

Dore:

The Mayor of Bellefleur recently approached the Mayor of Lacombe re supporting their submission (described as objection to the STPR-15 policy). Saying they

As it turned out the Mayor Jeff Champion was away & the request was transferred to the Deputy Mayor Ros Irwin.

(Ros is a strong support colleague of Councilor Dig Roberts & hence a strong supporter of MD)

Mayor Sue Dethridge: Mayor Bellefleur

○ "not opposed"

○ concerned about rates & fire protection etc

○ to join with Br in objecting to STPR-15

1. p41/② Agree "MO is a legitimate form of rural settlement"
(ie establish a common ground)

2. p42 ① PanCom supports in principle Councils introducing
MO provision in the LEP.

NB LSE injected the invitation to do this!

If LSE really wants MO in the LEP the proposed
policy enables the Council to do this as
as was the case in BSE.

p43 ① The Segregated areas for MO on social grounds would
be discriminatory & is unacceptable.

② The number of dwellings permissible in the Council
area is already regulated.
A duplication of this process is superfluous.

③ ^{adequate} key planning criteria are contained in the SEPP &
in S. 90 RPAH & in Councils various rural Policy
documents.

Council will still have the option to reflect on
MO DA on merit.

⑧ We support the principle of introducing a DCP
for MO & support the Council requesting
the DUNB to prepare a Model DCP.

p44 (3) Recommendation

Council's ^{prop} 'exemption' or 'deferral' from SEPP-15 is unsupported on social & planning grounds & cynical in light of the fact that Council has had over 3 years in which to incorporate provisions for MO settlement.

A
Issues Not addressed

- Homelessness, particularly for people on low incomes.
- 5 yr Housing Commission waiting list
- Anticipated impact of proposed repeal of the Council-State Housing agreement to the class providing funds for "social" housing (viz Housing Commission housing).
- Should Council be planning for "squatter settlements" or become a "Housing Construction Authority" enabling it to tap into (aka "milking") the pending subsidy for this purpose?
- ~~Should~~ Council ^{should} develop ^{its} indicators of GH for its SOE Report as a basis for its planning policies and reporting on DA's.

B. Overview of the Report

This is a biased, unprofessional & opportunistic planning report.

It is a report which is playing politics with hardship of those attempting to engage in self help owner built housing.

It is ^{essentially} a political report hiding behind

It is ^{essentially} a political report ^{hiding behind} ~~reportedly~~ ^{being with} ~~planning issues~~ a thin mask of planning issues.

I would expect of an objective professional planning officer of Council to ^{at least} consult with existing members on the Pen Lom Council ~~as to~~ to participate in preparing a report to Council on the Draft PEPP.

The relevant Council officers did not have the wit, as per list, to do this, notwithstanding the long history of our willingness, desire & ability to work with Council to achieve mutually acceptable solutions to the issues of the day.

c/ Amended Motion

That Council consult with community groups and individuals on a report to Council on the proposed introduction of ?
Draft SEPP-15

Before March 14.

March 11 last Council Meeting for SEPP-15

That Council place the Draft SEPP-15 and Council Draft mo SEP on public exhibition for comment and to ~~provide a report to~~ present a summarized report to the 11 March meeting of Council.

28/1/97

Summary of Graham's Issues.

1. Council has already had over 2 years to introduce MO in the LEP, to add a fourth year is unacceptable as this would discriminate against existing MOs which may wish to expand now.
2. A speedy & holistic policy needed more than before in view of growing housing shortage.
3. MO & ET are not simply a matter of land title, it is a difference of lifestyle.
of. MO share of \$15,000 compares with \$45,000 on ET on a much smaller site.

Subject/File No: DRAFT SEPP NO. 15 - MULTIPLE OCCUPANCY OF RURAL LAND
(NJ:MJK: S523/3)

Prepared By: Group Manager-Planning and Development - Nick Juradowitch

Reason: To brief Council on the form and content of a Draft SEPP proposing the re-introduction of multiple occupancy.

Objective: Council endorsement of a submission to the Department of Urban Affairs and Planning.

Management Plan Activity: Strategic Planning

Background:

Councillors may recall that the previous State Government repealed SEPP No. 15 Multiple Occupancy primarily on the grounds that the then Government believed that multiple occupancy was a local rather than a State planning issue. The incoming Minister for Planning, Craig Knowles, however, expressed a contrary view and indicated that he was considering reintroduction of a SEPP for multiple occupancy.

Last year Council considered the implications of a reintroduction of SEPP No. 15 and resolved that the Minister be advised that Council did not support the reintroduction of SEPP No. 15 (see Annexure 1 copy of letter to the Minister attached to this report and dated March 20, 1996).

Council further advised that if the Minister decided to proceed with the reintroduction of SEPP No. 15 then the following matters should be included in the proposed SEPP.

- (i) 12 months moratorium on the SEPP coming into force so as to provide for local Councils to prepare their own multiple occupancy strategies and planning provisions.
- (ii) Multiple occupancy development on the North Coast shall be consistent with the Department of Urban Affairs and Planning's Rural Settlement Guidelines for the North Coast and be restricted to land which is physically suitable for such development and accessible to services.
- (iii) A limit is placed on the number of MO dwelling sites which may be approved by Councils over a five year time frame, as currently applies to more traditional rural residential development.
- (iv) That multiple occupancies be offered the choice of either remaining in one title with common ownership or opting for Community Title with most of the land held in common ownership with individual Community Title lots for house sites.

