



Horns Gas Service

Agricultural Land Assessment

202 Caniaba Road, Caniaba

March 2025

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Rev No.	Status	Date	Comments
1	Final	31/03/2025	

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1 Summary

It is proposed to amend the LLEP Additional Permitted Uses Map and Schedule 1 Additional Permitted Uses to permit use of an area of 202 Caniaba Road, Caniaba for the operation of the Horns Gas and Plumbing business.

The property at 202 Caniaba Road, is 33.54ha in area and is zoned RU1 Primary Production under the LLEP.

The current agricultural use of the property at 202 Caniaba Road, Caniaba comprises a herd of approximately 50 beef cattle. The cattle are predominantly grass-fed and graze most of the property being an area of approximately 30ha.

The additional permitted use being sought only for the southeast corner of the property being the area where the sheds are located and where the Horn's gas and plumbing business is currently operating. The area for which the additional permitted use is sought is approximately 1ha being less than 3% of the property area.

The central and northern area of the property is identified as regionally significant farmland however the southern area of the site, adjacent to Caniaba Road, is not identified as regionally significant farmland. The area for which the additional permitted use is largely outside of the area identified as regionally significant farmland however there is a relatively small overlap of approximately 1000m².

Conflict with the current beef cattle operation on the property has been avoided by defining and restricting the location and area proposed for the additional permitted use. The proposal will have a negligible impact on the primary production values of the land as particularly as the area for which the additional permitted use is sought is:

- Approximately 1ha being less than 3% of the property area; and
- Located in the southeast corner of the property adjoining the southern/Caniaba Road boundary and the eastern boundary, and adjacent to the dwelling, thus avoiding the fragmentation of agricultural land.

The proposal will not impact on adjoining agricultural land as the area proposed for the additional permitted use is well separated from most surrounding land used for agriculture. The area proposed for the additional permitted use shares a boundary with the property to the east for approximately 120m however a dwelling is in this area of the neighbouring property and there is established vegetation along the shared boundary. The proposed additional use is not of a character or scale that is likely to adversely impact agricultural activities on the neighbouring property to the east being largely contained within the four sheds on the property.

The proposal will not adversely impact on regionally significant areas of food production as the area proposed for the additional permitted use does not overlap with identified State significant farmland or regionally significant farmland, but for a relatively small area (approximately 1000m²) at the north.

2 Introduction

This agricultural land assessment has been prepared on behalf of Hayley Brown and Horns Gas Service.

The report forms part of the planning proposal that seeks an amendment to the Lismore Local Environmental Plan 2012 (LLEP) to permit the operation of the Horns Gas and Plumbing business at 202 Caniaba Rd, Caniaba (Lot 22 DP 628242).

The Scoping Proposal (BRS, 24/8/2023) identified that the property is zoned RU1 Primary Production under the LLEP and much of the property is mapped as regionally significant farmland.

Council identified 'agricultural capability' as a key issue and the need for an agricultural capability assessment to be provided with the planning proposal at the pre-lodgement meeting on 27 September 2023.

This report addresses the requirements for an agricultural assessment capability report to support a planning proposal as specified in the Local Environmental Plan Making Guideline – Attachment C (Department of Planning, Industry and Environment) and Ministerial Direction 9.2 Rural Lands.

3 Property Description

3.1 General

202 Caniaba Road, Caniaba (Lot 22 DP 628242) is located approximately 3.5km southwest of Lismore City, approximately 1.5km southwest of the Lismore commercial/industrial area and approximately 1.5km west of Lismore airport. The property is 33.54ha in area and is zoned RU1 Primary Production under the LLEP. The property is irregular in shape and is located to the north of, and shares a boundary with, Caniaba Road (Refer to Figure 1).



Figure 1: Aerial Photo of the Property (Source: Nearmap; 17/03/2023)

Most of the property is pasture but there are several buildings at the southern end of the property, near to Caniaba Road, comprising a dwelling and four large sheds.

Surrounding land uses predominantly include rural properties mainly cleared of vegetation and used for grazing and smaller rural-residential properties with a dwelling and outbuilding structures. Patches of trees and vegetated areas are associated with elevated areas and ridgelines. The Road Runner Caravan Park is located approximately 800m to the east/southeast of the subject site.

