



Department of Planning and Environment  
(Central Coast office)  
PO Box 1148  
Gosford NSW 2250

29 March 2016

Dear Sir / Madam,

### **Draft Central Coast Regional Plan**

I refer to the above draft Regional Plan which is currently on public exhibition for comment. I also made a submission to the Discussion Paper and I note that a number of the matters raised in that submission have not been mentioned or raised in the draft Regional Plan.

I am a rural planning consultant specialising in strategic planning for rural land. I have worked for nearly thirty years in rural planning – both development assessment and strategic planning for more than 30 Councils in rural NSW and Queensland in various landscapes ranging from coastal and metropolitan fringe to winery areas to highly productive cropping and grazing lands to marginal areas in the far west. This work has involved investigating and developing policy for rural land as well as the townships and larger regional centres. Intensive and extensive agriculture, tourism and economic development as well as the necessary infrastructure have been key issues in all of these areas as has biodiversity, natural hazards, landscape, heritage, culture and catchment planning issues. I also am a part-time lecturer in the Faculty of the Built Environment where I teach Rural Planning and have taught Strategic Planning. I co-authored the chapter dealing the rural land (Planning for Rural Landscapes) in the planning text 'Planning Australia – An Overview of Urban and Regional Planning (second edition) edited by Susan Thompson and Paul Maginn published in 2012.

I have reviewed the Draft Regional Plan and will confine my comments to the Vision Goal 3 Sustain Productive Landscapes. I am also working for Wyong Shire Council where I am preparing a Rural Land Use Review and Strategy and a private client on the Somersby Plateau and so am familiar with the issues and the region itself. In addition in 2015 I prepared an Issues Paper for the Sydney Peri-Urban Network of Councils which dealt with the issues associated with peri-urban areas. (I believe that the Network has provided the Department with a copy of the Issues Paper). I also presented a peer reviewed paper at the most recent State of Australian Cities Conference which also dealt with peri-urban agriculture and the problems associated

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with this. The title was 'Growing Food in a Residential Landscape' and it is attached for your information.

## Vision

I note that the Vision of the document is as follows:

*The vision for the Central Coast region is to protect the natural environment and to capitalise on its productive lands and resources, highly accessible business locations, and attractive coastal lifestyles to achieve sustainable economic growth and liveable communities.*

I will confine my comments to the phrase 'and to capitalise on its productive lands and resources'. To do this there needs to be an understanding of the issues facing peri-urban agriculture. I am not convinced that the draft Regional Plan has canvassed this. The location of the region in the peri-urban area of Sydney puts more pressure on the ability to retain agricultural land. The problem is that the land is desired by people who wish to live in the rural area but have a residential use of the land. This land use is called rural residential and has two components – rural fringe (living in an estate on 0.4 to 2 ha lots) and rural living (living in the rural area on lots ranging from 0.4 ha to 100ha lots). This puts pressure on the farming land as it is being bought by rural residential dwellers which is pushing up the price of land. Another issue is the one of rural land use conflict. This has the ability to erode the potential of the land for agriculture if it keeps going. This means that to protect the land there is a need to think outside the box – "If you always do what you always did, you will always get what you always got" (Ron Powers). Zoning has been the tool used in the past but it isn't working as can be seen by the incursion of rural residential development. There is a need for a suite of policy, legislation and zoning to control the land use as well as incentives, market based mechanisms, cluster subdivision, economic development, community engagement and education. This has been discussed in detail in my submission to the Discussion Paper.

I also note that the map accompanying the vision is shown as figure 1. This map refers to the rural lands as 'Non-Urban Area'. It is common planning language to use the term 'rural' when referring to rural land and not 'Non-Urban'. The use of the term 'Non-Urban' diminishes its importance because it assumes that urban land is the most important and everything else is not important. This is contrary to the Vision. I also note that the text of the document refers to rural land, not non-urban land. I would recommend that the term 'rural land' replaces 'non-urban area' on all maps.

## Goal 3 Sustain Productive Landscapes

There is no discussion of the actual types of agricultural production on the Central Coast. It is noted that the value of production is estimated to be in excess of \$150 million. There no discussion about the multiplier effect which is in the order of 3 – 5. This means that it could be worth as much as \$750 million to the local economy. It would be helpful to acknowledge the range of produce that is grown in the Central Coast. The Sydney Peri-Urban Network Issues Paper has provided this information. It shows that the Central Coast is a producer of nurseries, flowers, turf, vegetables, chicken meat (in 2011, Gosford was the number one chicken meat LGA in Australia with 6.9% of the production), turkeys, other poultry, and egg production as well as some beef cattle. The region is also a significant horse breeding and agistment area.