No response has been received from the Minister regarding Council's correspondence despite several requests for a reply. The Draft SEPP has now been prepared and placed on exhibition without any prior consultation with Local Government. The Minister has also ignored Council's requests for a meeting. Exhibition of the draft SEPP will conclude on March 14, 1997.

or park no com. groups.

Draft SEPP No. 15 - Multiple Occupancy of Rural Land

The Proposed Draft SEPP

A copy of the Draft SEPP No. 15 - Multiple Occupancy is attached separately as Annexure 2 for the information of Councillors. It differs only minimally from the previously gazetted SEPP No. 15.

The aims and objectives (Clause 2) definitions (Clause 4), multiple occupancy specifications (Clause 7), density (Clause 11), subdivision prohibition (Clause 12), application monitoring (Clause 13) and suspension of certain laws (Clause 14) are virtually a word for word reproduction of the previous SEPP.

The only significant differences between the previous and proposed SEPP's are summarised as follows:

- (a) The proposed SEPP includes references to the repeal of SEPP No. 42 which was the SEPP which repealed the original multiple occupancy SEPP No. 15.
- (b) Some Councils (Byron, Hastings, Nambucca) have been deleted from the LGA list of Councils in the proposed SEPP but which were included in the original SEPP No. 15 and some Councils have been added (Cowra and Wingecarribee).
- (c) The designated development advertising provisions apply to all multiple occupancy DA's and not just those for 4 or more dwellings as previously applied.
- (d) The previous SEPP included a list of matters to be included in a site analysis for DA's involving 4 or more dwellings. This requirement has been extended to include multiple occupancies with the required minimum number of dwellings (3) and the number of issues which must be considered in the site analysis has been significantly increased (see Schedule 3 of the Draft SEPP). Interestingly, Schedule 3 does not require any consideration of potentially conflicting landuses on surrounding landholdings. This is a significant flaw in the proposed policy, although the Department does indicate it is proposing to produce guidelines on the SEPP which will address issues such as landuse conflicts and waste management.
- (e) A new clause has been added requiring a management plan to be submitted with the DA. This plan is to address issues such as bushfire management, noxious weeds and provision and maintenance of internal services (eg roads, water supply, etc).

The draft policy is a slight improvement on the previous policy, but still represents a rather heavy handed approach to achieving the State Government's objective of reintroducing multiple occupancy. It certainly should not be gazetted until supporting guidelines are prepared.

Is A Multiple Occupancy SEPP Necessary

Multiple occupancy has been a controversial landuse planning issue in Lismore, notwithstanding that it constitutes a legitimate form of rural settlement. Essentially the only major difference between multiple occupancy and other more traditional forms of rural residential settlement is the manner in which title is held, ie MO's require a single common title rather than individual titles for each dwelling site.

One must question whether multiple occupancies are of such significance to the State that they should be the subject of a State Planning Policy. Some 90% of MO's are located within one region.

Draft SEPP No. 15 - Multiple Occupancy of Rural Land

the North Coast, and the bulk of these are located within half a dozen LGA's. On this basis any multiple occupancy provisions should be part of the North Coast Regional Environmental Plan rather than an SEPP. *If so, why he, not promoted this draft last 2 yrs.*

It could be argued that a SEPP is necessary because of the failure of local governments to incorporate MO provisions within their LEP's. There is some merit in this argument. By way of comparison, the failure of many Councils in Sydney to open up more residentially zoned land to medium density housing prompted the previous State Government to introduce an REP which applied to the metropolitan area and permitted dual occupancy subdivision. This plan was very controversial and was the subject of considerable objection from Sydney Councils.

Ironically it is the present State Government which repealed the Sydney dual occupancy subdivision provisions on the grounds that such an approach was considered to be too heavy handed. The current Government directed Sydney Councils to introduce residential development policies which provided for more medium density housing. Councils which did this were exempted from State imposed medium density planning controls.

A similar approach should be taken with multiple occupancy. The draft SEPP if proceeded with, should not come into force until say July 1, 1998. This would provide sufficient time for Councils to introduce MO provisions within their LEP's in order to qualify for an exemption from the State Policy. The SEPP should be converted to an amendment to the North Coast Regional Environmental Plan as it is only a significant planning issue on the North Coast.

Multiple Occupancy and Rural Settlement Strategies

The State Government now requires that North Coast Councils prepare rural settlement strategies consistent with the Department of Planning and Urban Affairs Guidelines on rural settlement, before introducing any changes to existing rural settlement planning controls. The introduction of an MO SEPP seems to run counter to this planning requirement. *of all other SEPPS !! 29/14*

With re-gazettal of an MO SEPP as much as 30% - 40% of rural settlement in the Lismore LGA could comprise multiple occupancy dwellings. This constitutes a major impact on Lismore's rural area and should only be considered in the context of an agreed rural settlement strategy. *who agrees?*

Council may recall that the detached rural dual occupancy provisions in Clause 15 of the LEP were removed from the LEP as part of the repeal of the provisions dealing with rural residential subdivision in 1(a) zones. This was necessary as the two planning initiatives were integrated within the one LEP clause. It was intended to promptly reintroduce rural detached dual occupancy by way of a separate clause.

