

“CAN YOU HAVE YOUR CHOOK AND EAT IT TOO?” RURAL LANDS PROTECTION ALONGSIDE GROWTH

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ABSTRACT

The Wollondilly Shire Local Government area consists of 2500sqkm on the south west fringes of the Sydney Metropolitan area and the city edge is along the Shire's eastern boundary. "Rural Living" is the organisation's vision. Wollondilly however has been faced with increasing challenges and questions since Sydney's growth has been knocking louder and louder at the Shire's door.

These challenges include the coexistence of rural lands protection along side growth. Can Wollondilly retain a rural living focus when the Shire could potentially grow from 45,000 to 140,000 over the next 30-40 years?

Sydney's burgeoning growth has brought into question Wollondilly Shire Council's custodial role and our ways of thinking about growth for the economic development of the area alongside the protection of the water catchment, the food basin and agricultural lands to the south west. This paper will outline how Council has focused on the implementation of basic innovative, solution-focused actions, with a partnership approach that aims for the shire to "have our chook and eat it too".

INTRODUCTION

Wollondilly's natural environment, sensitive water catchment lands, extensive public open spaces and opportunities for rural living are among its greatest assets. National Parks, reserves and protected water catchment lands rich in biodiversity, environmental value and cultural value make up much of the Shire. Our rural lands also play an important role by providing diverse habitat, contributing to air, water and landscape quality, providing locally grown food for the Sydney Basin and serving as a carbon sink for greenhouse gases.

Because of the Shire's location on the fringe of a city, there will always be growth pressures. The Wollondilly is located in a Peri Urban area. A Peri Urban environment is the buffer zone between a rural area that has been farmed for a significant period of time abutted by an encroaching urbanised environment such as a metropolitan or major regional centre.

A balanced approach to development is therefore needed to enable growth while at the same time

ensuring protection of our natural environment, retention of our rural lands and the development of highly liveable and sustainable built environments.

As our population grows Council has acknowledged the interaction between the community and our natural environment needs careful management in order to enhance economic development for the area and minimise risks to the environment, human health, safety and property. These risks define our Peri Urban predicament and are critical matters that include:

- social and economic infrastructure
- job creation within the shire and capturing escape expenditure
- protection of significant environmental and agricultural assets
- bushfire hazard reduction
- waste water and catchment management
- "rural living" with an urban service level expectation
- waste management
- illegal clearing
- illegal dumping and littering
- regulating illegal development and land use
- control of weeds and pest animals
- flood management and

Wollondilly Shire Council has realised the way forward to resolving the challenges of the Peri Urban predicament is through solution searching within a community partnership approach.

Basic innovative solution-focused activities that have been implemented centre around controls, community education, compliance and community engagement, the "4 C's" approach (Rokobauer 2013). Specific activities include:

- a community partnership approach to define what "rural living" is through Community Strategic Planning processes and the development of a Growth Management Strategy,
- addressing challenges and strategy development through solution-focussed strengths based community forums in partnership with Councils Community Committees,

- refinement of Development Control Plans (DCP), conditions of consent and Council resolutions to reflect initiatives to protect the good things related to rural living and growth
- adoption of a compliance policy that protects agricultural practices and vegetation
- the development of a rural living handbook to set the context of rural living and use as an educative tool for the community to raise awareness. This has led to a greater awareness of the Peri Urban predicament and pressures on us now and into the future
- the facilitation of a Sydney Peri Urban Local Government Network (SPUN) to develop better relationships and develop tailor-made policies and solution focused initiatives for issues impacting upon Sydney Peri Urban areas and to be an advocate for broader understanding and awareness of the challenges communities face in the Sydney Peri Urban areas.

These activities will now be explored in the body of this paper.

BODY OF THE PAPER

Defining "rural living"

For many years the Shire has identified rural living as its "Vision". Typically these words are seen in narrow terms, often ignoring the broader aspects of life in a rural area - towns and villages, community spirit, working agriculture, and a deep sense of place.

