



**Part 3**  
**Appendices**

# The following supporting information has been developed throughout the project and relevant to preparation of the strategy and actions in the Implementation Plan.

## About the Strategy

Appendix 1: Description of rural zones

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# Appendix 1

## Description of rural zones

### Tweed LEP 2014

#### **RU1 Primary Production**

This zone aims at utilising the natural resource base in a sustainable manner and covers land where the principal function is primary production, including most kinds of commercial primary industry production, including extensive agriculture, intensive livestock and intensive plant agriculture, aquaculture, forestry, mining and extractive industries.

#### **RU2 Rural Landscape**

This zone is for rural land used for commercial primary production that is compatible with ecological or scenic landscape qualities that have been conserved (often due to topography). It may apply to land that is suitable for grazing and other forms of extensive agriculture, or intensive plant agriculture (such as 'viticulture'), but where the permitted uses are usually more limited and differ from RU1 zoned land due to landscape constraints.

#### **R5 Large Lot Residential**

This zone is intended to cater for development that provides for residential housing in a rural setting, often adjacent to towns or metropolitan areas.

### Tweed LEP 2000

#### **7(a) Environmental Protection (Wetlands and Littoral Rainforests)**

The objectives of the zone are to identify, protect and conserve significant wetlands and littoral rainforests, prohibit development which could destroy or damage these ecosystems and protect their scenic values.

#### **7(d) Environmental Protection (Scenic/Escarpment)**

This zone seeks to ensure that the development of land within Zone 7(d) minimises soil erosion and will preserve or enhance the scenic quality of the land and the locality. This is achieved by requiring that consent is not granted to the erection of a building on land within the zone unless the consent authority is satisfied that the scale, height and location of the building, and the colour, type and reflectivity of materials to be used will preserve or enhance the scenic quality of the land and the locality.

#### **7(l) Environmental Protection (Habitat)**

The objective of the zone is to protect wildlife habitat from the adverse impacts of development.

# Appendix 2

## Relationship within the State and local landuse planning frameworks

Within the hierarchy of planning legislation in New South Wales, the Rural Land Strategy should demonstrate consistency with a range of State and Regional policies and strategies, including at least:

- NSW 2021 – A Plan to Make NSW Number One
- North Coast Regional Plan (2036)
- Far North Coast Regional Conservation Plan (2010)
- State Environmental Planning Policies (SEPP):
  - SEPP (Primary Production and Rural Development) 2019
  - SEPP (Integration and Repeals) 2016
  - SEPP 14 – Coastal Wetlands
  - SEPP 44 – Koala Habitat Protection
- Ministerial Directions under Section 117 of the *Environmental Planning and Assessment Act 1979* (EPAA):
  - 1.2 Rural Zones
  - 1.5 Rural Lands
  - 2.1 Environmental Protection Zones
  - 4.1 Acid Sulfate Soils
  - 4.3 Flood Prone Land
  - 4.4 Planning for Bushfire Protection

While the Rural Land Strategy focuses on the planning, management and development of all rural land in the Tweed, a range of other local strategies and policies will also apply. As such, the Rural Land Strategy will complement other strategies of Council and provide guidance where necessary for the review of those strategies to ensure consistency between all documents.

Tweed Local Environmental Plan 2014 and Tweed Development Control Plan 2008 are Council's primary documents guiding landuse planning and management in the Shire. Where the RLS proposes actions which are not consistent with these documents, amendments will be required to ensure that no inconsistencies are created with the LEP and DCP and that no planning related barriers exist to the implementation of actions endorsed by Council.

The Tweed Community Strategic Plan 2017–2027 (the CSP) is the peak visionary document for the coming decade, which identifies Council's Vision as:

*“The Tweed will be recognised for its desirable lifestyle, strong community, unique character and environment and the opportunities its residents enjoy.”*

The primary purpose of the CSP is to document the community's priorities and objectives for the Tweed during this period. Through the related Delivery Program and Operational Plan Council's role in the delivery of projects and services is detailed.

Implementation of the endorsed actions of the RLS will need to be reflected in the LSPS, CSP and related documents.

Other strategies and policies of Council which also apply to rural land and land adjoining rural land include but are not limited to:

- Tweed Urban and Employment Land Release Strategy 2009
- Economic Development Strategy 2014
- Rural Villages Strategy 2016
- Section 94 Tweed Road Contribution Plan
- Tweed Vegetation Management Strategy 2004
- Sustainable Agriculture Strategy 2016

The Rural Land Strategy seeks to create a vision for the future character of rural land, and provide certainty about future use and management of rural land across the Tweed consistent with State, regional and local landuse planning policies, strategies and provisions.

In March 2018 the EPAA was amended to require all NSW councils to prepare a Local Strategic Planning Statement (LSPS). The changes now recognise the importance of strategic planning and the need for alignment between state and local government strategies and plans.

As a 20 year vision, the LSPS will in part:

- implement actions in the North Coast Regional Plan 2036
- implement Council's own priorities in the CSP
- provide a foundation for future reviews of the CSP
- shape how development controls in the LEPs and DCP evolve over time and guide future reviews of these plans.

# Appendix 3

## Rural planning and subdivision principles

While the State Environmental Planning Policy (Rural Lands) 2008 has been replaced by SEPP ( Primary Production and Rural Development) 2019, the Rural Planning Principles and Rural Subdivision Principles remain relevant to the planning and management of rural land:

The **Rural Planning Principles** are:

- a. The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas.
- b. Recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State.
- c. Recognition of the significance of rural landuses to the State and rural communities, including the social and economic benefits of rural landuse and development.
- d. In planning for rural lands, to balance the social, economic and environmental interests of the community.
- e. The identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land.
- f. The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities.
- g. The consideration of impacts on services and infrastructure and appropriate location when providing for rural housing.
- h. Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

The **Rural Subdivision Principles** are:

- a. The minimisation of rural land fragmentation.
- b. The minimisation of rural landuse conflicts, particularly between residential landuses and other rural landuses.
- c. The consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands.
- d. The consideration of the natural and physical constraints and opportunities of land.
- e. Ensuring that planning for dwelling opportunities takes account of those constraints.



# Appendix 4

## Rural Tweed in context

Because of its coastal setting bordering South East Queensland, dramatic and contrasting landscape and landuses, favourable climate, volcanic soils, proximity to employment opportunities and coastal or rural recreational pursuits, conserved forested parks and “village” characteristics of its rural settlements, the Tweed is seen as a convenient and desirable destination in one of the fastest growing regional centres in New South Wales.

It is the very features which make the Tweed such an attractive location that are expected to face the greatest pressure from urbanisation of Tweed Heads, the Tweed coast, and South East Queensland as land prices and population increase.

The Resource Inventory and Land Capability Assessment prepared in the initial stage of this project provides a compilation of known information and a ‘point-in-time’ snapshot and insight into the socioeconomic and environmental characteristics of rural land in the Tweed as summarised below.

### Geographic and spatial context

Rural Tweed, within RU1, RU2, R5, 7(d), 7(f), and 7(l) zoned land occupies 96,665 hectares or 73.5% of the total area of the Tweed Shire.

Land ownership has historically been heavily fragmented through subdivision into progressively smaller and smaller allotments resulting in a dispersed pattern of lot and property sizes throughout rural areas. Figure 26 provides an example of how one allotment was subdivided into 23 smaller allotments.

While subdivision of rural land occurred under earlier local planning instruments such as:

- Interim Development Order 1 (IDO 1 – 29 May 1964)
- Interim Development Order 2 (IDO 2 – 30 September 1966).

It was with Tweed Local Environmental Plan 1987 that the 40 hectare minimum lot size for subdivision of rural land became effective. However under the earlier instruments subdivision had occurred to the extent that more than 86% of RU1 and RU2 land is now subdivided into allotments less than the 40 hectare minimum lot size.

### Social

Upgrading of the Pacific Highway has provided greater accessibility to northern New South Wales, and supported migration of Queensland’s worker-residents, encouraging inter-state employment opportunities for Tweed Shire residents, as well as migrating residents seeking more affordable housing and alternative lifestyle.

While the majority of future population and dwelling growth will be concentrated within the Tweed Heads and coastal urban areas such as Cobaki, Bilambil, Terranora and Kings Forest growth areas there remains a demand for lifestyle or rural-residential properties.

Some of the key findings of the Resource Inventory and Land Capability Assessment include:

- The rate of population growth in rural areas is growing at about the trend for regional NSW.
- The rural population have a larger population of younger age groups if compared with urban areas.
- Urban areas have a larger proportion of older age groups.
- Rural areas have seen a decline in younger age groups, below 54 years.
- Urban areas have seen growth in all age groups, particularly the 15–54 years.
- Over the past 10 years, rural areas have had substantially lower growth in families (0.1%); compared with a growth of 1.7% for urban areas.
- Postgraduate degree qualifications doubled in rural Tweed between 2001 and 2011, but trebled in urban Tweed.
- In 2011, weekly median income for rural Tweed was \$998; compared with \$816 for urban Tweed.
- In the period 2006–2011 income growth for rural Tweed was marginally lower (19%) than for rural NSW, while urban Tweed saw an increase of 26% for the same period.
- Unemployment in rural Tweed for the period December 2011 to December 2012, was slightly higher (6.3% average) than regional NSW at 5.4%.
- Unemployment in urban Tweed for the same period rose from 5.3% to 5.7%.
- The Tweed is expected to support the majority of future dwelling and residential growth in the Far North Coast.
- While the Tweed has the greatest number of new residents moving to the Tweed from SE Qld, it also has the largest out migration to SE Qld of any destination. From a net migration point of view the most in migration is from NSW and then internationally.

- Semi-detached dwellings form 3% of rural dwellings in the Tweed compared with only 1% for rural NSW.
- The annual growth in rural dwellings was 1.1%, consistent with rural NSW, but slightly below the Northern Rivers region at 1.3%.
- Median rural residential land value in the Tweed was \$277,000 in 2012, compared with \$407,000 for Ballina, and \$349,000 for Byron, \$320,000 for Gold Coast, but higher than Lismore, Scenic Rim and Logan regions.
- Rural inland areas saw strongest capital growth of 9–14% over the period 2003 to 2012.
- Social infrastructure is heavily concentrated in Murwillumbah.

While the Rural Land Strategy will propose a range of actions to support improvements in the planning and management of rural land and provide opportunities for economic improvements through support of innovation, diversification and value-adding, it is the impact of these actions on the lifestyle, well-being, and contentment of the rural community that will be the greatest indicators of the success of this Strategy.

## Environmental values and scenic landscape

While a significant feature of the scenic landscape, the contrast from broad alluvial floodplains covered in sugarcane to steep and rugged mountain ranges also provides limits to the ability of the landscape to be utilised for other purposes and has been fundamental to the retention of the scenic qualities that make the Tweed such a popular destination.

The biodiversity value of the Tweed is well documented; as the Tweed Vegetation Management Strategy 2004 points out, the Tweed contains:

- At least 50 distinct vegetation communities; many of which are highly depleted, inadequately conserved or listed as Endangered under the *Threatened Species Conservation Act 1995*.
- Over 200 significant plants species under the *Threatened Species Act 1995*, of which 25 are 'Endangered' and 29 are 'Vulnerable' to extinction. In addition some 96 species are Rare or Threatened Australian Plants (ROTAP).
- Some 55 plant species are essentially confined to Tweed Shire.
- 105 significant animal species with 17 listed as Endangered and 88 as Vulnerable under the *Threatened Species Conservation Act 1995*.
- Over 50 species of migratory birds protected under international agreements including Japan-Australia Migratory Bird Agreement (JAMBA) and China-Australia Migratory Bird Agreement (CAMBA).
- More species of birds, fish, amphibian and mammals than Kakadu and a similar number of reptiles.

- World Heritage Rainforests listed on the UNESCO World Heritage Register.

The natural environment, scenic amenity and economic value of these natural resources are significant and as the Tweed Scenic Landscape Evaluation (Brouwer 1995) points out, the natural landscape of the Tweed is frequently open to wide views and is highly legible and for this reason the landscape plays a dominant and important role in the Shire's identity and image.

The Evaluation notes that the characteristics that give the Tweed landscapes their high scenic quality and prominence are amongst the major reasons it has a high sensitivity to change of its visual character and loss of scenic quality.

Protection of these environmental and scenic values is fundamental in developing actions consistent with Policy Direction 9, *Protecting and improving environmental values and responding to natural hazards*.

## Economic

The Tweed economy is strongly linked within the greater context of the NSW Northern Rivers Region and South East Queensland, with the migration trend into the Tweed significantly impacting the economic profile of the Shire.

Over the past decade there has been a notable shift from timber and agricultural economic activities, to servicing tourists and migrating life-stylers, retirees and sea-changers. The greatest increase in land value has been for the smaller property sizes; however, on average, the value of rural residential land in the Shire is below regional New South Wales.

Despite its transition towards service sectors, accommodation, health care and social services, retail and construction, the Shire remains a significant agricultural producer, particularly in horticultural and sugarcane industries.

In 2015/16, the total value of agricultural output in Tweed Shire was \$41m. The largest commodity produced was Other broadacre crops, which accounted for 33.0% of Tweed Shire's total agricultural output in value terms.

79% of rural land in Tweed Shire is apportioned for agricultural uses, compared to 90% in the Northern Rivers Region, and 83% in the Gold Coast Region; attributed to the high proportion of non-agricultural uses such as national parks and conservation areas.

Agricultural products are notably varied compared to its regional counterparts with sugar cane, cattle and calves, plantation fruits, horticulture, plant nurseries, vegetables, milk, tropical fruits representing some of this diversity.

While diversity is high, the ratio of value-added agricultural employment to primary agricultural employment is low (0.6) and represents an opportunity to grow the food processing sector.

Tweed Shire is strongly linked to the key tourism economy of the Gold Coast Region; over the past 10 years, the Coastal/Urban area has seen marginal levels of growth, in line with trends seen in the Gold Coast Region. However, rural Tweed Shire saw an average 8.1% annual growth in visitation over the same period.

In 2011, visitation to rural Tweed was mainly comprised of the day trip market, representing 74% of rural tourist visits (296,000 visitors), with the overnight visitor markets accounting for 25% of rural visitation, with only 1% of total visitation to rural Tweed being from international visitors.

Competition for land from amenity purchases and residential development, along with constraints affecting development for housing and residential purposes, will continue to limit opportunities for expansion in the agricultural industry. Given the Shire's proximity to Brisbane and Gold Coast cities, farmers are likely to be increasingly outpriced by migrating metropolitan residents with non-farming backgrounds, seeking hobby farms, rural residential properties and holiday home properties.

One of the challenges for agricultural areas will be how to maintain or increase agricultural production and productivity on land owned by rural property owners who purchased property for its amenity attributes.

The Resource Inventory and Land Capability Assessment provides a snapshot of the economic status of rural Tweed:

- Rural Tweed had 17% (5,708 People) of the Shire's total employed population in 2011.

- 9% of the total rural employed workforce is engaged with Agriculture, then Education and training (8%), and professional, Scientific and Technical Services (5%).
- Rural areas maintain a significant diversity of workers, particularly in secondary and service industries.
- 21% of rural NSW employment is supported by primary industries, whereas only 10% in the Tweed.
- Employment in rural areas is highly linked to urban centre nodes and services industries.
- In the period 2001 to 2011 rural Tweed experienced an annual growth rate of 2% in employed residents, an increase of 870 persons in the period, mainly in service industries, construction, health care and social assistance and education and training sectors.
- Rural Tweed (2001–2011) experienced declines in Agriculture, forestry and fishing, rental, hiring and real estate, and retail trade sectors.
- 30% of rural residents work outside the area, with 10% working in SE Qld.
- Skilled white collar occupations represent the largest employer for rural Tweed at 18%.
- Agricultural farmland managers are significantly lower (at 17%) compared with rural NSW at 25%.
- Tweed produces 30% of the State's sugarcane and bananas, and 10% of the State's tropical orchard fruit.
- The Tweed's agricultural value increased by 3% during the period 2005/6 and 2010/11.
- In 2011 147,700 tourists visited the Tweed (compared with 1.3 million to the Gold Coast). Of those visiting the Tweed, 27% (39,600 people) visited the rural areas of the Shire.
- 42% of tourist accommodation establishments are located in rural Tweed.
- 88% of room supply is located within the coastal/rural areas, with the remaining 12% located in rural areas.
- Over the past 10 years the majority of tourist growth has been in the rural areas with an annual average of 8.1%.
- In 2011 the rural areas of the Tweed were only able to attract 2.5% of the total number of visitations to the Northern Rivers Region which attracted 5.8 million people.



# Appendix 5

## How has the Rural Land Strategy been developed?

To assist in developing a strategy that had a factual basis, which provided a clear and defined process, and opportunity for the community to be engaged a sequence of stages was created as summarised below:



### Stages in preparation of the Rural Land Strategy

Council engaged consultants to complete the early stages of the project, with EnPlan Partners and Urban Enterprises completing stages 1 and 2, and Stage 3 prepared by GHD Pty Ltd. The remaining stages have been prepared by Council officers.

Documents produced in each stage of the project went through a similar pathway commencing with compilation of known information into a draft document which was reviewed and revised through both technical input from the Reference Panel and community, leading to the foundation for commencement of the next stage of the project and the final strategy presented in this document. The full process is summarised in Figure 5.

Documents produced during each stage of the project can be viewed on Council's website at [www.tweed.nsw.gov.au/NewForwardPlanning](http://www.tweed.nsw.gov.au/NewForwardPlanning) and summarised in this appendix.