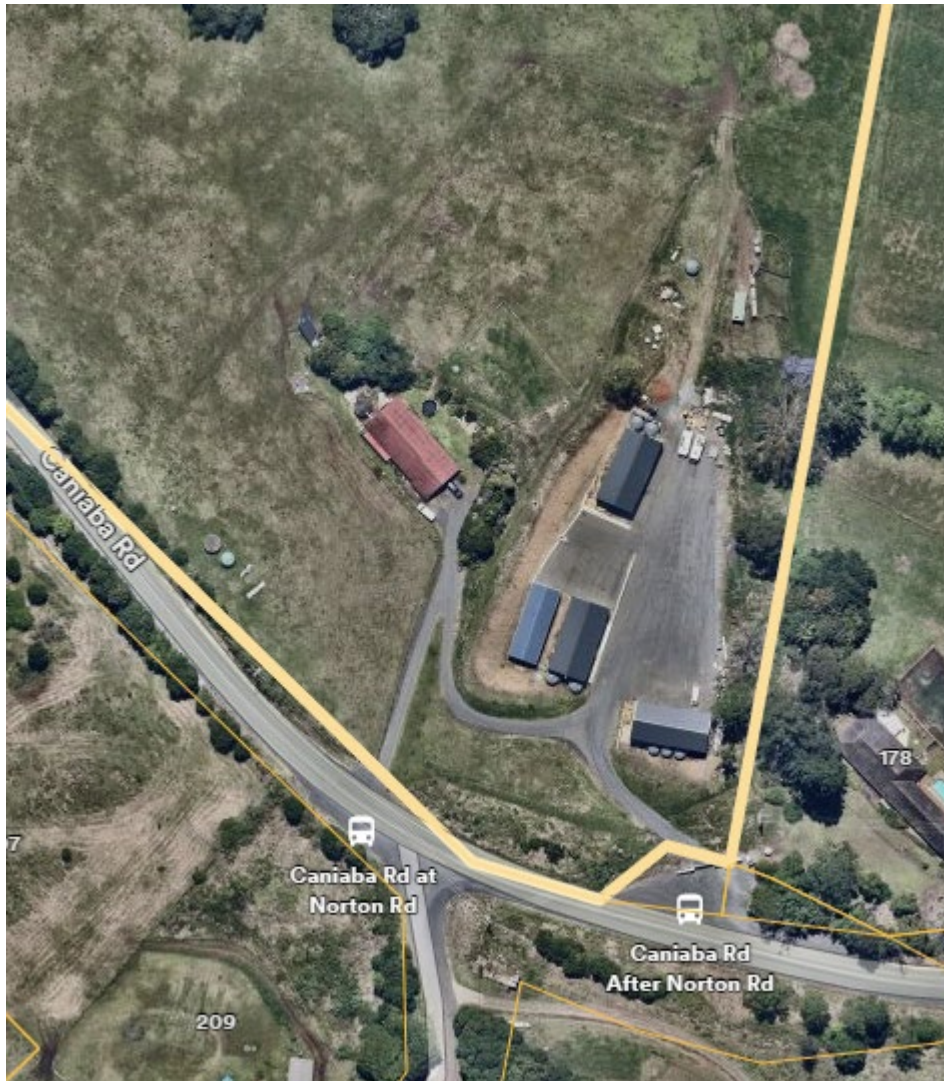


Figure 2: Aerial Photo of southeast of the Property showing dwelling (red roof) and sheds (Source: Nearmap; 4/10/2024)

3.2 Topography

The high point of the property (50m above sea level) is along the western and southern boundaries. The property slopes downward to the north and east with the gradient reducing further to the east. The north and northeast of the property is largely flat and less than 20m above sea level (refer to Figure 3).

No drainage lines are identified within the property by topographical maps however a drainage channel is shown along the northern boundary. Recent aerial photographs of the property show that a drainage channel is not present along the northern boundary but that a drainage line runs in a northerly direction along the eastern boundary of the property before turning east.

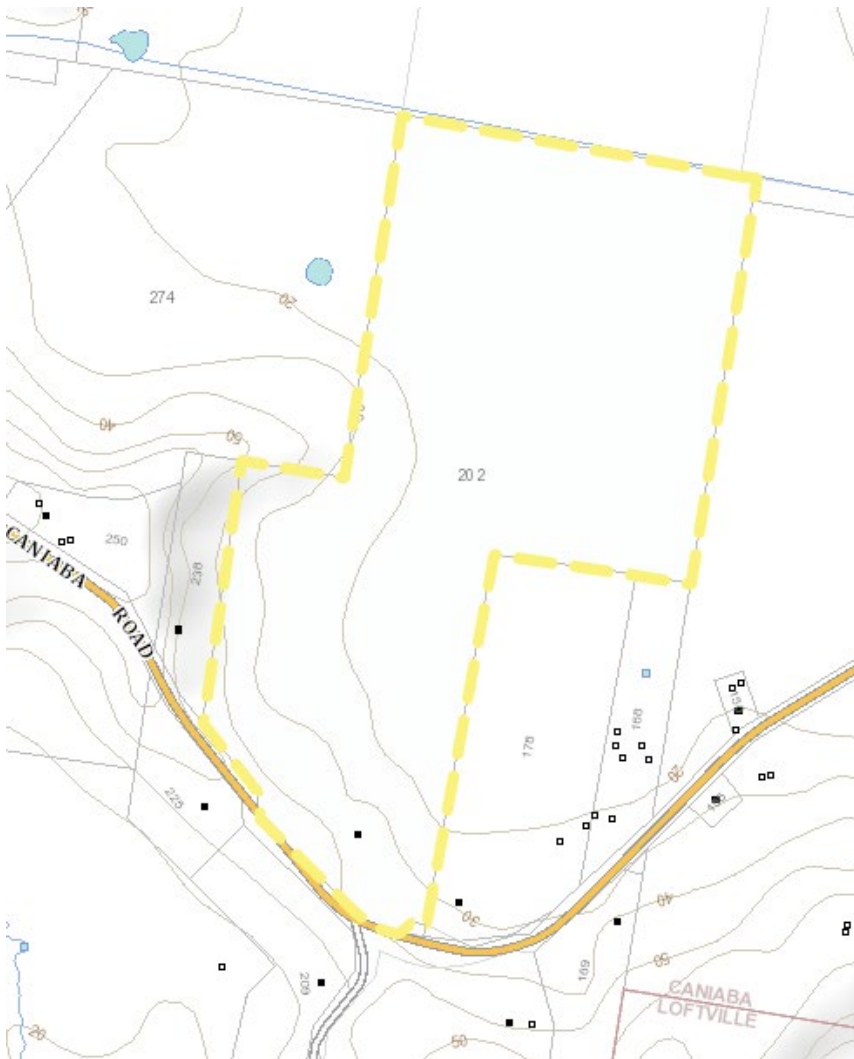


Figure 3: Plan of property showing contours (Source: NSW Planning Portal Spatial Viewer)

3.3 Soil type

The property has two soil types being Dermosols (DE) on the northern portion of the site and Vertosols (VE) on the southern portion of the site (refer to Figure 4). Dermosols and Vertosols are described as follows (NSW Department of Primary Industries, March 2009):

Dermosols are well-structured soils commonly formed on basalts. They vary in depth up to 1m, with a topsoil of clay loam to light clay and a subsoil of light medium to heavy clay. They are often dark and include the soils also known as chocolate soils. They are found west of Dorrigo, at Ebor, and east and northwest of Lismore including Kyogle and up to the McPherson Range. They are common soils of the steeper basaltic and sedimentary country, but also occur within alluvial plains.

Vertosols are also known as cracking clays. The Richmond River floodplain between Casino and Coraki is dominated by Vertosols that are generally derived from basalt. Montmorillonite is the main clay mineral in these soils; leading to significant shrinking and swelling with changing soil moisture contents. Vertosols are often described as self-mulching due to the development of a fine aggregate assemblage on the surface.

