Submission No 90

INQUIRY INTO RURAL HOUSING AND SECOND DWELLINGS REFORM

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Date Received: 10 October 2025

Submission to the Select Committee on Rural Housing and Second Dwelling Reform

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I wish to thank the Committee for accepting my submission and declare that, whilst I own no land subject of the enquiry, my many friends in Tweed Shire rural communities could benefit immensely. This will particularly help renters and frontline workers.

Second dwelling reform is an important issue that is broadly supported and regularly discussed in the community. The policies of Tweed Shire Council are entirely at odds with community expectations. So we welcome State Government intervention.

My submission is organised and labelled (a) to (f) according to the numbering in section 1 of the terms of reference.

(a) I submit that Tweed Shire should be considered as an Outer Metropolitan Local Government Area (LGA) for the purposes of allowing second dwellings on rural land.

Tweed Shire is appended to the City of the Gold Coast, Australia's sixth largest city with almost twice the population and more than five times the area of Newcastle.

The Australian Bureau of Statistics (ABS) report on **Population Movement in Australia** reports:

> ***Over the five year period to 2021, there was a net loss of 160,100 people from Australia's capital cities. This was a significantly greater loss than the previous two Census periods. In 2016 and 2011 there was a net loss of 43,100 people and 72,200 people, respectively over the five year period before the Census. The net loss in 2021 was the result of 835,000 arrivals (up from 774,300 people in 2016) and 995,100 departures (up from 817,400 people in 2016) to capital city areas.***
>
> ***The city with the greatest loss over this time was Greater Sydney (-154,800) which represented 3.0% of the city's population.***

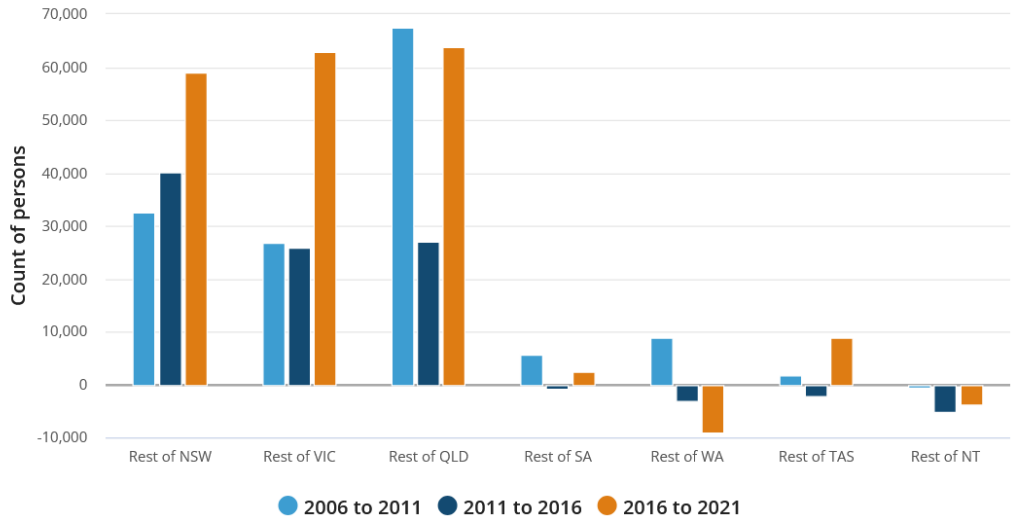
The following graphs from the ABS report shows that net internal migration to **Rest of NSW** is large and increasing whether considered over the five -year inter-census period or the one-year pre-census period. The second highest net migration to SA4 areas was to the Gold Coast (28,097).

Migration to Gold Coast was more than double migration to each of the top three NSW LGAs being Hunter Valley (excluding Newcastle) (13,931), Mid North Coast (12,576), Newcastle and Lake Macquarie (10,046). No Sydney Outer Metropolitan SA4 area featured in the top ten.

Net internal migration five years prior to the Census for rest of state areas, 2011, 2016 and 2021

