

AGRICULTURAL PLANNING CONTROLS FOR WOLLONDILLY

Definitions

There are some generic definitions for agricultural activities that are used in determining the nature of agricultural operations, and whether consent of the Council is required. Common definitions used to determine farming activities are as follows:

Agriculture (as defined by the Wollondilly Local Environmental Plan, 2011 [WLEP 2011]) means any of the following—

- (aaa) agritourism,
- (a) aquaculture,
- (b) extensive agriculture,
- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

Extensive agriculture (as defined by WLEP 2011) means any of the following—

- (a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,
- (b) the grazing of livestock (other than pigs and poultry) for commercial purposes on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the livestock,
- (c) bee keeping,
- (d) a dairy (pasture-based) where the animals generally feed by grazing on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for

weaning, dipping, tagging or similar husbandry purposes, of the animals.

Intensive livestock agriculture (as defined by WLEP 2011): means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following—

- (a) dairies (restricted),
- (b) feedlots,
- (c) pig farms,
- (d) poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.



Intensive plant agriculture (as defined by WLEP 2011) means any of the following—

- (a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),
- (b) horticulture,
- (c) turf farming,
- (d) viticulture.

Agritourism (as defined by WLEP 2011): means the following—

- (a) farm gate premises,
- (b) farm experience premises.

Aquaculture (as defined by WLEP 2011): has the same meaning as in the *Fisheries Management Act 1994*. It includes

oyster aquaculture, pond-based aquaculture and tank-based aquaculture.

Further definitions (as defined by WLEP 2011):

Dairy (restricted) means a dairy that is conducted on a commercial basis where restriction facilities (in addition to milking sheds and holding yards) are present and where cattle have access to grazing for less than 10 hours in any 24-hour period (excluding during any period of drought or similar emergency relief). It may comprise the whole or part of a restriction facility.

Feedlot means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, but does not include a poultry farm, dairy or pig farm.

Pig farm means land that is used to keep or breed pigs for animal production, whether an indoor, outdoor, free-range or other type of operation.

Poultry farm means land that is used to keep or breed poultry for animal production, whether for meat or egg production (or both) and whether an indoor, outdoor, free-range or other type of operation.

Horticulture means the cultivation of fruits, vegetables, mushrooms, nuts, cut flowers and foliage and nursery products for commercial purposes, but does not include a plant nursery, turf farming or viticulture.

Turf farming means the commercial cultivation of turf for sale and the removal of turf for that purpose.

Viticulture means the cultivation of grapes for use in the commercial production of fresh or dried fruit or wine.

Farm gate premises

- (a) means a building or place—
- (i) on a commercial farm, and
 - (ii) ancillary to the farm, and
 - (iii) used to provide visitors to the farm, on a commercial basis, with agricultural products predominantly from the farm, supplemented by products from other farms in

the region, or with services or activities related to the products, including the following—

- (A) processing, packaging and sale of the products, but not the processing of animals,
 - (B) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided,
 - (C) tastings or workshops,
 - (D) the provision of information or education related to the products, and
- (b) includes cellar door premises.

Farm experience premises means a building or place—

- (a) on a commercial farm, and
- (b) ancillary to the farm, and
- (c) used to provide visitors to the farm, on a commercial basis, with small-scale and low-impact tourist or recreational activities, including the following, but not including motor sports—
 - (i) horse riding,
 - (ii) farm tours,
 - (iii) functions or conferences,
 - (iv) farm field days.

Farm stay accommodation means a building or place—

- (a) on a commercial farm, and
- (b) ancillary to the farm, and
- (c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

Wollondilly Local Environmental Plan 2011 – Zone Table

WLEP 2011 Land Use Zone	Extensive agriculture	intensive livestock agriculture	Intensive plant agriculture	agritourism	aquaculture

RU1 Primary Production	permissible without consent	permissible with consent	permissible with consent	permissible with consent	permissible with consent
RU2 Rural Landscape	permissible without consent	permissible with consent	permissible with consent <i>(with the exception of turf farming)</i>	permissible with consent	permissible with consent
RU4 Primary Production Small Lots	permissible without consent	prohibited	permissible with consent	permissible with consent	permissible with consent
R5 Large Lot Residential	bee keeping permissible with consent only	prohibited	prohibited	prohibited	permissible with consent
C4 Environmental Living	permissible without consent	prohibited	viticulture permissible with consent only	permissible with consent	permissible with consent

The WLEP 2011 attributes a Zone to each parcel of land. The above table indicates Council's approval requirements for agricultural activities in all rural zones, as well as large-lot residential and environmental living zones.

Further pathways for some agricultural uses to be undertaken on rural zoned land are included as exempt development under Schedule 2 of the WLEP 2011.



Development Guidelines

Volume 8 – Primary Agricultural and Rural Uses – of the **Wollondilly Development Control Plan 2016** is the relevant development control plan that influences and guides the establishment of new agricultural enterprises in Wollondilly.

Further guidelines for agricultural related development (e.g. construction of farm buildings, silos) are contained in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.



Accessing Council Planning and Development Control Policies

The abovementioned planning control documents are available from Council and should be referred to when considering the establishment of an agricultural enterprise. You can access these documents by:

- Wollondilly Shire Council Website www.wollondilly.nsw.gov.au/planning-and-development/
- Booking a Duty Planner appointment with Council at www.wollondilly.nsw.gov.au/planning-and-development/duty-planner/
- Council's Administration Building 62-64, Menangle Street Picton between 8.30am-5pm daily.



FACT SHEET

Further Information

The NSW Department of Primary Industries website www.dpi.nsw.gov.au contains a number of references regarding best practice techniques for farm management planning.