

**Attachment 2:
Draft Tweed Rural Land Strategy - Response to submissions received during public exhibition (7 November 2017 – 28 February 2018)**

Notes:

1. All proposed recommendations and amendments refer to the action number which appeared in the exhibited draft version of the Rural Land Strategy.
2. Themes do not always relate to themes listed in the exhibited version of the draft RLS.
3. Due to the diversity of issues raised it has not been possible to collate responses and group submissions, as such responses have been prepared on a submission basis and where an issue is raised that has been addressed in an earlier submission is cross-referenced to the earlier submission for a response.
4. Submissions from private individuals have been given a number only, while submissions from organisations, government agencies and councils have been identified using their full name.
5. Every attempt has been made to summarise the content of each submission to accurately reflect the comments made.
6. Acronyms used in this table:
 - RLS - Rural Land Strategy
 - DPI - Department of Primary Industries
 - OEH - Office of Environment and Heritage
 - LEP - Tweed Local Environmental Plan 2014
 - DCP - Tweed Development Control Plan 2008
 - LLS – Local Land Services
 - MLS - Minimum lot size

Submission 1

Action	Theme	Summary	Response	Recommendation
82, 83	Dual Occupancies (detached) - R5 Large Lot Residential	Supports policy initiatives, but would like dual occupancy (detached) and Secondary dwellings extended into R5 Large Lot Residential zoned land as per actions 82 and 83.	<p>Inclusion of dual occupancy (detached) housing as permissible with consent in the R5 Large Lot Residential zone has the potential to provide additional housing in locations close to urban areas where access to services and facilities is either existing or can be provided more economical.</p> <p>While the draft strategy is proposing consideration of additional housing and subdivision in clusters of large lot lifestyle development in the rural areas where property sizes are up to 10 hectares, properties in the R5 zone are also typically within this range. There are approximately 1,240 allotments wholly or partly zoned R5, of which 80.4% (998) are less than 1 hectare, and 97% less than 5 hectares.</p> <p>Almost all R5 zoned allotments occur in clusters in the localities of Tyalgum, Uki, Dunbible, Murwillumbah, Nunderi, Terranora and Bilambil Heights.</p> <p>The objectives of the R5 Large Lot Residential zone are:</p> <ul style="list-style-type: none"> • To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic 	<p>That a review of the implications of including R5 Large Lot Residential zoned land into implementation of proposed action 95, potential to facilitate subdivision in clusters of small lots be undertaken.</p> <p>Action 95 to be reworded to read "Investigate the ability for properties typically less than 10ha in existing clusters and R5 Large Lot Residential zoned land to be further subdivided to increase housing density without expanding the footprint of the cluster, impacting agricultural land, environmental values or scenic amenity or character of the locality."</p> <p>Add a new action after Action 95 as follows: Theme: Small lot clusters and R5 Large</p>

Submission 1				
Action	Theme	Summary	Response	Recommendation
			<p>quality.</p> <ul style="list-style-type: none"> • To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. • To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To maintain the rural and scenic character of the zone. <p>As with any subdivision of rural land, any future intensification of development in the R5 zone, which may or may not include subdivision would need to be assessed against the objectives of the zone, and a range of criteria which would include consideration of the purpose of the zone, character, amenity, access to services and facilities, and others yet to be determined.</p> <p>It is proposed that during investigations into the subdivision of small area clusters, that R5 Large Lot Residential also be considered.</p>	<p>lot residential land</p> <p>Action: Should a strategic review support further subdivision of properties in large lot clusters and all or part of R5 zoned land, develop guidelines and planning provisions to ensure a desirable built form and environmental outcome.</p> <p>Implementation outcome: Additional housing is provided in strategically justified locations where the desired future character, scenic amenity, impact on agricultural land, environment, Aboriginal cultural heritage, and amenity of the locality are protected or enhanced.</p> <p>Delivery partners: Council; DPE; local community; owners of small lot properties within existing cluster developments and R5 Large Lot Residential zoned land.</p> <p>Timeframe: Medium term</p> <p>Cost implications: Low to medium</p> <p>Implementation Pathway: Tweed LEP2014; Tweed DCP 2008; Development Assessment guidelines.</p>

Submission 2				
Action	Theme	Summary	Response	Recommendation
89	MLS	Make it possible for people to subdivide so they can create 1 to 10 acre blocks on land not zoned prime agricultural land by the NSW Government.	<p>Rural Tweed includes all land in the RU1 Primary Production, RU2 Rural Landscape, R5 Large Lot Residential under Tweed LEP 2014, and 7(a) Environmental Protection (Wetlands and Littoral Rainforest), 7(d) Environmental Protection (scenic/escarpment), and 7(l) Environmental Protection (habitat) under Tweed LEP 2000.</p> <p>Within the two predominant zones, RU1 and RU2, nearly 90% of allotments are less than 40 hectares and 70% less than 10 hectares, and nearly 61% already less than 5 hectares.</p> <p>While approximately 116 properties less than 5 hectares are farmland</p>	No changes proposed

Submission 2

Action	Theme	Summary	Response	Recommendation
			<p>rated, reflecting the use of the land for productive agricultural purposes, it would be expected that the majority of existing allotments less than 4 hectares (10 acres) would be utilised for lifestyle or rural-residential purposes.</p> <p>The Rural Land Strategy is not a rural-residential strategy, a point which has been regularly mentioned since commencement of the project; however, Action 89 proposes that a supply and demand analysis be undertaken as the initial step in determining whether a rural-residential strategy is appropriate or necessary.</p> <p>Numerous definitions have been developed to describe 'Prime' agricultural land. Through the Northern Rivers Farmland Protection Project 2005, certain land in the Tweed was classified as being of State or regional significance and appropriate zoning through successive LEPs has been implemented to protect that land.</p> <p>Since 2012 the NSW Government has Identified and mapped Biophysically Strategic Agricultural Land (BSAL) to assist in managing competing land uses that might threaten high quality agricultural land.</p> <p>Within the Tweed, land which is utilised for arable agricultural purposes such as the red soils of the Cudgen Plateau, and the sugar cane land of the floodplain might be generically thought of as being prime agricultural land; however, much of the rolling grazing land in the Tweed is also utilised for agricultural purposes, some of which does not rely solely on the quality of the soil.</p> <p>While the Rural Land Strategy is proposing to increase housing diversity through provisions such as Dual Occupancy (detached), Secondary Dwellings, making Rural Workers' Dwellings easier to apply for, and potential for subdivision within existing clusters of rural-residential and R5 Large Lot Residential zoned land, further subdivision of rural land is not proposed.</p> <p>It is proposed that Action 89 regarding completion of a supply and demand analysis be completed as a means of better understanding the supply and demand characteristics of rural-residential development and the need for a rural residential strategy.</p>	

Submission 2				
Action	Theme	Summary	Response	Recommendation
			See also Submission 10.	

Submission 3				
Action	Theme	Summary	Response	Recommendation
7, 9	MLS	That the majority of farmers want rules relaxed so they can subdivide their properties. Subdivision into lots of less than the 10ha and 40ha should be allowed to happen. A gradual move away from farming into ecotourism is inevitable.	<p>The Draft Rural Land Strategy is not proposing to reduce the Minimum Lot Size (MLS) for the majority of RU1 Primary Production and RU2 Rural Landscape. Almost 90% of RU1 and RU2 allotments are already less than the MLS, with nearly 70% less than 10 hectares and 60.7% less than 5 hectares, as seen in Figure 11 in the Draft Strategy shows, which also shows that the lot size group containing the largest number of allotments is within the 1.1 to 4.9 hectare grouping for both RU1 and RU2 allotments.</p> <p>Refer to Submission 10.</p>	No changes proposed

Submission 3				
Action	Theme	Summary	Response	Recommendation
	Unapproved dwellings	<p>Tweed Shire has many unapproved dwellings. There are now “Tree changers” arriving who are willing and able to take unapproved dwellings and upgrade them to meet Council’s requirements.</p> <p>But Council doesn’t seem to be geared up to help in this process. I would like to see Council be more pro-active in providing advice to new arrivals who have bought unapproved dwellings and wish to carry out work to have them brought up to standard.</p>	<p>While it was not within the scope of the Rural Land Strategy to undertake an investigation and report specifically on unapproved dwellings the matter of inequity between those landowners who abide by the requirements of planning provisions and those who do not and construct residential dwellings without development consent has been raised on a number of occasions during public consultation sessions.</p> <p>It is proposed that the issue of dwellings constructed without consent/illegal dwellings is added to the list of actions in the Implementation Plan and that the action proposes to prepare a situation paper and propose that Council establish its position on this issue.</p>	<p>New action added to the Implementation Plan after action 101 which reads:</p> <p>Theme: Dwellings constructed without consent (Illegal dwellings)</p> <p>Action: Prepare a situation paper on dwellings constructed without consent and for Council to establish its position on this matter.</p> <p>Delivery partners: Council; DPE; local community; owners of dwellings constructed without consent.</p> <p>Timeframe: Medium term</p> <p>Cost implications: Low to medium</p> <p>Implementation Pathway: Council policy and/or strategy; Tweed LEP2014; Tweed DCP 2008</p>

Submission 4				
Action	Theme	Summary	Response	Recommendation
	Regenerative land development	<p>Strongly support the vision and Implementation Plan.</p> <p>Proposes an additional action which reads "Support and facilitate the advancement of regenerative land development projects, where such projects provide housing options integrated with work</p>	<p>While it is not the function of any strategy developed by Council to be created for the benefit of any individual or organisation, the concept of cyclical economies and regenerative development has benefits for the environment through sustainable use of resources.</p> <p>Any proposal for regenerative development would need to be assessed on its merit and ability to fit in with the context of the locality and integration within the rural landscape and community more generally.</p> <p>It is proposed to allow concepts and development proposals to remain assessable on merit under existing planning procedures and provisions.</p>	<p>No changes proposed</p>

Submission 4				
Action	Theme	Summary	Response	Recommendation
		opportunities for a small community, all supported by energy and water micro-grids and a diverse agricultural food system.		

Submission 5				
Action	Theme	Summary	Response	Recommendation
88	Rural Residential Development	Requests that the timeframe for preparing the "Rural Residential Strategy and Demand Analysis" be changed from Medium Term (2 to 5 years), to Short Term (1 to 2 years)	<p>The draft Rural Land Strategy proposed more than 140 actions, all of which cannot be implemented simultaneously. As such, a ranking of actions has been presented which proposes that preparation of a supply and demand analysis as the first stage in assessing the need for further subdivision of rural land and a rural residential strategy has been presented as being a medium term project to be completed in the following 2-5 years.</p> <p>Any change in the priority ranking of actions will impact other actions which may be of a higher ranking. Unless Council resolves to escalate this action no change to the timeframe is proposed.</p> <p>It is proposed to retain the currently proposed medium term (2-5 year) timeframe.</p>	No changes proposed

Submission 6				
Action	Theme	Summary	Response	Recommendation
82, 83	Subdivision R5 Large Lot Residential	Proposed that a considerable contribution could be made to meet the demand for more housing by permitting further subdivision of R5 Large Lot Residential land without any detriment to R5 zoned land, and thus safeguarding farmland from unnecessary subdivision. .Availability of	<p>R5 Large Lot Residential zoned land represents one of the largest areas of small area lifestyle development in the Tweed.</p> <p>The Draft Strategy proposes that investigations be undertaken into the ability for properties typically less than 10ha in existing clusters to be further subdivided to increase housing density without expanding the footprint of the cluster, impacting agricultural land, environmental values or scenic amenity or character of the locality.</p> <p>The intention of this action is to provide housing and subdivision opportunities where greater housing densities will not lead to undesirable</p>	See response to Submission 2.

