

An aerial photograph of a rural landscape. A paved road with white lane markings runs diagonally from the bottom right towards the top right. To the left of the road is a green grassy field, and further left is a large, dark brown, tilled field. A line of small trees and a wooden fence separates the green field from the road. The text 'maitland' is written in large, bold, white lowercase letters across the top, and 'city council' is written in smaller, white lowercase letters below it.

**maitland**  
city council

# **Rural Land Strategy 2041**

June 2023





# Acknowledgement of Country

Maitland City Council acknowledges the Wonnarua People as the Traditional Owners and Custodians of the land within the Maitland Local Government Area and pays respect to all Aboriginal Elders, past, present and future.

MAITLAND CITY COUNCIL - JUNE 2023



# EXECUTIVE SUMMARY

Maitland's rural land has been an important part of the city's history, its setting, landscape, and economy. Today, it supports a diverse range of activities including agriculture, tourism, rural housing, rural and extractive industries, as well as possessing unique environmental and cultural assets. Maitland's scenic rural landscapes are highly valued by the local community and visitors for their significant contribution to the local character.

Maitland has a unique position in terms of agricultural production, being located in the Lower Hunter region just adjacent to the cities of Newcastle and Lake Macquarie, and easily accessible to Sydney, providing a market of over five million people. The benefits for both farmers and the urban population are evident through reduced food miles and provenance, and also amenity, research and tourism opportunities. (NSW DPI, 2020).

The agricultural economy is important to the Maitland local government area (LGA) and to the Lower Hunter, particularly because of its proximity to transport and markets. In 2020-2021, the estimated 'gross value' of total agricultural production for the Maitland LGA was estimated at almost \$33 million, while Maitland LGA was in the 'top 10' LGAs in the state for the value of the following products (ABS, 2022):

- Cultivated turf 2<sup>nd</sup> highest value of production in the state
- Commercial egg production 10<sup>th</sup> highest value of production in the state
- Pumpkins 10<sup>th</sup> highest value of production in the state

Maitland LGA's current population of approximately 93,500 (ABS 2022: ERP 2023). The recent and expected future strong population growth is resulting in ongoing pressures on rural land to accommodate for new urban development. This has the potential to have significant impact on high value agricultural land, scenic landscapes, waterways and potentially introduce land use conflicts.

Therefore, rural and environmental land needs to be appropriately identified, protected, and managed for the future as the city grows. It is particularly important for the Lower Hunter Region to retain agricultural production in a local setting. There are also many types of rural land uses and key infrastructure that need protecting from encroaching development.

Key points about Maitland's rural land are:

- 82% of the LGA (total area 39,000ha) is zoned either rural or environmental (ie outside the urban area)

- The LGA's rural land is highly fragmented with 70% of rural land holdings having a minimum lot size of 10ha or less. This limits the future use of rural land for productive agricultural purposes.
- An estimated 26% of the land zoned either rural or environmental was primarily used for agricultural production in 2021.
- There is approximately 200km where urban zoned land borders an environmental or rural zone in the LGA. In comparison, the LGA boundary is 122km in perimeter.
- 29% of all land currently zoned rural or environmental in the LGA contains State Significant Agricultural Land (based on draft NSW Government mapping).

Recent NSW Government planning reforms and the release of the *Hunter Regional Plan 2041* also have implications for the LGA's rural land.

The Maitland Rural Land Strategy 2041 addresses the above matters and provides a framework to guide and manage rural land over the next 20 years. The Strategy is consistent with the land use vision established in the *Maitland Local Strategic Planning Statement 2040+* for the city and will guide future planning decisions on rural land.

The Strategy is structured around a set of 'Planning Principles' to guide the management of rural land into the future. These are:

1. Protect productive agricultural land
2. Reduce and manage land use conflict
3. Build rural housing only in the right places
4. Support and diversify the rural economy
5. Protect and enhance natural ecosystems, scenic values and heritage in rural areas
6. Understand and mitigate the impacts of natural hazards and adapt to a changing climate
7. Improve connections with Greater Newcastle and beyond for the benefit of the rural economy
8. Use planning provisions, processes and partnerships to strive for the best outcomes for rural land, rural communities and the rural economy

Each Planning Principle outlines its intent and objectives and articulates a series of Strategic Directions to guide future planning decisions.

A set of Actions are also identified for each Planning Principle so that Council, government agencies, rural landholders and other stakeholders can work together to implement the Strategy.

# GLOSSARY AND ABBREVIATIONS

Term	Definition
AEP	Annual Exceedance Probability
BC Act	<i>Biodiversity Conservation Act 2016</i>
BSAL	Biophysical Strategic Agricultural Land
C zones	Conservation zones C2, C3 & C4 in <i>Maitland Local Environmental Plan 2011</i>
Council	Maitland City Council
DCP	Development Control Plan
DPE	NSW Department of Planning and Environment
DPI	NSW Department of Primary Industries
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
FDM	Floodplain Development Manual
GCC	Greater Cities Commission
GNMP	<i>Greater Newcastle Metropolitan Plan 2036</i>
HRP	<i>Hunter Regional Plan 2041</i>
IAL	Important Agricultural Land
LEP	Local Environmental Plan
LGA	Local Government Area
LLS	NSW Local Land Services
LSPS	<i>Maitland Local Strategic Planning Statement 2040+</i>
MLS	Minimum Lot Size
PMF	Probable Maximum Flood
RFS	NSW Rural Fire Service
RLS	Rural Land Strategy
SEPP	State Environmental Planning Policy
SES	NSW State Emergency Service
SILEP	Standard Instrument Local Environmental Plan
SSAL	State Significant Agricultural Land
TfNSW	Transport for NSW
URA	Urban Release Area
Urban zoned land	Land in the LGA that does not include Rural or Conservation zones

Land Use Zone	Intent
<b>RU1</b> Primary Production	This zone covers a broad range of land utilised primarily for primary production purposes. This includes commercial primary production, including extensive agriculture, intensive livestock and intensive plant agriculture, forestry, mining and extractive industries. The zone is aimed at utilising the natural resource base in a sustainable manner and minimise fragmentation and land use conflicts.
<b>RU2</b> Rural Landscape	This zone is for rural land used for commercial primary production that is compatible with ecological or scenic landscape qualities that have been conserved (often due to topography). It may apply to land that is suitable for grazing and other forms of extensive agriculture, or intensive plant agriculture, but where the permitted uses are usually more limited and differ from RU1 land due to landscape constraints.
<b>C2</b> Environmental Conservation	This zone protects land that has high conservation values outside national parks and nature reserves. The use of this zone needs to be justified by appropriate evaluation of the area in terms of meeting the core zone objectives of having high ecological, scientific, cultural or aesthetic values.
<b>C3</b> Environmental Management	This zone includes land within special ecological, scientific, cultural or aesthetic attributes, or land highly constrained by geotechnical or other hazards, requiring careful consideration and management to ensure development is compatible with these values.
<b>C4</b> Environmental Living	This zone is generally intended for land with special environmental or scenic values and accommodates low impact residential development. This zone may be applicable to areas with existing residential development in a rural setting, which still has some special conservation values.
<b>R5</b> Large Lot Residential	This zone provides for very low-density residential housing in a rural setting, often adjacent to towns. Lot sizes can be varied within the zone depending on the servicing availability and other factors such as topography, native vegetation characteristics and surrounding agricultural land uses.



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# 1. INTRODUCTION





Maitland Local Government Area (LGA) is approximately 39,000ha in size and is located in the Lower Hunter region of NSW, with the Hunter and Paterson Rivers and their floodplains being key features of its landscape.

The LGA's rural land is an important part of the city's history, its setting, landscape, and economy. The rural landscape supports a diverse range of activities including agriculture, rural industries, tourism, extractive industries, rural housing, and recreation spaces as well as possessing unique environmental and cultural assets.





## 1.1 Background

Eighteen years have passed since the implementation of the *2005 Rural Land Strategy*, which served as a planning and management framework for Maitland's rural land use, guiding Council's future decision-making. It aimed to maintain the economic viability of agriculture while protecting the natural, ecological, and scenic quality of the rural environment.

The 2005 Strategy was important in contextualising rural land use and developing appropriate planning controls in the preparation of the *Maitland LEP 2011*. Since 2005, there have been significant changes to planning policies, technology and agricultural industry requirements.

In 2020, Maitland City Council endorsed its first Local Strategic Planning Statement 2040+ (LSPS). A key action of the LSPS was to review the existing Maitland Rural Land Strategy 2005 and prepare a new Rural Land Strategy to guide the future planning and management of rural land.

In 2018, the NSW Department of Planning and Environment (DPE) released the *Greater Newcastle Metropolitan Plan 2036* which states that "a significant proportion of Greater Newcastle's greenfield development will continue to occur in Maitland [LGA]".

In 2022, DPE finalised the *Hunter Regional Plan 2041* which further set target areas for urban growth in the Maitland LGA, but concurrently sets clear objectives and strategies to protect rural land and the agricultural economy in the LGA and wider Hunter Region. These two plans are discussed further in Section 2.

Maitland has a current population of approximately 93,500 (ABS 2022: ERP, 2023). Its significant growth in population and housing over the past two decades and projected strong population growth is resulting in ongoing pressures on rural land.

This growth has the potential to significantly impact on high value agricultural land, scenic landscapes, waterways and potentially introduce land use conflicts. Therefore, rural land needs to be identified, protected, and managed for the future as the city grows.

Retaining important land for agriculture within the LGA to support food and fibre production is also an increasingly challenging and highly complex issue for Council, government agencies and agricultural industries.

These challenges and changes in the landscape necessitate a comprehensive analysis of the LGA's rural land and rural economy, and hence a Maitland Rural Land Strategy 2041 ('the Strategy') and its accompanying Rural Land Review 2021 was prepared (as discussed in Section 1.4).

## 1.2 Purpose of the Strategy

### Purpose

The purpose of this Strategy is to provide an evidence-based framework and clear direction for planning and managing rural and environmental land in the Maitland LGA over the next 20 years.

It **aims** to:

- support and protect agricultural land in the long term
- provide certainty for existing and future rural land uses while considering the many trends driving change locally, regionally and nationally
- provide appropriate planning responses to support rural land and the rural economy in the short, medium and long term
- highlight issues relating to environmental hazards
- facilitate investment and innovation in the rural economy
- open opportunities for local economic growth and diversification.



## 1.3 Where is it applicable

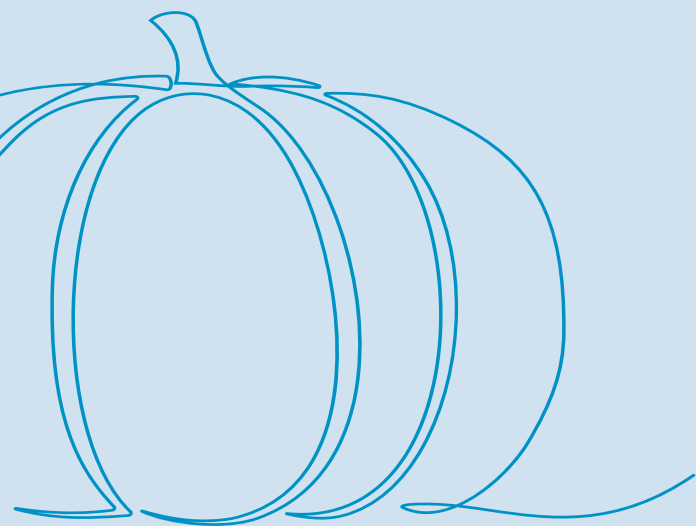
The Maitland LGA is shown at Map 1. The Strategy covers all public and private land currently zoned (at March 2023) under *Maitland LEP 2011* as any of the following:

- RU1 Primary Production
- RU2 Rural Landscape
- R5 Large Lot Residential
- C2 Environmental Conservation
- C3 Environmental Management
- C4 Environmental Living

Collectively, this land is referred to as 'rural land' for the purposes of this Strategy and is shown at Map 2. Rural and environmental zoned land comprise 82% of the Maitland LGA.

It is noted that there may also be small parcels of other zoned land contiguous to the above zones (eg Special Uses) that are also captured in this Strategy.

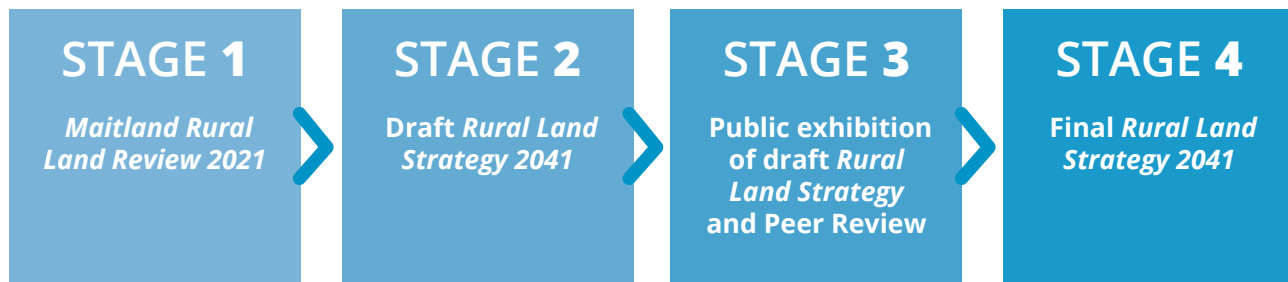
Council is concurrently releasing the *Maitland Local Housing Strategy 2041* that addresses the remainder of the land (urban zones) within the LGA. These documents should be considered together.





## 1.4 How was it developed

The Strategy was developed in the following stages:



### **Maitland Rural Land Review** GHD, 2021

The Review provides an evidence-based analysis of Maitland LGA's rural land including:

- a current overview of rural and environmental land and its social, economic and environmental context
- details on the planning context of rural and environmental land
- land capability and constraints
- issues, opportunities and drivers influencing change on rural land.

The Rural Land Review should be read in conjunction with this Strategy, particularly as it contains details about issues discussed in this Strategy, with accompanying mapping.

### **Draft Rural Land Strategy** GHD, 2022

The draft Rural Land Strategy 2041 was produced by GHD in 2022 and was written in conjunction with the Rural Land Review described in Stage 1.

### **Peer Review** 2023

The Peer Review was necessary as various NSW land use and agricultural policy reforms and legislative updates had come into effect since the 2022 draft Strategy.

Additions also needed to be made to some subject areas, and changes to text and mapping. This version of the Strategy (2023) has incorporated those changes.

### **Final Rural Land Strategy** 2023

This document is the final Rural Land Strategy, combining the draft Rural Land Strategy (GHD, 2022) and the Peer Review (2023).

## 1.5 How the Strategy will be used

It is intended that the Strategy, particularly through its Planning Principles and Strategic Directions (as explained at Section 3) will provide the basis for:

- Informing changes to planning policies, plans and strategies at the regional and local levels, in particular informing the future review and amendments of:
  - *Maitland Local Environmental Plan 2011* where it relates to rural land
  - *Maitland Development Control Plan 2011*, which gives requirements for preparing and assessing Development Applications
  - *Hunter Regional Plan 2041*
  - *Greater Newcastle Metropolitan Plan 2036*
  - *Lower Hunter and Greater Newcastle City Plan* (to be developed by GCC)
- Providing assessment of and justification for changes to rural land through the Planning Proposal (Local Environmental Plan amendment) process
- Guiding decisions about suitable locations for particular types of development
- Assisting with advocating for changes to the NSW planning system where it impacts rural land and activities
- Supporting the funding and provision of infrastructure and services by all levels of government (local, state and federal)
- Providing the basis for community education, promotion and advocacy to support the rural economy.
- Assisting with decisions relating to investment and opportunities in the rural economy

## 1.6 Engagement

Council conducted extensive community and stakeholder engagement from 2019-2020 to inform its first *Local Strategic Planning Statement (LSPS)*. The findings of this engagement were used to develop the draft *Rural Land Strategy* (GHD, 2022).

Targeted stakeholder engagement was undertaken as part of the *Rural Land Review* (GHD, 2021) to identify key issues, values, views, and insights regarding rural land. The findings from this stakeholder engagement process were integrated into the draft Strategy.

The draft *Rural Land Review* and draft *Rural Land Strategy* were placed on public exhibition by Council from 28 September to 4 November, providing the opportunity for residents, landowners, businesses, government agencies and other interested parties to review and make their comment on the draft document.

## 1.7 Structure of the Strategy

This Strategy is centred around 8 **Planning Principles**. They, and their detailed contents are explained in Section 3.

In summary, the Strategy contains:

1. An **Introductory** section (this section)
2. A **Strategic Context** section, describing the planning and policy context, a summary of trends driving change on rural land and key statistics
3. **Planning Principles**
4. An **Implementation** section, which is a collation of all the Actions described in each Planning Principle.