The Department of Urban Affairs and Planning has by letter dated December 16, 1996, advised that it will not consider reintroduction of detached rural dual occupancy until Council has a rural settlement strategy in place. In its letter the Department states:

"The (exhibition) certificate requires the removal of those sections of the draft instrument which deal with dual occupancy provisions in rural areas. These sections are inconsistent with clauses 20 and 22 of the North Coast Regional Environmental Plan 1988, the Guidelines on Rural Settlement on the North Coast of NSW, and the conditions noted in the letter of April 19, 1996, from the Department to Council on this issue (copy of letter attached). Inconsistency with clause 22 could be justified but only if the provisions were part of Council's Rural Residential Strategy and

Draft SEPP No. 15 - Multiple Occupancy of Rural Land

complied with the Guidelines on Rural Settlement on the North Coast of NSW. It is suggested that Council should defer this part of the amendment until the Strategy issue is resolved."

Multiple occupancy provisions like their dual occupancy counterparts, should not be reintroduced into Lismore until Council has completed a rural settlement strategy which addresses the following issues:

- (i) the preferred locations and form of multiple occupancy.
- (ii) a release strategy which manages the number of dwelling entitlements approved per annum (averaged over a 5 year period).
- (iii) key planning criteria which need to be met.

Gazettal of the SEPP without a rural settlement strategy will result in a different set of rules for one form of rural settlement.

Planning Criteria in the Draft SEPP

The SEPP does not provide sufficient direction as to appropriate locations for MO's and fails to address compatibility issues with respect to neighbouring landuses and communities. Council discovered with its previous rural residential planning controls that there needs to be extensive prior community consultation as part of the process of identifying suitable locations for rural settlement.

The SEPP provides for MO's to be located virtually anywhere where land suitability and service availability meet the necessary standards. No provisions are included with respect to compatibility with adjoining landuses or community expectations and values. There are locations in Lismore which are suitable for MO's and can be identified within a rural settlement strategy which is prepared in consultation with the community. The imposition of an SEPP is an overkill in the extreme, more akin to using nuclear weapons to resolve a domestic dispute.

Many of the standards in the SEPP are inappropriate for Lismore. Experience has shown that the density provisions are too high. Do 3 or 4 dwellings really constitute an MO? Maybe a 20 hectare minimum with a density of 1 dwelling per 4 hectares is more appropriate. Would a 10 hectare minimum area result in further fragmentation of rural landholdings? Is a single lane poor quality gravel road sufficient public vehicular access to an MO allotment with 20 houses? MO's are frequently located in isolated areas with very poor access road infrastructure. Pressure is then brought to bare on Council to redirect road expenditure to improve the quality of road access to newly established MO's.

Planning and development standards need to be developed at the local level through Council's existing LEP and a revision of its Multiple Occupancy DCP. The LEP should also identify accessible land deemed suitable for multiple occupancy. This will provide greater certainty for the community and the proponents of multiple occupancy development. The incidence of appeals to the Land and Environment Court will then be significantly reduced.

Other Comments

The comments on the draft SEPP have been confined to planning issues. Concerns regarding, for example, the manner in which MO's are rated or the lifestyle choices made by prospective MO's residents are not really relevant to a discussion of the SEPP. These issues need to be addressed separately, eg by seeking changes to the way in which rates are levied.

Draft SEPP No. 15 - Multiple Occupancy of Rural Land

Finance Manager's Comments Not required

Other Group Comments Not required

Conclusion

① Council should seek an exemption from the SEPP or as a minimum require that the SEPP not come into force until at least July 1, 1998, with Council agreeing to include its own multiple occupancy planning controls upon completion of the rural settlement strategy being prepared in 1997. Council has already previously resolved that multiple occupancy be considered as part of the rural settlement strategy. The justification for an SEPP for multiple occupancy cannot be substantiated. It is at best a matter for inclusion in the North Coast REP.

② *but also not incl in LEP.*
Recommendation (PLA6)

③ 1 That Council make a submission to the Department of Urban Affairs and Planning seeking either an exemption from the proposed SEPP No. 15 Multiple Occupancy or deferral of the coming into force of the draft SEPP until at least July 1, 1998, on the basis that Council will agree to include multiple occupancy planning provisions within its LEP, introduced within the context of an agreed rural settlement strategy. *by July '98* *Don't this a strange to argue with SAP.*

④ 2 That the submission outline the points of concern as detailed in the report to this Council Meeting by the Group Manager-Planning and Development, and in particular that the introduction of a SEPP is inappropriate in view of the essentially local or at most regional implications of multiple occupancy.

Question 2

Are effective individualised reading programs developed to meet the needs of each student?

As well as the initial testing for selection and placement referred to in Question 1 each student entering the intensive reading class is further screened individually by the Intensive Reading teacher. The Intensive Reading teacher reports that this early screening (more detail in Q.5) is largely informal and aimed at giving him a clearer picture of each child's reading behaviours and information for planning possible starting points for individual needs based programs. Some information about group needs also emerge at this time which assists the Intensive Reading teacher plan group strategies. In both discussion and practice the Intensive Reading teacher expressed his commitment not only to the individualisation of programs to student needs but also to using collaborative and interactive small group work to support individual needs.

