

## **Submission to the review of the Review of the NSW Environmental Planning and Assessment Regulation 2000**

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Thank you for the opportunity to participate in the process to review and restructure the EP&A Regulations.

Please find below specific feedback about the current regulations in relation to the definitions for Classes of Designated Development, and in particular how the current definitions impose unfair and unrealistic burdens on small scale free-range poultry farms situated within a designated drinking catchment.

As a company that focusses on sourcing ethically and sustainably produced meat for ethical consumers, we only source poultry from small scale free range poultry farms as these types of farms provide the best balance between the management of the landscapes and the ethical management of the animals. The production methods used by the small scale free range poultry farms are focussed on improving the landscape function through rotationally grazing the livestock, managing ground cover, and providing lengthy rest periods of the landscape.

We are finding it increasingly difficult to source this type of produce from our local region due to the fact that a large part of our region falls into the Shoalhaven catchment, which is part of Sydney's drinking water catchment.

This is significant due to the fact that the current definition of Designated Development in Schedule 3 of the EP&A Regulations means that a commercial poultry farms of ANY size within the Shoalhaven catchment are considered to be designated development. This has resulted in the recent closure of a number of poultry farms due to the decision of local councils to enforce these provisions.

We believe that the current definitions are out-dated with respect to modern expectations from the general public who are increasingly demanding that their food be sourced from production systems that support the ethical treatment of animals, whilst at the same time minimising impact on the landscape (and in fact, improve the landscape). The fact of the rapid increase in local farmer's markets where this type of produce is sold is clear evidence of this changing demand pattern from consumers.

### **Problems with the current definition of "Livestock Intensive Industries"**

As stated in your Planning Assessment review paper,

*"Designated development refers to high impact developments (e.g. those that are likely to generate pollution) or developments located in or near an environmentally sensitive area (e.g. a wetland)."*

The goal of providing an increased level of regulation to higher risk developments is certainly one that we support.

However, the current definitions in Section 21 of Schedule 1 do not adequately support achieving this goal due to the following issues:

1. Focus on number of livestock vs the stocking rates/intensity of the livestock - the more intensively grazed/stocked the animals, the higher the level of risk associated with environmental impact
  - a. Adoption of controls based on a combination of stock numbers and stocking rates would more reliably provide for controls to be applied to high risk operations
2. Inconsistency in controls between species - the location of the operation in relation to sensitive areas such as drinking water catchments is applied against Piggeries and Poultry farms, whilst no controls are applied against intensive cattle, sheep, or horse operations
  - a. The fact is that the production systems used in small-scale free-range poultry farms has far less impact than would a 800 head dairy or a 1000 head CAFO, and yet the latter can operate within a drinking water catchment without being defined as designated development
3. Definitions have not kept up with modern farming practices
  - a. In particular, with the evolution of small scale, highly mobile, free-range poultry and pig farming operations that pose very little risk to environment an amenity

Recommendations:

1. That the definition of livestock intensive industries be updated to:
  - a. Incorporate more consistent and risk based measures based on stocking rates as well as number
  - b. Exclude small scale low stocking rate free range poultry farms (<450 poultry/Ha) from the definition of designated development

I would welcome the opportunity to be involved in the review of the proposed updates to the regulations when that occurs in 2018.

Regards,

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