

**Discussion paper
response
Submission
No 37a**

INQUIRY INTO REGIONAL DEVELOPMENT AND A GLOBAL SYDNEY

Organisation: Tweed Shire Council

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Dear Sir/Madam

Re: Submission in relation to Regional development and a global Sydney

Tweed Shire Council (Council) welcomes the opportunity to provide feedback to the common themes and priorities presented in the Discussion Paper as to how regional New South Wales can benefit from Sydney's growing prominence as a global city.

The Inquiry's Terms of Reference are pertinent and timely; as it has remained somewhat unclear as to how Sydney's international trade, infrastructure, employment, innovation and research sectors have influenced and enabled development in the Tweed and Northern region. Council strongly supports any recommendations for greater investment and access to research, data and collaborative studies to better understand and facilitate Tweed's local economic sectors and their relationship with a global Sydney.

As discussed in previous submissions and in hearing testimonies, the Tweed's regional development is more accurately understood and attributed to key drivers in South-East Queensland including population growth and employment opportunities. The spatial proximity to the Gold Coast and natural heritage and cultural assets contribute to the Tweed's recent and forecasted growth, as a highly attractive place to live and work with lifestyle quality and amenity values. This growth (and rate) brings opportunity and economic benefits as well as increasing land-use conflicts and environmental management challenges.

Tweed Heads is declared a national Smart City, as an extension of the Gold Coast in the National Performance Framework Program, and a Regional City by state planning policies. Associated planning directions and objectives focus on ensuring adequate additional housing and employment, in order to capitalise on Coolangatta's expanding economic sectors, and which reflect metropolitan growth management policies to increase densities and supply in middle- and outer-rings of greater Sydney. However, the Tweed Shire, like many regional local government areas, does not benefit from key state government funded transport and utility infrastructure investment and services as greater Sydney does. Yet such infrastructure is a critical factor for the Tweed to absorb forecasted growth, deliver on state priorities for equitable, affordable and sustainable development and access to markets and services, as well as meet local community values to protect natural coastal and rural

cultural heritage as distinct from the high-rise development and sprawling suburbia of the Gold Coast city.

The fiscal business case and benefit-to-cost return of delivering comparable public transport infrastructure in the Tweed Shire and Northern NSW Region as that provided in greater Sydney may be unclear or considered unfavourable to a global Sydney, or more favourable to South-East Queensland. However, Council believes the opportunity costs of the current stalemate in cross-border state government collaboration are significant to delivering sustainable communities and resilience for established and emerging economic sectors including tourism, agriculture and food-business and creative industries in the Tweed. Council strongly supports increased collaboration between NSW and QLD governments and in partnership with local governments, communities and development industry stakeholders to ensure adequate public transport and utility infrastructure planning, funding and project delivery to support growing Regional Cities such as Tweed Heads.

These issues are discussed in further detail in the following attachment which provides responses to specified questions raised in the Discussion Paper.

Thank you again for this opportunity to participate in this Inquiry.

Should you have any queries in relation to our submission, I have arranged for
Unit Coordinator - Strategic Planning and Urban Design to provide further
advice and support.

Yours faithfully

Troy Green
General Manager

Tweed Shire Council response to specific questions posed in the “Regional development and a global Sydney – Discussion paper, November 2017”

Question 4: How can the NSW Government ensure that regional planning priorities are aligned with those identified by local councils and other regional stakeholders?

Strategies and plans industriously produced by state and local government often provide consistent and well-aligned long-term goals and objectives. However, there are other critical elements of strategic planning that are overlooked, including anticipating and responding to future challenges and change in wise and effective ways using full evidence and real-time data, and developing a course of coordinated actions that are adequately resourced to achieve them and that can be monitored and evaluated.

Many beautifully crafted, evidence-based strategic plans fail to adequately shape future context and consequences, and alternative development trajectories specifically for a locality or spatial area. Future visions and directions can use overly-simplified language and cherry-pick evidence which diminish the true significance of future challenges, or fail to convey impacts upon place and the natural environment and the role of planning activities and statutory systems. Therefore, trajectories can lack meaning and robustness needed to identify key issues and their likely outcomes that may need intervention, develop choices and defend decisions. Regional Plans also lack the critical strategic management, coordination of governance and funding commitment to sequence and stage priorities and actions across their regions and over their 10 year timeframes. These are often identified as actions to be delivered in of themselves, rather than as a necessary step or precondition to the endorsement of a Regional Plan.

Enable access to research, data and tools - Improved access to and management of rigorous, independent technical evidence and analyses to inform scenario-modelling and assessment of development options is critical. Digital 3D spatial, multi-criteria analyses and scenario modelling tools are available to conceive, visualise and test outcomes against values and priorities, and the appropriate directions and actions to take. A modern strategic framework must not only conceptualise a future end state but must also incorporate and utilise the technological advances that exist at that time to better enable the shaping and articulation of that future.