It is recommended that the variety of agriculture production grown in the Central Coast be discussed.

There is no discussion of the dominance of rural residential development as a land use and particularly the fact that it is estimated to be in the order of 60 – 80% (this is based on work I have done for Wyong Council and the private developer which is not yet published). The Sydney Peri-Urban Network Issues Paper has also highlighted the dominance of rural residential land use, noting that it ranges from 62.5% in Kiama to 84.5% in The Hills Shire. It should be noted that rural residential use has two components – rural fringe (living in an estate on 0.4 to 2 ha lots) and rural living (living in the rural area on lots ranging from 0.4 ha to 100ha lots). It is the rural living type that has a major impact on the ability to sustain productive landscapes. It is recommended that the issue of rural residential development including both types be discussed in this section.

### **Direction 3.1: Promote investment in rural and resource lands**

The items discussed in this section are supported, however the issue of land use conflict is not addressed, nor is the impact of rural residential development which is the cause of land use conflict. This was addressed in my submission on the Discussion Paper. It is recommended that the impact of rural residential development and land use conflict be included in the discussion about promoting investment in rural and resource lands. It is noted that the Land Use Conflict Risk Assessment Guide is mentioned in Action 3.1.3 which relates to extractive resources. It is considered to be just as important for agriculture and so should be included in this section.

The State Environmental Planning Policy (Rural Lands) 2008 was prepared to facilitate agricultural development, reduce land use conflicts and identify a set of rural planning and rural subdivision principles to assist manage, develop and protect rural lands. This has proved to be successful in other parts of NSW where it applies. However it does not apply to the Central Coast or the Sydney Region. By amending this policy to apply to the Gosford and Wyong LGAs would provide some protection for the agricultural production grown in the Central Coast Region, which in turn can promote the investment in rural and resource lands.

#### **Action 3.1.1: Support development of the agricultural and aquaculture sectors**

It is noted that a statement is made about maintaining a critical mass of agricultural industries. The discussion on this does not mention the existing land use or land use conflict. As discussed above, the main existing land use is rural residential development and this causes land use conflict. This should be discussed and I would suggest that the discussion included in my submission on the Discussion Paper, the Sydney Peri-Urban Network Issues Paper and my paper from the State of Australian Cities Conference and the chapter from the Planning Australia book be used as reference documents as well as other sources.

It is noted that reference is made to the Biophysical Strategic Agricultural Land (BSAL) mapping and that this is shown on figure 7. My knowledge of the rural land use of the area shows that this land is not used for growing much agricultural produce and is in fact mostly rural residential development and horse studs. The bulk of the production area is on the plateau areas of Kulnura, Somersby, Peats Ridge and Mangrove Mountain. Is this land not important for agriculture? I also am familiar with

the Agricultural Land Classification Mapping that was carried out by the Department of Primary Industries and published in the 1990s and which showed a large part of the Central Coast Plateau as being high class agricultural land. Is that mapping superseded by the BSAL mapping? If so, it should be made clear because the deemed SEPP Sydney Regional Plan Number 8 (Central Coast Plateau areas) refers to this. Has the BSAL Mapping been ground truthed? If it was it would have revealed that it has not covered the significant agricultural areas of the Central Coast and where most of the \$150 million of agriculture is grown, and in fact covers land that does not produce much agriculture.

At the end of this section there are a number of actions that the NSW Government and Councils will work together to achieve. Comments will now be made on these.

#### *Protecting productive lands and resources from incompatible development*

It is noted that there is a statement about protecting productive lands and resources from incompatible development. I presume that this is referring to land use conflict? However there is no discussion about how this can be done. One option has been discussed in my submission to the Discussion Paper. It involves considering the dominant use having priority over other uses when complaints are made. In this case the dominant use would be agriculture and other uses would include rural residential dwellings. The zoning system can be used to classify the land that is identified for its productive potential for agriculture as well as land for other uses (this is discussed in detail in the next section). When a complaint is made against an agricultural practice by a neighbour, the first point of the investigation would be to determine if the land is within the land zoned for agriculture production. If this is the case, the investigation determines if the farmer is carrying out best practice (which can be determined and documented) and if they are, the complainant is advised of this and the farmer is not asked to comply with the relevant requirement. This would require some alteration to the pollution legislation but it is considered to be worthy of investigation.