Submission 6				
Action	Theme	Summary	Response	Recommendation
		sewerage is seen as a constraint to smaller lot subdivision, but properties of 3,000 or 4,000m ² are considered large enough for an onsite septic system. Attached Dual Occupancy is too restrictive a requirement, and proposes that R5 Large Lot Residential zoned land be included in consideration for further subdivision and intensification of housing.	<p>development outcomes. Guidelines and planning provisions will need to be prepared to ensure that any requests for subdivision within existing comply with these requirements.</p> <p>Any draft amendment to Council's DCP or LEP will require public consultation prior to seeking Council's endorsement to implement any changes proposed. R5 Zoned land falls within the category of clusters typically less than 10ha, and will be considered under this action.</p> <p>For further comments refer to Submission 2.</p>	

Submission 7				
Action	Theme	Summary	Response	Recommendation
77	Rural functions and small events	Seeks to diversify into wedding functions and opportunities to keep the family farm sustainable.	<p>The temporary use of land for small events in well located and designed locations is supported in proposed action 77.</p> <p>Wedding events is not specifically defined under the Standard Instrument LEP template: however, wedding events held on an ongoing basis would be more correctly defined under the term 'Function Centre' which means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.</p> <p>The ability of events such as weddings to provide job opportunities and support the local economy is recognised. This must however be considered against the potential negative impacts of events which may increase local traffic, albeit sporadically, potentially lead to noise and nuisance to adjoining landowners and impact rural amenity and scenic landscape if poorly designed or located.</p> <p>Well researched planning controls would be essential to ensure that the benefits of such events are not outweighed by adverse impacts.</p> <p>This issue has been the subject of recent investigations in Byron Shire</p>	<p>A new action to be added to the Implementation Plan after Action 77 to read:</p> <p>Theme: Wedding functions</p> <p>Action: Prepare guidelines and planning provisions for the operation of wedding functions in rural areas.</p> <p>Delivery partners: Council; DPE; local community.</p> <p>Timeframe: Medium term</p> <p>Cost implications: Low to medium</p> <p>Implementation Pathway: Council policy; Tweed LEP2014; Tweed DCP 2008</p>

Submission 7				
Action	Theme	Summary	Response	Recommendation
			<p>who will be consulted when preparing any planning provisions.</p> <p>The Tweed Economic Development Strategy (TEDS) notes that the Tweed is ranked 5th of all Australian Local Government Areas for economic diversity, which is part of the character of the Tweed.</p> <p>The ability for small rural-based events to provide employment opportunities and take advantage of the rural landscape and proximity to South East Queensland is seen as an opportunity to diversify rural economic development opportunities.</p> <p>Development of guidelines and planning provisions which protect local character, the environment and scenic amenity will be required.</p> <p>It is proposed that planning guidelines and controls be prepared to clearly and definitively establish where, and how small rural based events can occur.</p>	

Submission 8				
Action	Theme	Summary	Response	Recommendation
	Consultation process inadequate	<p>Requests addressing of fundamental flaws in the overall direction of the draft strategy and that the consultation process was inadequate and that the document "is remarkably lacking in substantial and rational discussion of these critical challenges ..."</p> <p>Contested the assumption that the majority of rural landowners who did not respond to public exhibition in part reflect the belief that the way things are now is satisfactory and the future</p>	<p>The draft RLS has been extensively promoted and the community consulted with details of how to be involved throughout the duration of the project. A detailed Communications Plan was prepared for each stage of the project and all reasonable avenues pursued to ensure that the rural community was aware and had opportunity to be involved.</p> <p>Acknowledging the need to provide opportunities and time to respond, Council resolved to place the Draft Rural Land Strategy on public exhibition for a period of three months, well in excess of the normal period provided for most documents placed on public exhibition.</p> <p>Appendix 6 in the draft Strategy identifies the approaches utilised to engender interest from the community and make a contribution to development of the outcomes. In addition to the more familiar approaches, random 'drive-by' interviews were conducted in the field, and the final stage of the project added the use of social media with short videos aired on Facebook and YouTube using four local landowners and residents.</p>	No changes proposed

Submission 8

Action	Theme	Summary	Response	Recommendation
		<p>should reflect this attitude.</p> <p>That the strategy and policy formulation is being driven by a vocal minority, rather than the actual needs of the majority of key stakeholders, rural land users.</p>	<p>Whether or not a landowner chooses to be involved will be impacted by many factors; however, as with any engagement process a relatively small proportion of the affected population will respond or be involved. This in no way diminishes the ability of a few to provide constructive feedback on exhibition material. All comments received are considered and responded to on merit rather than any consideration of numbers.</p> <p>The purpose of the Draft Rural Land Strategy is to bring together the findings of the previous four stages of the project. The collation of an exhaustive resource inventory was finalised in Stage 1, issues were fully addressed in Stage 2 and options to address issues and a policy approach to the development of the draft strategy concluded in Stages 3 and 3a respectively. Along with discussion paper and responses to submissions, and Council reports; as such a full and detailed discussion of the background to the draft strategy has been concluded and is available for viewing on Council's website.</p>	
	Reference Panel	That the level of input of the Reference Panel was minimal and not consistent with the view reflected in the wording of page 99.	<p>The Reference Panel was an important aspect of the process of developing the draft strategy.</p> <p>The involvement of the Panel was defined to be one of technical input into documents prior to public exhibition. Membership of the Reference Panel covered a diverse representation of the community and as such acted as a vehicle to receive feedback and inform the communities they either represent or are members of.</p> <p>Input from the Reference Panel was important in ensuring that the technical merit of documents conformed with the experiences and knowledge of the panel members.</p>	Following adoption of the final Rural Land Strategy that the Mayor and General Manager be invited to express their appreciation of the work of the Panel.
	Social and economic impacts	Questioned where the discussion was regarding the social and economic impacts on families and their families.	A social and economic status report was presented as part of the initial document prepared in the project, the Resource Inventory and Land Capability Assessment.	No changes proposed
	Subdivision - sell some blocks	Wants to retire on the farm and should be able to remain on the farm by selling some blocks to fund retirement. This issue has not been given serious	For that cohort of the community reaching retirement age, many being 'baby boomers', the matter of retirement planning is a real and current issue and one that is possibly more of an issue at this time in history than at other times due to the increase in population growth experienced post World War II.	No changes proposed

Submission 8

Action	Theme	Summary	Response	Recommendation
		<p>consideration in the draft strategy.</p>	<p>For the majority of the community, retirement is an opportunity to downsize and pursue new life experiences and opportunities; however, for a portion of the Tweed rural community the desire to retire on the farm has been expressed.</p> <p>For some more traditional farmers who relied on dairy farming prior to deregulation and with the demise of the industry sought an income from beef cattle, diminishing income left few options other than sell all or part of the farm. For those who chose to sell off the farm by subdividing off small rural-residential scale allotments, their ability to generate an income of the base resource, the land, was further diminished.</p> <p>The Draft Rural Land Strategy is not proposing to allow further subdivision of the farm.</p> <p>The DPI has strongly supported retention of agricultural land for future production uses. This has been supported in the RLS with retention of the 40 ha Minimum Lot Size for the majority of rural land.</p>	
	<p>Policy Direction 2</p>	<p>Questions how fair and rational Policy Direction 2 which seeks to protect and improve environmental values and respond to natural hazards is, noting that the policy direction is skewed against farmers to accommodate tourists and the 30% of landowners who work outside the Tweed and the 18% of white collar workers.</p>	<p><i>Policy Direction 2: Protect and improve environmental values and respond to natural hazards</i> is one of nine policy directions designed to present a balanced approach to the planning, development and management of rural land.</p> <p>The value of native vegetation to the Tweed is well recognised and one of the distinguishing features which makes the Tweed a highly desirable place to live, work or recreate.</p> <p>The draft RLS seeks to present a balanced approach to the future development of rural land as exemplified by the diversity of the nine policy directions.</p>	<p>No changes proposed</p>

Submission 8

Action	Theme	Summary	Response	Recommendation
	Consultant capabilities and local knowledge	Noted that consultants engaged were all interstate-based and questioned the ability of these companies to be familiar with local issues and current economic viability and challenges facing local farmers.	<p>Consultants engaged by Council were chosen on a competitive tender basis for their experience and skills in understanding rural land issues and devising options.</p> <p>Consultants engaged for Stages 1 and 2 have extensive skill in defining the status of economic issues and were later engaged by Council to prepare to Tweed Economic Development Strategy.</p> <p>Consultants engaged for Stage 3 represent a multi-disciplinary firm who were able to draw on a diverse range of internal skilled staff and were able to provide a local representative who lives locally and has undertaken extensive work for councils in the far north coast and well recognised for his understanding of local issues.</p>	No changes proposed
	Aggregation of agricultural land	There is no evidence base or economically sound rationale presented for aggregating small rural lots into larger sustainable farming blocks.	Amalgamation of land for agricultural purposes is currently possible under the NSW State Government's Standard Instrument LEP Template, and clause 4.2 of the Tweed LEP 2014.	No changes proposed
	40 hectare MLS	That the rationale for the retention of the 40 hectare Minimum Lot Size (MLS) has not been adequately canvassed or explained.	<p>As explained in Appendix 8 of the draft strategy, the 40 hectare minimum lot size policy was imposed by the NSW Government in 1973, and later included in the Tweed Interim Development Order 2 in 1976. The rationale for introduction of the policy, as explained by the government at that time, was to prevent fragmentation of viable rural holdings, ensure consolidation of urban areas, prevent premature subdivision, of land on the fringe of urban areas, and avoid ribbon development along roads linking towns and villages.</p> <p>While the Tweed had adopted 40 hectares as a development standard consistent with the State Government policy, by 1976 the majority of land in the Tweed had already been subdivided into allotments less than 40 hectares with nearly 90% of allotments less than 40 hectares in the RU1 and RU2 zones, nearly 70% less than 10 hectares, and 60.7% less than 5 hectares.</p> <p>The geographic area of land in the RU2 zone less than 40 hectares represents about 45% of the zone. As Map 5 in the draft strategy shows, properties in the range of 40 - 75.9 hectares are scattered across the zone, with the majority of larger properties over 116 hectares lying to the west of Mount Warning/Wollumbin.</p>	No changes proposed