Develop performance measures for strategic objectives in collaboration with Councils – A consistent and comparative reporting and monitoring framework to measure success of actions and policy mechanisms, and translate through the hierarchy of spatial and temporal scales, and factor impacts of prevailing and single-issue policies for which different governance structures can be made accountable for. Council supports recent reforms to the Local Government Act and Environmental Planning and Assessment Acts to better integrate local land use planning with organisational strategic planning processes using the Integrated Planning and Reporting Framework, and calls for NSW Government to similarly apply the performance framework to state planning policies and programs to enable a clear line of sight of state policy measures and mechanisms.

Limited local legal planning mechanisms to deliver regional planning priorities - the Standard Instrument Local Environmental Plan's 'Template', administered by NSW Department of Planning and Environment, mandates the structure, model provisions and clauses of LEPs. However, currently there is no provision for references to

regional planning matters to be made either in the Aims section of LEP, nor anywhere else in the instrument. A key change to this current practice would be through adequate reference made in the LEP to the effect that regional planning priorities are acknowledged. This could also enable the policy setting with region wide instruments to be established through priority actions or outcomes linked with the relevant regional state plan.

Strengthen local strategic planning in State planning regulatory framework and ensure it is based on community participation. The planning proposal process, as well as master-planning of localities and new communities, provides for coordinated and contextual practises including developing scenarios for growth, determining delivery actions and necessary resourcing and provision of infrastructure. However, these master-planning processes and their outcomes have no legal weight in the NSW Environmental Planning and Assessment system, and as such represents a highly underutilised socially and sustainability responsive planning practice. Instead, Councils seek to shoe-horn priorities and outcomes into LEP provisions and development standards in Development Control Plans, which do not have the legal weight of force necessary to achieve desired strategic and community based outcomes, either because they are overridden by state policies or developers are fundamentally at liberty to argue in support of lower standard development.

Reform regulations restricting development contributions to fund infrastructure – Council has prepared urban growth strategies and ensured sufficient residential zoning in LEPs to enable the market to deliver adequate housing to meet the needs well beyond demands forecasted in regional plans. The lack of market take-up of these opportunities is understood to be attributable to the lack of significant infrastructure in transport, utility and services provided by NSW Government to support these new communities, and mechanisms preventing Councils to generate contributions from developers in order to fund and maintain such infrastructure.

Contributions planning under the NSW Environmental Planning and Assessment Act and Regulation, whether by s94 plan or s 94 percentage, is ineffective at capturing the cost of infrastructure work necessitated by new development, and the s 93F Planning Agreement (voluntary) remains marred by perceptions of developers 'buying' rights or Councils 'extorting' developers owing to an absence of rigour and transparency in the administrative policy framework.

The inequities and pressure of delivering increased housing supply and density by state policies designed for metropolitan contexts, are keenly felt by regional councils (and their communities) that do not benefit from state government utilities and providers of water, sewer and transport services, among others.

Ensure prevailing and competing state provisions do not undermine regional and local priorities - State policies that purport single-issue development outcomes often undermine coordinated regional planning and local growth strategies. For example, Complying and Exempt development SEPP, State and Regional Development SEPP and Mining SEPP apply a top-down management of development circumventing coordinate regional and local planning strategies. The impact of almost all planning decisions is felt locally – this is particularly true for development labelled as “significant” – therefore local governments must be fully involved in planning decisions throughout the planning/assessment process.

Council position is supported in submissions to the following Inquiries, which can be made available upon request:

- Submission to the Legislative Assembly - Standing Committee on State Development - Inquiry into Regional Planning Processes in NSW (1 December 2015);
- Submission to the House of Representatives Standing Committee on Infrastructure, Transport and Cities – Inquiry into the Australian Government's role in the development of cities (17 August 2017); and
- Submission to the Legislative Assembly - Committee on the Environment and Planning – Land Release and Housing Supply in NSW (5 September 2017).

Question 5: How can the NSW Government work with local councils and other regional stakeholders to develop a more accessible and responsive funding application process?

Council supports the recommendations for greater assistance and collaboration from and between NSW Government agencies and Councils in navigating and meeting often restrictive criteria, timeframes and financial thresholds in funding applications processes. Regional Plans should comprise of the economic feasibility analyses, prioritisation, staging and resourcing of actions before adoption. In doing so, lead agencies such as Department of Planning and Environment can lead and partner with councils and other agencies to secure adequate resources, timeframes, thresholds and coordinate governance arrangements, rather than being left to local councils within the region to resource themselves and compete with other on an ad hoc basis.

Question 6: What can the NSW Government do to address the impact that population figures, as a funding criteria, have on satellite cities and smaller regional centres?

Council supports the cost-benefit analysis process, which measures the change attributable to government action, as this framework may provide for values to be considered and accounted for, and strengthening the roles and connections between smaller regional centres and satellite cities, particularly as public transport infrastructure as a critical enablers of shared economies and access to opportunities by broader demographic cohorts.