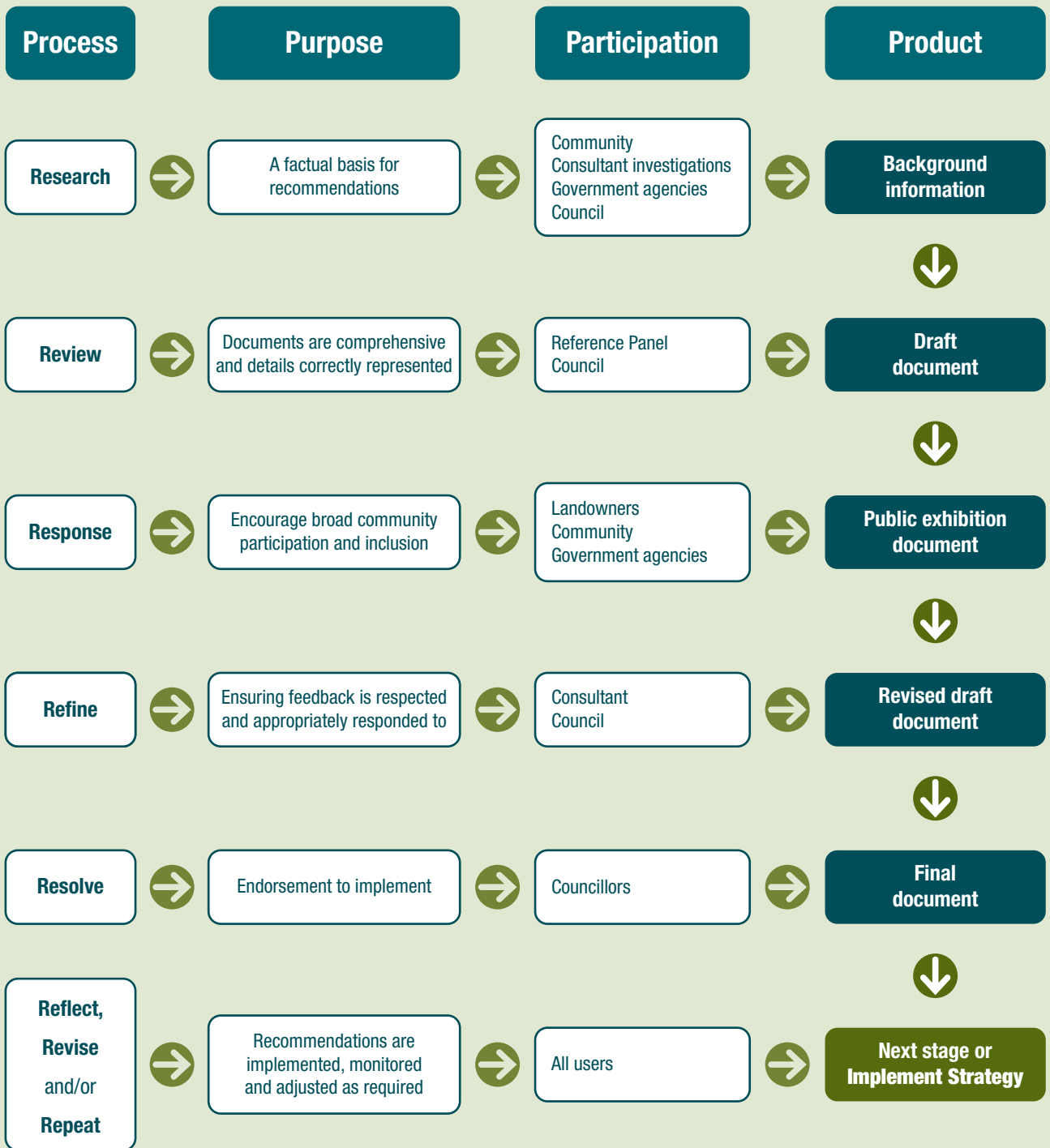


Figure 5: Flowchart demonstrating how investigations and community engagement led to planning outcomes

## Stage 1: Resource Inventory and Land Capability Assessment

Stage 1 required the development of an information base, an inventory and profile of the rural community and land, and formed a factual foundation for the remainder of the project.

The resource inventory provided an understanding of the status, changes and trends in rural land ownership and operation, and rural-based landuse activities.

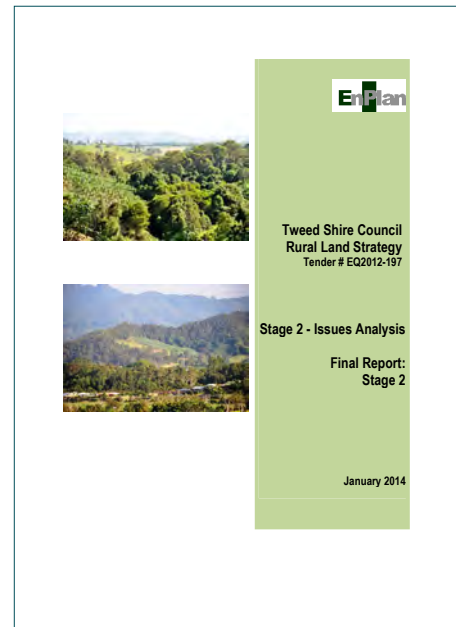


## Stage 2: Issues Analysis

Stage 2 required the identification and analysis of major issues affecting rural land and the preparation of a Background Paper, which formed the basis of initial discussion with a targeted section of the community, key stakeholders and Government agencies prior to the preparation and public exhibition of the Issues Analysis paper which collated key themes for consideration in the next stage.

Issues identified during community engagement and investigations were collated in the Issues Analysis under the following headings:

- Climate change
- Biophysical capabilities and constraints
- Communities/community wellbeing
- Pressure for landuse change
- Biodiversity
- Landscape character and scenic amenity
- Public infrastructure
- Extractive and mining resources
- Tourism
- Governance

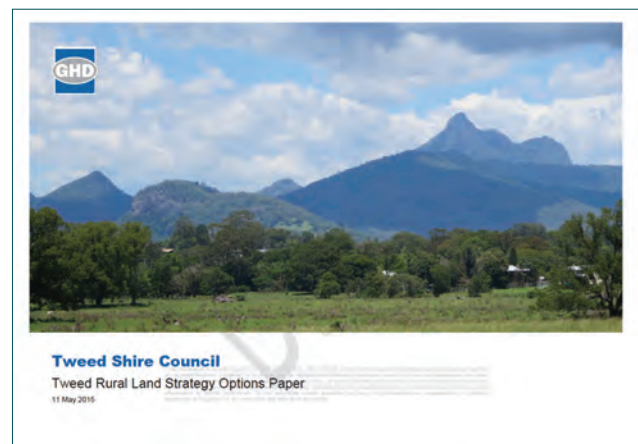


## Stage 3: Options Paper

Stage 3 required development of a suite of options identifying the broad approaches and alternatives to development of strategy goals, a policy approach to implementation, and associated actions for guiding the future planning, development and management of rural lands.

Options identified during community engagement and investigations were collated in the Options Paper under the following headings:

- Climate change
- Biophysical constraints
- Biodiversity
- Landscape character and scenic amenity
- Public infrastructure



- Extractive and mining resources
- Rural tourism
- Governance
- Economic and financial considerations
- Rural lot size
- Rural housing alternatives
- Aboriginal cultural heritage and non-Aboriginal heritage

## Stage 3a: Policy Directions Paper

Stage 3a was an additional stage incorporated to prepare a Draft Policy Directions Paper to guide preparation of the Rural Land Strategy in the final stage of the project, and provides a framework and directions for the future of rural land in Tweed Shire.

Options identified in the previous stage were further assessed and a suite of nine policy directions were derived to represent the key themes of:

1. Encourage sustainable agricultural production and protect agricultural land
2. Protect and improve environmental values and respond to natural hazards
3. Support economic development
4. Grow rural tourism
5. Greater diversity of rural housing
6. Council requirements are transparent and planning procedures streamlined where possible
7. An informed, connected and resilient community
8. Promote more sustainable landuse practices
9. Extractive industries are protected and landuse conflict minimised

These nine policy directions have been used to form the framework for the Rural Land Strategy.

Council resolved to endorse the nine policy directions at its Planning committee meeting of 6 October 2016.



# Appendix 6

## Community engagement

One of the most challenging components in development of the Rural Land Strategy has been the ability to understand the attitudes, concern, and aspirations from across the full spectrum of the rural community, and utilise this feedback, in parallel with other investigations to devise policy and actions that best cater for the future planning, development and management of rural Tweed for all rural landowners, residents, and those who rely on its for their livelihood.

Community engagement has been a core feature in the preparation of the Rural Land Strategy and included the following:

### Reference Panel

The Rural Land Strategy Reference Panel has been a highly valuable group of individuals representing a broad cross-section of the community who possess qualifications, locally relevant experience and interest in the future of rural land in the Tweed.

The Panel has provided technical review of documentation and are a respected source of local information and technical advice on the diverse range of issues confronting rural land.

### Key stakeholder interviews

During preparation of the Resource Inventory and Land Capability Assessment and Issues Analysis EnPlan Partners undertook broad consultation with key stakeholders, including landowners, and Government agencies.

Subsequent stages of the project have ensured that key organisations and government agencies have opportunity to input into the Strategy as it has been developed.

### Community forums

In preparation of the Issues Analysis, Options Paper, and Policy Directions Paper, more than 18 community information sessions and forums were conducted throughout rural Tweed to provide the community with maximum opportunity to meet with the consultants and Council officers.

Events have brought local communities together, provided information and exposure for groups and individuals to express concerns, and desires for the future of rural land.

### Councillor presentations and workshops

As the elected body, Councillors represent the community and are fundamental in ensuring that the community's aspirations are reflected in the final Strategy.

Workshops have been conducted to ensure that the Council is informed of progress and have opportunity to input into development of the Strategy.

Endorsement of the final strategy for implementation is the responsibility of the Councillors.

### Tweed Link notices

The Tweed Link is an award-winning communications tool which provides a unique opportunity to inform the majority of Tweed residents of happenings within the Shire.

The Tweed Link has been used regularly to inform the community of progress of each stage and how to be involved.

### Media releases and radio interviews

Local and regional newspaper and radio has provided a vehicle to inform the broader community both within and outside the Shire through printed articles and interviews on local and regional radio.

### Council website

Access to Council's website has been fundamental to securing the broadest possible circulation of up-to-date information on status of the Strategy and opportunities to be involved and have a say.

Not only does the website provide a convenient means of accessing a large quantity of historical information on the project, but it provides 24 hour access to read about the project and consider submissions on material currently on exhibition.

### Social media

Social media is rapidly becoming the preferred way of staying in touch and keeping up to date.

Council has established a proactive approach to the utilisation of social media as a means of creating awareness, providing information and encouraging participation in matters of interest.

The Rural Land Strategy utilised Facebook and YouTube to present four short videos featuring landowners and community representatives, and one targeted video of 15 seconds.

The videos, posted to Facebook, were highly successful in economically presenting the Rural Land Strategy to the community and anyone interested in what is happening in rural Tweed.

### Stage 1 and 2 Public exhibition

The Resource Inventory and Land Capability Assessment, and Issues Analysis were placed on public exhibition simultaneously during the period 14 April 2014 to 16 June 2014. Supporting material including maps of highly constrained land and lot size analysis maps were exhibited alongside the formal exhibition documents.

Community Information sessions were conducted by Council officers at Burringbar, Chillingham, Kingscliff, Murwillumbah, Piggabeen, Pottsville, Tweed Heads, Tyalgum and Uki. Community responses were collated and presented in the Rural Land Strategy Issues Forum Feedback document which is available on Council's website.

### Stage 3 public exhibition

The Options Paper was placed on public exhibition during the period 7 July 2015 to 4 September 2015.

Community Information sessions were conducted by GHD Pty Ltd at Burringbar, Piggabeen, and Tyalgum with a summary and response to submissions received during the public exhibition period reported to Council's Planning Committee Meeting of 3 March 2016.

### Stage 3a public exhibition

The Draft Policy Directions Paper was placed on public exhibition during the period 19 July 2016 to 19 August 2016.

Community Information sessions were conducted by Council officers at Burringbar, Chillingham, Murwillumbah, Piggabeen, Pottsville, and Tyalgum, with a summary and response to submissions received during the public exhibition period reported to Council's Planning Committee Meeting of 6 October 2016.

### Stage 4 public exhibition

A draft strategy was exhibited during the period 7 November 2017 to 16 January 2018.

Community information sessions were conducted at Uki, Burringbar, Murwillumbah, Tyalgum, Pottsville, Kingscliff, Piggabeen and Chillingham.

Following exhibition, Council reviewed the draft and made a range of changes which led to re-exhibition during the period 19 February to 19 March 2019. Two Community Conversations were held in Murwillumbah on Wednesday 6 March 2019, and a number of community-led discussions were also held during and after the formal exhibition period.

### Exhibition material broadly available

Exhibition material was placed at locations throughout the Tweed to ensure availability at places convenient to most rural landowners and residents.

The support of local businesses was greatly appreciated in making exhibition material available to the public. Hardcopies of documents for all stages of the project have been available to inspect at Burringbar, Chillingham, Kingscliff, Murwillumbah, Pottsville, Tweed Heads, Tyalgum, and Uki.

### Online surveys of landowners and community

Two separate online surveys were conducted targeting landowners and the broader community seeking feedback on the issues confronting use and management of rural land. A collation of responses is available with other supporting information on Council's website.



## Your Say Tweed

Your Say Tweed is an online portal providing a one-stop source of information about all of Council's engagement campaigns, including access to online forums, surveys, quick polls and videos.

Whenever Council is seeking community input on a Council-related issue, it will be featured on Your Say Tweed. The aim is to consolidate all Council's community engagement activities in one place so the community can keep up to date with what's happening locally and have a say on the things that matter.

## Supporting documents

While the focus of public exhibition is on the exhibited document(s), a range of supporting information, maps and analysis has also been provided to enable an informed review of documents on exhibition.

## Random interviews

Random or roadside interviews are another means of securing responses from landowners and residents who may not have attended information sessions and forums.

Landowners and rural residents obvious from the roadside were approached to ascertain their knowledge of the Strategy and their views on the status and future of rural land.

## Internal review and response

At each stage of the project draft documents have been reviewed by divisions from throughout Council to ensure that any proposed changes to policy and procedures are assessed for broader implications.



# Appendix 7

## Community aspirations

Public exhibition of the Resource Inventory and Land Capability Assessment, Issues Analysis, Options Paper, and Policy Directions Paper during stages 2, 3, 3a and 4 provided a valuable insight into the aspirations of the community for the Tweed's rural land.

The following points represent a cross-section of comments received during public exhibition and preparation of the Strategy:

- Rural landowners are feeling squeezed out by adjoining residential development and are concerned about further expansion of residential areas.
- The natural environment is a key aspect of the character and attractiveness of the Tweed which differentiates it from South East Queensland and should be protected.
- Access to agricultural land is critical for future food production, particularly as the unique farming characteristics of the Tweed are preserved, climate, soils (although scattered), proximity to markets and population.
- Share farming and amalgamations are widely practiced.
- A desire to 'cut up' the farm or subdivide a small portion with dwelling entitlement to generate income for either diversification into new rural enterprises or to fund retirement on the farm.
- As rural landowners age, the property becomes a burden to maintain, but is seen as superannuation leading to a desire to subdivide so retirement on the property is possible, or to support family or a worker who can continue to maintain the property.
- While it is desirable to have the children continue to live and work on the farm, most children do not want this lifestyle and prefer the '9-to-5' work and housing opportunities provided on the coast.
- A belief that the 40 hectare minimum lot size is either too small to sustain a viable agricultural enterprise, or too large for boutique operations, hobby farms or rural lifestyle living.
- Current housing provisions under the Tweed LEP 2014 restrict the ability to provide accommodation for the extended family, farm workers, or generate secondary income.
- Concern that current local planning requirements are too stringent and not capable of accommodating site-specific considerations, the 'one-size-fits-all' approach is too rigid frustrating potential to diversify or value-add to local rural production.
- Rural Landowners are willing to undertake further education to assist in improving the productive capacity of their properties.
- New arrivals to the rural areas can bring with them alternative perspectives, innovative farming practices, alternative rural-based enterprises, and financially capability.
- Opposition to any activity associated with Coal Seam Gas.
- Desire to convert rural landsharing and multiple occupancy communities to allow title for individual dwellings and shareholders.
- Concern about the poor quality of many rural dwellings.
- That the quality of soil is highly variable and reflects the capability of the land to support agricultural activities.
- Would like to amalgamate with adjoining properties but the price of developed land is excessive and would impact the ability to generate income sufficient to offset the purchase price.
- There is a need for off-farm income to subsidise income from the farm and continue to improve small rural properties.
- Rural landowners are often asset rich but cash poor.
- Rural tourism is a significant opportunity to generate on-farm income through diversification.
- Concern about an increased rural population leading to need for increased or improved local services and facilities which in turn will lead to higher Council charges.

While the above points represent the attitudes of those members of the community who responded to surveys, lodged submissions, or attended community forums, the majority of rural landowners have not provided feedback into the preparation of the Strategy.

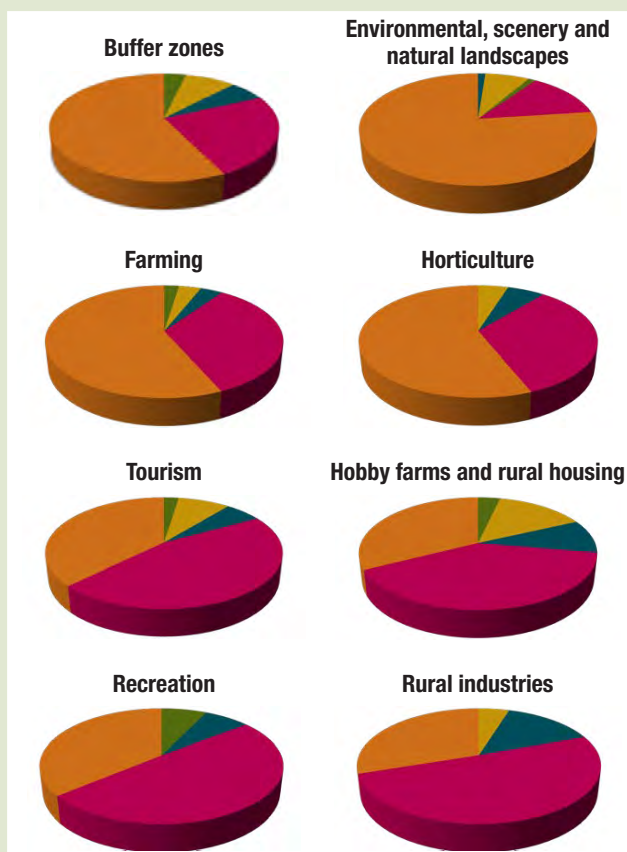
Figure 6 provide a sample of feedback received from the community during public exhibition of the Issues Analysis paper.

Further reading of what the community said during each stage of the project can be found on Council's website under Rural Land Strategy, Your Say Tweed, and reports to Council at the conclusion of each stage of the project.