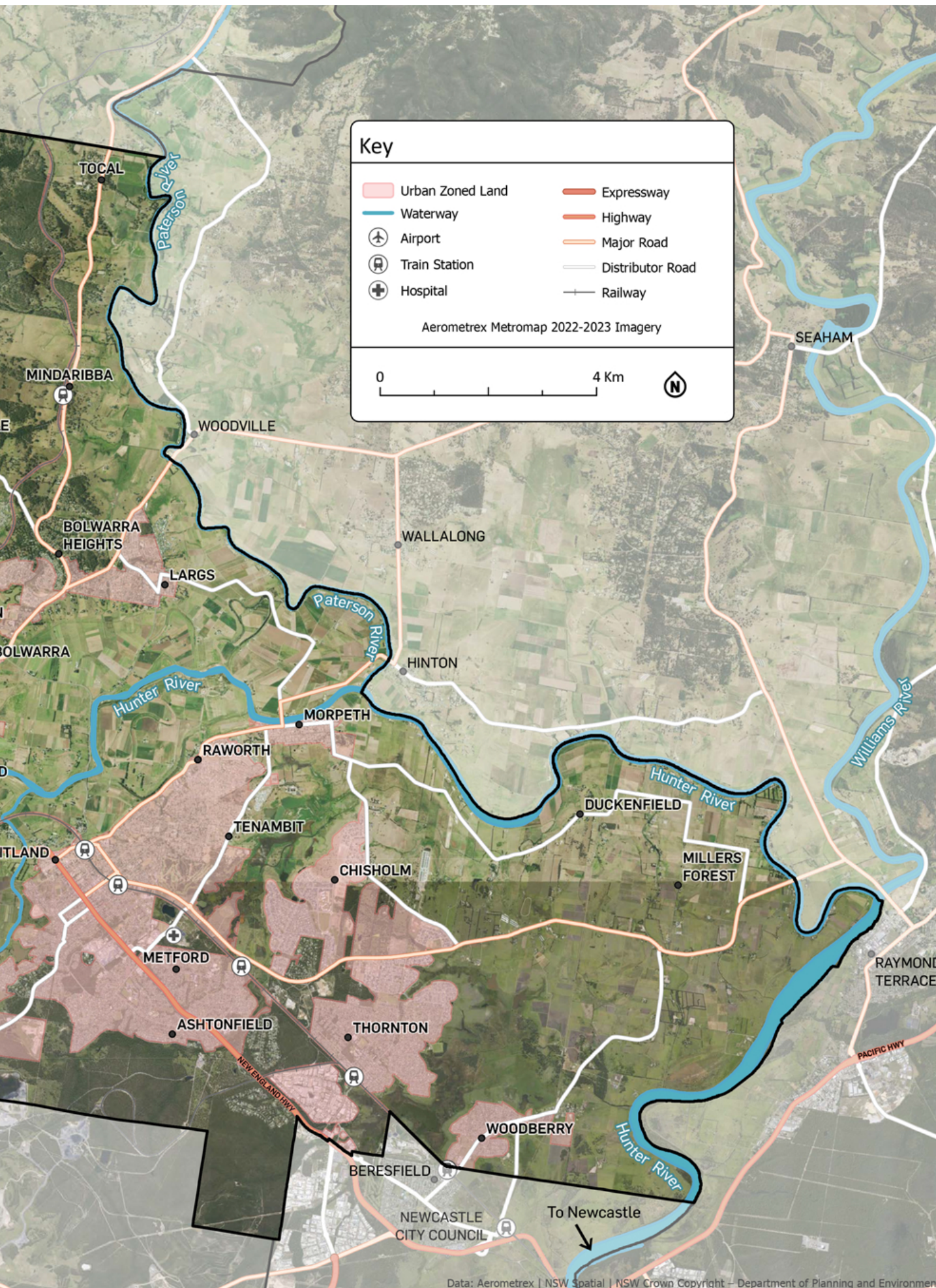




Map 1: Maitland Local Government Area

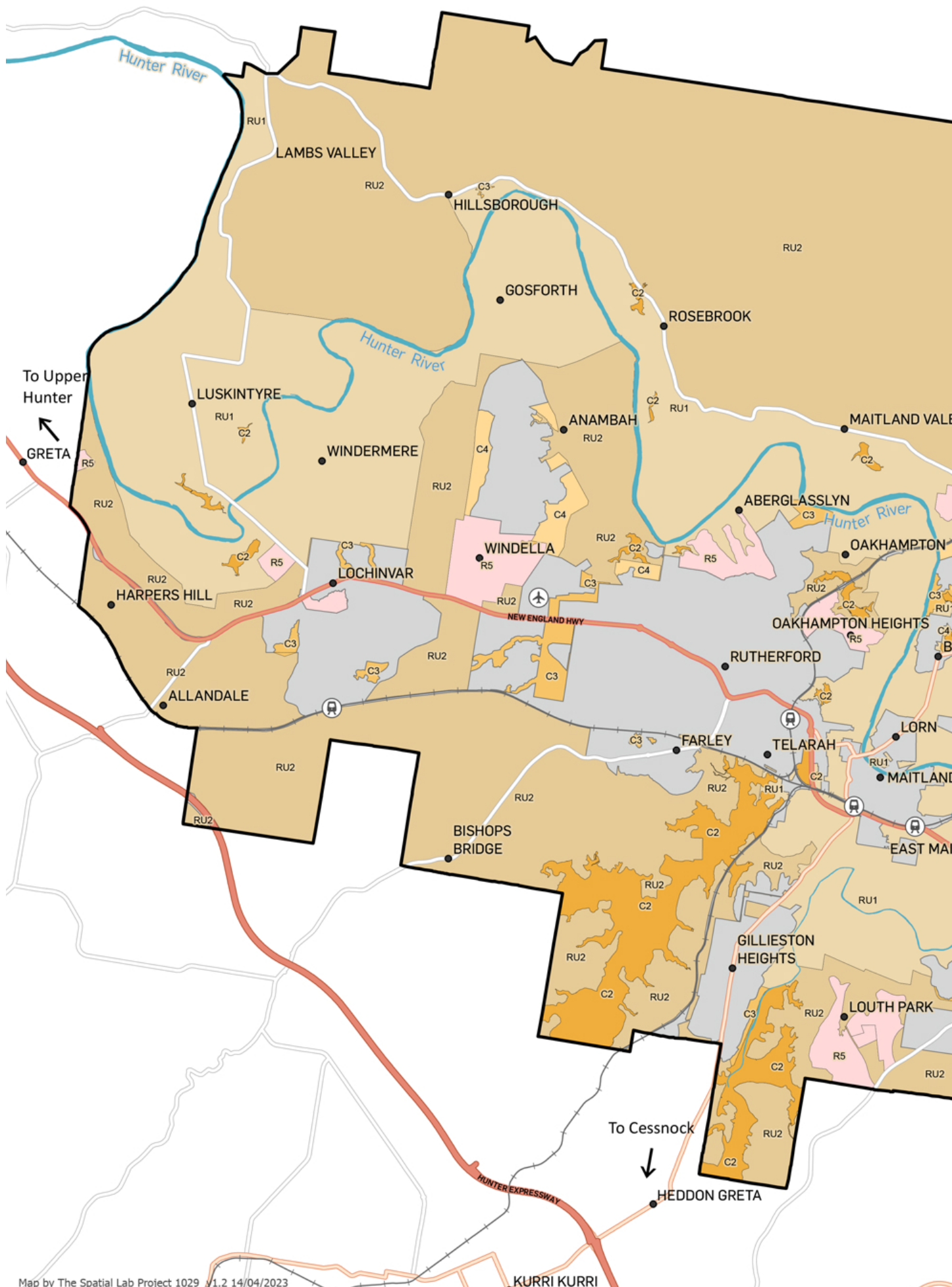




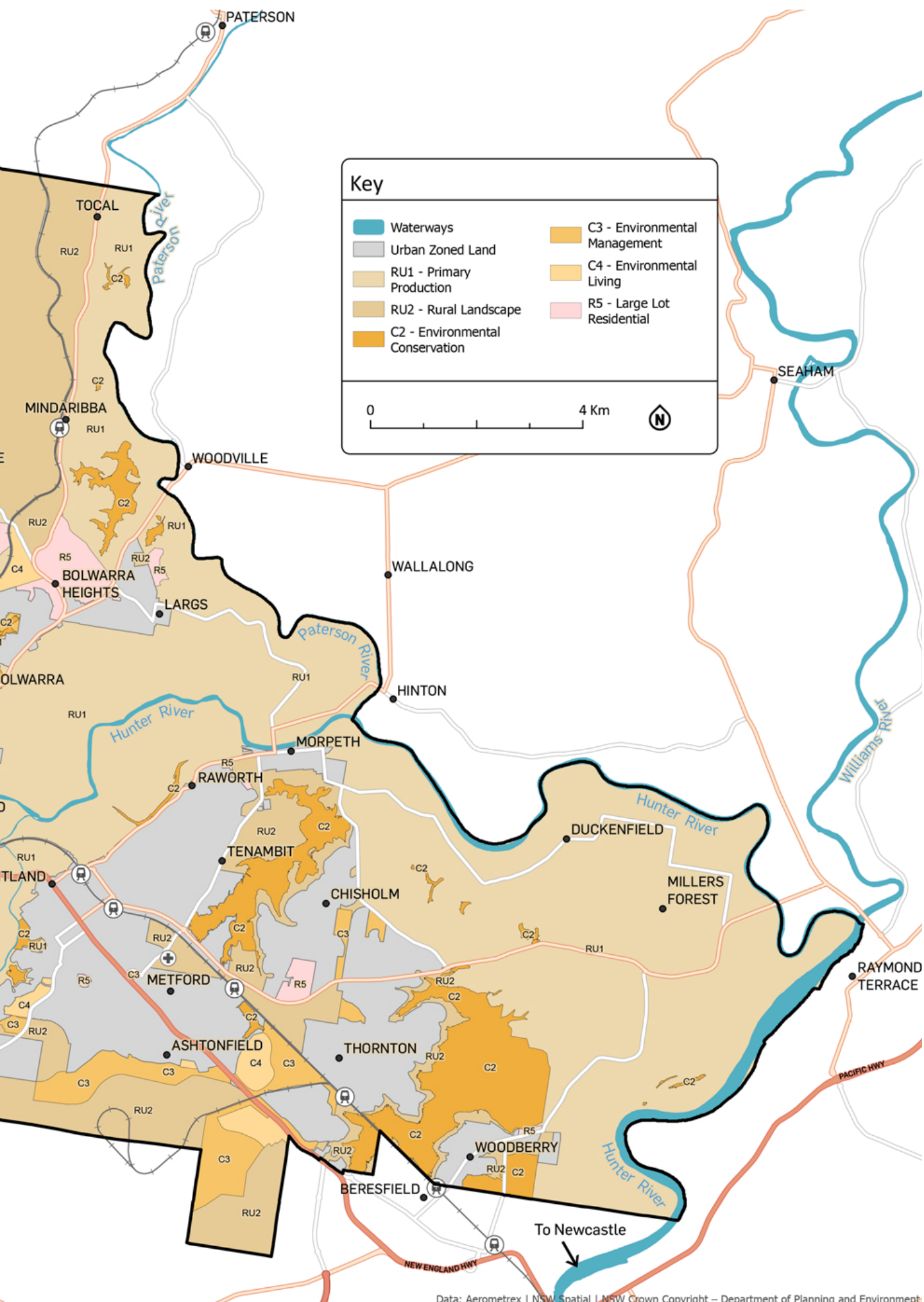




Map 2: Rural and environmental zoned land subject to this Strategy









## 2. STRATEGIC CONTEXT

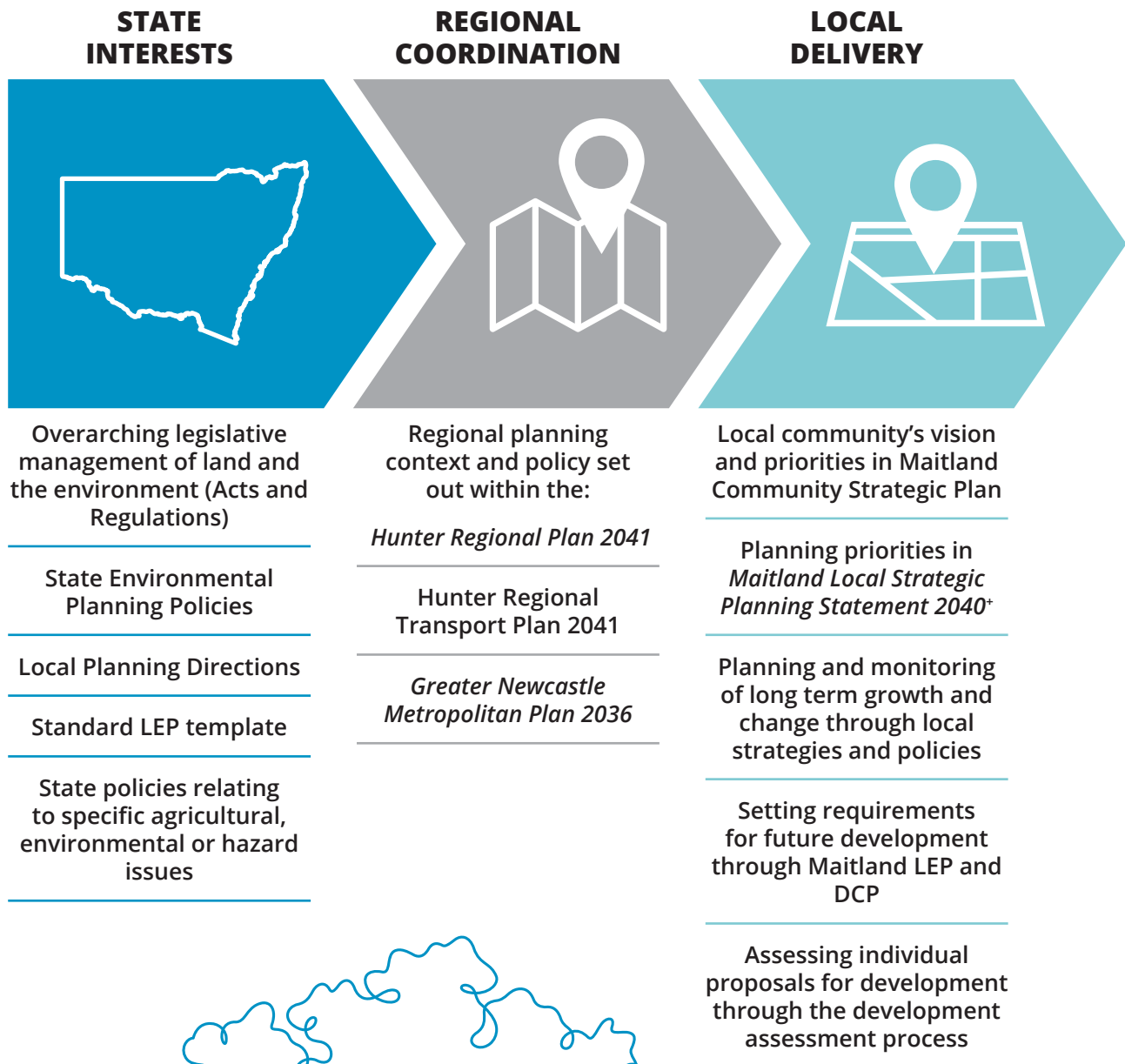






## 2.1 Planning and Policy Context

The NSW planning system provides a clear 'line of sight' between key strategic priorities identified at the State, regional and local scale, as illustrated below.





The linkages between these State, regional and local planning frameworks are a fundamental consideration in the implementation of this Strategy, hence a range of State, regional and local planning and policy documents have informed the preparation of this Strategy, as outlined in the following table. A detailed analysis of planning and policy context is included in the Rural Land Review 2021, with additional material since that time being included in this Strategy.

RELEVANCE	POLICIES, STRATEGIES AND PLANS
<b>State</b>	<ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act 1979</li> <li>• Biodiversity Conservation Act 2016</li> <li>• Right to Farm Act 2019 &amp; Right to Farm Policy 2015</li> <li>• Water Management Act 2000</li> <li>• Local Land Services Act 2013</li> <li>• Primary Production SEPP 2021</li> <li>• Resource and Energy SEPP 2021</li> <li>• Resilience and Hazards SEPP 2021</li> <li>• Housing SEPP 2021</li> <li>• Exempt and Complying Development Code SEPP 2008</li> <li>• Ministerial Directions</li> <li>• NSW Agricultural Industry Action Plan 2014</li> <li>• NSW Infrastructure Strategy 2022-2042</li> <li>• Recent amendments to Standard Instrument Local Environmental Plan Orders</li> <li>• Biophysical Strategic Agricultural Land</li> <li>• State Significant Agricultural Land (draft)</li> <li>• NSW Climate Change Policy framework</li> </ul>
<b>Regional</b>	<ul style="list-style-type: none"> <li>• Hunter Regional Plan 2041</li> <li>• Greater Newcastle Metropolitan Plan 2036</li> <li>• Greater Cities Commission 'Six Cities Regions' 2022</li> <li>• Hunter Regional Transport Plan 2013</li> <li>• Hunter Economic Infrastructure Plan 2013</li> <li>• A 20 Year Economic vision for regional NSW 2018</li> <li>• Greater Hunter Regional Water Strategy 2018</li> </ul>
<b>Local</b>	<ul style="list-style-type: none"> <li>• Maitland +10 Community Strategic Plan</li> <li>• Maitland Local Strategic Planning Statement 2040+</li> <li>• Maitland Local Environmental Plan 2011</li> <li>• Maitland Development Control Plan 2011</li> <li>• Maitland Destination Management Plan 2020-2030</li> <li>• Various documents prepared under the NSW Floodplain Management Framework</li> <li>• Various Council strategies and plans currently under development</li> </ul>



In particular, the Strategy:

- is consistent with *Maitland Local Strategic Planning Statement 2040\** for the LGA, being to:
  - Protect, conserve and enhance our natural environment including waterways, floodplains and wetlands (Local Planning Priority 10)
  - Protect our city's rural land, natural assets and rural landscape (Local Planning Priority 11)

A key action under Local Planning Priority 11 is to 'review the existing *Maitland Rural Land Strategy 2005* and prepare a new Rural Land Strategy'.

- aligns with the Strategy and Actions of the *Greater Newcastle Metropolitan Plan 2036* (explained in the Rural Land Review, GHD 2021)
- considers the Objectives and Strategies of the *Hunter Regional Plan 2041* (explained further below).

Each of this Strategy's Planning Principles and their subsequent Strategic Directions explain how each considers the *Hunter Regional Plan 2041*.

- Additionally, several State Government guidelines concerning land use and agriculture have been considered by the Council as best practices when developing this Strategy. These encompass, but are not restricted to, the following: *Planning for Agriculture in Rural Land Use Strategies* (Department of Primary Industries – Agriculture, 2022).

This Guideline was released after the preparation of the draft *Rural Land Strategy* (GHD, 2022), and this Strategy covers all topic areas outlined in this guideline.

- State Significant Agricultural Land (draft – discussed in Planning Principle 1).

## HUNTER REGIONAL PLAN 2041

The NSW Department of Planning and Environment (DPE) released the updated *Hunter Regional Plan 2041* (HRP 2041) in late 2022.

### The HRP 2041 identifies areas for future urban growth in the Maitland LGA.

The HRP 2041 concurrently sets clear objectives and accompanying strategies relating to a wide range of issues affecting rural and environmental land. In particular Objective 9 is to 'Sustain and balance productive rural landscapes'.

## District planning and growth areas

The HRP 2041 sets out specific areas, at a conceptual level, for future urban growth in the LGA. These are dealt with in detail in Council's *Local Housing Strategy 2041*, but their interface with rural and environmental land is critical to this Strategy. These areas are generally (but not entirely) south of the Hunter River in the LGA:

- The New England Growth Corridor – and the components of West, Central and East Maitland
- Buchanan, Kurri Kurri and Loxford interchanges regionally significant growth area
- Anambah to Branxton regionally significant growth area
- National Pinch Point regionally significant growth area.

## The 'Hinterland' District

The HRP 2041 nominates a '*Hinterland District*' that in the Maitland LGA is generally (but not entirely) north of the Hunter River.

The **Planning Priorities** for this district are:

1. Plan for housing diversity in towns and villages (however no towns or villages in Maitland LGA are nominated in this Priority)
2. Promote rural enterprises and diversification
3. Support the NSW Koala Strategy
4. Support blue-green infrastructure and quality public spaces
5. Protect drinking water catchments.

## Objectives and Strategies of HRP 2041 and their relationship to this Strategy

The objectives of the HRP 2041, and the place(s) within this Strategy where each of the Objectives (relevant to rural and environmental land) and their accompanying detailed Strategies are outlined within each Planning Principle.

It should be noted that the Objectives and Strategies of the HRP 2041 are highly interconnected across the different areas of this Strategy, necessitating some repetition, and highly relevant to other concurrent strategies or studies also currently being prepared by Council.

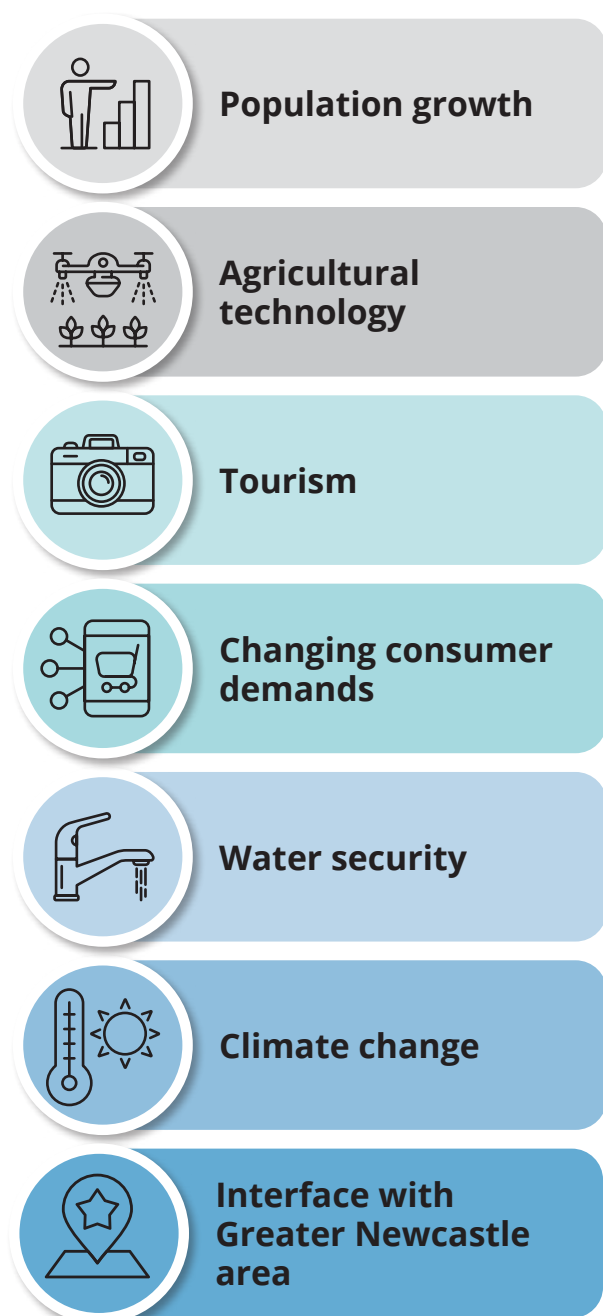
It is essential to acknowledge that the RLS alone cannot address all related HRP 2041 Strategies. These must be integrated with other Council strategies to be effective. Collaborative efforts among related plans and strategies, both at the local and state levels, are necessary.

## 2.2 Trends Driving Change on Rural Land

The planning and management of Maitland's rural land is not only influenced by NSW Government and local strategies and initiatives, but also motivated by trends at a regional, national and international scale.

Detailed background analysis of social, economic and environmental conditions along with targeted stakeholder consultation has resulted in the following 'trends driving change on rural land', as identified in detail in the Rural Land Review (GHD, 2021).

*Trends driving change on rural land*



These key drivers have helped to identify and define opportunities and constraints associated with rural land in Maitland.

Maitland is experiencing high levels of population growth. Annual population growth is over 2% per annum with the population expected to increase by additional 54,800 people between 2021-2041 (DPE, 2022). Mitigating increasing pressure from population growth within the LGA has become a planning priority as urban development continues to expand into rural land.

Maitland's paradox is that while future urban development has the potential to cause land use conflict with current farming activities and operations, the increased population settling closer to rural areas has the benefit of encouraging farmers to diversify their operations to cater for this 'closer' market.

New, emerging or expanding agricultural opportunities, such as farm experiences, tourist accommodations, and direct-to-consumer selling, are becoming increasingly popular. This trend is likely to persist as the strong demand for unique and local food sources is driven by consumer preferences for sustainable and ethically sourced foods.

Managing growth and potential land use conflict is key, and so is the need to sustain and protect the natural environment while ensuring water security remains a prime focus. Climate change will continue to create extreme weather events forcing the community to become adaptive and resilient to hazards such as flood and bushfire.

Maitland is well located to take advantage of its proximity to Newcastle, its road and rail access to Newcastle and the broader Hunter Region and surrounding infrastructure to attract people, business and visitors to the area.

New and emerging technologies will assist the agriculture sector with productivity improvements, unlock new value chains and create new communication pathways between farmers and consumers.



## 2.3 Local context

### Maitland LGA and the agricultural economy at glance

#### POPULATION

Maitland LGA's current population at mid 2022 was estimated to be 93,500 residents (ABS ERP 2022). The NSW Government currently estimates that the population of Maitland LGA is projected to grow by an additional 54,800 residents between 2021 (from an estimate at that time of 89,750) and 2041 (to 144,550), based on a 'common planning' scenario. This represents a forecast population growth of 61% or a compound average growth rate of 2.4% for the 20 year period.

