

**Rural Land Strategy Summary of submissions to public exhibition of Draft Policy Directions Paper
19 July 2016 – 19 August 2016
planning response and recommendations**

Submission 1

Theme	Summary	Response	Recommendation
<p>Broad agreement Bikes and conflict with traffic Tourism</p>	<p>Broad agreement with the main issues raised Supports Draft Policy Direction 4 generally. Concerned about the growing number of push bikes on local rural roads raising safety concerns and slowing travel times significantly. Tourism is good if Council can provide proper facilities and safety and not make matters worse for locals. Regarding Draft Policy Direction 1, 2, 8 and 9: concerned about the growing level of rural land purchases for lifestyle purposes where no agricultural activities are undertaken on those properties not properly maintained. Proposes that Council should issue firm regulations on these issues for rural properties.</p>	<p>Support acknowledged The matter of bike safety and volumes of traffic has been forwarded to Council's traffic engineer for further consideration in the final stage of the project The policy directions establish a framework under which actions will be proposed in the next stage of the project. The Draft Policy Directions Paper seeks to establish the primary directions that the Rural Land Strategy will take in the final stage of the project which will be supported with detailed actions in the final stage of the project. The ability of newcomers to the area to understand how to manage a small farm requires landowners to develop knowledge and skills from a range of sources. Policy Direction 7 supports improved access to information, enhanced networking opportunities and greater connections within the local community.</p>	<p>That the comment regarding pushbikes is forwarded for response from Council's traffic engineer and all comments are further considered in the final stage of the project.</p>

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Submission 2

Theme	Summary	Response	Recommendations
Dwelling Entitlement	<p>Concerned that the paper does not appear to address situations where a rural land owner holds multiple adjoining lots but there is only one legal dwelling entitlement allowed on the whole landholding.</p> <p>This has become problematic to owners of rural property in this situation, particularly as individual lots have been sold, but new owners are not able to construct a dwelling because it was once part of a combined rural landholding in the 1960s.</p> <p>Such a lot may have no viable farming options but they can't be used for residential purposes.</p> <p>Suggests that a legal dwelling entitlement be applied automatically to any existing individual rural lot, no matter the size or past ownership history to allow existing lots less than 40 hectares to have an automatic dwelling entitlement attached.'</p>	<p>Draft Policy Direction 5 proposes that investigations into dwelling entitlements on existing lots smaller than the minimum lot size be reviewed and the need for 'dwelling entitlement' investigation will be undertaken.</p> <p>Actions will be proposed in the final stage of the project in response to this issue.</p>	<p>That the comments received are noted and further considered in the final stage of the project.</p>

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Submission 3-5, 9, 11-16, 18, 20, 25, 27, 29-33, 36-41 (using template format)

Theme	Summary	Response	Recommendation
<p>Rural Character & amenity, inappropriate housing, tourism and proposal for a caravan park at Dungay</p>	<p>Raises concern about proposed development of a caravan park and "dense housing" associated with a school at Dungay. Provided information regarding property sizes and landuse in the Dungay area; lack of urban services and facilities, proximity to Murwillumbah and isolation during storm events; location of fauna corridor; bushfire hazards; groundwater vulnerability and impact of further development on surrounding water courses, and location of regionally significant farmland. The submission concludes that the Policy Directions should be highly qualified to preclude inappropriate rural housing and rural tourism facilities from highly constrained land such as the Dungay area, that the present zoning and restrictions be maintained to protect both the right to carry out agricultural pursuits and protect the delicate environmental issues that exist in the area.</p>	<p>Information provided regarding the nature of landforms and constraints are noted. Preparation of the draft Rural Land Strategy in the final stage of the project will develop actions to implement the policy directions exhibited in the Policy Directions Paper. Caravan parks are permissible with consent in the RU2 Rural landscape zone, and while actions to be proposed in the draft Rural Land Strategy will provide more detail about the types of dwellings and locations where housing in rural areas might be possible; the Rural Land Strategy is not a rural-residential strategy, and as such the ability of the strategy to provide guidance on the establishment of new multi-allotment residential development is outside the scope of the Strategy. Assessment of any development application for proposals permissible with consent under Tweed LEP 2014 will be undertaken through Council's existing development assessment procedures.</p>	<p>Preparation of the draft Rural Land Strategy in the final stage of the project will provide guidance on how to support greater housing diversity and criteria to manage the impact of any such development.</p>

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Submission 6

Theme	Summary	Response	Recommendation
Small lot subdivision	States that their property is too small to create revenue from farming and is surrounded by houses on land not farmed, but used for residential purposes. Seeks a two lot subdivision.	The policy directions presented in the exhibited Draft Policy Directions Paper establish a framework for the development of actions to implement the intent of each direction. This stage of the project relates to the broad policy directions rather than the individual actions that might impact individual properties. Details relating to the ability of the draft Strategy to propose actions specific to the issue raised will be considered in the final stage of the project.	That the comments received are noted and further considered in the final stage of the project.

