

Agricultural & Property  
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30<sup>th</sup> November 2017

Mr. Luke Fittock  
Newton Denny Chapelle  
PO Box 1138  
Lismore  
NSW 2480

Dear Luke

**RE: Richmond Valley Council letter dated 12<sup>th</sup> September 2017, NSW Department of Primary Industries letter dated 9<sup>th</sup> August 2017. Planning Proposal – Lots 831, 832 and 833 DP847683.**

I refer to the letters from Richmond Valley Council (12<sup>th</sup> September 2017) and the NSW Department of Primary Industries (9<sup>th</sup> August 2017) in relation to the proposed rezoning of portions of lands (described above) from RU1 (Primary Production) to R5 (Large Lot Residential).

In particular I refer to quoted sections from their correspondence as they relate to the ultimate decision to not allow the proposal to proceed.

### **NSW Department of Primary Industries**

The farmland mapping was undertaken at a 1:100000 mapping scale and was developed for strategic mapping purposes. Discrepancies at the mapping boundaries can occur. Nevertheless, the site has been used for sugar cane production consistently for many years and is surrounded by sugarcane lands further identified as regionally significant farmland.

In relation to the 1:100,000 mapping scale utilised by the Northern Rivers Farmland Protection Project, the NSW Agriculture's Agricultural Land Classification publication states that agricultural land classification maps produced at small scales (1:50,000 to 1:100,000) are inappropriate for making decisions relating to individual development applications or minor rezoning proposals<sup>1</sup>. And again the Northern Rivers Farmland Mapping Project methodology report states that the mapping should not be used for the purposes of assessing development applications as it is expected that some inclusions of lesser quality lands within the classification will occur.<sup>2</sup>

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<sup>1</sup> Hulme, T., Grosskopf, T., and Hindle, J. (2002) *Agricultural Land Classification. Agfact AC.25*. NSW Agriculture.

<sup>2</sup> *Ibid*.

From the above the publications are very clear in that large scale agricultural mapping systems should not solely be used for decisions relating to property development and or rezoning proposals.

The NSW Department of Primary Industries also provide comments about the historical land use of the site as further rationale for their recommendation.

Existing or previous agricultural use of lands is a factor that may be utilised for preliminary land classification purposes. However site specific surveys and inspections provide a better opportunity to determine the real agricultural capability and or classification of land.

For instance just because a particular crop is grown on a portion of land does not mean that that land is capable of sustained profitable production of that crop. For instance and hypothetically the production of a crop that requires continuous cultivation, on land which has a 2% or greater degree of slope does not give that land a Class 1 classification. Similarly and in this instance the production of a sugar cane crop on highly erodible, poorly drained, soils of low moisture holding capacity and high input requirements does not automatically give that land a Prime Agricultural land classification. Nonetheless there are instances where agricultural enterprises such as these (and others) are being carried out on lands that are not suited to those specific enterprises.

Previously supplied historical yield figures provide further evidence of the site being poor quality land for sugar cane production. Relevant figures are shown in Table 1 below. For the seasons provided (2004, 2005, 2015) the farm performed in the bottom 11%, 18% and 10% of all farms in the particular zone. Production figures provided for the current season are also shown and further demonstrate the poor productivity of the site in comparison to the average achieved for the associated harvesting zone (refer to Appendix 2 for further information).

**Table 1: Farm Ranking and Returns per Hectare**

<b>Broadwater Farm Ranking Report - Zone 7</b>			
<b>Season</b>	<b>Rank</b>	<b>Dollar Return per Cultivated Ha</b>	
		<b>This Farm</b>	<b>Average for Zone</b>
<b>2004</b>	32nd out of 36	\$372/Ha	\$870/Ha
<b>2005</b>	28th out of 34	\$693/Ha	\$1050/Ha
<b>2015</b>	44th out of 49	\$521/Ha	\$1131/Ha
		<b>Yield per Ha<sup>^</sup></b>	
<b>2017</b>		<b>This Farm</b>	<b>Average for Zone</b>
		25.6 tonne/Ha	Approximately 150 tonne/Ha

<sup>^</sup> Refer to Appendix 2

Ultimately the land may be utilised for sugar cane production, however that does not mean that it is a profitable land use decision and it certainly does not mean that it achieves the same level of productivity as other farms in the area that are also utilised for sugar cane production.