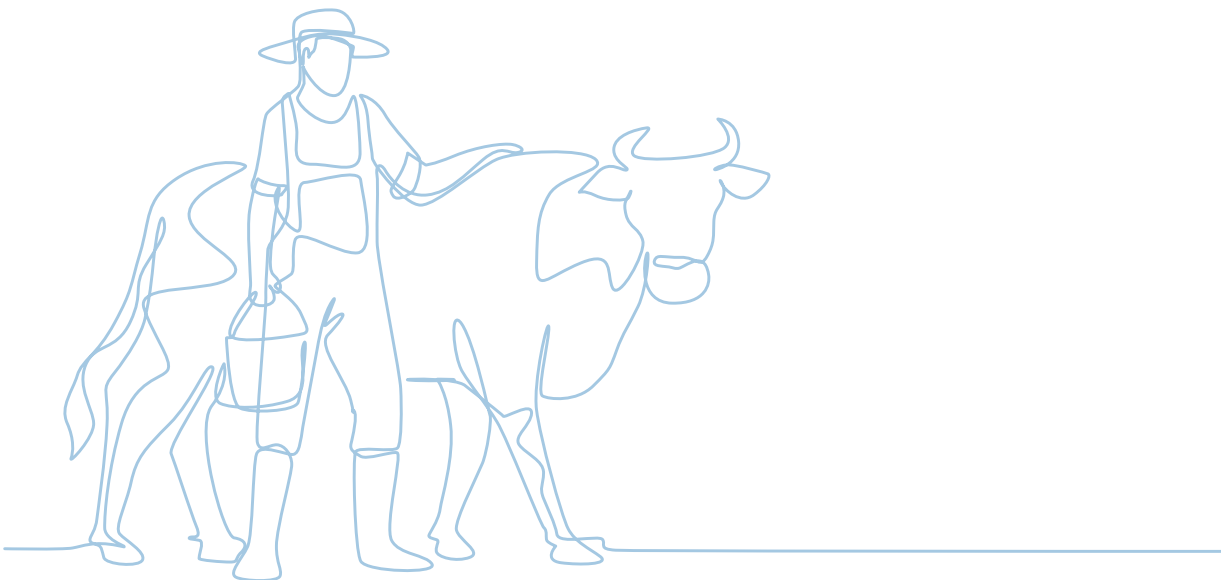


#### EMPLOYMENT IN THE AGRICULTURAL INDUSTRY

At the 2021 Census in the Maitland LGA, there were:

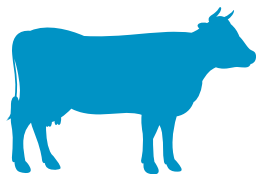


Year	2006	2011	2016	2021
People employed in the 'Agriculture, Forestry and Fishing' sector	494	321	452	292
Gross value of agricultural production (\$)	\$23 million	\$26 million	\$24 million	\$33 million



## AGRICULTURAL PRODUCTION AND VALUE<sup>§</sup>

In 2020/21 in the Maitland LGA, the gross value of agricultural production was estimated to be almost \$33 million. This was produced by 71 agricultural businesses and consisted of:



**\$6.7** MILLION

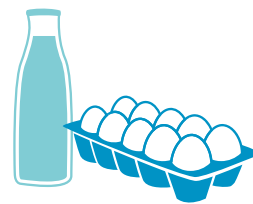
**TOTAL LIVESTOCK**

Slaughtered and other products



**\$10.7** MILLION

**TOTAL CROPS**



**\$15.5** MILLION

**TOTAL LIVESTOCK PRODUCTS**

eg milk, eggs etc

Table 1: Top 10 highest value agricultural commodities produced in Maitland LGA, 2020-2021

	Agricultural commodity	Gross value estimate (rounded)	Production estimate (rounded)	No of businesses
1	Eggs	\$12.2 million	4.5 million dozen eggs	4
2	Cultivated turf	\$7.5 million	133ha	7
3	Cattle and calves	\$3.6 million	4,600 meat cattle	46
4	Milk	\$3.2 million	1,000 dairy cattle	5
5	Poultry	\$3.1 million		
6	Hay	\$1.6 million	4,000 tonnes from 679ha	23
7	Maize for grain	\$740,000	2,000 tonnes from 264ha	3
8	Pumpkins	\$210,000	300 tonnes from 21ha	7
9	Potatoes	\$190,000	350 tonnes from 35ha	4
10	Cabbages	\$75,000	90 tonnes from 3ha	1

An estimated

**26%**

of land zoned either rural or environmental in the LGA was  
**PRIMARILY USED FOR AGRICULTURAL PRODUCTION IN 2021**

Maitland is in the top 10 LGAs of NSW for its 'gross value' of:

**TURF**



**NO.2**  
IN THE STATE

**COMMERCIAL  
HEN EGGS**



**NO.10**  
IN THE STATE

**PUMPKINS**



**NO.10**  
IN THE STATE

<sup>§</sup> Source: Australian Bureau of Statistics, 2022: Agricultural Census 2020-2021



# 3. PLANNING PRINCIPLES





The core of this Strategy are the eight planning principles (summarised on the following page and described in detail in the remainder of this section). Together, they and their contents set a framework for the planning of Maitland's rural land in the long term.

Within each Planning Principle, the following are given:

- **Intent** of the Principle
- **Objectives** of the Principle
- **Alignment** of each Principle and its contents with the *Hunter Regional Plan 2041*
- **Strategic Directions** relating to each Principle
- A list of **Actions** is given that are required to be undertaken by Council and other stakeholders to realise the Strategic Directions within that Principle.





## 3.1 Overview of Planning Principles



### Protect productive agricultural land

**Intent:** Protect high value agricultural land and avoid further fragmentation of rural land.



### Reduce and manage land use conflict

**Intent:** Avoid, minimise and mitigate impacts from existing and new land uses on both high value agricultural land and from uses on non-agricultural land.



### Build rural housing only in the right places

**Intent:** Guide and manage rural housing locations and types to minimise land use conflict and avoid further fragmentation of rural land.



### Support and diversify the rural economy

**Intent:** Recognise the rural economy's contribution to the local and regional economy and support its diversification, particularly as the wider agricultural industry changes.



PLANNING

5

PRINCIPLE

**Protect and enhance natural ecosystems, scenic values and heritage in rural areas**

**Intent:** Recognise the importance and functions of the rural area's natural ecosystems, scenic landscape and heritage values and protect, retain, and enhance these.



PLANNING

6

PRINCIPLE

**Understand and mitigate the impacts of natural hazards and adapt to a changing climate**

**Intent:** Understand, mitigate, build resilience to and adapt to natural hazards, and understand and respond to the effects of climate change on rural land.



PLANNING

7

PRINCIPLE

**Improve connections with Greater Newcastle and beyond for the benefit of the rural economy**

**Intent:** Capitalise on Maitland's locational advantages to embrace opportunities to connect and expand rural market access.



PLANNING

8

PRINCIPLE

**Use planning provisions, processes and partnerships to strive for the best outcomes for rural land, rural communities and the rural economy**

**Intent:** Effectively use the NSW planning, agricultural, environmental and natural hazard frameworks, research, provisions and processes to enable the Planning Principles and Strategic Directions of this Strategy to be successfully realised.





## 3.2 Planning Principle 1

### Protect productive agricultural land

#### INTENT

**Protect high value agricultural land and avoid further fragmentation of rural land.**

#### OBJECTIVES

1. Protect highly productive and high value agricultural land.
2. Apply best practice methodology in the identification and mapping of high value agricultural land to guide future planning decisions.
3. Limit urban encroachment into high value agricultural land.
4. Limit non-agricultural incompatible land uses on highly productive and high value agricultural land.
5. Encourage flexibility to accommodate agricultural uses on smaller rural lots while prohibiting residential development.

#### FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- State Significant Agricultural Land and Biophysical Strategic Agricultural Land
- Important Agricultural Land
- Fragmentation of rural land
- Peri-urban land.

Note that the issue of buffers and separation distances to protect productive agricultural land is addressed in Planning Principle 2.

#### RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

Objective 9 of the HRP 2041 is to *sustain and balance productive rural landscapes*. This objective is accompanied by a number of strategies relevant to Maitland's rural land including 9.1, 9.2, 9.5 and 9.6. This Strategy seeks to address each one of these HRP 2041 Strategies. Objective 9 of the HRP 2041 also lists a clear set of '*Performance outcomes*' that must be achieved by any planning proposal that does not comply with any of the above strategies



## State Significant Agricultural Land (SSAL) and Biophysical Strategic Agricultural Land (BSAL)

The sustainable protection and management of agricultural land across NSW is critically important. The NSW Department of Primary Industries (DPI) is undertaking a mapping program across NSW to identify *State Significant Agricultural Land (SSAL)*. A draft SSAL map was on exhibition in late 2021. The draft SSAL map is derived from existing state-wide information where the most relevant characteristics related to the best agricultural land are used. The biophysical attributes of SSAL represent the most capable, fertile and productive agricultural land in the state, and support a variety of agricultural industries operating successfully (DPI, 2021).

Before SSAL, Biophysical Strategic Agricultural Land (BSAL) was previously used at a state and regional level as an indicator of strategically important agricultural land. It is defined as land at the regional scale with high quality soil and water resources capable of sustaining high levels of productivity. The criteria for BSAL relates to levels of soil fertility, land and soil capability classes and access to reliable water and rainfall levels.

SSAL and BSAL within the Maitland LGA is predominantly associated with the alluvial flood prone land along the Hunter and Paterson Rivers where high-quality soils and water resources are present and can sustain high levels of productivity. This land is also located adjacent to peri-urban areas on the urban fringe.

Draft SSAL covers 29% of land outside urban zoned land (defined as all land *not* zoned RU1, RU2, C2, C3, C4 or R5 as at March 2023). BSAL and draft SSAL in the Maitland LGA are shown at Map 3. It is expected that the NSW Government will release the final SSAL mapping in mid 2023, at which time Map 3 should be updated.

### STRATEGIC DIRECTION

- Recognise State Significant Agricultural Land and its accompanying state-based planning provisions, and protect it from non-rural land uses to sustain its future rural productivity.

## Important Agricultural Land (IAL)

The identification of Important Agricultural Land (IAL) is a methodology developed by DPI that can be used by NSW councils to identify their important agricultural land at the local scale. The methodology is documented in *A guideline to identifying important agricultural land in NSW* (NSW DPI, 2017).

Understanding the significance of IAL, where it is situated and its value and contribution to the LGA assists in making decisions about agricultural land. It will contribute towards:

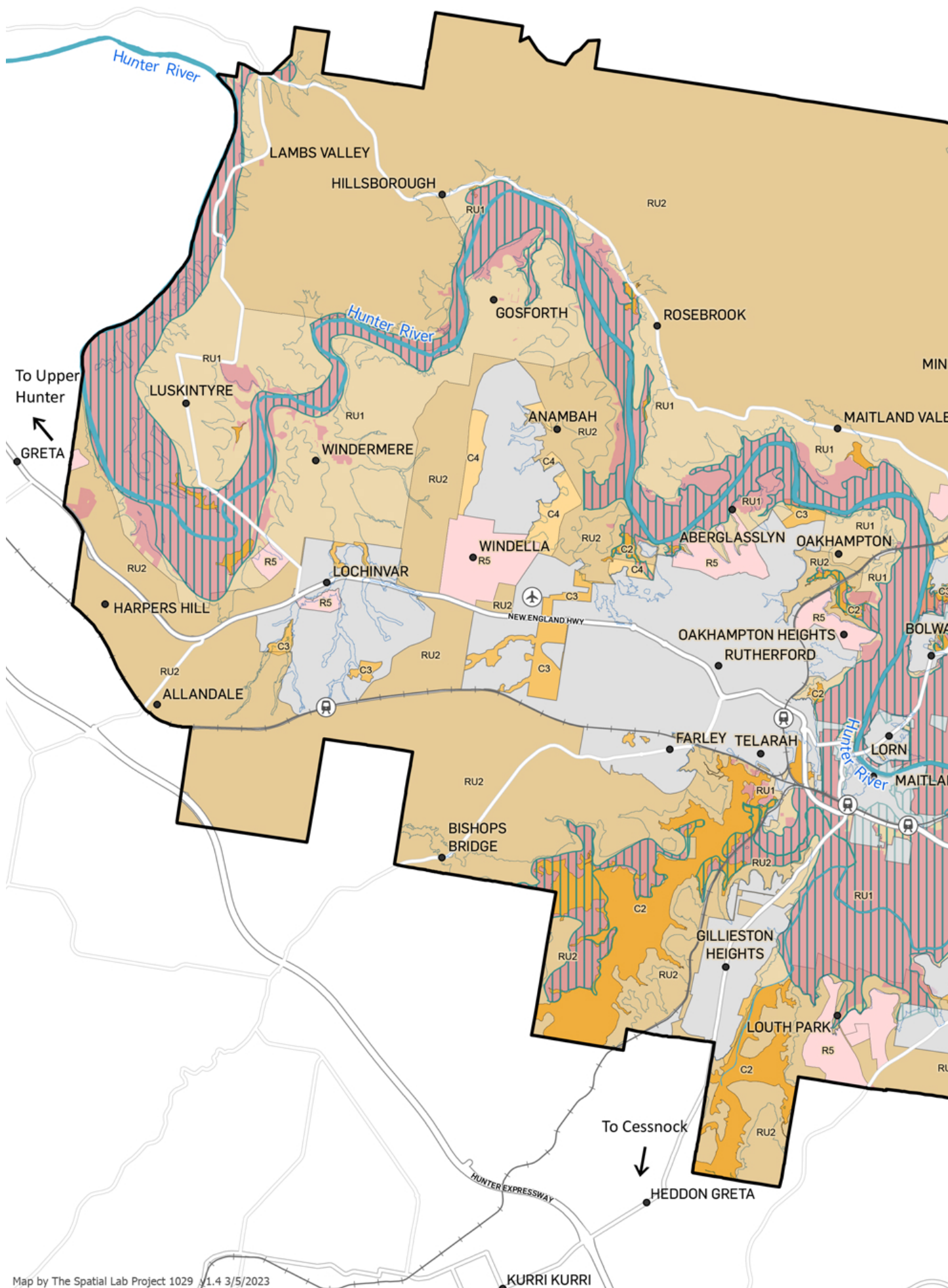
- Providing certainty for existing agricultural enterprises and agribusiness to remain, invest and grow
- Providing certainty for the limits of urban development near agricultural land
- Identifying future opportunities for agricultural industries
- Mitigating and reducing land use conflict and enabling compatible development in rural zones
- Supporting essential agricultural assets and the agricultural supply chain.

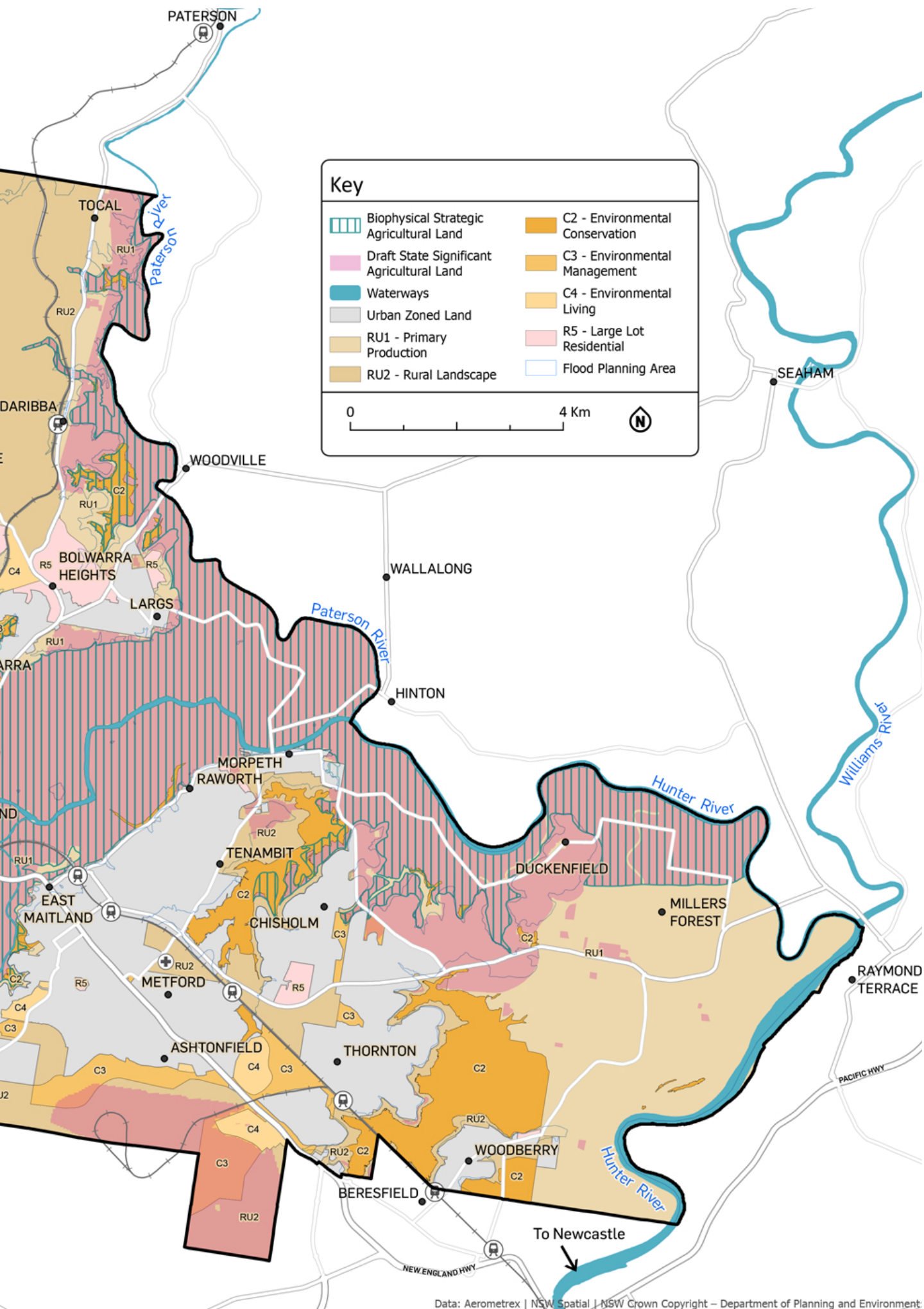
### STRATEGIC DIRECTION

- Work with the NSW DPI Agriculture to identify important agricultural land at the local scale and develop appropriate local planning provisions to protect them and guide future planning decisions



Map 3: State Significant Agricultural Land (draft) and Biophysical Strategic Agricultural Land







## Fragmentation of rural land

There is increasing pressure on Maitland's rural land for further fragmentation due to increasing urban development and rural residential living. This has resulted in 'development creep' onto productive agricultural land and in close proximity to flood prone land.

There is a need to preserve larger scale agricultural land within the LGA to support existing and emerging agricultural activities while preventing further fragmentation of rural land. Large land holdings are an advantage for viable agricultural operations to grow, invest and diversify.

Inappropriate rural subdivision can have significant irreversible and adverse impacts on rural land and therefore, it is important to avoid fragmentation that may result in a loss of sustainable land for primary production.

*Maitland LEP 2011* prescribes a 40ha minimum lot size for the RU1 and RU2 zones. A land holdings analysis in 2020 (shown in the Rural Land Review (GHD, 2021)) demonstrates the historical fragmentation of land and in certain instances, lots are well below the minimum lot size specified under *Maitland LEP 2011* (i.e. 70% of rural land holdings had a minimum lot size of 10ha or less).

The current RU1 and RU2 zones should maintain a minimum lot size of 40 ha, as this is effective in permitting a range of agricultural uses while managing already fragmented land and associated dwelling entitlements.

Although further fragmentation is not supported for urban or rural residential purposes, suitable subdivision outcomes should be encouraged to promote diversity and change in the agricultural sector.

### STRATEGIC DIRECTIONS

- Maintain *Maitland LEP 2011*'s 40ha minimum lot size within the RU1 and RU2 zones.
- Encourage the consolidation of lots to support large scale agricultural activities and operations in rural areas.
- Support the subdivision of rural land for the purpose of small scale agricultural production without a dwelling entitlement.

## Peri-urban land: highly contested space

Peri-urban land, 'in between urban and rural land', has traditionally been used for food production. It is land at the edge of the urban boundary that:

- is subject to pressures from urban encroachment
- provides a valuable agricultural resource
- consists of a wide range of rural land uses including cropping, grazing and intensive plant production
- is in a transitional phase
- sustains important ecological, biodiversity and landscape values
- is a distinctive boundary between the urban development and the productive rural land.

Maitland's current urban zoned land has a large interface with its rural and environmental land – there is approximately 200km where urban zones border an environmental or rural zone in the LGA. (In comparison, the LGA boundary is 122km in perimeter).

One of the challenges facing this land includes urban encroachment and the desire for it to be used for residential lots adjacent to rural landscapes with scenic and rural amenity. Continued demand for urban development and the higher price for residential land is attractive for rural landowners to rezone land for urban purposes.

The COVID 19 pandemic further placed a focus on this land as people became more aware of where local food is grown and sourced. The pandemic also placed a spotlight on the risks associated with supply chains and market access highlighting the greater need for local food supply and food security.

Peri-urban agricultural land needs to be safeguarded for its valuable contribution to the local and regional economy, particularly high value diversified agricultural enterprises. However, the importance of peri-urban land is not formally recognised through local planning provisions.