### How important are the existing uses of rural land in the Tweed?

	Highly unimportant	Unimportant	Unsure	Important	Highly important
Buffer zones	3	7	5	20	47
Environmental, scenery and natural landscapes	1	6	1	11	64
Farming (Dairy, cattle, vegetables, sugar cane, etc.)	2	3	3	28	47
Horticulture (passionfruit, strawberries, tropical fruits, organic and bush tucker, etc.)	0	4	5	27	46
Tourism (eco-tourism, resorts and retreats, etc.)	2	7	5	38	31
Hobby farms and rural housing	3	12	8	33	27
Recreation	0	6	6	41	30
Rural industries (associated with rural land use activities)	0	4	12	42	25
Other	1	1	12	5	15



### How much rural land in the Tweed should be dedicated to the following land uses?

	Much less than current level	Less than current level	Same as current level	More than current level	Much more than current level
Buffer zones	3	5	24	20	29
Environmental, scenery and natural landscapes	1	1	25	19	34
Farming (Dairy, cattle, vegetables, sugar cane, etc.)	3	2	43	20	13
Horticulture (passionfruit, strawberries, tropical fruits, organic and bush tucker, etc.)	1	2	31	33	14
Tourism (eco-tourism, resorts and retreats, etc.)	1	7	32	27	14
Hobby farms and rural housing	3	13	40	17	8
Recreation	0	3	39	30	8
Rural industries (associated with rural land use activities)	3	5	38	24	10
Other	1	0	6	6	6



Figure 6: Examples of community feedback received during public exhibition; available on Council's website.

# Appendix 8

## Lot size, property size and subdivision

### Analysis and discussion

One of the commonly raised issues during community engagement related to the size of allotments and properties; and the implications for both productive agricultural pursuits and potential for subdivision and additional housing. This appendix discusses lot and property size, with housing considered in Appendix 9.

Rural land in Tweed Shire has undergone extensive subdivision to the point where the majority of allotments in the RU1 Primary Production and RU2 Rural Landscape zones are now less than the minimum lot size.

While current lot sizes reflect a historical subdivision of rural land, it was with the gazettal of Tweed LEP 1987 that the minimum lot size of 40 hectares for the majority of rural land became effective, and as such, for the past 30 years subdivision of rural land has been guided by these planning controls.

For the purposes of this discussion, an allotment is a parcel of land with a unique identifying number, and a property may consist of a single allotment, multiple allotments and/or part allotments.

### RU1 Primary Production

This zone covers land used for most kinds of commercial primary industry production, including extensive agriculture, intensive livestock and intensive plant agriculture, aquaculture, forestry, mining and extractive industries.

#### Allotments

Within the RU1 Primary Production zone, two minimum lot sizes apply; the majority of this land has a MLS of 40 hectares (1057 allotments covering 10,985 hectares, or 8.3% of the total area of the Shire), with the remainder having a MLS of 10 hectares (311 allotments covering 2,328 hectares, or 1.8% of the total area of the Shire).

Within the RU1 (40 hectare MLS), 988 allotments or 93.5% are less than 40 hectares. 720 allotments or 68.2% are less than 10 hectares. 640 allotments or 60.5% are less than 5 hectares, and 470 allotments or 44.5% are less than 1 hectare.

Within the RU1 (10 hectare MLS), 219 allotments or 70.4% are less than the MLS of 10 hectares. 179 allotments or 57.6% are less than 5 hectares, and 112 allotments or 36% are less than 1 hectare. Only 9 (2.9%) allotments are larger than 40 hectares.

Figures 7 and 8 show a breakdown of allotment sizes in the RU1 zone.

### Properties

A total of 767 separate properties are wholly or partly zoned RU1; of these, only 13.6% (104) are greater than 40 hectares. 457 properties or 59.6% are less than 10 hectares. 390 properties or 50.8% are less than 5 hectares, and 241 properties or 31.4% are less than 1 hectare.

Where a landowner owns more than one property, it is possible for these properties to be merged for the purposes of rating, receiving a single rate notice for all properties owned.

Of all rateable properties, (701), an estimated 74.5% of all RU1 properties consist of a single allotment, with about 13.4% comprising two allotments, and the remaining 13.3% containing 3 or more allotments.

Figure 9 shows a breakdown of property sizes in the RU1 zone, while Figure 10 shows a breakdown of the number of allotments per property.

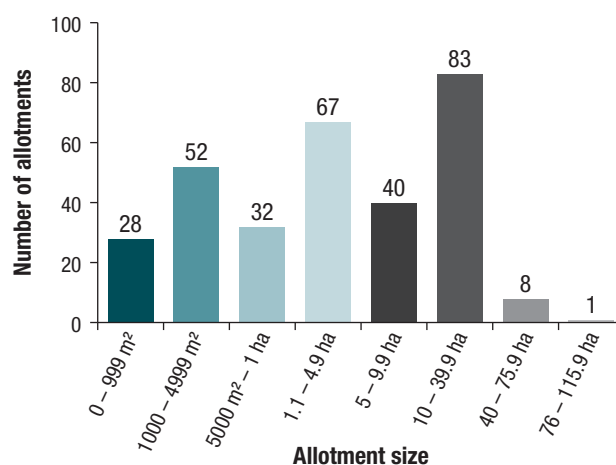
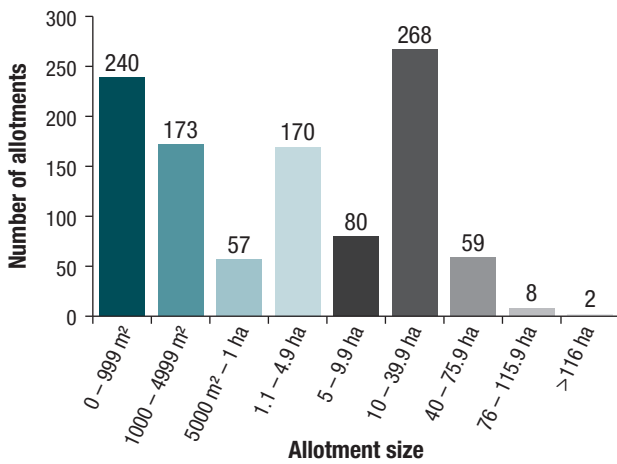
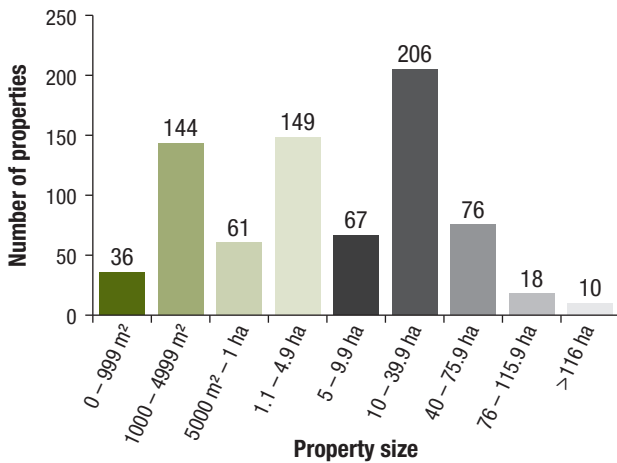


Figure 7: RU1 Primary Production (10ha MLS) – Lot size breakdown



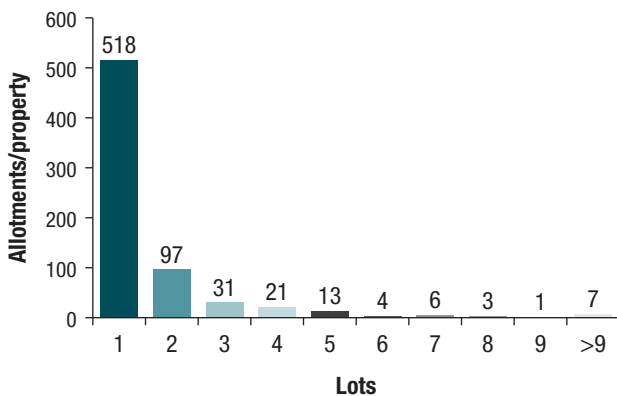
**Figure 8: RU1 Primary Production (40ha MLS) – Lot size breakdown**

To view Shire-wide maps showing the location of allotments in all RU1 zoned land see Maps 1, 2 and 3.



**Figure 9: RU1 Primary Production (combined 10 & 40ha MLS) – Property size breakdown**

To view Shire wide maps showing the location of properties in all RU1 zoned land see Map 13.



**Figure 10: RU1 Primary Production (combined 10 & 40ha MLS) – Number of allotments per rateable property**

## RU2 Rural Landscape

This zone is for rural land used for commercial primary production that is compatible with ecological or scenic landscape qualities that have been conserved (often due to topography). It may apply to land that is suitable for grazing and other forms of extensive agriculture, or intensive plant agriculture (such as ‘viculture’), but where the permitted uses are usually more limited and differ from RU1 land due to landscape constraints.

### Allotments

Within the RU2 Rural Landscape zone 40 hectares is the MLS standard for all RU2 zoned land. The RU2 zone contains 5259 allotments covering 67,360 hectares, or 51.1% of the total area of the Shire.

Within the RU2 zone, 4,704 allotments or 89.4% are less than 40 hectares. 3737 allotments or 71.1% are less than 10 hectares, 3227 allotments or 61.4% are less than 5 hectares, and 1,238 allotments or 23.5% are less than 1 hectare.

The distribution of lot sizes across rural Tweed shows a predominance of allotments less than 40 hectares to the east of Mount Warning/Wollumbin, and a concentration of larger allotments to the west as seen in Map 5.

Figure 11 shows a breakdown of allotment sizes in the RU2 zone.

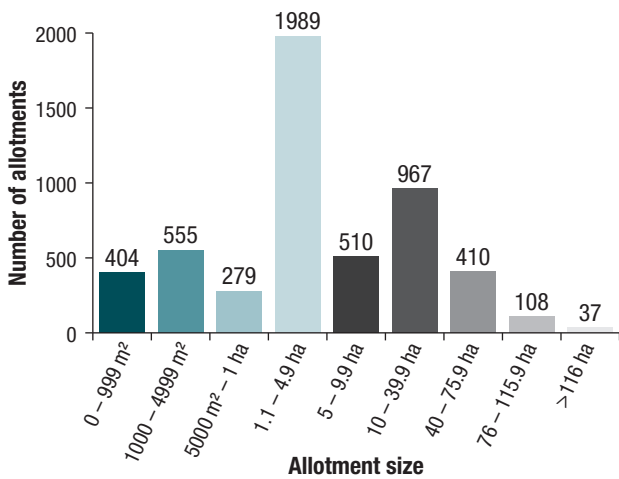
### Properties

A total of 4,194 separate properties are wholly or partly zoned RU2. While the minimum lot size relates to allotments only, it is reflected in property sizes, with only 12.9% (539) greater than 40 hectares, that is, 87.1% are less than 40 hectares. 2,902 properties or 69.2% are less than 10 hectares. 2,458 properties or 58.6% are less than 5 hectares, and 633 properties or 15.1% are less than 1 hectare.

Of all rateable properties (3,917), an estimated 86.1% of all RU2 properties consist of a single allotment, with about 8.6% comprising two allotments, and the remaining 5.3% containing 3 or more allotments.

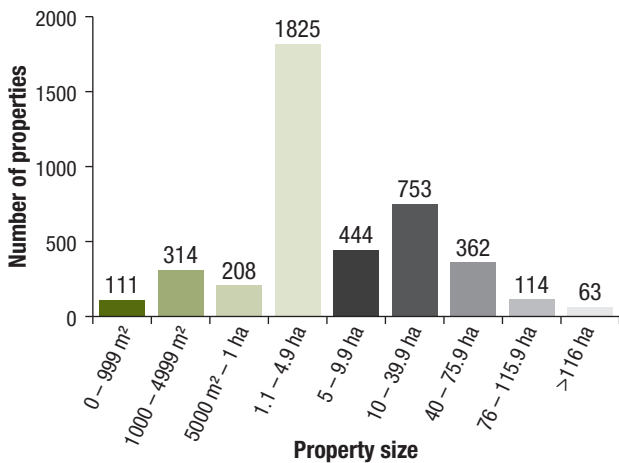
Figure 12 shows a breakdown of property sizes in the RU2 zone, while Figure 13 shows a breakdown of the number of allotments per property.

A breakdown of the combined RU1 and RU2 lot sizes can be seen in Figure 14.



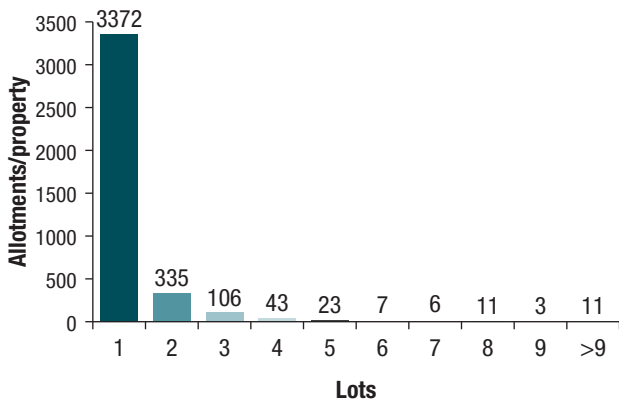
**Figure 11: RU2 Rural Landscape – Lot size breakdown**

To view Shire wide maps showing the location of allotments in all RU2 zoned land see Map 5.

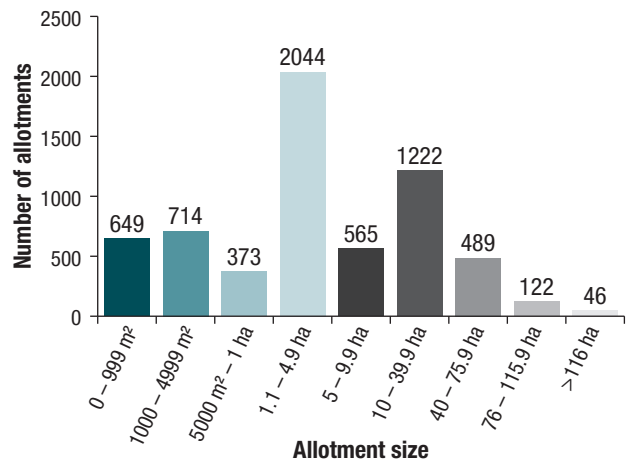


**Figure 12: RU2 Rural Landscape – Property size analysis**

To view Shire wide maps showing the location of properties in all RU2 zoned land see Map 14.

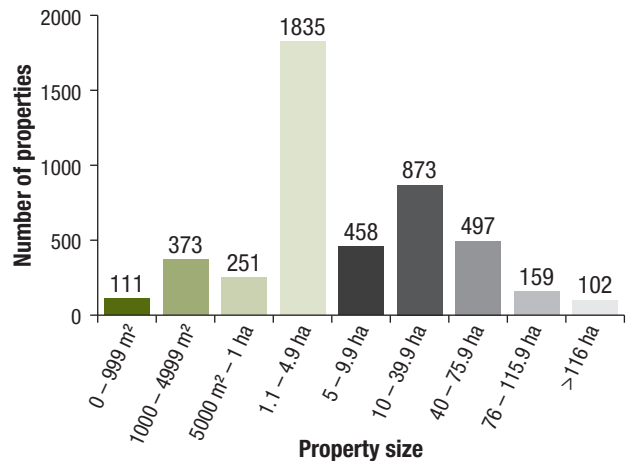


**Figure 13: RU2 Rural Landscape – Number of allotments per property**



**Figure 14: Combined RU1 Primary Production and RU2 Rural Landscape – Lot size breakdown**

To view Shire-wide maps showing the location of allotments in all RU1 and RU2 zoned land see Map 6.



**Figure 15: Combined RU1 Primary Production and RU2 Rural Landscape – Property size breakdown**

To view Shire-wide maps showing the location of properties in all RU1 and RU2 zoned land see Map 15.

## R5 Large Lot Residential

This zone is intended to cater for development that provides for residential housing in a rural setting, often adjacent to towns or metropolitan areas, with lot sizes dependent upon factors such as topography, native vegetation characteristics and surrounding agricultural landuses.

Within the Tweed, the R5 Large Lot Residential zone provides rural lifestyle living opportunities in selected locations as seen in Maps 9 and 17.

### Allotments

The R5 Large Lot Residential zone contains approximately 1,240 allotments covering an area of 1,271 hectares. Of these, 80.4%, or 998 allotments are less than 1 hectare; 97%, or 1203 allotments are less than 5 hectares, and 98.9% or 1226 allotments are less than 10 hectares.

Figure 16 show a breakdown of allotment sizes in the R5 zone.

Shirewide maps of R5 allotments can be seen in Map 9.

### Properties

A total of 1,205 separate properties are wholly or partly zoned R5; of these, only 0.3% (3) are greater than 40 hectares. 1,202 properties (99.7%) are less than 40 hectares; 1,193 properties or 99% are less than 10 hectares. 1,170 properties or 97.1% are less than 5 hectares, and 964 properties or 80% are less than 1 hectare. 686 properties representing 56.7% of all R5 properties are less than 5000 square metres.

Of all rateable properties (1,152), an estimated 1,123 properties in the R5 Large Lot Residential zone, representing 97.5% of all properties consist of a single allotment.

Figure 17 shows a breakdown of property sizes in the R5 zone.

Shirewide maps of R5 properties can be seen in Map 17.

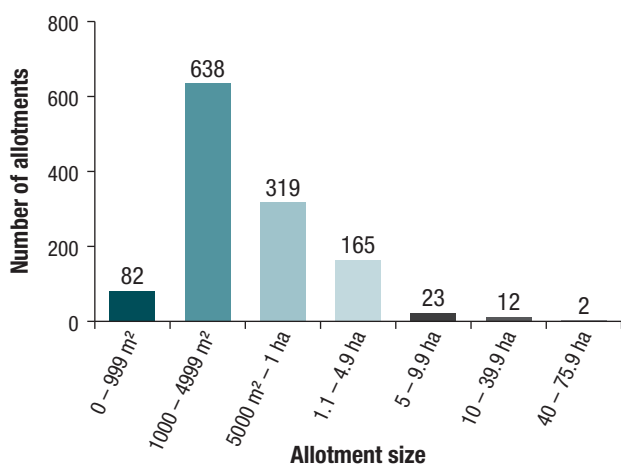


Figure 16: R5 Large Lot Residential – Lot size breakdown

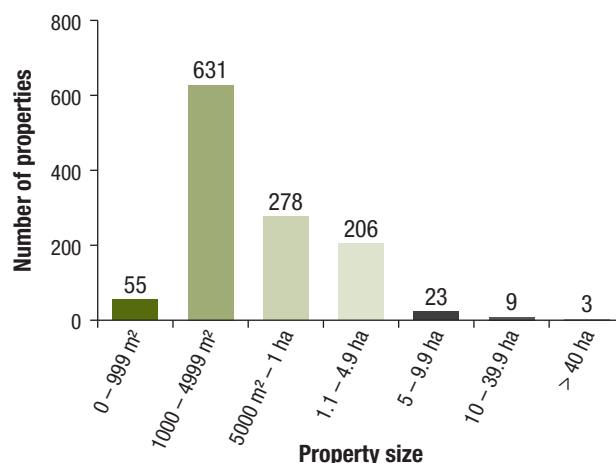


Figure 17: R5 Large Lot Residential – Property size breakdown

## 7(a) Environmental Protection (Wetlands & Littoral Rainforests)

The objective of this zone is to ensure that significant wetlands and littoral rainforests and their scenic values are conserved and protected.

