

Summary of Key Issues

Function Centres

- In recent years the Forum has had extensive discussions with the DPE about opportunistic DAs for temporary function centres and tourist accommodation development.
- Shoalhaven Council had received multiple DAs for 'temporary' function centres around Berry and Kangaroo Valley, primarily from Sydney developers. However, we had discovered a 2015 LEC judgement that stated there would need to be an *"absence of adverse impact on adjoining land or the amenity of the neighbourhood."* The judgement resulted in refusal of the DAs.
- After reading the Agritourism Explanation of Intended Effect document it was obvious that a key driver of the various amendments was to facilitate the construction of buildings for function centres as complying development, so as to circumvent the LEC judgement and exclude councils from the approval process.
- In a 'subtle' attempt to disguise the intent, the DPE changed the new Agritourism term 'Farm events' to 'Farm experience premises'.
- In February 2022, in a Teams meeting with DPE staff, when we raised concerns about the excessive maximum size of 200sqm for new buildings we were assured by the DPE Acting Director for State & Regional Economy that they comprehended the impacts of the scale of the function centre buildings and had reduced the maximum size for a single building to 100sqm.
- The DPE has reneged on the assurance that was provided to the Forum.

Local Government NSW (representing all councils)

Concerns around insufficient timeframes, compliance issues and other potential impacts of eleventh-hour changes to agritourism reforms -

- *"The handling of consultation for these changes and the NSW Government's disregard of local government's concerns is unacceptable.*
- *Councils have raised biosecurity concerns that may have serious impacts on our agricultural sector (visitors to Bali)*
- *There is significant potential for land use conflict*
- *The lack of detail is creating uncertainty for councils and community members*

Farmers

The Forum worked closely with farmers in Kangaroo Valley on our submission. They believe real farmers have **not** been consulted and they raised issues relating to –

- The lack of safe and suitable 2-way all weather access roads.
- The increased numbers of people in bushfire prone areas.
- Introducing alcohol into rural areas with drivers unfamiliar with the roads.
- Loss of amenity in rurally zoned areas.
- A lack of consideration for acoustic and traffic impacts on residents and wildlife
- Loss of productive farmland as other uses generate the primary income.

"Genuine agritourism is NOT about large-scale events such as weddings and conferences on rural land. These events contribute NOTHING to the furtherance of agricultural activity, rather they provide a perfect opportunity to destroy that very agricultural activity, which they profess to support."

Comments re the DPE's Justification for the Proposed Changes

- *The proposal will bring more tourists* - but at the cost of damaging the environment and causing significant adverse impacts for rural neighbourhoods
- *It will make farming more sustainable* - but most developments will be done by absentee owners/developers with no interest in farming. Compliance with constraints will not be effective
- *Allowing 52 weekends for weddings/functions will attract tourism* - but the adverse impacts on the local community will be significant and ongoing. Compliance with attendance limits and noise will not be enforced
- *The policy will improve the economy of towns* - but destroy the character of towns and the surrounding countryside; and residents will not benefit.

Communication and Engagement

- The changes will impact everyone owning a rural property in NSW, but very few have any awareness because the Department of Planning communication process was **not** followed.
- The Department of Planning (DPE) claims "*A number of engagement methods were used to seek comments from the community, including:*
 - *A joint media release from 3 Ministers in March last year.*
 - *A Facebook campaign targeting those with interest in agriculture related activities*
 - *And the DPE website.*
- The Forum only became aware last year when we found a copy of the media release.
- Overall, the DPE received 240 submissions, of which 90 were from councils and tourism and industry bodies and 150 from individuals. However, of the individual submissions 90 were from Berry and KV and only 60 from the whole of the rest of NSW (an avg of 1 per council area)