

22 May 2016

Mr K Gainger
General Manager
Byron Shire Council,
PO Box 219
Mullumbimby NSW 2482

Dear Mr Gainger,

Thank you for the opportunity to comment on the Byron Draft Rural Land Use Strategy (DRLUS).

Members of the Federal Community Centre and Landcare Group (FCCLG) have had a long and respectful association with Byron Shire Council, making them well placed to contribute to growth management strategies and settlement planning. A brief history of our working relationship of working with Council is listed in Attachment 1 to this submission.

While this submission identifies some members' initial views on the DRLUS, the short submission timeframe and the fact that a Federal representative was not invited to stakeholder group meetings, has limited both our ability, and Council's own obligation to include Federal residents' views on the future planning of our village.

As a result we respectfully extend an invitation to Council planners to work with the FCCLG at an agreed time during the process of revision of the draft SDRLUS and continue what has previously been a productive working relationship.

General Comments

Consistencies between the DRLUS and the Draft North Coast Regional Plan

The Draft North Coast Regional Plan identifies the Village of Federal as a Future Urban Growth Area.(Ref <http://www.planning.nsw.gov.au/~media/Files/DPE/Plans-and-policies/draft-north-coast-regional-plan-2016.ashx>" <http://www.planning.nsw.gov.au/~media/Files/DPE/Plans-and-policies/draft-north-coast-regional-plan-2016.ashx>).

While the DRLUS identifies a small number of additional dwellings in Federal over the next 25 years, members of the FCCLG recommend Council work with us to address housing needs and those additional aspects associated with population growth. We would welcome the opportunity to participate in workshops and/or a constraint/community mapping process to identify the future needs of Federal to ensure the following issues are addressed in the final strategy:

Land suitability - environmental, natural resources and hazards including traffic.

Land release - 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 strategy.

Settlement form and hierarchy - consideration should be given to the ultimate geographical extent and population target for Federal that is to be formed or built upon, and the staging/timing by which it is proposed to reach that position; providing for a mix of houses and open space;

Urban design and heritage - any 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 Federal. Future development should contribute to an open space network across the village that is designed to: encourage and maintain pedestrian movement and public access to community resources or public places. It should also reflect each site's natural features and requirements for drainage and water quality maintenance, nature conservation and biodiversity protection.

Infrastructure provision - development should only be permitted where it can be provided with adequate, cost effective physical (including waste management) and social infrastructure to match the expected population of Federal. Any development should also be designed and located to maximize total water cycle management and minimize impacts on the environment.

Specific comments

Members of the Federal Community Centre and Landcare Group generally support the outputs from the DRLUS Targeted Stakeholder Workshop including:

Build and strengthen our villages:

- Cluster and consolidate rural settlement rather than sprawl.
- Encourage higher density around community focal points (e.g. general store; hall).
- Planning framework to enable larger villages to provide employment opportunities.
- Strengthen villages and towns through placing rural settlement where it can link to the town by walkways that avoid dangerous roads.

Building and diversifying the rural economy:

- Investigate need for additional industrial land in rural areas.
- Encourage cottage industries that can develop into medium size operations.
- Provide greater flexibility to allow assessment on merits rather than a blanket rule.
- Intentional communities could have a greater focus on allowing shops and employment opportunities onsite to strengthen viability.
- Accessing the latent productive potential in some hobby farm blocks and productive lands currently used only for lifestyle living.
- Not 'one size fits all' strategy; each village or rural housing cluster is different and needs to be looked

at individually.

- Review land use controls in rural zones to permit greater range of non-agricultural uses without consent i.e. sub-commercial farming.

Limitations of Data informing the DRLUS

The DRLUS could be improved by investigating and appropriately interpreting additional information sources to ensure the final strategy is evidence based. Additional sources include:

Department of Planning and environment (2014), population, Household and Dwelling projections – identifies the population and housing numbers for the North Coast to 2036;

MacroPlan Dimasi (2015), Mid North Coast and Far North Coast Housing Submarkets –

MacroPlan Dimasi (2015), North Coast employment land Review – analysis of trends, drivers, and the supply and demand for employment lands;

Department of Planning and Environment (2016), Mid North Coast and Far North Coast Housing and Land Monitors – Department of Planning and Environment (2006 and 2008 respectively), Northern Rivers Farmland Protection project and Mid North Coast Farmland Mapping project Department of Industry (2015), Economic Development Strategy for Regional NSW – sets out clear goals, comprehensive actions, and an economic profile of the North Coast.