Within the Tweed, the 7(a) is located predominantly within the coastal zone as seen in Map 10.

### Allotments

The 7(a) zone contains approximately 314 allotments covering an area of 1,902 hectares. Of these, 51.3 %, or 161 allotments are less than 1 hectare; 250, or 79.6% of allotments are less than 5 hectares, and 87.3% or 274 allotments are less than 10 hectares. 302 allotments representing 96.2% of all 7(a) allotments are less than 40 hectares.

Figure 18 show a breakdown of allotment sizes in the 7(a) zone.

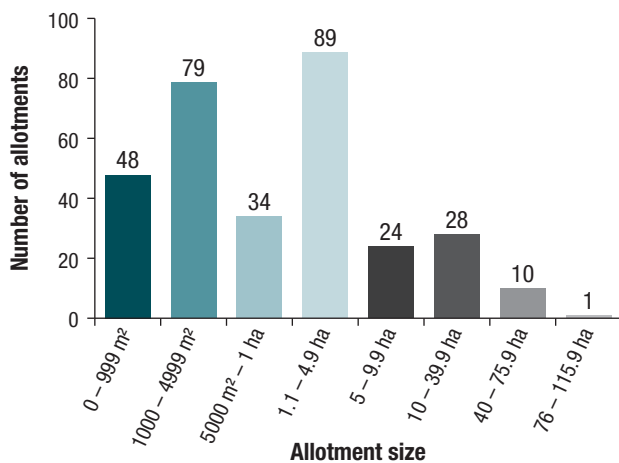
### Properties

A total of 193 separate properties are wholly or partly zoned 7(a); of these, 6.2% (12) are greater than 40 hectares. 181 properties (93.8%) are less than 40 hectares; 158 properties or 81.9% are less than 10 hectares. 142 properties or 73.6% are less than 5 hectares, and 81 properties or 42% are less than 1 hectare. 62 properties representing 32.1% of all R5 properties are less than 5000 square metres.

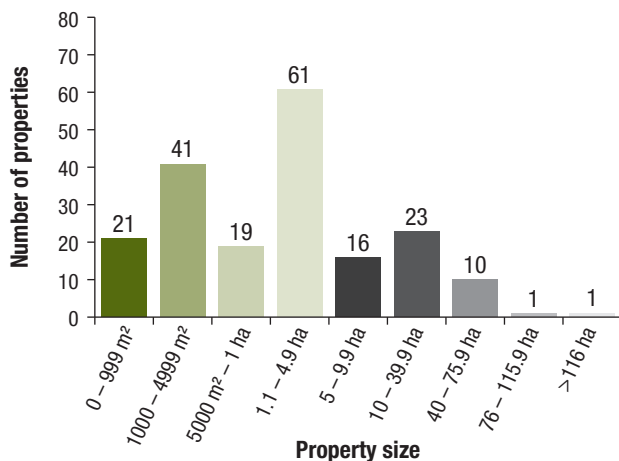
Of all rateable properties (135), an estimated 103 properties in the 7(a) zone, representing 76.3% of all properties consist of a single allotment, with 17 Properties (12.6%) consist of two allotments.

Figure 19 shows a breakdown of property sizes in the 7(a) zone.

Shirewide maps of 7(a) allotments and properties can be seen in Maps 10 and 18 respectively.



**Figure 18: 7(a) Environmental Protection (Wetlands & Littoral Rainforests) – Lot size breakdown**



**Figure 19: 7(a) Environmental Protection (Wetlands & Littoral Rainforests) – Property size breakdown**

## 7(d) Environmental Protection (Scenic/Escarpment)

The objective of this zone is to protect and enhance areas of particular scenic value, minimise soil erosion from escarpment areas, prevent development in geotechnically hazardous areas, and maintain the visual amenity of prominent ridgelines and areas.

Within the Tweed, the 7(d) zone provides protection of scenic values and escarpments on elevated land throughout the Shire.

## Allotments

The 7(d) zone contains approximately 554 allotments covering an area of 5,728 hectares. Of these, 26%, or 144 allotments are less than 5000 square metres; 191 allotments, or 34.5% are less than 1 hectare; 322 allotments (58.1%) are less than 5 hectares. 322 allotments (58.1%) are less than 10 hectares, and 520 allotments representing 93.9% of all 7(d) allotments are less than 40 hectares.

Figure 20 show a breakdown of allotment sizes in the 7(d) zone.

Shirewide maps of 7(d) allotments can be seen in Map 11.

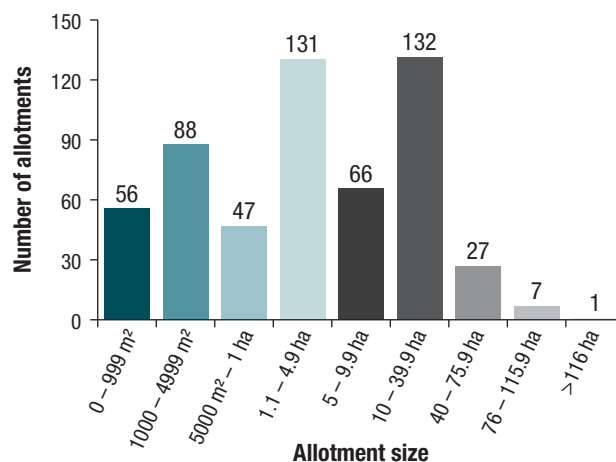
## Properties

A total of 439 separate properties are wholly or partly zoned 7(d); of these, 8.4% (37) are greater than 40 hectares. 402 properties (91.6%) are less than 40 hectares; 297 properties or 67.6% are less than 10 hectares. 248 properties or 56.5% are less than 5 hectares, and 145 properties or 33% are less than 1 hectare. 106 properties representing 24.1% of all R5 properties are less than 5000 square metres.

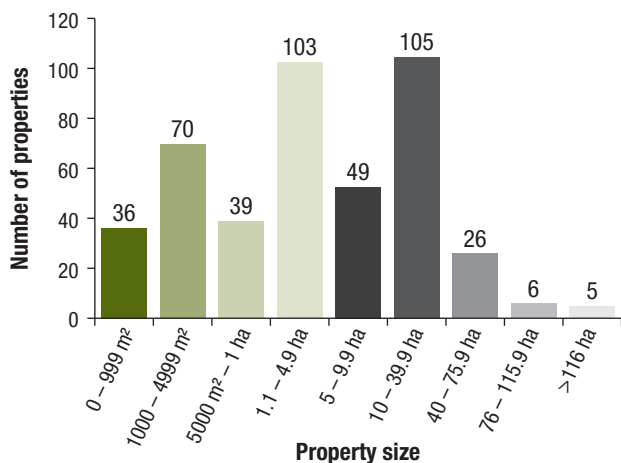
Of all rateable properties (393), an estimated 300 properties in the 7(d) zone, representing 76.3% of all properties consist of a single allotment, with 52 Properties (13.2%) consisting of two allotments.

Figure 21 shows a breakdown of property sizes in the 7(d) zone.

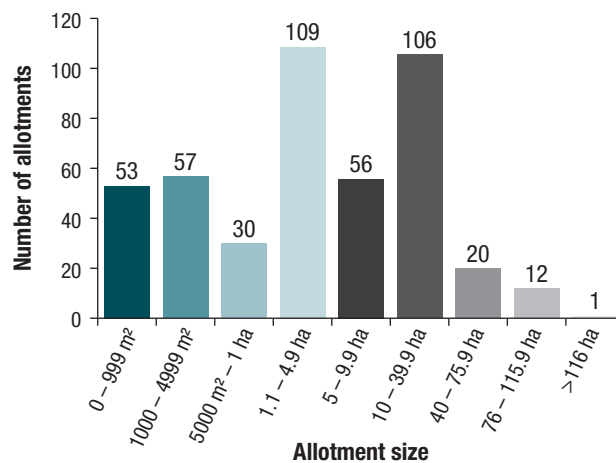
Shirewide maps of 7(d) properties can be seen in Map 19.



**Figure 20: 7(d) Environmental Protection (Scenic/Escarpment) – Lot size breakdown**



**Figure 21: 7(d) Environmental Protection (Scenic/ Escarpment) – Property size breakdown**



**Figure 22: 7(l) Environmental Protection (Habitat) – Lot size breakdown**

## 7(l) Environmental Protection (Habitat)

The objective of the 7(l) zone is to protect areas or features which have been identified as being of particular habitat significance, protect the diversity of habitats for flora and fauna, and protect and enhance land that acts as a wildlife corridor.

Within the Tweed, the 7(l) zone provides protection for habitat in selected locations as seen in Maps 12 and 20.

### Allotments

The 7(l) zone contains approximately 739 allotments covering an area of 26,706 hectares. Of these, 19.1%, or 141 allotments are less than 1 hectare; 33.3%, or 246 allotments are less than 5 hectares, and 41.1% or 304 allotments are less than 10 hectares.

Figure 22 show a breakdown of allotment sizes in the 7(l) zone.

Shirewide maps of 7(l) allotments can be seen in Map 12.

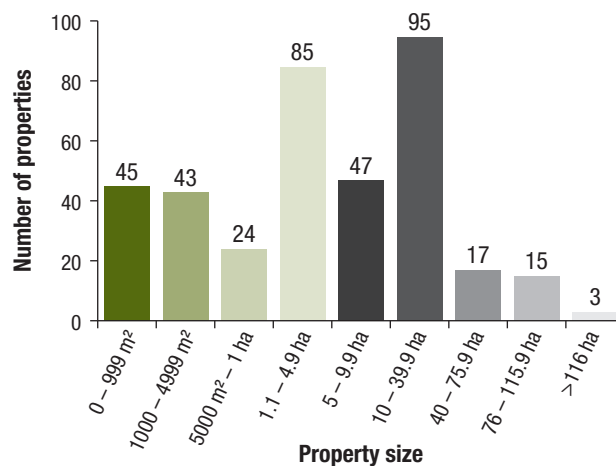
### Properties

A total of 598 separate properties are wholly or partly zoned 7(l); of these, 6.3% (38 properties) are greater than 40 hectares. 411 properties (68.7%) are less than 40 hectares; 304 properties or 50.1% are less than 10 hectares. 246 properties or 41.1% are less than 5 hectares, and 141 properties or 23.6% are less than 1 hectare. 111 properties representing 18.6% of all 7(l) properties are less than 5000 square metres.

Of all rateable properties (289), an estimated 243 properties in the 7(l) zone, representing 84.1% of all properties consist of a single allotment, with 34 Properties (11.8%) consisting of two allotments.

Figure 23 shows a breakdown of property sizes in the 7(l) zone.

Shirewide maps of 7(l) zoned properties can be seen in Map 20.



**Figure 23: 7(l) Environmental Protection (Habitat) – Property size breakdown**

## RU5 Village

The objective of this zone are to provide for a range of landuses, services and facilities that are associated with a rural village, and ensure that new development responds to and respects the character of a rural village.

### Allotments

The RU5 zone contains approximately 1,425 allotments covering an area of 438 hectares. Of these, 93.3%, or 1,330 allotments are less than 5000 square metres; 1,369 allotments, or 96.1% are less than 1 hectare; 1,415 allotments (99.2%) are less than 5 hectares. 1,419 allotments (99.6%) are less than 10 hectares, and no allotments are greater than 40 hectares.

Figure 24 show a breakdown of allotment sizes in the 7(d) zone.

A Shire wide map of the RU5 allotments can be seen in Map 8.

## Properties

A total of 1,252 separate properties are wholly or partly zoned RU5; of these, 2 properties are greater than 40 hectares. 1,240 properties or 99% are less than 5 hectares. 1,200 properties or 95.8% are less than 1 hectares, and 1,166 properties representing 93.1% of all RU5 properties are less than 5000 square metres.

Of all rateable properties (1,148), an estimated 1059 properties in the RU5 zone, representing 92.2% of all properties consist of a single allotment, with 71 Properties (6.2%) consisting of two allotments.

Figure 25 shows a breakdown of property sizes in the RU5 zone.

Shirewide maps of RU5 properties can be seen in Map 16.

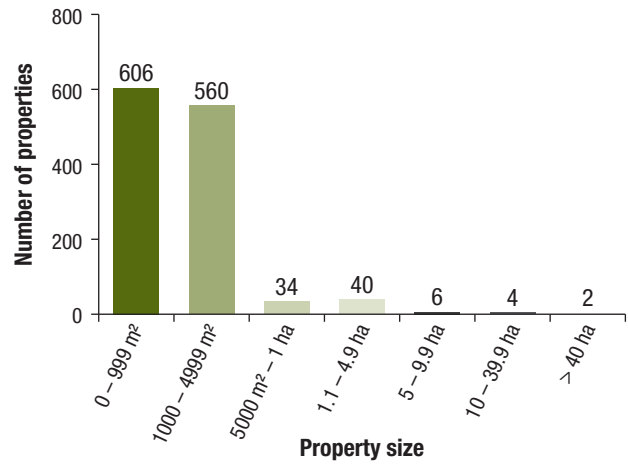


Figure 25: RU5 Village – Property size breakdown

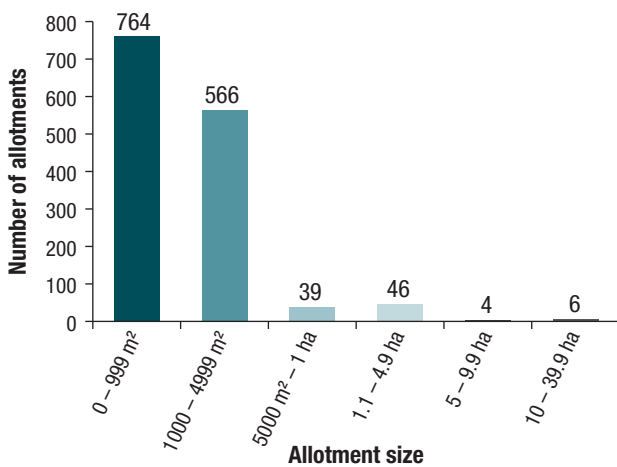


Figure 24: RU5 Village – Lot size breakdown





### Allotments

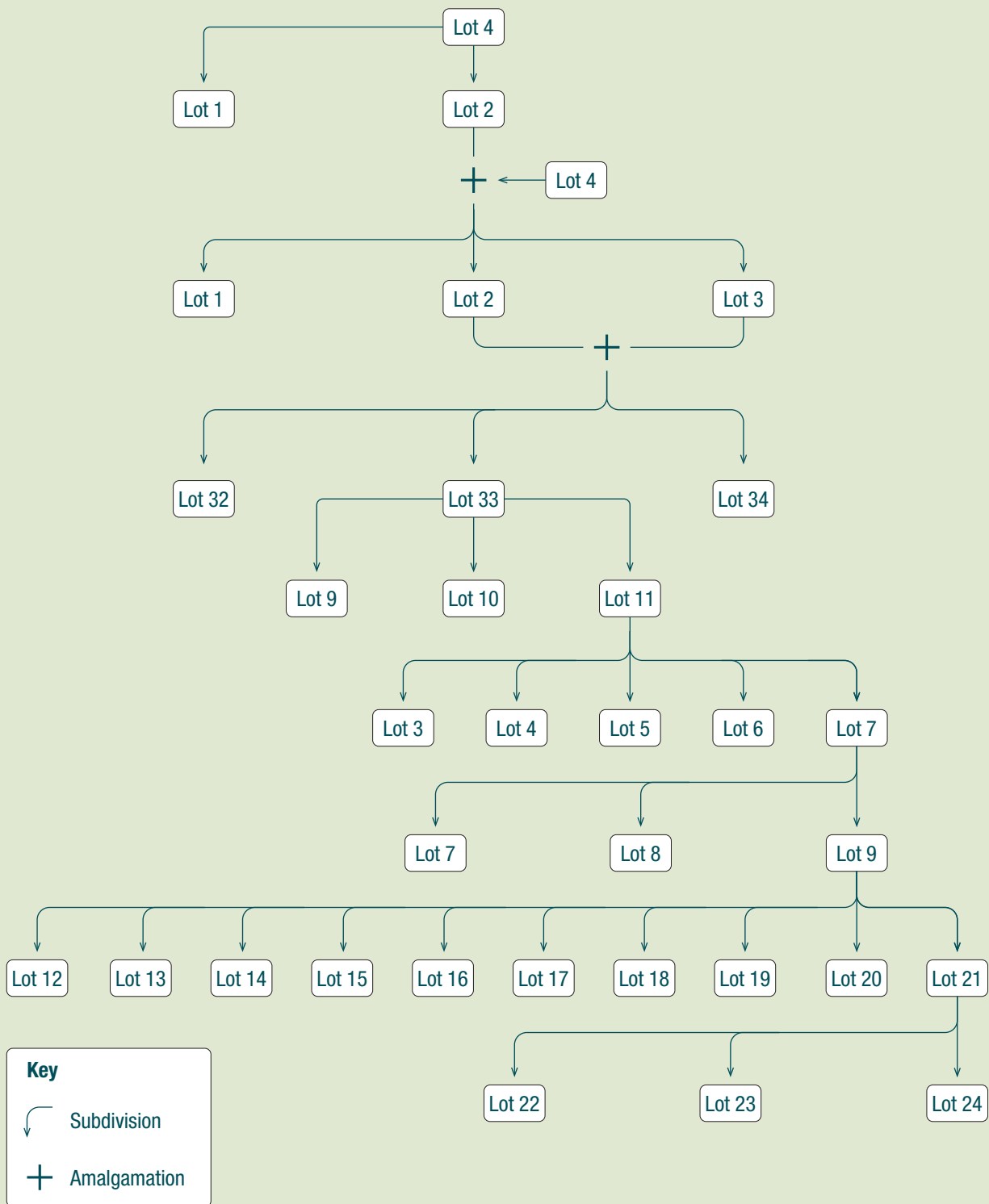


Figure 26: Example of subdivision of 1 lot into 23 lots (based on an actual subdivision)

## Implications for planning, development and management of rural land

### The cut up of the farm

Subdivision of rural land was made possible under earlier local planning instruments, Interim Development Order 1 (IDO 1–29 May 1964), and Interim Development Order 2 (IDO 2–30 September 1966).

