

Temporary arrangements for drought and other emergency events

Factsheet

February 2019

What provisions does the Primary Production and Rural Development SEPP establish for drought and other emergency events?

The Primary Production and Rural Development SEPP contains provisions that remove development consent requirements for stock containment areas and other temporary arrangements for the feeding and housing of livestock during times of drought and other emergency events.

These provisions give farmers flexibility to undertake necessary farm management operations to intensively hold, feed and water livestock during or immediately following drought, flood, fire or other emergency events without the need for development consent from their local council. However, these provisions do not apply to permanent feedlots, permanent works or structures or general farm husbandry or routine farm management operations. Feedlots or other permanent works or structures may require development consent or other licencing and approvals depending on their scale and location.

What are stock containment areas?

Stock containment areas are fenced areas where livestock is temporarily held, fed and watered to protect soil and pasture resources on a property. They are valuable ways to keep stock healthy and in good condition during drought or emergencies by temporarily enabling the maintenance feeding of livestock at high stocking rates. Stock containment areas are sometimes referred to as 'drought lots.'

Stock containment areas are used for temporary stock management arrangements and are not intended to be used as routine farming operations. They are distinct from feedlots, restriction facilities and other permanent works or structures.

How are stock containment areas different from regular feedlots?

The difference between a stock containment area and a feedlot relates to their purpose and use. Stock containment areas are used on a temporary basis and can be in response to emergency events such as fire, flood, drought or management of animal disease. Whilst they sometimes include using existing fencing and other structures to feed, water and manage stock, they do not involve the construction of permanent earthworks or new permanent structures that require development consent. In contrast, feedlots are confined or restricted areas that are operated on a commercial basis to rear and fatten cattle, sheep or other animals. Their purpose is for intensive feeding of stock for production of meat, fibre or milk and may involve permanent earthworks or structures.

A stock containment area may be converted into a permanent feedlot; however, this may involve obtaining development consent to operate a feedlot as *intensive livestock agriculture*. In most instances the appropriate consent authority is the local council.

What other temporary feeding and housing arrangements are there available to respond to drought and other emergency events?

Separate to stock containment areas, there are other temporary feeding and housing arrangements available to farmers during and immediately after a period of drought or emergency. These include the keeping of livestock in existing spaces where they would not usually be kept, such as sheds with adequate ventilation, saleyards, showgrounds or aeroplane hangars or agistment on other rural properties. These temporary arrangements are covered by the provisions in the Primary Production and Rural Development SEPP and do not require development consent during or immediately after an emergency event or drought.

The Department of Primary Industries' [Drought Hub](#) has useful resources for the management of livestock during drought, including valuable information on alternative housing and feeding arrangements.

Page 1



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When may it be appropriate to use a stock containment area or other temporary emergency feeding and housing arrangements for drought and other emergency events?

Stock containment areas and other temporary emergency feeding and housing arrangements are designed to be used during and immediately after a period of emergency or drought. The containment of livestock beyond this period is not covered by the exemptions found in the Primary Production and Rural Development SEPP.

Ideally, a stock containment area should be considered part of a property management plan and made available for use during and immediately after drought and other emergencies. For further information on managing for farming operations during emergency and drought contact your regional [Local Lands Services \(LLS\) branch](#).

How long can the planning exemptions for stock containment areas and other temporary feeding and housing arrangements for drought and other emergency events be applied?

The provisions only apply during and immediately following a period of drought or an emergency event, such as a flood, bushfire or disease outbreak.

The Department of Primary Industries' [Combined Drought Indicator \(CDI\)](#) provides the most detailed conditions information available for NSW primary producers regarding drought and seasonal variability. The CDI has useful information based on a series of indicators which primary producers can use to prepare for changing conditions, and to operate effectively in current conditions.

The NSW Department of Primary Industries (DPI) and Local Land Services (LLS) coordinate and provide advice to primary producers impacted by drought, natural disasters and other emergencies. It is recommended that the CDI is used in conjunction with information provided by DPI and your regional [Local Lands Services \(LLS\) branch](#).

Are there any provisions dealing with non-emergency temporary feeding or housing arrangements for husbandry purposes and routine management?

The State Environmental Planning Policy (Primary Production and Rural Development) 2019 additionally provides exemptions outside periods of drought or emergency for the temporary agistment or housing of livestock for routine husbandry purposes such as weaning, dipping, drenching, tagging, administering injections, breeding and containment prior to sale or for temporary agistment. These exemptions apply to land located outside an environmentally sensitive area, and not within 100 metres of a natural watercourse or 500 metres of a residential zone or an adjoining dwelling. Planning approval may be required for the temporary and routine agistment, feeding or housing of livestock which does not meet these conditions.

Where can I find out more?

- For information regarding the management of livestock during drought, visit the [Drought Hub](#) or contact your regional [Local Lands Services \(LLS\) branch](#) by calling 1300 795 299.
- For information about the Primary Production and Rural Development SEPP visit [the DPE website](#) or call 1300 305 695.
- If English isn't your first language, please call 131 450. Ask for an interpreter in your language and then request to be connected to our Information Centre on 1300 305 695.
- Email information@planning.nsw.gov.au

Page 2

