy long-term economy.*

Furthermore at 3.3.9.2 (4) the planning scheme states that: *Industrial development within the Future Industrial Area identified on Strategic plan Map 1 - Settlement Pattern must be supported by detailed land use investigations that must demonstrate:*

- (a) need for additional industrial land;*
- (e) where involving ALC Class A and B land:*

- i. there is no alternative land available that is not ALC Class A and B land; and*
- ii. overriding need for urban purposes represents a public benefit.*

The planning scheme amendment proposes to permanently change the rural zoning of a significant area of Important Agricultural Land by converting it to high impact industrial use, to advance itself over and above the interest of other local governments, the state and the public.

WDRC already enjoys a significant advantage over many local government areas by encompassing a significant amount of the Important Agricultural Area of the State, and a large area of Agricultural Land Class A & B. In addition, it has significant resources under development (e.g. coal seam gas, coal mining). Given these advantages and ambitions at the expense of the public and the state, it is submitted that the WDRC already has the mechanism to locate High Impact Industry when necessary under the WDRC PS, and that any proposed inclusion of High Impact Industry should not proceed without the thorough investigation of alternative locations as required by the State Planning Policy and the WDRC planning scheme.

State Planning Policy - Agriculture

If approved, the proposed amendments potentially contravene policies in the SPP.

Policy 1 - "Considering the strategic economic significance of important agricultural areas by promoting and optimising agricultural development opportunities and enabling increased agricultural production in these areas."

- Non-essential industries will be prioritised, promoted and optimised, by WDRC at the expense of agricultural production, which can be nothing other than reduced if the WDRC PSA is approved.

Policy 2(b) - "Protecting Agricultural Land Classification (ALC) Class A and Class B land for sustainable agricultural use by: (b) avoiding locating non-agricultural development on or adjacent to ALC Class A or Class B land"

- Cropping activities will be restricted and production reduced by the WDRC PSA, as the requirement for agricultural activities to be conducted and sufficient internal lot buffering of high impact industry has not been addressed in the WDRC PSA. Assessment benchmark WDRC PSA 6.2.7.3 specifies an acceptable outcome boundary setback for a High Impact Industry building against any lot boundary (including those with rural use neighbours such as cropping, which necessarily operate heavy machinery as part of day to day operations) are: road frontage 6 metres rear boundary 3 metres side boundary 2 metres. These distances are inadequate.
- Amenity, production and existing operations of the agricultural land use operator, in addition to chain of responsibility and workplace health and safety outcomes will be severely impacted, with a subsequent reduction in gross income which will flow through the local and state economy. This reduction in agricultural output and economy is not in the public interest.

Policy 4 - "Facilitate the growth in agricultural production and a strong agriculture industry"

- Any unnecessary reduction in agricultural activity will erode the local agricultural support industries and supply chain, with a resultant negative flow on impact through the local and state economy. Less tonnes, bales or meat produced will mean less jobs and less tax paid and less export dollars somewhere throughout the supply chain.

Policy 4(a) - "Considering the value and suitability of land for current or potential agricultural uses when making land use decisions."

- WDRC is proposing to permanently convert highly productive, Important Agricultural Area Class A Agricultural Land capable of producing food and fibre long into the future, for a purpose other than those specified by the DDRP and by the State in the State Planning Policy.

Policy 4(c) - *“Locating new development (such as sensitive land uses or land uses that have biosecurity risks for agriculture) in areas that minimise the potential for conflict with existing agricultural uses through the provision of adequate separation areas or other measures.”*

- WDRC PSA 6.2.7.2 (1) in reference to High Impact Industry *“The zone accommodates a wide range of industrial uses that are likely to have significant adverse off-site impacts”*. Almost all agricultural produce or a component thereof is sold as food. Cotton is regarded as a fibre crop and is a significant oil seed crop. All food is extremely vulnerable to biosecurity issues including contamination by industrial emissions and waste.
- The predominant land use in the Western Downs Region is agriculture. Rural use and rural zones are in effect proposed to be used by the WDRC PSA as a “free” buffer between industrial and “sensitive” land uses.
- Agricultural industry is subject to an increasing level of quality assurance and traceability. For example, to sell Mung Beans in Australia a declaration must be given

Emissions and Hazardous Industries

Policy 2 *“Locating and managing development for activities involving the use, storage and disposal of hazardous materials and hazardous chemicals, dangerous goods and flammable or combustible substances to avoid or mitigate potential adverse impacts on surrounding uses, and minimise the health and safety risks to communities and individuals.”*

- State policy preference is for High Impact Industry to be surrounded by Medium then Low Impact Industrial Zoning, to buffer other uses from adverse impacts. The WDRC PDA High Impact Industry provisions make little or no reference to this, disregarding the vulnerability of agricultural land use to contamination and other biosecurity issues which arise from proximity to high impact industry. This is not an acceptable outcome. Rural land is not a buffer for High Impact Industry.

Policy 3(f) *“Protecting the following existing and approved land uses or areas from encroachment by development that would compromise the ability of the land use to function safely and effectively: (f) industrial land in a state development area (SDA), or an enterprise opportunity area or employment opportunity area identified in a regional plan”*

- Introducing High Impact Industry into established Important Agricultural Areas on Class A Agricultural Land, without regard to buffering to Agricultural Land Use, will compromise the ability of the agricultural land use industry to function safely and effectively. Refer State Agriculture Policy at 4(c), above.

Issue 2: Rural residential development

The planning scheme amendment proposes to continue the following policy. 3.3.11.2 (2) *The Rural residential Investigation area identified on the Strategic plan Map 1 - Settlement Pattern indicates areas where the potential for future Rural residential development beyond the life of the planning scheme is to be investigated. Rural residential Investigation areas are not to be developed for Rural residential purposes unless the Rural residential land capacity of the relevant Rural residential Area has a supply of less than 10 years and is to be supported by detailed land use investigations that must demonstrate:*

(a) need for Rural residential land;

- (c) where involving ALC Class A and B land:*
- i. there is no alternative land available that is not ALC Class A and B land; and*
 - ii. overriding need for urban purposes represents a public benefit.*

Rural residential development should never be located on ALC Class A or B land. It is well established planning practice that there are no circumstances where rural residential development can demonstrate an overriding need in terms of public benefit to justify the loss of agricultural land. Even if a need for rural residential land can be identified, this should never override the need to protect agricultural land.



If no poor-quality agricultural land is available, the projected population increase should be accommodated within the urban designated area at appropriate densities.

It is recommended that 3.3.11.2 (2)(c) above be replaced by *“avoid ALC Class A and B land.”*

Yours sincerely

Travis Tobin
Chief Executive Officer