In 1973 the state government introduced a 40 hectare subdivision policy in rural areas to prevent fragmentation of viable rural holdings, ensure consolidation of urban areas, prevent premature subdivision of land on the fringe of urban areas which would inhibit future urban expansion, and avoid ribbon development along roads linking towns and villages.

In 1976, the 40 hectare minimum subdivision requirement for rural land was inserted into IDO 2.

While this planning provision has been in effect for more than 40 years, the rate and extent of subdivision prior to that time was such that nearly 90 percent of all RU1 and RU2 land was subdivided into allotments less than 40 hectares.

With the demise of dairy farming, for which anecdotal evidence suggests approximately 1,750 properties in the Tweed, and piggeries, of which there were approximately 1,150, often associated with the dairy, many farmers turned to beef cattle production as an alternative; however, without the higher inputs and regular returns of dairying, beef cattle production on small dairy farming properties has not been as viable.

Reduced income led to a need to generate alternative income which fuelled the demand for subdivision and a further decline in viability, commencing a downward spiral which led to previously productive rural properties being transformed into lifestyle alternatives with many no longer utilised for any form of agricultural production, yet still zoned for rural landuses and surrounded by rural zoned land.

The potential for conflict between new landowners looking for a green change, and adjoining agricultural producers and the perception that rural land is simply land waiting to be further subdivided has led to demands for further subdivision and potential loss of productive agricultural land.

### New ideas and new opportunities

While the transition from rural enterprises dominated by dairy farming and banana production and an historical subdivision of rural properties has generated a significant loss of land for agricultural purposes, a transition back to rural production has been occurring.

With the influx of new landowners, some of whom desire to see their properties utilised for more than landscaped gardens and lawns, has come a diversification of rural enterprises, with agricultural products being notably varied when compared to

the region more broadly. Coupled with this is a concern raised by the Department of Primary Industry regarding the need to retain resource access, and security for food production into the future as new plant and crop species and improved farming techniques make small area properties more viable, especially in locations such as the Tweed which adjoins the significant population centre of South East Queensland.

### Still an agricultural producing area

Tweed Shire is recognised as a state-level significant agricultural producer; in 2013 the Shire contributed approximately 30% of State product value of sugarcane and bananas and 10% of the State's tropical orchard fruit value. The landuse and landscape of the region continues to maintain a predominantly agricultural outlook, with agriculture supporting 10% of the workforce.

The Resource Inventory and Land Capability Assessment completed in Stage 1 of the project noted that:

*“Competition for land from amenity purchases has impacted on the value of rural land, in many cases outpricing bids from farmers who seek to expand and retain consistent levels of income. As such, farmers are facing increasing competition from new residents with non-farming backgrounds,”* and

*“Despite its transition towards service sectors, Tweed Shire remains a significant agricultural producer.”*

It goes on to say that *“the rural features are found to have additional economic values beyond its agricultural output; with the rural landscape being a key drawcard for new lifestyle residents and visitors through its mountainous backdrop, pastoral-coastal setting, conserved forested regions and ‘village’ features. These rural features will face increasing pressure from urbanisation, rising land prices and increased congestion in South East Queensland.”*

The extent of rural land apportioned for agricultural purposes is a reflection of the historical subdivision of properties, with 79% of rural land apportioned for agricultural purposes; this is significantly lower than in the Northern Region (90%), and Gold Coast Region (83%).

While not recognised as a broadacre cropping locality, the feasibility of the land for grazing is well recognised as seen in Maps 27 and 28.

## But not like the Gold Coast

The Tweed community has expressed a strong desire for the Tweed to not develop and look like the Gold Coast. The ability to protect those attributes which make the Tweed a distinctive and desirable place to live and work, or just visit are the very aspects at most risk from development resulting from inappropriate planning and management.

## NSW Right to Farm Policy

In December 2015 the NSW Government published the New South Wales Right to Farm Policy. The concept of 'right to farm' relates to a desire by farmers to undertake lawful agricultural practices without conflict or interference arising from complaints from neighbours and other landusers.

In addition to comments received from the Department of Primary Industries raising concerns about loss of access to potentially productive agricultural land, the State Government is implementing a planning approach for landuse adjoining and near agriculture or land capable of being used for agriculture that minimises conflict, and will support farmers' right to farm and encourage the use of best practice.

## North Coast Regional Plan 2036

Direction 11 of the North Coast Regional Plan 2036 seeks to protect and enhance productive agricultural lands through a range of measures which include:

- Use of minimum subdivision standards for rural zones to enhance the viability of the agricultural sector.
- Maximising production efficiencies.
- Support for the delivery of local fresh foods by limiting land fragmentation.
- Limiting dwellings in rural zones will also help to avoid potential landuse conflicts with agricultural activities.
- Identifying potentially suitable locations for small-lot primary production.
- Encouraging greater diversity in the agricultural sector, including agri-tourism, processing and packaging of produce and associated retail services.
- Support for establishment of boutique commercial, tourist and recreation activities that do not conflict with primary production.

## Small lot clusters

Cutting up the farm for rural lifestyle purposes has led to conflict between those seeking a more residential experience in a rural setting and those utilising the land for agricultural purposes. On occasion this conflict with traditional farming practices has placed pressure on farmers to modify their practices or sell up and move elsewhere, as has also been experienced with some extractive industry sites.

The ability of these residents to live on lifestyle properties within a rural environment without placing pressure on adjoining landowners seeking to operate legitimate agricultural operations is seen as an important part of managing the future of rural land.

Within the RU1 and RU2 zones, allotments less than 5 hectares are scattered throughout the Shire as isolated allotments or within clusters, as seen in Map 7.

Clusters of allotments typically less than 5 hectares are more specifically located along what were previously referred to as 'scheduled roads' under the earlier planning provisions of IDO 1 and IDO 2 LEP 1987. Through these planning provisions it was previously possible to subdivide a property into allotments substantially less than the MLS predominantly for lifestyle purposes.

Figure 26 shows how one allotment in the west of the Shire was first amalgamated with an adjoining allotment and then repeatedly subdivided to create 23 allotments. This intensity of subdivision was responsible for creating many of the small lot clusters scattered throughout rural Tweed.

While RLS Policy Direction 1 refers to protecting agricultural land, and Policy Direction 5 talks about provision of greater housing diversity, some existing small lot clusters may provide an opportunity to increase housing densities within the existing footprint of some clusters.

## MLS in the RU1 (10ha) Primary Production zone

The RU1 Primary Production zone represents some of the highest quality and productive agricultural land in the Shire.

Under Tweed LEP 2014, the objectives of the zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between landuses within this zone and landuses within adjoining zones.
- To protect prime agricultural land from the economic pressure of competing landuses.

Within the RU1 (10ha MLS) zone, a property would need to be at least 19 hectares in size to be subdivided, and, with all other considerations ignored, might be able to create two allotments, one of 10 hectares, and the other of 9 hectares.

Investigations have shown that a totally of 17 allotments are 19 hectares or greater. Of these allotments, at least 14 are wholly or partially within areas currently mapped as being impacted by the 1 in 100 year flood event.

It is proposed that these allotments be added to the proposed Dwelling Opportunity Map proposed to ensure that any dwelling entitlement is retained and increase the MLS to 40 hectares standardising the MLS for all RU1 zoned land.

While 70.4% of allotments are already less than the MLS of 10 hectares, a relatively large number of properties consist of more than one allotment when compared with the RU2 zone (25.5% compared to 14% in RU2), suggesting a desire to amalgamate for agricultural purposes. Increasing the minimum allotment size to 40 hectares will not impact those allotments already less than the existing MLS.

Given the diversity of allotment and property sizes in the zone, the importance of protecting agricultural land, the small number of allotments with further subdivision potential, and the ability to rationalise the RU1 zone with a single MLS, an increase in the MLS to 40 hectares will maintain the existing allotment sizes and make the standard consistent for all RU1 and RU2 zoned land.

The location of RU1 (10ha MLS), and RU1 (40ha MLS) can be seen in Map 4.

## Putting it all together

Given the already significant loss of agricultural land to rural residential purposes, the potential for ongoing productive use of rural land for agricultural purposes, and the clear focus of the State government to enhance productive agricultural land, further subdivision of rural properties is not considered to be an appropriate way to support agricultural production and secure a future for innovation and diversification of rural-based enterprises.

Protection of agricultural land for alternative farming and rural enterprises is considered a priority for the future of rural Tweed; retention of the existing minimum lot size for RU1 (40ha) Primary Production and RU2 Rural Landscape land will maintain flexibility into the future.

While further subdivision of productive or potentially productive agricultural land is not supported, the potential exists for an intensification of rural residential lifestyle living opportunities within existing small lot clusters. Subdivision of existing properties within these clusters may be possible where agricultural land, scenic amenity, and bushland are protected or enhanced, where landowners are in agreement, and demand for services and facilities can be provided without added cost to the community.



# Appendix 9

## Housing opportunities and dwelling entitlement

### Analysis and discussion

Rural Tweed provides a diversity of lifestyle and residential opportunities due to the favourable climate, rural and scenic landscape, world heritage native vegetation, proximity to the coast and population centre of South East Queensland.

While selling off a part of the farm is seen as an option for some landowners, feedback received during community engagement has suggested that others would prefer, or be happy with, greater housing opportunities without subdivision.

In considering the potential impact of providing increased housing opportunities in rural Tweed, it was first necessary to understand the nature of properties and estimate the number of houses already in existence.

While Council retains records for all properties, accessing whole-of-shire information through a single database was not possible. As such, a surrogate approach was developed to provide an indication of the likely presence of dwellings. This required an assessment of whether the mailing address for the landowner was the same as the property address, and whether a garbage service was provided, and onsite sewer management system registered.

While only indicative, investigations undertaken by Council suggests that the overwhelming majority of rural properties are likely to contain a house.

All data provided should only be used for indicative purposes and should not be used for other than strategic planning purposes.

No attempt has been made to verify the legality of dwellings on rural properties.

### RU1 Primary Production

Of the estimated 701 rateable properties in the RU1 Primary Production zone, approximately 609, or 86.9% of properties are expected to contain a house.

Assuming that the majority of landowners receive mail to the property address, it is estimated that approximately 255 or 41.9% of dwellings are occupied by the landowner.

The corollary being that approximately 354 or 58.1% of the 609 dwellings in the RU1 zone are not occupied by the owner and assumed to be rented.

In the RU1 zone approximately 532 or 58.1% of dwellings are assumed to have their household garbage collected by Council's roadside service.

### RU2 Rural Landscape

Of the estimated 3,917 rateable properties in the RU2 Rural Landscape, about 3,590 or 91.7% of properties are likely to contain a dwelling.

Assuming that the majority of landowners receive mail to the property address, it is estimated that approximately 1,992 or about 55.5% of dwellings are occupied by the landowner.

The corollary being that approximately 1,598 or about 44.5% of the 3,590 dwellings in the RU2 zone are not occupied by the owner and assumed to be rented.

In the RU2 zone approximately 3,223 or about 89.8% of dwellings have their household garbage collected by Council's roadside service.

### R5 Large Lot Residential

Of the estimated 1,152 rateable properties in the R5 Large Lot Residential zone, approximately 95.2% or 1097 of all properties are expected to contain a house.

Assuming that the majority of landowners receive mail to the property address, it is estimated that 770 or 70.2% of dwellings are occupied by the landowner.

The corollary being that approximately 382 or 29.8% of dwellings in the R5 zone are not occupied by the owner and assumed to be rented.

In the R5 zone approximately 1,085 or about 98.9% of dwellings have their household garbage collected by Council's roadside service.

### 7(a) Environmental Protection (Wetlands & Littoral Rainforests)

Of the estimated 135 rateable properties in the 7(a) zone, approximately 80 properties, or 59.3% of all properties are expected to contain a house.

Assuming that the majority of landowners receive mail to the property address, it is estimated that approximately 24, or 30% of dwellings are occupied by the landowner.

The corollary being that approximately 56 properties or 70% of dwellings in the 7(a) zone are not occupied by the owner and assumed to be rented.

In the 7(a) zone approximately 80 or about 100% of dwellings have their household garbage collected by Council's roadside service.

### **7(d) Environmental Protection (Scenic/ Escarpment)**

Of the estimated 393 rateable properties in the 7(d) zone, approximately 340 properties, or 86.5% of all properties are expected to contain a house.

Assuming that the majority of landowners receive mail to the property address, it is estimated that approximately 153 dwellings (45%) are occupied by the landowner.

The corollary being that approximately 187 (55%) of dwellings in the 7(d) zone are not occupied by the owner and assumed to be rented.

In the 7(d) zone approximately 274 or about 80.6% of dwellings have their household garbage collected by Council's roadside service.

### **7(l) Environmental Protection (Habitat)**

Of the estimated 289 rateable properties in the 7(l) zone, approximately 240 properties, or 83% are expected to contain a house.

Assuming that the majority of landowners receive mail to the property address, it is estimated that approximately 87 (36.2%) of dwellings are occupied by the landowner.

The corollary being that approximately 153 (63.8%) of dwellings in the 7(l) zone are not occupied by the owner and assumed to be rented.

In the 7(l) zone approximately 180 or about 75% of dwellings have their household garbage collected by Council's roadside service.

### **RU5 Village**

Of the estimated 1,148 rateable properties in the RU5 zone, approximately 1081 properties, or 94.2% are expected to contain a house.

Assuming that the majority of landowners receive mail to the property address, it is estimated that approximately 680 (62.9%) of dwellings are occupied by the landowner.

The corollary being that approximately 401 (37.1%) of dwellings in the RU5 zone are not occupied by the owner and assumed to be rented.

## **Dwelling entitlement**

The concept of 'dwelling entitlements' has long been thought of as inferring the ability to construct a dwelling; however, 'dwelling entitlement' is a colloquial term not well defined in planning legislation, which refers more specifically to the ability of an applicant or landowner to lodge a Development Application for assessment of a request to build a dwelling. There is no guarantee that any development application will lead to an automatic approval to build; assessment of the application would consider the site specific aspects of the proposal and the merits of constructing the house as proposed.

Where the minimum lot size (MLS) is equal to or larger than the development standard for the relevant zone, a 'dwelling entitlement' is automatically assumed to exist, and a landowner can at any time lodge a Development Application for construction of a house. However, this is not the case where the allotment is less than the standard for the zone.

While dwelling entitlement relates to the size of an allotment, because the majority of rural properties consist of a single allotment, the impact of lot size and dwelling entitlement can also be reflected in property statistics.

The status of dwellings that existed prior to the commencement of 'dwelling entitlement' provisions in Council's early planning instruments is such that in rural areas prior to the commencement of Interim Development Order 1 (IDO 1) on 9 September 1964, dwellings could be constructed without the need for a formal approval from Council. This changed with the commencement of IDO 1. As such, dwellings constructed before this date are now considered to have existing use rights in certain circumstances.

The complexity of the process and criteria used in determining whether a property has a dwelling entitlement, and the equally problematic question of whether a dwelling constructed prior to 1964 has an existing use right has led to confusion and frustration in the community and ongoing resourcing issues for Council.

Development of an approach to simplify the determination of 'Dwelling entitlements' and 'existing use rights' will simplify and streamline the planning process.

### **Dwelling entitlement investigations**

Where the lot size is less than the standard for the zone, and no 'dwelling entitlement' is known to exist a convoluted investigation back through historical records and planning instruments will be required. Such an investigation is usually undertaken by Council officers, at a nominal fee which does not reflect the time required to complete the search.

During the period 2013–2015, 254 requests were received by Council for dwelling entitlement investigations. Assessment of these requests resulted in approximately 200 (78.7%) being granted an entitlement.

To simplify procedures for determining if an allotment has a dwelling entitlement, it is proposed to introduce a Dwelling Opportunity Map which is a register of known entitlements.

Should a property not contain a dwelling, and a dwelling entitlement is known to exist, these allotments and properties will be entered on to the Map and the dwelling entitlement will be retained.

It is proposed that a 'sunset' clause be included in Tweed LEP 2014 which provides landowners two years to provide Council with evidence that a dwelling entitlement exists for these vacant allotments and have the allotment added to the Dwelling Opportunity Map.

At the end of the two year period, Council will no longer undertake dwelling entitlement investigations. If a property is not on the Map, the Gateway process for assessment of planning proposals will be the pathway for determining if a vacant undersized property should be added to the Dwelling Opportunity Map.

### **Subdivision for agricultural purposes creating undersized allotments**

Through clause 4.2 of Tweed LEP 2014 it is currently possible to subdivide rural land for the purpose of primary production to create a lot less than the MLS for that zone so long as the lot created does not contain an existing house, and a house cannot be erected on the lot.

The benefit of this clause is that landowners seeking to expand their rural activities can acquire additional land that has not been developed with the construction of a house and the associated escalated land value this incurs.

The potential disadvantage of this clause is currently that should a landowner wish to sell off a part of the property containing agricultural land and retain the existing house on the remainder of the property, and the parcel containing the house is less than the MLS, the potential exists for this smaller allotment to lose its dwelling entitlement.

It is proposed to review opportunities to facilitate amalgamation of agricultural land through use of Clause 4.2, and retain the dwelling entitlement for any undersized allotment created which contains an existing dwelling.

## **Vacant allotments**

### *RU1 Primary Production*

Of the 1,285 allotments (767 properties) within the combined RU1(10ha MLS) and RU1 (40ha MLS) zone, it is estimated that approximately 91 properties representing 11.9% of the total may not contain a house; with 63 being within a property consisting of a single allotment, and 28 properties consisting of more than one allotment.

Of those allotments less than the development standard of 10 hectares within the RU1 (10ha MLS) zone, it is estimated that a total of 11 lots are not likely to contain a house; 9 of these lots are contained within properties consisting of one allotment; the remaining 2 lots occurring in a single property.

Of those allotments less than the development standard of 40 hectares within the RU1 (40ha MLS) zone, it is estimated that a total of 35 lots are not likely to contain a house. 24 of these lots are contained within properties consisting of one allotment; the remaining 11 lots occurring in a single property.

Combined, approximately 46 allotments are less than the relevant RU1 MLS (11 in the 10ha, and 35 in the 40ha MLS zones), and not likely to contain a house. This represents 3.6% of the total number of allotments.

