

**Submission
No 9**

FOOD PRODUCTION AND SUPPLY IN NSW

Organisation: Local Government NSW

Date Received: 18 February 2022



**FINAL
SUBMISSION**

PARLIAMENTARY INQUIRY
INTO FOOD PRODUCTION
AND SUPPLY IN NSW

**APR
2022**

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based

OVERVIEW OF THE LOCAL GOVERNMENT SECTOR



Local government in NSW employs more than **55,000 people**



Local government in NSW looks after more than **\$136 billion of community assets**



Local government in NSW spends more than **\$1.9 billion each year on caring for the environment, including recycling and waste management, stormwater management and preserving and protecting native flora and fauna**



NSW has 450 council-run libraries that attract more than **34.8 million visits each year**



Local government in NSW is responsible for about **90% of the state's roads and bridges**



NSW councils manage an estimated **3.5 million tonnes of waste each year**



NSW councils own and manage more than **600 museums, galleries, theatres and art centres**



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OPENING

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing NSW general purpose councils and related entities. LGNSW facilitates the development of an effective community-based system of local government in the State.

LGNSW welcomes the opportunity to provide input to the Parliamentary Inquiry into Food Production and Supply. The inquiry is looking at improving food security and equitable access to food, and reducing food waste and destruction. It is also examining technologies to bring food production into cities, and ways to preserve productive land and water resources, as well as how food production impacts the environment.

Councils regularly acknowledge and quantify in their policies and plans the significant contribution of agriculture to their local and regional economies and also to the national economy. Councils are also cognisant of the importance of agriculture in the fabric of their rural and regional communities, providing direct employment and employment through service industries and contributing to the lifestyle that draws many people to live in our rural areas.

LGNSW has based this submission on feedback from councils across the state, ranging from the far north coast, mid-coast and south coast to New England and the central west, and south of the state, as well as from councils on the fringe of and within the greater Sydney region.

This submission was endorsed by the LGNSW Board in April 2022.

LGNSW General Comments

The COVID pandemic has highlighted known issues within our food supply chain that have seen some in the community, including those most vulnerable, go without supplies. We now have opportunities to make the food system more resilient.

Diversity across the state

Local government recognises the importance of protecting agricultural land. Plans and policies across the sector highlight the significant contribution of agricultural land and the economic and social benefits of agricultural activities within and beyond each local government area.

However, there are differences in the extent and intensity of agricultural activities that councils deal with in their daily planning and development roles. While these largely sit within the rural and regional areas of the state, there are also agricultural areas within metropolitan Sydney. The resources and skills available within local government also vary across the state, with some having greater agricultural land use expertise than others.

It is important the Committee gives regard to the diversity of views, expertise and resources in councils when considering their recommendations. Councils have the benefit of day-to-day experience with these issues and as such, are well-placed to identify practical challenges and resourcing issues that should be fully considered before any policy changes are finalised.

While there are diverse views, there are also some consistent themes from a local government perspective. These are noted below:

- A one-size-fits-all blanket approach to the policy framework will not work – local government needs a flexible approach to implementing planning controls relating to rural land protection, to ensure that responses are tailored to and proportionate to the local land use context.
- In general, councils acknowledge the informal advice and support that is currently provided by the Department of Primary of Industries (DPI) and would welcome additional guidance and data/evidence about agricultural operations to support their strategic planning and development decisions.
- Councils are under-resourced in general, and this is particularly acute in rural and regional areas. The practical reality of this is that any new policy proposals that would require councils to take on additional responsibilities or tasks would need to be accompanied by more resources, funding and support. For example, councils have indicated that they would not have resources available to undertake their own mapping of state significant agricultural land (SSAL).

- Strategic objectives in regional, district and local plans to protect valuable agricultural land are often overridden by other priorities, particularly urban development and housing pressures.
- Councils have a regulatory role in managing land use conflicts and complaints and are always the first port of call for complaints triggered by land use conflicts.
- Councils often step in and play a key role in ensuring older and vulnerable members of their community have reliable and safe access to food where other spheres of government fail to meet these core responsibilities.

Response to selected Terms of Reference (ToR)

ToR 1: Improving food security and equitable access to food

Emergency food relief is not considered a core responsibility of local government, yet as with many matters, where other spheres of government fail to meet this need, already stretched local governments and community organisations often step in as a provider of last resort.