The intensive reading teacher indicated that each intensive reading program followed a similar pattern. The first few weeks emphasised group orientated strategies particularly focussed on personal development concepts offering each student lots of shared support and then as the weeks progressed and the students gained greater identity and independence within the group the program became more individualised. There was much evidence of individualisation observed and the teacher was noted to be continually updating his anecdotal records in his folders of individual student progress. Other indications of individualisation that were elaborated on by the intensive reading teacher were;

- * Each student carried an individual Life Bag containing their latest reading books and related activities, their communication book, an envelope containing problem sight words and blends) that went with them to and from the Intensive Reading class.

- * Each student had a Personal Point Score Table attached to his/her workplace in the classroom. This table listed each student's special targets (e.g. Don't distract myself, Not to say I can't do it), aspects of his/her reading progress, (e.g. my sheet work, my words, my sounds,) aspects of reading behaviour (e.g., my focus, my co-operation). Students were aware of, reminded about and asked to recall their special targets regularly and all strived for awards on their Personal Point Score Table. The intensive reading teacher was observed frequently to provide feedback to students that was tailored to their personal reading needs. As well, during class sessions when students moved from shared to partnered or individual activities one student was usually always scheduled to work in conference with the teacher on his/ her individual program. The information gleaned above was gathered during observation of classroom sessions, interviews with the Intensive Reading teacher, students and parents and from the Intensive Reading teacher's program as presented in „ A Public School's Information Booklet for it's Support Class (Intensive Reading).

Question 3

Which teaching/reading strategies are utilised in the classroom and are they consistent with those outlined in the Policy Statement and Support Document?

In interview situations and evidenced in practice the Intensive Reading teacher took the position that "teaching students to read is all about teaching them what to do when they became blocked during the reading process". He also believed that the type of miscues that students make when reading, form patterns and relationships that give insights into what is happening during an individual's reading process and the kind of support strategies they need most. However, from the Intensive Reading teacher's experience of students entering the class, it was his view that most come with a "significant lack of phonemic understanding". Teaching/reading strategies utilized in the classroom and observed or discussed in depth tended to focus on reading comprehension incorporating a range of strategies to develop the semantic and syntactic cueing systems to extract meaning from print and on a graphophonic skills based approach.

DEAR PETER,

MY COMMENT RE DRAFT
M.O. ZOPP.:

⑤ M.O.'s may PROVIDE THE ONLY
AFFORDABLE LAND FOR FINANCIAL
DISADVANTAGED PEOPLE WISHING
TO LIVE RURAL LIFESTYLES.

SHARE PRICES REMAIN LOW
BECAUSE M.O. LAND IS NOT
PRIME AGRICULTURAL OR
OTHERWISE COMMERCIALY
EXPLOITABLE, AND BECAUSE
SHARES DO NOT HAVE SEPARATE
TITLES

TYPICAL PRICES M.O. SHARES:
\$5000 TO \$30,000

TYPICAL PRICES RURAL RES.
(INCLUDING COMMUNITY TITLE)
\$60,000 TO \$150,000

✓ E8015

Graham

1/ 2 yrs to act ants to 3 yr. This document open
supervision & planned setting M.O.s

2/ Econom. need more than rule
of 'squatter settlement'

3/ singed M.O. & C.T. total only.
All aims.

stress the diff. financial.

Common goals etc

of Jaralaboh - share M.O. \$15,000

rate & facilities

of \$45,000 1/3 ha. town etc

water etc.

no choice to go C.T.

in survey 2 of 60 wanted C.T.

Graham. OK for ABC.

Issues

p40 ① no consultation with LG - or LC.
other than Pender Report which specifically
did survey Councils views!!

- *41 ① Should be supporting guidelines - this has been
Per Com's contention for many years. The document
shelved by DVAP
- ② NA Acknowledgement in Report that
"no constitutes a legitimate form of rural settlement."
establish this as common ground - & go
we agree with Report from here

Where no one 'intentional com' in the spirit of the former
Policy they are ~~not~~ ^{co-op families} ~~operate as~~ ^{act as a}
defacto 'extended family' with a lifestyle
that is a way of life that marks it off
from urban settlement be it inner freeholds
or C.T.

There is C.T & no one works apart. I ask
they are a lot more than just the "manner
in which the land title is held?"

p42 Per Com supports in principle Councils involvement
① no problem there
In the case of us there is a clear desire for MO
& has had 2 years to introduce this but failed
to do so.

Comparison with DO is a non sequitur & betrays the
ignorance of the author of this report.
An irrelevant argument
no

Counter Arguments

p42 MO should be provided in REP not a FOPP.
If so, why has it not promoted this during the
past 2 years.

Shallows Expedient agreement

p43 (1) ^{to segregate} MO lifestyle, as an ext family, would be discriminatory.

(2) This is attempting to restrict family structures to
a bigoted view that the only valid family structure is
a nuclear family etc.

(3) See p43 for notes.

(4) (a) Were the dept to do this would the dept not seem that
this would be an intrusion into the Governor's
affairs of a local council!

(b) The Policy does give "sufficient direction as to app.
locat. of MO" by all rural areas with scheduled
exceptions.