### *RU2 Rural Landscape*

Of the total 5,259 allotments (4,194 properties) within the RU2 zone, it is estimated that approximately 326 properties representing 8.3% of the total may not contain a house; with 271 being within a property consisting of a single allotment, and 55 properties consisting of more than one allotment.

Of those allotments less than the development standard of 40 hectares it is estimated that a total of 335 lots are not likely to contain a house. 214 of these lots are contained within properties consisting of one allotment; the remaining 121 lots spread across properties consisting of more than one allotment.

### *RU1 and RU2 combined*

Investigations into the potential number of allotments less than the MLS for the respective zone suggests that approximately 381 within the RU1 and RU2 zones may not contain a dwelling.

No investigation into constraints affecting these lots, and reasons why these properties may not contain a house have been undertaken.

## Multiple Occupancy and rural landsharing communities

Within the context of rural land, Multiple Occupancy (MO) refers to rural properties where 'common areas' are shared by more than one household established through arrangements such as trusts, cooperatives, shareholdings and partnerships.

Rural landsharing communities are one form of MO, which until recently were created under *State Environmental Planning Policy No 15 – Rural Landsharing Communities* (SEPP 15). The SEPP enabled the erection of multiple dwellings on a single allotment and the sharing of facilities and resources to collectively manage the allotment. The SEPP stipulated a range of planning provisions including that subdivision is not permissible.

On 5 August 2016 SEPP 15 was repealed and its provisions included in Schedule 1 of the newly created *State Environmental Planning Policy (Integration and Repeals) 2016*.

The new SEPP provided transitional arrangements where communities had been approved under SEPP 15; however, the SEPP was only a temporary arrangement giving councils time to include a local provision for rural landsharing communities in their LEPs or, where this has not occurred, for the clause to be transferred to another planning instrument. On 6 August 2018 provisions relating to rural land sharing communities were transferred into SEPP (Rural Land) 2008.

While MOs provide an alternative to more traditional Freehold land ownership that is more 'communal' in nature, harmony within the community is an important aspect of ensuring that shared assets are maintained to the benefit of all members.

With the passage of time, generational change, and changes to life expectations and circumstances, some members of such communities have sought to sell or secure loans for a range of purposes; however, because the community is established on a single allotment, the ability of any individual to either sell and allow someone with greater financial ability to move in, or to leverage the assets of the Community to acquire a mortgage for improvements or other reasons is limited due to a lack of individual property title.

Where a member of the community is not able to meet the financial commitments for management and upkeep of communal land and assets, this can lead to added burden on the remainder of the community and therefore, if assets are not maintained, a deterioration of shared assets such as access, wastewater disposal systems, farming or environmental areas will occur.

While there are relatively few lawful MO communities in the Tweed with approximately 13 containing at least 107 dwellings as seen in Map 22. The ability to secure individual title over at least part of the property has been raised as a concern for some members of such communities.

Benefits from alternative land tenure arrangements which provided some form of personal ownership of at least the dwelling and land on which it lies, could assist in securing financial assistance for renovations or improvement to communal resources, or enable others to 'buy in' utilising mortgaging or other arrangements which require an asset to leverage against.

One form of land tenure to be further considered is Community Title development where an individual within a community could obtain a registrable title and secure a separate certificate of title for part of the overall development, which can then be mortgaged, transferred or inherited, but still allow for the ongoing use and management of communal assets shared by all members of the community.

Benefits from such an approach would include the ability to better maintain all the land and assets of the community, could result in a net environmental benefit and raise funds through rates for infrastructure, services and facilities provided by Council.

Any change to how Rural Landsharing Communities are created and managed will require State Government approval, and mechanisms and planning provisions will be required to ensure that such an approach did not lead to increased demand for such communities and further subdivision of rural land.

On 28 February 2019 a new planning framework for primary production and rural development commenced. The new SEPP (Primary Production and Rural Development) 2019 repealed SEPP (Rural Lands) 2008, and merged with parts of SEPP 30 Intensive agriculture, SEPP 52 Farm Dams and Other Works in Land and Water Management Plan Areas, and SEPP 61 – Sustainable aquaculture.

Planning controls relating to rural landsharing communities now lies within Schedule 5 of the SEPP.

## Farmland rating

While the majority of rural Tweed is zoned for rural landuse purposes, many of the smaller properties, in particular, are utilised for rural residential purposes, even though they remain zoned either RU1 Primary Production, or RU2 Rural Landscape; however, some smaller properties are recognised as conducting genuine agricultural activities.

Under Council's revenue and rating system, rural landowners can apply to have their rate base changed to reflect its predominant use. Within rural Tweed where it can be proven that the predominant use of the property is 'farmland' as defined in the *Local Government Act 1993*, or other pertinent determining factors can be satisfied, a variation to the rate base can be granted.

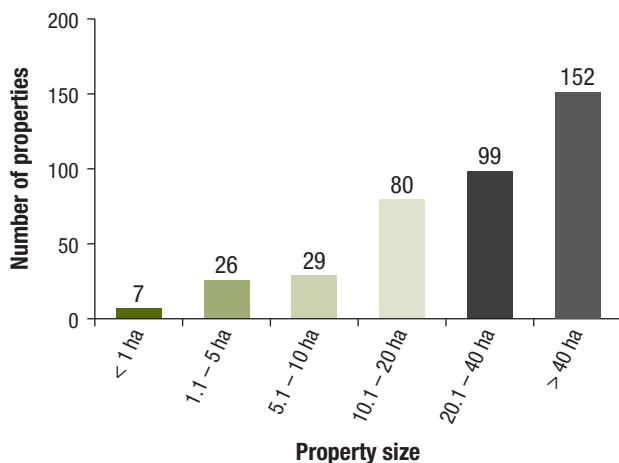


While many farmers operate their properties for some form of commercial purpose, many landowners may not operate at a scale to justify a variation to the rating base and as such, farmland rating is not the sole criteria which determines whether a property is being utilised for agricultural or 'rural-based' activities.

The purpose of including 'potentially productive' land is to acknowledge that while not all land is currently used for productive agricultural purposes, the potential of that land to have a productive use in the future should not be ignored based on current use. In some instances, landowners have invested in rural land and allowed the property to degenerate and argue that the property is no longer used for agriculture and should be rezoned for an alternative 'higher use'. This action seeks to encourage the use of rural land for a purpose permissible in that zone, and not allow weed infestations and loss of production to diminish the local economy.

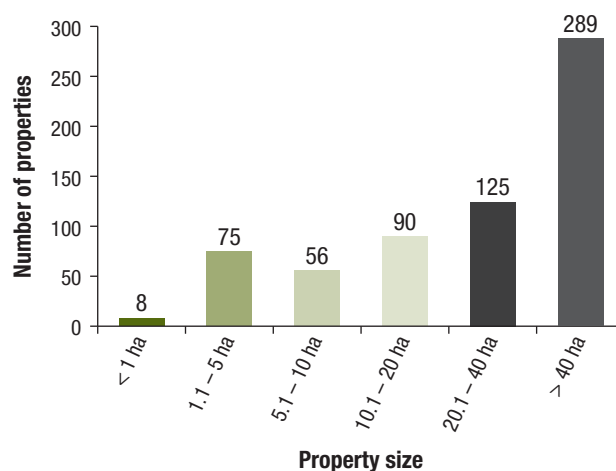
In 2015, for RU1 Primary Production zoned land 393 properties, (51.2% of the total 767 properties) were 'Farmland' rated. As seen in Figure 27, 7 properties are less than 1 hectare, 33 are 5 hectares or less, 62 are less than 10 hectares, and 241 (31.4%) less than 40 hectares. 152 properties (19.8%) are greater than 40 hectares. The location of farmland rated properties in the RU1, RU2 and R5 zones can be seen in Maps 23–26.

Under Policy Direction 1, Council has resolved to encourage sustainable agricultural production and protect agricultural land. Where a property is rated 'farmland' ensuring that the property conducts legitimate agricultural practices will be encouraged.



**Figure 27: RU1 Primary Production – farmland rating – Property breakdown**

For RU2 Rural Landscape zoned land 643 properties, (15.3% of the total 4,194 properties) were 'Farmland' rated. As seen in Figure 28, 8 properties are less than 1 hectare, 83 are 5 hectares or less, 139 are less than 10 hectares, and 354 (8.4%) are less than 40 hectares. 289 properties (6.9%) are greater than 40 hectares.



**Figure 28: RU2 Rural Landscape – farmland rating – Property breakdown**

Maps of 'Farmland' rated properties can be seen in Maps 23–26.

While the majority of smaller properties are assumed to be utilised for lifestyle or rural residential purposes, a significant proportion have been assessed as conducting legitimate agricultural activities. Agriculture is prohibited in residential zones, and as such, protection of agricultural activities in rural areas regardless of lot size or current use will need to be considered when any changes to lot sizes are considered, particularly in small lot clusters.

## Rural Workers' Dwellings

Clause 4.2C of Tweed LEP 2014 makes provision for erection of rural workers' dwellings in the RU1 and RU2 zones.

While the intention of the clause is to provide housing opportunities to support legitimate agricultural activities, the requirement that the development is remote or in an isolated location is difficult to meet given the relatively short travel distances in the Tweed. Removal of this requirement will make it easier for landowners operating legitimate agricultural operations to provide accommodation for workers.

## Constrained land mapping

During the public exhibition of the Stage 2 Issues Analysis, a suite of maps identifying land which was heavily constrained for the purposes of residential development, or agricultural land mapped as State and Regionally Significant Farmland were prepared. Together these maps provide an indication of the significant biophysical constraints affecting rural Tweed; the maps show following:

- Flood liable land (land affected by the 1 in 100 year storm event).
- Steep land (slopes greater than 18 degrees).
- Land subject to mass movement.
- Land of high terrestrial biodiversity value.

In addition, protected agricultural land falling into the following categories was also included:

- State and Regionally Significant Farmland
- Biophysically Significant Agricultural Land (BSAL)

In response to concerns raised by the NSW Office of Water regarding the impact of onsite effluent disposal systems, a further category of constrained land has been considered, namely:

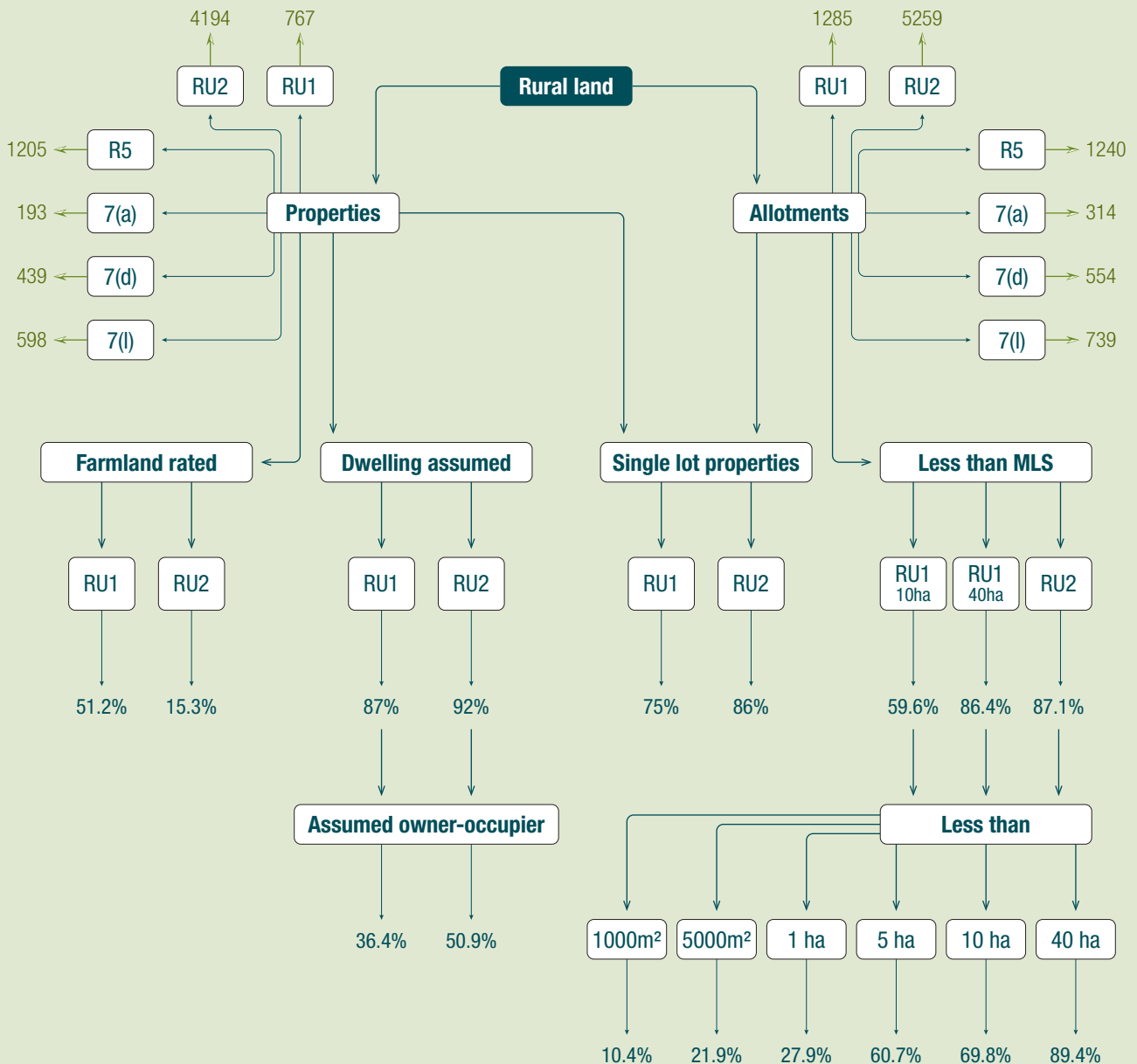
- Land within 100 metres of a permanent water body.

While the *Native Vegetation Act 2003* regulates clearing of live native vegetation, the clearing of dead native vegetation or exotic vegetation on state protected land (SPL) is still regulated by the old *Native Vegetation Conservation Act 1997*. State protected land is classified as:

- Land sloped at over 18 degrees (Category A)
- Riparian Land (Category B)
- Sensitive Land (Category C)

Maps showing the location of all categories of constrained land can be seen in Maps 31–38.

As Map 38 shows, rural Tweed is highly constrained, placing pressure on available land to fulfill a range of functions. Ensuring that development is appropriate, reflects the constraints affecting the land, and outcomes are consistent with the endorsed policy directions of Council for rural land require special consideration.



## Implications for planning, management and development of rural land

While subdivision has been seen as a means of resolving the financial concerns of rural landowners seeking to stay on the farm, for many, the ability to provide accommodation for family or workers, or generate a supplementary income has been seen as an appropriate alternative to selling off part of the farm.

### Matters to consider

Consideration of additional dwelling diversity in rural areas must factor in the provision of appropriate cost effective infrastructure, services and facilities which are critical for the proper functioning of any development and the communities that rely on it, and the nearby communities that may be affected. Whether it is a single dwelling or more, the cumulative impact of development must be considered, along with other factors such as:

- the ability of the road network to accommodate added traffic
- safety of road users, both local residents and visitors
- cost of improvements and escalated ongoing maintenance
- ability to reduce car dependency and minimise travel distances
- impact on provision of emergency services such as fire and ambulance
- efficient provision of Council services such as water, wastewater disposal, and garbage services
- ability to provide local employment opportunities where possible; all of which require consideration when significant changes in the population are proposed.

### Questions to answer

Questions to answer when assessing the potential implications of greater housing diversity would include, but not be limited to:

- Is there sufficient demand to justify changes?
- If so, where should development occur?
- What type or style of development is appropriate?
- Should it occur now or be staged over many years?
- What is the most effective way to minimise additional costs to the community?
- Will community services and facilities cope with the increased population and associated demands?

As analysis of the data suggests, rural Tweed provides a significant rental housing market, and while the use of rural housing was not a matter to be investigated in developing this strategy, it can be assumed that any change to local planning provisions that led to an increase in rural housing will result in housing being made available for a range of uses which might include:

- Build a new house and rent the existing dwelling.

- Build a second house for rental purposes.
- Build a second house and rent both.
- Provide accommodation for the extended family.
- Provide temporary or long term accommodation for farm labour.
- Provide accommodation in lieu of payment for 'live-in' help.

The long term cumulative impact of any increase in the number of additional dwellings in rural Tweed will have a significant bearing not just on housing stock and availability of rural accommodation, but will also have secondary or 'flow-on' impacts on a broad range of related services and facilities such as provision of schools, access to health care, ability of rural fire services to protect houses during emergencies, and locally available day-to-day requirements, some of which may not be immediately available in all rural locations.

In addition, an escalating rural population could lead to an increase in demands for Council to provide goods and services currently not available, or at a standard in excess of what is currently available.

While many residents of rural Tweed live on properties predominantly for lifestyle purposes, the amenity of rural areas is overwhelmingly determined by the nature of agricultural activities. The expectations of rural residents should reflect the rural setting within which properties are located and not lead to an escalation in expectations for a more residential experience.

The location of rural roads, their condition and traffic counts can be seen in Maps 43–46.

### Role of villages

While more fully addressed in the Rural Villages Strategy, and not a focus of the Rural Land Strategy, the villages serve a critical function for rural landowners and residents. The day-to-day needs of local communities whether residing within the village or on surrounding properties are met by services provided close to home; in addition, villages provide the opportunity for retiring farmers to move into more residential style accommodation without the need to relocate further from the farm.

The potential exists for villages to be augmented to provide a greater range of services and residential opportunities as part of the future of rural Tweed.

### Location, location, location

While it might be a well known adage in the real estate industry, location will play a significant role in determining the impact of additional housing in rural Tweed. This might be the location of a dwelling on a single property, or the cumulative impact within a locality.

As a general principle, the smaller a property, the less likelihood there would be of finding a location for an additional dwelling which did not require clearing of native vegetation, could safely dispose of effluent onsite, not require duplication of access, avoid natural hazards, and not impact the visual amenity or character of the locality.

The scale of a dwelling, its exterior features, built form and colour will also have an impact, with smaller dwellings expected to have a 'lighter' footprint on the landscape, and possibly be used for purposes which do not require extensive views as a 'selling point' for their location and therefore can be 'hidden' behind ridge lines or other natural features such as vegetation.

Should it be that having extended views is considered important in the location of a dwelling, the potential for a negative impact on the scenic landscape could be considerable; having a good view means that the inverse also applies and the house is also highly visible.

Light-coloured dwellings can have a significant impact detracting from the scenic qualities of the natural landscape and reflect more of an urban style of housing rather than that of the rural character and theme that is a defining feature of rural Tweed.

