

## Attachment 1: Rural Land Strategy – Options Paper – SUBMISSIONS SUMMARY, PLANNING RESPONSE, and RECOMMENDATION

Please note:

1. The following table represents a summary of submissions received before, and during public exhibition of the Rural Land Strategy Stage 3 Options Paper prepared by GHD Consultants.
2. Responses have been amalgamated into themes to aid in assessing the intent of each comment and provide an appropriate response where possible.
3. While every effort has been made to represent the comments received correctly the summary represents a condensed translation of comments made.
4. Where comments were received from community organisations, the acronym for that organisation has been presented at the end of the summary. The two community organisations responding were The Combined Tweed Rural Industries Assoc. Inc. (CTRIA), and the NSW Cane Growers' Association Tweed River Branch (NSW Canegrowers).
5. While comments from Government agencies may be relevant to the themes created below, submissions from the agencies have not been segregated into themes, but retained in full and presented at the end of the document.
6. A totally of 29 submissions were received, as seen below:
  - private submissions received prior to the commencement of the exhibition period (after the close of Stage 2) = 5;
  - private submissions received during the exhibition period = 14;
  - Government agencies = 7;
  - Community organisations = 2, and
  - Local government = 1.
7. The themes presented in the table below have been arranged in alphabetical order.
8. Until such time as a policy direction has been endorsed by Council, comments and recommendations may not fully represent the directions established by such policy.

<b>Agricultural land - protection</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
Concerned with any proposed development on prime agricultural land. (NSW Canegrowers)	Prime agricultural land, which includes State and Regionally Significant Agricultural Land and Biophysical Strategic Agricultural Land (BSAL) are protected under state or local legislation from development for other than agricultural purposes.	A review of cane land to ensure where possible that the zoning reflects the primary production use of the land.
Concerned with the loss of productive agricultural land to rural residential for lifestyle uses. (NSW Canegrowers)	The Rural Land Strategy has identified the issue of alienation of agricultural land as an issue, and options proposed to retain the existing minimum lot size in rural zoned land to restrict further subdivision of this land for non-agricultural purposes.	See comment above

<b>Buffers</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
Supports the need for buffers and Right to Farm legislation at a state level. (CTRIA)	Acknowledged. Preparation of a Buffers Policy or Development Control Plan is an Option presented.  Right to Farm legislation is beyond Councils control.	No action required
Caveats should be placed on existing agricultural activities carried out beside potential residential developments to protect their viability. (NSW Canegrowers)	The concept of establishing 'protection zones' or 'buffers' is supported and will be a recommendation for inclusion in the Strategy. Existing agricultural activities should be protected and appropriate setbacks and buffers are supported.	Prepare a buffers policy and Development Control Plan.
Buffer zones must be on developer's land, and maintained to protect existing agricultural activities from weed and rodent infestations. (NSW Canegrowers)	Buffers are an important element in the separation of potentially incompatible landuses.  In rural areas, maintenance of such areas for fire, weed and vermin control is already covered in a range of local and state government planning provisions.  Preparation of clear guidelines on the use of buffers to protect existing agricultural enterprises from encroachment on adjoining land is proposed.	Prepare a buffers policy and Development Control Plan.

<b>Constrained land</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
Council needs to differentiate between Constrained Rural Land on the floodplain that is highly productive sugarcane land and other constrained land. (NSW Canegrowers)	A set of constraint maps has been prepared and will be added to the Land Capability and Resource Inventory document prepared in the first stage of the project. These maps differentiate the type of constraint affecting the land. While further housing is not permitted in flood affected areas, most of which are farmed for sugar cane production, the potential for future concern about development encroaching upon the margins of 'sugar cane land' could be of benefit is identifying potential 'conflict zones' on land adjoining this land.	That a 'trigger map' be developed identifying potential conflict areas surrounding sugar cane land for consideration when assessing applications for development on land adjoining or near this land.

<b>CSG</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
Strengthen opposition to CSG	Refer to comments below	No action required
Continue opposition to CSG industry, but the clause fails to acknowledge that CSG has no social licence in the Shire.  Opposed to the inclusion of "until recommendations of the Chief Scientist are implemented".	While Council and the community have the ability to express opposition to CSG the matter is governed under State legislation.  Suggest changing the wording to reflect further consideration and response once recommendations of the Chief Scientist have been released.	Once the recommendations of the Chief Scientist are released that further consideration and response be made to the relevant Minister.

<b>Density bonus</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
Supports the concept of a density bonus but require further detail is required about how it would operate. (CTRIA)	Acknowledged  Density bonus schemes have most typically operated in more urbanised areas or where land has been denuded of vegetation. With the extensive native vegetation mapping undertaken by Council the potential benefits of such a scheme are considered limited.	No action required
Agrees with the option to consider a density bonus	Acknowledged	No action required

<b>Dual Occupancy</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
<p>Supports a secondary detached dwelling in RU1 and RU2 zones.</p> <p>There is no possible conflict between residential expectations and agricultural activities on smaller blocks up to 4 ha.</p>	<p>Support acknowledged.</p> <p>Conflict between adjoining landuses has been raised as an issue and has created difficulties between residential land and agriculture which is continually feeling 'squeezed out'.</p> <p>Avoidance of such conflict has led many councils to prepare buffer policies and establish guidelines for separation of potential incompatible landuses.</p>	<p>No action required</p>
<p>Supports detached dual occupancy. Wants same provisions for detached dual occupancy and secondary dwellings to apply to the RE1 Village zone (sic).</p>	<p>Under Tweed LEP 2014 all forms of residential accommodation, with the exception of residential flat buildings and rural workers' dwellings, are permissible with consent in the RU5 Village zone.</p>	<p>No action required</p>
<p>Supports an additional dwelling on farming land on any size for family members without subdivision to support the sustainability of the farming enterprise. (NSW Canegrowers)</p>	<p>While the option of a secondary dwelling is proposed, the ability to find an appropriate location for such a dwelling on prime agricultural land requires careful consideration to ensure that the productive capability of the land is not diminished.</p> <p>One of the significant limiting factors in the consolidation of rural properties has been the incommensurate increase in land value of small are properties which has resulted from construction of dwellings and other infrastructure.</p> <p>Secondary dwellings will further escalate the value of rural properties and limit the potential for property amalgamations.</p> <p>Property size must be a consideration in the ability of a property to allow construction of an additional dwelling. Assessment criteria will be essential in determining any applications for secondary dwellings.</p> <p>While the relationship between property size and farm viability is tenuous, to argue that second dwellings should be permitted regardless of property size does not accommodate site specific considerations. Future assessment is likely to be merit based if controls are implemented.</p>	<p>Site suitability criteria would need to be developed for assessment of applications for secondary dwellings in rural areas, if this was adopted as a strategy.</p>