Why would more detailed delineation be seen to be a
breach of Councils responsibility.

NB The Council still has / still able to reject
a MO DA on grounds of unsuitable location
on merit. So why are they crying wolf!!

(5) Get Council to spell out where these 'suitable'
areas are!!

(6) Evidence of density being too high.
Basis for ~~current~~ questioning are 3-4 dwellings
an MO. If so why have they been
accepted?

- ⑦ The questions asked show obvious ignorance of the history on file on these matters.

Measure is brought to Council by all sectors for personal gain rather than racial and/or env. improvement.

- ⑧ I agree
Note that it is but for this the prop. re-introduction of this STDP that has brought Council kicking & screaming back to the negotiating table. This is called 'crying wolf'.

- ⑨ I agree ^{more should not be seen in isolation} ~~that it is not a contradiction~~
It should be incumbent to right out mo in a rating debate.

- Conclusion
p44 ① The justification for a STDP can be substantiated by the fact that the Council have had 2 yrs to introduce into the LRP & failed to do so

- ② but not in LRP

Summary = a false conclusion

- ③ Recommendation
'Exception' or 'deferral' is ^{a cynical} unsupportable in light of 2 yrs Council not acting since repeal 2 years ago.

- ④ I support Council doing this so that DUP can ^{see} ~~be~~ ^{of campaign} how benefit & reasoning ^{is} ~~the~~ ^{the} ~~the~~ ^{the} Council is in this matter.

What has not been addressed..

- ✓ • Homelessness data
- ✓ • Housing Commission, 5yr waiting list
- ✓ • creation of urban social slums.
- Declining to meaningfully quantify QoL in the LCH & Council Policies as a basis of planning policies; 9DA
- ✓ • failure to engage as Council Housing Construction Authority.

unprofessional & apologetic
This is a biased, ~~intelligent~~, planning report.

It is playing politics.

- It is ~~giving~~ ^{objectivity} a political ~~controversy~~ in the sense of ~~being~~ ^{an} professional planning report.

It is ^{essentially} a political report hiding behind a thin mask of sectarianism.

If the

I would expect of an objective professional planning officers ~~Dept of Council~~ to consult with these ~~members~~ ^{of Council}.

the MOs or the Per Com the place no federation to ~~sub~~ participate in preparing a report to Council on the Draft SPP. But no,

But no, the relevant Council officers did not have the wit, or see fit, to do this, notwithstanding the long history of our willingness, desire and ability to work with Council to achieve a mutually acceptable solutions to issues of the day.

16
Counter Motion/amendment - in lieu of both recommendations
p 44

That Council consult with a community group
and individuals on a report to Council on
the ~~proposed~~ introduction of SEPP-15. For the Council

Q Under what legislation may
Councils introduce MO - a LEP?
In its default, is of any other
zone or policy?
What (the Minister) stating LG
could intro MO was supporting
MO - provided it be introduced
at LG ~~the~~ initiative.

Q NB The DVAP - Rural Strategy (rural)
recognises & supports
MO as a valid & app form
of rural settlement subject
to certain constraints

Per Com. order for me to see Ken Granger
& ask him to Com. his report
as we in which the Planer is
playing politics.

A prof approach would have
been to consult the community on
the prop. Draft.

No such consult has occurred or is
proposed.

Any notion that part dinnerp addresses them
is spurious. The BODD was not part
of the dinner!!.

FAX DOCUMENT FROM PETER HAMILTON

1/50 Paterson Street, Byron Bay, 2481 (066) 858 648 (F/T)

TO:

Gray Dillon

FAX No:

DATE: 28-1-97

Number of pages (including this sheet):

SUBJECT:

SEPP-15 (p 40-44) in today's Business Paper.

COMMENTS:

David King I understand has spoken with you in regard to the above matter at tonight's meeting.

I attach the following background data for your information:-

1. Media Release (Radio + TV have responded)
2. Notice of a Pen Com Meeting on Sat 9 Feb 3pm. This is a Channon Market day. You would be welcome if you would care to attend. Ian Cohen will be in attendance. He has been pressing our case for reinstatement of this Policy since his election.

Your continued support in this matter is appreciated.

Regards

Peter

- . each pair should write their new scripts on butcher's paper, indicating where the specific responses have been used.

- b) When everyone is clear about what to do, send them away in pairs to spend about 15-20 minutes on each person's script (a total of 30-40 minutes for the exercise).

ACTIVITY 3**CONCLUSION****40 MINS**

- a) Draw the small group together again. Post each script in turn on the wall next to its original version. Ask the author to review the new version in contrast to the original.
- b) As a group, discuss the extent to which the interaction skills you have been considering have the potential to produce more positive results than the previously established repertoire of group members.
- c) Ask group members to complete the evaluation section of their SESSION OUTLINE and OBJECTIVES sheet.

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(NJ:MIK: S523/3)

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Draft SEPP No. 15 - Multiple Occupancy of Rural Land

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It could be argued that a SEPP is necessary because of the failure of local governments to incorporate MO provisions within their LEP's. There is some merit in this argument. By way of comparison, the failure of many Councils in Sydney to open up more residentially zoned land to medium density housing prompted the previous State Government to introduce an REP which applied to the metropolitan area and permitted dual occupancy subdivision. This plan was very controversial and was the subject of considerable objection from Sydney Councils.

