

REPLACEMENT REPORT

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

12 [PR-CM] Rural Land Strategy for Adoption

SUBMITTED BY: Strategic Planning and Urban Design

mhm



Leaving a Legacy
Looking out for future generations



Making decisions with you
We're in this together

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Leaving a Legacy
- 1.4 Managing Community Growth
- 1.4.1 Strategic Land-Use Planning - To plan for sustainable development which balances economic environmental and social considerations. Promote good design in the built environment.
- 2 Making decisions with you
- 2.1 Built Environment
- 2.1.2 Development Assessment - To assess development applications lodged with Council to achieve quality land use outcomes and to assist people to understand the development process.

ROLE: **Provider**

SUMMARY OF REPORT:

Council has considered the draft Rural Land Strategy for adoption on previous occasions and in doing so identified key aspects that warranted further and more detailed review. Most recently it was resolved to further defer the adoption of the Strategy pending a workshop to critically evaluate several of Strategy's proposed key actions, which is scheduled for 5 December 2018.

The consideration of this report follows the Councillor's Workshop and was prepared to enable the Council to debate and if appropriate endorse the Strategy, either as originally proposed or as amended. To assist with that process the attachments to this report detail the various amendments that have previously been debated and that can be incorporated either in part or whole to amend the original, publicly exhibited, draft Strategy.

Should the preceding Councillor Workshop to this report lead to further amendments this report recommends that the adoption of the draft Rural Land Strategy be deferred so that staff can accurately and succinctly consolidate the amendments and incorporate those into a single strategy document for consideration / adoption early in 2019.

RECOMMENDATION:

That:

- 1. The Draft Rural Land Strategy (“Tweed Rural Land Strategy 2036”) as attached to this report be adopted, subject to any resolved amendment herein described;**
- 2. The amendments detailed in the following attachment(s) are endorsed:**
 - a. Attachment 1 [delete if not adopted]**
 - b. Attachment 2 [delete if not adopted]**
 - c. Attachment 3 [delete if not adopted]**
 - d. Attachment 4 [delete if not adopted]**
 - e. Attachment 5 [delete if not adopted]**
- 3. An implementation plan (“Implementation Plan 2018/36”) be prepared and reported on annually;**
- 4. Public notice of the Council’s decision to adopt the *Tweed Rural Land Strategy 2036* and preparation and annual reporting of the *Implementation Plan 2018/36* is published in the Tweed Link; and**
- 5. A copy of *Tweed Rural Land Strategy 2036* is made available to the Director-General of the Department of Planning and Environment or their delegate for endorsement in accordance with Section 9.1 (Ministerial Direction 1.2) of the *Environmental Planning and Assessment Act 1979*.**

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REPORT:

The draft Rural Land Strategy (the Strategy) is an extremely complex yet integral strategic policy for the Tweed Shire that will provide a strategic direction and guide land-use decision making for decades, many of the outcome of which will not been seen or materialise for many years. For these reasons it is essential that it is thoroughly critiqued and any doubts or concerns are raised and addressed.

The Tweed Council has considered several reports and had several workshops on the Strategy, throughout which critical appraisal of both key priorities and actions have be deliberated, further evaluated and reported on. Most recently The Council resolved to further defer the adoption of the Strategy pending a further workshop, which is scheduled for 5 December 2018.

The issues raised for that further review are evidenced in the Attachments to this report relating to the 'proposed amendments' documented. These have been a very important part of informing the Strategies development, notwithstanding that there are a significant number of possible amendments that have not been publically exhibited and debated.

With so many possible amendments being reviewed over several separate meetings there is a real need for these to be properly accounted for and consolidated into a legible and transparent ledger so that everyone, including the decision makers, are fully aware of what the changes to the publically exhibited draft Strategy are and this is particular the case where the consideration of this Report is preceded by a further Councillor Workshop.

For this reason it is the Officer's view that should the amendments detailed in the Attachments to this report not be adopted as they are, that the adoption of the Strategy be deferred to allow the list of amendments to be consolidated and reported back to Council to ensure that the correct amendments have been properly accounted for. This would also provide the Council with the opportunity, if appropriate, to seek the Officers' view about the potential implications arising from the amendments (collectively) and to assess whether the Strategy should be re-exhibited.

OPTIONS:

1. Adopt the Strategy subject to inclusion of amendments as attached to this report and in doing so identify which attachment(s) to keep and those to delete (see the recommendations to this report which allows for this option)
2. If there are further amendments to those detailed in the Attachments defer the adoption of the Strategy and allow sufficient time for the staff to consolidate the list of amendments identified through the Workshops and to incorporate those into a single consolidated Strategy for adoption.
3. Defer consideration of the report and hold a Councillor Workshop to enable staff to table a consolidated list of amendments ahead of any further report to Council.

The Staff recommend Option 3 as the preferred and safest option given the prevailing complexity surrounding the proposed and potential amendments.

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CONCLUSION:

As detailed within this report, the Rural Land Strategy is a very complex policy and it demands to be understood by its decision makers because it will have an overarching impact on land-use planning within the rural areas of the Shire for decades to come.

Council has diligently and critically been testing varying aspects of its priorities and actions and this will assist in the final design of this important policy. It is also very critical that in the final hours decisions about the Strategy are not hurried and remain duly considered and tested.

This report highlights that the Strategy has deservedly been considered and debated on many occasions and given the prevailing complexity surrounding the consideration of amendments that it may be better to defer a debate on the adoption of the Strategy until such time the Officers' have had the opportunity to consolidate the list of amendments being sought. These can then be raised at a workshop, incorporated into the Strategy and reported for adoption at a later date.

In the alternative the Strategy could be adopted as originally exhibited or with the amendments detailed in the Attachment's to this Report.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Implementation of the strategy will be both time consuming and may require additional resources and coordination between Council divisions and government agencies. An estimate of the budgetary implications and scheduling of each proposed action has been identified in the Implementation Plan to the Strategy.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.	Tweed Rural Land Strategy 2036 (ECM 5594209)
Attachment 2.	Draft Tweed Rural Land Strategy response to submissions received during public exhibition – 17 November 2017 – 28 February 2018 (ECM 5227704)
Attachment 3.	Rural Land Strategy – Additional amendments resulting from internal review previously reported to Council (ECM 5227706)

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Attachment 4.

Rural Land Strategy – Additional amendments resulting from meeting with DPI and relating to rural land sharing communities (ECM 5667236)

Attachment 5

Rural Land Strategy - Amendments as discussed with Council (ECM5664636)