Since 2018, the federal government has removed access to Status Resolution and Support Services (SRSS) and a basic living allowance from thousands of asylum seekers who are living in the community while waiting for their claims for refugee status to be determined, placing an already vulnerable cohort at risk of homelessness and destitution. In 2019 councils resolved at the LGNSW Annual Conference to call on the federal government to restore access to this program for all people seeking asylum.

In 2020, COVID lockdowns saw many thousands of international students unable to work, receive government assistance or return to their home countries, and found themselves joining many asylum seekers and other temporary visa holders in similarly precarious situations.

With the federal government [declaring that foreign students should be supporting themselves first and foremost](#), in May 2020 the then LGNSW President wrote to directly to the NSW Premier, acknowledging that while international visa holders were properly the responsibility of the federal government, something needed to be done in the absence of Commonwealth support.

Separately, a number of councils took critical action to ensure the most vulnerable members of their communities had access to food, through partnering with community organisations to make available food hampers and essential goods. Councils (including Canterbury-Bankstown, City of Sydney, Fairfield and Parramatta) partnered with organisations such as OzHarvest as well as smaller local community organisations, to provide food hampers to thousands of international students, asylum seekers and other temporary visa holders. Council involvement variously included funding hampers, providing premises as distribution hubs, and making available staffing for food preparation, packaging, food safety guidance and distribution – often mobilising this important support for their communities without any extra resourcing.

At Fairfield City Council, the Local Emergency Management Committee and Resilience NSW worked with the council to enable early childhood education and care services with reduced occupancy due to lockdowns to refocus their efforts to make meals for the community. The commercial kitchens in these facilities were used to prepare a range of culturally appropriate frozen meals (approx. 400 to 600 per day), including pureed food for infants, with additional food hampers also provided by OzHarvest.

Many councils across NSW also provide meals to older people through services funded by the Commonwealth Home Support Programme. This Programme is currently under review and soon to be incorporated into the new Support at Home Programme. It is important that this assistance continues under this new Programme as it has a critical role in ensuring isolated older people have reliable and safe access to food.

Other councils used their local knowledge and networks to collate and update online directories that advise where the community could access emergency relief, including food supplies. While there were a number of organisations providing relief and support, the important role of local government in linking people with local services ensured these organisations could help the right people as soon as possible.

In May and June 2020, to much relief, the NSW Government responded to calls for more support for those left vulnerable by the pandemic, with the announcement of more than \$12 million in funding for temporary visa holders, including refugees and asylum seekers who didn't qualify for Commonwealth Government support packages.

While very welcome as an emergency measure, it is essential that standing arrangements are put in place to ensure food security and equitable access to food supplies in future emergency scenarios.



Recommendation 1: The NSW and Federal Governments should ensure comprehensive arrangements are in place to support those at risk of food insecurity, particularly during emergency situations, to avoid cost shifting this responsibility onto local government and community organisations.



Recommendation 2: Reforms to the Commonwealth Home Support Programme must ensure critical assistance to isolated older people continues, including ongoing safe and reliable access to food.

ToR 2: Reducing Food waste and destruction

The [National Food Waste Strategy](#) identified that 7.6 million tonnes of food across the supply and consumption chain is wasted which costs the economy around \$36.6 billion each year. The consumption stage of the food supply chain is responsible for the greatest mass of food waste, with households (2.46m tonnes) accounting for more food waste than any other sector.

In NSW this equates to approximately 1,500,000 tonnes/year of food waste, with 668,000 tonnes attributed to households (National Food Waste Baseline, 2019). While households are the sector producing the most food waste at 34%, households are also the most distributed. The devolved individual decision-making means that multiple and ongoing interventions are needed.

In the waste hierarchy, avoidance is the most effective action. Local government has partnered with the NSW Environment Protection Authority and others to deliver the Love Food, Hate Waste program. Education and behaviour change programs aimed at householders require sustained approaches that councils have limited capacity to roll out.

Local Government has invested significant ratepayer funds into recovering food and other organic waste to prevent it going to landfill. This is often aligned with reducing carbon emissions.