Council should explore the possibility of introducing a 'Peri-Urban Considerations' Clause and accompanying map to *Maitland LEP 2011*, with additional considerations and guidance being added to *Maitland DCP 2011*. Similar considerations should also be articulated in a proposed Planning Proposals assessment criteria (described in Planning Principle 8).

References to inform these LEP and DCP provisions, mapping and guidelines could include (but not be limited to):

- Agricultural land mapping as discussed earlier
- Department of Primary Industries' *Land Use Conflict Risk Assessment Guide* or any other relevant updates
- Land use buffers and separation distances as discussed in Planning Principle 2
- Extractive industry issues as discussed in Planning Principle 2
- Biodiversity issues as discussed in Planning Principle 5
- Floodplain management issues as discussed in Planning Principle 6
- Reference to Council's other strategies and plans.

Other Strategic Directions and Actions included in Planning Principle 8 will assist in recognising, giving value to and protecting important peri-urban land.

Consideration could also be given to advocating to the NSW and/or Federal governments that economic tools (e.g. subsidies) be investigated to encourage owners of peri-urban and rural land to retain their land for rural and/or scenic purposes, in preference to converting it to urban land. Countries in Europe (and elsewhere) can offer long term experiences in this issue.

### STRATEGIC DIRECTION

- The intrinsic value of peri urban land and its contribution to the local and regional economy is recognised and will be communicated to other levels of government.
- New provisions should be explored and introduced into state and local planning policy to recognise peri-urban land and to manage future development proposals on it.
- Council will seek to understand peri-urban development issues in cooperation with other councils and agencies.

### ACTIONS

To realise the 'Strategic Directions' in the sections above, a range of actions need to be taken by Council and other stakeholders.

- 1.1 Ensure that State Significant Agricultural Land mapping are used as key criteria in the assessment of Planning Proposals.
- 1.2 Work collaboratively with the NSW DPI Agriculture to identify important agricultural land at the local scale and develop appropriate local planning provisions to guide future planning decisions.
- 1.3 Update *Maitland DCP 2011* to provide clear criteria for rural subdivision for agricultural practices where dwelling entitlement is prohibited under Clause 4.2 Rural subdivision of the *Maitland LEP 2011*.
- 1.4 Map peri-urban land and introduce a new local clause, development controls and associated mapping to Maitland LEP and *DCP 2011*.
- 1.5 Join with neighbouring councils, DPI Agriculture and other relevant organisations in understanding peri urban land issues and their effective management.
- 1.6 Advocate to the NSW and Federal governments for economic tools to be introduced to preference the use of peri urban and rural land for rural and/or scenic purposes, in preference to urban land uses.



## 3.3 Planning Principle 2

### Reduce and manage land use conflict

#### INTENT

**Avoid, minimise and mitigate impacts from existing and new land uses, on both high value agricultural land and from uses on non-agricultural land.**

#### OBJECTIVES

1. Provide ongoing protection for high value agricultural land through land use buffers and separation distances.
2. Limit the impacts of non-agricultural land uses on high value agricultural land, especially those from encroaching urban areas.
3. Avoid land use conflicts and provide land use certainty for rural activities.
4. Minimise land use conflict between new development and existing sensitive land uses, whether located in urban or rural areas.
5. Support the rights of farmers to undertake lawful agricultural practices.
6. Protect rural land and activities with increased biosecurity measures.

#### FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- Rural land use conflicts
- Land use buffers and separation distances
- Biosecurity
- Poultry industry
- Equine industry
- Infrastructure sites.

#### RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

Objectives and accompanying strategies of the HRP 2041 relevant to this Planning Principle are:

- Objective 1: Diversify the Hunter's mining, energy and industrial capacity (Strategy 1.3, 1.4, 1.5)
- Objective 9: Sustain and balance productive rural landscapes (Strategy 9.1, 9.2, 9.5 and 9.6),



## Rural land use conflicts

Land use conflicts occur when incompatible uses are located in proximity to each other. These conflicts are caused by differences in the expectation and aspirations of landholders, lack of understanding of agricultural practices and poor standards of land management.

Conflict can occur where peri-urban development (including small lot rural residential housing and tourism development) becomes incompatible with neighbouring agricultural practices and can potentially constrain farming operations and reduce the viability of commercial scale agricultural operations. Conflicts can also arise in issues relating to biosecurity (specifically discussed in the next section), water use, effluent management, chemical use, spray drift and weed management.

The Planning Principle 1 has explained the context of fragmentation of land in rural areas, and this has a direct impact on the potential for land use conflicts.

The *NSW Right to Farm Act 2019* and the Right to Farm Policy 2015 (currently under review) supports farmers undertaking lawful agricultural practices without conflict or interference arising from complaints from neighbours and other land users. The policy reinforces the rights and responsibilities of farmers and establishes a baseline for ongoing monitoring and evaluation of land use conflicts.

The policy also provides a platform to strengthen land use planning to ensure ongoing review of environmental planning instruments includes consideration of options to ensure best land use outcomes and to minimise conflicts. Its application to future legislation is yet to be determined.

Education and effective communication between property owners is critical when new land uses and activities are introduced on rural land.

There are a number of NSW best practice guidelines for different sectors of the agricultural industry that have been developed by DPI. Council should use these guidelines and any future ones to guide its planning on rural land.

## STRATEGIC DIRECTIONS

- Land use conflict between agricultural and non-agricultural uses should be effectively managed.
- In the case of nuisance complaints, manage land use conflict by supporting pre-existing, lawfully operating agricultural land uses in a manner consistent with the Right to Farm Policy or similar.
- Best practice information and guidelines produced by NSW government agencies should be used to inform Council's planning policy and practice.

## Land use buffers and separation distances

Buffers and separation distances are a key tool to managing conflict between a range of rural uses and other uses in rural areas, or on adjoining or nearby urban areas. The NSW DPI has developed an interim guideline '*Buffer Zones to Reduce Land Use Conflict with Agriculture 2018*' to ensure buffer zones are built into the design of developments where conflict may occur, in particular residential development, where property owners have relied on adjacent land to act as a natural buffer.

In December 2022, amendments were made to the NSW 'Standard LEP' Clause 5.28 '*Intensive livestock agriculture*' (now applicable to *Maitland LEP 2011*) so that:

- Intensive livestock agriculture cannot be located within 500 metres of any dwelling that is not associated with the development, or a residential zone (the clause also specifies maximum numbers of animals that apply to various types of development that can be subject to a Development Application)
- Poultry farms with less than 1,000 birds can be developed without consent, as long as they are not within 1km of another poultry farm (instead of the previous 500m).
- Poultry farms used for breeding must also be 5km away from other poultry farms, and vice versa.
- Pig farms with less than 20 breeding sows or less than 200 pigs can now be developed without consent only if they are not within 3km of another pig farm to be developed without consent.



DPE explained that “these changes have come about due to concerns from stakeholders that the distance required between farms is too small and does not meet best-practice standards for biosecurity”.

Land use buffers to extractive industries and key infrastructure sites in the LGA are discussed below.

The preparation of 'land use suitability criteria' guidelines will assist proponents, the community and Council consider whether proposed developments are appropriate in particular locations at the Planning Proposal stage. This is also discussed in Planning Principle 1 regarding peri-urban land.

To facilitate this, detailed mapping could be made available to proponents and the community to assist in assessing such criteria. Detailed suitability criteria could address issues to ensure the appropriate location of proposed development adjacent or near to existing agricultural operations and other incompatible uses. The guidelines should also include issues covered in other relevant sections of this Strategy, especially relating to buffers and separation distances, and specific industry requirements.

These guidelines should also be incorporated into *Maitland DCP 2011* to assist further in preparation and assessment of development applications.

## STRATEGIC DIRECTIONS

- Buffers and separation distances will be applied to mitigate conflict between land uses in the LGA.
- Detailed 'land use suitability criteria' guidelines are required to assist in determining appropriate locations for new development in, adjoining and near rural and environmental zones. These need to be considered in conjunction with assessing the suitability of developments on 'peri-urban' land generally.





## Biosecurity

Biosecurity is a shared responsibility to protect the local economy, environment and local community from biosecurity threats. Practicing good biosecurity will provide for access to premium markets domestically and internationally, deliver better yields and decrease costs of primary production, ensure locally grown, safe food and fibre and reduce stock losses and infrastructure damage by pests.

The poultry and equine industries in the LGA in particular have specific biosecurity risks and needs. Such biosecurity risks can often be minimised through appropriate land use zonings and by applying buffers to separate different land uses, making use of distance, vegetation or topography. *Maitland DCP 2011* should be updated in this respect to apply to relevant agricultural establishments as well as developments in proximity to rural developments requiring strict biosecurity protocols like the poultry and equine industries, as discussed below.

'Biosecurity' also refers to weeds and feral animals, which are significant issues in any rural area, but particularly in areas such as the Maitland LGA where the impacts of plants and animals from nearby urban development can cause major issues for rural landowners. Strong partnerships with other agencies such as DPI Agriculture and Local Land Services are required to manage this issue. Locally targeted, specific and ongoing community education to both urban and rural residents is also paramount.

### STRATEGIC DIRECTIONS

- Biosecurity issues will be given full attention and priority in planning for rural land uses and for urban development in proximity to rural land.
- To manage weeds and feral animals successfully, strong partnerships are required with other agencies as well as targeted education of the rural and urban community.

## Poultry industry

The poultry sector is the most economically productive rural industry in the Maitland LGA, producing more than 4.5 million dozen eggs (having a 'gross value' of \$12.2 million) and \$3 million gross value of meat chickens in 2020/21. It was the 10<sup>th</sup> highest egg producing LGA in NSW.

There is increasing demand for broiler chicken meat and eggs, and Maitland is well-placed in respect to both domestic and international markets to meet this demand. However, the poultry industry has the potential to impact on surrounding land uses in terms of odour, noise and waste. The potential for cumulative impacts of numerous poultry farms near residential uses or other sensitive land uses should be managed closely to ensure the continuity of this industry.

The DPI's Interim Guideline on buffer zones recommends a 60 hectare minimum lot size, and various buffer distances to mitigate conflict with adjoining land. This buffer is supported in recent changes to *Clause 5.18 Intensive livestock agriculture* under *Maitland LEP 2011* these are outlined in Planning Principle 2 'Buffers and separation distances'.

Council will support existing and future establishments, with appropriate monitoring of their operations to ensure their economic and environmental sustainability.

### STRATEGIC DIRECTION

- Poultry establishments are recognised as a significant agricultural industry in the LGA, and future planning decisions will support their ongoing viability.





## Equine industry

Equine establishments are an emerging industry in the Maitland LGA and include stables, equestrian arenas, horse training facilities, breeding facilities and training tracks. Although the industry is not classified as a 'critical industry cluster' in the Maitland LGA (as it is in the Upper Hunter region) it is nonetheless an important industry to plan for.

Biosecurity issues, buffers and separation distances need to be considered, and *Maitland DCP 2011* should be updated to recognise these issues.

### STRATEGIC DIRECTION

- The equine industry is recognised as an important emerging industry in the LGA, and planning decisions will seek to support its ongoing viability.

## Extractive industries and mineral resources

*This section should also be read in conjunction with the Planning Principle 4.*

Map 4 following shows:

- the location of current extractive resources and their required 'transition areas' of approximately 400m (as identified in the *NSW Government's Mineral Resource Audit of Maitland City 2015*)
- the location of the only mining operation in the LGA, being a small portion of the Bloomfield Collieries mining lease
- the location of the Mine Subsidence District
- the location of Mineral Exploration Licence Application
- the location of the 2 areas that are shown on the 'Mineral Resources Area' map of *Maitland LEP 2011*.

The purpose of *Maitland LEP 2011 Clause 7.5 'Significant extractive resources'* and the accompanying 'Mineral Resource Area Map' (shown on Map 4) is to 'identify land that is the location of significant resources of minerals, petroleum or extractive materials for the purposes of *State Environmental Planning Policy (Resources and Energy) 2021*, section 2.19 (regarding the 'Compatibility of proposed development with mining, petroleum production or extractive industry').

To ensure robust assessment of developments near extractive industries, the LEP Mineral Resource Area Map now needs updating with the other extractive industry locations shown on Map 4 – the currency of these locations and the appropriateness of the 'transition zones' around each also needs to be confirmed with DPI Minerals before finalising the mapping. The 'transition areas' of these extractive industries need to be identified in *Maitland DCP 2011* and appropriate guidelines provided for assessment of proposed developments near them.

These steps will ensure that existing extractive industries are not continually threatened by encroaching development in the LGA, assisting them to remain viable and to provide the region with required products, especially in the context of rapid urban development.

### STRATEGIC DIRECTION

See Strategic Directions in Planning Principle 4. In addition:

- Council recognises the need to carefully manage the impact of current and future extractive industries on land uses surrounding them, while also allowing for appropriate locations of possible future extractive industries.

## Infrastructure sites

There are several sites of key infrastructure in the rural areas of the LGA that require particular attention, especially in the context of future growth.

### Maitland Airport

Maitland Airport at Rutherford, operated by the Royal Newcastle Aero Club has been operating for decades and continues to be a significant attraction for the LGA as a Certified Flight Training School and recreational (not passenger) airport. Over time, urban development has come closer to the airport and its take off and landing areas.

*Maitland LEP or DCP 2011* currently contains no provisions relating to aircraft noise or to surrounding height limits to address proposed development near the airport.

The *National Airports Safeguarding Framework* endorsed in 2012, is a national land use planning framework that aims to:

- improve community amenity by minimising aircraft noise-sensitive developments near airports; and
- improve safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions.

A set of guidelines has been developed to address various safety-related issues around airports and it is considered best practice to translate these locally into DCP provisions.

The Guidelines will affect rural land around the airport, and in some cases extend well into current urban areas. They cover such issues as noise, height limitations, limiting wildlife-attracting land uses (to minimise bird strike), lighting, public safety areas and interference with communications and navigation systems.

Council should use these guidelines to update both the *Maitland LEP 2011* and *Maitland DCP 2011*.

### Waste Management

Council operates Mt Vincent Road Waste Management Centre at East Maitland. Development near it is currently only regulated by a 'Waste Disposal Buffer' of 500m shown in *Maitland DCP 2011* Part D regarding Louth Park.

The possibility of its future expansion or rearrangement of uses, its operational requirements and the need to maintain a suitable buffer to nearby development need to be recognised and articulated in Council's planning policies.

## Wastewater treatment sites

Hunter Water operates wastewater (sewage) treatment sites in the LGA at Farley and Morpeth. Neither of these are currently protected by a buffer around them, and *Maitland DCP 2011* should be updated to include a 400m buffer to exclude further development around the sites.

### Cemeteries

Several historic cemeteries are located throughout the LGA, mainly in or adjoining residential development. With the expected significant increase in population in the LGA, it is prudent to be aware of the possible long term need to expansion of these cemeteries and suitable buffers, where they may be located on or near rural land.

### Hunter Valley Flood Mitigation Scheme

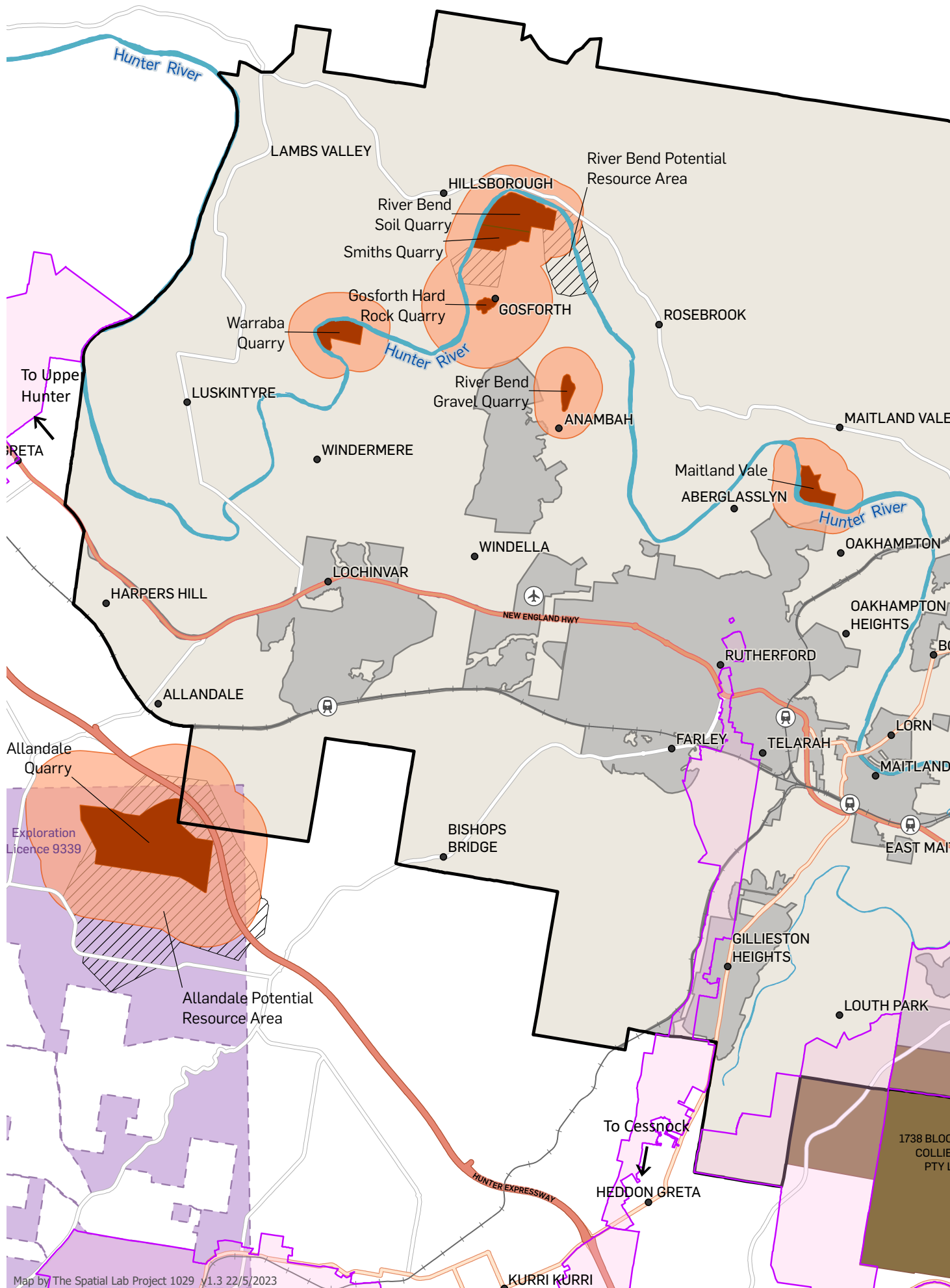
The infrastructure of the Hunter Valley Flood Mitigation Scheme is discussed in Planning Principle 6 under Floodplain Management.

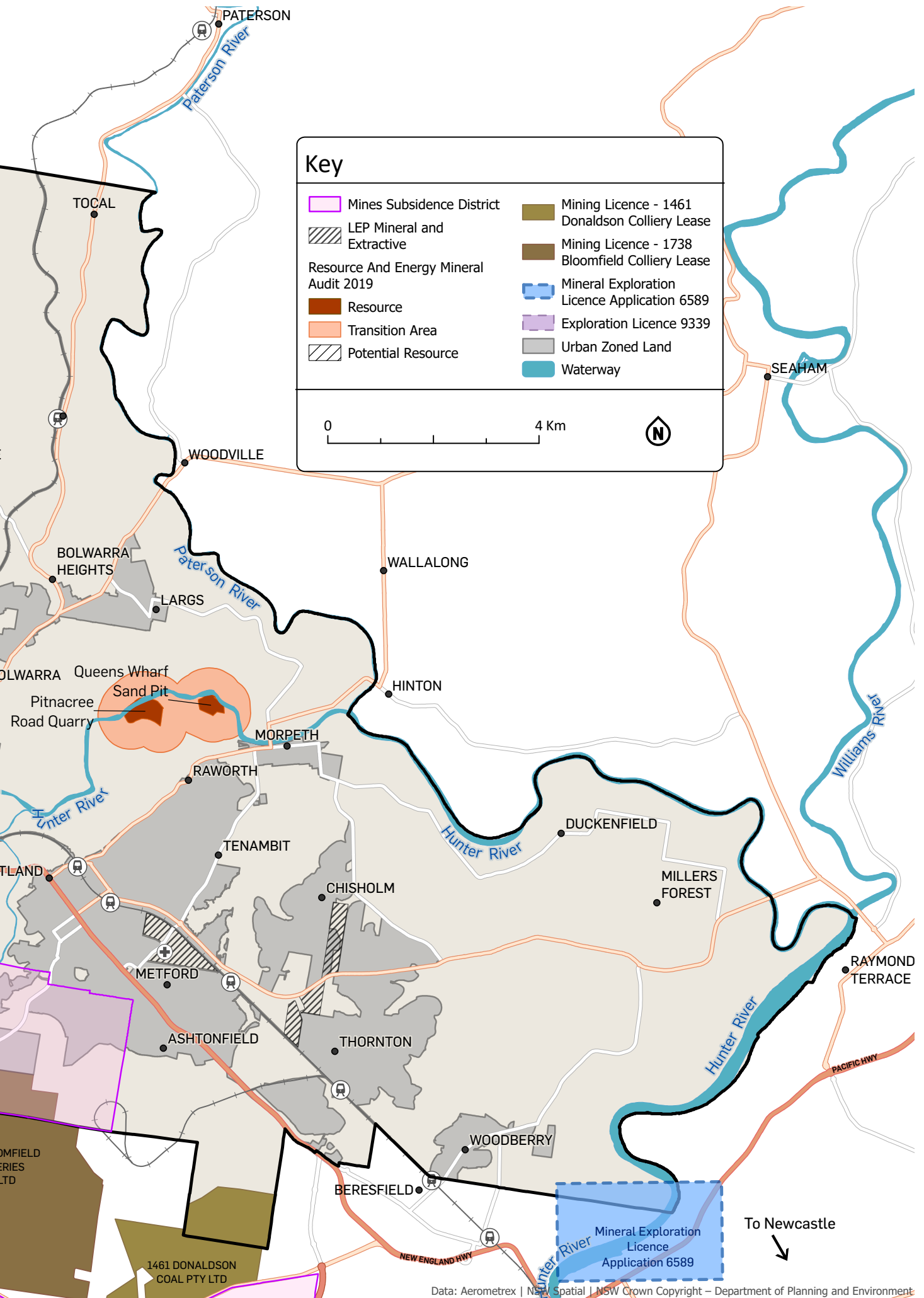
## STRATEGIC DIRECTIONS

- The safe operation of Maitland Airport is of paramount importance and the potential impacts posed by encroaching development and the impacts of aircraft on nearby development are recognised and will be managed appropriately.
- Waste and wastewater management infrastructure for the LGA and individual waste infrastructure sites' needs will be prioritised, planned and buffers provided for, in conjunction with relevant agencies.
- Appropriate buffers will be maintained to the existing cemeteries located on or near rural land.