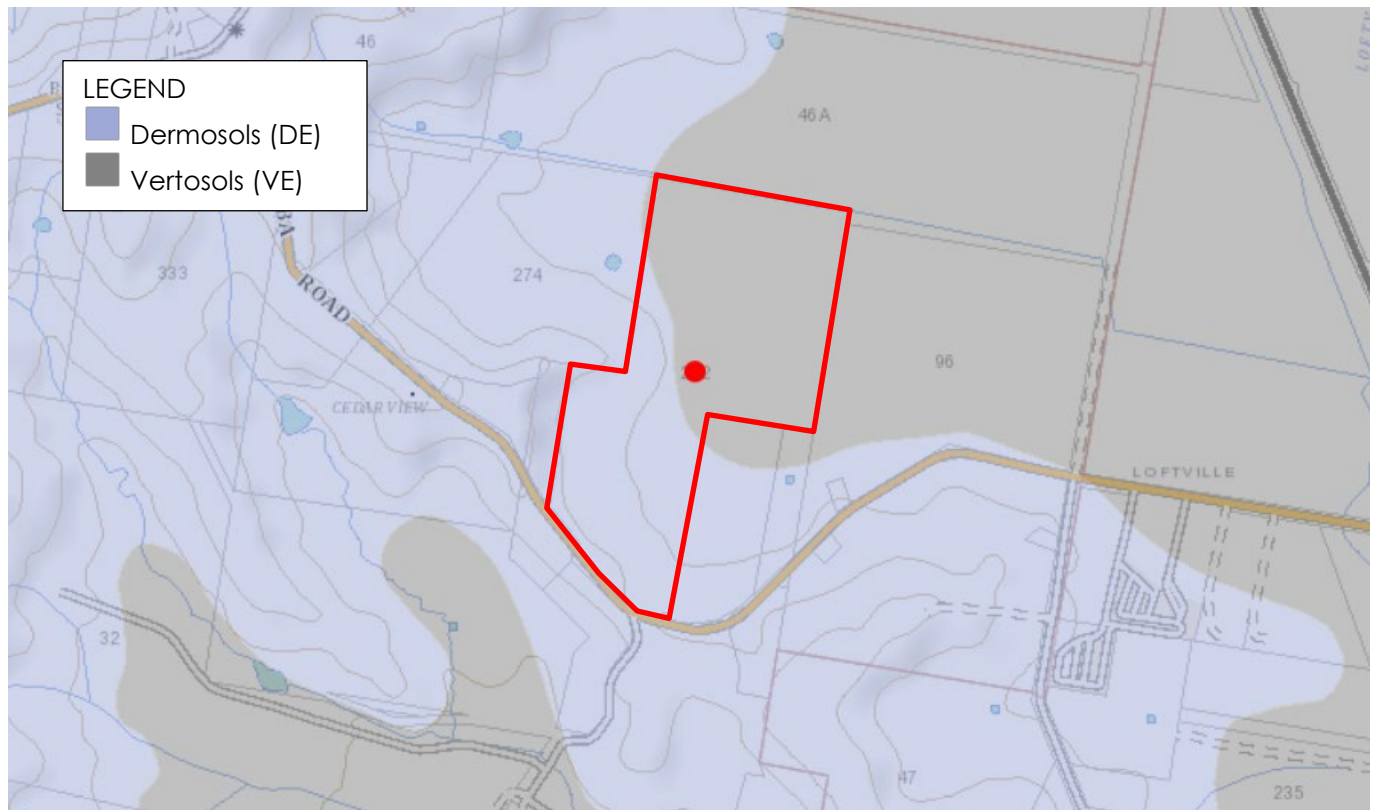


Figure 4: Soil types – the property is identified by the red polygon (Source: Australian Soil Classification – Soil Type Map of NSW)

3.4 Climate and Aspect

The Lismore area enjoys generous annual rainfall (1215.3mm per year) and a mild climate (mean maximum and minimum temperatures of 26.1 and 12.9 degrees Celsius) (Refer to Appendix A).

The property has a northeasterly aspect allowing generous solar access and protection from cool winter winds from the south and exposure to cooling summer breezes from the north.

3.5 Agricultural Land Classification

Land and soil capability is determined through the assessment of eight key soil and landscape limitations being water erosion, wind erosion, salinity, topsoil acidification, shallow soils/rockiness, soil structure decline, waterlogging and mass movement. There are eight land and soil capability classes, with class 1 being land capable of sustaining most land uses including those that have a high impact on the soil (e.g., regular cultivation), whilst class 8 is land that can only sustain very low impact land uses (e.g., nature conservation).

The land and soil capability of the property is mapped as a combination of 'Class 3 - moderate limitations' and 'Class 7 - extremely severe limitations'. The area of land identified as 'extremely severe limitations' is located on the steeper ground along the southern boundary with Caniaba Road and the southwestern of the property (refer to Figure 5).

The relevant land and soils capability classes are defined as follows

- **Class 3 – Moderate limitation.** This class includes sloping land that is capable of sustaining cultivation on a rotational basis. This land can be readily used for a range of crops including cereals, oilseeds and pulses. Class 3 land has limitations that must be managed to prevent soil and

land degradation. However, the limitation can be overcome by a range of widely available and readily implemented land management practices.

- **Class 7 – Extremely Severe Limitation:** This class is not suitable for any type of cropping or grazing because of its limitations. Use of this land for these purposes will result in severe erosion and degradation (Murphy et al., 2012).

