

STATE PLANNING POLICY 1/92

Development and the Conservation of Agricultural Land



**STATE PLANNING POLICY 1/92 (DEVELOPMENT AND THE
CONSERVATION OF AGRICULTURAL LAND) ORDER**

Short Title

1. This Order in Council may be cited as State Planning Policy 1/92 (Development and the Conservation of Agricultural Land) Order.

Commencement

2. This Order in Council commences on 18 December, 1992.

Making of State Planning Policy

3. State Planning Policy No. 1 of 1992 is made in the terms set out in the Schedule.

ENDNOTES

1. Made by the Governor in Council on 17 December, 1992.
2. Published in the Gazette on 18 December, 1992.
3. Required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Housing, Local Government and Planning.

Development and the Conservation of Agricultural Land

POSITION STATEMENT

The Queensland Government considers that good quality Agricultural land is a finite national and state resource that must be conserved and managed for the longer term. As a general aim, the exercise of planning powers should be used to protect such land from those developments that lead to its alienation or diminished productivity

1 PURPOSE OF THE POLICY

1.1 This State Planning Policy addresses the conservation of good quality agricultural land and provides guidance to local authorities on how this issue should be addressed when carrying out their range of planning duties. The Policy has been jointly prepared by the Department of Housing, Local Government and Planning and the Queensland Department of Primary Industries (DPI).

1.2 Local authorities, the Planning and Environment Court; and the Government are required to have due regard to this Policy when carrying out their planning functions.

1.3 The principles contained at the end of the Policy should be read in conjunction with the main text.

2 THE NEED TO CONSERVE AGRICULTURAL LAND

2.1 There has been growing national concern about Land conservation issues. The traditional and widespread view that land is an almost limitless resource has been exposed as a popular myth. Land degradation is now widely regarded as one of the greatest challenges facing rural Australia. Soil erosion, salinisation, declining fertility and deteriorating pasture are familiar problems in Queensland as elsewhere: for example, in this State 83%* of cultivated land is affected by soil erosion and only 52%* of grazing lands are considered to be in good condition. These problems impose a greater responsibility than ever before to conserve the more fertile and potentially productive land. The Queensland Land Care Council was formed in recognition of this issue.

2.2. The agricultural industry remains one of the most Important components of the national and state economies. As with any industry, world markets and economic factors create cycles of prosperity interspersed with periods of difficulty for agriculture. Economic downturns and particular crop surpluses should not obscure the fact that productive land provides the long term basis for an efficient and flexible agricultural industry that can be responsive to changing demands for products and which generates community wealth through income and employment.

2.3 Irrigated agriculture based on water conservation and distribution schemes comprises some 20% of the State's agricultural production and entails considerable public investment (some \$2.5 billion dollars at 1990 prices).. Therefore, the productive capacity of irrigated land must be safeguarded to ensure that this investment is properly utilised.

3 LAND CONSERVATION AND DEVELOPMENT

3.1 An underlying theme of planning policy is the control of land use and development in the public interest. Local authorities are increasingly being called upon to weigh most carefully the balance between development and conservation.

* Source 'Land Care and Degradation in Queensland A Discussion Paper', The Queensland Land Care Council.

3.2 There will clearly continue to be a need to build on previously undeveloped Land. Some loss of agricultural land to development will therefore be inevitable, not just close to the major towns and cities but also in rural areas. The survival of rural communities depends upon a healthy rural economy, which is one where enterprise and initiative are encouraged to thrive. New industries, such as tourism, can offer significant opportunities to diversify the economic and employment base of an area.

3.3 Nevertheless, development without regard to the need for land conservation and the continuing importance of agriculture would be unacceptable. The best and most versatile farming land has a special importance and should not be built on unless there is an overriding need for the development in terms of public benefit and no other site is suitable for the particular purpose. This land is a valuable resource that should, in general, be protected from irreversible development. In such cases, additional weight needs to be given to the agricultural factor.

4 THE ROLE OF PLANNING SCHEMES

4.1 Local authorities will be expected to include provisions regarding the conservation of good quality agricultural land when preparing, amending or reviewing planning schemes, particularly when framing strategic plans, development control plans or local planning policies. Applications for rezonings, consent uses and subdivision should be considered in the context of such provisions. In the absence of specific agricultural land provisions, or where such provisions are considered inadequate, the Government will be guided by the principles set Out in this Policy when considering applications for the approval of planning schemes, rezonings and other scheme amendments.

4.2 Strategic plans are particularly important in establishing an appropriate framework for the conservation of good quality agricultural land. When considering the future distribution of development in strategic plans, settlement patterns that minimise the impact on productive farming areas, both directly and indirectly, should be evaluated. For example, a strategy of

dispersing development to peripheral or 'satellite' settlements on land of low agricultural potential might prove preferable in overall planning terms to the more obvious option of continuing additions to an existing city or town that is surrounded by good quality farmland.