Characterisation of the Socio Economic Landscape of the North Coast Region of NSW prepared for North Coast Local Land Services May 2015 - includes socio ecological data regarding regions rural communities and an analysis of the significant agricultural industries.

(http://northcoast.lls.nsw.gov.au/__data/assets/pdf_file/0012/564789/characterisation-of-the-socio-economic-landscape-of-the-north-coast-region-of-nsw.pdf)

Interpretation of Building Approvals Data in Federal

Regarding the number of building approvals in the village between 2001 – 2015, it is scarcity that is the reason for these low figures. Only nine new buildings were approved during this time because only the FUT sites on Roses Road and some infill (re-subdivision) of other sites in the Village Zone were available. In the six years before 2000 over 30 dwellings were approved. Two of these were on land generously offered for sale by the Uniting Church. In a community driven process, this land was subdivided in two and developed as affordable housing during the International Year of Shelter for the Homeless.

Council's description of the village

Federal

Federal is a small village of some 60 houses in the village area accommodating around 170 residents. Community facilities include a general store, restaurant, community hall, preschool and communal parkland. Between 2001–2015, 12 building approvals were issued for dwellings. The majority of which were in Roses Road. Situated on the western side of the Federal is some 14 ha of land zoned Village with subdivision potential. The subject land contains features that will influence the potential yield such as a watercourse, vegetated areas, existing dwellings and access limitations. Where such constraints exist a community title arrangement may afford the best development solution. It is estimated that this land could provide in the order of some 30 - 40 additional lots (based on minimum lot area of 2000m² in LEP

2014). In addition a number of lots within the existing built village area may also provide an opportunity for further subdivision. Based on the past pattern of dwelling approvals should this land be developed this would provide in excess of 20 years supply.

Suggested description of the village.

Federal is a vital functioning village in the hinterland of the Shire. In the 1970s there was a general store, a primary school, two churches and the School of Arts (Jasper Corner); a builder's workshop and two mechanic's workshops; and seven cottages.

Today there are over sixty houses and the general store. Another approximately thirty houses are in the surrounding large lot residential zone. All this residential development has occurred in less than twenty five years. The school was closed in the 1970's and the schoolmaster's house was converted to a preschool. The workshops have gone, one abandoned and two others put to other commercial uses. One church was removed to Eureka. The other one has recently been purchased by the community to be included in the School of Arts precinct.

The conversion of an old butcher's shop into a restaurant has had intermittent success as a business enterprise. An extension of the general store into the shopkeeper's house has become a successful café.

The Federal Park and Jasper Corner Facilities are the two parts of the heart of the village and attract wide use from people of all ages

FCCLCG Committee Comments on the Draft Rural Land Use Strategy

The committee of the FCCLCG met on May 19th to discuss a draft submission to the DRLUS. The following (edited) points, put by members of the committee, emerged from this discussion:

The Federal Community Centre would love to work with Council and developers to keep Federal headed in positive and sustainable directions as partners. As this strategy moves from draft to final it would be great to see more emphasis on incorporating integrated mechanisms to develop rural village planning from the residents up.

There are developers who own land in Federal, or are looking to own land, who are open to ideas that could be good for the village. If Council, community and developer can sit together and see if there is common ground then we can all save a lot of time and energy.

The changing age demographics. We do need to look at what our housing needs are for older people who want to stay in our community. Village development urgently needs to incorporate this while still satisfying environmental and sustainability concerns.

The idea to be partners in decisions as to how Federal village develops is a worthwhile objective. Federal is a special nook and much of that has to do with the stewardship that FCCLCG as a group and individually have provided.

Developmental planning & rezoning aside, this does not preclude issues such as walking or bike tracks or infrastructure that would enhance the amenity of Federal (and provide safe connections to Keyes Bridge, Eureka and Goonengerry). Put more open space (to connect existing community facilities such as the Park and Jasper Corner) on that list too.

If the idea of rezoning more land for potential residential or mixed business is on the table, the community needs to know options and the why and what for.

The figures for housing demand in the draft for Federal create the impression that the Jensen land is enough to satisfy demand for the next 20 years. Whereas if we go back 5 more years (to 1996) then we get a much higher figure and more realistic picture of what demand will be into the future.

Other options for increased settlement in the village and all its impacts is what we in the community would like be involved in deciding, as we have been for the past 30 or so years.

These points are included to demonstrate the willingness of the FCCLCG committee to engage with Council in the future planning of the village in a pro-active way by organizing community consultation with the intention to continue the work we have done over the decades

Again thank you for the opportunity to comment on the DRLUS.