Submission 8

Action	Theme	Summary	Response	Recommendation
			<p>Appendix 3 in the Draft Rural Land Strategy lists Rural Subdivision Principles (in State Environmental Planning Policy (Rural Lands) 2008) which includes minimisation of rural land fragmentation and conflict, consideration of the nature of existing agricultural holdings, existing and planned future supply of rural residential land in planning for dwelling opportunities.</p> <p>Any reduction in the MLS would lead to increased dwelling entitlements and unless strategically located would lead to fragmented development which is contrary to the principles in the DPE Settlement Planning Guidelines.</p> <p>As reported in the Resource Inventory and Land Capability Assessment prepared in Stage 1 of the project (available for viewing on Council's website), the greatest increase in land values has been associated with small rural holdings attributed in large part due to the capitalisation of the property through construction of a dwelling and other improvements, as such, cutting up the farm is not expected to reduce land values, but make it more difficult for agricultural and environmental land to be protected, and for those who seek a genuine rural lifestyle experience utilising the land to find an opportunity.</p> <p>While a reduction in the MLS is not proposed, the draft strategy is proposing that a supply and demand analysis be undertaken to determine if further investigations are required into rural land subdivision perhaps as part of a rural residential strategy. Such an investigation would provide guidance on the strategic merits of further subdivision and locational requirements that may apply if further subdivision was seen as a possibility.</p>	

Submission 8				
Action	Theme	Summary	Response	Recommendation
			<p>While it is not proposed to reduce the MLS across all rural land, the opportunity to consider subdivision in small lot clusters and R5 Large Lot Residential zoned land has been proposed which could lead to a reduction in the MLS in these areas.</p> <p>Given that the majority of land in rural Tweed is already considerably less than 40 hectares, the benefit of retaining the 40 hectare MLS will ensure that the remaining larger properties are retained, and encourage consolidation of smaller properties to acquire dwelling entitlements and support ongoing use of the land for agricultural purposes.</p> <p>Council has the ability, should it so determine, to vary the minimum lot size of most land parcels, by increase or decrease, with justification in a planning strategy that requires the support of DPE.</p> <p>The draft RLS proposes that a supply and demand analysis be undertaken to assist in understanding the nature of existing and potential rural residential land, but at this time is not proposing a reduction in the MLS generally.</p>	

Submission 9				
Action	Theme	Summary	Response	Recommendation
	Multiple Occupancy	Seeks mechanisms to allow suitable Multiple Occupancies to convert to freehold title.	Action 93 proposes to investigate options and if appropriate, prepare guidelines for the conversion of existing legal multiple occupancy and rural landsharing community developments to Community Title, Torrens Title or appropriate alternative that provides legal title to at least part of the property.	No changes proposed

Submission 10

Action	Theme	Summary	Response	Recommendation
	More flexibility	<p>Seeking ways to increase the viability of the farm without impacting on the environmental or productivity values of the land.</p> <p>Increased viability allows increased ability to improve the farm, both in its productivity and caring for the environment.</p> <p>Support the potential for more flexibility for land use in RU 1 and 2 zones with uses such as tourist accommodation, roadside stalls, function centres and events and farm based tourism.</p> <p>Congratulate Tweed Shire Council on its initiative to present the Draft Rural Strategy and hope that many of the themes will be implemented.</p>	Through a range of actions the Draft RLS seeks to add to the list of permissible with consent.	No changes proposed

Submission 11

Action	Theme	Summary	Response	Recommendation
	Dissatisfied with Draft RLS	If the Draft RLS is passed the future for grandchildren in grim.	Comment acknowledged	No changes proposed
	Not like the Gold Coast	Disputes the statement that Tweed residents do not want the Tweed to look like the Gold Coast, and that	The character of Tweed's coastal villages and coastline generally is in stark contrast to the high-rise and to shore development of much of South East Queensland, and it is this contrast which makes the Tweed a favourable place for Gold Coast residents to visit, many of whom not only	No changes proposed

Submission 11				
Action	Theme	Summary	Response	Recommendation
		the Tweed is already like the Gold Coast in places such as Casuarina, Kingscliff, Tweed Heads, Banora Point, Terranora, Pottsville and Hastings Point.	come to recreate, but live or invest in.	
	40 Hectare MLS	That the 40 hectare rule can be changed and is not a State law and that the Minimum Lot Size should be reduced to 2 hectares making land cheaper and more affordable giving farmers some cash in later life. All farmers want their children to have the right to build a house on the farm.	Refer to response to Submission 10	No changes proposed
	Rural Worker's Cottage	Rural Worker's Cottage is virtually impossible to get.	Action 84 proposes to 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, providing greater flexibility in the location of Rural workers' dwellings in RU1 and RU2 zones.	No changes proposed

Submission 12				
Action	Theme	Summary	Response	Recommendation
	Rural Residential Development	Supportive of Council's plans for rural residential. Would like to see this happen in the short term rather than the long term. Proposes lot sizes of 5 and 1 acres for primary industries such as timber growing, fruit and nut trees,	Refer to response to Submission 10	No changes proposed

Submission 12				
Action	Theme	Summary	Response	Recommendation
		grazing , health and educational rural life style and short term stays.		

Submission 13				
Action	Theme	Summary	Response	Recommendation
90	Dwelling Entitlement	Provided evidence that the property has a dwelling entitlement and requests that the Rural Land Strategy be updated to reflect this information.	<p>Action 90 proposes amending Tweed LEP 2014 clause 4.2B (3) to include a further basis for a dwelling being permitted on an existing lot or parcel of rural zoned land as follows: “is a lot or a group of lots identified as having 1 Dwelling opportunity on the Dwelling Opportunity Map, and that after two years clauses 4.2B (3) (c) and (d) are deleted.</p> <p>A Dwelling Opportunity Map would most likely only apply to those allotments less than the MLS.</p> <p>Should Council resolve to proceed with this action, the community would be notified and a call to have properties registered on the map would occur.</p> <p>It is proposed that landowners would have two years to have their properties listed on the map.</p>	No changes proposed

Submission 14				
Action	Theme	Summary	Response	Recommendation
	Homelessness	Submits that there should be allowances made and referencing in the Rural Land Strategy (RLS) for policies in line with Tweed Shire Council Homelessness Policy adopted by Council on 22	<p>Homelessness is a matter of concern to Council and one which has necessitated a separate policy approach which is presented in Council's 2015 Homelessness Policy.</p> <p>Homelessness is outside the scope of the RLS but has been forwarded to Council’s Community and Cultural Services Unit.</p> <p>Reference to all of Council's policies in each and every strategy is not</p>	No changes proposed

Submission 14				
Action	Theme	Summary	Response	Recommendation
		October 2015	considered necessary.	
	Relocatable homes	Include a section under which it would be permissible to place relocatable homes on land designated as rural, which would allow for the purchase of long time fallow rural land to be used for multiple affordable homes, as opposed to the current dual occupancy regulations.	Caravan parks and camping grounds are currently permissible with consent in the RU2 Rural Landscape zone and represent an opportunity for short term accommodation in some circumstances; however, random temporary housing across the Shire is not supported.	No changes proposed

Submission 15				
Action	Theme	Summary	Response	Recommendation
	MLS	Reduce the minimum land size requirement from 10 hectares to either 5 hectares or 10 acres for the option of a second dwelling. By eliminating an 8.57 hectare property from the program, you are increase homelessness.	Refer to response to Submission 10	No changes proposed

Submission 16

Action	Theme	Summary	Response	Recommendation
	General comment	Supports allowing people some financial security, but objects to proposed actions, specifically those that impact on the amenity of existing rural land users.	<p>The amenity of a location, its character, scenic and Aboriginal values, and potential impact on adjoining and nearby landowners is a matter which has been acknowledged in the actions and responses to submissions.</p> <p>Development of well-designed guidelines, development standards and planning provisions will be essential in ensuring that those features of rural Tweed which make it both unique, and attractive to live, work or recreate are preserved or enhanced.</p> <p>Where changes require a change to the LEP or DCO, the community will be consulted and opportunity to input into the process and outcomes to be derived provided.</p>	No changes proposed
95	Small lot clusters	<p>Subdivision of land in smaller lots in rural clusters has the potential to greatly increase land use conflicts.</p> <p>Many rural residents have chosen to live in rural areas to enjoy not having neighbours close and this has the potential to remove that amenity they have invested in.</p> <p>Need to increase housing density in towns, not in rural locations where infrastructure is expensive and it impacts on agricultural land.</p>	<p>Amenity, character and the visual landscape are essential features of rural Tweed which should be protected from the impacts of any further development.</p> <p>The draft strategy proposes an investigation of subdivision of small lot properties and R5 Large Lot residential zoned land in clusters where certain criteria can be met. These criteria have not been developed at this time, but could include consideration of aspects such as, amenity, character, visual impact, servicing, and potential for impact on environmental or agricultural lands and increased risk of landuse conflict, and agreement from residents of the cluster.</p> <p>It is proposed that concerns raised will be addressed in the guidelines and planning provisions to be prepared.</p>	No changes proposed
142	Water extraction	Requests a strong stance against commercial water extraction included in the strategy.	Upon the resolution of Council, the draft strategy was amended to proposed that Tweed LEP 2014 be amended to remove water bottling facilities.	No changes proposed

Submission 16

Action	Theme	Summary	Response	Recommendation
64	RU1 & RU2 increased flexibility	Currently residents can be sure high impact developments will be related to agriculture in rural areas but this action would remove this security.	<p>Any changes to the permissibility of landuses in the rural zones and development standards that would apply will need to be considered in detail to ensure that the ability of land to be utilised for agricultural and rural-related activities are not threatened.</p> <p>Changes to the LEP will require public consultation and any proposed changes will need the support of the Department of Planning and Environment.</p> <p>It is proposed that concerns raised will be addressed in the guidelines and planning provisions to be prepared.</p>	No changes proposed
7	Agricultural land protected	Agricultural land needs to be retained in agricultural use. Even when the land is not the highest quality there is future potential management techniques which will increase usability of land and it needs to be still available at that point.	The draft RLS proposes retaining the MLS for the majority of RU1 and RU2 zoned land.	No changes proposed
82	secondary dwellings	Not allow secondary dwellings in rural areas without consideration of the impact on existing residents and ensure they will only be permitted in places where existing dwellings will not be impacted.	<p>Guidelines will be prepared to ensure that assessment of any proposals for secondary dwellings takes into consideration a range of factors which should include impact on the amenity of the locality and adjoining land.</p> <p>When guidelines and planning provisions are prepared a draft will be advertised at which time the community will be able to respond in more detail.</p>	No changes proposed

Submission 17				
Action	Theme	Summary	Response	Recommendation
101	Steep land	<p>That land steeper than 1:12 should still be allowed to be built on provided a Geotechnical report can support the building application.</p> <p>Proposes that requiring a geotechnical report from a Registered Professional Engineer specialising in geotechnical engineering.</p> <p>Action 101 Steep Land: An amendment of the DCP to restrict building to slopes less than 12 degrees will prevent development of this property.</p> <p>That scenic impact of development be removed as it is dealt with in proposed actions 27 and 30 which relate to the Scenic Impact Strategy.</p>	See response to submission 18	No changes proposed