It is noted that the Codes SEPP Rural Housing Code allows dwelling houses to be complying development. This means that a dwelling house can be erected on any lot that is greater than the minimum lot size without any need to consider the impact of the dwelling on the adjoining property and that it cannot be refused if it is considered that it will cause land use conflict with the adjoining farming operation.

A solution would be to exclude the Primary Production Zone from the Codes SEPP pursuant to clause 1.19 in a similar way that heritage conservation areas, BioBanking agreements, ecologically sensitive land, and so on are. The land in the Rural Landscape Zone can have dwellings as complying development and subject to the Rural Housing Code but it would also be necessary to have some requirement for them to be not complying if they are a certain distance from an intensive form of agriculture in the same or an adjacent zone because of potential land use conflict.

It is considered that food producing land is just as important as land in a heritage conservation area or ecologically sensitive land and so should be excluded from the rural housing code.

#### *Identifying and protecting significant agricultural and aquaculture sites and activities*

Another action covers identifying and protecting significant agricultural and aquaculture sites and activities. However, again there is no discussion as to how this

can be done. A technique to do this was included in my submission to the Discussion Paper and is reproduced below.

This can be done using strategic planning and the way that the land is zoned. It is noted that the Standard LEP has two zones for rural land:

- RU1 Primary Production
- RU2 Rural Landscape

A technique devised by Edge Land Planning and applied to the zoning of more than 20 rural Councils in NSW and Queensland using the Standard LEP zones for a number of them. The best land can be zoned as Primary Production land and the other land can be zoned as Rural Landscape. This technique uses a combination of broad scale classification maps prepared by Government Departments and land use maps prepared for the detail of each Council area. The agricultural land classification establishes the capabilities of natural resource management for sustaining agricultural production whilst land use surveys show what is actually happening on the ground. In addition to this classification process, surveys of rural land use show the nature of economic activity and the characteristics of rural residential living in such areas. The latter is particularly important in showing the encroachment of rural residential development into farmland. The steps in the process are outlined below.

- *Step 1: Data Gathering.* This is done using a GIS. The following layers / maps are used: cadastre based land use survey, holdings analysis, slope, drainage Good Quality Agricultural Land, Biophysical Strategic Agricultural Land and so on, as appropriate.
- *Step 2: Identify the constraints for agriculture.* The data gathering is used to identify the constraints of the land for its continued use for agriculture. The following are identified: urban expansion areas, clusters of rural residential land uses, slope and other physical constraints. This is done by reference to the land use survey mapping to identify the clusters of rural residential development and slope mapping, drainage and native vegetation mapping. Documents on the future strategic intent of land such as urban expansion, future industrial uses, etc. are also a source of this information.
- *Step 3: Identify land for agriculture.* The maps are used to identify the constraints. The first constraint is slope and soil types. This will provide an analysis of the land capability. The land use and holdings analysis is the next constraint. The land use survey will show where there are clusters of agricultural uses as well as the location of urban and rural residential uses. The holdings map will show where there are large and small lots / holdings. Larger holdings are preferred because they are less likely to be in demand for rural residential development and other non-agricultural development. This is done by reference to the land use and holdings GIS mapping.
- *Step 4: Identify Land Units.* Land units are areas that have similar land uses, soil types, topographic and other physical features like vegetation. This is done by reference to the relevant GIS databases. There are 7 land units:
  - ⇒ *Agriculture Production.* The land that is good for agriculture will be that land that has good soils (although this is not always the case), is relatively flat, has an existing number of agriculture (mostly intensive) uses as well as having a number of larger lots and not a proliferation of small ones. This is the area that should be preserved for future food production.
  - ⇒ *Rural Landscape.* This land is hilly and not the best class of soils but can still be used to grow orchards and vineyards as well as grazing cattle

and sheep. The land use would be mostly extensive agriculture and rural residential rural living uses. It will also have areas of native vegetation which has biodiversity value.

- ⇒ *Native Vegetation*. This is land that is mostly covered in native vegetation and is mostly steep and inaccessible. It might be in private ownership but a large proportion of it is owned by the government as National Parks and other land.
  - ⇒ *Rural Residential – Rural Fringe*. This is land that is close to an urban area that is fragmented and mostly small lots around the 2 ha mark and smaller laid out in an estate style.
  - ⇒ *Rural Residential – Rural Living*. This land is land that is larger in lot size 2 – 40 ha and above and is not laid out in an estate but rather has a mixture of lot sizes.
  - ⇒ *Urban*. This is land that is zoned for urban uses like Residential, Commercial, Industrial, and Recreation and so on.
- *Step 5: Prepare Land Use Designations*. The land units are then mapped into designations which have the same titles and which can be converted to zones. This is done as a GIS layer.

