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Attention: Mashal Moughal

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**PP-2022-3016 – 1377 Hue Hue Road, Wyee**

Dear Ms Cameron

Thank you for your correspondence of 5 September 2023 and the opportunity to provide comment on planning proposal PP-2022-3016 for the rezoning of 1377 Hue Hue Road, Wyee.

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.

I have reviewed the planning proposal and the supporting documentation. I understand the proposal seeks to rezone that part of the subject land zoned RU2 Rural Landscape to R2 Low Density Residential and reduce the minimum lot size to 450m<sup>2</sup> to enable the land to be developed for approximately 50 residential lots.

I note that the subject land is included in the Central Lakes district of the Hunter Regional Plan 2041 which is identified as the primary growth area between the Central Coast and Greater Newcastle. The subject land is also included in the Wyee future growth investigation area in the Lake Macquarie Local Strategic Planning Statement 2020 (LSPS).

I understand that Council intends to revise the Wyee Structure Plan (Part 12 Precinct Area Plan Wyee West of Lake Macquarie Development Control Plan 2014) to include the subject site. It is suggested that Council undertake a similar strategic approach for the remaining rural zoned land located between the Wyee West precinct and the Pacific Motorway to determine its suitability for future urban purposes. A strategic approach may avoid the need for further ad hoc amendments to the Structure Plan and provide an opportunity to comprehensively address any potential for land use conflict that might arise from agricultural use of this rural land as the area transitions to urban uses consistent with the intent of Council's LSPS.

It appears that the issue of land use conflict between the future residential land uses on the subject land and existing agricultural land uses in the vicinity has not been investigated with the planning proposal. A land use conflict risk assessment (LUCRA) is the appropriate mechanism to identify potential land use conflict issues and determine required mitigation measures. NSW DPI Agriculture's [Land Use Conflict Risk Assessment Guide](#) may be of assistance to the proponent and Council when investigating potential land use conflict.

Consideration of potential land use conflict with any agricultural land uses in the locality should occur as early as possible in the planning process. Council is requested to consider the potential for land use conflict that might arise from the impacts of the lawful agricultural use of nearby rural land on the proposed residential lots when the development application for the subdivision is being assessed.

NSW DPI Agriculture's preferred approach is for new residential lots and rural zoned land to be physically separated. Achieving physical separation assists in minimising the potential for disputes relating to boundary fencing and other land use conflict. I note that the draft concept plan seeks to achieve this by locating a perimeter road on the western side of the proposed residential lots. This approach is supported. However, depending on the nature of agricultural activity being undertaken on nearby rural land a larger separation distance or other mitigation measures may be necessary and a LUCRA is the appropriate tool to assess these matters.

NSW DPI Agriculture has no objection or additional requirements for this planning proposal.

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).

Sincerely

A handwritten signature in black ink, appearing to read 'Paul Garnett', with a stylized flourish at the end.

Paul Garnett  
Agricultural Land Use Planning Officer  
Ag Strategic Initiatives  
Hunter Region

21 September 2023