**Dwelling entitlement**

Summary of submission	Planning Response	Recommendation
<p>Critical of the procedure for determining if a dwelling entitlement exists for a property, and that an apparent inequity exists where smaller properties can have an entitlement.</p> <p>Proposes that a legal dwelling entitlement automatically be applied to any existing rural lot no matter the size or past history.</p>	<p>Dwelling entitlement is a colloquial term used to denote whether a property owner has the ability to lodge an application for the construction of a house.</p> <p>Procedures for determining if a 'Dwelling entitlement' rely upon an historical investigation and as such does not provide opportunity for consideration of case-by-case merits.</p> <p>Under Clause 4.6(3) of Tweed LEP 2014 it is possible for a landowner to lodge an application for construction of a dwelling; however such an application would need to comply with a suite of criteria yet to be finalised. While this option may be available now, the criteria specified in the legislation and other criteria that may be considered will make use of this clause difficult to comply with.</p> <p>While the option has been presented in the Options Paper that "the rural subdivision suitability criteria be adopted as a basis for evaluating development applications for a variation to the minimum lot size for the purpose of a dwelling on an existing undersized lot mapped as secondary land", these criteria need to be further developed to finalise the assessment criteria to apply in such circumstances.</p>	<p>Not recommended as a general policy as it will be difficult to justify an may be costly for the applicant. It is not an option that provide certainty, but last resort.</p> <p>However, consideration be given to development and integration of the rural subdivision suitability criteria proposed in the Options Paper into assessment procedures for requests for the purpose of a dwelling on an existing undersized lot on secondary rural land.</p> <p>Concurrence of the DPE would still be required.</p>
<p>Want a dwelling entitlement for their 8 acre property; because all adjoining properties have dwellings.</p>	<p>The opportunity currently exists for an application to be lodged under clause 4.6(3) of Tweed LEP 2014 as discussed above.</p> <p>Criteria for assessment will need to be prepared but would be expected to include those proposed for consideration of Detached Dual Occupancy and Secondary Dwellings</p>	<p>Establishing criteria for the assessment of applications for Dual Occupancy detached dwellings, secondary dwellings, and assessment of applications under clause 4.6(3) of Tweed LEP 2014 requires careful and detailed evaluation. No action required.</p>

<p>Building entitlement should be transferable from farming land to other land owned by that person. (NSW Canegrowers)</p>	<p>The Options Paper proposed to phase out the concept of dwelling entitlement with a preference towards site-by-site merit-based assessment.</p> <p>Transferable development rights in rural areas have had minimal success in other local government areas.</p>	<p>No action required</p>
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<p><b>Economic viability</b></p>		
<p><b>Summary of submission</b></p>	<p><b>Planning Response</b></p>	<p><b>Recommendation</b></p>
<p>The single most important factor in making any industry sustainable is economic viability. (CTRIA)</p>	<p>While the issue of economic viability is acknowledged, it is outside the scope of the Rural Land Strategy to investigate the economic merits of alternative farming practices.</p> <p>Of fundamental concern to the Strategy will be the identification of agricultural land that should be protected for future agricultural purposes and consideration of options for diversification and value adding of this land and options the remaining land.</p>	<p>No action required</p>

<b>Governance</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
Council has had an obstructionist philosophy; blanket planning rules should be changed to merit-based assessment to accommodate the diversity of social and environmental aspects of rural Tweed. (CTRIA)	Options are presented under the Governance section to address these concerns, and flexibility is being introduced with respect to the options for detached dual occupancy and secondary dwellings	No action required
DAs are too complicated for ordinary people to understand, outcomes will not be as desired or desirable generally. No local knowledge was taken into account when assessing the DA. Requirements changed as the assessment proceeded. Cost of implementing Council's requirements was excessive and cost of consultants is excessive and increases with each request from Council for further information.  Breakdown in communication with Council officers during assessment of the DA.	The Options Paper provides for the option of better meeting procedures to ensure that more detail is provided at the early stages of project development and recommends a review of planning requirements to address some of the issues raised by this submission and comments received during public engagement.	No action required
Suggests that Council should provide a 'rural planner' to explain procedures and understand rural issues.	The provision of a designated rural planner to assist enquiries and undertake assessment of development applications on rural land is an suggestion that will be considered in the preparation of the final draft strategy.	Consider option to provide a dedicated planner as the principle point of contact for assessment of development applications relating to rural land.
Inflexible rural subdivision policies are harming overall shire funding, limiting varieties of living opportunities, inhibiting appropriate development and restricting overall Shire wealth and prosperity.	This issue is addressed in various parts of the Options Paper. Viability and property size are not easily correlated, and the Rural Land Strategy is not a rural residential strategy.	No action required

**Infrastructure and road contributions**

Summary of submission	Planning Response	Recommendation
Road contributions should be tied to the roads that will be immediately affected by any development and not used in other parts of the Shire. (CTRIA)	The option to review the rural road contribution plan is presented in the Options Paper and will address such concerns.	No action required
Wants the 800 metre gravel section of Robcole Road North Tumbulgum sealed.	Noted	Refer to Council's Manager Roads and Stormwater
Any rural residential or urban development should not utilise existing agricultural access ways. (NSW Canegrowers)	While the Tweed is an interesting mix of rural and residential development, rural residential and residential development must provide access to appropriate standards. Users of these roads must abide by the relevant road rules.  The intent of this clause is not sufficient to allow a detailed response.	No action required

**Merit-based assessment**

Summary of submission	Planning Response	Recommendation
The Combined Tweed Rural Industries Association has been calling for merit-based assessment for many years.	The Strategy is proposing that land suitable for agricultural purposes be identified and protected.  Flexibility in the planning system is supported. Provision of detached and secondary housing is proposed; however, while subdivision for residential purposes is not proposed, the Options Paper does propose that a rural residential strategy be completed.	No action required