Graph | Table

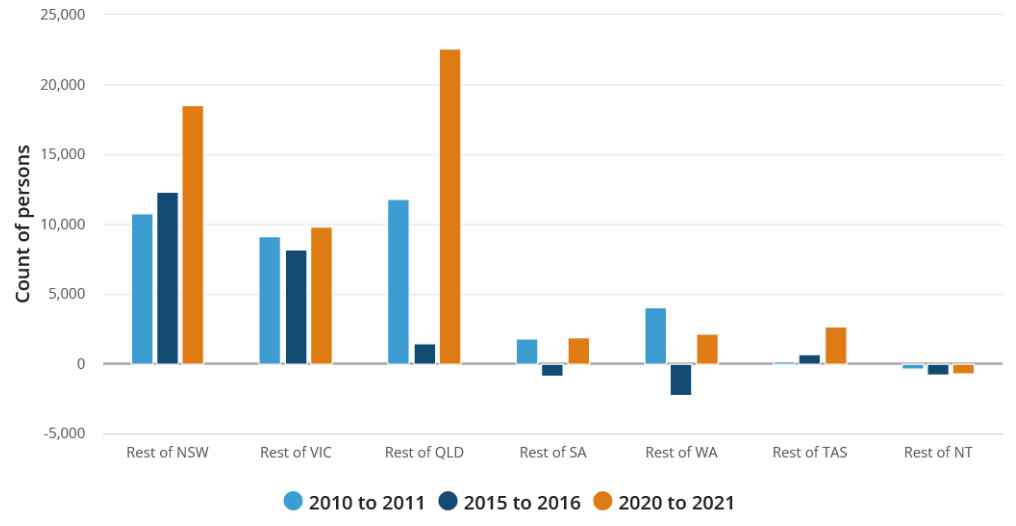
Download



Net internal migration one year before the Census by rest of state areas, 2011, 2016 and 2021

Graph | Table

Download



The clear conclusion is that Tweed LGA bordering Gold Coast is under more population pressure than other parts of NSW. Therefore, the urgency for reform is greatest in Tweed.

Housing in Tweed is also more urgently needed due to the high level of homelessness – 1.5% compared to 1.2% for NSW as a whole.

97,392 people live in Tweed, That's 1.2% of the 8,072,161 people in NSW (1.2%)

Source:

1. Table 6.1 HOMELESS OPERATIONAL GROUPS AND OTHER MARGINAL HOUSING, by place of enumeration, Local Government Area, 2021(a)(b)(c)(d) of same ABS enumerates 529 (1.5%) of NSWs 34,982 homeless people are in Tweed.

2. Table 2.1 TOTAL POPULATION, All persons by selected characteristics, 2021(a) Tweed 2021 All persons Quickstats **https://www.abs.gov.au/census/find-census-data/quickstats/2021/LGA17550**

(b) In Tweed, the development approval (DA) process is a major problem in terms of both time and cost. Issues seem to be:
    a. The cost and complexity of DAs
    b. Indefensible delays in Council assessment of the DAs
    c. Indefensible interference by Councillors requiring unreasonable and, if lost Court cases are a measure, unlawful changes to DA conditions
    d. Council litigation on inadequate grounds where good faith negotiation and correct application of planning laws would make litigation unnecessary. (The Council loses a lot of Court cases, often having to pay the other party's costs.)
    e. Council using other powers to obfuscate execution of the DA by the landowner
    f. Lack of Council sewerage infrastructure.

One way to immediately alleviate this situation is to allow an additional detached dwelling on rural land on the basis of a building approval with private certification. That is, elimination of the requirement for a DA for both first and second dwellings on rural land where no sewerage connection is sought.

I say first dwellings because in Tweed Shire there are rural blocks of around five hectares where houses are not allowed. During a housing crisis, this is absurd and must be stopped.

(c) Immediate re-commissioning of existing dwellings (Benefit).

There is a ready supply of buildings on farms that were previously occupied but made uninhabitable to meet the “one house” requirement. These building can be typically made habitable by installing a sink, a stove and maybe a bath. This situation arises where a previously abandoned homestead is restored or where a second dwelling has been constructed, perhaps a workers cottage..

It should be allowable to immediately re-commission these dwellings based on the grandfathered building code that was in force when they were built. In many cases they will already have services connected.

Immediate construction of new dwellings or manufactured homes (Benefit)

It only takes a few weeks to produce and certify building plans. This compares with years to produce a DA with building plans. This is due both to the extent/cost of the necessary work and back logs at the DA certifying authority, Tweed Council.

By allowing private certification by Building Approval (BA) instead of Council-certified DA, the Council bottleneck will be replaced by parallel streams of activity along a shorter path. Clearly, a faster more efficient approach.

Re-use of flood-prone housing stock (Benefit)

A lot of houses in Tweed were classified unhabitable due to flood risk following the 2022 flood. These houses could be re-located to farms as second houses instead of being sent to landfill.

Immediately reduce the homeless crisis (Benefit)

Homelessness is somewhat but not solely caused by a lack of housing.

Nevertheless, when there’s a housing shortage, the people at the bottom of the pile are the ones that end up homeless. Creating houses for people further up the pile will free up homes for homeless people.

