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General Manager  
Byron Shire Council  
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MULLUMBIMBY NSW 2482

Attention: Rob van Iersel  
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Dear Sir/Madam

### **26.2016.6.1 Planning Proposal – The Farm**

Thank you for the opportunity to provide comments on 'The Farm' Planning Proposal as per your referral dated 6 May 2021. 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.

DPI Agriculture recognises The Farm's economic contribution to the local and regional economy and supports the promotion of agriculture that the enterprise provides. In this regard it is important that these activities are reflective of the intent of the primary production zone and do not impact on other primary production activities or the rural character of the local area.

It is understood that the planning proposal seeks an amendment to the Byron Local Environmental Plan (LEP) to include a new Part 6 local clause, listing additional land uses that will be permitted with consent on the site within a mapped **Farming Precinct** and a mapped **Rural Activities Precinct**. It is also understood that relevant heads of consideration are proposed for the nominated uses to address issues of scale and potential impact, and ensure that any approved uses have, and maintain, an essential association with the primary production undertaken on the land. A direct connection between the proposed additional uses on The Farm and the agricultural production within the Farming Precinct is highly important to ensure the integrity of the objectives of the RU1 Primary Production zone is maintained.

Given the heads of consideration and performance criteria identified within the proposed amendment to the Development Control Plan, DPI Agriculture does not provide an objection to the proposal.

The Land Use Conflict Risk Assessment for the proposal is noted. DPI Agriculture supports the inclusion of an established vegetative buffer however it is important that consultation with the neighbouring landowner and DPI occurs with respect to appropriate plantings and buffer width to ensure the buffer provides adequate mitigation without impacting on the operation of the Macadamia plantation, e.g. includes non-host species for fruit-spotting bugs etc.

The separation distances provided in relation to potential spray-drift from the adjoining macadamia plantation to 'the Farm' relate to the commercial precinct only. Mitigation of potential issues from spray drift with visitors meandering at a closer distance to the northern

boundary has been given minimal consideration. A 5m wide buffer would not be an adequate mitigation for potential spray drift. Other measures such as restricting visitor movement to certain areas of the Farm an acceptable distance from the northern property boundary or restricting events to times outside of scheduled spray times may also be appropriate. Further consultation with the neighbouring landowner with regard to this matter is recommended.

It is also important that 'The Farm' has an adequate Biosecurity Management Plan in place. Consultation should occur with DPI's Biosecurity team, if this has not already occurred. The biosecurity team may be contacted via their portal [bfs.portal@dpi.nsw.gov.au](mailto:bfs.portal@dpi.nsw.gov.au).

Should you wish to discuss this matter further, please contact our Agricultural Land Use Planning team at [landuse.ag@dpi.nsw.gov.au](mailto:landuse.ag@dpi.nsw.gov.au).

Yours sincerely



7/6/21

Tamara Prentice  
**Manager, Agricultural Land Use Planning**