As an example of the above the share farmer of the property has indicated that extensive efforts have been made in the past to try and improve production of the site through varying soil amendments and general fertilisers but this has been met with little success. Similarly other crops have been pursued with a similar outcome. Refer to Appendix 2 which shows an email from the

share farmer of the property Mr Noel Newman in which he makes comments about the existing and surrounding land uses and also the actual productivity of the site.

The NSW Department of Primary Industries state that the site is surrounded by sugar cane lands identified as regionally significant farmland. Appendix 1 being an extract from the initial agricultural report provide by Wilkie Fleming (2007) suggests otherwise and showed that at the time of the writing of that report (2007) and in terms of immediately adjacent land uses, sugar cane lands existed only directly east of the site. Lands directly to the north, west and south were and still are characterised by low intensity grazing, rural residential, open/closed forest and rural residential land uses respectively.

Communication with the share farmer of the property Mr. Newman has since indicated that the sugar cane lands directly adjacent to the east of the site (referenced above and shown in Appendix 1) have not been utilised for sugar cane production for 6 or more years. Refer to Appendix 2. The site is therefore not surrounded by sugar cane lands and has no immediately adjacent sugar cane land next to any portion of the site's boundary.

Ultimately the site is characterised by poorer forest soils which are a continuation of the New Italy soil type to the south. Soils of this nature are poor quality agricultural soils and are capable of only low intensity agricultural pursuits such as grazing or forestry. Neighbouring land uses to the west and south would agree with this assessment. It could also be concluded that the pattern of land use decisions on lands immediately to the north and east provide further evidence of the poor agricultural capability of the soils of the immediate locality.

And;

Rezoning of this site will result in the loss of this land for agricultural production in perpetuity and will cause fragmentation of the agricultural landscape. Fragmentation increases land use conflict risk which can impact on agricultural operations surrounding the proposal.

The land will not cause fragmentation of the sugar cane production landscape. The site is not situated within the wider sugar producing lands; rather it is situated on the edge.

The rezoning of the land will take the pressure of other better quality agricultural lands that exist separate to the site for this purpose.

Lands immediately to the west and south of the site are poor quality agricultural lands that have a low potential for higher agricultural pursuits than low intensity grazing. Low intensity grazing operations have a much lower risk of conflict with alternative land uses such as rural residential.

Finally the risk of land use conflict that may arise as a result of this proposal (residential development of the site adjacent to sugar cane production to the east) will be no different than that which exists currently between the existing rural residential land that is situated immediately to the west and south east of the site's current sugar cane operation.

And;

Industry mass is critical for the continued supply of product to the region's sugar mills. It is important that local councils consider the cumulative impact of agricultural land loss in their LGA and the impact this has on the available supply of product for secondary industries, in this case sugar mill production.

We draw the Department's attention to the communication provided by the share farmer of the property within Appendix 2 which explains that sugar cane planting on the proposed area to be rezoned ceased in 2014 due to being unproductive. Furthermore that the ratoon cane that remains on the property when cut is being ploughed out.

Previous and current production figures have clearly demonstrated that the site has a significantly lower sugar cane production potential than the average farms in the particular zone. The level of sugar cane production that will be lost as a result of this development proposal (i.e. the loss of sugar cane only from the area of the land proposed to be rezoned) being approved will surely not affect the Industry's critical mass requirement.

### **Richmond Valley Council**

Council believes the land is prime Agricultural land as defined as evidenced through the recent and present day use of the properties for cane production. The land is presently used for this purpose and the agricultural use has high prospect to be ongoing.

The land is not Prime Agricultural Land. Recent and current land use does not automatically provide this classification. Soils inherent to the bulk of the site are poor quality Podzolic soils that are lightly textured, massively structured, highly erodible, have low moisture holding capacities, high input requirements and a general low suitability to cultivation. The soils are a continuation of the poorer quality soils of the New Italy area to the south that are utilised for grazing or forestry at best.

Historical and current production figures provided demonstrate that the continued use of the site for sugar cane production has a much lower probability than the greater majority of the farms in the relevant production zone.