Provide crisis housing for family members (Benefit)

Life has its ups and downs. People lose their jobs, have life changing accidents and illnesses, lose their partners/relationships, fall victim to domestic violence,

move around seeking work and return from overseas. As home prices and rents skyrocket, people need to move back home to live with parents or relatives.

That may be simple if just one person is involved, but if it's a whole family they won't fit in the home of another family member for long.

In the city, there are plenty of options available within a reasonable distance and adequately serviced by public transport. There are hotels, motels, refuges, charities, etc. There are affordable Ubers, regular buses, trains, light rail, etc.

That's not the case in most of Tweed Shire. Most people on rural land need to drive to shops, doctors, schools, hospitals and so on because there's very little access to public transport, especially in rural areas. Some days (most recently 29 August 2025) it's seventy kilometres to the nearest functioning NAB ATM. And sometimes NBN and Internet (EFTPOS) can be down for 7-10 days, so rural people need cash and can't rely on Ubers.

Being able to live in a second home on a family member's farm provides access the transport vulnerable people need.

Provide long-term in-home care for the elderly (Benefit)

The elderly prefer to age in place, i.e. in their home. That is supported by governments because it reduces the cost to government. However, it also requires provision of in-home care.

Currently, planning provisions for in-home care are usually in the form of small attached or detached "granny flats" with no stove, no bath and one bedroom. That's fine for an elderly single moving into a family home but doesn't cater for a family moving into a family home.

Implicit in this arrangement in a rural setting are these cruel planning assumptions:

- That the person in the "granny flat" will share the remainder of the house for cooking, bathing and possibly dining. There will be no privacy or peaceful solitude.
- That the person in the "granny flat" will have no visitors because there's nowhere for them to stay and there's no public transport to convey them to alternative accommodation.
- That either the carer or the care-receiver will live alone. That is, they have no other family or relationships, and if they do, they must abandon families and partners as a precondition to caring or receiving care.

- That either the carer or the care-receiver will permanently live away from home like a fly-in fly-out worker. One or the other person needs to abandon their home and family, and move into temporary accommodation for as many years as it takes for nature to take its course.

The government policy of aging-in-place recognises the strong desire of elderly people to remain in familiar surroundings as well as the humanity and health benefits of allowing them to do so. This is antithetical to the requirement that they must surrender their home to another family, leave behind their decades of cherished memories, and move into a recently constructed outhouse or flat.

There are also health benefits, social benefits and humanity in allowing people to live near their children and grandchildren. In the cities this can be achieved by living nearby in a home unit or house within walking distance. In rural areas, the only option for such a situation is a second house on the same property.

“Granny flats” undeniably work in cities and towns with regular public transport, services within walking distance, NBN and mobile phone coverage, Ubers, home delivery and doctors who make house calls, but this select committee is dealing with the opposite circumstances; the circumstances in which “granny flats” don’t work.

Reduced requirement for new local government infrastructure (Benefit)

Tweed Shire Council is currently building new sewerage treatment facilities to accommodate rising population in urban areas. Because most rural properties use their own septic treatment, no additional sewerage infrastructure is required.

Every dwelling diverted from urban to rural land eases the pressure on Council sewerage infrastructure.

Tweed Shire Council is in the process of increasing their town water storage. Many rural properties harvest their own water for most or all of their needs.

Placing a second dwelling on rural property where water is harvested reduces the need for an additional property in an urban area where water is generally not harvested. Thus, there will be less pressure on the Council to expand town water infrastructure. There will also be one less water meter to read, less operating cost for the same revenue.

In fact, because the water is generally discharged through a grey water or septic system to the garden or environment, the water is used twice; once for drinking, washing, etc and again for watering the garden.

It is arguable whether there is a net increase or decrease in road usage. For every shopping trip to town there's a saved carer trip from town. For every longer trip to work from one town to the next, there's a shorter trip for people who live between towns.

Rural properties aren't usually drained by stormwater infrastructure. Building this infrastructure consumes both time and money. So a second dwelling on rural properties can simultaneously solve the housing shortage and the cost of housing.

Reduced flooding (Benefit)

Increased or more rapid rain runoff causes increased flooding. That's what flooding is.

Water running off impervious surfaces like streets, driveways, car parks and buildings in urban areas is transported rapidly to rivers and watercourses through stormwater systems. It exacerbates flooding.

Rural property owners usually go to significant lengths to capture run off for domestic, crop and stock use, and to control erosion. In any case, rural properties have a high proportion of pervious surfaces like soil and grass. Water that runs off the impervious surfaces is likely to be captured onsite rather than contributing to flooding.