Submission 18				
Action	Theme	Summary	Response	Recommendation
	Lot size	Inference that all allotments less than 40ha is the result of farmers subdividing during times of declining sustainability is misleading and does not fully acknowledge many properties remain as per original surveys of the early	No inference has been made about the history of lot sizes, but to say that lot sizes have resulted from subdivision, whether the result of the original subdivision or not, but that for a range of reasons, the majority of allotments are now significantly less than the MLS.	No changes proposed

Submission 18

Action	Theme	Summary	Response	Recommendation
		and pre 1900's, with multiple allotments less than 40ha and enterprises on such allotments during that period being sustainable.		
Appendix 9	Existing use rights	That pre-existing use rights and entitlements are ignored.	<p>The status of dwellings that existed prior to the commencement of 'dwelling entitlement' provisions in Council's early planning instruments is such that 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.</p> <p>This changed with the commencement of IDO 1. As such, dwellings constructed before this date are now considered in certain circumstances to have existing use rights.</p> <p>Without going into the complex procedures required to determine if a property has a dwelling entitlement, the status of dwelling houses constructed prior to the commencement of Interim Development Order 1 in 1964, rural areas were not 'regulated' meaning that development could occur without approval.</p> <p>This clarification will be added to the final draft strategy.</p>	Comments relating to the status of dwellings constructed prior to the introduction of 'dwelling entitlement' provisions in Council's planning instruments to be added to Appendix 9 under the heading of Dwelling entitlement.
	Map 21: Dwelling Opportunity Map	Map 21 is sparse in recognition, even of entitlements where known building works would be on record. It appears that a claim or proof of entitlement will be required and within a time frame of two years, it is imperative that communication with landholders occurs prior to the implementation and closure of that period.	<p>Map 21 was a demonstration map showing what a Dwelling Opportunity Map would look like, it does not represent the current status of all known undersized properties which have a 'dwelling entitlement'.</p> <p>The title of the map will be changed to reflect this point. The proposed Dwelling Opportunity Map is expected to only apply to those allotments which are less than the MLS, and for which it can be shown that a 'dwelling entitlement' exists for that allotment/property.</p> <p>The map will in effect be a visual record of where undersized allotments/properties have been granted dwelling entitlements or where a dwelling entitlement can be proven to exist (where a legally constructed house does not exist), but will not infer any status to dwellings that may have been constructed on the property.</p> <p>Once a draft map and planning provisions have been prepared, the community will be consulted and the need to have properties included on</p>	Change the title of Map 21 to ensure that the map is seen as a sample map only.

Submission 18

Action	Theme	Summary	Response	Recommendation
			<p>the map made public. The map will be updated regularly,</p>	
	<p>Amalgamation</p>	<p>Suggestions of amalgamation of allotments would negate pre-existing use rights, future scope and flexibility, productive land is precisely that, amalgamation of allotments does not increase or create such, adoption or encouragement of that proposal aims to lock up an area for a particular purpose and should be restricted to prime areas RU 1</p>	<p>Subdivision of land for agricultural purposes is currently possible under the NSW State Government's Standard Instrument LEP Template and clause 4.2 of the Tweed LEP 2014 and is not likely to impact existing use rights for dwelling constructed prior to commencement of IDO 1 in 1964.</p> <p>The purpose of clause 4.2 is to allow land which is currently used for agricultural purposes or has potential for agricultural production to be retained and for amalgamations to occur without the escalated cost associated with land containing significant residential and associated development. As such, the use of this clause as it currently exists will be retained as is.</p> <p>The exception being that at this time the clause appears to restrict subdivision such that subdivision can only occur where the remnant allotment that contains the house is at least the size of the minimum lot size standard.</p> <p>The Draft Strategy is proposing that where subdivision for primary production purposes occurs, that any residual undersized allotment created which contains a legally constructed dwelling will retain its dwelling entitlement.</p>	<p>No changes proposed</p>

Submission 18				
Action	Theme	Summary	Response	Recommendation
	Scenic landscape	<p>The imposition of scenic preservation areas and vegetation corridors without discussion, <i>on the ground assessment</i> or consultation is a concern further limiting scope and confining individuals to prescriptive activity.</p> <p>Together with other limiting proposals, locking up of specific previously utilised and farmed areas, which affects the property value is of particular concern.</p> <p>Areas that may be presently idle does not indicate total abandonment.</p>	<p>The draft Rural Land Strategy seeks to promote the finalisation of the Scenic Landscape Strategy, noting that the landscape of rural Tweed is a mosaic of landuses, all of which contribute to the character of both localities and individual sites.</p> <p>Once a draft Scenic Landscape Strategy has been finalised, the community will have opportunity to comment on the document.</p> <p>While matters relating to the management of native vegetation and invasive weeds are mentioned, this is more as recognition of the linkages between the draft strategy and other strategies prepared by Council such as the Tweed Vegetation Management Strategy and the draft Biodiversity and Habitat Management Development Control Plan.</p> <p>It is acknowledged that currently under-utilised rural land may have a productive use in the future, and it is for this reason that Council resolved to adopt the nine policy directions which form the basis of the RLS. Policy Action 1 refers specifically to ensuring that existing and future agricultural production on rural land is facilitated and encouraged through the planning framework, and that land capable of agricultural use is protected.</p>	No changes proposed
	Vegetation management	Under the same State regulations together with the TSC LEP it is more restrictive to remove destructive productivity reducing introduced invasive species.	Issues with the accuracy and prescriptive nature of some existing environmental zones are acknowledged (e.g. under LEP 2000). Council is currently reviewing its environmental zones in accordance the "Northern Councils E zone Review" prepared by the NSW State Government. The review provides strict criteria for the application of environmental zones. Although there may still be controls on broad scale clearing, the revised zones will not prevent the management of invasive weeds.	No changes proposed

Submission 19				
Action	Theme	Summary	Response	Recommendation
142	Water extraction	On behalf of Tweed Water Alliance provides strong support for removal of Water Bottling Facilities form Tweed LEP 2014.	Acknowledged	No changes proposed

Submission 20

Action	Theme	Summary	Response	Recommendation
	Subdivision	<p>Allowing further subdivision, or second houses on small blocks will bring more people into closer living and will create more conflicts.</p> <p>This also includes tourist accommodation or attractions as they can be very noisy and intrusive too.</p>	<p>The draft strategy proposes dual occupancy (detached) on allotments greater than 40 hectares and secondary dwellings on allotments greater than 10 hectares, and proposes that subject to a range of planning provisions yet to be determined, that subdivision in small lot clusters and R5 Large Lot Residential zoned land, where allotments are typically less than 10 hectares be considered.</p> <p>Until relevant planning provisions are developed and publically advertised it is not possible to respond to this matter in more detail, but it will not be the intention of any proposed or draft provisions to increase conflict between adjoining landowners.</p> <p>It is proposed to proceed with implementation of proposed Action 95 with the issue of landuse conflict noted as a matter for consideration in development of planning provisions relating to this matter.</p>	No changes proposed
2, 3 & 60	Buffers	Need appropriate buffers to noisy or impacting developments like processing and packaging hubs.	<p>The draft RLS proposes that a new section in Tweed DCP 2008 be created addressing buffers, which may include consideration of the need for buffers surrounding noise generating development.</p> <p>It is proposed to proceed with implementation of proposed Actions 2 and 3 relating to buffers and for planning provisions developed to include consideration of processing and packaging and other rural industry related development proposals.</p>	No changes proposed
64	Increased flexibility in RU1 & RU2	Increased flexibility in the RU1 and RU2 zones: Does not want rural land moved away from agriculture as a primary focus. Requests that this action be removed.	<p>Throughout the development of the RLS the community has expressed a desire for increased flexibility in the planning process.</p> <p>The ability to increase the number of landuses permissible with consent in the RU1 and RU2 zones in LEP is one mechanism to provide greater flexibility. However, certainty within limits is required to ensure that the outcomes of any changes are considered, beneficial, and do not result in longer term cumulative impacts contrary to the intent of the original changes.</p> <p>The draft RLS seeks to present a balanced approach to the development of rural land, where agricultural landuses are able to continue and flourish amongst other landuses that are compatible with the existing and proposed uses of that land.</p> <p>A clear statement of the intention of the zone, its objectives, and preparation of clear guidelines and planning provisions to ensure that</p>	No changes proposed

Submission 20

Action	Theme	Summary	Response	Recommendation
			<p>assessment of development proposals consider the full range of implications will be required.</p> <p>Because this action will require an amendment to both the LEP and DCP, any proposed changes must be publically advertised and submissions sought, and a community engagement process will be undertaken to facilitate involvement in development of any proposed changes.</p> <p>Until the proposed changes are drafted, it will not be possible to provide further details about what might be an outcome of implementing this action.</p>	
83, 84	Secondary Dwellings & Rural workers' dwellings	Secondary dwellings and rural worker's dwellings should not be allowed on lots less than 40ha unless it can be shown there will be no impact on existing rural neighbours and rural land uses.	<p>The potential impact of any dwellings regardless of the size of the allotment will be considered for all proposals for additional dwellings.</p> <p>Assessment criteria will be developed to ensure that the impact of development will not adversely affect existing rural landuses and adjoining lands and landowners.</p>	No changes proposed
84	Rural workers' dwellings	<p>Rural worker's dwellings have been exploited and used as rental incomes rather than accommodation for farm workers.</p> <p>Maybe it is necessary to provide evidence that the farm is providing a working income before a workers dwelling is allowed.</p>	<p>Clause 4.2C in Tweed LEP 2014 currently requires that the agricultural or rural industry being carried out on the land has a demonstrated economic capacity to support the ongoing employment of rural workers.</p> <p>Should any member of the community believe that activities are occurring which may be in breach of conditions of consent or Council policies a complaint can be lodged with Council at any time.</p>	No changes proposed

Submission 20

Action	Theme	Summary	Response	Recommendation
		Land communes should not be allowed to subdivide any smaller than the existing surrounding land, otherwise they have an advantage over neighbouring land and will result in a lot of small lots no longer suitable for agriculture.	<p>The original concept of rural landsharing communities was that of shared resources and common desire to care for the environment as a community.</p> <p>Since those early days the number of applications for such communities has reduced, and the reasons behind wishing to be a part of such a community have changed to being more about lifestyle than a common cause and focus.</p> <p>The ability and implications of permitting subdivision of existing legally created multiple occupancy and rural landsharing communities will need to be fully assessed, as part of implementing proposed Action 93.</p> <p>While an assessment of the potential implications of subdivision is yet to be undertaken, it is not the intent of this action to lead to fragmentation of agricultural land, conflict with adjoining landuses or lead to an increase in dwelling opportunities, all of which will be considered in detail during preparation of the assessment proposed in this action.</p>	No changes proposed
142	Water extraction	Proposes a stop to water extraction that is not related to irrigation or home use. The water belongs to all of us and should be protected	Refer to response to Submission 19	No changes proposed