The concept of rural living is often put forward as a justification in debates about property development issues (Marsden et al. 2005). By understanding the characteristics of rural living, there is better appreciation that the vision of rural living is not just about development issues, but about a wider set of values that reflects the Community's desire to maintain the Shire's rural character together with the sense of belonging to caring communities that have been at its core for generations. (Healey 2004)

Attention to proper definitions of rural and urban is important to future planning, policymaking and analysis (Schafer et al. 2013). Definitions help us to make sense of our everyday world and in turn influence how we use rules and resources (Halfacree 1993) as a collective. Definitions also assist with a shared understanding of concepts and

what is being discussed, in turn assisting in problem solving.

Over recent years Wollondilly has also experienced the migratory "tree change" phenomenon. (Ragusa 2010). This has been a challenge for Wollondilly as the area is attractive for people searching for a lifestyle change by moving from city/urban living to a more rural/country setting of rural pastures, outside metropolitan boundaries.

Often Tree changers do not give consideration to the lack of proximity to public transport, extra time to travel to work, rural noise, odour and agricultural activities, limited availability of local amenities and utilities like supermarkets, street lights, kerb and guttering, mobile phone reception, internet, TV reception and in some areas these services may not be available at all.

Often there are deep chasms between city residents' expectations of country life and their experience (Ragusa. 2010). The surge in "amenity migration" has placed significant pressure on services in tree-change areas such as Wollondilly and the real challenge is planning for this population which minimises the economic, social and environmental costs while providing high-quality lifestyles (Buxton 2006; 2011)

During August to November 2012, Council conducted a review of its Community Strategic Plan (CSP) in response to a requirement of the Integrated Planning & Reporting (IPR) legislation that governs NSW Council activities.

Under this legislation Council is required after every NSW Local Government election to review its CSP to ensure it remains relevant and able to meet the needs of our changing community.

This process was seen as an opportunity to engage with the Community to define and raise awareness of the term Rural Living and what this meant in a climate of growth. Following community workshops held in November 2012, a revised definition of Rural Living comprising six key characteristics was developed in partnership with the community. These characteristics for Wollondilly include:

1. Rural setting and character

The rural setting is obvious with farmland and natural areas located between, separate towns and villages with residents experiencing and valuing this setting irrespective of where and how they live.

2. Viable agriculture

Agriculture and associated industries are encouraged and supported and continue to be a productive, sustainable and integral part of our economy, our Community and our landscape.

3. Community lifestyle

Our Community values its sense of community spirit, which is fostered through a strong identity with village life, a sense of belonging, and commitment to community participation and co-operation.

4. Diverse environment

The Shire's diverse environmental assets, including its waterways and catchments, riparian land, groundwater and dependent ecosystems natural areas, biodiversity and agricultural lands are valued and protected because of their environmental significance. Degraded natural resources are enhanced and maintained.

5. Heritage

The Shire's wealth of aboriginal and non-aboriginal heritage is valued and protected because of its cultural significance and its contribution to our sense of place.

6. Towns and villages

Development is carefully managed to maintain the separation of our towns and villages and their unique identities and strives to enhance their role as focal points which provide opportunities – housing, jobs, shopping, business, leisure, civic events, community facilities, education, and social interaction.

Developing a shared definition of Rural Living with the community also provided an opportunity for discussion and ownership of positive, productive change. During this process people were willing to reconsider the traditional definitions of "rural" and make positive assertions about the forms and structures of their community. Defining Rural Living has also provided a checklist for people seeking a tree change experience. Having vague definitions can result in confusion and the first step to improvement is defining what it is we want to achieve.

Solution focused community forum

Wollondilly Shire Council, with the support of Regional Development Australia Sydney, held a rural forum in order to engage the community and stakeholders on a range of issues aimed at influencing the retention and development of the agricultural sector in the shire.

The forum was auspiced by Council's Rural Industry Liaison Committee and Economic Development Advisory Group and was implemented in a solution-focused Asset Based Community Development (ABCD) framework.

Solution focused ABCD frameworks attempt to create a space for discussions about solutions, strengths and assets rather than problems. Problem free conversations can be helpful in uncovering hidden resources, and can help people

to become more naturally pro-active, focus on community assets and have ownership of the agreed way forward (Mathie et al. 2003; 2005; Green et al. 2012).