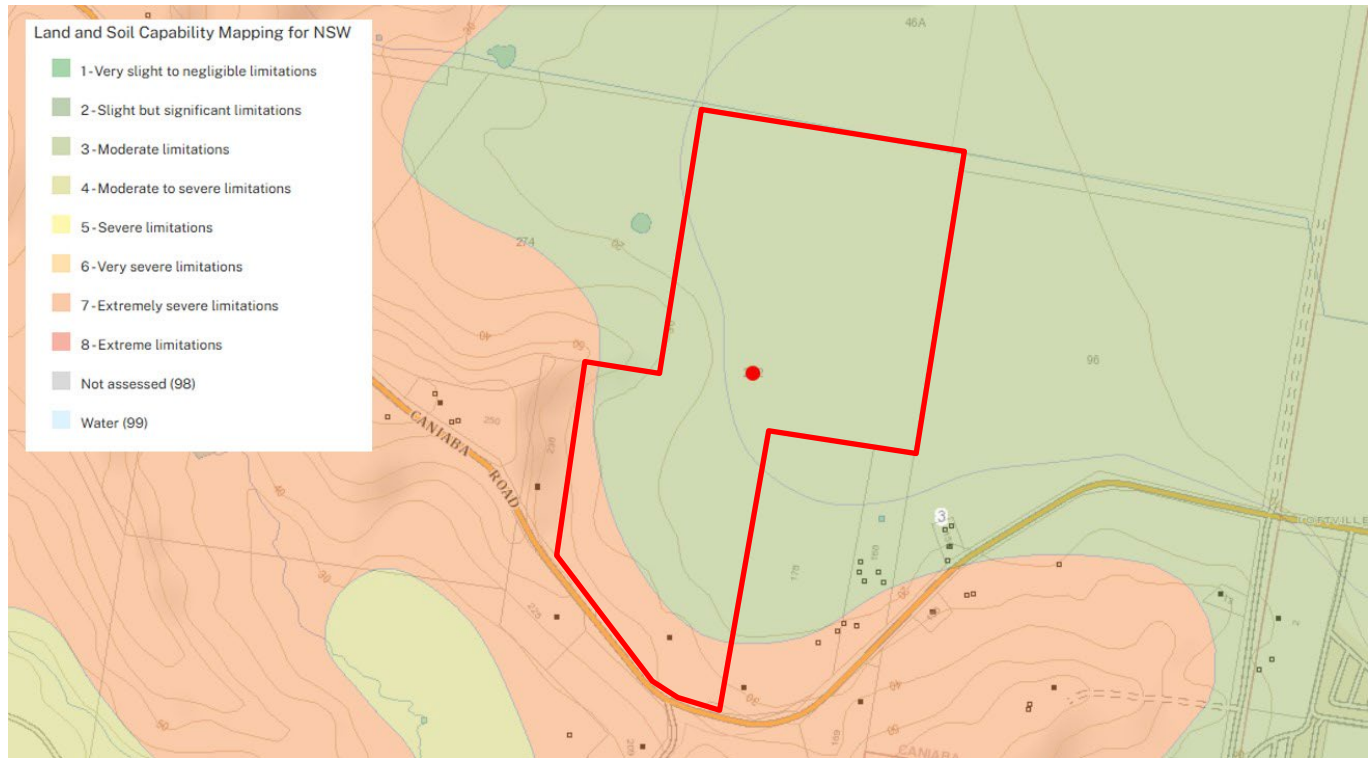


Figure 5: Land and soil capability mapping for NSW – the property is identified by the red polygon (Source: SEED)

Biophysical Strategic Agricultural Land (BSAL) is land with high quality soil and water resources capable of sustaining high levels of productivity. These lands intrinsically have the best quality landforms, soil and water resources which are naturally capable of sustaining high levels of productivity and require minimal management practices to maintain this high quality. The designation of BSAL aims to balance agricultural productivity with other land uses, ensuring that valuable farming lands are protected and sustainably managed.

The central and northern area of the property is mapped as BSAL however the southern area of the site, adjacent to Caniaba Road, is not identified as BSAL (Refer to Figure 6).

