

ATTACHMENT 5 TO COUNCIL REPORT 26 OCTOBER 2017

DRAFT RURAL LAND USE STRATEGY (APRIL 2017 VERSION)

- **CONSISTENCY WITH STATE/REGIONAL POLICY FRAMEWORK**

Consistency with State/Regional Policy Framework

The Rural Land Use Strategy has been reviewed for consistency with the state/regional policy framework, as follows:

- State Environmental Planning Policies - consistent
- S117 Directions – consistent as detailed in Table 1 Directions Policy Checklist
- North Coast Regional Plan 2036 – consistent as detailed in Table 2 North Coast Regional Plan Checklist
- North Coast E Zones Review – Priority site 1,3 and 4 for future rural lifestyle living opportunities contain land currently designated as ‘Deferred Matters’, E Zones will only be applied where consistent with Direction 2.1 in Table 1 below
- Settlement Planning Guidelines Mid and Far North Coast – consistent as detailed in Table 3 Settlement Planning Guidelines Checklist

Recommendation:

It is recommended that this Attachment ‘A’ be included as an Appendix to the Rural Land Use Strategy.

✓ In reading the following tables a ‘tick’ indicates a consistency with policy.

Table 1: S117 Directions Policy (Checklist)

Relevant S117 Direction		MAP 4 - Priority Localities For Rural Lifestyle Living Opportunities			
		Site 1	Site 2	Site 3 ^{1.}	Site 4 ^{2.}
1	Employment and Resources	✓	✓	✓	✓
2	Environment and Heritage				
2.1	Environment Protection Zones	Contains deferred matter See comment in 2.5 below	No deferred matters	Contains deferred matter See comment in 2.5 below	Contains deferred matter See comment in 2.5 below
2.5	Application E Zones	Comment: Not applicable until E Zones are determined for the Shire in accordance with Direction 2.1 above for effected areas.			
2.2	Coastal Protection	✓	✓	✓	Capacity to address the coastal hazards
2.3	Heritage Conservation	Comment: Unable to fully determine without a site specific appraisal. Council is currently undertaking a Cultural Heritage Study should this study indicate any of the areas as potentially containing or being in vicinity a cultural site then the strategy and any subsequent planning proposal processes would require consultation with the relevant Aboriginal community.			

Relevant S117 Direction		MAP 4 - Priority Localities For Rural Lifestyle Living Opportunities			
		Site 1	Site 2	Site 3 ¹	Site 4 ²
3	Housing, Infrastructure and Urban Development				
3.1	Residential Zones (b) does the location make efficient use of existing infrastructure and services	Well connected – adjacent to R5 & within 5km of a town with a high school	Well connected- within 5km of a town with a high school	Well connected – adjacent to R5 & within 5km of a town with a high school	Outside 5km catchment of a town with a high school
4	Hazard and Risk				
4.1	Acid Sulfate Soils	✓	✓	✓	ASS 2,3 & 4 (See hazard comments below)
4.2	Mine Subsidence and Unstable Land	✓	✓	✓	✓
4.3	Flood Prone Land (using LEP 2014 100yr flood controls)	✓	Partially affected (See hazard comments below)	✓	✓
4.4	Planning for Bushfire Protection	Partially affected by buffer	Partially affected by buffer vegetation category 1,2,3	Partially affected by buffer	Affected by buffer vegetation category 1,2,3 (See hazard comments below)
Hazard comments		<p>Site 4 Acid sulphate soils & Bushfire Planning: has capacity to address areas containing the acid sulphate soil categories that are Risk Classes 1 and 2 and address areas containing planning for bushfire protection</p> <p>Site 1 Flood Prone Land: Further analysis at the planning proposal stage provides capacity to exclude areas where there is a predicted extreme flood hazard risk or development of such land could contribute to increased potential food impacts off the subject land.</p>			
5	Regional Planning				
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Excludes regionally significant farmland	✓	Regionally significant farmland – see comment below	
Assessment against the Important Farmland Interim Variation Criteria in NCRP		Area 3 designation of this site is on the basis of providing torrens title to existing approved community title with no capacity for additional development and is unlikely to increase conflict with current or future agricultural activities.			

Relevant S117 Direction		MAP 4 - Priority Localities For Rural Lifestyle Living Opportunities			
		Site 1	Site 2	Site 3 ^{1.}	Site 4 ^{2.}
5.10	Implementation of Regional Plans	See Table 2			

Notes:

1. The designation of this site is on the basis of providing torrens title to existing approved community title with no capacity for additional development.
2. The designation of this site is on the basis of providing individual title to existing approved accommodation units with no capacity for additional development.