**Project procedures, document focus and corrections**

Summary of submission	Planning Response	Recommendation
<p>Concerned that the Terms of Reference for the Rural Land Strategy are too restrictive and were designed to procure a pre-determined outcome. (CTRIA).</p>	<p>The Terms of Reference and scope of the Rural Land Strategy were established to ensure a comprehensive process that considered the available evidence, community opinions, concerns and expectations and did so in a transparent manner.</p> <p>Extensive documentation has been prepared, a Reference Panel established for technical review of documents, and comprehensive community consultation undertaken to provide the community with both access and opportunity to be engaged in the process as it proceeds.</p> <p>The process of collating information and data, identification of issues, development of a range of options to address issues has all been undertaken in full view of the community and with their involvement.</p> <p>The documentation presented to the community has been generated by this process and is a step-by-step process derived from the previous stages and not from any "pre-determined outcome".</p>	<p>No action required</p>
<p>Supports objectives; clarity around use of rural land and protection of high quality land is critical.</p> <p>Supports subdivision principles; however notes that due to the large number of under-sized lots in existence that it appears as if Section 117 Direction 1.5 Rural Lands SEPP (Rural Lands) 2008 has not been complied with, and urges Council to strictly apply conditions relating to subdivision of rural land. (NSW Canegrowers)</p>	<p>The history of subdivision of rural land in the Tweed is lengthy and convoluted and resulted in a significant number of allotments less than the minimum lot size.</p> <p>Such subdivision was effectively brought to an end when Tweed LEP 2000 was gazetted with very minimal subdivision occurring from that time.</p> <p>Protection of high quality agricultural land is an option presented in the Options Paper and proposes that the existing minimum lot size be retained.</p>	<p>No action required</p>
<p>Was hoping for a 'stand-alone' document that recognised the variability of agricultural potential of the diverse soil types and environment of the Shire; however, the document seems to be place emphasis on all other sectors of the Tweed community with no relevant rural land use experience. (CTRIA)</p>	<p>The process of engaging with the rural community has seen extensive consultation undertaken across the rural sector of the Shire, with the overwhelming majority of attendees at meetings being rural landowners.</p>	<p>Council will continue to engage with the community as the final stage of the project is undertaken.</p>

<p>That the meaning of the Executive Summary which states that "the Strategy will establish a contemporary policy and action plan" really means that nothing will happen until more expensive and time consuming studies are done. (CTRIA)</p>	<p>Options presented in the Options Paper propose a range of clear actions for implementation many of which do not involve more studies; however, where information has not been sufficient to finalise actions, an option is presented to undertake further investigations. Development of a Rural Residential Strategy is one such example which government agencies such as the Department of Primary Industries has suggested should be undertaken.</p>	<p>No action required</p>
<p>The community has replaced the landowner as the major player and that the sense of the document should have reward in terms of the landowner, the community, the Council etc. The landowner should have a major say in what happens to their land.</p>	<p>The Rural Land Strategy project has undertaken extensive community engagement at locations across the Tweed to provide landowners with opportunity to meet with the authors of the document and Council staff.</p> <p>A diverse range of alternatives have been provided for landowners and the broader community to make comments on these documents. Advice received has provided valuable input into understanding the issues affecting rural land and options to better manage rural land into the future.</p> <p>Rural landowners are key stakeholders and have been well represented throughout engagement with the community up to this time.</p>	<p>No action required</p>
<p>Is Council really serious about considering change? In light of the stated need for the Rural Land Strategy to be consistent with a range of other strategies of Council. That the Rural Land Strategy should be a stand-alone document.</p>	<p>The Options Paper presents a range of alternatives which will facilitate change primarily in dwelling opportunities.</p> <p>The Strategy will be part of a comprehensive range of policies and strategies of Council which link together to present a coordinated approach to the holistic planning and management of the Tweed's natural and built environments.</p>	<p>No action required</p>
<p>Concerned that the focus is on "wording" and change of zone of rural small lots to R5 Large Lot Residential rather than an emphasis on how to change the farming structure to better fit with today's conditions.</p>	<p>The Options Paper canvasses a wide range of issues that go well beyond the use of the R5 zone. Many of the options address specific issues that have been raised by farmers and rural landholders in the last two years. If a Strategy is prepared (and implemented) based on the Options Paper it will shape land use controls to changes in farming in the Tweed.</p>	<p>No action required. .</p>

Supports more flexibility but by demanding that this study is over-ruled by all of the other strategies may not generate this flexibility.	While the Rural Land Strategy will need to be consistent with other strategies of Council, should an unforeseen inconsistency be identified after the Strategy is finalised, consideration will need to be given to the merit of competing documents.	No action required
Council and the public generally do not understand or appreciate the ongoing commitment and investment required to ensure the sustainability of the land. (NSW Canegrowers)	Utilisation of best practice land management on rural areas is a desired outcome for all agricultural land, which in part includes utilisation of the land within its capability and in a sustainable manner.  This matter is an issue of specific relevance to be addressed through the Sustainable Agricultural Strategy which is in preparation.	No action required

<b>Quarries</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
The quarry on Dulguigan Road produces dust, noise, and visual pollution.	While quarries provide a critical resource, operation of quarries is predominantly regulated under State legislation such as State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007, and Protection of the Environment Operations Act 1997.  The Options Paper proposes that a new section be added which addresses the need for buffers to protect existing landuses and minimise potential for conflict between adjoining landuses.	No action required

**R5 Large Lot Residential**

Summary of submission	Planning Response	Recommendation
Suggests that the E4 Environmental Living and RU4 Primary Production Small Lots zones may be a better alternative for rezoning small area rural lot clusters that R5 Large Lot Residential. (CTRIA)	<p>The use of the most appropriate zoning that reflects the landuse is supported.</p> <p>The Department of Planning and Environment has been very restrictive in the use of the E4 and RU4 zones; however it is agreed that in certain circumstances they would better reflect the current landuse of a limited number of lots within small lot clusters that are predominantly utilised for rural lifestyle purposes.</p> <p>Further investigation into the potential use of the E4 and RU4 zones should be undertaken.</p>	Investigate the potential for use of the E4 Environmental Living and RU4 Primary Production Small Lots zones, where there is a clear and substantive point of difference between those and zones already in operation.

**Rural Residential Strategy**

Summary of submission	Planning Response	Recommendation
Supports preparation of a Rural Residential Strategy. (CTRIA)	<p>Acknowledged.</p> <p>Preparation of a Rural Residential Strategy is an Option presented</p>	No action required

**Scenic landscape**

Summary of submission	Planning Response	Recommendation
Concerned about Landscape Character and Scenic Amenity options which could impact on the siting of farm structures and that visual impact and scenic landscape is extremely objective. (CTRIA)	The Brouwer Scenic Landscape Evaluation of 1995 represented a significant step forward in the understanding and assessment of potential visual impacts. It made a range of recommendations which Council is about to act upon including the preparation of a Scenic Landscape Strategy which will address concerns about how such an approach would impact legitimate rural agricultural activities.	Preparation of Scenic Landscape Strategy is a preferred option in the Options Paper. No action required.