Ironically it is the present State Government which repealed the Sydney dual occupancy subdivision provisions on the grounds that such an approach was considered to be too heavy handed. The current Government directed Sydney Councils to introduce residential development policies which provided for more medium density housing. Councils which did this were exempted from State imposed medium density planning controls.

A similar approach should be taken with multiple occupancy. The draft SEPP if proceeded with, should not come into force until say July 1, 1998. This would provide sufficient time for Councils to introduce MO provisions within their LEP's in order to qualify for an exemption from the State Policy. The SEPP should be converted to an amendment to the North Coast Regional Environmental Plan as it is only a significant planning issue on the North Coast.

Multiple Occupancy and Rural Settlement Strategies

The State Government now requires that North Coast Councils prepare rural settlement strategies consistent with the Department of Planning and Urban Affairs Guidelines on rural settlement, before introducing any changes to existing rural settlement planning controls. The introduction of an MO SEPP seems to run counter to this planning requirement.

With re-gazettal of an MO SEPP as much as 30% - 40% of rural settlement in the Lismore LGA could comprise multiple occupancy dwellings. This constitutes a major impact on Lismore's rural area and should only be considered in the context of an agreed rural settlement strategy.

Council may recall that the detached rural dual occupancy provisions in Clause 15 of the LEP were removed from the LEP as part of the repeal of the provisions dealing with rural residential subdivision in 1(a) zones. This was necessary as the two planning initiatives were integrated within the one LEP clause. It was intended to promptly reintroduce rural detached dual occupancy by way of a separate clause.

The Department of Urban Affairs and Planning has by letter dated December 16, 1996, advised that it will not consider reintroduction of detached rural dual occupancy until Council has a rural settlement strategy in place. In its letter the Department states:

"The (exhibition) certificate requires the removal of those sections of the draft instrument which deal with dual occupancy provisions in rural areas. These sections are inconsistent with clauses 20 and 22 of the North Coast Regional Environmental Plan 1988, the Guidelines on Rural Settlement on the North Coast of NSW, and the conditions noted in the letter of April 19, 1996, from the Department to Council on this issue (copy of letter attached). Inconsistency with clause 22 could be justified but only if the provisions were part of Council's Rural Residential Strategy and

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complied with the Guidelines on Rural Settlement on the North Coast of NSW. It is suggested that Council should defer this part of the amendment until the Strategy issue is resolved."

Multiple occupancy provisions like their dual occupancy counterparts, should not be reintroduced into Lismore until Council has completed a rural settlement strategy which addresses the following issues:

- (i) the preferred locations and form of multiple occupancy.
- (ii) a release strategy which manages the number of dwelling entitlements approved per annum (averaged over a 5 year period).
- (iii) key planning criteria which need to be met.

Gazettal of the SEPP without a rural settlement strategy will result in a different set of rules for one form of rural settlement.

Planning Criteria in the Draft SEPP

The SEPP does not provide sufficient direction as to appropriate locations for MO's and fails to address compatibility issues with respect to neighbouring landuses and communities. Council discovered with its previous rural residential planning controls that there needs to be extensive prior community consultation as part of the process of identifying suitable locations for rural settlement.

The SEPP provides for MO's to be located virtually anywhere where land suitability and service availability meet the necessary standards. No provisions are included with respect to compatibility with adjoining landuses or community expectations and values. There are locations in Lismore which are suitable for MO's and can be identified within a rural settlement strategy which is prepared in consultation with the community. The imposition of an SEPP is an overkill in the extreme, more akin to using nuclear weapons to resolve a domestic dispute.

Many of the standards in the SEPP are inappropriate for Lismore. Experience has shown that the density provisions are too high. Do 3 or 4 dwellings really constitute an MO? Maybe a 20 hectare minimum with a density of 1 dwelling per 4 hectares is more appropriate. Would a 10 hectare minimum area result in further fragmentation of rural landholdings? Is a single lane poor quality gravel road sufficient public vehicular access to an MO allotment with 20 houses? MO's are frequently located in isolated areas with very poor access road infrastructure. Pressure is then brought to bare on Council to redirect road expenditure to improve the quality of road access to newly established MO's.

Planning and development standards need to be developed at the local level through Council's existing LEP and a revision of its Multiple Occupancy DCP. The LEP should also identify accessible land deemed suitable for multiple occupancy. This will provide greater certainty for the community and the proponents of multiple occupancy development. The incidence of appeals to the Land and Environment Court will then be significantly reduced.

Other Comments

The comments on the draft SEPP have been confined to planning issues. Concerns regarding, for example, the manner in which MO's are rated or the lifestyle choices made by prospective MO's residents are not really relevant to a discussion of the SEPP. These issues need to be addressed separately, eg by seeking changes to the way in which rates are levied.

Draft SEPP No. 15 - Multiple Occupancy of Rural Land

Finance Manager's Comments Not required

Other Group Comments Not required

Conclusion

Council should seek an exemption from the SEPP or as a minimum require that the SEPP not come into force until at least July 1, 1998, with Council agreeing to include its own multiple occupancy planning controls upon completion of the rural settlement strategy being prepared in 1997. Council has already previously resolved that multiple occupancy be considered as part of the rural settlement strategy. The justification for an SEPP for multiple occupancy cannot be substantiated. It is at best a matter for inclusion in the North Coast REP.

