

OUT22/18974

Mr William Oxley
Manager, Central Coast and Hunter Region
Planning and Land Use Strategy
Department of Planning and Environment

rachel.hughes@dpie.nsw.gov.au

Attention: Rachel Hughes, Planning Officer

PP- 2022-1136 231 Pacific Highway and 20 Ashbrookes Road, Mount White

Dear Mr Oxley

Thank you for your correspondence of 27 September 2022 and the opportunity to provide comment on the Planning Proposal create a number of additional permitted uses on the land identified above.

The NSW Department of Primary Industries (DPI) Agriculture has reviewed the planning proposal and supporting information. At this stage there are several outstanding issues in relation to the proposal the Department considers need attention prior to progressing. Rather than object to the proposal at this stage due to the nature of the current land uses undertaken on or permitted on the two lots, we are taking a conciliatory approach to deal with these issues:

1. The Planning Proposal has not demonstrated how the proposed additional uses will support the rural/agricultural sector as a complementary use. We do note the current restaurant is ancillary to the plant nursery (20 Ashbrookes Rd). There is no strategic justification for this to be considered as a separate permissible land use or understanding of impacts to the agricultural sector in terms of potential conflict or precedent.
2. We recognise that the proposal has merit as it relates to 231 Pacific Highway considering former land uses. The Planning Proposal needs to demonstrate the nexus of the proposed land uses with rural tourism that will complement the agricultural intent of the RU1 Primary Production zone.
3. The impact of the Planning Proposal on agricultural activities is unknown, and an assessment of neighbouring development including the location and distance to land uses is required. This will identify any potential for landuse conflict and mitigation measures to be implemented, also showing incorporation within the concept design. There has been no consideration of the impact of the proposal on rural landscape and amenity, which also needs to be addressed.

As a result of the omissions in the Planning Proposal we consider there remains inconsistencies with the state and local planning framework. It is necessary to identify and justify the way land resources, and the agricultural economy in this area will be impacted. Further discussion of this is contained in Attachment A.

Ideally a strategic study should be undertaken for this area identified west of the M1 Motorway, to deal with any further development pressures. While Mount White is considered a locality, developments such as these described in the Planning Proposal are more suitable in an urban setting. A strategy would provide a better guide to the nature of development that is appropriate to the area.

Should you require clarification on any of the information contained in this response, I have arranged for Mary Kovac, Agricultural Land Use Planning Officer to assist you. Mary can be contacted on 0427 949 987 or by email at landuse.ag@dpi.nsw.gov.au.

Sincerely



Nita Scott
A/Manager, Agricultural Land Use Planning

27 October 2022

Encl: Attachment A

Attachment A: Reasons for NSW DPI Agriculture's request for further detail in relation to the planning Proposal for PP- 2022-1136 231 Pacific Highway and 20 Ashbrookes Road, Mount White to permit additional land uses, Central Coast Council

1. Central Coast Regional Plan 2036

The relevant directions of the Plan concern protection of agricultural resources and are not appropriately considered in the planning proposal. Inconsistencies with the key regional plan directions that support agriculture and rural land include:

a. Direction 9 – ‘Protect and enhance productive agricultural land’:

- it is recognised that the land west of the M1 Motorway including the Central Plateau is not addressed by this Planning Proposal. One of the actions from Direction 9 is to identify important agricultural land (including biophysical strategic agricultural lands) suitable for agricultural enterprises and protect it from incompatible development.
- This Direction discusses the development of rural areas that can adapt to changing agricultural trends and practices and can accommodate agritourism, processing packaging and associated retail services. The connection between the intent of this Planning Proposal and rural area development and agriculture is not evident. This is particularly the case for Lot 20 Ashbrookes Road where there is a lack of reasoning for the restaurant to be pursued independently to its current ancillary use to the nursery. The impact of this is not shown by this proposal.

b. Direction 11 – ‘Sustain and balance productive landscapes west of the M1 Motorway’ is used to justify this Planning Proposal.

- This direction is based on ‘niche’ commercial tourism and recreation activities that complement and promote a stronger agricultural sector (Action 11.2). The Planning proposal has not demonstrated the need for this development in terms of supporting a stronger agricultural sector. This is especially the case with the development of the hotel/motel that is typically not rural-related.
- **Action 11.3** also seeks to address land use needs west of the M1 Motorway to provide integrated and adaptable outcomes for natural assets, productive lands, and rural lifestyles. This may have a relationship to this proposal if there was further justification provided for the proposal in the Mt White area; and should be further explored.

2. SEPP Primary Production and Rural Development /Ministerial directions (s.9.2 Rural Lands)

The planning proposal does not adequately address the **SEPP PPRD** objectives of facilitating the orderly economic use and development of lands for primary production or reducing land use conflict and sterilisation of rural land. The proposal lists the land uses/industries surrounding the subject lots but there is no clear identification of the actual uses or distances to development in the Planning Proposal.

The planning proposal suggests that agricultural land will be retained due to the rezoning, but the proposal will see the loss of rural land to other non-agricultural land uses. Hence the justification for this proposal needs to assess the impacts on agricultural resources and industry in the area. This is pertinent as the Central Coast region is identified for its proximity to Sydney and Newcastle and the role it plays in providing fresh food to the metropolitan market.

Related to this the NSW Government's *Right to Farm Policy* seeks to ensure the appropriate zoning and permissible uses are compatible with agricultural activities and local strategies to ensure ongoing access to agricultural land and minimise land use conflict. The NSW Agriculture Commissioner's report '*Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System*' reiterates the need for strategic planning to allocate land uses and zones to prevent land use conflict between increasingly intensive agricultural industries and incompatible development. At this stage the planning proposal is not strategically justified and does not adequately address the issues of non-agricultural land uses in rural areas or the potential impacts on existing agriculture.

The planning proposal does not provide appropriate, detailed consideration whether there is a need for buffers to adjoining agricultural enterprises.

Chapter 3 – Central Coast Plateau Areas of the SEPP (Primary Production) 2021

This Chapter aims to encourage land with high agricultural capability be retained for that purpose. This planning proposal refers to land that is prime agricultural land (identified in the report). The planning proposal considers that it satisfies these matters as the land will remain zoned for primary production, and the proposed new landuses will encourage rural tourism. The planning proposal assumes the agricultural capacity of the land will not be significantly reduced for present and future uses of the land by the proposed additional uses.

The success of the current 'Saddles' restaurant is noted as a reason for such a development to be duplicated to enable the hotel or motel accommodation. This assumes that similar outcomes will transfer to the proposed use at 231 Pacific Highway. The proposal needs to show that the proposed use can provide rural tourism experiences in a complementary way in this area.

There is no evidence presented on the agricultural capacity of the land and the proposal does not acknowledge that the land will be unavailable for primary production due to the permitted uses. There is an assumption that rural tourism will be encouraged, and that urban development will not eventuate. This aspect is lacking in the planning proposal. Typically a hotel/motel is not a rural tourism development. There is also a need to justify why the restaurant is no longer required to be ancillary to the nursery at 20 Ashbrookes Road and the potential impact on the nursery as a result.