While Council receives regular enquiries relating to rural housing, whether it is attached or detached dual occupancy, secondary dwellings, or rural worker's dwellings, changing local planning provisions to allow for a greater diversity of housing types is likely to lead to an escalation in the number of enquiries received.

With nearly 5000 properties in the RU1 Primary Production and RU2 Rural Landscape zones, any amendment of Tweed LEP 2014 which made additional housing a possibility, would need to consider the implications of an increase in the rural population on not just infrastructure, services and facilities, but also the cumulative long term impact on the scenic landscape, local character and employment opportunities.

In adopting a precautionary approach to developing actions which provide greater housing diversity, and given the relative uncertainty surrounding latent demand for rural dwellings, it is proposed that the potentially highest impact housing types be limited to the largest properties, with 40 hectares being determined as an appropriate lower limit for *dual occupancy (detached)* housing.

For properties larger than 10 hectares, it is proposed that *secondary dwellings*, that is dwellings with a total floor area of less than 60 square metres, be made permissible with consent.

While community feedback noted that ample residential housing opportunities are available within existing residential zones, it is proposed that further investigations be made into the ability of existing small lot clusters typically containing properties of less than 5 or 10 hectares to be further subdivided, thereby increasing the density of housing within existing clusters.

Any consideration of further subdivision in existing small lot clusters would need to ensure that:

- there was no reduction in agricultural land or the ability to use adjoining land for agricultural or rural-related purposes
- no properties were rated Farmland
- the consensus of all landholders was agreed
- there was a positive net benefit to the environment.

A sample dwelling opportunity map has been prepared to assist in understanding what such a map might look like, as seen in Map 21.

Rural Tweed is characterised by steep escarpments which define the upper catchment of the valley. Land with a slope in excess of 18 degrees is protected under State legislation; however, this slope limit does not reflect the ability of the land to be utilised for construction of dwellings and associated infrastructure such as roads, or the potential impacts of development on the environment or scenic amenity.

It is a commonly accepted standard that land with a slope gradient in excess of 12 degrees is generally not suitable for residential purposes. Notwithstanding that much of the steeper land in the Tweed is also highly visible and covered in native vegetation, the establishment of a development guideline discouraging construction of dwelling houses on slopes greater than 12 degrees, unless exceptional circumstances can be proven, is considered reasonable in both protecting the environment and scenic landscape which is so important to the appeal, character and identity of the Tweed.

Maps showing the location of land with slopes greater than 12 and 18 degrees can be seen in Maps 40–42.

In deriving actions in this Strategy to balance the needs of the community for additional housing with expectations of environmental and scenic protection and ongoing agricultural production, a precautionary approach has been adopted.

# Appendix 10

## Consistency with the North Coast Regional Plan 2036

North Coast Regional Plan 2036		Draft Tweed Rural Land Strategy 2017–2036	
<b>Goal 1: The most stunning environment in NSW</b>			
Direction/action	Action	Implementation outcome	
<b>Direction 1: Deliver environmentally sustainable growth</b>			
1.1	Focus future urban development to mapped urban growth areas.	N/A	
1.2	Review areas identified as 'under investigation' within urban growth areas to identify and map sites of potentially high environmental value.	N/A	
1.3	Identify residential, commercial or industrial uses in urban growth areas by developing local growth management strategies endorsed by the Department of Planning and Environment.	Action 86. Prepare planning objectives, principles, guidelines and development standards for the siting, design, appearance including identification of building envelopes and exclusion areas which protect the productive capability of the land, scenic amenity of the site or locality, and environmental values, consistent with the character of the locality, and where development does not hinder the proper and orderly development of urban areas, and does not create unreasonable or uneconomic demands for the provision of public infrastructure, amenities or services and other matters deemed appropriate for dwellings in rural Tweed.	Rural housing is well located and designed to ensure protection of native vegetation, agricultural land, scenic amenity of the site and locality, consistent with the desired future character of the locality.
1.4	Prepare land release criteria to assess appropriate locations for future residential, commercial and industrial uses.	Action 81. Prepare growth management objectives and principles for all development within rural Tweed.	A clear understanding of how rural Tweed is envisaged to grow consistent with the Desired Future Character Statements for destinations and localities.
<b>Direction 2: Enhance biodiversity, coastal and aquatic habitats, and water catchments</b>			
2.1	Focus development to areas of least biodiversity sensitivity in the region and implement the 'avoid, minimise, offset' hierarchy to biodiversity, including areas of high environmental value.	Action 22. Finalise Tweed DCP 2008 section A19 Biodiversity and Habitat Management. Action 36. Implement the recommendations of the Northern Councils E Zone Review including consideration of riparian corridors. Action 85. Investigate the application of the E4 Environmental Living zone to clusters of properties less than 10 hectares not containing properties rated as Farmland in areas of special environmental value.	Local guidelines and planning provisions for biodiversity and habitat management. E Zones are implemented through amendment of Tweed LEP 2014, and riparian corridors are identified and protected by application of appropriate landuse zones. Small area rural lifestyle properties appropriately zoned.

**Goal 1: The most stunning environment in NSW (continued)**

Direction/action	Action	Implementation outcome
<b>Direction 2: Enhance biodiversity, coastal and aquatic habitats, and water catchments (continued)</b>		
2.2 Ensure local plans manage marine environments, water catchment areas and groundwater sources to avoid potential development impacts.	<p>Action 37. Review setback requirements for effluent disposal on land adjoining permanent water bodies for on-site effluent disposal to ensure consistency with the requirements of AS/NZS 1547/2012 On-site domestic wastewater management, Designing and Installing On-Site Wastewater Systems, and the 'Silver Book'.</p> <p>Action 99. Criteria for assessing potential impacts of additional housing in rural areas on surface and groundwater to be developed in consultation with the Office of Water.</p>	<p>Potential for faecal and nutrient contamination of watercourses and water bodies is minimised.</p> <p>Buffers are established which provide added protection for waterways, streams, rivers, wetlands, and known drinking water sources.</p> <p>The potential impact of additional housing on surface and groundwater is identified and responded to appropriately.</p>
<b>Direction 3: Manage natural hazards and climate change</b>		
3.1 Reduce the risk from natural hazards, including the projected effects of climate change, by identifying, avoiding and managing vulnerable areas and hazards.	Action 8. Retain the 40 hectare MLS for a subdivision for the purposes of a dwelling on all flood liable land (mapped within the 1 in 100 year flood event), steep land (greater than 18 degrees), land subject to mass movement, and land containing bushland, and identified and potential future village/urban land.	Constrained land is protected from inappropriate development, and future village and urban land is retained for residential expansion.
3.2 Review and update floodplain risk, bushfire and coastal management mapping to manage risk, particularly where urban growth is being investigated.	Action 100. Extend the Tweed Valley Floodplain Risk Management Plan into the upper parts of the catchment to ensure that localised flooding above Murwillumbah is understood and taken into account when assessing development applications.	The potential impact of localised flooding in the upper catchment is considered in the assessment of planning proposals and development applications.
3.3 Incorporate new knowledge on regional climate projections and related cumulative impacts in local plans for new urban development.	Action 42. Liaise with Local Land Services, the local water authority, and Government agencies to develop locally relevant responses to the impact of climate change on water demand, energy requirements, natural resource management, and the future adaptations necessary for living in rural areas.	The impacts of Climate Change are recognised and responded to appropriately by all members of the community.
<b>Direction 4: Promote renewable energy opportunities</b>		
4.1 Diversify the energy sector by identifying renewable energy resource precincts and infrastructure corridors with access to the electricity network.	N/A	
4.2 Enable appropriate smaller-scale renewable energy projects using bio-waste, solar, wind, small-scale hydro, geothermal or other innovative storage technologies.	Refer to Action 133	
4.3 Promote appropriate smaller and community-scale renewable energy projects.	Action 133. Promote and support where possible renewable energy opportunities, encourage the installation of renewable energy facilities and establish guidelines to ensure that infrastructure for individual properties and networks are appropriately located.	

## Goal 2: A thriving, interconnected economy

Direction/action	Action	Implementation outcome
<b>Direction 5: Strengthen communities of interest and cross-regional relationships</b>		
5.1 Collaborate on regional and intra-regional housing and employment land delivery, and industry development.	N/A	
5.2 Integrate cross-border land use planning between NSW and South East Queensland, and remove barriers to economic, housing and jobs growth.	N/A	
5.3 Encourage ongoing cooperation and land use planning between the City of Gold Coast and Tweed Shire Council.	N/A	
5.4 Prepare a regional economic development strategy that drives economic growth opportunities by identifying key enabling infrastructure and other policy interventions to unlock growth.	N/A	
<b>Direction 6: Develop successful centres of employment</b>		
6.1 Facilitate economic activity around industry anchors such as health, education and airport facilities by considering new infrastructure needs and introducing planning controls that encourage clusters of related activity.	Action 59. Amend the Economic Development Strategy to promote the rural Tweed as a place for processing and packaging of products supporting local agriculture and rural industries.	Rural Tweed is seen as an opportunity to not just provide clean green rural produce but also adds value through processing and packaging locally.
6.2 Promote knowledge industries by applying flexible planning controls, providing business park development opportunities and identifying opportunities for start-up industries.	N/A	
6.3 Reinforce centres through local growth management strategies and local environmental plans as primary mixed-use locations for commerce, housing, tourism, social activity and regional services.	N/A	
6.4 Focus retail and commercial activities in existing centres and develop place-making focused planning strategies for centres.	N/A	
6.5 Promote and enable an appropriate mix of land uses and prevent the encroachment of sensitive uses on employment land through local planning controls.	Action 3. Prepare a 'trigger map' which identifies areas of potential landuse conflict and for establishment of buffers. Criteria established for definition of appropriate buffer locations and dimensions.	Trigger map and assessment criteria for buffer zones in all rural and environmental land, especially adjoining sugar cane land incorporated into the new buffers section of the DCP.
6.6 Deliver an adequate supply of employment land through local growth management strategies and local environmental plans to support jobs growth.	Action 57. Amend Tweed LEP 2014 to make Function centre a permitted with consent landuse.	Function centres are made permissible with consent under the planning provisions of Tweed LEP 2014.
	Action 60. Amend Tweed LEP 2014 to make Rural Industries permissible with consent in the RU1 Primary Production zone.	Rural industries which include the handling, treating, production, processing, storage or packing of animal and plant agricultural products for commercial purposes permissible with consent in the RU1 zone.
6.7 Ensure employment land delivery is maintained through an annual North Coast Housing and Land Monitor.	N/A	

## Goal 2: A thriving, interconnected economy (continued)

Direction/action	Action	Implementation outcome
<b>Direction 7: Coordinate the growth of regional cities</b>		
7.1 Prepare action plans for regional cities that: <ul style="list-style-type: none"> <li>ensure planning provisions promote employment growth and greater housing diversity</li> <li>promote new job opportunities that complement existing employment nodes around existing education, health and airport precincts</li> <li>identify infrastructure constraints and public domain improvements that can make areas more attractive for investment</li> <li>deliver infrastructure and coordinate the most appropriate staging and sequencing of development.</li> </ul>	Action 81. Prepare growth management objectives and principles for all development within rural Tweed.	A clear understanding of how rural Tweed is envisaged to grow consistent with the Desired Future Character Statements for destinations and localities.
	Action 111. In consultation with the local community, identify the service and infrastructure needs and desires of the rural community.	The needs and desires of the rural community have been identified, assessed and responded to as appropriate.
	Review Council's service delivery model for the provision of facilities and services to rural landowners and village residents to provide, where possible, access to improved information, transport, and local services and facilities.	
<b>Direction 8: Promote the growth of tourism</b>		
8.1 Facilitate appropriate large-scale tourism developments in prime tourism development areas such as Tweed Heads, Tweed Coast, Ballina, Byron Bay, Coffs Harbour and Port Macquarie.	Action 77. Investigate opportunities to support major rural-based events such as 'opera in the caldera' or major horse events etc.	Temporary use of land for special events is supported in well located and designed locations.
8.2 Facilitate tourism and visitor accommodation and supporting land uses in coastal and rural hinterland locations through local growth management strategies and local environmental plans.	Action 64. Amend Tweed LEP 2014 to make the RU1 and RU2 zones 'open', thereby expanding the range of permissible with consent landuses in the zone, and identify prohibited landuses.	A greater diversity of landuses are made permissible with consent in Tweed LEP 2014, including small rural and related commercial and retail development. Innovation, value-adding and diversification of landuses consistent with the objectives of the zone, and planning provisions are supported. Potentially incompatible landuses are listed as prohibited in the LEP.
	Action 65. Amend RU1 and RU2 zone objectives to ensure that the intention of opening the zone is clear and considered during assessment of planning proposals or development applications.	Objectives of the RU1 and RU2 zones reflect the desired outcomes and future of the zones which include greater flexibility but with certainty about the potential site specific and cumulative impacts of development.
	Action 66. Prepare local planning provisions, guidelines, development principles and standards to ensure that development is consistent with the objectives of the zone, character and scenic amenity of the locality and that environmental values and productive or potentially productive agricultural land are protected.	Planning provisions provide assurance that development is consistent with the objectives of the zone, does not adversely impact local character, scenic amenity, or diminish environmental values and productive or potentially productive agricultural land.
	Action 67. Amend Tweed LEP 2014 to include an additional local provision which supports and defines rural tourism development.	Rural tourism is defined and related to planning provisions.



## Goal 2: A thriving, interconnected economy (continued)

Direction/action	Action	Implementation outcome
<b>Direction 8: Promote the growth of tourism (continued)</b>		
8.3 Prepare destination management plans or other tourism-focused strategies that: <ul style="list-style-type: none"> <li>• identify culturally appropriate Aboriginal tourism opportunities</li> <li>• encourage tourism development in natural areas that support conservation outcomes</li> <li>• strategically plan for a growing international tourism market.</li> </ul>	Action 62. Prepare a tourism strategy which identifies and provides opportunities to overcome barriers to growth of rural tourism; could incorporate many of the actions proposed under this policy direction.  Action 63. Review the Tweed Destination Management Plan to ensure that the contribution of rural farmers to the economy is considered, and promotes the rural lifestyle benefits of living in or visiting rural Tweed.	Barriers to the expansion of rural tourism are identified and a strategy developed to address limitations and promotes rural Tweed as a tourism destination.  The financial contribution of rural enterprises is recognised, and rural Tweed is given prominence in promotional material and other vehicles for highlighting the tourism opportunities of rural Tweed.
8.4 Promote opportunities to expand visitation to regionally significant nature-based tourism places, such as Ellenborough Falls, Dorrigo National Park, Wollumbin-Mount Warning National Park, Iluka Nature Reserve and Yuraygir Coastal Walk.	Action 78. Work with the local Aboriginal Land Council to identify areas of cultural heritage significance that could lead to educational and tourism opportunities.	Indigenous cultural heritage is better understood and part of the rural experience for tourists, local residents and landowners.
8.5 Preserve the region's existing tourist and visitor accommodation by directing permanent residential accommodation away from tourism developments, except where it is ancillary to existing tourism developments or part of an area otherwise identified for urban expansion in an endorsed local growth management strategy.	N/A	
<b>Direction 9: Strengthen regionally significant transport corridors</b>		
9.1 Enhance the competitive value of the region by encouraging business and employment activities that leverage major inter-regional transport connections, such as the Pacific Highway, to South East Queensland and the Hunter.	N/A	
9.2 Identify buffer and mitigation measures to minimise the impact of development on regionally significant transport infrastructure including regional and state road network and rail corridors.	Action 2. Prepare a new section in Tweed DCP 2008 addressing buffers and setbacks surrounding agricultural and rural land, to include maps of proposed buffer locations and assessment criteria for planning proposals and development applications.	Buffers between potentially conflicting landuses, and environmentally sensitive land are identified and planning provisions established to minimise potential for conflict between owners of land within and adjoining rural and non-rural zoned land.
9.3 Ensure the effective management of the State and regional road network by: <ul style="list-style-type: none"> <li>• preventing development directly adjoining the Pacific Highway</li> <li>• preventing additional direct 'at grade' access to motorway-class sections of the Pacific Highway</li> <li>• locating highway service centres on the Pacific Highway at Chinderah, Ballina, Maclean, Woolgoolga, Nambucca Heads, Kempsey and Port Macquarie, approved by the Department of Planning and Environment and Roads and Maritime Services</li> <li>• identifying strategic sites for major road freight transport facilities.</li> </ul>	N/A	

## Goal 2: A thriving, interconnected economy (continued)

Direction/action	Action	Implementation outcome
<b>Direction 10: Facilitate air, rail and public transport infrastructure</b>		
10.1	Deliver airport precinct plans for Ballina-Byron, Lismore, Coffs Harbour and Port Macquarie that capitalise on opportunities to diversify and maximise the potential of value-adding industries close to airports.	N/A
10.2	Consider airport-related employment opportunities and precincts that can capitalise on the expansion proposed around Gold Coast Airport.	N/A
10.3	Protect the North Coast Rail Line and high-speed rail corridor to ensure network opportunities are not sterilised by incompatible land uses or land fragmentation.	N/A
10.4	Provide public transport where the size of the urban area has the potential to generate sufficient demand.	N/A
10.5	Deliver a safe and efficient transport network to serve future release areas.	<p>Action 114. Ensure that the Tweed Road Contribution Plan (S94 plan) remains current and linked to any increases in the potential for traffic generating rural development (such as rural housing and farm based businesses).</p> <p>The Tweed Road Contribution Plan is up-to-date and reflects demands from an increased used of rural roads.</p>
	<p>Action 115. Encourage the preparation of a Transport Plan in collaboration with public and private transport providers which will integrate rural, village and urban areas and address alternatives to the use of cars; Transport routes; Provide a range of sustainable transport modes, i.e. walking, cycling, public transport, community transport; Links between the transport nodes, and maintaining the amenity of rural Tweed.</p> <p>Transport infrastructure supports mobility and connectivity of the rural community.</p>	
<b>Direction 11: Protect and enhance productive agricultural lands</b>		
11.1	Enable the growth of the agricultural sector by directing urban and rural residential development away from important farmland and identifying locations to support existing and small-lot primary production, such as horticulture in Coffs Harbour.	<p>Action 1. Amend Tweed DCP 2008 to include a new section on Rural Land which provides guidelines, objectives and principles for effective and appropriate planning, development and management of rural land.</p> <p>Core information relating to the planning, development and management of rural land is readily accessible. Objectives and principles are established for the future planning and management of rural land, and guidance provided on access to information on best practice.</p>
	Action 5. Investigate the applicability of the RU4 Primary Production Small Lots zone to those properties less than 10 hectares classified as Farmland through Council's rating system.	Small area properties utilised for agricultural purposes are appropriately zoned where this will not lead to scattered zoning of isolated properties.
	Action 12. Undertake an investigation into the potential for establishment of small-lot primary production areas.	The suitability of small-lot primary production is investigated.