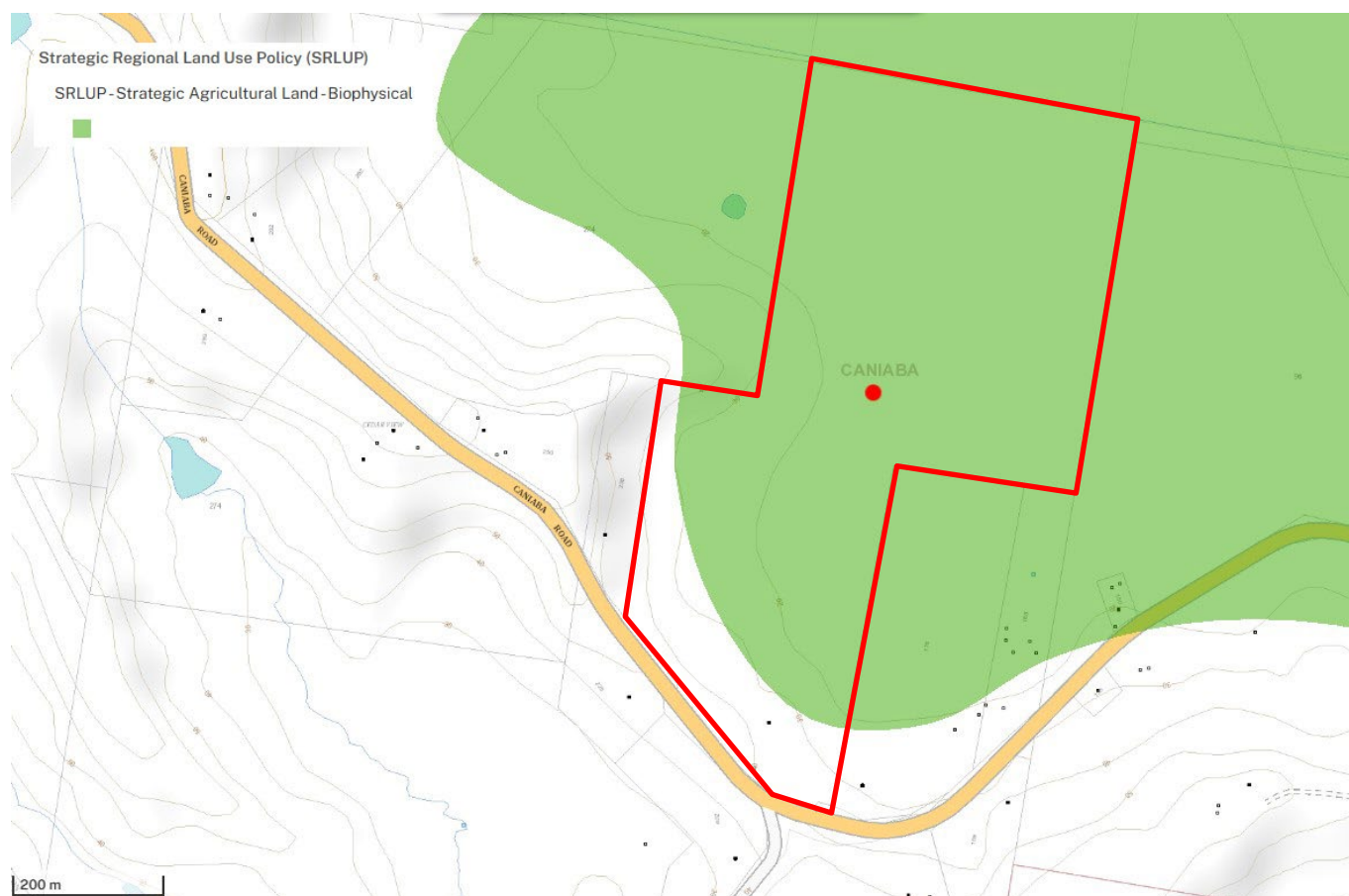


Figure 6: Figure 1. Strategic agricultural land – Biophysical (Source: SEED)

The mapping of regionally significant farmland within the property is consistent with the land and soil capability 'moderate limitations' land and the BSAL (Refer to Figure 7). No area of the property is identified as State significant farmland.

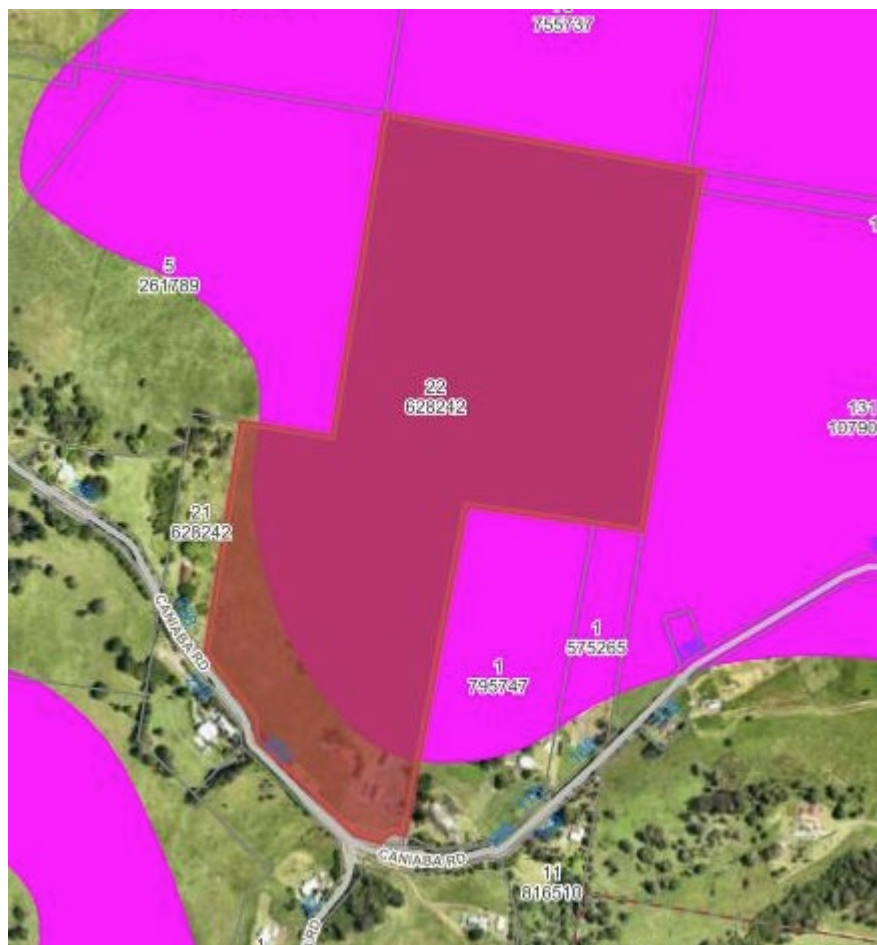


Figure 7: Significant Farmland (Source: Lismore City Council GIS)

3.6 Land Use

The property is zoned RU1 Primary Production under the LLEP (refer to Figure 8).

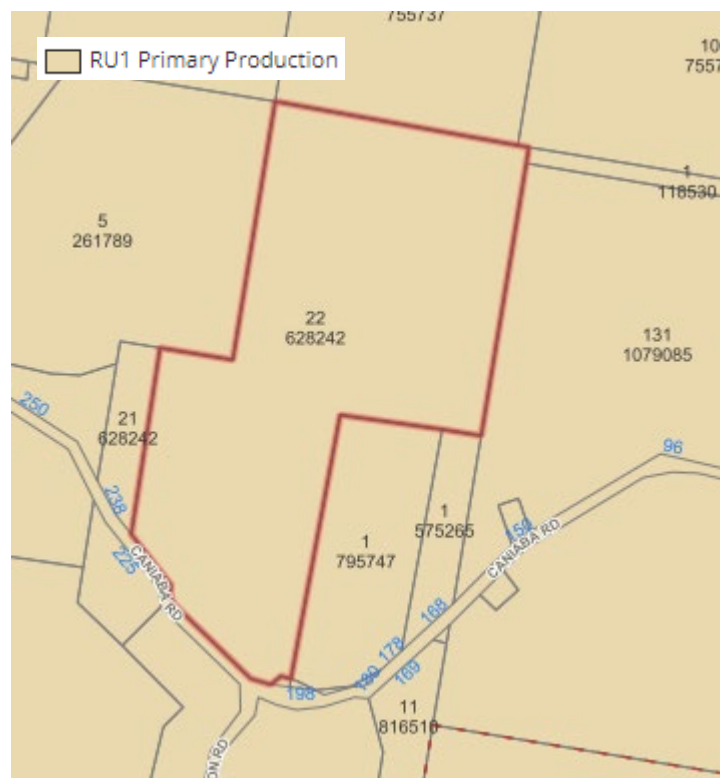


Figure 8: Land use zoning (Source: Lismore City Council GIS)