### Subdivision and housing alternatives

Summary of submission	Planning Response	Recommendation
<p>Questions what is wrong with providing the option of living on smaller 5, 10 or 20 acre hobby farms?"</p> <p>Many properties that are not currently agriculturally viable are eminently suited to smaller acreage rural living allotments. On this point some highly suited rural properties carrying their own title are denied building entitlements despite the fact many possess the infrastructure services at their front door.</p> <p>Council's continuing attitude has been to deny any form of alternative rural living opportunities other than broad scale (40 hectare) farming.</p>	<p>For further subdivision of agricultural or rural land be undertaken for rural residential purposes a rural residential strategy is required and is a requirement of the Far North Coast Regional Strategy 2006 which states that rural residential land release will occur in accordance with existing local rural residential strategies.</p> <p>The option to prepare a rural residential strategy has been presented in the Options Paper for consideration.</p>	No action required
<p>Rural workers dwellings across the Shire were originally approved to help landowners manage the ongoing viability of their holdings.</p> <p>But in many cases the size and viability of these holdings have been reduced over the years due to a wide variety of reasons including aging of farmers, loss of economic viability, declining farming skills in younger generations and sales of portions of the original property.</p> <p>Council has failed to keep abreast of these boundary, land use and demographic changes. Many rural workers dwellings are accompanied by the original homestead, where both houses are located on the one now smaller allotment of rural land.</p> <p>Yet the rate base of the (now) unviable farmland is half that of what it could be with the one block of land housing two separate dwellings.</p> <p>Proposes that those rural properties with two established and occupied dwellings be allowed subdivide.</p>	<p>While financial circumstances have changed and rural workers dwellings may no longer be required to service the agricultural operation they were originally intended for does not present an argument for further subdivision alone.</p> <p>In some circumstances it may be that a rural workers' dwelling now represents an opportunity to generate additional income, similar to the proposed provision of secondary dwellings and detached dual occupancy development.</p> <p>The Rural Land Strategy is not proposing to facilitate further subdivision to accommodate separation of rural workers dwellings from the original property.</p> <p>The precedent set by permitting the subdivision of existing rural workers dwellings would undermine the position of permitting detached dual occupancy and secondary dwellings across rural zones in Tweed Shire.</p>	No action required

<p>Smaller rural allotments place far less demand on council resources and infrastructure than high density subdivisions, particularly when existing public infrastructure than high density subdivision, particularly when existing public infrastructure is already established within those rural locations.</p> <p>Smaller rural holdings limit the demands placed on public resources and have potential to significantly widen the Shire's revenue base at little opportunity cost.</p> <p>Stand-alone water reticulation and sewer systems are now technologically feasible, practical and efficient.</p>	<p>While it may be that there would be less demand for infrastructure to a hobby farm development than traditional residential development, the cost/benefit of supplying that infrastructure is substantially higher, with a similar level of services being supplied to far fewer residents.</p> <p>While no supply and demand analysis has at this time been completed to assess the need for further rural residential development, the ability of residents to enjoy a rural 'self-supporting lifestyle is acknowledged.</p> <p>For further relevant comments refer to response to the comment above.</p>	<p>No action required</p>
<p>Blanket refusal of any smaller scale rural subdivisions has persisted in full knowledge that a great many of Shire's broad scale farm zonings are economically unviable.</p> <p>Alternative smaller rural land use options would be far more lucrative to the Shire and contribute far more towards overall Shire wealth and prosperity.</p>	<p>This issue is addressed in various parts of the Options Paper. Refer to comments above.</p>	<p>No action required</p>
<p>Assessment of individual rural subdivision applications should be based on sensible merit based selection criteria.</p> <p>Applications should not be assessed on "a one size fits all" basis.</p> <p>If the infrastructure is established and the land is not economically viable for large scale farming, then alternative land uses included small allotment rural living opportunities should be encouraged - not actively discouraged, as has been the case over many years.</p> <p>The current model of simply saying "No" regardless of the suitability of a rural subdivision proposal, is inhibiting economic growth, impeding human progress and denying wider</p>	<p>This issue is addressed in various parts of the Options Paper. Refer to comments above regarding rural land subdivision.</p>	<p>No action required</p>

<p>Property of 60 acres split by the Pacific Highway with 15 acres on west with no house, but adjoining allotments are of a similar size and have dwellings.</p> <p>Seeks separate title for the smaller land parcel.</p>	<p>While the Rural Land Strategy is not proposing a change in the minimum lot size and therefore not proposing subdivision of rural agricultural land for residential purposes, a range of scenarios have been presented in submissions which point to inconsistencies resulting from historical planning provisions or simply from fragmentation resulting from construction of infrastructure such as the Pacific Highway.</p> <p>Lots split by infrastructure such as roads are very common in rural areas. For example, creation of the new Pacific Highway was not meant to result in split lots, but in certain circumstances this may have occurred. Notwithstanding this, landowners would have been aware at the time that the infrastructure was constructed that the property would be fragmented with the existing dwelling on one side. In buying land with this configuration there should be no expectation of further subdivision or dwelling opportunities.</p> <p>While GHD in preparing the Options Paper did not supported further subdivision on the basis of fragmentation, it is proposed that further investigations be undertaken to ascertain the extent of such an issue and if it is possible, to establish criteria against which an application for subdivision could be considered.</p>	<p>Undertake a review of the potential implications of allowing subdivision and dwellings on parcels of land fragmented from the original homestead block due to construction of infrastructure.</p> <p>Exceptional circumstances may be suited to application of CI4.6.</p>
<p>Proposes that the first dot point under the heading 'Rural subdivision suitability criteria' be amended to read "Located within 3km (straight line) of land zoned RU5 Village or any residential zone (other than R5 Large Lot Residential) OR be within 3 km driving distance of a Pacific Highway on/off ramp to avoid remote or isolated development.</p>	<p>The concept of clustering development close to infrastructure nodes is supported.</p> <p>While major infrastructure such as the Pacific Highway will influence where people choose to live, establishment of further rural residential development will require consideration of a much broader suite of criteria.</p> <p>The highway transects the Shire from north to south and the 3km driving distance criteria would add thousands of rural lots into the mix even though they are not close to services or facilities. A substantial amount of the rural land between the Pacific Highway and the coast would be included. This is contrary to the intention of the Far North Coast Regional Strategy 2006 to reduce new rural residential development east of the Pacific Highway.</p> <p>The Rural Land Strategy is not a rural residential strategy, but preparation of such a strategy is an option presented for consideration in the Options Paper, as prepared for topical discussion</p>	<p>Consideration be given to the impact of the Pacific Highway when preparing a rural residential strategy.</p>