Local government supports the concept of food waste and organics separation at household level. The NSW Government's Waste and Sustainable Materials Strategy 2041 sets targets of halving food waste to landfill and achieving net zero emissions from organics in landfill by 2030. To achieve these targets NSW will mandate the separate collection of:

- food and garden organics (FOGO) from all NSW households by 2030;
- food waste from targeted businesses and other entities that generate the highest volumes of food waste, including large supermarkets and hospitality businesses, by 2025.

The transition will take time and needs to be underpinned by policy and regulatory certainty and consistency. There are still many barriers to be overcome before this service offering becomes more common in metropolitan Sydney, such as increased costs vs benefits, contractual issues, contamination issues particularly in multi-unit dwellings, and lack of community or elected official support. Other significant barriers include high transport costs, current capacity of processing infrastructure, lack of strategically placed transfer stations in metropolitan Sydney (SSROC councils would have a four hour round trip to access their nearest processing facility) and the capacity and financial sustainability of markets for compost products.

The NSW Government has committed \$65 million over five years from 2023 to support the rollout of new collection services, the development of more processing capacity and a statewide education campaign that will help households adjust to the changes and improve their recycling habits. While this funding support is welcomed, local government is concerned it will not be nearly enough to deliver the change.

Modelling conducted by Southern Sydney Regional Organisation of Councils on the cost of introducing FOGO indicates that introducing FOGO will cost metropolitan councils on average \$15.54 million each in year 1 (an estimated 8% rise in the combined red bin and green bin services). Meanwhile the EPA's Organics Collection Grant program offers at most \$0.76 million per council when the total \$65 million available is distributed amongst the councils that have not yet adopted FOGO.



Recommendation 3: Governments and businesses should work together to identify and implement interventions across the supply and consumption chain, as economies of scale from other sectors may assist in the delivery of outcomes at the more challenging householder level.



Recommendation 4: NSW Government to commit adequate funding to ensure no significant cost increase for ratepayers, with an emphasis on avoiding food waste first, then the collection and recovery of food waste.

ToR 4: Preserving productive land and water resources.

Rural Land Use Planning Policy

The NSW Agriculture Commissioner has been looking into the merits of a rural land policy. The NSW Government released the Commissioner's report¹ which contains 13 recommendations in October 2021. A central recommendation is to develop a specific policy on agricultural land use, supported by a map of higher quality agricultural land and a State Significant Agricultural Land (SSAL) for use by councils and other agencies to inform strategic planning.

While councils have indicated that greater direction is needed in the planning framework to plan effectively for future agricultural land use, there are different views on what such a policy framework should look like. In their feedback to the Commissioner, councils raised concerns about complexity and inconsistency across various planning instruments, and the rising incidence and severity of conflict about agricultural activities.

¹ [Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System, July 2021](#)

There are a number of existing policies that relate to rural lands; some councils questioned whether there is a need for another new policy or that at a minimum any new policy should not duplicate existing policies or create further confusion.

Councils are also mindful that any new policy or strategy to protect agricultural land should be an enabler for agricultural development and investment, not a barrier. It will be important to avoid unintended consequences that could be detrimental to local and regional economic development.

LGNSW welcomes the Commissioner's acknowledgement of councils' key role in delivering planning outcomes for agriculture. It is also pleasing that the report recognises the sector's desire that councils be consulted by government on the details of an agricultural land use policy before implementation.

Mapping of State Significant Agricultural Land (SSAL)

Councils recognise that mapping of SSAL - one of the recommendations of the Agriculture Commissioner would provide valuable assistance to their planning and allow them to implement more specific local controls where necessary. However, there is a broad range of views about the realities and practical challenges of delivering such mapping and ensuring its accuracy. Key points include:

- Most councils could not undertake a mapping exercise without financial support from the State Government.
- Councils in general support the idea of state-led mapping but note that this must be 'ground-truthed' to ensure its accuracy.
- Some councils have expressed concerns about limitations with proposed SSAL mapping (ie it may not be appropriate or applicable in all areas of the state) and problems of mapping based on biophysical methods. Significant agricultural land will be difficult to define as it varies depending on the specific sub-industry, location, access to services, proximity to markets etc. Productivity of the land may not always be the critical factor. Ultimately the definition of state significant agricultural land will not be one size fits all. The viability – and therefore significance - of agricultural land can also be affected by factors such as land size and ability to operate unimpeded within regulatory controls. Fragmentation of agricultural land can occur through the subdivision of larger farms into small lots, known in the rural zone as concessional lots.