Land use mapping of NSW was conducted 2017 to capture how the landscape was being used for food production, forestry, nature conservation, infrastructure and urban development. This Land use mapping characterised most of the property as 'grazing modified pastures' but with an area in the southeast corner of the property characterised as 'residential and farm infrastructure'. The proposed area for the additional permitted use is entirely within the area identified as 'residential and farm infrastructure' in the 2017 Land use map (refer to Figure 9).



Figure 9: NSW Land use 2017 mapping (Source: SEED)

3.7 Vegetation

The property does not contain any mapped vegetation (Refer to Figure 10):



Figure 10: Vegetation Mapping 2008 (Source: Lismore City Council GIS)

4 Current Agricultural Use of the Property

The current agricultural use of the property at 202 Caniaba Road, Caniaba comprises a herd of 50 beef cattle on average. The beef cattle herd comprises breeder cows and calves with 25 calves sold annually on average. New breeding cows are added to the herd as required which is usually less than five animals per year.

The cattle are predominantly grass-fed and graze most of the property being an area of approximately 30ha. The cattle are occasionally provided with supplementary feed, such as lucerne hay, primarily to improve handling rather than nutrition. The area of the property used for grazing is divided into five, fenced paddocks with the cattle rotated between these paddocks. Each paddock has a water trough to always ensure suitable supply of drinking water to the herd. The cattle troughs are supplied with water from a well with a solar pump and a bore at the north and south of the property respectively.

The cattle grazing on the property is supported by cattle yards and a container (for the storage of material and equipment) located in the southeast corner of the property.

The beef cattle are owned by the landowners and the enterprise is limited to the subject property and does not incorporate agistment of other land. But for a small flock of chickens, the property is not used for any other agricultural activities.

Historical aerial images from 1958 to 1997 indicate the property was grassed, largely devoid of trees and likely used for grazing during this period. The dwelling was constructed on the property between 1987 and 1997. But for the addition of the dwelling, no variation in use of the property was identified based on the historical aerial imagery (Refer to Appendix B).

5 The Proposal

5.1 Description of Activity

The proposal is to amend the LLEP Additional Permitted Uses Map and Schedule 1 Additional Permitted Uses to permit use of an area of the property for the operation of the Horns Gas and Plumbing business.

The Horns Gas and Plumbing business was previously located in South Lismore and was severely affected by the flooding in early 2022. Further, the business could not be re-established in South Lismore being unable to obtain insurance.

Following the February and March 2022 flood, Horns Gas and Plumbing temporarily relocated to 202 Caniaba Road, Caniaba and has continued to operate the business from this location. The Horns Gas and Plumbing business operates from four (4) sheds located at the southeast corner of the property, adjacent to Caniaba Road (refer to Figure 11) and comprises:

- A workshop – generally operated one (1) day per week with two (2) staff.
- An office with three (3) employees
- Repair, installation and sale of caravan and recreational vehicles (RVs) fridges on-site - generally operated four (4) days per week including delivery and dispatch of caravans, RVs and fridges, and
- Direct customer visits – estimated to be up to ten (10) per day.

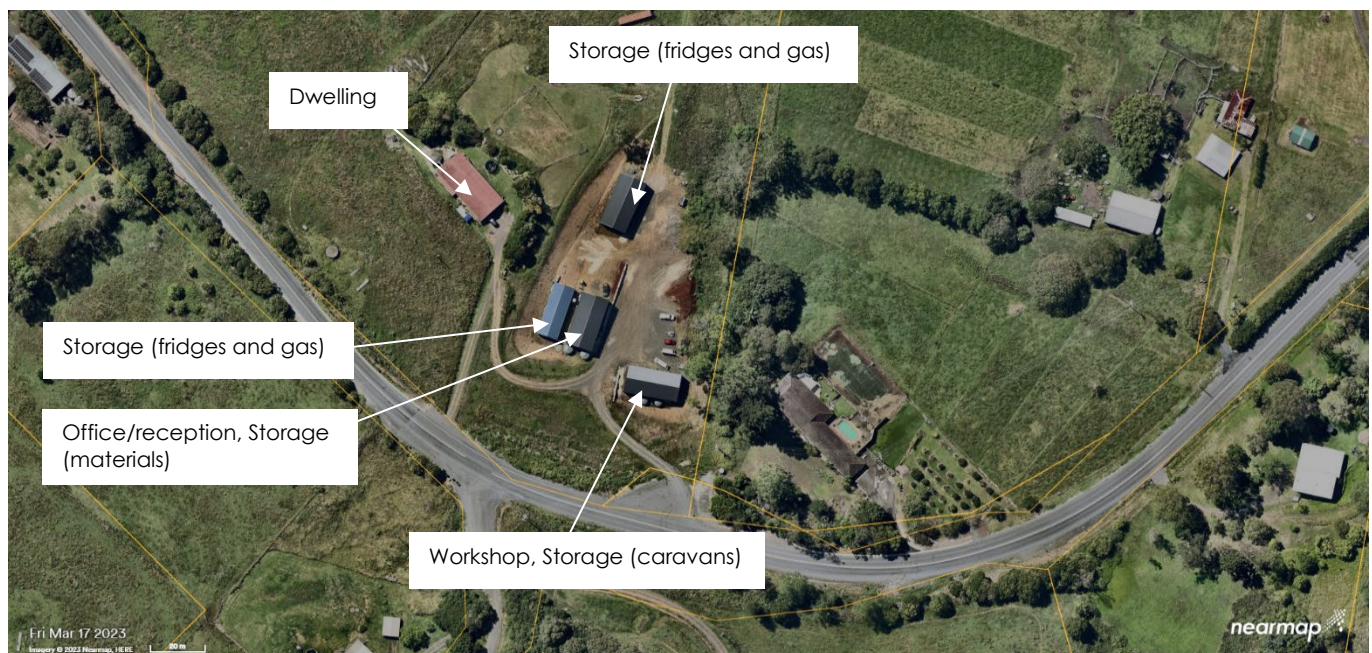


Figure 11: Southeast corner of the property showing the location of the sheds (Source: Nearmap, March 2023)