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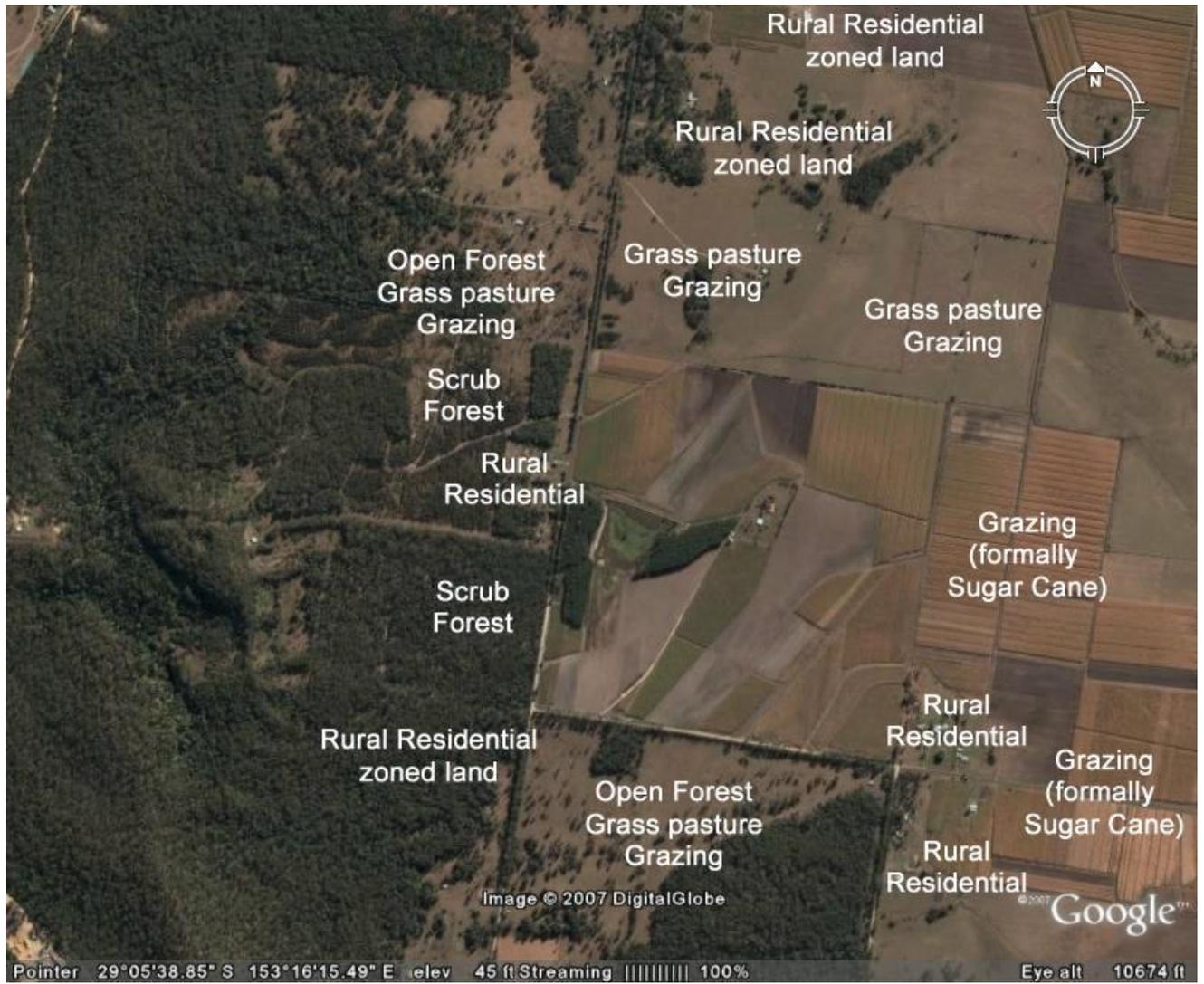
Luke, if you require any further comments in relation to this matter please do not hesitate to contact me.

Kind regards,



John Allen

### Appendix 1: Surrounding Land Uses



## Appendix 2: Personal Communication - Noel Newman email - 8th October 2017

1. The land on all sides has no sugar cane growing on it.

There was sugar cane on the property to the east and property to south east. These properties went out of production at least 6 or more years ago because the land was found to be unproductive and not viable for cane production.

2. The share farmer of the land to be rezoned decided to cease planting sugar cane on this part of the property in 2014 because it is unproductive. The ratoon cane on the property when cut is being plowed out. The share farmer has tried very hard to increase production by adding compost, filter mud, trace elements and green manure crops to the soil, all to no avail. Other crops to be tried are soy beans, lupins, maize, sorghum, barley. None of these crops thrived because the soil type is just not suitable for cropping. It is very marginal farming land.

3. The yield this year on the first round of harvesting

Block 141 3.94 ha

Block 231 5.9 ha

Block 233 1.2 ha

Block 232 2.2 ha

Total 13.24 ha total tonnes 339 which is 25.6 tonne per ha.

The mill average in our harvesting group is approx 150 tonne per ha.

Regards, Noel