It is pleasing to note that the Commissioner has recognised the need for the Department of Primary Industries (DPI) to consult closely with councils in the drafting of the mapping process.

Land use conflict

The Agriculture Commissioner's report noted that land use conflict has been identified by some councils as 'their most troublesome issue, and many observed that it was getting worse'². In addition to the absolute loss of available agricultural land, there is also concern about a loss in agricultural production, farmer livelihoods and commercial viability associated with fragmentation and rezoning or subdividing of agricultural land. This can lead to increased conflicts between farming and 'lifestyle' landowners. Issues such as noise or smells arising from typical agricultural operations impact upon non-agricultural residents.

Resolution of disputes between neighbours on agricultural land is often difficult and can involve significant time and resources. Councils investigate complaints to verify compliance with development consents (or compliance with the *Protection of the Environment Operations Act* (POEO Act)) and follow up through compliance action where necessary. Various approaches have been proposed³ involving new or expanded dispute resolution entities. Councils would welcome assistance to reduce land use conflicts and facilitate resolution of farming/residential disputes.

Overall, minimising land use conflict is likely to require a number of measures working together, such as:

- having clear planning frameworks that recognise significant agricultural land;
- increasing community awareness of what to expect when living / working in agricultural areas;
- incorporating buffers into non-agricultural land approvals;
- reviewing buffer guidelines to ensure they incorporate current science and best practice;
- Where buffers cannot be incorporated, providing clearer guidance on alternatives, particularly for historical zoned residential land that cannot incorporate minimal buffer requirements;
- Mediation assistance.

Support the growth of agriculture and regional economies

Due to the diversity across NSW, LGNSW advocates that planning requirements need to be flexible and allow for local decision making in response to the local context and conditions.

² [Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System](#), July 2021, p 6

³ [Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System](#). A report by the NSW Agriculture Commissioner (July 2021)

Further, planning must cater for the continued diversification and evolution of agricultural uses (for example, as producers continue to innovate and introduce ‘value-adds’ or niche on-farm enterprises). Too stringent application of controls and limited zoning will inhibit this diversity.

Similarly, blanket state-wide approaches to planning provisions may present barriers to the establishment of agricultural uses and be inappropriate to local circumstances across NSW. However, at the same time, LGNSW recognises that certainty in the status of agricultural land and clarity around planning requirements such as buffer zones etc would assist agricultural businesses have the confidence to invest and set up in an area.



Recommendation 5: In close consultation with councils, the NSW Government to provide clarity in planning frameworks (including buffer requirements) and the mapping of significant agricultural land, and assist councils to identify land suitable for intensive agriculture and rezoning of land for this purpose. This in turn would assist councils in making decisions on development applications and facilitating strategic land use planning to support agricultural industries.



Recommendation 6: The NSW Government work with the agriculture industry and councils to increase community awareness of what to expect when living / working in agricultural areas, and provide mediation assistance where necessary for existing conflict situations.

ToR 5: Managing the impact of climate change

A changing climate will mean many of Australia’s important food bowls are likely to be more vulnerable to droughts, fire, storm and floods. Over 50 per cent of NSW vegetables are grown in the Murray-Darling and Murrumbidgee regions where water availability is becoming a significant problem.

Sydney has good quality agricultural land and may also have more reliable rainfall than inland areas as climate change occurs. In 2011, the Sydney Basin produced half a million tonnes of food which was enough food to feed 20% of its population. This is somewhat lower than [Melbourne](#), which currently feeds 40% of its population with local fresh produce.

In 2015, [Sydney Food Futures](#) was funded by the NSW Government’s Building Resilience to Climate Change program to investigate the Sydney Basin’s capacity to produce food and to understand how climate change and other factors may threaten to reduce this ability.

Benefits from growing fresh food in the Sydney basin or near any large population centre include reduced spoilage, waste and food miles, and buffering against shocks such as fuel prices, natural disasters and other supply chain issues. Agriculture and food processing provide job opportunities estimated to upward of \$4.55 billion in Sydney. Sydney's higher rainfall and fertile soils are suitable for growing food. Farms in Sydney's peri urban fringe buffer against the impacts of climate change through the ecosystem services they provide such as green space, biodiversity and retaining water in the landscape. This provides cooling services against the urban heat island effect which will become more important as the number of extreme heat days increases under a changing climate.