<p>That the 40 hectare rule no longer serves a productive purpose and that restrictions on rural subdivision have constrained supply and forced up prices so that new entrants cannot afford to buy in and existing cannot raise capital without debt.</p> <p>Proposes that rural subdivision to lots of a minimum of 4 hectares be allowed but only of land exceeding 15 degrees slope.</p>	<p>The history of subdivision in rural Tweed prior to Tweed LEP 2000 demonstrates the extent of rural small lot subdivision that has occurred throughout rural Tweed.</p> <p>Since 2000 when the 40 hectare rule was implemented through the Tweed LEP 2000, this small area subdivision of rural land has reduced significantly.</p> <p>Data collected during preparation of the Resource Inventory in Stage 1 of the Rural Land Strategy project has shown that the greatest escalation in land values is in the small area properties.</p> <p>Land values for small area properties can be linked to the construction of dwellings and other infrastructure typically associated with establishing a lifestyle rather than agriculture.</p> <p>In addition, creation of smaller allotment creates demands for services currently not available, leads to land use conflicts and prevents legitimate farmers from being able to afford to buy adjoining properties for amalgamation to achieve economies of scale.</p>	<p>A rural residential strategy (RRS) is a preferred option in the Option Paper, which was prepared to stimulate discussion. It is also generally recognised that any RRS would need to be preceded by a demand strategy to demonstrate that there is an actual shortage and demand for this housing.</p> <p>It is also noted that many of the scenarios raised with Council staff relate to isolated rural properties that would not likely benefit from a rural residential strategy in any event.</p> <p>No action required.</p>
<p>Proposes more subdivision of non-prime agricultural land to address a lack of 1 to 10 acre lots for those wishing to be self-sustaining.</p>	<p>Within the RU2 Rural Landscape zone, approximately 3,373 allotments, representing 71.1% of allotments are already less than 10 hectares and accounts for an area of approximately 13.5% of the total area of RU2 zoned land.</p> <p>The Department of Primary Industries supports protection of agricultural land for future food security purposes.</p> <p>While a preliminary suite of subdivision criteria have been presented in the Options Paper, the Rural Land Strategy is not a rural residential strategy.</p>	<p>No action required</p>

<p>Want to subdivide and sell a small portion of their property so they can be 'self-funded retirees'. There has been a number of rural land subdivisions close-by in recent years. Due to the value of the property cannot qualify for unemployment benefits and pension benefits will be minimal.</p>	<p>Noted. State planning policy generally does not support fragmentation of rural land, and any development must be coordinated through an appropriate strategy.</p>	<p>No action required</p>
<p>Want to subdivide their property to provide land for children because it is not viable for farming and neighbours have small lots.</p>	<p>Noted. State planning policy generally does not support fragmentation of rural land, and any development must be coordinated through an appropriate strategy.</p>	<p>No action required</p>
<p>Objects to the retention of the 40 hectare minimum lot size, based on the change in agricultural practices to smaller intensive horticultural enterprises that require continual supervision, and therefore to raise funds to develop such an enterprise requires funds which can only be raised by subdivision and sale of at least part of the property. (CTRIA)</p>	<p>While some small area landowners have established more intensive forms of agriculture, the overwhelming use of rural small holdings is for lifestyle purposes with the highest income earner in rural Tweed generated from white collar employment associated with off farm employment.</p> <p>The Shire has historically undergone extensive subdivision of rural land which has not generated a commensurate increase in intensive agricultural activities, instead being utilised to support the lifestyle expectations of an ageing demography of insitu and incoming retirees or those at or nearing retirement.</p> <p>Subdivision of rural land for agricultural purposes is supported and is currently permitted in Tweed LEP without a minimum lot size as long as no dwelling is proposed.</p>	<p>No action required</p>
<p>Supports rezoning existing clusters of small lots on RU1 and RU2 to R5 Large Lot Residential, and preparation of a Rural Residential Strategy on the basis they will facilitate rezoning and development of part of the property.</p>	<p>Support acknowledged. Options presented in the Options Paper are options only, and until the draft Strategy is prepared, placed on public exhibition and the final strategy endorsed by Council no definitive response can be given about the potential implications of options presented in the Options Paper.</p> <p>Any recommendations to be included in the draft strategy will be applied with to development across the rural areas of the Tweed and will not be included to benefit individual landowners.</p>	<p>No action required</p>

<p>Environmental and scenic land are unproductive and Council should consider subdivision into blocks of 10 hectares with dwelling entitlement to allow for sensible use and management of the land, spreading the burden of upkeep and providing a profit and superannuation when blocks are sold.</p>	<p>Tweed Shire contains native vegetation of national and international significance, and the scenic landscape of the Caldera is a nationally recognised iconic scenic landscape, which should be protected for present and future generations.</p> <p>No subdivision of environmental land is proposed and Council is preparing a scenic Landscape strategy to ensure that the iconic scenic landscapes of the Tweed are protected from inappropriate development.</p>	<p>No action required</p>
<p>The population of the Tweed is concentrated on the coast and around public infrastructure; rural land should be developed with houses in the forests and lights on the escarpments and steep hills amongst the wildlife and fresh air.</p>	<p>Steep land generally over 12 degrees presents significant constraints to residential development, and land over 18 degrees is protected under state legislation.</p> <p>The potential impact of development "in forests" and steep land both on habitat destruction and off site impacts through provision of access, clearing to comply with bushfire setback requirements, and onsite effluent disposal for example, is considered significant and development of these areas is not proposed.</p>	<p>No action required</p>
<p>Council should break the 40 hectare rule and allow people/landowners freedom.</p>	<p>The Options Paper does not propose to alter the 40 hectare rule, on the basis that not substantial justification has been provided for this to occur.</p> <p>This approach is supported by the NSW Department of Primary Industries.</p> <p>While options have been presented for detached dual occupancy dwellings and secondary dwellings without subdivision. Subdivision for rural residential purposes is not considered in the Options Paper and the Rural Land Strategy is not a Rural Residential Strategy; however, it is proposed that a Rural Residential Strategy be prepared to address this issue.</p> <p>A rural residential strategy is a Preferred Option in the Option Paper.</p>	<p>No action required</p>

