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Attention: Ms Charlotte Ryan

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PP-2022-3770 Central Coast Deferred Land Planning Proposal

Dear Ms Ryan

Thank you for your correspondence of 16 January 2023 and the opportunity to provide pre-exhibition comment on the Deferred Lands Planning Proposal, PP-2022-3770.

The NSW Department of Primary Industries (DPI) Agriculture collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

NSW DPI supports the application of Standard Instrument Local Environmental Plan (SILEP) zones to the land currently deferred from the Central Coast Local Environmental Plan (CCLEP) 2022. I note that much of the deferred land is subject to historical environmental zones and that a translation to a new conservation zone will be appropriate in most instances.

#### **Proposed Zones and Permissible Land Uses for Agricultural Land**

I note Council's advice that some of the deferred land is used for agricultural production including horticulture and extensive agriculture. NSW DPI's preference is that where commercial agricultural land uses are being undertaken, the land is zoned a rural zone, preferably RU1 Primary Production.

The planning proposal indicates that deferred land that is used for agricultural purposes is likely to be zoned C3 Environmental Management or C4 Environmental Living. I note the C3 zone in the CCLEP 2022 permits extensive agriculture, and horticulture with consent, however these land uses do not appear to be permissible in the C4 zone.

The Gateway determination contains a condition which requires the exhibition version of the planning proposal to include a summary of all sites that will be impacted by changing land use permissibility and how any conflicts are proposed to be addressed, including any existing agricultural lots that will be translated into a conservation zone.

NSW DPI requests that it be given the opportunity to review this detailed information during the public exhibition period so it can provide a more detailed response, if necessary, in relation to the land parcels being used for agricultural production.

## Land Use Conflict

The potential impacts on agricultural production are not limited to the planning controls applied to the land on which agriculture is being undertaken. Where land adjoining agricultural land is rezoned to enable increased residential density or other land uses which are incompatible with agricultural production then land use conflict can occur.

NSW DPI recommends that Council give careful consideration to the potential for permitted land uses to create land use conflict with agricultural operations on the deferred land. It is recommended that where changes to the permissibility of land uses on adjoining land could lead to incompatibility with agricultural production, a land use conflict risk assessment (LUCRA) is undertaken to support the planning proposal. NSW DPI has prepared the Land Use Conflict Risk Assessment Guide to assist councils in preparing and/or assessing LUCRAs.

### Section 9.1 Direction 9.2 Rural Lands

In relation to your request for comment on the proposal's consistency with Section 9.1 Ministerial Directions and any specific matters to be addressed by investigative studies, Direction 9.2 generally requires a planning proposal to:

- consider the significance of agriculture and primary production.
- support farmers in exercising their right to farm.
- prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, between residential and rural land uses.

The detailed information required by the conditions of the Gateway determination relating to the impact of the proposed zones, permitted land uses and minimum lot size on land being used for agriculture is necessary to assess the consistency of the proposal with Direction 9.2.

The above advice on land use conflict and the preparation of a LUCRA is also relevant to assessing the consistency of the proposal with Direction 9.2.

Should you require clarification on any of the information contained in this response, please do not hesitate to contact me on 0429 864 501 or by email at [landuse.ag@dpi.nsw.gov.au](mailto:landuse.ag@dpi.nsw.gov.au). I look forward to reviewing the exhibition version of the planning proposal.

Sincerely



Paul Garnett  
Agricultural Land Use Planning Officer  
Ag Strategic Initiatives  
Central Coast Region

9 February 2023