Submission 21

Action	Theme	Summary	Response	Recommendation
	Subdivision	Wishes to subdivide a 5.4 hectare property to construct two houses.	<p>At this time, unless the property is part of a cluster of small lot rural residential development, the draft strategy is not proposing random subdivision of small lot properties scattered across the rural Tweed.</p> <p>However, the strategy is proposing that a supply and demand analysis be undertaken as a first step in determining whether further subdivision of rural land for rural-residential purposes is warranted.</p>	No changes proposed

Submission 22

Action	Theme	Summary	Response	Recommendation
	Home business	There needs to be scope in the LEP for those wishing to value-add and work from home	<p>Under Tweed LEP 2014 Home Business is a landuse permitted with consent, making it possible to work from home under existing planning provisions.</p> <p>By definition, a home business means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:</p> <ul style="list-style-type: none"> (a) the employment of more than 2 persons other than those residents, or (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or (d) the exhibition of any signage (other than a business identification sign), or (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building, but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises, and is restricted to not more than 40 square metres of floor area. 	No changes proposed
21	Character statements	<p>Would like to see the Tweed maintain its distinctive character, where a vibrant rural economy strengthens that character and gives urban dwellers breathing space and connection to the countryside and nature.</p> <p>We will continue to welcome visitors to this area with our beautiful rural lands a clear contrast to the urban areas to the north. While not wishing to become part of the Gold Coast urban sprawl it's important that each of the</p>	<p>Proposed Action 21 in the exhibition version of the Draft Strategy proposes to 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.</p> <p>These statements will help guide assessment of rezoning and development proposals with the objective of ensuring that the distinctive features of rural Tweed are identified, and preserved.</p> <p>The draft strategy supports the integration of rural villages with the surrounding rural land and in conjunction with the Rural Villages Strategy support diversification and value-adding that enhances economic opportunities without deteriorating the key values identified in village and locality plans and as will be established in the character statements referred to above.</p>	No changes proposed

Submission 22

Action	Theme	Summary	Response	Recommendation
		villages are able to value-add where possible for intellectual, social and economic benefits.		
54	Roadside stalls	Proposes that there is a need to encourage farm gate sellers not only in farmers markets but also individually.	Roadside stalls are currently permissible with consent under Tweed LEP 2014; however, in an attempt to encourage small-scale well located outlets, the draft strategy proposed that Tweed LEP 2014 be amended by listing roadside stalls which are less than 8 square metres in size as exempt development in the RU1 Primary Production and RU2 Rural Landscape zones, subject to certain standards.	No changes proposed
95	Small lot clusters	Proposes that if a group of landholders clustered together wish to subdivide their land for family perhaps they could conditionally do so providing the lot is over 5 acres so rural amenity is still maintained somewhat and density not too small like in an urban area.	Refer to response to Submission 19	No changes proposed
120 - 130	Policy Direction 7	Requests more assistance for those wishing to assist the inherited environment or new landowners looking for information on rural land management/practices e.g. open days/weed busting days/land for wildlife info days.	<p>Through its Natural Resource Management unit, Council actively supports the community in understanding, rehabilitation and management of the environment.</p> <p>The role of the Rural Land Strategy is to acknowledge the essential nature of the interaction between the natural environment and other rural land and landuses and ensure that future development does not adversely impact the environment and provides for a balanced approach to how the diverse mix of landuses possible in rural areas come together to produce opportunities in the future yet protect character and amenity.</p> <p>The draft strategy as exhibited Under Policy Direction 7 proposes a range of initiatives targeting a well-informed, connected and resilient rural community.</p>	No changes proposed

Submission 22

Action	Theme	Summary	Response	Recommendation
	Rural villages	The rural villages should be supported as hubs of social as well as economic activity and increase their social, cultural and economic benefits with much better internet, transport and opportunities for connection.	<p>The role of the rural villages is an essential component in ensuring that the community has alternative places to live, work, and find services and facilities for all rural residents whether living in the village or surrounding rural land.</p> <p>The Draft RLS acknowledges this role and seeks to ensure that locality plans developed for rural villages supports and builds upon the directions proposed in the RLS.</p> <p>It is proposed to proceed with development of locality plans for priority rural villages as part of Council's existing work programmes.</p>	No changes proposed
	Public assets	Encourage usage of existing public assets such as rural halls, parks etc. for the benefit of the wider community.	While the ongoing maintenance and use of public assets is supported, it is outside the scope of the RLS. This request has been referred to Council's Community and Cultural Services Unit.	Refer to Council's Community and Cultural Services Unit
120 - 130	Assisting newcomers	Assistance should be available and promoted as widely as possible by TSC to any newcomers to the area via TSC website and a variety of community engagement strategies to assist in settling in, offer advice, copies of local publications of interest such as Tweed Link etc. to assist in developing and maintaining a vibrant and totally inclusive rural lifestyle and economic profile.	<p>The concept of providing information to existing and new arrivals to rural areas which assists them in both understanding local issues and facilitates a friendly integration into the local community is welcomed and a focus of actions proposed under Policy Direction 7.</p> <p>The creation of a rural land website, support of local networks to disperse information and creation of information pamphlets, education and training opportunities to assist in building local networks, connecting the community, providing information to assist in building resilience are all outcomes sought by actions proposed under this policy direction.</p> <p>It is understood that one of Tweed's villages already provides a 'welcome package' to new landowners and residents; such community building is welcomed and will be supported with initiatives proposed in the draft strategy.</p>	No changes required
	Business network	Newcomers looking to develop businesses could be paired with like-minded existing businesses or products to ensure longevity and economic viability of industries which are becoming fractured and	<p>While connecting local business operators is supported, development of ongoing mechanisms to ensure that a network of business owners is created and maintained is outside the scope of the RLS.</p> <p>This request has been referred to Council's Economic Development Unit.</p>	No changes proposed

Submission 22				
Action	Theme	Summary	Response	Recommendation
		at risk of disappearing due to a variety of reasons.		

Submission 23				
Action	Theme	Summary	Response	Recommendation
	Wildlife corridors and buffers	Environmental zones need to include all the mapped wildlife corridors and buffer zones to our National Parks and in particular to the World Heritage Listed areas.	Environmental Zones are currently under review. This will be done in accordance with the criteria set out in the Far North Coast E zone review prepared by the DPE.	No changes proposed
	Environmental surveys	Environmental surveys need to be done and more areas classified as Environmental Protection Zones and accordingly protected.	See response above.	No changes proposed
	Floodplain	Farming land that is on flood plains should only be used for crops and not animal agriculture.	While the matter of how rural land is utilised for permissible activities is outside the scope of the RLS, Council through its Sustainable Agriculture Strategy promotes wise land management practices and land stewardship.	No changes proposed
	Climate change	With climate change there is more need for shade and shelter for farm animals. Existing paddock trees, windbreaks and corridors should be protected and many more planted to provide this vital protection for farm animals.	Noted, however with the introduction of the Local Land Services Act protection of paddock trees, windbreaks etc. are regulated by LLS not Council.	No changes proposed

Submission 23				
Action	Theme	Summary	Response	Recommendation
	Prime agricultural land	All prime agricultural land and water resources should be protected.	The intent of Policy Direction 1 seeks to ensure that existing and future agricultural production on rural land is facilitated and encouraged through the planning framework, and that land capable of agricultural use is protected. Actions listed in the Implementation Plan under this policy Direction seek to ensure this outcome.	No changes proposed
	Rural villages	Rural villages need to retain their rural charm and development kept low density and in keeping,	Refer to Submission 25.	No changes proposed

Submission 24 – Combined Tweed Rural Industry Association (CTRIA)				
Action	Theme	Summary	Response	Recommendation
	Dissatisfied with Draft RLS	The draft strategy is a great disappointment and disappointing that the RLS does not have more independence but is one of many strategies and plans. This strategy has no credibility.	Every effort has gone into working through a process which was both transparent and accountable, undertaking extensive community engagement as documented in the appendices to the strategy. Council policies cover a diverse range of issues considered significant enough to be contained in separate easy to access documents. The ability of a single strategy to bring together all relevant Council policies would make such a strategy bulky, lead to duplication and not allow the strategy to hone in on priorities for that strategy.	No changes proposed
	Strategy Terms of Reference Pre-determined	That the Terms of Reference for the Strategy were pre-determined by Council's planning department to achieve a pre-determined outcome and it was clear that the 40 hectare issue was not going to be addressed.	The process implemented for development of the RLS was designed to be a logical and transparent succession of steps commencing with accumulation of known information, consultation with the community to identify issues, development of options to address those issues, establishment of a framework for the final strategy and the final draft strategy. At no time has any attempt been made to influence the inputs of the community, agencies or stakeholders. More than 140 actions have been derived as a consequence of the research of independent consultants engaged by Council, input from key stakeholders and government agencies and exhaustive consultation with the community. Reports have been presented to Council throughout the project acknowledging these inputs and providing a response to matters raised.	No changes proposed

Submission 24 – Combined Tweed Rural Industry Association (CTRIA)

Action	Theme	Summary	Response	Recommendation
			<p>For a response to not addressing the 40 hectare issue refer to the response to Submission 10.</p>	
		<p>That the statement on page 102 that the majority of rural landowners did not provide any input could be assumed to mean that they are happy with the way things are shows a total lack of understanding of the nature of the farming population would may not have computer or IT skills, do not have confidence to address public forums or provide written submissions, are totally frustrated with the lack of response to previous submissions and hence view the whole exercise as a waste of time or suffer from apathy. There has not been enough input from landowners who are the most affected group in the Shire.</p>	<p>Rural Tweed contains more than 7000 properties, and while many dwellings may not be occupied by the landowner, every attempt has been made to provide opportunities through which rural landowners and the community could be involved in the preparation of the draft strategy.</p> <p>The ability or desire of landowners or the community to respond to exhibition of the draft RLS or any other document placed on public exhibition is a very personal matter.</p> <p>Council has made every effort to consult with the rural community, including attending meetings established for the very purpose of allowing rural landowners to come together in a forum that they felt 'comfortable' with; such a meeting was convened by the CTRIA and attended by Council officers to address specific matters raised by the members.</p>	

Submission 24 – Combined Tweed Rural Industry Association (CTRIA)

Action	Theme	Summary	Response	Recommendation
		<p>Because the majority of rural landowners did not respond casts doubt on the integrity of this whole exercise.</p>	<p>Community engagement is about allowing opportunity, acknowledging feedback received and undertake an objective assessment of the merits of the comments made. This is only part of the process of developing policy or proposing changes in a draft strategy.</p> <p>Extensive investigations are also required to provide a factual basis for any response provided or introduction of other matters not raised by the community during consultation.</p> <p>The extent of consultation, information collation, and consideration of issues confronting the future of rural Tweed has been exhaustive, and provides a firm basis to make recommendations to Council.</p> <p>Documentation prepared during the development of documents in each stage of the project are available for viewing on Council's website.</p>	<p>No changes proposed</p>
9	Potentially Productive Agricultural Land	<p>Concerned about what might be included as potentially productive agricultural land.</p>	<p>The purpose of including "potentially productive" land in Action 9 is to acknowledge that while not all land is currently used for productive agricultural purposes, the potential of that land to have an agricultural use in the future should not be ignored based on current use.</p> <p>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.</p> <p>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.</p>	