By utilising this methodology, the best land can be identified and protected for growing food, fibre and ornamental plants.

In the Primary Production zone, all dwellings should require development consent to enable consideration of the potential for rural land use conflict to be assessed. It can also allow for incidents of rural land use conflict to be assessed in favour of the farmer as long as the farmer is carrying out Best Practice as discussed above. In the Rural Landscape zone, they can be complying development however it is also necessary to have some requirement for them to be not complying if they are a certain distance from an intensive form of agriculture in the same or an adjacent zone. This will enable the identification of the strategic agricultural land.

### *Recognise and protect the economic potential of productive agricultural land and facilitate future agribusiness opportunities*

This action is supported but there is no indication of how it will be implemented. The proliferation of rural residential development has two major impacts on the ability to carry out agriculture – both now and into the future. Firstly it causes the price of the land to increase which in turn has an impact on the ability of farmers to purchase land for agriculture as well as increasing the amount of money paid for rates, which has an impact on the profitability of agriculture. Secondly land use conflict can cause agricultural operations to modify farming practices or cease to operate. Research in Australia, Canada and the USA has shown that there needs to be a suite of mechanisms not just zoning which has been the tool used in the past.

The incentives, market based mechanisms, cluster subdivision, economic development and infrastructure can include the following:

- Incentives in rate rebates for Agricultural Production
- Cluster subdivision in association with agricultural uses
- Economic development strategies to help farming, such as a regional brand, websites and linking local produce to local restaurants
- Infrastructure such as roads and other necessary things to be provided

Council rates are one of the largest single outlays for an agricultural producer, and rate remission can help keep land in farming. Rate charges are based on land value, and can range from \$2,000 to \$60 000 or more, depending on a farm's size and location. As rural land becomes more desirable for rural residential use, land values increase, with a corresponding impact on rates. The farming community has borne this cost, often without a commensurate increase in the value of production, and this is more problematic where intensive farming – for example, irrigated and intensive cropping and intensive animals – is already common. This creates a fundamental inequity between urban and rural areas where residents of urban areas adjoining rural land pay much less (in the order of \$500 to \$1,500) and have many more services than people living in adjacent rural areas. This can be structured to correspond to the rural land zoning with those farmers who are in the Primary Production zone receiving a larger rebate than the Rural Landscape zone because the Primary Production zone is more important for its agriculture output. The scheme would be based on an annual inspection and proof of net farm profit. This is a matter for Council's rating policy and should be investigated to identify the amount of rate revenue generated from the agricultural land uses, rural residential and residential land uses. The rates paid by a selection of these land uses can then be compared and some analysis done of the relative impact of reducing the agricultural land use on the rates for the other land uses.

The proliferation of rural residential development in the area has made it difficult for farming to continue and for farmers to change from orcharding to growing vegetables, for example (it being noted that the citrus industry is no longer profitable in the Central Coast any more). This will require a significant investment in plant and machinery as well as preparation of the land to grow vegetables. It is envisaged that the vegetables will be grown in open fields as well as in protected cropping structures / greenhouses for specific types of vegetables and herbs. This type of operation is not possible to do on a commercial basis taking into account all of the costs such as land, moving the irrigation infrastructure, constructing greenhouses and the associated plant and machinery. However, such a change in operation will be possible with a cluster subdivision of the property. It would use community title and the majority of the land will be used for fruit and vegetable growing on the community lot. The housing lots would be located in clusters around the property. The community association will employ a farm manager to grow the produce. The members of the community will also be able to participate in some of the farm operations but it needs to be stressed that it is a farming operation owned by the lot owners and run as a commercial farm. The introduction of such a scheme could also lead to the consolidation of two or more orchards to make a large vegetable producing farm using both protected cropping as well as field growing techniques. The only way that this could happen is for it to be done via a Planning Proposal.

