

# Right to Farm Policy

## 1 Document Information

<b>Version Date</b> <i>(Draft or Council Meeting date)</i>	[22 May 2018]
<b>Author</b>	Director of Environmental Services
<b>Owner</b> <i>(Relevant director)</i>	Director of Environmental Services
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<b>Minute number</b> <i>(once adopted by Council)</i>	18/05/20

## 2 Summary

This policy has been developed to provide guidance to Council staff in dealing with 'right to farm for land transfers'.

## 3 Approvals

Title	Date Approved	Signature
Director of Environmental Services		

## 4 History

Minute No.	Summary of Changes	New Version Date
15/06/32	Adopted by Council	23 June 2015
18/05/20	Readopted as per s165(4)	22 May 2018

## 5 Reason

To assist in community awareness of the importance of agriculture to Cabonne and to assist, in particular lifestyle / hobby farm investors.

## 6 Scope

Cabonne Shire Council is predominantly a rural shire and much of its local economy relates to its rural and agricultural industries that operate within the shire. On this basis the policy below outlines council's position on the 'right to farm', and issues associated with the management of farm land that may impact upon residential expansion or resident's expectations.

## 7 Associated Legislation

The Environmental Planning & Assessment Act 1979 and its associated regulations provide the framework for land use planning. The Cabonne Local Environmental Plan 2012 establishes land use zones and land use permissibility across the Local Government area.

The Protection of the Environment Operations Act provides the legislative framework to manage activities and generated noise, odour &/or pollution.

## 8 Definitions

**Right to Farm**                The right of persons to carry out legitimate and compliant rural and agricultural uses and practices upon rural land, where the activity is in accordance with legislation.

## 9 Responsibilities

### 9.1 General Manager

The General Manager is responsible for the overall control and implementation of the policy.

### 9.2 Directors and Managers

Directors and Managers are responsible for the control of the policy and procedures within their area of responsibility.

## 10 Related Documents

Document Name	Document Location

## 11 Policy Statement

Cabonne Council supports the right of individuals to undertake genuine agricultural based activities and practices upon rural land.

Cabonne Council does not support any action to interfere with legitimate rural and agricultural land use where the activity is in accordance legislative requirements.

When conflict arises between landowners undertaking genuine agricultural pursuits and rural/residential occupants, council's position on the 'right to farm' shall be considered when dealing with issues and conveyed to complainants.

When an inquiry is made to council by a potential rural land purchaser, the purchaser is to be advised that legitimate rural and agricultural uses of land in the district may include:

Logging and milling of timber

Livestock feed lots

Piggeries and poultry farms

Dairies

Orchard and vineyard activity including use of mechanical bird scaring devices

Construction of hail net canopies over orchard and vineyard areas

Clearing and cultivating of land

Bushfire hazard reduction burning

Use of machinery including tractors, harvesters, chainsaws and motor bikes

Weedicide, herbicide and pesticide spraying

Pest control, including laying of 1080 bait

Aerial spraying

Animal husbandry practises including animal castration, weaning, dehorning

Movement of livestock on roadways

Extractive industries

Barking dogs

Noise from cattle and other livestock

Driving livestock along roads, between farms as well as droving along designated travelling stock reserves

Burning of stubble

Construction of dams and contour banks

Growing of crops that may produce detectable aromas or pollens eg canola and lucerne

Construction of internal access roads and tracks

Heavy vehicle movements eg livestock transport trucks and grain freight trucks

An increase of seasonal traffic on rural unsealed roads

Planting of woodlots and ecological offsets

Short term on-farm accommodation for seasonal workers

Rural industries and lawful associated activity,

noting that these activities are likely to cause nuisance in regard to odour, noise, dust, smoke, spray drift, blasting and vibration, etc, and may occur at any time including early morning and late evening.

When considering the above, it is suggested that those intending purchasers of rural land who may experience difficulty in residing in close proximity to any of these activities, should give serious consideration to their decision.