Recommendation (PLA6)

- 1 That Council make a submission to the Department of Urban Affairs and Planning, seeking either an exemption from the proposed SEPP No. 15 Multiple Occupancy or deferral of the coming into force of the draft SEPP until at least July 1, 1998, on the basis that Council will agree to include multiple occupancy planning provisions within its LEP, introduced within the context of an agreed rural settlement strategy.
- 2 That the submission outline the points of concern as detailed in the report to this Council Meeting by the Group Manager-Planning and Development, and in particular that the introduction of a SEPP is inappropriate in view of the essentially local or at most regional implications of multiple occupancy.

copy

PAN COMMUNITY COUNCIL ... MEDIA RELEASE

COUNCIL TO VOTE ON MULTIPLE OCCUPANCY POLICY TONIGHT (tuesday 28th january)

The future of Multiple Occupancy housing in the Lismore region could hinge on a vote at tonight's Lismore council meeting.

Council will respond to the State Government's draft SEPP 15, which allows for Multiple Occupancy housing in rural areas.

The draft policy was released last month for comment.

A Report prepared by council rejects the State policy even though it concedes MOs are a LEGITIMATE form of rural settlement. It argues that Lismore Council should be exempt from SEPP 15 if it is reintroduced.

The Pan Community Council, which represents Multiple Occupancies in the region, says the report has been prepared without ANY public consultation. It doesn't even look at local housing issues, such as housing shortages, homelessness and the need for options for low income residents.

Pan Com says successful intentional communities have been established in the Lismore region for more than 20 years, and they have provided a huge range of advantages for residents, the environment, and the wider community.

Under SEPP 15, any further MOs would be approved ON THEIR MERIT, and in line with strict planning criteria.

Pan Com is calling for Council to prepare a new response to the draft SEPP 15, this time with community consultation.

for further information contact :

Graham Irvine ph: 891 666

Tony Belton ph: 891 424

David King ph: 880 192

**PANCOM SPOKESPERSON, BILL KIDD, WILL SPEAK AT TUESDAY'S
COUNCIL MEETING AND WILL BE AVAILABLE FOR COMMENT.**

How might an analysis of the data be used in a constructive way to assist school improvement and lead to improved student learning outcomes in the HSC?

Some of the considerations include:

Does the data suggest that some courses, subjects or faculties are producing results above the normal expectation range for your school? If this is the case further investigation of leadership, management and teaching practice may reveal good practice that could be shared across the school and due recognition given to the staff involved.

Does the data suggest that some courses, subjects or faculties are producing results below the normal expectation range for your school? If this is the case a range of issues will need to be explored to identify possible areas for improvement efforts. Many of the issues will be of a long term nature and may be related to pedagogy across the whole school or may have their roots in the organisation of the junior school. There may be numerous other long term improvement issues.

Experience tells us, however, that often immediate or very short term changes to leadership, management or teaching practice can have a dramatic and immediate impact on student achievement in the HSC.

Just some of the issues you may wish to explore include:

How is the senior curriculum determined in your school? Is it truly meeting the needs of your current students or is it historically determined based on perhaps unstated, underlying assumptions which are no longer valid? Is the curriculum based on teacher preference rather than being student driven? If either of these scenarios fits your school how must the decision making processes used to determine the curriculum change to ensure relevance to the majority of students?

What are the subject counselling processes currently in place in the school? How effective are these? Some schools are much more successful in getting students to enrol in appropriate subjects than others. Do you need to change these procedures?

If the results within a faculty are of concern are there issues of leadership or management which need addressing? eg. Is the syllabus knowledge of the head teacher adequate? What developmental programs are in place to prepare staff to teach HSC subjects and ensure that they stay current? What approach to supervision and monitoring of standards is in place? Is this consistent and systematic across the entire school?

Issues related to an individual teacher could include: Is the teacher totally familiar with all the requirements of the course including the syllabus and other mandatory requirements? Is the teacher highly motivated to teach the course? Does the teacher have the necessary skill and commitment to deliver the course in a manner that will engender student confidence and maximise the probability of overall student achievement within expectations?

What role does the deputy principal, leading teacher and principal play in allocation of teachers to classes, involvement in or monitoring student counselling processes, in monitoring the quality of teaching in the senior years and in providing support, encouragement, and recognition teachers?

Please deliver.

FAX DOCUMENT FROM PETER HAMILTON

1/50 Paterson Street, Byron Bay, 2481 (066) 858 648 (F/T)

✓ TO: Bill Kidd

FAX No:

DATE: 27-1-9.

Number of pages (including this sheet): 3

SUBJECT: Council Meeting re SEPP-15

COMMENTS: Herewith Media Release to all Press, Radio & TV (10 in all). We plan a follow up Release on Wed on Thurs and possibly talk-back on ABC on Friday. Please ring Di re her proposed motion/amendment.
Regards Peter?

Di will be moving motion or amendment along the following lines:-

"That Council place the Draft SEPP-15 and Council Draft MO DCP (Development Control Plan) on public exhibition for comment and present a summarised report to the 11 March Meeting of Council".