Submission 7

Theme	Summary	Response	Recommendation
Affordable housing and supports detached dual occupancy	In response to Direction Number 5, 'Greater Diversity of Rural Housing', acknowledges that this draft policy plan is long overdue with affordable housing becoming less of an option, particularly with families that want to stay together on the same allotment without subdividing. Supports detached dual occupancy dwellings. Proposes removal of the separation distance applied in Lismore Council LEP thereby allowing access from existing entry points to alleviate the need to use	Detached Dual Occupancy is one of a range of possible actions to be considered in the final stage of the project. No details can be provided at this stage on actions to be proposed in the draft Rural Land; however, the community will have further opportunity to comment on the draft Strategy when placed o public exhibition.	That the comments received are noted and further considered in the final stage of the project.

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	<p>the same driveway. Dual occupancies should not be limited to large acreages only.</p> <p>Notes that affordable housing in the region for low income earners is at crisis point and that additional housing could relieve some of the low cost housing shortage in the valley, and be a way for the vulnerable in our community to secure an affordable tenancy.</p>		
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Submission 8

Theme	Summary	Response	Recommendation
Food trails and pop-up restaurants	Interested in food tourism and the authentic opportunity to interact with local producers and their properties.	<p>The Draft Policy Directions Paper promotes innovation, diversification and value-adding and in Direction 4 seeks to encourage rural tourism.</p> <p>While the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides guidance on Mobile food and drink outlets, any enquiry relating to the operation of a new enterprise under Council's existing Local Environmental Plan should be directed to Council's Duty Planner for a detailed response.</p> <p>The policy directions as exhibited establish the opportunity to further consider how Tweed Local Environmental Plan 2014 and Development Control Plan 2008 can</p>	That the comments received are noted and further considered in the final stage of the project.

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better support a growth in rural tourism but does not provide specific advice at this stage in relation to the enquiry made.

Submission 10

Theme	Summary	Response	Recommendation
Rural residential development	Supports draft policy directions 1 to 9 and that policy directions 3, 4 and 5 should be pursued as a priority. Proposes a rural residential development on the property as part of existing private recreation. Requests that any LEP amendments be flexible and performance based in relation to rural housing and rural tourism.	While the proposed policy directions support more tourism development, the Rural Land Strategy has since its inception noted that it is not a rural residential strategy and as such while certain aspects of rural tourism and greater diversity of rural housing are supported, details of actions to support such a direction have not been provided in the exhibited Paper, but will be considered in the final stage of the project.	That the comments received are noted and further considered in the final stage of the project.

Submission 17

Theme	Summary	Response	Recommendation
Housing opportunities	Supports the need for more housing, currently living with parents on their property but would like an additional house or subdivide. Advises that while living in a rural area are charged residential rates.	The need for additional housing has been acknowledged and will be further addressed in the final stage of the project. Draft Policy Direction 5 supports additional dwellings within rural zones and alternative approaches to land tenure; however, the Draft Policy Directions Paper is not proposing further subdivision of rural land unless certain criteria can be met. The details of these criteria will be defined in the final stage of	That the comments received are noted and further considered in the final stage of the project.

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the project when the community will have further opportunity to comment.

Submission 19

Theme	Summary	Response	Recommendation
Various	<p>That the Rural Land Strategy is not a standalone document but is linked to a range of other strategies.</p> <p>Raised the need to identify agricultural land and then allow other development to be considered afterwards.</p> <p>Raised concerns that to survive off agriculture farmers needed to get really big to survive and that with a lack of profit poor management and weed invasion would result.</p> <p>Proposes that the whole shire be opened up to rural residential development, but is concerned about "cluster housing development" and negative impacts.</p> <p>Concerned there are no young farmers and that being at retirement age is not considering farm tourism as an alternative farm income source.</p> <p>Does not believe that Draft Policy direction 7 will achieve its intent of an informed, connected and resilient community because the community survives on self-interest.</p> <p>Raised concern that the neighbour to a local quarry was able to cause the closure of that quarry.</p> <p>Considers that land is so expensive here</p>	<p>The submission raises a number of issues of interest that can best be addressed in the final stage of the strategy when more specific actions will be discussed with the community.</p> <p>Council administers a diverse range of policies and strategies, all of which have been created to address specific issues. The Rural Land Strategy has been created to focus attention on rural land, but that does not negate the ability of other policies and strategies to apply at least in part to rural land. Rather than duplicating documents, it is appropriate to identify where overlap occurs and ensure that duplication or contradictions do not occur.</p> <p>No comments lead to a conclusion that the policy directions are not appropriate, but will be built upon and further considered in the final stage.</p>	<p>That the comments received are noted and further considered in the final stage of the project.</p>