Population projections bear directly on the regional priorities and through to the sub-regional actions within the State's regional plans. Funding must therefore be linked and follow the priority actions for addressing the growth management responses. For example, in the North Coast Regional Plan there a four regional cities identified and a key action is for the Department of Planning and Environment to prepare a regional city plan for each. Their identification and corresponding strategic plan have arisen from the need to address regional population pressure or decline, it must follow that the implementation of actions to address these issues are therefore prioritised for funding. Underpinning this approach is the principle that stronger regional cities will have positive flow on effects for the wider region and as such the allocation of funding to their strategic action implementation cannot be said to be unequitable, as 'favouring' the city growth areas directly will indirectly benefit those other regional areas, which is a redistribution of the financial benefit.

Question 12

a) How can the NSW Government develop strong linkages between growers, producers, investors and new markets?

b) Have the strategies currently employed by the NSW Government been effective in connecting growers to buyers, and investors to regional investment opportunities? How can these be improved?

Question 15

a) What more can the NSW Government do to support research and development into new agricultural technology opportunities?

b) What more can the NSW Government do to make satellite connectivity accessible to farmers and other regional business owners?

Combined response to above Questions 12 & 15:

Agriculture based on small-scale cooperatives and family farms has the potential to be a strong economic driver in the Tweed. Opportunities in agritourism and boutique value-add industries based on local (not regional) branding exist but need start-up support and assistance if they are to be realised.

There are currently significant economic, social and regulatory barriers to development of the sector that need to be identified and addressed through research and investment. For example, the new Rural SEPP has the potential to hinder the development of small-scale livestock production in highly fragmented landscapes like the Tweed. Further studies to identify the barriers and enablers for new agribusiness developments in regional communities like the Tweed is warranted.

There is strong support for the large, export-focussed industries in Australia but more is required to help develop local food economies based on small-scale, sustainable farms that generate minimal environmental impacts, whilst creating local jobs and building communities. Local, sustainably and ethically produced food is attracting premiums from local and interstate consumers and is increasingly being demanded by these consumers. Building local agricultural businesses is likely to be an important precursor to developing export capacity for those businesses interested in pursuing those markets. Dedicated resources to help develop agricultural businesses and identify markets for products may help with this.

Current agricultural policies are flawed, in not placing attention on regenerating the health of the agricultural landscape. The NSW Environmental Trust is currently the only State government support program for what is the essential foundation of productive and profitable agriculture. Farmers should be rewarded, or at the very least supported, to deliver environmental enhancements, protect waterways and reduce inorganic fertiliser and chemical use. Greater investment in sustainable agriculture initiatives would help to create new agribusiness opportunities.

Question 13

a) Does the NSW Government have a clear strategy to ensure that the increasing volume of greenfield housing does not prevent an adequate supply of food and other agricultural produce?

b) What measures are in place to determine whether the strategies proposed in the 2036 Regional Plans to protect farmland, facilitate the growth of

agribusiness and food processing, and enhance road and rail connectivity to Sydney and other distribution points are adequate?

c) Have the strategies proposed in the 2036 Regional Plans to protect and enhance the agricultural industry been informed by regional expertise and regional priorities?

While more urbanised and smaller geographically than those more rural regions mentioned in the discussion paper, agriculture is still a key sector of Tweed Shire, producing 30% of the State's sugar cane and bananas and 10% of the state's tropical orchard fruit.

The ability of regional communities to diversify and value-add agricultural production will play an important role in supplying the growing demands of the major urban centres of NSW, particularly with the demise of the food-bowl of western Sydney.

The contribution of small area rural producers in locations where the climate, soils and proximity to markets are favourable, especially in coastal catchments should not be under-valued, in the contrary, supported and encouraged.

Tweed Shire Council has endorsed a multi-faceted approach to the future of rural land in the Shire; with one of its nine policy directions being 'an informed, connected and resilient community'. It is proposed that through the establishment of an online node supplying links and access to all things rural, the rural community will be better situated to find information, connect and be prepared. Linkages with initiatives of the State Government could feed into such an information hub, or conversely introduce such an approach more globally across the State.

The future of peri-urban areas as agricultural production areas close to population and markets is continually under threat from escalating land values and a transition to lifestyle living opportunities at the expense of agricultural production.

The 40 hectare policy implemented by the State Government has had a significant impact on the ability of local government to restrict further cutting up of the farm; however, the Right to Farm Policy has not been as influential, and similarly with many state policy lacks legislative certainty for achieving or delivering on its core objectives.

Similarly, a transition away from the use of the term 'State and Regionally Significant Farmland' which has been utilised in the Tweed since 2005, to a watered down term "Important farmland" used in the North Coast Regional Plan 2036, does little to engender a belief that the State Government is committed to ensuring that these important small area rural properties will be available for future agricultural production, ensuring resource access beyond the immediate short term goals of most levels of government. On the contrary prevailing policy attitude overlooks the current strategic failure to plan for adequate infrastructure funding in favour of ad hoc development opportunism made possible through pro-development policies. This threatens long-term rural use of the land for non-urban purposes, putting at risk investment certainty for food production or value adding opportunities.