

148 Fernvale Road  
Murwillumbah NSW 2484

6 November 2013

Director, Assessment Policy, Systems & Stakeholder Engagement  
Department of Planning & Infrastructure  
GPO Box 39,  
SYDNEY, 2001

Dear Sir/Madam,

**State Environmental Planning Policy (Mining, Petroleum Production & Extractive Industries)  
Amendment (Coal Seam Gas) 2013: Stage Two CSG Exclusion Zones**

The application of the proposed Stage Two CSG Exclusion Zones to residential, village and zoned rural residential areas only, ignores the outcomes of past rural subdivision policies on the North Coast. Such policies have resulted in considerable areas of rural zoned land which have been legally subdivided for predominantly residential use but which were not required to be rezoned accordingly. Stage Two Exclusion Zones should be applied to these areas also.

From the 1970s State Government policy permitted the subdivision of 'concessional lots' from rural properties: this resulted in many lots of around 2ha in rural areas which were to be occupied by relatives of the owner of the subdivided property, but which in practice were purchased for residential use on the open market. Changes in Government policy in the late 1980s saw replacement of 'concessional lots' by various mechanisms for permitting small lot subdivision of rural land without rezoning: for example on hazard free land within specified distances of towns with adequate services, or along roads identified in LEPs on the basis of adequate capacity for expected additional traffic. There was no requirement to rezone these areas which remained in general rural zonings. SEPP 1 Variation of Development Standards resulted in further random subdivision of rural lands for residential purposes.

The result of these changes in planning policy over the last 40+ years is that rural zoned lands on the North Coast contain large numbers of small lots used purely for residential purposes. Lot sizes may vary from 4000m<sup>2</sup> to 4 ha., and will be rated by the Valuer General's Department as being in residential use. The subdivision patterns formed by these lots can be identified by viewing Councils' electronic mapping (cadastral view). In Tweed Shire such subdivision are apparent in the localities of Piggabeen, Bilambil, Stokers Siding, Fernvale, Pottsville, Crabbes Creek and Tyalgum.

Scattered residential lots throughout rural lands will be apparent in all coastal LGA's which historically experienced high demand for rural subdivision.

Unfortunately the residents of such lots are being discriminated against by the application of the Stage Two Exclusion Zones only to land zoned for village/residential/rural residential purposes.

**The amendment to the SEPP should be altered to apply exclusion mechanisms to all land used for residential purposes, whether in urban or rural zoned areas.**

Helen Manning

MPIA