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	<p>that amalgamation is out of the question for all but the very rich, and that agriculture is low profitability. Expresses concern that the knowledge and experience of local farmers is being overlooked. Advocates alternate types of housing and would like to see a modern version of multiple occupancy where a farm can be developed, rates charged on each block, and unlike Multiple Occupancy, the new landowners can borrow money against the land to develop it further.</p>		
<p>Illegal dwellings</p>	<p>Seeks clarification as to who the target community is when referring to Policy Direction 7 'an informed, connected, and resilient community.' Concerned that the Combined Tweed Rural Industries Association (CTRIA) were not invited to discuss the future of farming. Raised concerns about an escalation of illegal sheds being constructed and rented out for residential purposes that are generating an income from such sheds while others who are not prepared to construct illegally cannot generate a second income.</p>	<p>The experience and accumulated knowledge from a lifetime of working on the land is seen as a highly valuable resource and has been listened to along with all submissions received during the process of developing the draft Paper. Multiple Occupancies and other alternative forms of tenure will be addressed in the next stage of the project as an option to provide greater housing diversity. The Rural Land Strategy is focused primarily on rural communities and as such Policy Direction 7 refers predominantly to rural landowners, but may include other members of the community who could benefit from the outcomes of this policy direction. The CTRIA is represented on the Rural</p>	<p>That the comments received are noted and further considered in the final stage of the project.</p>

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		Land Strategy Reference Panel have been approached during community engagement to provide details of organisations that could be addressed. Council also conducted a special meeting with members of the CTRIA to discuss the Draft Policy Directions Paper. The matter of illegal dwellings will require consideration beyond the scope of the Rural Land Strategy but will be considered in the final stage of the strategy.	
Submission 21, 22, 23, 24, 34, 35 (from the same family)			
Theme	Summary	Response	Recommendation
Multiple Occupancies	Discussed desire for Multiple Occupancies (MOs) to gain independent title. Noted that Byron, Ballina and Lismore City Councils have adopted provisions to allow MOs independent title on a case-by-case basis. Notes that there is no reference to MOs in the Draft Policy Directions Paper and asks that MOs be given consideration in Stage 4 of the project and believes that their MO meets the criteria for providing more rural residential opportunities without losing prime agricultural land. Proposes that a process be established to allow conversion of MOs to Community Title developments, and provides criteria for assessment of MOs for conversion. Also proposes the potential for rezoning	The Draft Policy Directions Paper provides an outcome that requires investigation of alternative approaches to housing and land tenure. Conversion of Multiple Occupancies to alternative land tenure would be one form of alternative tenure that will be further investigated in Stage 4 of the project. The Draft Policy Directions Paper is set at the policy level and has not made specific reference to a wide range of actions that will be discussed in the next stage of the project; however, the draft Policy Direction does specify as an outcome investigation of alternative approaches to housing and land tenure. Matters raised are of relevance in the	That the comments received are noted and further considered in the final stage of the project.

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to R5 Large Lot Residential. Believes that believe the new policy should include facility for Multiple Occupancy to convert to Community Title.

consideration of actions in the final stage of the project.

Submission 26

Theme	Summary	Response	Recommendation
Farm size	<p>Supports the Draft Policy Directions Paper, in particular the non-fragmentation of agricultural land and the discouragement of land-banking by would-be developers.</p> <p>Considers that 40 hectares is a very large parcel of land to manage in a sub-tropical climate and that intensive small-lot market-garden farmers cannot afford to manage a parcel of land of this size, nor can a rural lifestyle-seeking person, thereby encouraging a proliferation of weeds.</p> <p>Suggests that in addition to hilly areas close to the rural villages, smaller lot sizes could be considered in alluvial creek-flat areas where the soil is very suitable to small-lot intensive natural farming, and not so ideal for horses and cattle.</p> <p>Encourages Council to consider allowing detached secondary dwellings and detached dual occupancies on some rural properties.</p>	<p>While landuse management practices on rural land are a matter for the individual landowner in the majority of cases, a diverse array of information is available through government agencies and Council to support more sustainable and better farming practices.</p> <p>Policy Direction 7 seeks to support mechanisms whereby the community has better access to information and able to better accommodate change.</p> <p>Detailed actions will be developed in the draft Rural Land Strategy in the next stage of the project.</p>	<p>That the comments received are noted and further considered in the final stage of the project.</p>

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Submission 28

Theme	Summary	Response	Recommendation
Additional dwelling	Wants to subdivide or construct a second dwelling. Refers to Byron and Lismore City Councils' provisions for secondary dwellings but feels that the 100 metre separation provision would lead to an undesirable outcome on this property.	Details regarding how greater housing diversity will be achieved will be spelt out in proposed actions to be included in the Draft Rural Land Strategy to be prepared in the final stage of this project.	That the comments received are noted and further considered in the final stage of the project.