4.3 Certain farming areas have the advantage of proximity to markets, processing plants, or certain industries associated with agriculture, the sugar industry. is an obvious example: Particular attention therefore needs to be given to the implications of development 9r subdivision proposals on these areas. Farm size, layout and the type of business vary, but the loss of a holding or a part can have important ramifications for the remainder, particularly where severance or fragmentation are involved.

4.4 Although the demand for agricultural products fluctuates, once land is built on or subdivided, its return to agriculture is seldom Practicable. Therefore, a decline in the market for a particular crop should not justify development on land traditionally used for growing that crop. Markets change and the land could be cultivated for other purposes.

4.5 Similarly, land ownership and the size of farm holdings should not override land quality when determining a site's suitability for development. A policy which would allow the development of small sites or holdings, irrespective of land quality, would merely encourage fragmentation of ownership followed by further development pressures. The viability of farm holdings varies with the crops selected, and tenure patterns are flexible: an appropriate choice of crop or amalgamation of holdings can overcome the problem of the uneconomic farm unit. Therefore, land subdivision policies and controls should not inhibit restructuring and farm amalgamation: in some instances, subdivision will be necessary to enable the assimilation of parcels with adjoining properties.

4.6 Cases will arise where local authorities have to consider development proposals on good quality agricultural land. In such instances, a 'key' principle should be whether an overriding need in terms of benefit to the community can be demonstrated for the development at that particular location.

4.7 In this context, small scale sub-divisions, especially 'rural residential', merit special mention. In purely agricultural terms, such sub-divisions lead either to a loss, from production or generally less efficient and productive use than commercial agriculture. Yet rural residential development is flexible in its locational requirements. Accordingly, such development is inappropriate on good quality agricultural land, while smaller rural sub-divisions generally should be assessed on their agricultural merits.

4.8 The proximity of development, particularly where there is a significant residential component, can inhibit farming practice, thereby limiting the extent to which the inherent land quality can be exploited: for example, crop spraying and cane burning are two operations which cause conflicts with adjoining residential properties. Clearly, such conflicts should be avoided if possible but, where new developments have to be located on or adjacent to good quality agricultural land, measures to ameliorate potential conflicts should be devised wherever practicable.

4.9 There should be no financial compensation implications for local authorities as a result of implementing this Policy. The various provisions described above should all be based on the premise that existing commitments stand and that 'down zoning' is not being advocated.

5 DETERMINING LAND QUALITY

5.1 An assessment of land quality in terms of its suitability for agriculture is clearly essential if land conservation policies are to be implemented. Currently, the DPI is gathering land resource information on a Statewide basis. Some such information already exists and provides an important source for strategic planning purposes: the DPI can advise on the availability of this information.

5.2 However, the detail of this information is generally not appropriate for determining development applications. Local authorities are therefore encouraged to require that applicants undertake land/soil studies where adequate information is lacking. The DPI will provide guidance on the content and standard

of these studies. The 'Planning Guidelines for the Identification of Good Quality Agricultural Land' defines 'good quality agricultural land' and clarifies the roles of both local authorities and the D.P.L in determining the location of these lands.

6 FUTURE ADVICE

6.1 This Policy addresses only general issues and principles; these will be expanded as necessary in future State Planning Policies or Planning Guidelines, following extensive consultation.

POLICY PRINCIPLES

- 1. Good quality agricultural land has a special importance and should not be built on unless there is an overriding need for the development in terms of public benefit and no other site is suitable for the particular purpose (Section 3).**
- 2. The alienation of some productive agricultural land will inevitably occur as a consequence of development, but the Government will not support such alienation when equally viable alternatives exist, particularly where developments that do not have very specific locational requirements (for example, 'rural residential') are involved (Paragraphs 4.6-4.7).**
- 3. When preparing, reviewing or amending planning schemes, local authorities will be expected to include provisions for the conservation of good quality agricultural land, regardless of the effect of market fluctuations on its viability (Section 4).**
- 4. The preparation of strategic plans should include an evaluation of alternative forms of development, and significant weight should be given to those strategies which minimise the impacts on good quality agricultural land (Paragraph 4.2-4.3).**
- 5. Due consideration should be given to the protection of good quality agricultural land when applications for rezonings, consent, or subdivision are being determined (Paragraph 4.1).**
- 6. Where a planning scheme does not 'contain adequate agricultural land conservation provisions, the Government will be guided by the principles set out in this Policy when considering applications for the approval of planning schemes, rezoning and other scheme amendments (Paragraph 4.1).**
- 7. The fact that existing farm units and smallholdings are not agriculturally viable does not in itself justify their further subdivision or rezoning for non-agricultural purposes. Subdivision provisions and policies should be devised in a way that encourages amalgamation of titles where this would enhance farm viability (Paragraph 4.5).**
- 8. Local Authority planning provisions should aim to minimise instances of incompatible uses locating adjacent to agricultural operations in a manner that inhibits normal farming practice. Where such instances do arise, measures to ameliorate potential conflicts should be devised wherever possible (Paragraph 4.8).**

Note: The Policy principles should be read in conjunction with the main text.