Submission 24 – Combined Tweed Rural Industry Association (CTRIA)

Action	Theme	Summary	Response	Recommendation
11	Property amalgamations	<p>The only significant property amalgamations in recent times occurred when concessional allotments were allowed and farmers could raise enough capital to buy a neighbouring property by selling off some rural residential blocks. Land in the RU2 zone is priced out of reach of those wishing to buy for agricultural purposes. Much of this land is only suitable for grazing and cannot the number of cattle required to run a viable cattle business.</p>	<p>Under previous local planning instruments concessional lot creation was possible up until the introduction of Tweed LEP 2000; however, for those farmers who chose to generate an income by selling off part of the property, the reduced size of the remaining property further exacerbated their ability to generate an income from more traditional farming enterprises such as beef cattle.</p> <p>However, some landowners have sought and been successful introducing more innovative approaches and new products. The Draft RLS seeks to ensure that the future use of rural land for agricultural purposes is not sterilised and opportunities for innovation, diversification and value-adding are available.</p> <p>Subdivision of rural land for primary production purposes is currently a possibility under Tweed LEP 2014, and is designed to allow land to be subdivided for agricultural purposes and thereby for the price of the land to reflect a less capitalised asset where the land to be subdivided cannot contain a house, and a house cannot be built on the subdivided block if it is less than the MLS.</p> <p>The effect of this existing provision would in part be to provide an opportunity for landowners seeking to undertake legitimate agricultural operations, to acquire more land at a price which does not include a dwelling house.</p>	No changes proposed
40		<p>Policy Direction 2 regarding the rehabilitation and management of native vegetation and wildlife; Farmers have had enough of being the bearers of the risk and cost of actions that the community desires.</p>	<p>The scenic landscape of the Tweed is one of the features of the Tweed which contributes heavily to the character and identity of the Shire and has driven demand for opportunities to live and work here.</p> <p>Council, community groups and individual landowners undertake a range of land rehabilitation projects, designed to improve the quality of the environment and protect important natural assets such as the soil, vegetation and water resources. This is a benefit to the individual farmer who wishes to see their assets retained or improved through better land management practices, and the community through improved health of the catchment and water that is yielded from it. The benefits of a more stable landscape to individual landowners, the farming community and the community more broadly are well documented.</p> <p>Action 40 seeks to encourage the rehabilitation of degraded land and vegetation as part of proposals to develop land, whether at the rezoning</p>	

Submission 24 – Combined Tweed Rural Industry Association (CTRIA)

Action	Theme	Summary	Response	Recommendation
			<p>stage, or with the assessment of development applications.</p> <p>Any change to Council's DCP or LEP would require public exhibition and allow input from the community.</p>	
27	Scenic landscape	<p>Scenic" landscape: Who determines such a subjective value as "Scenic" landscape? This clause has the ability to interfere with the placement of farm buildings, detached dual occupancies and secondary dwellings.</p>	<p>Council is preparing a Scenic Landscape Strategy which once publically exhibited and endorsed by Council will provide guidance on how proposed development will be assessed. The community has been engaged in its development and will be further engaged once a draft strategy is available.</p> <p>Action 27 proposed that the Scenic Landscape Strategy be finalised.</p>	No changes proposed
	Weeds and pest animals	<p>Control of environmental weeds and pest animals: How will the RLS achieve this when the environmental department of TSC has protected large seed reserves on noxious and other weed species along public roads under the RVMP?</p>	<p>The Roadside Vegetation Management Plan (RVMP) is an initiative of Council in response to its legislative requirement to protect threatened species, their habitat and endangered ecological communities.</p> <p>Responsibility for the control of Priority Weeds (previously Noxious weeds) in roadsides rests with Rous County Council (previously Far North Coast Weeds), the weed control authority funded in part by Council.</p> <p>The RVMP promotes the control of weeds in all locations along the Shire's roads, provides roadside vegetation clearing zones for the safe passage of vehicular traffic and does not impede the clearing of vegetation by utility companies such as Essential Energy and Telstra.</p>	No changes proposed
	40 hectare MLS	<p>Policy Direction 3: Support economic development: The single greatest impediment to innovation, diversification is the 40 hectare MLS and TSC planners refusal to address this issue.</p>	<p>While the 40 hectare MLS provision has allowed retention of the few remaining larger allotments, economic activity and development are linked to a much wider range of factors than just property size. Consultants engaged by Council to prepare stages 1 and 2 were asked to provide advice on the relationship between property size and economic viability. Their response was that there is no simple correlation between lot or property size and the ability to generate an income from or on that land.</p> <p>Notwithstanding the number of properties well below the MLS, Council's rating system shows that in the RU2 Rural Landscape zone, 139 properties are less than 10 hectares and Farmland rated, with 83 of these being less than 5 hectares; demonstrating the point that property size is not a clear and direct indicator of landuse or economic viability alone.</p> <p>Given the number of properties already substantial less than the MLS, and</p>	No changes proposed

Submission 24 – Combined Tweed Rural Industry Association (CTRIA)

Action	Theme	Summary	Response	Recommendation
			<p>the predominant use of smaller properties for lifestyle purposes, any reduction in the MLS would not target economic development, but deplete the remaining land stock available for agricultural purposes and increase conflict between landuses, adding pressure on the remaining agricultural land to be taken out of production as well.</p> <p>For further comment refer to Submission 10.</p>	
	Tourism	<p>Policy Direction 4: Grow rural tourism: The majority of farmers are just that, farmers who do not possess the skills or desire to be successful tourism operators.</p> <p>Problems for young farmers raising capital to finance diversification into tourism and surviving the lead time until the business becomes self-supporting.</p>	<p>For landowners seeking to fund retirement on the property the motivation to invest in innovative farming opportunities is understood; however, tourism in rural Tweed is seen as one of the greatest opportunities to provide employment opportunities for family members who wish to work close to home, and represents a different or complimentary way of utilising their properties.</p>	No changes proposed
33	Rural housing	<p>Policy Direction 5: Greater diversity of rural housing. Some interesting concepts but cannot support until see details in the DCP yet to be prepared. What is meant by "the land's natural values are enhanced"?</p>	<p>The phrase "the land's natural values are enhanced" appears in the list of anticipated outcomes in the Policy Directions Paper in the previous stage of the project, and as repeated in the Draft RLS. The phrase relates to proposed Action 33 Net environmental benefit, where guidelines will be prepared to ensure that where a second dwelling (Dual Occupancy - detached, Secondary Dwelling, or Rural Worker's Dwelling) may be possible, consideration is given as to how the environment and natural landscape will benefit from approval of such development.</p> <p>Until guidelines are prepared and the DCP amended, details cannot be provided; however, any amendment to the DCP would require community consultation at which time a detailed discussion can be held with the community about this matter.</p>	No changes proposed

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Action	Theme	Summary	Response	Recommendation
101	Steep land	Why are rural landowners being discriminated against with 12 degrees upper slope limit which does not apply to urban housing?	<p>Action 101 proposes that Tweed DCP Section A1 be amended to ensure that development on land greater than 12 degrees is minimised and that the scenic impact of any development, including dwellings, roads and buffers are considered and appropriate provisions to minimise or prevent adverse impacts are addressed in assessment of development proposals.</p> <p>The clause does not impose a prohibition but seeks to discourage development on steeper slopes. While it may be possible to build a dwelling on steep land, this will be just one of a number of criteria used in the assessment of a development application.</p> <p>The intended implementation outcome is that potentially adverse impacts of development on steep land particularly in rural areas where the scenic landscape may be more sensitive to change are avoided, or minimised and managed, and the visual impact of development on steep land is considered in assessment of development applications.</p> <p>It is generally accepted that slopes in excess of 12 degrees are difficult to build upon and in rural areas, providing access and service easements can have a significant impact on the stability of the slope and impacts on the scenic landscape.</p> <p>Tweed DCP A1 applies to all residential and tourism development in Tweed Shire and makes no distinction between rural and urban land.</p>	No changes proposed
		Perceived problems with the proposed actions under Policy Direction 5 include: 1. compliance with Council's strategies and plans, 2. ability to finance an additional dwelling, and 3. no security with no title for family members contemplating return to the farm.	<p>While Council has resolved in Policy Direction 6 to make its requirements transparent and planning procedures streamlined where possible, many of the planning requirements of Council are imposed by the State Government, mandatory and outside the ability of Council to influence.</p> <p>Feedback received during public consultation suggested that many young people no longer preferred the rural lifestyle they were raised into; preferring the coastal more urban environment and regular working hours.</p> <p>While the draft strategy in not proposing further subdivision of the farm, it does provide options for the construction of secondary dwellings, dual occupancy (detached) and rural workers dwellings in certain circumstances.</p>	No changes proposed

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Action	Theme	Summary	Response	Recommendation
	Sustainable forestry	Policy Direction 8: Promote more sustainable land use practices: CTRIA has had no input into the Sustainable Agriculture Strategy. Supports proposed outcomes and actions relating to more sustainable forestry (dot point 4 in outcomes and dot point 3 in key actions) if this includes native forestry as well as agri-forestry.	<p>The Tweed Sustainable Agriculture Strategy was developed over a number of years involving numerous consultations with industry including the Tweed Cane Growers Association and Sunshine Sugar, the Tweed Fruit and Vegetable Growers Association, The Tweed Brunswick Banana Growers Association, and various dairy and horticulture representatives.</p> <p>A draft strategy was placed on public exhibition in April and May 2016. These public consultations and exhibitions provided numerous opportunities for community input.</p> <p>The strategy is available on Council's website and outcomes reported to Council on an annual basis. The strategy strongly promotes the understanding that improved environmental management leads to increased productivity and economic returns.</p> <p>The dot points refer generically to "forestry activities" without defining any specific type of forestry. The ability of any legally operating forestry operation to improve its operation with an aim of better land management practices leading to more sustainable operations should apply to all forestry activities.</p>	No changes proposed
	Land classification	No mention in the strategy of the thousands of hectares of second rate farm land.	<p>While "second rate farm land" has not been defined, the capability and suitability of rural land in the Shire has been previously determined through State Government mapping projects including the Land and Soil Classification Scheme by the former Soil Conservation Service, the Agricultural Suitability mapping undertaken by the Department of Agriculture, and the Biophysical Strategic Agricultural Land mapping more recently completed by the Office of Environment and Heritage.</p> <p>It was not within the scope of this project, or financially resources and feasibility to undertake a review of the capability and suitability of rural land in the Shire. Although important for some forms of agriculture, the ability of a property to undertake agricultural activities is not solely related to the quality of the soil and water resources of a property.</p>	No changes proposed

Submission 24 – Combined Tweed Rural Industry Association (CTRIA)

