



Department of Primary Industries

OUT19/573

15 January 2019

Ms Liz Makin
Strategic Planning Manager
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Dear Ms Makin

**Planning Proposals – PP.2018.04, 2090 Sutton Rd, Sutton and
PP.2018.02, 2155 Sutton Rd, Sutton.**

Thank you for the opportunity to provide comment on the above two proposals in Sutton as per your correspondence dated 11th and 18th December 2019. The NSW Department of Primary Industries (NSW DPI) Agriculture provides advice to consent authorities about the protection and growth of agricultural industries and the resources upon which these industries depend to provide economic growth.

NSW DPI Agriculture has reviewed the documents provided including the planning proposals prepared by PHL Surveyors (30/10/18) and Capital Region Planning (December 2018) for both the 2090 and 2155 Sutton Rd, Sutton developments. The following comments are provided.

The rezoning of rural land to residential and rural residential land will result in the loss of 253ha of agricultural zoned land. The Policy for Maintaining Land for Agricultural Industries (PMLAI), 2011 and Right to Farm Policy are relevant. Although the land is suitable for grazing, it is also adjacent to the Sutton Village, opposite a rural residential estate and close to the ACT border, making it a strategic location for the residential expansion of the village. The proposal is also consistent with the Yass Valley Settlement Strategy, 2017 and Sutton Village Master Plan 2017.

The Right to Farm Policy is also relevant and refers to the desire by farmers to undertake lawful agricultural practices without conflict or interference arising from complaints from neighbours and other land users. The proposed rezonings should consider the risk of impacts to other agricultural industries by undertaking a land use conflict risk assessment in accordance with NSW DPIs LUCRA guideline that can be found on the web at

<https://www.dpi.nsw.gov.au/agriculture/lup/development-assessment2/lucra>

The soils on the sites are class VI Land and Soil capability that are highly erosive with high limitations to pasture establishment and issues associated with salinity. Management of those issues on the small (5000m² to 2.5ha in size) scattered rural residential lots will be difficult, if not impossible at 2090 Sutton Rd. The development is being promoted as an equestrian subdivision. However, 5000m² is insufficient to sustainably accommodate even one horse on site. 5000m² is based on the ability to sewer lots, rather than any consideration of sustainable stocking management. The 'Pastures for horses' primefact

(https://www.dpi.nsw.gov.au/data/assets/pdf_file/0011/109982/pastures-for-horses.pdf)

recommends a stocking rate of 1 horse per ha for the pasture type on the site. Many lots are smaller than the recommended 1ha per horse. The 2000m² lot size for 2155 Sutton Rd is appropriate if only for housing development. It is unclear whether the equestrian facilities on the 10ha community lot adjacent will include agistment. An assessment of the sustainability of 10ha of land for horses from the 16 lots will also be required to be undertaken.

Additionally, the report undertaken by Franklin Consulting Australia Pty Ltd on 29th May 2018 assessed soil type and site constraints. The report recommended the following:

- The need to maintain 70% ground cover with deep rooted perennial plants, trees and shrubs,
- minimising vegetation and ground disturbance adjacent watercourses,
- monitoring areas of erosion, implementing remedial erosion measures and
- placing constraints on areas of housing construction and effluent disposal.

While it is agreed that building envelopes in the proposed subdivision layout will enable housing to be constructed in non-erosive areas and effluent areas can be managed by choosing suitable locations, there will be significant issues surrounding the ongoing management of groundcover on such small lots. It is unclear, for instance how potential owners will maintain 70% ground cover on the small lots with horses that significantly exceeds the recommended stocking rate at any time of the year, particularly in drought. There is no mention of any other agistment that might increase lot sustainability in the long term. Restricting stock numbers might assist but it is unclear how that could be managed. Fewer, larger sized lots might assist further in addition to restricting stock numbers.

There are 4 lots located adjacent to the Yass River for the 2090 Sutton Rd rezoning proposal. Those lots will have stock and domestic rights and result in water extraction from the river. This is not consistent with protecting of agricultural natural resources used by agriculture in the region, particularly given that existing water catchments are already over allocated due to numerous rural residential properties in the area.

Should you require clarification on any of the information contained in this response please contact Agricultural Land Use Planner Wendy Goodburn (02) 4824 3736.

Yours sincerely



Lilian Parker
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Agricultural Land Use Planning