We will shortly be in contact with Council planners regarding participation in workshops and/or a constraint mapping process to identify the future needs of Federal and ensure an evidenced based final strategy.

Yours sincerely

Gary Haughton (President)

Toni Appleton (Secretary)

Lorraine Briggs (Treasurer)

Committee

Anthony Solomon

James Mason

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Attachment 1 - Federal Community Centre and Landcare Group and Byron Shire working history

The community in and around Federal has had a long history with Byron Shire Council, beginning in the 1970's when the Primary School was closed down for lack of pupils and new settlers founded the preschool in the schoolmaster's residence. Crown Lands handed the four acre site to Council as trustee for the Federal Community Preschool.

The following history demonstrates the strong and respectful relationship that has endured for decades between the Federal Community and Council.

In 1982 the Rose family decided to develop their farm. This included the land that is now the Federal Park, Rose's Road, Wean Way, the coffee farm and all the rural residential lots on the eastern side of the road to Coorabell and along Binna Burra Road. The EP&A Act had recently come into being and a public meeting was held at the Hall to discuss planning issues.

The first part of the Rose's Road subdivision was approved before the BLEP was gazetted in 1988.

1987 - Federal Community Centre was formed by parents whose children had been at the Preschool. A number of meetings were held with the intention to create a Development Control Plan for the Federal Village.

The developer Eric Freeman attended a couple of these meetings. He bought the bulk of the Rose farm and developed all the rural residential lots off Coorabell and Binna Burra Roads. The first part of Rose's Road was constructed and subdivided.

Darryl Quigley, who was the owner of the Shop at the time, bought the paddock opposite the shop with two partners (Federal Unit Trust).

1989 - A DCP for Federal was adopted and included in the BLEP 1988. This identified a Village Zone (2V) on the Perry farm and the paddock and part of the Jensen farm. The rest of the Jensen farm and the Edwards farm were zoned for rural residential subdivision. In the early 1990's the development of the Coachwood Court and Lizray Road subdivisions proceeded.

1993 - Darryl Quigley (FUT) submitted a DA for the paddock. This included 16 houses, a larger commercial area on the land than had been identified in the DCP for that purpose, taking up part of the land identified as the 'eastern reserve' and a greatly reduced 'park' between the Tennis Court and the Preschool.

1994 - Coachwood Court subdivision proceeds - 28 house lots. All sites were developed by 2000.

1994/5 - A contract town planner was paid by FUT and Council to review and change the DCP to allow this DA to proceed. The community objected, the review collapsed and a community dialogue commenced with Council through the then General Manager, Max Eastcott. The Federal Community Centre (FCC) was instrumental in redesigning the DA that was passed by Council. This honored the DCP, reduced the house lots to 9, created a commercial area on the Roses Rd corner and included the current Park.

1997 - Daryl Quigley (FUT) put in a DA for a large two storey commercial development on the Roses Rd corner site. This proposal included a restaurant that was more like a tavern and a number of shops. The community objected and the DA was refused as it failed to meet the effluent disposal and parking requirements and the scale was not appropriate.

1999 - Council bought the land for the Federal Park.

2000 - FCC organised a 'community mapping' process and worked with architects contracted by Council for the development application for the Park, which by was approved by Council. The planting, facilities and infrastructure development then commenced.

2000 – FUT developed the remaining sites on Roses Road.

2000 - Darryl Quigley (FUT) submitted a modified DA for a development on the Roses Rd 'commercial' corner, which was also refused by Council on the same grounds as the previous DA.

2001 – First Federal Park Party.

FUT sold Roses Rd corner block to Troy Hunter.

FCC successfully negotiated Sect 94 contribution from the Keyes garden CT development for a pathway through the Park.

2010 - Council consulted the community in order to review the Federal DCP for inclusion in the new BLEP.

2010 - Troy Hunter submitted a DA for a shop with a residence above, on Roses Rd corner, which Council approved.

2012 - Troy submitted a S96 Variation to the approved DA, which Council passed.

2012 – Troy Hunter submitted plans for a restaurant and a five bedroom tourist facility that was refused as it failed to meet the effluent disposal and parking requirements and the scale was not appropriate.

2014 – A three lot subdivision was approved for Troy Hunter's site.

2016 - FEDERAL COMMUNITY CENTRE LANDCARE GROUP SUBMISSION TO THE DRLUS MAY 2016