<p>There seems to be only two options, either agriculture or rural residential subdivision but no interface, an option between the two, and that existing infrastructure constructed to establish the property as a genuine agricultural property should count in a merit-based assessment for an 'interface option'.</p>	<p>The Options Paper presents a balanced approach to the protection of agricultural land, provision of housing alternatives and discusses rural landsharing communities and community title development.</p> <p>While the concept of site-by-site merit-based assessment is supported, some locations will not be suitable for certain types of development.</p>	<p>That discussion be held with the Department of Planning and Environment to determine the ability, in the absence of a rural residential strategy to define locational and development assessment criteria, to use interim guidelines be developed to support a merit-based case-by-case assessment of applications for community title development.</p>
<p>Supports further rural residential lots smaller than 40 hectares on secondary rural land, but concerned that Council fees such as road contributions will restrict development potential.</p>	<p>Noted. State planning policy generally does not support fragmentation of rural land, and any development must be coordinated through an appropriate strategy.</p> <p>Council's fees, charges and contributions relate to the cost of providing the service at the service standard expected by the broader community. Council is currently working toward engaging with the community about service standards, however it is likely that the cost recovery of providing services will remain a central and necessary element of the charge.</p>	<p>No action required</p>

<b>Tourism</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
<p>Economic benefits of tourism</p>	<p>Acknowledged.</p> <p>The economic benefits of tourism are addressed in part in the Economic Development Strategy; however development of further options to support rural-based tourism should be investigated.</p> <p>As a result of community consultation the need to facilitate rural cabin development by amending Tweed LEP 2014 to permit with consent "tourist and visitor accommodation" in the RU1 and RU2 zones (it is currently prohibited) and then prohibit "backpackers</p>	<p>Amend Tweed LEP 2014 to permit with consent "tourist and visitor accommodation" in the RU1 and RU2 zones (it is currently prohibited) and then prohibit "backpackers accommodation", "hotel and motel</p>

	accommodation”, “hotel and motel accommodation” and “serviced apartments”.	accommodation” and “serviced apartments”.
<p>Rural land in the Tweed is not being utilised effectively for economic and social wellbeing.</p> <p>Tourism proposals often fail because of overly rigid Federal, State, and local planning requirements and associated costs.</p> <p>Need to be flexible and adapt rapidly to the changing environment to capture opportunities.</p> <p>Supports a range of initiative proposed.</p>	<p>The need for a more vibrant rural tourism sector, including associated industries is acknowledged. The Tweed Economic Development Strategy proposes a range of initiatives to support rural industry.</p> <p>An annual review of planning requirements and systems is proposed which will consider streamlining planning procedures.</p>	<p>A review of Rural Tourism options to expand on linkages and actions within the Economic Development Strategy and incorporate options to encourage appropriate rural tourism.</p>
<p>The RU1 Primary Production zoning is too restrictive, eliminating employment and tourist opportunities for niche enterprises such as wedding functions.</p>	<p>The RU1 Primary Production zone seeks to encourage sustainable primary industry production, encourage diversity in primary production enterprises, minimise fragmentation, minimise conflict between landuses and protect prime agricultural land.</p> <p>RU1 Primary Production land within the Tweed Shire consists primarily of land that is actively farmed and planted with crops such as sweet potatoes or sugar cane and is generally not suitable for niche enterprises such as wedding functions.</p> <p>While diversification and value adding are encouraged in the rural areas, establishment of landuses which go contrary to the objectives of the zone cannot be supported.</p> <p>Notwithstanding this, alternative forms of rural tourism outside of these definitions would currently not be permissible. As such it is proposed that the potential to provide rural tourism that is not linked to eco-tourism be further investigated.</p>	<p>No action required</p>
<p>Supports proposed rail trail</p>	<p>Acknowledged</p>	<p>No action required</p>

<p>The 40ha rule for protecting farmland does not reflect commercial realities; property owners need flexibility to engage in service based industries such as tourism. Permitting small lot subdivision gives owners an additional tool and ability to maintain business viability long term.</p>	<p>The 40 Ha rule was implemented by the State Government to prevent further fragmentation of agricultural land and to provide lots of a size that facilitated consolidation without the escalated land value incurred where subdivision and development occurred.</p> <p>While subdivision of farmland is not an option presented in the Paper, the need for a rural residential strategy has been proposed as a means of addressing this issue.</p> <p>Rural tourism is seen as a potential growth area supported in part by Tweed LEP 2014 with Bed and Breakfast Accommodation, Eco-tourism facilities and Farm stay accommodation permissible with consent in the RU2 Rural Landscape zone.</p> <p>The Far North Coast Regional Plan 2006 states that LEPs will permit no more than small scale tourism development in rural and environment protection zones.</p>	<p>The potential to support rural based tourism be further investigated.</p>
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**Without prejudice meetings with applicant**

Summary of submission	Planning Response	Recommendation
<p>Agrees with the option but there should be no cost</p>	<p>Cost arrangements would be considered through a separate process, but given the extent of Council's commitment to working with proponents, a nominal fee is considered reasonable.</p>	<p>No action required</p>

**Government Agencies and community organisations – Office of Environment and Heritage (Regional Operations)**

Summary of submission	Planning Response	Recommendation
<p>Recommends that the RLS accords with the Far North Coast Regional Conservation Plan 2010.</p>	<p>Acknowledged</p>	<p>No action required</p>
<p>Supports the use of planning controls for culturally significant lands identified within a validated spatial dataset, to achieve their ongoing conservation and protection.</p>	<p>While heritage is a matter for consideration at the DA stage, procedures to ensure consideration of the potential impact on Aboriginal cultural heritage could be enhanced</p>	<p>Review options to better consult with the Aboriginal community regarding development applications.</p>

Supports the use of appropriate criteria to apply environmental zones throughout the Tweed Shire, to achieve strategic environmental protection objectives	Acknowledged	No action required
Encourages Council to review its vegetation and habitat mapping and then use this information to inform an amendment to Tweed LEP 2014, to reinstate the E2 and E3 zones where appropriate, when the NSW government finalises the outcomes of the E zone review.	To be addressed by Council's Natural Resource Management Unit.	Refer to Council's NRM Unit for their consideration.
Does not support the use of environmental overlays and Development Control plans as the sole means of providing all environment protection controls.	Acknowledged and will be addressed in the Draft Strategy	No action required
Does not support maintaining the Tweed LEP 2014 without E2 or E3 zones, or inclusion of E2 and E3 zones on public land only or on private land with landowner approval.	Acknowledged. E zones will be implemented when the Minister issues a Direction advising on this matter.	No action required
Biodiversity Options 5 and 6, density bonus and provisions in the LEP to recognise biophysical constraints may have merit but would need further consideration by the OEH.  Agricultural land is a limited resource and needs to remain capable of production even if the current use of that land may be economically unviable.	Acknowledged and will be addressed in the Draft Strategy	No action required
Recommends that development, including hinterland tourism, be undertaken in a sensitive manner in consultation with the local Aboriginal community and National Parks and Wildlife Service to avoid direct and indirect impacts on OEH Estate.	Acknowledged and will be addressed at the DA stage.	No action required