Table 2: North Coast Regional Plan 2036 (Checklist)

Regional Plan Reference		Priority sites for rural lifestyle living opportunities				Document in general
Goal	Direction	1	2	3	4	
1	1	✓	✓	✓	✓	✓
	2	✓	✓	✓	✓	✓
	3	✓	✓	✓	✓	✓
	4	n/a	n/a	n/a	n/a	✓ Comment- Includes actions addressing renewable energy and net zero emissions outcomes
2	9	✓	✓	✓	✓	✓
	5,6,7,10,12	Not directly applicable				
	8	Consistent: includes actions to promote of appropriate rural tourism				
	11	See S117 Direction 5.3 in Table 1				
	13	See S117 Direction 4.2 in Table 1				
3	14	Consistent: includes action to enable preparation of precinct plans as required for villages or rural lifestyle living areas				
	15	Not directly applicable				
	16 & 18	Consistent: includes actions to work with traditional owners improve Aboriginal cultural outcomes				
	17,19, 20	Not directly applicable				
	21 (infrastructure)	✓	✓	✓	✓	✓
4	22	Not directly applicable				
	23	Actions included to investigate measures to increase housing diversity and choice in villages and to address unauthorised dwellings				

Regional Plan Reference		Priority sites for rural lifestyle living opportunities				Document in general
Goal	Direction	1	2	3	4	
	24	✓	✓	In coastal strip - existing development	In coastal strip - existing development	✓
4	25	Not directly applicable				

Table 3: Settlement planning guidelines: mid and north coast regional strategies (checklist)

Planning Principles		Consistent Y/N	Comment
Location			
1	Future urban settlement should be located predominantly within the agreed growth areas.	Y	Potential future urban settlement areas excluded from consideration for rural lifestyle living opportunities (RLLO).
2	Future settlement, where permitted by the regional strategies and outside the agreed growth areas, must be located to minimize environmental impacts and be sustainable. Such settlement must satisfy the sustainability criteria contained in Appendix 1 of the Regional Strategies.	N/A	
Land suitability (environment, natural resources, hazard)			
3	Future development should be located on land that is suitable for the development and capable of supporting the proposed uses.	Y	Details contained in the supporting 'Site Suitability Criteria and Mapping Methodology' document.
4	Planning for future development on land already zoned for settlement but not yet developed should identify the constraints and opportunities of the land. Development should achieve a carefully planned community, respecting environmental, resource and hazard issues.	Y	RLUS includes an action to prepare neighbourhood/village plans, where appropriate.
5	Future development should avoid areas of environmental significance, significant natural and/or economic resource, potential hazard, high landscape or cultural heritage value, or potential increased risk associated with impacts of climate change.	Y	Details contained in the supporting 'Site Suitability Criteria and Mapping Methodology' document.
6	Future development adjoining land with the above values should incorporate buffers as necessary to help protect those values and to avoid future land use conflict.	Y	Details contained in the supporting 'Site Suitability Criteria and Mapping Methodology' document. RLUS includes an action to review buffer and land use conflict management provisions.

Planning Principles		Consistent Y/N	Comment
7	Future development should be strategically planned by providing a timely release of adequate and appropriately located land to address the specific dwelling targets and housing mix identified in the regional strategies. Future rural residential development should be planned for as part of council's total dwelling targets.	Y	<p>Early draft of the RLUS identified potential future urban settlement areas and excluded such land from consideration for rural lifestyle living opportunities (RLLO).</p> <p>In the preparation of the Residential Strategy housing supply met by RLLO, village and secondary dwellings in rural areas will be factor into meeting housing needs for the Shire.</p>
8	Future development, particularly in the major centres, should be planned to effect a shift in the new dwelling mix to achieve 60% single dwellings and 40% multi-unit housing across the region to meet the future demographic needs of smaller households and an ageing population.	Y	<p>Recent amendments to LEP 2014 enable secondary dwellings on Rural and R5 zoned land contributing to choice in smaller household needs in rural areas.</p> <p>RLUS includes an action to prepare village plans which will consider measures for improving housing choice and diversity in villages</p>
Settlement form and hierarchy			
9	<p>Future development should:</p> <p>a) strengthen the hierarchy of settlement identified in the regional strategies, support and maintain strong multi-functional business centres, minimize urban sprawl,</p>	Y	a), b) & d) – service catchment and infrastructure standards have been applied as criteria for determining priority RLLO sites.

Planning Principles	Consistent Y/N	Comment
<p>and maximize infrastructure and service efficiencies;</p> <p>b) be planned to create communities within the hierarchy of settlement. Consideration should be given to the ultimate geographical extent and population target for each community that is to be formed or built upon, and the staging/timing by which it is proposed to reach that position;</p> <p>c) provide for a mix of houses, jobs and open space;</p> <p>d) be appropriately located in relation to its scale, nature or type of development; the ability to provide the necessary infrastructure and services; the need for access and to ensure effective traffic management;</p> <p>e) in the case of residential development, provide for a variety of dwelling types and a choice in location, form and affordability; and</p> <p>f) enable mixed uses and home-based employment in residential or village zonings where appropriate.</p>	Y	c), e) & f) – RLUS includes an action to prepare village plans where appropriate, which will consider measures for improving housing choice and diversity in villages and employment opportunities.
10	Y	Service catchment and infrastructure standards have been applied as criteria for determining priority RLLO sites. Potential future urban settlement areas are excluded from consideration for rural lifestyle living opportunities (RLLO).
11	Y	The RLUS includes an action to review minimum lot sizes in existing R5 zoned areas with a potential to strengthen communities, reduce rural residential sprawl and to achieve greater efficiency in infrastructure and services delivery.