**Map 4 : Extractive and mineral resources and buffers in Maitland LGA**





Data: Aerometrex | NSW Spatial | NSW Crown Copyright – Department of Planning and Environment



## ACTIONS

To realise the 'Strategic Directions' in the sections above, a range of actions need to be taken by Council and other stakeholders.

- 2.1 Review *Maitland DCP 2011* to include all relevant parts of the NSW DPI 'Land Use Conflict Risk Assessment Guide' (2011, or its update) for assessment all relevant land uses.
- 2.2 Educate the community, rural landowners and development industry on rural land use conflict issues and the potential social, economic and environmental impacts.
- 2.3 Work with the NSW Local Land Services and rural property owners to encourage and implement land management best practices.
- 2.4 Work with relevant NSW agencies to manage:
  - biosecurity risks and impacts that may result from existing or new agricultural land uses
  - weeds and feral animals on public and private land and to limit the impact of domestic animals on rural and environmental land.
- 2.5 Prepare 'land use suitability criteria' to be used in the assessment of Planning Proposals for residential and non-agricultural development on rural and environmental land, and on urban land where it is within 500m of Rural or Environmental Zones or specific agricultural operations.
- 2.6 Update *Maitland DCP 2011* to establish appropriate buffer areas and separation distances to a range of rural land uses. Refer to NSW Department of Primary Industries Buffer Zones to Reduce Land Use Conflict with Agriculture Interim Guideline (2018, or its update).
- 2.7 Update *Maitland DCP 2011* relating to:
  - poultry or equine establishments and developments within the buffer areas of existing establishments
  - protect Maitland Airport and its operations, particularly in relation to airport noise and height limitations
  - buffers and separation distances around extractive industries, waste management facilities, wastewater treatment facilities and cemeteries.
- 2.8 Update *Maitland LEP/DCP 2011* to protect areas around extractive industries; in particular to review the 'Mineral Resource Area' mapping and clause, in consultation with Geological Survey of NSW.

## 3.4 Planning Principle 3

### Provide rural housing only in the right places

#### INTENT

Guide and manage rural housing locations and types to minimise land use conflict and avoid further fragmentation of rural land.

#### OBJECTIVES

1. Balance the need for rural dwellings and the need to ensure viability of rural activities, and protection of both environmental values and high value agricultural land.
2. Ensure that new rural housing has minimal exposure to natural hazards, and does not contribute to an increase in risk of hazards.
3. Ensure appropriate infrastructure and services are provided to rural housing.

#### FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- Dwelling entitlements
- Rural dual occupancies
- Rural residential living
- Manufactured home estates
- Housing in Environmental Zones.

#### RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

Objective 3 of the HRP 2041 is to 'Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities. However, the HRP 2041 (at Table 4) makes it clear that people living in 'rural' areas are not expected to be able to walk or bike to access most of their daily, weekly, infrequent or specialised needs.

Other Objectives of the HRP 2041 relevant to this Planning Principle are:

- Objective 5 Plan for 'nimble neighbourhoods', diverse housing and sequenced development (Strategy 5.7)
- Objective 6 Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments (Strategy 6.4)
- Objective 9 Sustain and balance productive rural landscapes (Strategy 9.5).





## Dwelling entitlements

Rural dwellings are primarily located on rural land where they are generally required to support primary producers undertaking agricultural activities on the land. In most instances, rural dwellings serve as a place of residence for the farmer and family members. They can also be used for rental and tourist accommodation. However, there is increasing demand for housing in rural areas to be used for housing in isolation to associated agricultural activities.

A dwelling can be developed on land below the minimum lot size if it can meet the provisions of Clause 4.2A Erection of dwelling houses on land in certain residential, rural and environmental protection zones under *Maitland LEP 2011*. Although this clause provides for a historic dwelling entitlement, it can place pressure on Council to approve dwellings in areas that may not be suitable for housing development.

### STRATEGIC DIRECTION

- The intent of *Maitland LEP 2011* Clause 4.2A Erection of dwelling houses on land in certain residential, rural and environmental protection zones is supported.

## Rural dual occupancies

*Maitland LEP 2011* permits dwellings in the RU1, RU2, R5, C3 and C4 zones. Dual occupancy dwellings (both attached and detached) are prohibited in the C3 and C4 zones, however permissible in all other rural zones.

Council supports dual occupancy development to allow for greater flexibility for rural housing associated with farming and non-farming activities. Further, the development of additional on-farm dwellings assists with providing an alternative farm income or succession planning and the transition of family farming arrangements.

However, development of dual occupancies needs to be carefully managed to mitigate any potential impacts on the local rural landscape, flood behaviour, flood evacuation and environment. New dual occupancy dwellings should be located within the curtilage of the existing dwelling house on the same lot.

### STRATEGIC DIRECTION

- Dual occupancies in rural areas should only be supported where they are located on the same lot and within the curtilage of the existing dwelling.



## Rural residential living

The R5 Large Lot Residential zone is scattered throughout the LGA in isolated areas and also along the peri-urban fringe adjoining existing residential areas. Increased population growth has seen demand for large lot residential development, however the provision of large lifestyle lots has been an ongoing issue for Maitland as this type of housing creates an urban rather than a rural environment, with associated impacts and management issues.

Large lot residential development is considered an inefficient form of housing as it has a very low density that still requires infrastructure including roads, and in some cases reticulated water and sewer services. In many cases, the provision and operational costs of infrastructure to the land will be inefficient where larger lots and lower lot yields are being serviced. Over time, this represents a significant cost to Council and ratepayers in maintaining services and infrastructure to low density areas.

Importantly, the addition of urban residents into a rural setting can exacerbate 'rural land use conflict' between new residents and existing nearby or adjoining rural enterprises. It can also make the development of a range of future agricultural enterprises on rural land unattractive to proponents because of the proximity of housing and potential complaints. This can effectively compromise the intent of the rural zone remaining around the new housing.

More importantly, the development of pockets of isolated rural residential development over time can result in the cumulative loss of high value agricultural and environmental land. Other negative consequences of rural residential development are:

- Environmental impacts from the construction of infrastructure required to service the lots.
- the addition of more residents into rural areas that may be constrained by floodplains and evacuation routes in times of flood.
- the addition of more residents into areas of bushfire risk.
- rural residential areas can inadvertently use areas of land that were previously used as refuges for livestock and machinery during a flood event. This is addressed in Planning Principle 6 under Floodplain Management.

The *Local Housing Strategy* identifies that there is capacity for over 15 years' of supply for rural residential living within the existing R5 Large Lot Residential zoned land and investigation areas in the LGA. Therefore, future rural residential living should be considered within the framework of the accompanying *Maitland Local Housing Strategy 2041*.

### STRATEGIC DIRECTION

- Council will manage and monitor the supply of R5 Large Lot Residential in rural areas through Local Housing Strategy implementation.





## Manufactured home estates

With the increasing popularity of manufactured home estates (MHEs), Council has been receiving an influx of development applications specifically looking to operate as MHEs on rural land.

Although the *Housing SEPP 2021* permits the development of MHEs where caravan parks are permitted (currently in the RU2 zone), the SEPP now also precludes such development on land that is an area or zone of "...environmental protection, scenic protection, or rural (where the land is not adjacent to or adjoining land zoned for urban use"). The SEPP also contains other criteria for the location of MHEs (including not on flood prone land) and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* also gives specifications for their location, planning, design and construction.

Notwithstanding the changes to the Housing SEPP and Regulation above, there is still the possibility of developing MHEs on rural land 'adjacent or adjoining' urban land. Maitland has a significant amount of land that fits the criteria outlined in the SEPP where MHEs could be developed.

Prohibiting incompatible land uses such as MHEs on rural land can be achieved by prohibiting caravan parks on RU2 zoned land. This will help protect valuable agricultural land and allow for appropriate development which will not be in conflict with surrounding land uses.

### STRATEGIC DIRECTION

- Council recognises the need to exclude caravan parks (and therefore MHEs) from the RU2 Rural Landscape zone.

## Housing in the C4 Environmental zone

The C4 Environmental Living zone allows housing (albeit on larger lot sizes than R5) and acts as a buffers to other zones. The objectives of the zone are to:

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To encourage practical development outcomes by providing for low density residential development between areas of large lot residential and rural land where part of the land is affected by flooding.

The C4 zone is currently used in areas between the C2 or C3 zones and residential or rural land, occurring in several places in the Maitland LGA, including at Aberglasslyn and Bolwarra. Planning Principle 3 addresses this zone's role in environmental protection.

### STRATEGIC DIRECTION

- Council recognises the role of the C4 Environmental Living zone in providing options for rural housing, but will only consider an expansion of the zone where it is justified in environmental terms.
- Expansion of the zone for primarily meeting demand in rural housing will not be considered.

## ACTIONS

To realise the 'Strategic Directions' in the sections above, a range of actions need to be taken by Council and other stakeholders.

- 3.1 Update *Maitland DCP 2011* to require new dual occupancies on rural or environmental land to be located within the curtilage of the existing/principal dwelling house on the same lot and to limit their location on flood prone land.
- 3.2 Manage and monitor the supply of land zoned R5 Large Lot Residential through *Maitland Local Housing Strategy 2041*.
- 3.3 Prohibit the development of manufactured home estates on rural land by prohibiting caravan parks in the RU2 zone.

## 3.5 Planning Principle 4

### Support and diversify the rural economy

#### INTENT

Recognise the contribution of rural land to the local and regional economy and support its diversification, particularly as the wider agricultural industry changes.

#### OBJECTIVES

1. Encourage and support innovation, diversification and value-added farming activities and enterprises.
2. Encourage niche commercial, tourist and recreation activities that complement a stronger agricultural sector and support conservation outcomes.

#### FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- Market gardening
- Agritourism
- Equine related development
- Tocal College
- Minerals and extractive industries
- Renewable energy.

#### RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

Objectives and accompanying strategies of the HRP 2041 relevant to this Planning Principle are:

- Objective 8: Plan for businesses and services at the heart of healthy, prosperous and innovative communities (Strategy 8.4, 8.5, 8.6)
- Objective 9: Sustain and balance productive rural landscapes (Strategy 9.1, 9.2).





## Introduction

Agricultural diversification has evolved as a result of the farming sector needing to adapt and innovate in response to climate change, natural hazards, environmental pressures, pests and diseases, and variations in local and overseas markets.

Maitland's rural land has the potential to provide an innovative, resilient and sustainable urban food bowl for its local area, Greater Newcastle and the wider Hunter region. Existing commodities such as fresh vegetables, poultry, and livestock provide the basis for opportunities for long term growth. There is scope to leverage off opportunities in these emerging niche agricultural industries. Growth in the local food movement and increasing consumer demand for ethical and sustainable production techniques from small scale producers, and emerging industries such as equine related development is becoming prominent.

To enhance these opportunities, Maitland needs to grow and protect its already established economy and build on its existing strengths to advance local market and industry diversification. There is a need to support agricultural diversity to ensure the future production of local products while managing land use by prioritising the use of agricultural land for rural and agricultural activities while also balancing the need for tourism related development.

Maitland can leverage opportunities in emerging niche agricultural industries, including the local food movement which connects food producers and consumers in the area, developing a more resilient food network and supporting the local economy.

Balancing this desire with managing the impacts of nearby urban development on agricultural land (and vice versa) is a central issue of this Strategy.

In parallel, the development of Council's forthcoming Economic Development Strategy will enable a focus to be placed on the agricultural economy.

## STRATEGIC DIRECTION

- Diversification of agricultural production in the LGA is encouraged and supported, in conjunction with managing the impacts of such development on surrounding land, and vice versa.
- New agricultural diversification opportunities must align with existing farming practices and ensure that agriculture remains the focus and primary land use.
- Council recognises that emerging and niche agricultural industries need to be nurtured, particularly where they are being operated by small business.
- Ensure the agricultural sector and agritourism is included in any relevant Council's future strategies, policies or activities.



## Market gardening

Market gardening is becoming increasingly popular within the Maitland LGA and is categorised as intensive plant agriculture (horticulture) under *Maitland LEP 2011*. It is defined as a small-scale business of growing fruit, vegetables, berries or flowers and other plants on open land or under glass or plastic, on a commercial scale. Key threats include urban encroachment from both residential and large lot residential housing, land use conflict and flooding.

The challenge with market gardens in the Maitland LGA is the availability of small areas of land to farm produce on a relatively small scale where there is high soil fertility. Market gardens are generally located within travelling distance of urban areas as smaller agricultural lots do not permit dwellings for the farmer to reside.

Planning provisions under *Maitland LEP 2011* provide an opportunity for small lots of rural land under the minimum lot size in the RU1 and RU2 zone to be subdivided for the purposes of primary production. While there is a provision under Clause 4.2 to support a market garden operation to meet demand for locally grown produce, a dwelling entitlement is not permitted.

### STRATEGIC DIRECTION

- Council recognises the value of market gardening in the LGA and the importance of producing fresh food close to population centres and markets.

## Agritourism

The Maitland LGA is well positioned and favourably located within proximity of Newcastle and Sydney to support agritourism activities. The amenity of the area makes it a highly valued visitor destination.

There is opportunity to expand rural based tourism development to include:

- Increased accommodation in rural areas such as bed and breakfasts, farm stays and self-contained accommodation to take advantage of natural settings.
- 'Artisan' food and drink establishments
- Roadside stalls.
- Farm gate premises and farm experience premises including boutique produce opportunities such as paddock to plate experiences, cooking and food growing schools.
- Outdoor recreation such as horse riding, cycling, and walking.

There is the potential for rural tourism land uses to support and supplement traditional agricultural farming practices to become significant contributors to the rural economy. However, some tourism developments have the potential to be incompatible with surrounding agricultural land uses and impact negatively on the local environment.

Future tourism development should ensure that proposed non-agricultural uses have suitable infrastructure and can be accommodated within the landscape setting, sympathetic to the character of the area, thus keeping the LGA attractive to the visitor economy.





In December 2022, the NSW Government amended several legislation to facilitate various types of agritourism across the State. In Maitland LGA, this now allows the following land uses to be considered as types of 'exempt and complying development' under SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP) if they are located in RU1 or RU2 zones and if they meet specified development standards (as specified in the Codes SEPP and relating to size, hours of operation, number of guests etc):

- Farm gate premises – where visitors interact with produce from the farm, such as fruit picking, sales, tastings, workshops and cafes.
- Farm experience premises – where visitors can experience life on a farm including tours, horse riding, weddings, functions and retreats.
- Farm stay accommodation – where visitors can stay in buildings or moveable dwellings, including tents and caravans on a farm.

If these types of agritourism proposals cannot meet the development standards specified in the Codes SEPP or if they are located on 'sensitive land', then they must be the subject of a Development Application (DA).

To better control these types of development in its rural areas, Council should consider amending *Maitland LEP 2011* to include the following 'Optional Standard Clauses':

- 5.24 Farm stay accommodation
- 5.25 Farm gate premises.

To further assist local councils with making clear requirements for DAs for these types of agritourism, DPE also released 'Model Clauses for Development Control Plans' that will assist councils in preparing DCPs. This should be considered for *Maitland DCP 2011* concurrently with the LEP amendment suggested above.

Council has also experienced recent demand for bed and breakfast accommodation, which is currently permitted in RU1, RU2, C3 and C4 zones, but is restricted to a size of 3 bedrooms. Council could consider the implications of amending *Maitland LEP 2011* to allow for up to 4 bedrooms, based on the recent demand.

'Artisan food and drink' establishments are currently only permitted in the IN1 General Industrial zone, and there is merit in also considering amending *Maitland LEP 2011* for these to also be permitted in the RU2 Rural Landscape zone, with appropriate accompanying DCP provisions.

Planning Principle 8 includes Strategic Directions and Actions for comprehensively reviewing the land use tables of the RU1 and RU2 zones of *Maitland LEP 2011* with the intention of concurrently mitigating land use conflict and introducing appropriate new opportunities to support agricultural diversity and agritourism.

This review should include a focus on the range of types of 'tourism and visitor accommodation' and 'agritourism' land uses.

### STRATEGIC DIRECTION

- Council recognises the value of increased food and rural tourism opportunities and new forms of agritourism, but is also mindful of consideration of potential impacts on agricultural production and the environment.

### Equine related development

There is opportunity for equine industry growth due to Maitland's central location within the Hunter region and its proximity to the renowned equine cluster in Upper Hunter. Demand is increasing from the thoroughbred sector for large scale properties as well as the leisure industry that can be accommodated on smaller holdings.

Equine industry opportunities range from thoroughbred breeding and training through the leisure and tourism sectors. Horse establishments are an emerging industry for development including stables, equestrian arenas, horse training facilities, breeding facilities, training tracks and viewing pavilions. Fragmentation, land use conflict and biosecurity are significant challenges to further industry development and investment within the Maitland LGA. (See also 'equine industry' section in Planning Principle 2).

### STRATEGIC DIRECTION

- Council recognises the importance of the growing equine industry in the LGA and encourages its clustering where appropriate.

## Tocal College

Tocal College (Paterson campus), managed by the NSW Department of Primary Industries, is located on a 2,200 hectare farm at the junction of the Paterson River and Webbers Creek, north west of Central Maitland. It is part of a network of Australia's leading provider of specialised training to rural industries (DPI Tocal, 2022), helping to meet national workforce skills shortages.

Tocal College supports the education of the local and regional agricultural workforce to meet the needs of a changing agricultural sector. It also provides specialised training for landholders and hobbyists. Being a working farm, and with industry and research partnerships in several sectors, it showcases the region's agricultural diversity and capability. This is evident at the annual Field Days, which attract thousands of visitors.

Tocal Homestead heritage precinct is a popular venue for weddings, events and conferences and offers boutique and other accommodation options to visitors. It is surrounded by high value agricultural land with sweeping picturesque views. The whole facility is a valuable asset to the LGA and makes a significant contribution to the local and regional economy, while also offering opportunities to expand on possible agritourism opportunities.

### STRATEGIC DIRECTION

- Council recognises the importance of Tocal College (Paterson Campus) as an agricultural training and education facility and for its agritourism opportunities.

## Minerals and extractive industries

As discussed in Planning Principle 2 Extractive industries and mineral resources, environmental constraints limit areas available for coal mining in the LGA, with a small portion of the Bloomfield and Donaldson Collieries' mining leases located on the southern boundary of the LGA, as shown on Map 4. Council will continue to work in partnership with the NSW State Government regarding the current and future mining operations to better manage rural and environmental impacts.

A number of extractive industries are located on rural land throughout the LGA, as also shown at Map 4. These will require approval to continue and/or expand their operations. Planning considerations for their future operations are addressed in Planning Principle 2 'Extractive industries and mineral resources'.

### STRATEGIC DIRECTION

- Council recognises the economic value of current mining operations and extractive industries in its LGA, but also recognises the potential impacts on nearby urban areas and vice versa.
- Council will work with the NSW government and mining companies to continue to manage the environmental impacts of mining on the LGA.

## Renewable energy sector

The energy sector in NSW is transitioning from non-renewable to renewable energy sources. Efficient and renewable energy technologies can stimulate innovation, improve business and agricultural productivity and build upon long term economic growth. Maitland has the potential to become a source of next generation power production with bioenergy and other natural forms of energy production.

Attention is starting to focus on renewable energy sources including solar, wind, and biofuels in the Maitland LGA. Planning frameworks and education at all levels of government is required to promote renewable energy production in the LGA.

### STRATEGIC DIRECTION

- Council supports the diversification of the energy sector and will investigate ways of facilitating this, in conjunction with the consideration of its potential impacts on the community.



## ACTIONS

To realise the 'Strategic Directions' in the sections above, a range of actions need to be taken by Council and other stakeholders.