Every dwelling diverted from urban to rural areas reduces flood risk and severity.

Increased revenue for Councils (Benefit)

Councils already charge extra rates for extra toilets, larger water access/meters and so on. They could levy a charge for an extra dwelling to cover the cost of libraries, administration and other community services.

Environmental protection (Benefit)

Farms require significant ongoing labour to maintain the status quo. Having a younger generation on the farm provides alongside experienced farmers provides additional resources to:

- control weeds
- control feral animals
- prevent erosion
- keep waterways clean
- prevent or fight bushfires
- prevent environmental damage from domesticated animals and plants.

Improved intergenerational equity (Benefit)

There is much current discussion around intergenerational equity.

Basically, soaring home prices have disadvantaged younger people whereas their grandparents have benefitted. Rightly or wrongly, it's argued that the grandparents' home should be downsized and the surplus money should be given to their grandchildren.

The problem in rural situations is that their home and their employment are inextricably linked. They don't just downsize out of the house, they become unemployed in the process.

Three major housing costs are:

- land,
- local government charges associated with development of new housing blocks and new infrastructure, and
- building costs.

Building costs are substantially escalated in new estates by "covenants", expensive rules designed to make the estate more luxurious, more desirable and consequently more expensive for the benefit of the developer.

Allowing second houses on rural blocks without a DA will entirely eliminate the developer, and hence the covenants, from the purchase price.

Local government charges are associated with DAs and rightly cover the cost of new infrastructure. But as I've highlighted, there is very little infrastructure required for placement of an additional dwelling on rural land so no need for Council DAs or significant charges.

Families can allow their children and grandchildren to build with:

- no land cost,
- lower local government charges commensurate with more modest infrastructure and sharing existing infrastructure, and

- modest building costs commensurate with their needs and building standards.

Thus, children and grandchildren can obtain early access to their inheritance by adding a home at low cost. There may be some changes to land titles to protect the financial interest of the financer of the dwelling if that isn't the landowner. Perhaps easements or mortgages against the title.

Families do this all the time without too much difficulty.

Help the hospital to operate at full capacity (Benefit)

In the few years since it opened, the Tweed Valley Hospital, one of NSW's largest and most sophisticated non-metropolitan hospitals, has operated with limited services and facilities because of staff shortages. The hospital is short of staff because there is nowhere for them to live.

Any change that increases housing stock will allow NSW people to be treated in NSW rather than travelling to Gold Coast and Brisbane.

Train the next generation of farmers (Benefit)

The average age of farmers is very high because of a shortage of younger people wishing to be farmers. Exposure to life on a farm will teach them the skills they need. They will grow into the job and lifestyle.

Australia needs farmers to produce export income as well as clothing and feeding the nation.

Supplementary income will make farms viable during down cycles (Benefit)

Farmers are more susceptible to sustained, sever business cycles than most occupations. Drought, floods, disease, inflation, market fluctuations, currency exchange rates, interest rates and many other circumstances that don't affect workers in cities and towns affect farmers severely.

Many farmers are bankrupted and quit farming. That eats away at Australia's self-sufficiency and drives up food prices for all.

Many farmers earn off-farm income from a second job. They may drive equipment, doo odd jobs and so on. As they get older, or if they are injured, they may live in poverty for short or long periods. The farm may deteriorate due to inability to treat weeds, tend to stock, etc.

If a farmer has a second dwelling, it can be rented short or long term to provide supplementary income. This benefits the community by increasing availability of rental homes and tourism.

The two top industries in Tweed are farming and tourism. It makes sense to make changes that benefit both industries.

Access to emergency assistance (Benefit)

Farming is an extremely dangerous occupation. Farmers sustain injuries that reduce their capacity to earn a living. Because of poor mobile phone and NBN coverage (i.e. 000 coverage), it may be a long time before help comes to an injured farmer.

Having a second family on the farm provides a second set of eyes while farmers are engaged in dangerous activities.

(d) No response

(e) No Response

(f) Certainly, there can be some controls relating to properties that flood. Care must be exercised in Tweed Shire where a large proportion of the Shire is subject to flooding.

Cane farms along the Tweed River aren't far above high tide, possibly only a metre or two in many places. For 150 years cane farmers have managed to live on these farms and operate them with equipment housed on the farm. It would be unreasonable to evict these farmers who for generations have lived satisfactorily with annual or bi-annual floods. Typically, by elevating their houses and evacuating or elevating their equipment when flooding is suspected.

Stipulating that cane farms must be above the 100-year level is as unreasonable and impractical as stipulating that oyster farms must be above the 100-year level.