<p>Supports awareness which creates preparedness for weather related events such as fires, floods, and storms and for rural lands, implementation of the CSIRO report's adaptation measures for agriculture and rural lifestyle living.</p>	<p>Acknowledged.</p> <p>Community preparedness and adaptability to weather related issues is a matter related to the way that government and the community network.</p> <p>Options to enhance the ability of Council to provide up-to-date advice on its roles and responsibilities as they relate to rural land should be further investigated and reported in Stage 4 of the project.</p>	<p>The Rural Land Strategy should include consideration of processes to better inform the rural community.</p>
<p>Supports maintaining the 40 hectare Minimum Lot Size (MLS) or an increase in MLS but would not support a decrease to the MLS.</p> <p>Supports the LEP uncoupling the MLS from dwelling permissibility on constrained land by having no MLS and no dwellings permitted.</p>	<p>Acknowledged</p>	<p>No action required</p>
<p>Would only support the expansion and subdivision of Future Urban and Village land only if these lands were identified in an endorsed Growth Management Strategy</p>	<p>Agreed, a demand analysis would need to precede a rural housing strategy.</p>	<p>No action required</p>
<p>Supports completion of the Sustainable Agriculture Strategy</p>	<p>Acknowledged</p>	<p>No action required</p>
<p>Section 16 Public Infrastructure provides no commentary in relation to the planning, management and importance of these assets in rural communities.</p>	<p>The Options Paper does emphasise the importance of rural infrastructure including</p> <ul style="list-style-type: none"> <li>• High-standard water supply, wastewater, solid waste management and resource recovery services.</li> <li>• Protection from stormwater and flooding.</li> <li>• Adequately surfaced streets, linked footpaths and cycleways.</li> <li>• Conveniently placed and well equipped parks and sports fields.</li> <li>• Accessible community and cultural venues.</li> </ul>	<p>No action required</p>
<p>Mention the Open Space Strategy as a means of identifying current provision, community need and demand for open space.</p>	<p>The Options Paper was directed towards presenting a range of options to focus and facilitate discussion, and it is agreed that linkages with other Strategies of Council should be acknowledged in the final strategy.</p>	<p>That the draft Strategy to be prepared in Stage 4 should include a section acknowledging the range of other policies and strategies of Council</p>

		(including open space) which may cover rural land.
Provides comments based on an earlier version of the Options paper circulated in December 2014. Seeks more detail about what all of NRM's activities. Sees little merit in preparing a Rural Residential Strategy, or Density Bonuses, blanket rezoning of small rural lots.	NRM Unit comments on earlier versions of the Options Paper were considered in detail before this version was placed on exhibition. Liaison with NRM and other sections within Council will continue as the Rural Land Strategy is prepared.	No action required

**Government Agencies and community organisations – Rural Fire Service**

<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
Rural Fire Services have no objections	Acknowledged	No action required

**Government Agencies and community organisations – Office of Environment and Heritage (Land and Soil Assessment)**

<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
That a timeframe be established for the completion of the Sustainable Agriculture Strategy.	Agreed	Establish a timeframe for completion of the Sustainable Agriculture Strategy
Clarification of footnote on page 31, that land and soil capability is not suitability. Land capability is the inherent physical capacity of the land to sustain a range of land uses and management practices in the long term without degradation to soil, land, air, and water resources.	Acknowledged. All future reference to land capability and land suitability should ensure the appropriate definition and understanding of the terms applied.	No action required.

<p>Clarification of term on page 64, 3rd dot point in second column. While erosion is a natural process, accelerated erosion associated with land degradation including streambank erosion is not a natural process.</p>	<p>Acknowledged</p>	<p>Correct wording of 3rd dot point is second column on page 64 to clarify the difference between natural and accelerated erosion resulting from land degradation.</p>
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<b>Government Agencies and community organisations – Department of Primary Industries (Land Use Planning)</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
<p>Subdivision places pressure on water resources. Preference for use of reticulated water supply in preference to accessing surface or groundwater. Reticulate water allows for smaller lot sizes and therefore reduced development footprint.</p> <p>DPI is concerned about the proliferation of Basic Landholder Rights (BLR) to access water without the requirement to obtain a water access licence under the <i>Water Management Act 2000</i>.</p> <p>Potential future subdivision of rural land requires a strategic understanding of the water needs of allotments by size and location, access to sustainable and adequate water supply should be considered.</p>	<p>While the Rural Land Strategy is not a rural residential strategy, and is not proposing subdivision generally, the potential impact of additional housing on water demands is acknowledged.</p> <p>Potential impacts of construction of additional dwellings should consider availability of water; however, the ability of unregulated access to surface and groundwater will be beyond the technical capability of Council officers to assess.</p>	<p>Criteria for assessing potential impacts of additional housing in rural areas on surface and groundwater should be developed in consultation with the Water Regulation Officer (Tamworth Office).</p>
<p>Potential for groundwater contamination from onsite sewerage disposal with setbacks listed.</p>	<p>Onsite effluent disposal is assessed at the development application stage and it is considered that the relevant standards for safe disposal are already in place to manage this issue.</p>	<p>No action required</p>
<p>Need for riparian buffers where subdivision impacts riparian areas. DPI recommends an E2 Environmental Conservation zoning.</p>	<p>Riparian corridors are seen as an integral part of the natural environment and as such protection from over-exploitation is essential to ensure sustainable management of both soil and water resources.</p> <p>Until such time as the Review of North Coast Environmental Zones is completed and the Minister issues a Direction advising on the application of environmental zones, no action can be finalised on this matter.</p>	<p>That a review of riparian corridors be undertaken and appropriate environmental zones applied once the E zone review is completed.</p>