Action	Theme	Summary	Response	Recommendation
	Merit-based assessment	<p>Blanket planning rules do not work; there needs to be a merit-based assessment regime.</p> <p>Introduce flexible and innovative planning controls that will allow and encourage small farms that can be managed while the real money is earned off farm and any income from the farm becomes a bonus.</p>	<p>With any landuse planning scheme certainty of outcome is an important aspect that ensures that undesirable outcomes are avoided where possible; this is important for both applicants for development and the community.</p> <p>The current planning system provides an assessment of development applications and rezoning requests firstly on the broad acceptability and strategic merit of a proposed landuse, and provides guidance regarding desirable outcomes but then allows assessment of the merits of the proposal within those boundaries.</p> <p>The draft strategy proposes to review opportunities to increase the number of permissible with consent landuses in the rural zones, and streamline planning processes where possible.</p> <p>While some small properties are farmland rated and generate the majority of income from the land, the majority of properties are not and are assumed to be lifestyle properties rather than 'farms' used for agricultural purposes, as such, further subdivision of the remaining larger rural properties can be expected to result in an increase in lifestyle properties and not properties utilised for agricultural purposes.</p> <p>It is proposed to increase the number of permissible with consent landuses in the RU1 and RU2 zones.</p>	No changes proposed
	Property amalgamations	<p>There will be no property amalgamations. Land values are too high to allow the economically sustainable purchase of land for agriculture and inflexible planning controls will not allow the subdivision of small areas of land to raise capital to purchase neighbouring properties.</p>	<p>While some landowners may not be purchasing adjoining properties, share-farming and operation of properties with non-contiguous land parcels is occurring and not uncommon.</p> <p>Previous planning controls had permitted the cut up of the farm to the point that the majority of allotments in the RU2 Rural Landscape zone are significantly less than the MLS. While this had allowed landowners at the time to generate cash to remain on the remnant of the property, as pointed out earlier in this submission, many landowners may not have computer or IT skills, suffer from apathy, may not wish to diversify into alternative landuses or have tried to diversify without success.</p> <p>As such, whether the solution is to cut up the last of the farm or sell and relocate is a personal choice that cannot be fully addressed by changing planning provisions alone.</p>	No changes proposed

Submission 24 – Combined Tweed Rural Industry Association (CTRIA)

Action	Theme	Summary	Response	Recommendation
			<p>As early findings of the strategy showed, the greatest rise in land values has been in the smaller properties, presumably due to capitalisation with the construction of dwellings houses.</p> <p>As such, to reduce the MLS to allow a sell off of more of the property under the assumption that it will generate funds to allow purchase of the adjoining property fails to recognise that the land value of the adjoining property would increase commensurately and therefore eliminate the incentive to amalgamate.</p> <p>Under Tweed LEP 2014 Clause 4.2 currently allows for the subdivision of land in the RU1 and RU2 zones for primary production purposes where the land is less than the MLS so long as a house is not on the land and a house cannot be built on it.</p> <p>As such, for those landowners seeking to amalgamate or sell a part of the farm this provision is currently available. The Draft Strategy has proposed that this should be further encouraged with an additional provision being included which applies to properties less than the MLS, or the remnant parcels of land created containing a house also being less than the MLS.</p> <p>This action is consistent with the State Government's current review of rural land related State Environmental Planning Policies.</p> <p>While one of the major employment sectors of rural Tweed is white collar workers, it is not necessarily a corollary that these landowners do not wish to see their land used for productive agricultural purposes, and in some circumstances this would be the opposite, with the income earned off-farm being invested in the property to enhance its productive capability.</p>	

Submission 25 – Department of Primary Industries (DPI)

Action	Theme	Summary	Response	Recommendation
7, 8	40ha MLS	<p>DPI Agriculture supports the retention of the 40ha MLS on these lands and acknowledges the intent of this action however it is considered that this will be difficult to implement given the mapping scales and potential risk of mapping discrepancies. It is recommended that the 40ha MLS be retained overall RU1 and RU2 zoned land.</p>	<p>This action was derived from recommendations developed in the Options Paper prepared earlier in the project. The intention of Actions 7 and 8 in the exhibited version of the draft strategy was to reinforce the need to protect this land and retain the MLS across all rural land.</p> <p>As such it is proposed that action 7 be amended by removing reference to the various categories of land and that the amended wording read "Retain the existing 40 hectare minimum lot size (MLS) for a subdivision for the purposes of a dwelling on all land in a RU1 or RU2 zone where it currently applies under LEP 2014."</p>	<p>Action 7 to be amended to read "Retain the existing 40 hectare minimum lot size (MLS) for a subdivision for the purposes of a dwelling on all land in a RU1 or RU2 zone where it currently applies under LEP 2014."</p>
11	Subdivision for primary production purposes	<p>The intent of this action is acknowledged however rural subdivision creates a high risk of future land use conflict scenarios, in this instance between the subdivided dwelling lot and surrounding primary production activities. The lot with the dwelling can potentially become an 'island'.</p> <p>The potential for changes in ownership of these lots from a house associated with a working farm to one with no association between house and farm can lead to heightened land use conflict risk, if not adequately managed. Additionally the potential impact from a secondary dwelling should be further considered in this scenario.</p>	<p>The risk of increased conflict between landowners is acknowledged; however, this action does not seek to increase the number of dwellings, but merely to allow subdivision where the parent allotment and/or the remnant allotment created after subdivision, which would contain the existing dwelling, are less than the minimum lot size.</p> <p>The Tweed is perhaps somewhat unique in that the majority of rural allotments are significantly less than the MLS, the consequence being that should a landowner wish to sell off the agricultural portion of the property it is likely that both the agricultural portion, and the remnant containing the house will be less than the MLS. Current legislation does not support this outcome.</p> <p>The state Government in its current review of rural land related state environmental planning policies is proposing to support such a change to the legislation, consistent with this proposed action.</p> <p>It is proposed that guidelines prepared for subdivision for primary production purposes consider the potential for an increase in conflict between adjoining and nearby landowners and landuses, including the potential for use of a caveat on title or other mechanisms to identifying that the allotment containing the house is in a rural area and nuisance from routine agricultural activities is possible and cannot be used as a reason to seek changes to legitimate agricultural activities on surrounding and nearby land.</p>	<p>No changes proposed</p>

Submission 25 – Department of Primary Industries (DPI)

Action	Theme	Summary	Response	Recommendation
57, 58	Function centres	<p>There is significant potential for land use conflict with function centres in rural zones. Evidence exists throughout NSW of complaints from these types of development in rural areas due to poor siting and/or poor management. DPI Agriculture is currently liaising with other councils regarding this matter and would suggest a collaborative approach to dealing with this matter to ensure consistency with nearby local government areas; suggest 'investigate the amendment'.</p>	<p>Concerns about the potential for function centres to generate complaints is recognised, but the ability of well designed, located and operated facilities would be expected to minimise any potential negative impacts.</p> <p>It is essential that potential adverse impacts are identified early in the planning process and that guidelines are prepared to ensure that function centres are well designed, located, and managed.</p> <p>Byron Shire Council is currently undergoing a review of the operation of function centres and collaboration with this and other councils will be part of developing Council's approach to this development type.</p> <p>Due to concerns raised by the department, it is proposed that a rewording of actions 57 and 58 be occur to require investigation of implications prior to concluding whether the LEP and DCP should be changed, but if a change is supported, that changes be made in accordance with those findings.</p>	<p>Action 57 be amended to read "Investigate the implications of making function centres permissible with consent in the RU2 zone and if findings support a change to the LEP, that the LEP be amended accordingly."</p> <p>The Implementation outcome of Action 57 to be amended to read "If supported by the findings of an investigation of impacts, that function centres are made permissible with consent in the RU2 zone"</p> <p>The intent of Action 57 be amended to read "If supported by an investigation into the impact of making function centres permissible with consent, that Tweed DCP 2008 be amended to provide appropriate objectives, guidelines and development requirements in accordance with the findings of the investigation"</p> <p>Action 58 to be amended to read "If supported by the findings of an investigation into the impact of making function centres permissible with consent in the RU2 zone, that Tweed DCP 2008 be amended to provide appropriate objectives, guidelines and development requirements in accordance with the findings of the investigation".</p>

Submission 25 – Department of Primary Industries (DPI)

Action	Theme	Summary	Response	Recommendation
60	Processing & packaging hub	Caution is needed with the scale of these industries on RU1 land. These types of development are considered more suitable for industrial zone which then allows more area of land for agricultural production.	<p>Action 60 in the draft exhibited RLS seeks to support the integration of processing & packaging facilities in the RU1 Primary Production zone. The rationale being that integration of the production and processing and packaging of local produce is supported, albeit that a more centralised facility in a hub is a preferred outcome where the volume of production cannot justify the cost of a private standalone facility, but could be utilised by a range of small scale producers to value-add to their local produce.</p> <p>The locational requirements and development standards to apply to these facilities are yet to be determined, but should not detract from the amenity of the locality, impact scenic amenity, utilise agricultural land or impact the environment.</p> <p>Well-designed guidelines and planning controls will be essential to ensure compatibility with the rural production and character of the area. Action 61 seeks to ensure that these guidelines and controls are well designed to ensure a positive integrated development outcome.</p>	No changes proposed
62		Action supported. Suggest adding agri-business in strategy also	Action 63 proposes the development of a Rural Tourism Strategy, an action which incorporates many of the initiatives listed in the draft RLS. It is not considered appropriate to single out one particular landuse type for mention in the action, but leave it generic to allow consideration of all possible types of development.	No changes proposed
64	RU1 & RU2 increased flexibility	It is important that any development permitted in the rural area are ancillary to primary production, are small scale and consistent with the objectives of the primary production zone. It is suggested that this action include the words 'Investigate' and be based on the outcomes of Action 62 also.	<p>The intent of this action is to increase the range of landuses permissible with consent in the RU1 Primary Production and RU2 Rural Landscape zones, thereby reducing the need to undertake more expensive and time consuming planning proposals to rezone the land to make the landuse permissible with consent.</p> <p>Only those landuses considered appropriate, will be considered and guidelines prepared to ensure that the objectives of the zones and development outcomes are considered.</p>	No changes proposed
65	RU1 & RU2 increased flexibility	A precautionary approach to any amendments to zone objectives is required to ensure the core objective of RU1 and RU2 zone remains primary production	<p>Acknowledged. DPI to be consulted once work commences on this action.</p> <p>It is proposed that the Department of Primary Industries is to be consulted during implementation of this action.</p>	No changes proposed

Submission 25 – Department of Primary Industries (DPI)

