Submission No 10

INQUIRY INTO RURAL HOUSING AND SECOND DWELLINGS REFORM

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As a collective of landholders and working farmers in the Northern Rivers, we are writing to express our deep concern over the continuing difficulty in obtaining dwelling entitlements on small rural allotments. This issue is not only holding back the viability of our individual farms — it is undermining the potential of the Northern Rivers as one of Australia's most unique and important food-producing regions.

The Northern Rivers is rightly celebrated for its biodiversity, rich volcanic soils, sub-tropical climate, and its growing reputation as a premier food bowl. Across our region, small to mid-scale growers are producing everything from macadamias, coffee, citrus, avocados, and bushfoods to free-range eggs, herbs, and boutique crops for local markets, co-ops, restaurants, and distilleries. The value of this agricultural output is not just economic — it is cultural, environmental, and community-driven.

However, our ability to contribute to this regional food system is being severely restricted by outdated planning rules that prevent many landowners from living on their land — even when that land is actively used for farming. Many of these properties, like ours, were never part of subdivisions. They were part of original village allotments surveyed in the 19th century in places like Tintenbar and Newrybar in our LGA and other historic settlements statewide. While housing is an approved use (with consent) in the relevant rural zones, these properties simply lack a dwelling entitlement because no home was built prior to the introduction of State Environmental Planning Policies (SEPP) and Local Environmental Plans (LEPs) that enforce a blanket minimum lot size for rural dwellings – often as large as 40ha and even 80ha – that is in many areas simply impossible to achieve.

This planning framework fails to reflect the present-day lived reality of farming in the Northern Rivers, and indeed across NSW. Here, agricultural innovation and production is often happening on small parcels — 2, 5, 10, 15 acres — where people are trialling new crops, establishing food forests, running small herds, or supplying niche markets. These landholders - including us - are actively stewarding the land: maintaining soil health, reestablishing native vegetation and protecting biodiversity, managing fire risk, and generally making the land productive.

But doing all of this without being allowed to reside on the property is an enormous challenge. It leaves crops, livestock, infrastructure, and equipment vulnerable to biosecurity concerns, theft, vandalism, and weather-related damage. It dramatically increases the difficulty of securing finance or insurance, particularly when banks and lenders see the land as "unviable" without a dwelling. It also denies us the ability to fully invest in and care for the land we are trying to make productive — while the same rules allow secondary dwellings on neighbouring rural blocks of all sizes that are already developed with houses.

The consequences of this policy are visible across the region: overgrown properties, invasive weed infestations, dumping grounds, and blocks sitting idle due to lack of incentive or capacity to improve them. In contrast, those of us who are investing time, money, and energy into bringing these properties back into productive, agricultural use are hitting a bureaucratic wall that makes no sense — especially in today's climate of a nationwide housing shortage.

We strongly believe there is a way forward that acknowledges landowner rights, minimizes land-use conflict, and supports sustainable food security. A common-sense revision of current planning instruments — one that allows local councils to grant dwelling entitlements on existing smaller rural allotments where there is genuine, demonstrated agricultural use — would unlock major benefits:

- Strengthen the state's rural regions as resilient food bowls
- Increase local food security and reduce reliance on long-haul supply chains
- Revise outdated and unreasonably restrictive planning controls that are holding back positive investment and growth in our regional areas
- Support small-scale producers, who are the backbone of our farmers markets, co-ops, and regional economy
- Create sustainable and highly rewarding rural lifestyle/employment opportunities
- Improve land management outcomes and reduce rural neglect/blight
- Build community capacity for response and recovery: Enable landholders to respond in real-time to floods, bushfires, and other extreme weather events on their properties — an all-too-familiar issue that is increasing in frequency across our region and the state in general
- Encourage investment in infrastructure on privately-owned properties that benefits the broader community and provides an avenue for younger and next-generation farmers to enter agriculture
- Support rural tourism (agritourism), farm stays, and value-adding opportunities
- Increase regional housing stock **without adding pressure to urban infrastructure**, as rural landholders provide their own water, waste systems, access roads, etc.
- Grow the rate base for cash-strapped local councils
- Reduced enforcement issues and related costs for councils

We understand and accept the need to protect rural lands, their primary defined uses, and to prevent any future fracturing/subdivision of these allotments. This is not about opening the floodgates to such unwanted development or the reintroduction of concessional lots. There is no support within this proposal for rural 'lifestyle' properties or ongoing subdivision of any kind. Rather, this is about utilizing existing holdings in a manner that promotes the establishment of and supports small-scale agricultural uses. Existing restrictions on subdivision and controls for sewage, access, flooding, and ecological protection are in place and must remain. But in regional areas like the Northern Rivers where food production, conservation, and lifestyle are intertwined, the rules need to evolve to reflect and support the properties that exist now along with the current and future needs of our communities.

We've heard from some council representatives that this is just the way it is, that change is too hard, or that concerns over land value increases outweigh the benefits. We believe that these views are short-sighted and dismissive without consideration of the facts. Land values will rise regardless — but land stewardship, food production, and local resilience cannot be outsourced or delayed. If we're serious about addressing the housing crisis, building climate resilience, and strengthening our regional food economy, then we must stop locking productive landowners out of their land.

We urge local and state decision-makers to examine this issue and consider policy changes that support those actively working to regenerate and produce from their land — not just those who did so decades ago. This is a 'Win-Win' proposal that can have a measurable positive impact on food security, productivity, and socio-economic issues (housing).

NSW's rural communities deserve planning policy that supports its strengths. Let's not let rigid and outdated regulations block the growth of our regional areas' most valuable asset: the land and those who care for it.

While the focus of our submission is on the Northern Rivers region we call home, this situation exists statewide. Simple reforms that would provide a realistic avenue for the attainment of dwelling entitlements on smaller rural allotments would see the benefits mentioned above realised across all LGAs.

Thank you for your attention to this matter of great importance to us.