**Government Agencies and community organisations – Department of Primary Industries (Resources & Energy)**

Summary of submission	Planning Response	Recommendation
<p>Responsible for the sustainable development of mineral resources on behalf of the community.</p> <p>Council should consider planning actions to protect these mineral resources, and that Council ensures that adequate supplies of construction materials are available locally and regionally to meet foreseeable future needs.</p> <p>It is important that the location of known mineral and extractive resources be protected from sterilisation by inappropriate zoning or development, and that access to land for mineral exploration should be maintained over as much of the planning area as possible.</p>	<p>The RU1 and RU2 zones provide for current and future primary industry opportunities including mining and extractive industries.</p>	<p>No action required</p>
<p>Geological Survey NSW has completed a Mineral Resource Audit (MRA) update map (July 2014) which shows the location of state and regionally significant identified and potential (non-energy) resource areas).</p> <p>The MRA also shows a 'transition area' (Buffer), which may be impacted activities associated with mining or quarrying and represent tools for planners.</p>	<p>The Mineral Resource Audit represents information of value in planning and management of rural land and should be considered.</p>	<p>That the Mineral Resource Audit be integrated into mapping outcomes of the Rural Land Strategy and assessment procedures for development near extractive industry sites or proposed sites.</p>

**Government Agencies and community organisations – Department of Primary Industries (Education & Regional Services)**

Summary of submission	Planning Response	Recommendation
<p>Agriculture is critical to the food security of our community.</p> <p>The NSW Government strongly supports agricultural industry development as seen in the Agriculture Industry Action Plan, and is seeking long term sustainable access to these resources and to minimise conflict with adjoining lands.</p>	<p>Acknowledged and considered with the retention of existing minimum ot sizes which prevent further subdivision of agricultural land</p>	<p>No action required</p>

<p>The document is well structured and allows clear understanding of background, community concerns and discussion of advantages and disadvantages.</p>	<p>Acknowledged</p>	<p>No action required</p>
<p>Supports in principle the rezoning of existing clusters of small lots within R1 and R2 land outside agricultural protection areas to R5; however,</p>	<p>Acknowledged</p>	<p>No action required</p>
<p>Supports retention of the 40 and 10 hectare minimum lot size; but concerned that the option to reduce lot size in secondary rural lands potentially restricts agricultural resource access and increases the risk of land use conflict.</p> <p>Agriculture continues to evolve with new research and innovative practices which are less reliant on biophysical requirements.</p>	<p>This issue is addressed extensively in various parts of the Options Paper. Essentially Council is faced with trying to meet perceived demand for closer rural settlement with the need to preserve the rural land that supports the rural economy. Land use conflict is a considerable issue is selecting the locality of future closer rural settlement and would be a key consideration if a rural housing strategy was pursued.</p>	<p>No action required</p>
<p>Concerned over the number of applications that could potentially meet provisions for subdivision below the minimum lot size.</p> <p>Recommends that an investigation be undertaken into the supply and demand for rural residential land to confirm the assumption of undersupply of small lots.</p> <p>A Rural Residential Strategy would provide a more strategic approach rather than the ad-hoc dispersed development across the shire.</p>	<p>Agreed.</p>	<p>No action required.</p>
<p>Strongly discourages permitting detached dual occupancy and secondary dwellings in the RU1 and RU2 zones.</p> <p>The cumulative effect of more housing has the potential to impact on the productive capacity of agricultural industries, and inflate land values, and limit the potential to consolidate and expand operations.</p>	<p>The potential for adverse impacts of poorly located secondary dwellings and detached dual occupancy on productive agricultural land is acknowledged.</p> <p>A suite of criteria will be developed to ensure that such impacts are avoided or minimised.</p> <p>The potential for construction of secondary dwellings and detached dual occupancy to escalate land values is recognised and will limit the ability of legitimate agricultural operators to consolidate properties; however, subdivision for the purpose of agriculture is currently permitted under clause 4.2 of Tweed LEP 2014 for the purposes of primary production, but a dwelling house cannot be erected on such a lot, thereby providing opportunity to acquire</p>	<p>That criteria be developed which ensure that the potential adverse impact of poorly located detached dual occupancy and secondary dwellings does not adversely affect the productive capacity of the land.</p>

	additional agricultural land which does not have a dwelling on it.	
Loss of productive agricultural land is in the most part irreversible; therefore the long term social and economic costs and benefits (including intergenerational equity) should be evaluated before a decision is made.	The Options Paper is recommending protection of good quality agricultural land and is not recommending subdivision or a reduction in the minimum lot size in the RU1 Primary Production and RU2 Agricultural Landscape zones.	No action required
Supports protection of scenic landscapes proposed in chapter 10.	Acknowledged	No action required

<b>Government Agencies and community organisations – Department of Planning &amp; Environment</b>		
<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
Ensure consistency with State Environmental Planning Policies (SEPP), Far North Coast Regional Strategy, Settlement Planning Guidelines (Mid and Far North Coast Regional Strategies - August 2007), and in particular SEPP (Rural Lands) 2008.	Acknowledged	No action required
Council should be mindful of any constraints applying to these lands such as State and Regionally Significant Farmland and flooding which may make the land unsuitable for rezoning. State or Regionally significant farmland mapping identified under the Far North Coast and Mid North Coast Farmland Mapping Projects is not available for urban or rural residential purposes.	Acknowledged, and will be considered further in development of the Draft Strategy	No action required
The option of permitting community title subdivision of rural landsharing communities in certain areas. The potential for generation of rural land use conflict and demand for infrastructure in more remote locations.	Rural landsharing communities have generated issues for residents of these communities and adjoining landowners where conflicts with agricultural activities are carried out.  While conversion of such communities to community title would provide separate title for the purposes of leveraging finances for purchase or disposal would be beneficial, it is not the intention of this option to support such communities in more remote locations or where demand for infrastructure would be generated.	Enter into discussion with the DP&E on the options for addressing this issue.

<p>The interim guidelines developed from the preparation of the Northern Councils E Zone Review states that the use of overlays to manage scenic protection areas and terrestrial biodiversity is not supported.</p>	<p>Noted.</p> <p>While this advice is acknowledged, the use of overlays as a simple means of providing information to the community and for development assessment purposes makes their use a desirable outcome.</p> <p>Until such time as a Ministerial Direction is provided defining the use of overlays to manage scenic landscape protection areas, this option will be retained.</p>	<p>Council is working toward implementing the EZone criteria.</p>
<p>When the draft North Coast Regional Plan is placed on public exhibition in late 2015 there will be opportunity to raise that may arise from the current strategy process.</p>	<p>Acknowledged.</p>	<p>Review issues against the draft North Coast Regional Plan when exhibited.</p>

**Local Government – Kyogle Shire Council**

<b>Summary of submission</b>	<b>Planning Response</b>	<b>Recommendation</b>
<p>Options proposed are generally consistent with planning being undertaken for Kyogle LGA</p>	<p>Cross-border consistency is a desired outcome</p>	<p>No action required</p>