If you can frame your contribution to lead into this, that would be good.

P.

FAX DOCUMENT FROM PETER HAMILTON

1/50 Paterson Street, Byron Bay, 2481 (066) 858 648 (F/T)

✓
TO: Di

FAX No:

DATE: 27-1-97

Number of pages (including this sheet): 2

SUBJECT: SEPP-15

COMMENTS:

Herewith Lee's draft. If you have any comment please let me know by 4pm today - Monday.

Thanks

Peter

PS. It is proposed to have a follow up Release on Wednesday with a view to radio interviews.

Re following suggested resolution in lieu of present recommendation or as amendment.

"That Council place the Draft SEPP-15 and Council Draft mo DCP on public exhibition for comment and present a summarised report to the 11 March meeting of Council."

Would you like Bill to invite this (by reading out) in his presentation, or simply to flag the idea, and leave it to you to move?

Subject/File No: DRAFT SEPP NO. 15 - MULTIPLE OCCUPANCY OF RURAL LAND
(NJ MUK 5523.3)

Prepared By: Group Manager Planning and Development - Nick Juradowitch

Reason: To brief Council on the form and content of a Draft SEPP proposing the re-introduction of multiple occupancy

Objective: Council endorsement of a submission to the Department of Urban Affairs and Planning

Management Plan Activity: Strategic Planning

Background:

Councilors may recall that the previous State Government repealed SEPP No. 15 Multiple Occupancy primarily on the grounds that the then Government believed that multiple occupancy was a local rather than a State planning issue. The incoming Minister for Planning, Craig Knowles, however, expressed a contrary view and indicated that he was considering reintroduction of a SEPP for multiple occupancy.

Last year Council considered the implications of a reintroduction of SEPP No. 15 and resolved that the Minister be advised that Council did not support the reintroduction of SEPP No. 15 (see Annexure 1 copy of letter to the Minister attached to this report and dated March 20, 1996).

Council is not in agreement with the reintroduction of SEPP No.

Draft SEPP No. 15 - Multiple Occupancy of Rural Land

The Proposed Draft SEPP

A copy of the Draft SEPP No. 15 - Multiple Occupancy is attached separately as Annexure 2 for the information of Councillors. It differs only minimally from the previously gazetted SEPP No. 15.

The aims and objectives (Clause 2) definitions (Clause 4), multiple occupancy specifications (Clause 7), density (Clause 11), subdivision prohibition (Clause 12), application monitoring (Clause 13) and suspension of certain laws (Clause 14) are virtually a word for word reproduction of the previous SEPP.

The only significant differences between the previous and proposed SEPP's are summarised as follows:

- (a) The proposed SEPP includes references to the repeal of SEPP No. 42 which was the SEPP which repealed the original multiple occupancy SEPP No. 15.
- (b) Some Councils (Byron, Hastings, Nambucca) have been deleted from the LGA list of Councils in the proposed SEPP but which were included in the original SEPP No. 15 and some Councils have been added (Cowra and Wingecarribbee).
- (c) The designated development advertising provisions apply to all multiple occupancy DA's and not just those for 4 or more dwellings as previously applied.
- (d) The previous SEPP included a list of matters to be included in a site analysis for DA's involving 4 or more dwellings. This requirement has been extended to include multiple occupancies with the required minimum number of dwellings (3) and the number of issues which must be considered in the site analysis has been significantly increased (see Schedule 3 of the Draft SEPP). Interestingly, Schedule 3 does not require any consideration of potentially conflicting landuses on surrounding landholdings. This is a significant flaw in the proposed policy, although the Department does indicate it is proposing to produce guidelines on the SEPP which will address issues such as landuse conflicts and waste management.
- (e) A new clause has been added requiring a management plan to be submitted with the DA. This plan is to address issues such as bushfire management, noxious weeds and provision and maintenance of internal services (eg roads, water supply, etc).

The draft policy is a slight improvement on the previous policy, but still represents a rather heavy handed approach to achieving the State Government's objective of reintroducing multiple occupancy. It certainly should not be gazetted until supporting guidelines are prepared.

Is A Multiple Occupancy SEPP Necessary

Multiple occupancy has been a controversial landuse planning issue in Lismore, notwithstanding that it constitutes a legitimate form of rural settlement. Essentially the only major difference between multiple occupancy and other more traditional forms of rural residential settlement is the manner in which title is held, ie MO's require a single common title rather than individual titles for each dwelling site.

One must question whether multiple occupancies are of such significance to the State that they should be the subject of a State Planning Policy. Some 90% of MO's are located within one region.

Draft SEPP No. 15 - Multiple Occupancy of Rural Land

the North Coast, and the bulk of these are located within half a dozen LGA's. On this basis any multiple occupancy provisions should be part of the North Coast Regional Environmental Plan rather than an SEPP.

It could be argued that a SEPP is necessary because of the failure of local governments to incorporate MO provisions within their LEP's. There is some merit in this argument. By way of comparison, the failure of many Councils in Sydney to open up more residentially zoned land to medium density housing prompted the previous State Government to introduce an REP which applied to the metropolitan area and permitted dual occupancy subdivision. This plan was very controversial and was the subject of considerable objection from Sydney Councils.

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Recommendation (PLA6)

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