## Goal 2: A thriving, interconnected economy (continued)

Direction/action	Action	Implementation outcome
<b>Direction 11: Protect and enhance productive agricultural lands (continued)</b>		
11.2 Deliver a consistent management approach to important farmland across the region by updating the Northern Rivers Farmland Protection Project (2005) and Mid North Coast Farmland Mapping Project (2008).	Refer to Action 1	
11.3 Identify and protect intensive agriculture clusters in local plans to avoid land use conflicts, particularly with residential and rural residential expansion.	Action 2. Prepare a new section in Tweed DCP 2008 addressing buffers and setbacks surrounding agricultural and rural land, to include maps of proposed buffer locations and assessment criteria for planning proposals and development applications.	Buffers between potentially conflicting landuses, and environmentally sensitive land are identified and planning provisions established to minimise potential for conflict between owners of land within and adjoining rural and non-rural zoned land.
	Action 3. Prepare a 'trigger map' which identifies areas of potential landuse conflict and for establishment of buffers. Criteria established for definition of appropriate buffer locations and dimensions.	Trigger map and assessment criteria for buffer zones in all rural and environmental land, especially adjoining sugar cane land incorporated into the new buffers section of the DCP.
	Action 6. Review the opportunity to apply the RU6 Transition zone as a means of providing a transition between rural land uses (including intensive agriculture, landfills, mining and extractive industries) and other areas supporting more intensive settlement or environmental values.	The RU6 Transition zone is considered for special circumstances where areas between potentially conflicting landuses are identified and appropriate landuses prescribed to minimise the likelihood of future landuse conflict.
	Action 13. Investigate and if possible develop a procedure to ensure that a notification is placed on property title regarding amenity issues associated with living in or near agricultural and rural land.	Property title searches and enquiries relating to potential purchase of properties in or near rural zoned land provide advice on potential implications of living in or near agricultural and rural land.
11.4 Encourage niche commercial, tourist and recreation activities that complement and promote a stronger agricultural sector, and build the sector's capacity to adapt to changing circumstances.	Action 49. Establish a framework which ensures that economic development initiatives keep rural tourism, agriculture and environmental protection as established priority areas.	Rural tourism and agricultural activities are supported and encouraged through a framework and processes which keeps them current.
	Action 74. Investigate options to support and promote farm-based tourism opportunities and have this recommendation included in a review of the Economic Development Strategy 2014.	A rural tourism strategy is developed which identifies opportunities for farm-based tourism and support mechanisms as part of promoting the rural tourism experience.

## Goal 2: A thriving, interconnected economy (continued)

Direction/action	Action	Implementation outcome
<b>Direction 11: Protect and enhance productive agricultural lands (continued)</b>		
11.5 Address sector-specific considerations for agricultural industries through local plans.	Action 4. Review the ability to zone all cane growing land RU1 Primary Production.	All cane growing land is protected for agricultural purposes.
	Action 7. Retain the existing 40 hectare minimum lot size (MLS) for a subdivision for the purposes of a dwelling on all State and Regionally Significant Farmland, Biophysically Strategic Agricultural Land (BSAL), and Class 3 and 4 class land (Suitability & Land and Soil Classification schemes (LSC)) in a RU1 or RU2 zone where it currently applies under LEP 2014.	Productive rural land is protected for future agricultural purposes.
	Action 9. Review options to increase lot size in localities where agricultural production requires greater protection.	Further subdivision of productive or potentially productive agricultural land is minimised.
	Action 10. Amend Tweed LEP 2014 to increase the MLS in RU1(10ha MLS) Primary Production zoned land to 40 hectares.	The RU1(10ha MLS) zone is removed simplifying the zoning of RU1 Primary Production land.
	Action 11. Amend Tweed LEP 2014 to retain dwelling entitlement where a subdivision of land for primary production purposes under clause 4.2 Rural subdivision, and consolidation of lots which results in creation of a parcel which is less than the MLS and contains an existing legal dwelling on the non-agricultural parcel created. The amendment is to also include local provisions for its application.	Existing landowners who wish to subdivide for the purposes of primary production under clause 4.2 of Tweed LEP 2014, and consolidation of allotments, which results in the creation of an allotment less than the MLS containing an existing legal dwelling, retains its dwelling entitlement.
<b>Direction 12: Grow agribusiness across the region</b>		
12.1 Promote the expansion of food and fibre production, agrichemicals, farm machinery, wholesale and distribution, freight and logistics, and processing through flexible planning provisions in local growth management strategies and local environmental plans.	Action 64. Amend Tweed LEP 2014 to make the RU1 and RU2 zones 'open', thereby expanding the range of permissible with consent landuses in the zone, and identify prohibited landuses.	A greater diversity of landuses are made permissible with consent in Tweed LEP 2014, including small rural and related commercial and retail development. Innovation, value-adding and diversification of landuses consistent with the objectives of the zone, and planning provisions are supported. Potentially incompatible landuses are listed as prohibited in the LEP.
	12.2 Encourage the co-location of intensive primary industries, such as feedlots and compatible processing activities.	Action 108. Review Tweed LEP 2014 provisions to ensure that a range of rural developments which support innovation, diversification and value-adding of rural industries are permissible with consent in rural zones.

## Goal 2: A thriving, interconnected economy (continued)

Direction/action	Action	Implementation outcome
<b>Direction 12: Grow agribusiness across the region (continued)</b>		
12.3 Examine options for agribusiness to leverage proximity from the Gold Coast and Brisbane West Wellcamp airports.	N/A	
12.4 Facilitate investment in the agricultural supply chain by protecting assets, including freight and logistics facilities, from land use conflicts arising from the encroachment of incompatible land uses.	Action 51 Support and encourage development of rural industry-specific growth strategies.	Industry-specific groups are promoted and growth supported through well targeted policy, growth and promotional strategies.
<b>Direction 13: Sustainably manage natural resources</b>		
13.1 Enable the development of the region's natural, mineral and forestry resources by directing to suitable locations land uses such as residential development that are sensitive to impacts from noise, dust and light interference.	Action 136. The Mineral Resource Audit (non-energy) map 2014 be included into Council's GIS, and assessment criteria for development applications on land within transition areas surrounding identified resource areas consider the requirements for prevention of conflict and protection of extractive resources.	Identified resource areas are known and protected from the risk of conflict with adjoining landuses where possible. Appropriate development assessment criteria and conditions of consent apply to transition areas surrounding identified resource areas.
13.2 Plan for the ongoing productive use of lands with regionally significant construction material resources in locations with established infrastructure and resource accessibility.	Action 138. Tweed LEP 2014 is amended to ensure that existing quarries and known extractive resource sites (sand, hard rock, road base, etc.) whether currently operational or potential, and surrounding buffers are zoned appropriately to minimise potential for landuse conflict and the resource is protected for ongoing use.	Existing quarries and known extractive resource sites and any buffers are protected through appropriate zoning under Tweed LEP 2014.
	Action 139. Review buffer requirements from existing and proposed extractive industry sites and include in the proposed new buffer section in Tweed DCP 2008.	Transition areas and buffers surrounding all sites where resource extraction is occurring, or may be possible, are protected by the establishment of appropriate buffers and development controls for landuse proposals within these areas.

## Goal 3: Vibrant and engaged communities

Direction/action	Action	Implementation outcome
<b>Direction 14: Provide great places to live and work</b>		
14.1 Prepare precinct plans in growth areas, such as Kingscliff, or centres bypassed by the Pacific Highway, such as Woodburn and Grafton, to guide development and establish appropriate land use zoning, development standards and developer contributions.	N/A	
14.2 Deliver precinct plans that are consistent with the Precinct Plan Guidelines (Appendix C).	N/A	
<b>Direction 15: Develop healthy, safe, socially engaged and well-connected communities</b>		
15.1 Deliver best-practice guidelines for planning, designing and developing healthy built environments that respond to the ageing demographic and subtropical climate.	Action 86. Prepare planning objectives, principles, guidelines and development standards for the siting, design, appearance including identification of building envelopes and exclusion areas which protect the productive capability of the land, scenic amenity of the site or locality, and environmental values, consistent with the character of the locality, and where development does not hinder the proper and orderly development of urban areas, and does not create unreasonable or uneconomic demands for the provision of public infrastructure, amenities or services and other matters deemed appropriate for dwellings in rural Tweed.	Rural housing is well located and designed to ensure protection of native vegetation, agricultural land, scenic amenity of the site and locality, consistent with the desired future character of the locality.
	Action 98. Facilitate and encourage opportunities for a diversity of housing including seniors' housing within rural villages.	Opportunities for seniors' housing is investigated and opportunities for integration with existing rural villages considered and supported where appropriate.
15.2 Facilitate more recreational walking and cycling paths and expand interregional and intra-regional walking and cycling links, including the NSW Coastline Cycleway.	Action 75. Support where appropriate, creation of a network of trails throughout rural Tweed, utilising historical routes such as the postal trail and rail trail, and opportunities for tourism related development associated with this infrastructure.	A network of connected trails supporting a range of local tourism initiatives.
	Action 76. Support cycling as a tourism activity in rural areas and install signage along popular routes.	Cycling as a recreational, tourism, and economic activity is promoted and supported in rural Tweed.
15.3 Implement actions and invest in boating infrastructure priorities identified in regional boating plans to improve boating safety, boat storage and waterway access.	N/A	
15.4 Create socially inclusive communities by establishing social infrastructure benchmarks, minimum standards and social impact assessment frameworks within local planning.	Action 123. Develop a policy and strategy that support rural community networks and organisations.	Community networks and organisations such as Landcare, Youth Network, Rural Business Network etc. Are supported. Could be incorporated into the Community Engagement Strategy.
15.5 Deliver crime prevention through environmental design outcomes through urban design processes.	N/A	

## Goal 3: Vibrant and engaged communities (continued)

Direction/action	Action	Implementation outcome	
<b>Direction 16: Collaborate and partner with Aboriginal communities</b>			
16.1	Develop partnerships with Aboriginal communities to facilitate engagement during the planning process, including the development of engagement protocols.	Action 78. Work with the local Aboriginal Land Council to identify areas of cultural heritage significance that could lead to educational and tourism opportunities.	Indigenous cultural heritage is better understood and part of the rural experience for tourists, local residents and landowners.
16.2	Ensure Aboriginal communities are engaged throughout the preparation of local growth management strategies and local environmental plans.	Action 102. Amend Tweed LEP 2014 to include an additional aim/objective for RU1 and RU2 zones regarding the retention of Aboriginal and European cultural heritage.	Tweed LEP 2014 is amended to include reference to Aboriginal and European cultural heritage in the objectives of the RU1 and RU2.
<b>Direction 17: Increase the economic self-determination of Aboriginal communities</b>			
17.1	Deliver opportunities to increase the economic independence of Aboriginal communities through training, employment and tourism.	N/A	
17.2	Foster closer cooperation with Local Aboriginal Land Councils to identify the unique potential and assets of the North Coast communities.	Refer to Action 78	
17.3	Identify priority sites with economic development potential that Local Aboriginal Land Councils may wish to consider for further investigation.	Refer to Action 78	
<b>Direction 18: Respect and protect the North Coast's Aboriginal heritage</b>			
18.1	Ensure Aboriginal objects and places are protected, managed and respected in accordance with legislative requirements and the wishes of local Aboriginal communities.	Refer to Action 78	
18.2	Undertake Aboriginal cultural heritage assessments to inform the design of planning and development proposals so that impacts to Aboriginal cultural heritage are minimised and appropriate heritage management mechanisms are identified.	N/A	
18.3	Develop local heritage studies in consultation with the local Aboriginal community, and adopt appropriate measures in planning strategies and local plans to protect Aboriginal heritage.	Refer to Action 78	
18.4	Prepare maps to identify sites of Aboriginal heritage in 'investigation' areas, where culturally appropriate, to inform planning strategies and local plans to protect Aboriginal heritage.	Refer to Action 102	

## Goal 3: Vibrant and engaged communities (continued)

Direction/action	Action	Implementation outcome
<b>Direction 19: Protect historic heritage</b>		
19.1 Ensure best-practice guidelines are considered such as the Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance and the NSW Heritage Manual when assessing heritage significance.	N/A	
19.2 Prepare, review and update heritage studies in consultation with the wider community to identify and protect historic heritage items, and include appropriate local planning controls.	Action 26. Prepare guidelines for incorporation into Tweed DCP 2008, to ensure that the heritage values of the landscape are recognised, preserved and protected.	Landscape heritage values are identified and protected.
19.3 Deliver the adaptive or sympathetic use of heritage items and assets.	N/A	
<b>Direction 20: Maintain the region's distinctive built character</b>		
20.1 Deliver new high-quality development that protects the distinct character of the North Coast, consistent with the North Coast Urban Design Guidelines (2009).	Action 21. Prepare 'Character Statements' which project a desired future character for rural localities that foster and guide development creating unique rural destinations and experiences often linked to rural villages.	Localities develop consistent with their desired future character, and support promotion of the unique features and opportunities of each locality.
	Action 28. Establish clear guidelines for when a visual impact assessment is required.	Development proposals with the potential to impact scenic amenity are recognised and considered during the early stages of the planning process.
20.2 Review the North Coast Urban Design Guidelines (2009).	N/A	
<b>Direction 21: Coordinate local infrastructure delivery</b>		
21.1 Undertake detailed infrastructure service planning to support proposals for new major release areas.	N/A	
21.2 Maximise the cost-effective and efficient use of infrastructure by directing development towards existing infrastructure or promoting the co-location of new infrastructure.	Action 86. Prepare planning objectives, principles, guidelines and development standards for the siting, design, appearance including identification of building envelopes and exclusion areas which protect the productive capability of the land, scenic amenity of the site or locality, and environmental values, consistent with the character of the locality, and where development does not hinder the proper and orderly development of urban areas, and does not create unreasonable or uneconomic demands for the provision of public infrastructure, amenities or services and other matters deemed appropriate for dwellings in rural Tweed.	Rural housing is well located and designed to ensure protection of native vegetation, agricultural land, scenic amenity of the site and locality, consistent with the desired future character of the locality.



## Goal 4: Great housing choice and lifestyle options

Direction/action	Action	Implementation outcome
<b>Direction 22: Deliver greater housing supply</b>		
22.1 Deliver an appropriate supply of residential land within local growth management strategies and local plans to meet the region's projected housing needs.	N/A	
22.2 Facilitate housing and accommodation options for temporary residents by: <ul style="list-style-type: none"> <li>preparing planning guidelines for seasonal and itinerant workers accommodation to inform the location and design of future facilities</li> <li>working with councils to consider opportunities to permit such facilities through local environmental plans.</li> </ul>	Action 84. Amend clause 4.2C in Tweed LEP 2014 Erection of rural workers' dwellings in Zones RU1 and RU2 by removing 4.2C(3)(d) which requires the land to be in a remote or isolated location.	Greater flexibility provided for the location of Rural workers' dwellings in Zones RU1 and RU2 zones.
22.3 Monitor the supply of residential land and housing through the North Coast Housing and Land Monitor.	N/A	
<b>Direction 23: Increase housing diversity and choice</b>		
23.1 Encourage housing diversity by delivering 40 per cent of new housing in the form of dual occupancies, apartments, townhouses, villas or dwellings on lots less than 400 square metres, by 2036.	N/A	
23.2 Develop local growth management strategies to respond to changing housing needs, including household and demographic changes, and support initiatives to increase ageing in place.	Action 81. Prepare growth management objectives and principles for all development within rural Tweed.	A clear understanding of how rural Tweed is envisaged to grow consistent with the Desired Future Character Statements for destinations and localities.
	Action 82. Amend Tweed LEP 2014 to permit with consent dual occupancy (detached) as a use on properties greater than 40 hectares in the RU1 and RU2 zones.	Dual occupancy (detached) will be permissible with consent on properties greater than 40 hectares in the RU1 and RU2 zones.
	Action 83. Amend Tweed LEP 2014 to permit with consent secondary dwellings as a use on properties greater than 10 hectares in the RU1 and RU2 zones.	Secondary Dwellings will be permissible with consent on properties greater than 10 hectares in the RU1 and RU2 zones.
<b>Direction 24: Deliver well-planned rural residential housing areas</b>		
24.1 Facilitate the delivery of well-planned rural residential housing areas by: <ul style="list-style-type: none"> <li>identifying new rural residential areas in a local growth management strategy or rural residential land release strategy endorsed by the Department of Planning and Environment</li> <li>ensure that such proposals are consistent with the Settlement Planning Guidelines: Mid and Far North Coast Regional Strategies (2007) or land release criteria (once finalised).</li> </ul>	Action 89. Undertake a supply and demand analysis as the first stage in assessing the need for further subdivision of rural land and a rural residential strategy.  Action 94. Amend Tweed LEP 2014 to include a local provision for rural landsharing communities consistent with the requirements of the DPIE Planning System Circular PS 16-002 and SEPP (Integrations and Repeals) 2016 Schedule 1 Rural Landsharing Communities.	A supply and demand analysis for small area lifestyle properties will provide guidance on the need for further investigations into development of rural land for lifestyle purposes.  Local provisions for rural landsharing communities included in Tweed LEP 2014.

**Goal 4: Great housing choice and lifestyle options (continued)**

Direction/action	Action	Implementation outcome
<b>Direction 24: Deliver well-planned rural residential housing areas (continued)</b>		
24.2 Enable sustainable use of the region's sensitive coastal strip by ensuring new rural residential areas are located outside the coastal strip, unless already identified in a local growth management strategy or rural residential land release strategy endorsed by the Department of Planning and Environment.	Action 89. Undertake a supply and demand analysis as the first stage in assessing the need for further subdivision of rural land and a rural residential strategy.	A supply and demand analysis for small area lifestyle properties will provide guidance on the need for further investigations into development of rural land for lifestyle purposes.
<b>Direction 25: Deliver more opportunities for affordable housing</b>		
25.1 Deliver more opportunities for affordable housing by incorporating policies and tools into local growth management strategies and local planning controls that will enable a greater variety of housing types and incentivise private investment in affordable housing.	Refer to Actions 81 – 86	
25.2 Prepare guidelines for local housing strategies that will provide guidance on planning for local affordable housing needs.	Refer to Action 81	