Action	Theme	Summary	Response	Recommendation
		and any additional permitted uses are ancillary to agriculture. DPI Agriculture would welcome input to this action should it progress.		
82, 83	Dual occupancy (Detached) & Secondary dwellings	Refer to previous correspondence in relation to potential risks of increasing the housing density in the rural zones.	Acknowledged. DPI to be consulted once work commences on this action. It is proposed that the Department of Primary Industries is to be consulted during implementation of this action.	No changes proposed
84	Rural Workers Dwellings	The intent of this action is acknowledged given the proximity of farms in Tweed LGA to villages and towns however there is concern for the number of housing opportunities permitted within the rural zones under the Draft Strategy given actions 82 and 83.	Acknowledged. DPI to be consulted once work commences on this action. It is proposed that the Department of Primary Industries is to be consulted during implementation of this action.	No changes proposed
92	Allotments split by infrastructure	The potential for subdivision due to infrastructure within this LGA is considered to be substantial. DPI Agriculture does not support this action and believes this action will further fragment rural land and reduce land available for agricultural production in the LGA. This action is therefore considered inconsistent with the NSW Right to Farm Policy and Maintaining Land for Agriculture Policy.	Action 92 proposes that Council undertake a review of the potential implications of making permissible with consent subdivision and dwellings on parcels of land fragmented from the original homestead block due to construction of infrastructure, and If supported, establish criteria to ensure the protection of agricultural land and include the criteria in the assessment list to be developed for undersized allotments. Concerns expressed about the potential impact of providing dwelling entitlements to parcels of land intersected by infrastructure are acknowledged and considered significant. The intention of this action was to provide opportunity for subdivision where it could be demonstrated that the impacts of subdivision would not lead to negative changes to the rural landscape. One negative impact would be a proliferation of dwellings along rural roads which would not be considered a desirable outcome of implementing this action. Subdivision of rural land which generates allotments less than the	No changes proposed

Submission 25 – Department of Primary Industries (DPI)

Action	Theme	Summary	Response	Recommendation
			<p>minimum lot size will require a change to Tweed LEP 2014, and as such public consultation will be required at which time the opinions of the community will be sought, and government agencies will be engaged, including DPI.</p>	
95	Small lot clusters	<p>It is recommended that potential cluster areas for subdivision are strategically identified to avoid speculation in areas not suitable due to the criteria listed under the action.</p>	<p>Acknowledged. Any process for selection of clusters deemed appropriate for further subdivision, including R5 Large Lot Residential zoned land, will need to justify selection through mechanisms yet to be determined, but will include the strategic merit of increased housing densities, especially in isolated locations.</p>	No changes proposed

Submission 26 – Office of Environment and Heritage (OEH)

Action	Theme	Summary	Response	Recommendation
	High Environmental Value land	<p>Recommends that the Strategy ensures that 'environmentally sensitive lands' referred to in the Strategy encompasses areas of High Environmental Value land as per the North Coast Regional Plan.</p>	<p>Environmentally sensitive land is referred to generically in relation to use of buffers to protect this land, and specifically in relation to State protected Sensitive Land (Category 3).</p> <p>Where the term is applied generally, it is considered appropriate to include consideration of land identified as High Environmental Value land in assessment of rezoning proposals and development applications.</p> <p>It is proposed to change the wording of the Implementation outcome for Action 2 Buffers - DCP, to include reference to High Environmental Value land.</p>	<p>Action 2 Implementation outcome is amended to read "Buffers between potentially conflicting landuses, and environmentally sensitive land (including High Environmental Value land as defined in the North Coast Regional Plan 2036) are identified and planning provisions established to minimise potential for conflict between owners of land within and adjoining rural zoned land.</p>

Submission 26 – Office of Environment and Heritage (OEH)

Action	Theme	Summary	Response	Recommendation
	Aboriginal cultural values	The Implementation Plan is not clear on the means to protect and avoid impacts on Aboriginal cultural values. Recommends that references to environmentally sensitive and/or sensitive areas also capture the significant/sensitive Aboriginal cultural heritage by specific wording where appropriate, and that the referenced maps include the Aboriginal cultural heritage map recently adopted by Council.	<p>The draft Tweed Aboriginal Cultural Heritage Management Plan (ACHMP) has been placed on exhibition and will be reported to Council in the near future seeking its adoption. The Plan addresses all matters relevant to the identification and management of Aboriginal cultural heritage places and objects.</p> <p>The draft advertised RLS supports greater awareness of Aboriginal cultural heritage and proposes that Tweed LEP 2014 be amended to include an additional aim/objective for RU1 and RU2 zones regarding the retention of Aboriginal and European cultural heritage.</p> <p>The ACHMP includes both a management plan and associated maps. It is not proposed to duplicate this mapping.</p>	No changes proposed
	E zone review	The OEH has previously provided detailed comments on the Northern Councils E Zone Review to the DPE indicating support for a process to identify suitable land for applying an E zone using consistent criteria and the use of terrestrial biodiversity overlays with associated local provisions.	Environmental Zones are currently under review. This will be done in accordance with the criteria set out in the Far North Coast E zone review prepared by the Department of Planning and Environment.	No changes proposed
2	Buffers - DCP	Supports maps of buffers to environmentally sensitive lands but recommends this also includes significant/sensitive Aboriginal cultural heritage.	Refer to response earlier in this submission	No changes proposed
3	Buffers - Map	Recommends that the 'trigger map' includes consideration of significant/sensitive	Criteria for the identification, protection and management of Aboriginal values are detailed in the draft ACHMP and as such it is not proposed to duplicate requirements in the draft RLS.	No changes proposed

Submission 26 – Office of Environment and Heritage (OEH)				
Action	Theme	Summary	Response	Recommendation
		Aboriginal cultural heritage values.		
6	Zoning - RU6	Could include consideration of significant/sensitive Aboriginal cultural heritage.	Refer to response earlier in this submission	No changes proposed
7	MLS retained - productive agricultural land	Supports retention of the 40ha MLS.	Acknowledged	No changes proposed
8	MLS - Constrained land & village/urban land	Could include consideration of significant/sensitive Aboriginal cultural heritage.	Refer to response earlier in this submission	No changes proposed
22	Biodiversity & habitat management	Supports this action, and incorporating biodiversity planning provisions in the LEP such as a terrestrial biodiversity map and associated planning controls.	Acknowledged	No changes proposed
23	Regional conservation strategies	Suggests that the North Coast Regional Plan 2036 be referred to instead as it has been replaced by the Far North Coast Regional Strategy and its associated Regional Conservation Plan.	Reference to the Regional Conservation Plan 2010 will be replaced with North Coast Regional Plan 2036	Action 23 to be reworded replacing reference to the 'Regional Conservation Plan' with 'North Coast Regional Plan 2036'.
24	Catchment health indicators	Supports this action but recommends rewording to read 'commence a process to seek assistance from North Coast Local Land Services and the Office of Environment and Heritage to...!.	Development of indicators and ongoing monitoring will require the support and involvement of a range of government agencies including North Coast Local Land Services and the Office of Environment and Heritage. Implementation of this action will require establishment of a process to both secure engagement of these agencies and as such the action is aimed at not just commencing a process, but deriving indicators and a mechanism to monitor change over time. As such, the action is broader than just commencing a process and no change is proposed.	No changes proposed

Submission 26 – Office of Environment and Heritage (OEH)

Action	Theme	Summary	Response	Recommendation
25	Monitoring of catchment management practices	Supports intent of this action but does not believe that OEH has a responsibility to deliver this action. OEH may be able to support this action through provision of data or technical advice. Recommends rewording to remove reference to OEH having an assigned role.	The role of OEH as a key stakeholder for this action through provision of data or technical advice is appreciated. The agency would therefore contribute to the ongoing implementation of this action, but it is possible to 'un-highlight' OEH as a lead agency.	Action 25 under Delivery partners and key responsibilities to be amended to remove the 'bold' on OEH.
26	landscape heritage protection	Supports this action but recommends clarification if this is intended to include consideration of Aboriginal cultural heritage values.	Refer to response earlier in this submission. Any identification of landscape heritage is to consider Aboriginal cultural heritage.	Action 26 under Related plans/strategies and notes add a second dot point which reads "Including Aboriginal values".
36	E zone review and riparian corridors	Has previously provided comments on the Northern Councils E Zone Review to the DPE, indicating support for a process to identify suitable land for applying an E zone where appropriate within the Tweed Standard Instrument Local Environmental Plan.	Refer to response earlier in this submission	No changes proposed
37	Setbacks - effluent disposal adjoining riparian corridors	Supports this action.	Acknowledged	No changes proposed
40	Rehabilitation of degraded land	Supports this action.	Acknowledged	No changes proposed
42	Climate change preparedness	Supports this action and opportunity to provide advice to Council on local	Acknowledged and opportunity to work with OEH on implementation of this action is welcomed.	No changes proposed

Submission 26 – Office of Environment and Heritage (OEH)

Action	Theme	Summary	Response	Recommendation
	s	responses to the impact of climate change.		
43	Vegetation corridors	Supports this action and suggests the supporting information include a reference to the North Coast Regional Plan 2036	Agreed	Action 43 under Related plans/strategies and notes add a second dot point which reads "North Coast regional Plan 2036"
46, 47, 49, 78, 97, 102, 124,	Various	Supports these actions.	Acknowledged	No changes proposed
85	E4 Environmental Living	Supports this action if areas of high environmental value are avoided and protected.	Refer to response earlier in this submission	No changes proposed
127	Climate Change preparedness	Duplicates Action 42.	Acknowledged. Action 42 deleted after merging with Action 127.	Action 127 under Implementation outcome to be amended to add the first paragraph from action 42, then delete Action 42 entirely.
133	Renewable energy	Supports this action and the opportunity to provide advice and support where possible.	Acknowledged and opportunity to work with OEH on implementation of this action is welcomed.	No changes proposed

Submission 27 – Department of Industry Crown Land

Action	Theme	Summary	Response	Recommendation
	Crown land	<p>Requests that the document and future accompanying policies and DCPs include provision to protect the values of Crown land; in particular, Crown land is protected from impacts such as boundary encroachments; stormwater runoff; erosion and sedimentation; visual impact; bush fire management; flora and fauna values; weed and pest management; open space; implications of coastal processes; services, and amenity.</p> <p>Site specific impacts should be contained within the development site. Development should not rely on adjoining Crown land for services or amenity. Development should not adversely affect Crown land, its management and its enjoyment by the community in general, now and in the future.</p> <p>Development should not restrict current or future access to any Crown land. Crown land should not be used as a means of access to freehold land, such access should be via a</p>	<p>Crown land represents an important component of the matrix of landuses in the Tweed and across the state.</p> <p>Protection of Crown land and retention for the benefit of the wider community is recognised and supported.</p> <p>Crown land, if not managed by the Crown, is managed through trust arrangements, either by Council or private trusts limiting the ability of Council to manage unauthorised use of Crown land.</p> <p>Where a development application adjoins Crown land, the application will be referred to the department for their response, providing an opportunity to work with Council in ensuring that the concerns of the department are acknowledged and addressed where and as appropriate.</p> <p>As such, Council's current procedures for referral are considered adequate in identifying and addressing matters of concern raised in this submission.</p>	No changes proposed

Submission 27 – Department of Industry Crown Land

Action	Theme	Summary	Response	Recommendation
		public road or a right - of way over the land.		

Submission 28 – Scenic Rim Regional Council

Action	Theme	Summary	Response	Recommendation
		Council officers have reviewed the document and have no comments to make.	Acknowledged.	No action required