- 4.1 Update *Maitland DCP 2011* to include a definition and controls relating to market gardening activities.
- 4.2 Investigate opportunities for agribusiness, agritourism, renewable energy and other rural-based tourism opportunities within the LGA, as a part of Council's Economic Development Strategy and other strategies.
- 4.3 Continue to promote local agritourism and rural tourism in Maitland's Destination Management Plan and related visitor economy activities, with a particular emphasis on 'Maitland's Food Bowl'.
- 4.4 Investigate opportunities for and support appropriate extensive horticulture and intensive plant agriculture production in proximity to Maitland's urban areas to build upon local food supply chains.
- 4.5 Amend *Maitland LEP 2011* to include 'Optional Standard LEP clauses' 5.24 Farm stay accommodation and 5.25 Farm gate premises
- 4.6 Investigate amending Clause 5.4 of the *Maitland LEP 2011* to increase the permitted size of bed and breakfast accommodation from 3 to 4 bedrooms based on recent demand.
- 4.7 Amend *Maitland LEP 2011* to permit with consent the 'artisan food and drink industry' land use in the RU2 zone and amend Maitland DCP to introduce relevant provisions.
- 4.8 Review DPE's 'Model DCP clauses for agritourism' relating to farm gate premises, farm experience premises and farm stay accommodation and update *Maitland DCP 2011* where appropriate.
- 4.9 Amend *Maitland DCP 2011* to include objectives and controls to ensure 'tourist and visitor accommodation' and 'events' remains 'ancillary' to the primary agricultural or environmental purpose of the site and surrounding properties (where relevant to proposals on land already containing a primary production or environmental land use).
- 4.10 Work in partnership with neighbouring LGAs and mining companies regarding mining operations affecting Maitland LGA and identify potential future impacts on the environment, society and economy.
- 4.11 Review the development and locations of emerging equine industry and clustering trends to identify opportunities for growth.
- 4.12 Update *Maitland DCP 2011* to include considerations for development of equine industry establishments and nearby development.
- 4.13 Continue to support the initiatives, research, innovation, training and education provided by Tocal College toward agriculture industry and agritourism.

## 3.6 Planning Principle 5

### Protect and enhance natural ecosystems, scenic values and heritage in rural areas

#### INTENT

**Recognise the importance and functions of the rural area's natural ecosystems, scenic landscape and heritage values and protect, retain, and enhance these.**

#### OBJECTIVES

1. Protect and enhance Maitland's natural ecosystems and biodiversity, recognising its local and regional importance to the functioning, productivity and protection of rural land.
2. Ensure a reliable water supply and a healthy groundwater system for a functional agricultural production and a viable agricultural industry.
3. Recognise the importance of Maitland's waterways, riparian areas and floodplain to agricultural practices and strive to protect, restore and effectively manage these lands.
4. Protect the function of local wetlands for their role in effective groundwater systems, flood mitigation and ecological habitats.
5. Recognise the relationship between natural ecosystems and natural hazards in rural areas and minimise development and activities that will exacerbate the risks posed by natural hazards.
6. Protect and recognise Aboriginal and non-Aboriginal heritage within rural areas and recognise their significant contribution to Maitland's character.
7. Protect and enhance Maitland's unique rural character, landscape and scenic amenity.

#### FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- Biodiversity
- Wetlands
- Water and riparian land
- Rural heritage
- Scenic amenity.

#### RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

Objectives and accompanying strategies of the HRP 2041 relevant to this Planning Principle are:

- Objective 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments (Strategy 6.1, 6.2, 6.3, 6.4, 6.6, 6.7, 6.8)
- Objective 7: Reach net zero and increase resilience and sustainable infrastructure (Strategy 7.3).





## Introduction

The natural environment and natural ecosystems are a fundamental part of the Maitland LGA, providing essential environmental functions on which human settlement in the local and regional area relies, and on which viable agricultural production also relies.

It also makes a core contribution to the local character of the LGA, providing the scenic backdrop and 'rural environment' which is so cherished. As such, these environmental functions and characteristics need appropriate management and protection so that vital ecological processes and biodiversity are sustained.

Inappropriate land use, development and management of rural land can lead to environmental degradation causing loss of native biodiversity, reduced land and water quality, and an increase in hazards such as erosion, bushfire, salinity and flooding (addressed in Planning Principle 6). Excessive grazing, uncontrolled land clearing, invasive weeds and inappropriate subdivision and development can have detrimental impacts on rural land.

Maitland's local planning controls and strategies are only part of the array of management tools available to Council to address these issues – others being at a regional, state and Federal level and also being the shared responsibility of many different government, community and private organisations. This Strategy focuses on local responses that Council is, or can be, a partner or leader in.

Council is currently preparing an Environmental Sustainability Strategy (ESS) which should address and provide clear directions and actions for all the issues (apart from Heritage) in this Planning Principle and the following Principle regarding natural hazards.

The ESS should also inform crucial updates of both *Maitland LEP 2011* and *Maitland DCP 2011* relating to environmental and hazard issues. At present, *Maitland LEP 2011* applies environmental protection (C) zones, along with a number of provisions to manage the impact of development on or near environmental land.

The management and planning for environmental land, biodiversity and view corridors also needs to be considered at a regional level, across adjoining LGAs so that effective linkages for flora and fauna can be made, and so that environmental and scenic issues can be considered holistically at a regional level.

### STRATEGIC DIRECTION

- Natural ecosystems must be protected, restored and safeguarded to ensure their integrity and to enable viable rural activities and environmental processes to be sustained.
- Up to date and robust data and information must be used to inform all research and policy regarding natural ecosystems, environmental issues and environmental hazards.
- Community and other stakeholder education regarding the importance of the LGA's natural environment and natural ecosystems and its protection is important.



## Biodiversity

The loss of biodiversity in areas like Maitland LGA, where urban development encroaches into previously natural areas is one of the most significant planning issues affecting the LGA.

Regulation surrounding vegetation removal in rural and environmental zones in NSW is complex and has recently changed, particularly in relation to the provisions of SEPP (Biodiversity and Conservation). *Maitland DCP 2011* needs to be updated to reflect these changes, to specifically regulate vegetation removal in some areas, under some circumstances. The DCP also needs to provide clearer guidance on the assessment of tree and vegetation removal.

Remaining biodiversity corridors in the LGA need to be protected, and revegetation and appropriate management to establish and maintain new corridors also needs to be pursued. Consideration of biodiversity values in Planning Proposals and developments needs to be underpinned by updated data and modelling.

It is expected that the preparation of the forthcoming Environmental Sustainability Strategy will provide the evidence and framework for comprehensively addressing the above issues and that subsequent updates will be made to *Maitland LEP 2011* and *Maitland DCP 2011* as necessary.

### STRATEGIC DIRECTION

- Biodiversity values will be protected and conserved through local planning policy.
- Biodiversity habitat and natural ecosystems in rural areas will be connected and restored as practically as possible.
- The protection and retention of remnant vegetation on rural land, and revegetation of riparian and wildlife corridors will be prioritised.

## Wetlands

Wetlands (and watercourses outlined in the following section) provide essential ecosystem functions, helping to improve water quality, providing habitat for threatened, marine and migratory species, and have cultural and recreational values. The Maitland wetland ecosystems also assist with flood control. For these critical reasons, they require ongoing protection, especially since most are in peri-urban areas where urban development is increasingly encroaching.

Retention of the C2 Environmental Conservation zone over local wetlands will ensure the protection of these unique environments. Development located adjacent to the C2 zone should consider the potential impacts from flood events on wetlands and any conflicts that may affect the fragile wetland ecosystems. Stormwater runoff, drainage, and water quality on terrestrial and aquatic habitat is a concern and may cause considerable damage. Planning for wetlands should include a separation buffer to mitigate impacts including drainage.

An extension of the C2 zone may be required to further protect these unique areas that may have grown and increased in size. This will be addressed in Council's forthcoming Environmental Sustainability Strategy.

### STRATEGIC DIRECTION

- Maitland's wetlands are recognised as providing essential ecosystem services and will be protected.
- Buffers to Maitland's wetlands will be protected and development near wetlands appropriately managed.

## Watercourses and riparian land

*Maitland LEP 2011* currently contains a 'Watercourse' map and accompanying Clause 7.4 'Riparian land and watercourses'. This clause specifies considerations for development applications within 40 metres of the top of the banks of the mapped watercourses. It is noted that the mapping of these watercourses appears to be incomplete, and it is recommended that the mapping be reviewed and the LEP subsequently amended.



*Maitland LEP 2011* does not contain any Waterways zones, with the Hunter and Paterson Rivers having the same zoning as the surrounding land (primarily RU1 and RU2). It is proposed that Waterway zones (either W1 Natural Waterways or W2 Recreational Waterways) be introduced to the LEP, to allow for further protection of riparian areas along the Hunter and Paterson Rivers and provide consistency with adjoining LGAs. Waterways zones are more restrictive in relation to permissible land uses than the RU1 and RU2 zones and will assist with the conservation of riparian areas.

### STRATEGIC DIRECTION

- Riparian land will be protected and development near watercourses appropriately managed.
- The Hunter and Paterson Rivers will be protected by appropriate zoning.

## Rural heritage

Maitland's Aboriginal and non-Aboriginal heritage is a critical local asset and requires conservation and protection now and into the future.

Council is currently undertaking a Aboriginal and Rural Heritage Study, aiming to identify, survey and assess significant Aboriginal areas, objects, places or landscapes and European heritage items and places on rural land. The Study will recommend strategies for future conservation and management of identified places. It should also inform updates of *Maitland LEP/DCP* and other planning processes to ensure that development does not compromise the rural heritage and cultural identity of the LGA.

### STRATEGIC DIRECTION

- Indigenous cultural landscapes, items, places and their settings on rural land will be identified and protected.
- Rural heritage items (and their curtilages) areas and landscapes will be identified and protected.

## Scenic amenity

Scenic rural landscapes are highly valued by the local community and visitors for their significant contribution to Maitland's local character. The scenic character is generally dominated by the broad scenic vistas of agricultural areas used for grazing and cropping, combined with a vegetated backdrop of rolling hills.

River, creek and wetland systems, rural outlooks, and ridgelines are also a contributing feature. There is concern that development is occurring in locations that is impacting upon the landscape and scenic quality of the LGA. In addition, the increasing demand from the tourism industry for 'natural' and 'rural' experiences has the potential to inadvertently impact on scenic amenity.

Maintaining visual 'breaks' between areas of otherwise continuous urban development is also a critical feature for the LGA. Planning Proposals should consider the need for visual breaks between areas of urban development.

The introduction of a 'scenic protection overlay' map on rural and environmental land, and an associated clause in *Maitland LEP 2011*, with accompanying provisions in *Maitland DCP 2011* would assist in managing scenic protection outcomes. This should also consider heritage landscapes as discussed in the section above.

Specific controls should also be introduced into *Maitland DCP 2011* to address the scenic impacts of different types of development, including (but not limited to) tourism development on rural land.

### STRATEGIC DIRECTION

- The scenic value of the landscapes of the Maitland LGA will be assessed and key areas protected with appropriate planning policy.
- The scale and design of non-agricultural development on rural land should be sympathetic to its surrounds and set into the landscape.

## ACTIONS

To realise the 'Strategic Directions' in the sections above, a range of actions need to be taken by Council and other stakeholders.

- 5.1 Prepare an overarching Environmental Sustainability Strategy (ESS) for Maitland LGA to protect and conserve ecological values, connect habitat and restore ecosystems.
- 5.2 Use updated vegetation, environmental data and modelling to inform the ESS and subsequent reviews of Maitland LEP and DCP.
- 5.3 Update *Maitland DCP 2011* to provide the necessary regulatory framework for removal of vegetation in rural and conservation areas as provided for in SEPP (Biodiversity and Conservation).
- 5.4 Update *Maitland DCP 2011* regarding vegetation removal requirements in rural (and urban) areas, including specifying requirements for information to be provided in development applications.
- 5.5 Update *Maitland LEP 2011* to incorporate a Biodiversity clause and mapping, in conjunction with an update of *Maitland DCP 2011*.
- 5.6 Review high value environmental land within the LGA in conjunction with the ESS to determine if they are adequately protected by either the C2 or C3 zone.
- 5.7 Update *Maitland DCP 2011* to specify requirements for environmental buffers to complement any changes to *Maitland LEP 2011* regarding the use of C4 or RU2 zones to provide an environmental buffer to C2 or C3 zones.
- 5.8 Review wetland areas and their current land use zoning to ensure adequate protections for wetlands. Amend *Maitland LEP 2011* as necessary.
- 5.9 Update *Maitland DCP 2011* to protect wetlands from stormwater runoff generated from nearby development.
- 5.10 Review and update the Watercourses mapping in *Maitland LEP 2011*.
- 5.11 Amend the *Maitland LEP 2011* to introduce the W2 Waterway zone to appropriate sections of the Hunter and Paterson Rivers.
- 5.12 Complete the Rural and Aboriginal Heritage Study and provide a policy framework to protect items, landscapes, curtilages of heritage items and their settings on rural land, as identified in the study.
- 5.13 Prepare a Scenic and Landscape Analysis of the LGA and amend LEP/DCP by introducing a scenic protection clause and accompanying mapping based on the outcomes of the above analysis.



## 3.7 Planning Principle 6

### Understand and mitigate the impacts of natural hazards and adapt to a changing climate

#### INTENT

**Understand, mitigate, build resilience to and adapt to natural hazards, and understand and respond to the effects of climate change on rural land.**

#### OBJECTIVES

1. Understand and plan appropriately for the avoidance and mitigation of natural hazards.
2. Minimise the impacts of natural hazards on rural land and activities, while ensuring that future development does not contribute to an increase in risk of hazards.
3. Ensure the rural community is educated, prepared and resilient to natural hazards and changing climatic conditions.
4. Consider impacts of climate change in local policy, infrastructure planning and decision making.
5. Collaborate with relevant agencies to build resilience to and manage impacts resulting from natural hazards.

#### FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- Floodplain management
- Water sustainability and security
- Bushfire
- Acid sulfate soils
- Salinity
- Climate change.

#### RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

Objective 7 of the HRP 2041 is to 'Reach net zero and increase resilience and sustainable infrastructure'. This Objective is accompanied by a number of strategies relevant to this Planning Principle (Strategy 7.3, 7.7, 7.8.)



## Floodplain management

Flood prone land in the Maitland LGA covers a significant proportion of the LGA's rural land, concentrated around the Hunter and Paterson Rivers. Whilst these floodplains support rich alluvial soils providing highly productive agricultural land, the immediate impacts of flooding can cause loss of human life, damage to soil and property, destruction of crops, loss of livestock, and deterioration of health conditions owing to waterborne diseases.

Maitland's floodplain was the catastrophic centre of the 1955 flood event that changed the course of floodplain management in NSW. The *Flood Prone Land Policy* and the *NSW Floodplain Development Manual (FDM)* gives a framework and processes that councils must follow in:

- identifying flood prone land and its risks
- identifying, providing and managing ways of mitigating flood risk
- preparing local planning provisions to take into account flood risk and impacts of development
- increasing community resilience to flooding.

Note that terminology in this section is that defined in the FDM.

Council has adopted 5 flood studies under the FDM process including the *Hunter River Branxton to Green Rocks Flood Study 2010*, *Hunter River Floodplain Risk Management Study and Plan 2015*, *Paterson River Flood Study Vacy to Hinton 2017*, *Wallis and Swamp-Fishery Creek Flood Study 2019* and *Lochinvar Creek Flood Study 2019*.

Council has begun the process of reviewing its flood studies and preparing a LGA-wide Flood Study, and accompanying Floodplain Risk Management Study and Plan. These documents will provide information and clear directions on the management of the entire floodplain, and update some of the previous studies.

Recent state-wide flooding events (Lismore, Hunter Valley etc) have focussed attention once more on floodplain management, and there are several processes underway, but not finalised at the time of writing of this Strategy, which will inform future floodplain management in the LGA, namely:

- the update of the *NSW Floodplain Development Manual* and accompanying Guidelines
- The NSW Government's response to the *2022 Independent Flood Inquiry*
- Options for councils to implement the 'Special Flood Clause' (discussed below).
- Ongoing funding and assistance for floodplain management.

Council should follow each of these closely and take every opportunity to implement recommendations and seek funding.

In particular, Council should amend *Maitland LEP 2011* to include (the currently optional) Clause 5.22 'Special Flood Considerations' which would apply to:

- sensitive and hazardous development, including proposed caravan parks and seniors housing, proposed to be location between the FPL (1% AEP plus freeboard) and the PMF level; and
- development that is not sensitive or hazardous on land that the Council considers that, in a flood, may pose a particular risk to life and where people may need to evacuate or there are other safety concerns.

The introduction of this Clause would greatly assist Council in managing developments on rural or environment zoned land that is surrounded by floodplain, especially where there are limited evacuation options in times of major flood. Such considerations are already specified in the NSW Local Planning Direction 4.1, preventing land being rezoned to (for example urban) where such evacuation is not possible. This issue has recently been highlighted in Gillieston Heights which has been isolated by floodwaters and was approved well before this Planning Direction came into force. Similar development on rural floodplains must be strictly avoided.



Flood refuge for livestock is also an important part of being prepared for floods as are needs to accommodate machinery and other ancillary farm equipment from rising flood waters. Rural properties bordering floodplains need to be able to retain sufficient higher land (above the 1% AEP flood level) to build critical infrastructure (e.g. farm sheds) and to hold livestock during floods. This would need to be considered in the context of the impact of possible filling on the floodplain, and should be further considered in the forthcoming flood studies, as well as *Maitland DCP 2011*.

A review of the appropriateness of earth mounds/pads for housing that are raised above the flood planning level is also needed. Such development on the floodplain has the potential to result in significant impacts to flood behaviour and cumulative impacts downstream. If not carefully managed, such development can considerably increase the risk to life and property.

The Hunter Valley Flood Mitigation Scheme is an integrated system of levees, spillways, drains and floodgates on the Hunter, Paterson and Williams Rivers and is operated and maintained by DPE. The key function of the Scheme is to mitigate or reduce flood damage by controlling the velocity, direction and depth of floodwaters.

In Maitland, the Hunter Valley Flood Mitigation Scheme assets provide minor flood protection for rural land and moderate flood protection for urban areas. It is noted that changing climate is likely to increase the frequency and severity of flooding within the LGA.

## STRATEGIC DIRECTION

- Council recognises its floodplains as a significant resource for both the agricultural industry and the environment and seeks to protect them.
- Council seeks to protect life and property as a fundamental consideration in any decisions about the floodplain.
- Council is committed to the processes and opportunities under the *NSW Flood Prone Land Policy*, accompanying *Floodplain Development Manual* and guidelines and the NSW Floodplain management framework.
- Council will pursue best practice in updating *Maitland LEP 2011* and *Maitland DCP 2011* regarding floodplain management.
- Community education regarding all aspects of flood risk, flood mitigation, evacuation and disaster recovery is critical.
- Council recognises the critical function of the Hunter Valley Flood Mitigation Scheme.

## Water sustainability & security

Maitland agricultural producers rely on water supply for irrigation from the Hunter and Paterson Rivers, while the water supply for the LGA's urban population relies on Hunter Water's catchment areas, although located outside the LGA. Environmental areas of the Lower Hunter also rely on water for their existence.

The growing agribusiness sector, including irrigated agriculture, irrigated pasture and horticultural practices within the LGA all require a secure water supply to sustain existing and future production. A lack of water supply during drought conditions places pressure on agricultural practices and reduces production of fruit and vegetables for the region.

As the climate changes and demand for water increases and the Hunter River estuary water and salt levels change, water security planning will be critical in order to support agriculture, the environment and the wider community and to maximise opportunities to use water effectively and to support sustainable growth and development.

NSW Plans and Strategies affecting water security in the Maitland LGA are the:

- *Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources 2022-2032*
- *Greater Hunter Regional Water Strategy 2018*
- *Lower Hunter Water Security Plan 2022.*

Council will consider these strategies and plans and the subsequent needs of its agricultural producers' water needs and difficulties, and be prepared to advocate on behalf of them. At the same time, major decisions regarding urban development need to consider the water security for users in rural and environmental areas.

At the site level, water sensitive design elements for rural and large lot residential land uses are required in order to prevent detrimental impacts on water quality in the catchment, as well as addressing any existing poor management practices.

Attention to water sensitive design and the integration of land management and farming practices will help protect and conserve the rural water cycle to ensure water management is mindful of natural hydrological and ecological processes. *Maitland DCP 2011* should be improved in this respect.

## STRATEGIC DIRECTION

- Water security will be a key consideration of major urban development decisions.
- The efficient use and reuse of water in all types of developments will be promoted.
- Effective reuse of groundwater will be promoted for developments in rural areas.
- The effects of climate change on the Hunter River estuary will be monitored for its possible impact on irrigation and salt loads.

## Bushfire

Bushfires commonly occur in areas of remnant native vegetation or grassland. Large expanses of bushfire prone native vegetation are found in the north-west corner of the LGA near Rosebrook, Anambah and Hillsborough and the north-east corner of the LGA near Tocal College.

The identification of bushfire prone land is required under *Section 10.3 of the Environmental Planning and Assessment Act 1979 (EP&A Act)*. Councils are required to prepare Bush Fire Prone Land Maps, which are certified by the Commissioner of the NSW Rural Fire Service (NSW RFS).