Economic development initiatives are also used to ensure that farming can continue, thereby providing for food security. These initiatives include allowing and encouraging roadside stalls, whereby farmers are permitted to sell produce from their farm as well as that produced on farms in the area (at present, farmers are restricted to only selling food produced on their property or an adjacent property under the Roadside Stall definition). Others include allowing and encouraging agritourism, farmers' markets, local branding and incentives for farmers to deal directly with restaurateurs, which give the restaurateur access to fresh reliable produce and the farmer access to a secure and reliable market.

Agritourism is becoming an increasingly popular form of development on the plateau areas and in the Valleys to an extent. Consideration can also be made to the

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development of a farm gate trail that would link the various local producers and allow for them to sell and promote their locally grown and produced food. The Hawkesbury Harvest concept could be extended into the Central Coast.

The introduction of a local branding to promote food grown on the Central Coast is an idea that could be pursued. This would be displayed in restaurants, cafes and fresh food outlets that sell the locally produced food.

There is a need to ensure that there is sufficient infrastructure to allow agriculture to continue. This includes water as well as access to produce stores, farm machinery dealership, mechanics, metal fabrication uses, transport (road, rail and air), access to consultants and other professionals as well as a workforce.

There is also a need to engage with the community to make them aware of the importance and benefits of farmland, particularly where it is grown. Food production can be promoted in the Central Coast Region by preparing brochures on the role, value and importance that the Region has in the food supply. This is also linked to the economic development issue mentioned above – the food production has both economic and community benefits.

The community can be encouraged to participate in urban agriculture such as community gardens, edible streetscapes / road verge gardens and farmers markets. This is also linked to the health of the local community and other community development goals. Community gardens are usually planted on Council owned land and they can be a way to encourage people to grow fresh food as well as gaining a sense of community wellbeing. "Community gardens are places where people come together to grow fresh food, to learn, relax and make new friends" (The Australian City and Farms and Community Gardens Network website) There is a growing move to planting the road verges with vegetables – although this is more prevalent in higher density neighbourhoods. Community Gardens can be supported by gaining knowledge about it as well as encouraging it to be carried out on public land with easy access to the surrounding community. It is noted that there is no definition for this and it should be defined as well as being made an exempt form of development. Community gardens and road verge gardens can be required in new subdivisions. Developers can be required to set aside land and provide appropriate infrastructure (water and electricity) as well as planting edible street trees. In a number of existing subdivisions, land is set aside for small parks and is mostly unused and these can also potentially be reused for community gardens. In multi-unit developments, the landscaping plan can be required to make provision for a vegetable patch to encourage people to plant fresh vegetables, thus providing them with healthy food. Farmers Markets allow local farmers to sell the food they produce to the local people. They are the most sustainable if they are run on a weekly basis. They are also run in parks, showgrounds, car parks and other public spaces.

It is important to communicate with the various stakeholders to ensure that they are all involved and know what is happening in other areas and fields of expertise, thereby creating an environment for collaboration. Education is useful in overcoming misconceptions about the idyllic rural lifestyle sought by those moving to the country from urban areas as well as providing information about the food and where it is grown. The restaurant and catering industry can play an educative role by promoting fresh food from nearby sources. Events can be designed to draw attention to the importance and characteristics of rural production are also useful in promoting community awareness of local agricultural production.

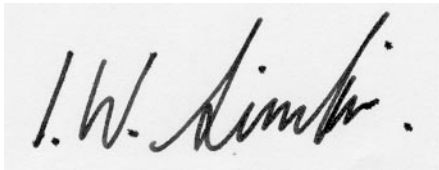
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**Conclusion**

Agriculture on the Central Coast is being grown in a residential landscape. This is evidenced by the high proportion of rural residential uses and non-agricultural business in the area. This is not acknowledged in the draft Regional Plan. Part of the vision for the Central Coast is to capitalise on the productive lands and resources and there is a specific goal dealing with sustaining productive landscapes. To do this involves a number of matters that I have outlined above. My experience of working with this issue in Australia as well as discussing it with planners in the USA, Canada and the UK has shown that the solution is to have a suite of mechanisms, not just one. If the matters raised above are implemented, there is a future for agriculture on the Central Coast. However, if nothing is done, then it is very likely that the area will become a rural residential area with little or no agricultural production.

The points above have been prepared in a summary fashion and I would be happy to elaborate on them if it is considered necessary. Please do not hesitate to contact me if you have any questions.

Yours Faithfully

A handwritten signature in black ink on a light grey background. The signature reads "I. W. Sinclair" in a cursive, slightly slanted script.

**Ian Sinclair**  
**Principal Consultant**