Sydney's peri-urban regions have been increasingly urbanised over the last few decades, and agricultural lands have been lost. Sydney stands to lose 90% of its locally-produced vegetables if planned development goes ahead, with more than 50% of existing market gardens and poultry farms located in the designated growth areas. If we allowed unchecked urban sprawl, Sydney's farms might produce only 6% of the city's food supply.

Protection of agricultural land uses in the metropolitan area is needed. For example, La Perouse in the Randwick LGA is home to a heritage-listed Chinese Market gardens zoned RU4 Primary Production Small Lots. Randwick Council advises that the state heritage listing in this instance provides greater level of protection and conservation of these important urban production areas than does the RU4 zoning or any other state government policies or provisions.

Further research studies⁴ have concluded that Australia's food security will increasingly depend on local urban agriculture and that urban agriculture presents an opportunity to support domestic food security, but scope to develop these food systems needs to be part of the urban design and planning processes of local and state governments.



Recommendation 7: NSW Government to elevate within the planning system the protection afforded agricultural lands in metropolitan areas.

⁴ <https://www.futuredirections.org.au/publication/localising-food-production-urban-agriculture-in-australia/>

Conclusion

LGNSW wishes to reiterate that councils place significant value and attention on agriculture in their strategic planning, because for rural and regional councils in particular, it is such a large part of their communities and makes a significant contribution to their economy.

In planning for and supporting their communities, councils work to balance the needs of the agricultural sector (which aims to support local/regional economic and food security objectives) with the broader demands for economic investment and population growth. This submission has highlighted the fact that there are varying responses, resources and priorities within local government across the state.

LGNSW is supportive of work to identify significant agricultural land, and to recognise its status in the long term, and recommends that clarity in planning frameworks and mapping would assist councils in making decisions on development applications and facilitating strategic land use planning to support agricultural industries. Reducing land use conflict through clear planning, awareness and buffers will assist the stability and longevity of the agricultural industry.

Implementing strategic plans that reflect what their community wants as well addressing State-driven planning objectives and targets can be a challenge for councils. An example outlined in the submission is that of the expected costs facing councils to implement the NSW Government's mandate for FOGO collections by 2030, which far exceed funding allocated under the Waste and Sustainable Materials Strategy.

Ensuring food security more generally, and equitable access to food supplies in future emergency scenarios, are critical. It is essential that standing arrangements are put in place for emergency scenarios, particularly to protect vulnerable persons within the community.

For further information, please contact [Susy Cenedese](#), Strategy Manager – Environment or [Jane Partridge](#), Strategy Manager - Planning.

Summary Of Recommendations

Improving food security and equitable access to food



Recommendation 1: The NSW and Federal Governments should ensure comprehensive arrangements are in place to support those at risk of food insecurity, particularly during emergency situations, to avoid cost shifting this responsibility onto local government and community organisations.



Recommendation 2: Reforms to the Commonwealth Home Support Programme must ensure critical assistance to isolated older people continues, including ongoing safe and reliable access to food.

Reducing Food waste and destruction



Recommendation 3: That interventions occur across the supply and consumption chain as economies of scale from other sectors may assist in the delivery of outcomes at the more challenging householder level.



Recommendation 4: Considerable investment of resources to ensure no significant cost increase for ratepayers with an emphasis on avoiding food waste first, then the collection and recovery of food waste.

Preserving productive land and water resources



Recommendation 5: In close consultation with councils, the NSW Government to provide clarity in planning frameworks (including buffer requirements) and the mapping of significant agricultural land, and assist councils to identify land suitable for intensive agriculture and rezoning of land for this purpose. This, which in turn would assist councils in making decisions on development applications and facilitating strategic land use planning to support agricultural industries.



Recommendation 6: The NSW Government work with the agriculture industry and councils to increase community awareness of what to expect when living / working in

agricultural areas, and provide mediation assistance where necessary for existing conflict situations.

Managing the impact of climate change



Recommendation 7: NSW Government to elevate within the planning system the protection afforded agricultural lands in metropolitan areas.