Grasslands were introduced into the NSW RFS's *Guide for Bush Fire Prone Land Mapping 2015*. Maitland's Bushfire Prone Land Map 2022 now includes this category and is consistent with the adjoining LGAs.

As a result, the majority of rural land within the Maitland LGA is now categorised as bushfire prone land. This needs to be factored into the location and design of all future developments on rural and environmental land. Council will continue to apply the requirements of *NSW Planning for Bushfire Protection (2019)* in assessing all future development.

Community preparedness and education about bushfire risk and emergency events will continue to be of paramount importance to the rural community. Council has a key role in this regard, in partnership with the RFS.



## STRATEGIC DIRECTION

- Bushfire risk is recognised as an issue for the Maitland LGA and all required planning processes will continue to be monitored.
- Education about bushfire risk, preparedness, resilience and emergency responses are critical to the rural community.

## Acid sulfate soils

Acid sulfate soils (ASS) are located in the floodplains of the Maitland LGA. When disturbed or exposed to air, ASS can release acid, damaging built structures and harming plants and animals.

*Maitland LEP 2011 Clause 7.1 Acid Sulfate Soils* and accompanying maps specify the areas of land (Class 1 to 5) and types of development that must take account of the requirements of the *Acid Sulfate Soils Manual 1998*. NSW Local Planning Direction 4.5 also stipulates this level of consideration for Planning Proposals for rezoning rural land.

It is imperative that ASS are not disturbed in the Maitland LGA; although since they generally coincide with the floodplain, it is less likely that they will be affected by intense development. Nevertheless, they remain an important consideration, and should be added to the *Maitland DCP 2011*.

## STRATEGIC DIRECTION

- The importance of the non-disturbance of acid sulfate soils is recognised.

## Salinity

Salinity is the accumulation of salt in land and water to a level that damages the natural and built environment. Salinity is a costly problem, is affected by earthworks and impacts farms, wetlands, rivers, buildings, roads and pipes and sportsgrounds.

In particular, urban salinity is caused by a combination of excess water and salt in an urban area, and salt sensitive land uses. The salts can break down materials such as concrete and prevent plants from taking up water. Salinity can influence the effectiveness and therefore standards of concrete construction. Hence, it affects the cost of development and the design of drainage and infrastructure.

Salinity can also be affected by some rural land uses that use a lot of water (eg turf farms) as well as drainage and dams that potentially interfere with groundwater flows. Significant resources have been developed by the NSW Government in part to assist councils in planning for urban salinity in particular (DNR 2006) and for managing salinity in rural areas (OEH 2015).

To understand and plan for salinity impacts at the local scale, 'Unit Attribute hazard classifications' can be given to land within specific 'Hydrogeological landscapes'. These hazard classifications can then be considered in both LEPs and DCPs.

There are examples of NSW councils that have recognised the seriousness of salinity impacts in their areas and have adopted relevant planning provisions to consider it. It is suggested that Council place similar controls in *Maitland LEP/DCP 2011*, so that continuing issues with salinity can be managed, and the potential future cost of salinity damage to land and buildings is minimised.

## STRATEGIC DIRECTION

- The importance of salinity is recognised and the effects of salinity must be minimised by including appropriate provisions in Council's planning policies.

## Climate change

Climate change will continue to have a significant impact on rural land. Drier weather along with hotter climates are predicted in the future, with increased frequency and severity of rainfall events and natural hazards. The impacts of climate change and extreme weather events are already having an impact on the rural land, with the community increasingly having to react, respond and adapt to fluctuating conditions.

Changing climate will have a significant impact on the productivity of certain agricultural enterprises and may cause a shift in crop selection and different agricultural practices being implemented.

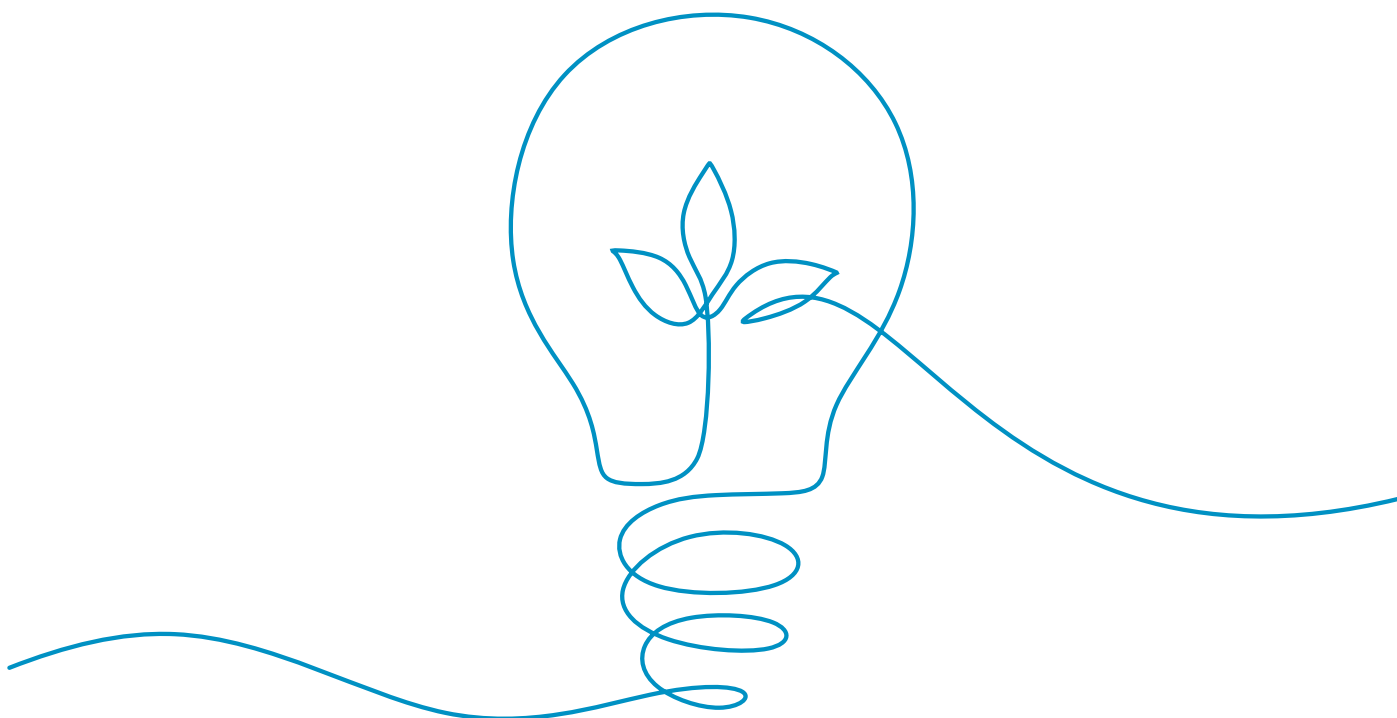
Fire, floods, irregular rainfall and ranging temperatures has not only placed pressure on rural producers and their assets, but it also presents challenges for Council's infrastructure and service provision. Such hazards reinforce the need to mitigate risk associated with land use development to ensure the protection of life and property.

Adapt NSW advises that: *Climate change is affecting the Hunter region, particularly through increasing temperatures. Projections show temperatures are expected to keep rising, sea level will rise, rainfall patterns will change and climate change through the Enabling Regional Adaptation work. This is being achieved by working with state and local government stakeholders to identify key aspects of the Hunter region that are vulnerable to climate impacts, along with challenges and opportunities to adapt.*

Education will play a key part in understanding climate change impacts and methods of adaptation. Working with relevant agencies including DPI Agriculture, Adapt NSW, SES, RFS, LLS will enable rural property owners to understand, plan for and mitigate impacts associated with primary production and employ strategic responses to ensure they remain resilient to changing climate.

### STRATEGIC DIRECTION

- The local impacts of climate change must be monitored, including potential impacts on the risks of flooding, bushfire and impacts on agriculture and water (irrigation) availability.
- Council will work with key agencies, landholders and the rural community to learn about and adapt to natural hazard events as a result of climate change.





## ACTIONS

To realise the 'Strategic Directions' in the sections above, a range of actions need to be taken by Council and other stakeholders.

- 6.1 Continue to review and update Council's flood studies and floodplain risk management study and plan in accordance with the NSW floodplain management framework.
- 6.2 Update *Maitland DCP 2011* based on updated flood data and modelling information derived through the NSW Floodplain Development Management process.
- 6.3 Review and update *Maitland DCP 2011* to provide for livestock and rural machinery refuges and mounds in rural and peri urban areas that are situated above the 1% AEP.
- 6.4 Pursue the application of the 'Special Flood Considerations' clause 5.22 in *Maitland LEP 2011*.
- 6.5 Educate the rural community regarding flood and bushfire risk and the impacts of changing climate.
- 6.6 Continue to support the Hunter Valley Flood Mitigation Scheme to mitigate or reduce flood damage for urban and rural areas and to protect its assets and operational functions from inappropriate land use and management practices.
- 6.7 Continue to work with Port Stephens and Newcastle City Councils to finalise and implement the Lower Hunter Floodplain Cumulative Development Impact Study and Plan.
- 6.8 Update *Maitland DCP 2011* regarding bushfire, including to recognise the updated Bushfire Prone Land Map and its implications, and specifying requirements for information to be provided in development applications.
- 6.9 Work with DPI/NSW Water regarding Water Sharing Plans and related documents to provide greater certainty for agribusiness to access to water from the Hunter and Paterson Rivers to sustain agricultural activities in the LGA.
- 6.10 Update *Maitland DCP 2011* relating to acid sulfate soils and salinity using best practice and up to date information.



## 3.8 Planning Principle 7

### Improve connections with Greater Newcastle and beyond for the benefit of the rural economy

#### INTENT

**Capitalise on Maitland's locational advantages to embrace opportunities to connect and expand rural market access.**

#### OBJECTIVES

1. Support existing and emerging agribusiness and promote new and expanding markets.
2. Recognise Maitland's rural lands' contribution to the local and regional rural economy and employment opportunities.
3. Leverage the development and growth of the local agricultural industry to take advantage of surrounding economic and freight infrastructure.
4. Build greater resilience into the rural road network and infrastructure.
5. Maximise inter-regional linkages to increase rural productivity and economic growth.

#### FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- Supply chains
- Productivity
- Road and rail logistics
- Local infrastructure
- Economic infrastructure.

#### RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

Objective 4 of the HRP 2041 is 'An inter-connected and globally-focused Hunter without car dependent communities'. This Objective is accompanied by a number of Strategies relate to this Planning Principle including Strategy 4.9, 4.11 and 4.12.





## Supply chains

Maitland has a competitive advantage being well located and accessible to regional and international freight infrastructure. It also has access to the local and regional agricultural supply chain for key output sectors including poultry, beef, vegetables and horticulture and other local markets. As supply chains grow, so does the need for logistics and freight.

The continued growth of Maitland has been driven by its locational advantages, its road and rail connections and proximity to Newcastle, Sydney and the broader Hunter region. This advantage provides opportunity to increase rural supply chains in existing and diverse markets. Emerging new land uses associated within these supply chains will need to comply with rural local planning provisions.

Freight and supply chains will need to build resilience to meet changing consumer preferences and emerging issues associated with natural disasters, climate risk, threats and increasing community expectations in relation to product safety, security and environmental outcomes. This will require a state and national coordinated approach.

### STRATEGIC DIRECTIONS

- Maitland's competitive advantage in proximity to freight and logistics infrastructure needs to be utilised.
- Rural supply chains supported by freight infrastructure networks will be encouraged in order to increase productivity.
- Clustering of suitable value adding opportunities and local chain suppliers will be encouraged in proximity to transport linkages to enhance productivity.

## Productivity

Poultry production is Maitland's largest agricultural industry with farms required to be in proximity to both processing plants and consumers. Further value adding opportunities could be achieved through local processing and packaging infrastructure and integration along the supply chain to include storage and logistics.

Improving connections and integrating land use and transport planning to support agricultural supply chains, as highlighted by the *Greater Newcastle Metropolitan Plan 2036*, is integral to the growth of Maitland's economy.

There is an opportunity for Maitland's industrial land to support emerging ag-tech industries and horticultural practices such as hydroponic products. Supporting emerging ag-tech uses in industrial zoned land with access to existing infrastructure, has the potential to improve productivity and contribute to Maitland's 'food bowl'.

### STRATEGIC DIRECTION

- Opportunities for appropriate ag-tech industries will be investigated and supported where appropriate.

## Road and rail logistics

Logistics are the largest single cost item in the production of many agricultural industries. Inefficient transport and supply chains can constrain growth and restrict access to products, market and export opportunities.

Maitland's location close to the Pacific, New England and Golden Highways and Hunter Expressway means that rural industries and businesses have road access to the broader Hunter region, the major metropolitan markets of Newcastle and Sydney and beyond.

Similarly, Maitland's position at the junction of the North Coast and northwest railway line means it is well connected to Newcastle, the broader Hunter region, Sydney with freight and passenger rail services.

### STRATEGIC DIRECTIONS

- Council recognises Maitland's locational advantage and its accessibility to major rail and road links.
- Inter-regional road and rail transport initiatives will enhance rural activity and economic growth.

## Local infrastructure

Diversification of rural productivity will require access to local infrastructure to connect to urban areas including employment, commercial precincts and services. Infrastructure including road networks and bridges require attention from the impacts of increased vehicle movements.

Existing agricultural producers rely on satisfactory road standards for heavy vehicles. Heavy vehicles require a particular class of road to support this type of traffic movement. Certain rural roads within the LGA are limited to certain traffic types and may restrict the use of heavy vehicles. The cost of upgrading roads, bridges and causeways may influence the location of diversified rural land uses.

Understanding local transport infrastructure and their capacity will inform planning decisions regarding agricultural diversity and the impacts that may occur from a deviation from existing agricultural activity.

### STRATEGIC DIRECTIONS

- Council recognises the importance of the local road network to the efficient functioning of local agricultural production.
- Diversification in rural productivity needs to be supported by quality local road networks and infrastructure.

## Economic infrastructure

There are emerging trends for Maitland to capitalise on its rural land with increasing agricultural productivity, increasing global connectivity and proximity to growing Asian economies, where the demand for fresh food is rapidly growing.

The Port of Newcastle and Newcastle Airport are major economic infrastructure located within close proximity to the LGA, offering a major economic benefit to it and to the wider region.

There is potential to leverage the development and growth of the agricultural industry in Maitland to take advantage of broadening market bases and exporting products. Maitland is well located to take advantage of the Port of Newcastle and Newcastle Airport and associated freight infrastructure.

Coordination with state agencies and stakeholders will be key to increase local product output and future export opportunities. Delivery of infrastructure and resources will be required from all levels of government and key stakeholders to improve connections within Greater Newcastle and beyond.

### STRATEGIC DIRECTION

- Local producers' access to the Port of Newcastle and Newcastle Airport is essential to broaden their market bases.





## ACTIONS

To realise the 'Strategic Directions' in the sections above, a range of actions need to be taken by Council and other stakeholders.

- 7.1 Continue to improve the local rural road network and infrastructure to support agricultural activities within the LGA.
- 7.2 Engage and work collaboratively with the NSW Government to identify and fund local and regional road projects to strengthen regional transport connections to support local agricultural businesses.
- 7.3 Identify key agricultural production and agritourism enterprises on rural land and consider them in prioritising road upgrade programs.
- 7.4 Review agricultural heavy vehicle transport zones (as administered by National Heavy Vehicle Regulator) across the public road network in Maitland LGA and consider the heavy vehicle needs for rural landholders.
- 7.5 Investigate opportunities for ag-tech industries and horticultural practices (hydroponic) in industrial zoned land.
- 7.6 Identify suitable land and clustering to encourage value adding opportunities for local processing and packaging infrastructure and integration along the supply chain to include storage and logistics.
- 7.7 Work with the NSW and Federal Government to maximise access to Newcastle Airport and the Port of Newcastle to increase rural export opportunities and maximise opportunities for inter-regional freight and road networks to support the local economy.
- 7.8 Identify opportunities for rural industries that may benefit from the Williamstown Special Activation Precinct including the export of local agricultural products.

## 3.9 Planning Principle 8

Use planning provisions and processes to strive for the best outcomes for rural land, rural communities and the rural economy

### INTENT

Effectively use the NSW planning, agricultural, environmental and natural hazard frameworks, research, provisions and processes to enable the Planning Principles, Objectives, Strategic Directions and Actions of this Strategy to be successfully realised.

### OBJECTIVES

1. To recognise current and ongoing research and understanding of rural land and to use this knowledge appropriately for future planning.
2. To leverage appropriate planning, agricultural, environmental and natural hazard statutory and non-statutory provisions and processes to achieve the best outcomes for Maitland's rural land.

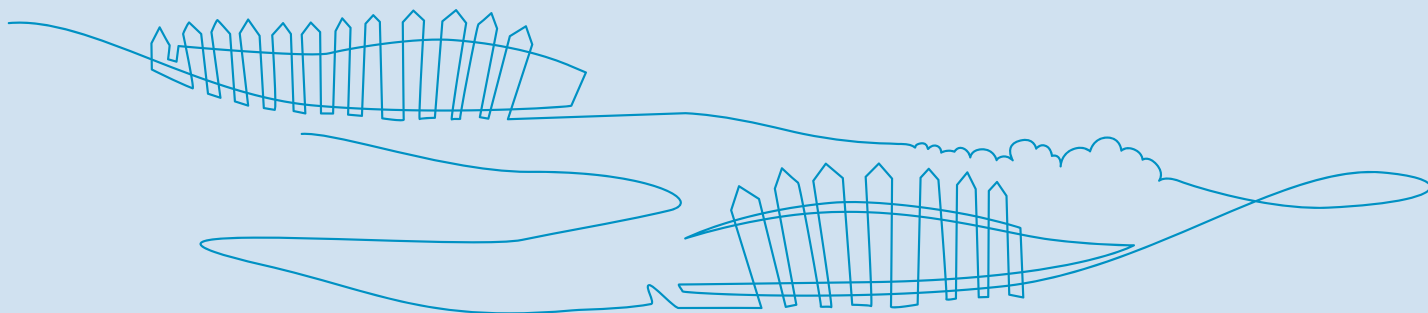
### FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- Partner with the rural community
- Planning Proposals
- Local Environmental Plan
- Development Control Plan
- Approval pathways.

### RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

All parts of the HRP 2041 are applicable to this Planning Principle.





## General

Most of the Objectives, Strategic Directions and Actions given in the previous sections of this Strategy rely on the effective navigation and use of the various inter-related and complicated facets of the NSW planning, agricultural, environmental and natural hazard frameworks, policies, legislative provisions and government processes.

A vast range of these have been referenced in this Strategy, and most are drafted, legislated and managed by various agencies, sometimes (but not always) including Council. However, most of the specific Actions in this Strategy cannot be successfully realised without making best use of these aspects.

It is imperative that Council remains fully aware of developments in research and best practice that inform agricultural and rural issues. As such, there are a number of specific positions that Council should consider, being general ones below, in addition to the others listed under the remaining focus areas headings in this Principle.

### STRATEGIC DIRECTIONS

- Ensure that information and data underpinning the implementation of this Strategy is of the highest quality and efficiently accessed and monitored.
- Seek out, keep up to date with and utilise any best practice or industry-specific guidance published by relevant government agencies and organisations.
- Advocate for the best outcomes for Maitland's rural land in any relevant submissions to NSW or Federal government.
- Ensure that future regional/metropolitan planning strategies or policies champion Maitland's rural land and its contribution to the regional economy.

## Partner with the rural community

To successfully realise any of the Actions in this Strategy, it is imperative that Council partner with a range of sectors within its community, in effective ways – this includes the rural community, industry, interest groups, adjoining councils and relevant government and other agencies.

Significant expertise and knowledge can be gained from other councils and organisations that have practical understanding in rural land use issues, particularly those that have managed to translate their own rural land use strategies (or at least issues) into specific planning and/or economic policy.

### STRATEGIC DIRECTIONS

- Council will involve all sectors within its rural community in planning for the future of its rural land.
- Council will partner with relevant government agencies and other organisations with specialist expertise in agricultural and rural land management.



## Be clear in the assessment of Planning Proposals

Council needs to give certainty to proponents and the community alike in the assessment of Planning Proposals relating to requests for changes of zoning (or amending other LEP provisions) on rural and environmental land, or on urban land adjoining and likely to affect rural or environmental land.

Planning Principle 3 makes it clear that any request to rezone land to R5 Large Lot Residential will not be considered as a part of this Strategy and the provision of rural residential development will only be considered in the context of the *Maitland Local Housing Strategy 2041* and subsequent Local Urban Development Program.

Planning Principle 2 proposes the establishment of a set of criteria that can be used to assess development on peri-urban land, and suggests that it also be applied to Planning Proposals. This should be applied for land not only in peri-urban areas, but for requests for rezoning or amending LEP provisions on rural and environmental land generally.

The above issues, and other relevant considerations for assessment of Planning Proposals (including the consideration of the NSW 'Local Planning Directions'), needs to be consolidated into a clear set of assessment criteria.

In developing the assessment criteria for Planning Proposals on rural and environmental land, ensure that all relevant issues in each of the Objectives, Strategies and Performance Outcomes of the *Hunter Regional Plan 2041* are included.

### STRATEGIC DIRECTIONS

- Council will use the Principles, Intent, Objectives, Strategic Directions and relevant Actions in responding to Planning Proposals on rural and environmental land, or on urban land adjoining and likely to affect rural or environmental land.
- A clear set of criteria for assessing Planning Proposals on rural and environmental land needs to be developed.

