



## Department of Primary Industries

OUT21/6662

General Manager  
Coffs Harbour City Council  
Locked Bag 155  
Coffs Harbour NSW 2450

Attention: Lachlan Black  
[lachlan.black@chcc.nsw.gov.au](mailto:lachlan.black@chcc.nsw.gov.au)

Dear Sir/Madam

### **Planning Proposal – Five Year Comprehensive Review Coffs Harbour LEP 2013 Part 1**

Thank you for the opportunity to provide comments on the above proposal as per your referral via the CNR portal. The NSW Department of Primary Industries (NSW DPI) Agriculture provides advice to consent authorities about the protection and growth of agricultural industries and the resources upon which these industries depend.

DPI Agriculture understands that the planning proposal relates to part one of a three staged process and includes six amendments to your Local Environmental Plan (LEP) 2013 following a comprehensive review. Of relevance to DPI Agriculture, the Planning Proposal proposes additional objectives for the RU2 Rural Landscape zone and the inclusion of 'artisan food and drinks', and 'function centres' as permissible with consent land uses in the RU2 zone.

#### **RU2 Objectives**

The additional objectives proposed for the RU2 zone are supported on the basis of the general intent of a RU2 zone. In the absence of a RU1 zone within your local government area (LGA) however, it will be important that the permissibility of non-agricultural developments do not add to the land use conflict issues already apparent in the LGA. It would seem more appropriate to replace the wording 'address' land use conflict, with 'minimise' land use conflict given the range of incompatible permissible uses within the zone.

#### **Artisan Food and Drink**

DPI Agriculture does not object to the introduction of artisan food and drink industry as a permissible use within the RU2 Rural Landscape zone. We would however welcome the opportunity to work with council on developing heads of consideration for this land use to ensure land use conflict risk potential is minimised.

#### **Rural Function Centres**

In NSW planning for specific development types such as residential and business zones is relatively mature with clearly defined locations for compatible uses. Planning for agriculture however has not yet reached that level with the rural areas of the State being asked to serve a multitude of purposes. Some of these purposes such as landscape and environmental values and most forms of extensive agriculture are unimpeded by land use conflict and are able to function on that basis. Agricultural businesses however are increasingly needing to intensify, investing and adopting emerging technologies to remain commercially competitive. Having a strong planning framework is necessary for investor confidence.

The introduction of function centres in areas strategically identified for agriculture has the potential to undermine that investor confidence in the planning framework. These businesses are well aware of land use conflict and the loss of social licence and compliance costs this can result in.

DPI Agriculture reiterates the importance of identifying an RU1 Primary Production zone within the LGA. Delineation of the rural areas to provide separate areas for rural tourism and primary production is critical to ongoing investment in agriculture.

Until an additional rural zone is introduced DPI acknowledges there may be a need to consider non-agricultural uses, such as function centres. These developments should be limited in prevalence and scale to ensure areas remain available in the rural landscape for agricultural purposes.

The definition of 'function centres' is broad enabling large scale developments which pose land use conflict risk. DPI objects to the introduction of this land use term without further considerations.

In Ballina and Byron LGA's similar tourism development has been limited in scale by a heads of consideration clause. DPI would support Council proceeding with this proposal if a similar clause was introduced. I am happy for my team to work with Council to ensure that such a clause best balances Coffs Harbours development and agricultural needs.

It is acknowledged that function centres will not be permitted on land mapped as important farmland under the *North Coast Regional Plan 2036*. DPI supports this approach.

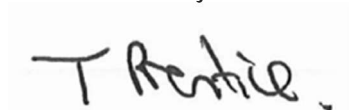
It should be noted the Important Farmland Mapping is based on soil characteristics. Horticultural enterprises do not necessarily rely on soil characteristics and as such are often not located on mapped farmland. As there is existing land use conflict between horticulture and residential land uses it is recommended that function centres not be permitted within 250m of an existing horticultural enterprise based on DPI's Interim Buffer Guidelines.

Additionally, it is recommended function centres only be permitted on allotments with dwelling eligibility to limit sensitive receivers in the landscape.

Finally, the recently exhibited Explanation of Intended Effects (EIE) for Agritourism and Small Scale Agricultural Developments proposed a new definition for farm events. The proposal includes significant exempt and complying development pathways for these events. Rural function centres and farm events are likely to be very closely aligned by definition. Council may wish to defer this particular LEP amendment until an outcome from the EIE consultation has been determined.

Should you wish to discuss this matter further, please contact Agricultural Land Use Planning Officer, Selina Stillman, on 0412 424397.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T Prentice', enclosed within a thin black rectangular border.

Tamara Prentice 26/05/2021  
**Manager, Agricultural Land Use Planning**