5.2 Area for Additional Land Use

The additional permitted use being sought only for the southeast corner of the property being the area where the sheds are located and where the Horn's gas and plumbing business is currently operating (refer to Figure 12). The area for which the additional permitted use is sought is approximately 1 ha being less than 3% of the property area and does not overlap flood prone land or bushfire prone land.

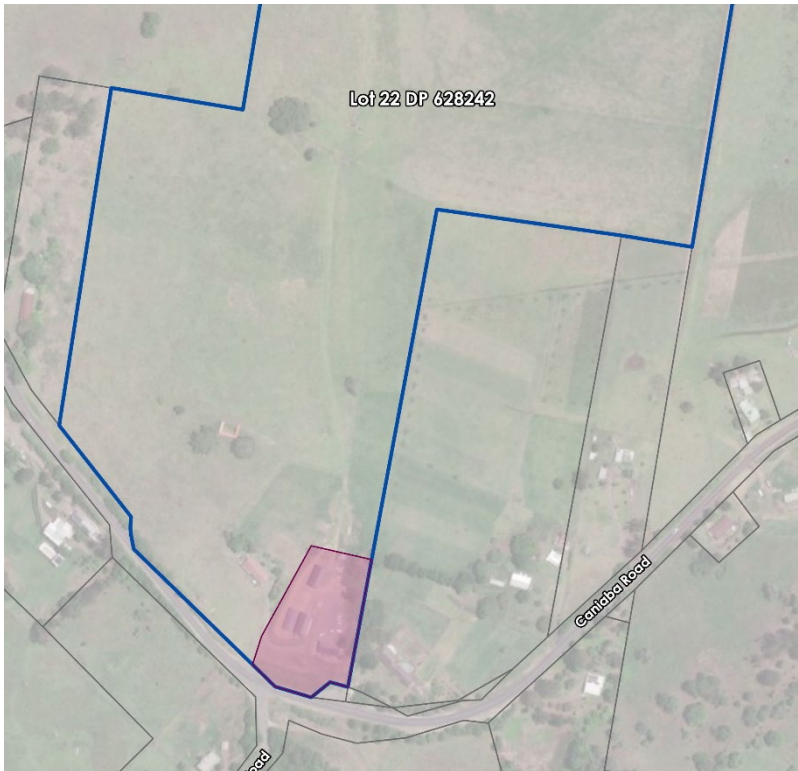


Figure 12: Area proposed for additional permitted use (purple shaded polygon)

The area for which the additional permitted use is sought is largely outside of the area identified as regionally significant farmland however there is a relatively small overlap of approximately 1000m² (refer to Figure 13).

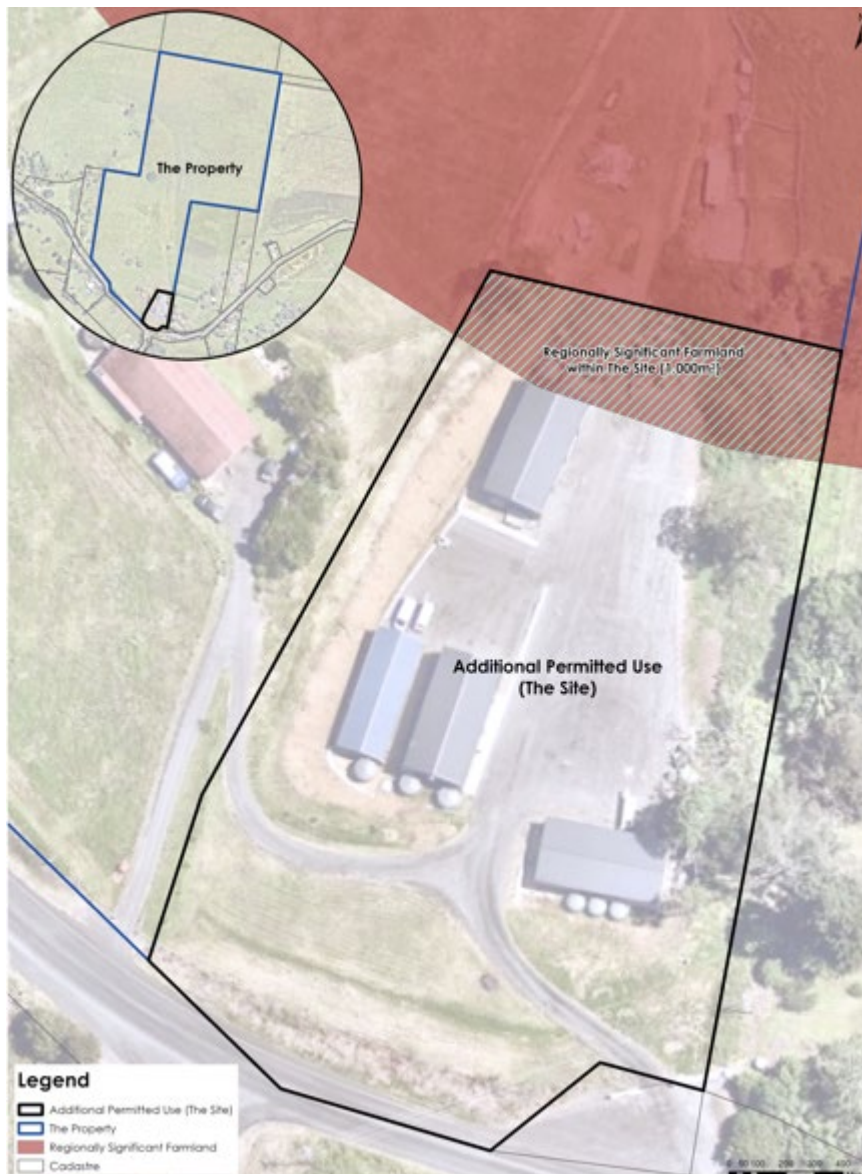


Figure 13: Overlap of area for additional permitted use and regionally significant farmland mapping