## Reviewing the provisions of *Maitland LEP 2011*

It is recognised throughout this Strategy that the location and land use tables of the RU1, RU2, C2, C3 and C4 zones of *Maitland LEP 2011* need reviewing with the intention of concurrently:

- recognising the value of Maitland's peri-urban land and its functions
- protecting environmental values and features
- mitigating land use conflict; and
- introducing appropriate new opportunities to support both agricultural diversity and agritourism.

However, *Maitland LEP 2011* can only be reviewed in the context of the 'permissibility' and provisions of the NSW 'Standard LEP' template, which restricts the ability of councils to tailor planning responses to their local conditions with the required amount of detail.

Council should also consider of relevant 'Local Provisions' included in other councils' LEPs, and review their applicability to the situation in Maitland. This is especially important in a range of environmental and hazard provisions discussed previously, for example biodiversity and salinity.

Overall, Council will update *Maitland LEP 2011* with the array of Actions given in this Strategy, in conjunction with an update of concurrent provisions in *Maitland DCP 2011* (discussed in the next section).

### STRATEGIC DIRECTIONS

- Actions identified in this Strategy for review of *Maitland LEP 2011* are supported.
- A review should be undertaken of land use permissibilities (and boundaries, where needed) of the RU1, RU2, R5, C2, C3 and C4 zones.



## Update of Maitland DCP 2011

Many parts of this Strategy refer to the need for an update of *Maitland DCP 2011*, and many specific Actions relating to this have already been identified in previous Planning Principles of the Strategy.

In addition to these, there are other updates also required to the DCP, notably relating to:

- Application requirements – specifying the type and detail of information is required to submit to Council with a development application, tailored to specific types of rural development
- Provisions for a range of rural land uses
- Provisions for some types of rural activities, including small scale events
- Using information from relevant best practice and industry guidelines adopted by government agencies (especially ones from DPI Agriculture).

### STRATEGIC DIRECTION

- Actions identified in this Strategy for review of *Maitland DCP 2011* are supported.

## Understanding 'approval pathways' at the local level

Much of the frustration of the NSW planning system for rural landholders stems from the confusing array of 'approval pathways' available through the *EP&A Act*, and how these apply at the local level.

Much rural development of minor impact can be carried out as 'exempt and complying development' as defined in *SEPP (Exempt and Complying Development) 2008*. However, there are certain areas of land where exempt and complying development cannot be carried out under the SEPP (for example certain 'environmentally sensitive land' and 'flood planning area').

It would greatly assist the community, applicants and Council if comprehensive mapping could be kept 'live'/ up to date to show the locations of these areas.

### STRATEGIC DIRECTION

- Maintaining up to date and accessible data to assist the community in navigating local planning rules is critical.





## ACTIONS

To realise the 'Strategic Directions' in the sections above, a range of actions need to be taken by Council and other stakeholders.

- 8.1 Advocate for the protection of Maitland's rural and environmental land in future reviews of Hunter Regional Plan 2041 and Greater Newcastle Metropolitan Plan 2036.
- 8.2 Continue to work with the relevant rural community, industry, government and interest groups to realise the actions identified in this Strategy.
- 8.3 Prepare a comprehensive Planning Proposal assessment criteria guideline, incorporating criteria and issues specified in other Actions of this Strategy.
- 8.4 Review the land use tables of the RU1 and RU2 zones to mitigate land use conflict and to introduce new opportunities to support agricultural diversity in the RU2 zone, and amend *Maitland LEP 2011* where required.
- 8.5 Use industry-specific or best practice guidelines produced by DPI Agriculture to inform any updates to *Maitland LEP/DCP 2011*.





# 4. IMPLEMENTATION









## 4.1 Implementation

This Strategy establishes 8 'Planning Principles' and accompanying 'Intents', 'Objectives' and 'Strategic Directions' for Maitland's rural land that will guide future planning decisions, infrastructure and service provision and a range of other initiatives including education, promotion and advocacy.

At the end of each Planning Principle section, a list of Actions has been identified that supports the Strategic Directions within that Principle. These Actions give a clear description of what needs to be done to achieve each Strategic Direction. Note that some Actions will be implemented simultaneously.

Each of the Actions specifies a timeframe for its completion:

- Ongoing - as required and as the opportunity arises
- Immediate - up to 2 years from adoption of the Strategy
- Short term - up to 5 years
- Medium term - up to 10 years

Council will lead the majority of Actions and will be supported by key government agencies and organisations as shown in each list, including:

- NSW Department of Planning and Environment
- NSW Department of Primary Industries Agriculture
- Water NSW
- Hunter Water Corporation
- Transport for NSW
- NSW Local Land Services
- NSW Rural Fire Service
- NSW State Emergency Services
- Local Aboriginal Land Council
- Adjoining Local Government Areas
- Hunter Joint Organisation
- Tocal College

## 4.2 Monitoring and Review

The Strategy provides a framework for Maitland's rural land over the next 20 years. Council will monitor and review this Strategy to ensure that it responds to changes in planning policies, legislation, industry requirements and community expectations.

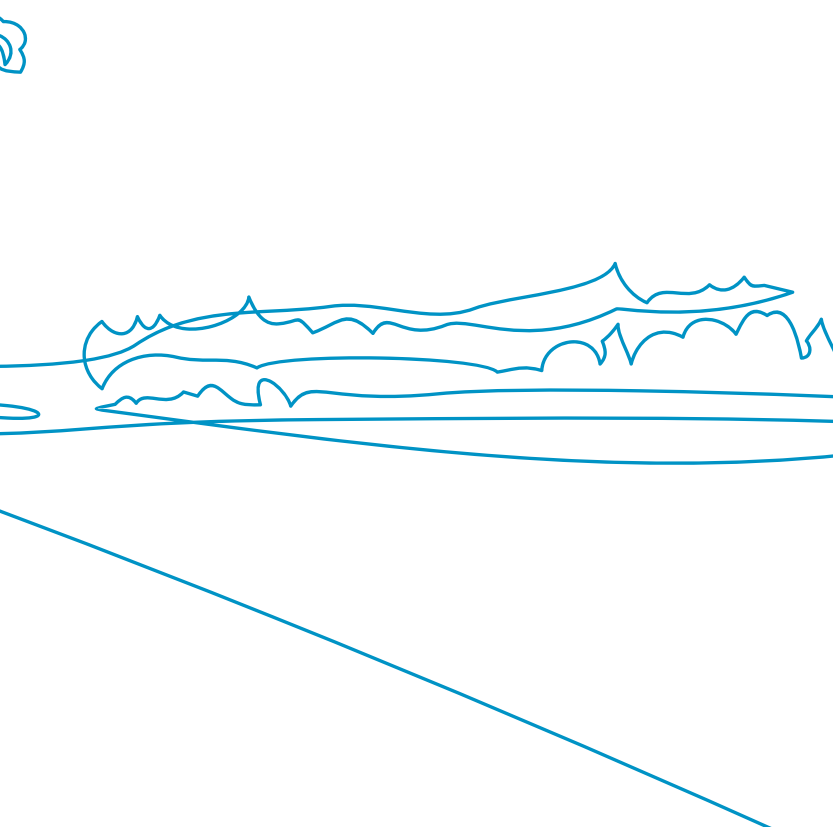
Council will also monitor this Strategy in the context of being included in the 'Lower Hunter and Greater Newcastle City' under the Greater Cities Commission (GCC, 2022) and in the context of any future reviews of the *Hunter Regional Plan 2041* or *Greater Newcastle Metropolitan Plan 2036*.

A review of the Strategy will be undertaken at least every five years to ensure it remains current and relevant to respond to new and emerging opportunities in a timely manner. An annual review of the Actions and timeframes will be undertaken to measure progress over time.



Table 2: Compilation of Actions

PLANNING PRINCIPLE	ACTIONS	RESPONSIBILITY	TIMEFRAME
<b>1. Protect productive agricultural land</b>	1.1 Ensure that State Significant Agricultural Land mapping are used as key criteria in the assessment of Planning Proposals.	Council	Ongoing
	1.2 Work collaboratively with the NSW DPI Agriculture to identify important agricultural land at the local scale and develop appropriate local planning provisions to guide future planning decisions.	Council/DPI Agriculture	Medium term
	1.3 Update <i>Maitland DCP 2011</i> to provide clear criteria for rural subdivision for agricultural practices where dwelling entitlement is prohibited under Clause 4.2 Rural subdivision of the <i>Maitland LEP 2011</i> .	Council	Short term
	1.4 Map peri-urban land and introduce a new local clause, development controls and associated mapping to Maitland LEP and <i>DCP 2011</i> .	Council	Medium term
	1.5 Join with neighbouring councils, DPI Agriculture and other relevant organisations in understanding peri urban land issues and their effective management.	Council/ DPI Agriculture/ Hunter JO/ other councils	Ongoing
	1.6 Advocate to the NSW and Federal governments for economic tools to be introduced to preference the use of peri urban and rural land for rural and/or scenic purposes, in preference to urban land uses.	Council	Ongoing





PLANNING PRINCIPLE	ACTIONS	RESPONSIBILITY	TIMEFRAME
<b>2. Reduce and manage land use conflict</b>	2.1 Review <i>Maitland DCP 2011</i> to include all relevant parts of the NSW DPI 'Land Use Conflict Risk Assessment Guide' (2011, or its update) for assessment all relevant land uses.	Council	Short term
	2.2 Educate the community, rural landowners and development industry on rural land use conflict issues and the potential social, economic and environmental impacts.	Council / Property owners	Ongoing
	2.3 Work with the NSW LLS and rural property owners to encourage and implement land management best practices.	Council / Property owners	Ongoing
	2.4 Work with relevant NSW agencies to manage: <ul style="list-style-type: none"> <li>• biosecurity risks and impacts that may result from existing or new agricultural land uses.</li> <li>• weeds and feral animals on public and private land and to limit the impact of domestic animals on rural and environmental land.</li> </ul>	Council / DPI Agriculture	Ongoing
	2.5 Prepare 'land use suitability criteria' to be used in the assessment of Planning Proposals for residential and non-agricultural development on rural and environmental land, and on urban land where it is within 500m of Rural or Environmental Zones or specific agricultural operations.	Council	Short term
	2.6 Update <i>Maitland DCP 2011</i> to establish appropriate buffer areas and separation distances to a range of rural land uses. Refer to NSW DPI's Buffer Zones to Reduce Land Use Conflict with Agriculture – Interim Guideline (2018, or its update).	Council	Short term
	2.7 Update <i>Maitland DCP 2011</i> relating to: <ul style="list-style-type: none"> <li>• poultry or equine establishments and developments within the buffer areas of existing establishments.</li> <li>• protect Maitland Airport and its operations, particularly in relation to airport noise and height limitations.</li> <li>• buffers and separation distances around extractive industries, waste management facilities, wastewater treatment facilities and cemeteries.</li> </ul>	Council	Short term
	2.8 Update Maitland LEP/DCP 2011 to protect areas around extractive industries; in particular to review the 'Mineral Resource Area' mapping and clause, in consultation with the Geological Survey of NSW.	Council	Short term
<b>3. Build rural housing only in the right places</b>	3.1 Update <i>Maitland DCP 2011</i> to require new dual occupancies on rural or environmental land to be located within the curtilage of the existing/principal dwelling house on the same lot and to limit their location on flood prone land.	Council	Short term
	3.2 Manage and monitor the supply of land zoned R5 Large Lot Residential through Maitland <i>Local Housing Strategy 2041</i> .	Council	Ongoing
	3.3 Prohibit the development of manufactured home estates on rural land by prohibiting caravan parks in the RU2 zone.	Council	Short term

PLANNING PRINCIPLE	ACTIONS	RESPONSIBILITY	TIMEFRAME
<b>4. Support and diversify the rural economy</b>	4.1 Update <i>Maitland DCP 2011</i> to include a definition and controls relating to market gardening activities.	Council	Short term
	4.2 Investigate opportunities for agribusiness, agritourism, renewable energy and other rural-based tourism opportunities within the LGA, as a part of Council's Economic Development Strategy and other strategies.	Council	Short to medium term
	4.3 Continue to promote local agritourism and rural tourism in Maitland's Destination Management Plan and related visitor economy activities, with a particular emphasis on 'Maitland's Food Bowl'.	Council	Ongoing
	4.4 Investigate opportunities for and support appropriate extensive horticulture and intensive plant agriculture production in proximity to Maitland's urban areas to build upon local food supply chains.	Council	Medium term
	4.5 Amend <i>Maitland LEP 2011</i> to include 'Optional Standard LEP clauses' 5.24 Farm stay accommodation and 5.25 Farm gate premises.	Council	Short term
	4.6 Investigate amending Clause 5.4 of the <i>Maitland LEP 2011</i> to increase the permitted size of bed and breakfast accommodation from 3 to 4 bedrooms based on recent demand.	Council	Short term
	4.7 Amend <i>Maitland LEP 2011</i> to permit with consent the 'artisan food and drink industry' land use in the RU2 zone and amend Maitland DCP to introduce relevant provisions.	Council	Short term
	4.8 Review DPE's 'Model DCP clauses for agritourism' relating to farm gate premises, farm experience premises and farm stay accommodation and update <i>Maitland DCP 2011</i> where appropriate.	Council	Short term
	4.9 Amend <i>Maitland DCP 2011</i> to include objectives and controls to ensure 'tourist and visitor accommodation' and 'events' remains 'ancillary' to the primary agricultural or environmental purpose of the site and surrounding properties (where relevant to proposals on land already containing a primary production or environmental land use).	Council	Short term
	4.10 Work in partnership with neighbouring LGAs and mining companies regarding mining operations affecting Maitland LGA and identify potential future impacts on the environment, society and economy.	Council	Ongoing
	4.11 Review the development and locations of emerging equine industry and clustering trends to identify opportunities for growth.	Council	Medium term
	4.12 Update <i>Maitland DCP 2011</i> to include considerations for development of equine industry establishments and nearby development.	Council	Medium term
	4.13 Continue to support the initiatives, research, innovation, training and education provided by Tocal College toward agriculture industry and agritourism.	Council	Ongoing



PLANNING PRINCIPLE	ACTIONS	RESPONSIBILITY	TIMEFRAME
<b>5. Protect and enhance natural ecosystems, scenic values and heritage in rural areas</b>	5.1 Prepare an overarching Environmental Sustainability Strategy (ESS) for Maitland LGA to protect and conserve ecological values, to connect habitat and restore ecosystems.	Council	Short term
	5.2 Use updated vegetation, environmental data and modelling to inform the ESS and subsequent reviews of Maitland LEP and DCP.	Council	Ongoing
	5.3 Update <i>Maitland DCP 2011</i> to provide the necessary regulatory framework for removal of vegetation in rural and conservation areas as provided for in SEPP (Biodiversity and Conservation).	Council	Short term
	5.4 Update <i>Maitland DCP 2011</i> regarding vegetation removal requirements in rural (and urban) areas, including specifying requirements for information to be provided in development applications.	Council	Short term
	5.5 Update <i>Maitland LEP 2011</i> to incorporate a Biodiversity clause and mapping, in conjunction with an update of <i>Maitland DCP 2011</i> .	Council	Medium term
	5.6 Review high value environmental land within the LGA in conjunction with the ESS to determine if they are adequately protected by either the C2 or C3 zone.	Council	Short term – Medium term
	5.7 Update <i>Maitland DCP 2011</i> to specify requirements for environmental buffers to complement any changes to <i>Maitland LEP 2011</i> regarding the use of C4 or RU2 zones to provide an environmental buffer to C2 or C3 zones.	Council	Short term – Medium term
	5.8 Review wetland areas and their current land use zoning to ensure adequate protections for wetlands. Amend <i>Maitland LEP 2011</i> as necessary.	Council	Medium term
	5.9 Update <i>Maitland DCP 2011</i> to protect wetlands from stormwater runoff generated from nearby development.	Council	Short term
	5.10 Review and update the Watercourses mapping in <i>Maitland LEP 2011</i> .	Council	Short term – Medium term
	5.11 Amend the <i>Maitland LEP 2011</i> to introduce the W2 Waterway zone to appropriate sections of the Hunter and Paterson Rivers.	Council	Short term
	5.12 Complete the Rural and Aboriginal Heritage Study and provide a policy framework to protect items, landscapes, curtilages of heritage items and their settings on rural land, as identified in the study.	Council	Short term – Medium term
	5.13 Prepare a Scenic and Landscape Analysis of the LGA and amend LEP/DCP by introducing a scenic protection clause and accompanying mapping based on the outcomes of the above analysis.	Council	Short term – Medium term

PLANNING PRINCIPLE	ACTIONS	RESPONSIBILITY	TIMEFRAME
<b>6. Understand and mitigate the impacts of natural hazards and adapt to a changing climate</b>	6.1 Continue to review and update Council's flood studies and floodplain risk management studies and plans in accordance with the NSW floodplain management framework.	Council/DPE	Short term – Medium term
	6.2 Update <i>Maitland DCP 2011</i> based on updated flood data and modelling information derived through the NSW Floodplain Development Management process.	Council	Short term
	6.3 Review and update <i>Maitland DCP 2011</i> to provide for livestock and rural machinery refuges and mounds in rural and peri urban areas that are situated above the 1% AEP.	Council	Short term
	6.4 Pursue the application of the 'Special Flood Considerations' clause 5.22 in <i>Maitland LEP 2011</i> .	Council	Short term
	6.5 Educate the rural community regarding flood and bushfire risk and the impacts of changing climate.	Council/ SES/ RFS	Ongoing
	6.6 Continue to support the Hunter Valley Flood Mitigation Scheme to mitigate or reduce flood damage for urban and rural areas and to protect its assets and operational functions from inappropriate land use and management practices.	Council/ DPE	Ongoing
	6.7 Continue to work with Port Stephens and Newcastle City Councils to finalise and implement the Lower Hunter Floodplain Cumulative Development Impact Study and Plan.	Council	Short term – Medium term
	6.8 Update <i>Maitland DCP 2011</i> regarding bushfire, including to recognise the updated Bushfire Prone Land Map and its implications, and specifying requirements for information to be provided in development applications .	Council	Short term
	6.9 Work with DPI/NSW Water regarding Water Sharing Plans and related documents to provide greater certainty for agribusiness to access to water from the Hunter and Paterson Rivers to sustain agricultural activities in the LGA.	Council/ NSW Water/ DPI	Ongoing
	6.10 Update <i>Maitland DCP 2011</i> relating to acid sulfate soils and salinity using best practice and up to date information.	Council	Medium term



PLANNING PRINCIPLE	ACTIONS	RESPONSIBILITY	TIMEFRAME
<b>7. Improve connections with Greater Newcastle and beyond for the benefit of the rural economy</b>	7.1 Continue to improve the local rural road network and infrastructure to support agricultural activities within the LGA.	Council	Ongoing
	7.2 Engage and work collaboratively with the NSW Government to identify and fund local and regional road projects to strengthen regional transport connections to support local agricultural businesses.	Council/ NSW Government	Ongoing
	7.3 Identify key agricultural production and agritourism enterprises on rural land and consider them in prioritising road upgrade programs.	Council	Short term – Medium term
	7.4 Review agricultural heavy vehicle transport zones (as administered by National Heavy Vehicle Regulator) across the public road network in Maitland LGA and consider the heavy vehicle needs for rural landholders.	Council/ Federal Government	Short term – Medium term
	7.5 Investigate opportunities for ag-tech industries and horticultural practices (hydroponic) in industrial zoned land.	Council/ DPI Agriculture	Medium term
	7.6 Identify suitable land and clustering to encourage value adding opportunities for local processing and packaging infrastructure and integration along the supply chain to include storage and logistics.	Council	Medium term
	7.7 Work with the NSW and Federal Government to maximise access to Newcastle Airport and the Port of Newcastle to increase rural export opportunities and maximise opportunities for inter-regional freight and road networks to support the local economy.	Council/ Port of Newcastle /Newcastle Airport/ NSW and Federal Government	Ongoing
	7.8 Identify opportunities for rural industries that may benefit from the Williamstown Special Activation Precinct including the export of local agricultural products.	Council/DPE	Medium term
<b>8. Use planning provisions, processes and partnerships to strive for the best outcomes for rural land, rural communities and the rural economy</b>	8.1 Advocate for the protection of Maitland's rural and environmental land in future reviews of <i>Hunter Regional Plan 2041</i> and <i>Greater Newcastle Metropolitan Plan 2036</i> .	Council	Ongoing
	8.2 Continue to work with the relevant rural community, industry, government and interest groups to realise the actions identified in this Strategy.	Council	Ongoing
	8.3 Prepare a comprehensive Planning Proposal assessment criteria guideline, incorporating criteria and issues specified in other Actions of this Strategy.	Council	Short term
	8.4 Review the land use tables of the RU1 and RU2 zones to mitigate land use conflict and to introduce new opportunities to support agricultural diversity in the RU2 zone, and amend <i>Maitland LEP 2011</i> where required.	Council	Short term – Medium term
	8.5 Use industry-specific or best practice guidelines produced by DPI Agriculture to inform any updates to <i>Maitland LEP/DCP 2011</i> .	Council	Ongoing

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Disclaimer: The information contained in this strategy is based on knowledge and understanding at the time of writing. Maitland City Council and its employees take no responsibility and will accept no liability for the accuracy or omission of any information included in the strategy.