Planning Principles		Consistent Y/N	Comment
12	Future development, particularly at the residential/agricultural and residential/industrial interfaces, should be planned for and managed so any potential conflict is minimized in relation to adjacent land uses.	Y	Details contained in the supporting 'Site Suitability Criteria and Mapping Methodology' document. RLUS includes an action to review buffer and land use conflict management provisions.
Urban design and heritage			
13	Future development should recognize, protect and be compatible with any unique topographic, natural or built cultural features essential to the visual setting, character, identity, or heritage significance of the area or settlement that it is to be located in.	Y	Details contained in the site suitability criteria and mapping methodology document.
14	Future development should reflect high quality design that is compatible with the local and regional attributes which make up the region's character, such as climate, landscape, history, topography, and existing built environment.	N/A	
15	Future development should be designed to ensure there is public access to an adequate supply of appropriately located public open space and recreation areas, to provide for a range of recreational uses and visual amenity.	N/A	
16	Future development should contribute to an open space network across the local government area that is designed to: a) encourage and maintain pedestrian movement and public access to community resources or public places (such as watercourses, beaches etc); and b) to reflect each site's natural features and requirements for drainage and water quality maintenance, and nature conservation and biodiversity protection.	Y	a) Not directly applicable b) Details contained in the supporting 'Site Suitability Criteria and Mapping Methodology' document.

Planning Principles		Consistent Y/N	Comment
17	Future development should encourage walkability and allow for easy access to public places, local shops, services and transport and lead residents to the service centre.	N/A	
18	Aboriginal cultural and community values should be considered in the planning for future development.	Y	
Infrastructure provision			
19	Future development should only be permitted where it can be provided with adequate, cost effective physical and social infrastructure to match the expected population for each settlement. In rural areas this may require the development being able to provide stand alone services.	Y	Service catchment and infrastructure standards have been applied as criteria for determining priority RLLO sites.
20	Future development should strengthen the efficient use of infrastructure, services and transport networks and not overburden existing services elsewhere.	Y	
21	Future development should be designed and located to minimize the need to travel; to maximize opportunity for efficient public transport and pedestrian access options; and to encourage energy and resource efficiency.	Y	
22	Future development should be designed and located to have well connected and accessible urban areas increasing the opportunity for public transport, cycling and walking for residents and visitors.	Y	
23	Future development should be designed and located to avoid placing further local traffic demand on the Pacific Highway.	Y	
24	Future development should not contribute to ribbon/strip development nor impact on the safety and efficiency of major or arterial roads.	Y	

Planning Principles		Consistent Y/N	Comment
25	Future development should provide sufficient buffering distances and/or technological solutions between proposed development and existing or proposed major infrastructure, including rail corridors and airports.	Y	
26	Future development should be designed and located to maximize total water cycle management and minimize impacts on the environment.	N/A	
Employment lands			
27	Industrial land should be made available in a variety of locations to encourage new opportunities as they arise in all major regional centres, major towns and towns. However, location and availability should recognize the linkages between employment land and: settlement areas; markets, transport and access; environmental constraints; and cost effective provision of necessary services and infrastructure.	N/A	
28	In the case of the six local government areas in the Far North Coast region, consideration should also be given to the demands and impacts of South East Queensland on the regional economy's employment needs, market opportunities and transport requirements.	N/A	
29	Commercial land, should be located so that it can be conveniently serviced, is accessible to, and is consistent in scale with the settlement it serves or is planned to serve. If commercial land expansion is not adjacent to, or adjoining, an existing centre then any new development should not undermine the existing centre(s) and should be at a scale and location only to serve the target neighbourhood.	N/A	

Planning Principles		Consistent Y/N	Comment
Tourism opportunities			
30	Future tourism development should not negatively impact on the natural, economic or social fabric of the area it is to be located in.	Y	RLUS contains an action to identify opportunities in our local planning framework to support low scale rural tourism in Byron Shire.
31	Future tourism development should provide for a wide range of experience opportunities from the low cost family type tourism developments, such as in caravan parks and camping grounds, to large single destination development.	Y	RLUS contains an action to identify opportunities in our local planning framework to support low scale rural tourism in Byron Shire.
32	Future investment in and growth of tourism products and services should not occur at the expense of local environmental and social values.	Y	RLUS contains an action to identify opportunities in our local planning framework to support low scale rural tourism in Byron Shire.
33	Consistent with the Regional Strategy, future large scale tourism development is only to be located in prime tourism development areas unless another proposed location is consistent with an approved local growth management strategy.	N/A	
34	Future large scale tourism development that is located adjoining natural features such a beach, estuary, national park or reserve, etc, should maintain public access to those features.	N/A	