6 Impact of the Planning Proposal on Agricultural Land

6.1 On the Primary Production Values of the Land

The proposal will have a negligible impact on the primary production values of the land as:

- The area for which the additional permitted use is sought is approximately 1ha being less than 3% of the property area.
- The area for which the additional permitted use is sought is not identified as regionally significant farmland but for a relatively small area (approximately 1000m²) at the north.
- The area for which the additional permitted use is not identified as State significant farmland.
- The area for which the additional permitted use is sought is in the southeast corner of the property adjoining the southern/Caniaba Road boundary and the eastern boundary, and adjacent to the dwelling, thus avoiding the fragmentation of agricultural land.
- It does not require the relocation of any existing agricultural infrastructure.
- The property access can cater for all uses of the property being the dwelling, agriculture and the additional proposed use being the gas and plumbing business.

- The area proposed for the additional permitted use can still be used for primary production, albeit in a reduced capacity.
- The additional permitted use does not conflict with the current beef cattle operation on the property and neither activity requires a buffer from the other to operate successfully. Further, the gas and plumbing business is largely conducted within the existing sheds on the property.

6.2 On Adjoining Agricultural Land

The proposal will not impact on adjoining agricultural land as the area proposed for the additional permitted use is well separated from most surrounding land used for agriculture as follows:

- Over 250m from the western boundary and the neighbouring property to the west is rural residential.
- Over 400m from the nearest agricultural land to the north.
- Separated from agricultural land to the south by Caniaba Road.

The adjoining property to the east appears to be used for agriculture. The area proposed for the additional permitted use shares this boundary for approximately 120m and is not setback from this property. A dwelling house is located on the adjoining area of the property to the east and there is established vegetation along the shared boundary. 2017 Land use mapping of NSW identifies the use of this area of the neighbouring property to the east as 'residential and farm infrastructure' (refer to Figure 9).

The activity associated with the proposed additional use has been operating at 202 Caniaba Road since 2022 is not of a character or scale that is likely to adversely impact agricultural activities on the neighbouring property to the east being largely contained within the four sheds on the property.

6.3 On Regionally Significant Areas of Food Production

The proposal will not impact on regionally significant areas of food production as the area proposed for the additional permitted use does not overlap with identified regionally significant farmland.

7 Policy Context

7.1 State Plans and Policies

The proposed additional permitted use does not conflict with relevant State agricultural and primary production policies and guidelines as demonstrated below.

7.1.1 North Coast Regional Plan 2041

Primary production will be able to continue, unimpacted by the proposal, on most of the property by confining the additional permitted use to a relatively small area (approximately 1% of the property) in the southeast corner of the property. Containing the additional permitted use in this way ensures the proposal is consistent with the objective to "Support the productivity of agricultural land" (Objective 8).

7.1.2 Ministerial Directions

Potential impacts on the agricultural production value of the land from the proposal have been largely avoided by minimising the overlap of the area for the additional permitted use within mapped regionally significant farmland to approximately 1000m².

The potential for land fragmentation and land use conflict has been avoided or minimise by confining the additional permitted use to a relatively small area (approximately 1% of the property) in the southeast corner of the property with generous setbacks to most property boundaries.

The additional permitted use will facilitate a diversification of income from the property with negligible impact on current agricultural production enhancing the sustainability of this small farm.

The area sought for the additional permitted use does not overlap identified hazards (e.g. flood prone or bushfire prone land) or areas of identified environmental, ecological or heritage value.

On this basis, the proposal is consistent with the objectives and directions of 9.2 Rural Lands.

7.2 Council Plans and Policies

The proposed additional permitted use does not conflict with relevant Council agricultural and primary production policies and guidelines as demonstrated below.

7.2.1 Lismore Local Environmental Plan 2012

The property is zoned RU1 Primary Production under the LLEP for which the objectives are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To preserve rural resources by ensuring that the viability of rural land is not extinguished by inappropriate development or incompatible uses.*
- *To enable a range of other uses to occur on rural land providing such uses do not conflict with existing or potential agriculture and do not detract from the scenic amenity and character of the rural environment.*

The proposed additional permitted use avoids conflict with the zone objectives by:

- Being confined to a relatively small area (approximately 1%) of the property;
- Being confined to the southeast corner of the property;
- Minimising the overlap within mapped regionally significant farmland to approximately 1000m²;
- Having generous setbacks to most property boundaries particularly with properties, or areas of properties, use for agriculture/primary production;
- Being of a scale and nature that is unlikely to conflict with surrounding land uses or detract from the character of the rural environment; and
- Avoiding identified hazards (e.g. flood prone or bushfire prone land) or areas of identified environmental, ecological or heritage value.

8 Conclusion

The proposed additional permitted use does not impact on the current beef cattle enterprise on the property and will have a negligible impact on the the primary production values of the land due to being confined to a small area and largely outside of mapped regionally significant farmland.

The proposed additional permitted use will not adversely impact adjoining agricultural land by being confined to an area with generous setbacks to surround land used for agriculture and by being a land use of a scale and nature unlikely to conflict with surrounding primary production activities.

9 References

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Stephanie Alt, Abigail Jenkins, Rebecca Lines-Kelly, Northern Rivers Catchment Management Authority / NSW Department of Primary Industries (2009), Saving Soil – A landholder's guide to preventing and repairing soil erosion

Appendix A – Lismore Airport climate statistics

Appendix B - Historical Aerial Imagery