Agriculture and the strengthening of rural industries were identified as key focus areas to stimulate local economic development. To start the facilitation of the forum Council developed a discussion paper that identified key rural land use issues influencing the economic, social and environmental importance of agriculture in the shire and the broader Sydney Basin. This discussion paper was distributed before the forum to gain feedback from the broader community and was included in the development of a number of key directions ensuring the day remained solutions focused.

The forum also considered Wollondilly's proximity to major transport routes, the large population base of Sydney and the Flemington produce markets, and the potential Wollondilly has to expand its agricultural sector, contributing towards local economic prosperity and more efficient use of agricultural land.

The Rural Forum developed a recommendations paper that identified potential strategies and solutions that Council, the state government and key stakeholders can work towards to address pertinent rural land use issues for Wollondilly and strengthen the role of the agricultural sector in a peri urban environment.

Through consultative processes Council demonstrated that when a group of people come together to share information and discuss solutions conducive to everyone's needs a lot of the traditional battles relating to land use conflict disappear.

Development Controls

Council plays a major role in the development and implementation of a planning framework for the local government area which is an essential element of good governance (Worthington Et al. 2000; Couclelis, 2005).

Council plans and policies are reviewed and updated annually, and outline how growth is planned and managed, how land use is determined right through to how development applications are approved and managed. These roles play a significant part in helping to shape and deliver economic growth. Wollondilly's planning approach is also integral to ensuring future housing and economic growth does not threaten the vision of "Rural Living" in a healthy environment

At a high strategic level Council, with the input of the community, adopted the Wollondilly Growth Management Strategy 2011 (GMS) which focuses

on a strategy for future growth. In identifying overarching policy directions and principles for growth management, the GMS recognised and committed to protecting existing primary producers and the agricultural potential of rural lands.

In recent times Wollondilly Shire Council has received a significant number of planning proposals (46 as of May 2014) and the GMS has provided a sound assessment framework. The framework's aim is to achieve consolidation of urban areas by developing around existing towns and villages.

Council has also been requested by the NSW Department of Planning & Environment to review the GMS in the light of a number of rural sites identified for further investigation as potential future urban areas by the 2012 NSW Government Potential Homesites Program.

The investigations and GMS review will be undertaken with the benefit of the Rural Forum recommendations paper referred to above.

Development Control Plans (DCPs) guide certain types of development or specific areas within a Local Government Area (LGA). These guidelines are in addition to the legal provisions of a Local Environmental Plan (LEP) or State Environmental Planning Policy (SEPP).

Councils have responsibilities for animal control under both the Companion Animals Act 1998 and the Impounding Act 1993; for building and development controls under the Environmental Planning and Assessment Act 1979; for environmental protection under the Protection of the Environment Operations Act 1997; for the control of noxious weeds under the Noxious Weeds Act 1993, and for the provision, maintenance and management of roads under the Roads Act 1993.

Councils are both constrained and enabled by this legislative framework and when making decisions involving a value judgement it must do so with fairness and justice (NSW DLG 2008).

All approved developments are generally subject to Development Consent Conditions which take into consideration fairness and justice principles. Development Consent Conditions vary according to the land use involved and are established in consideration of the management objectives of the locality. Wollondilly Shire Council has used conditions of approval to enable the location of agriculture and growth. This has included separation distances, plans of management and landscaping initiatives to minimise and manage the impact on others around the agricultural development.

The provision of maps to new land owners outlining what is in the area, including agricultural pursuits

have also been conditions of development consent for greenfield subdivisions.

When land is bought or sold Council issues a Section 149 Planning Certificate in accordance with the Environmental Planning & Assessment Act 1979. When land is bought or sold the Conveyancing Act 1919, requires that a Section 149 Planning Certificate be attached to the Contract for Sale. These certificates contain information on how a property may be used and the restrictions on development.

Planning certificates issued by Council for rural properties include an attachment that states rural activities may occur around you and rural noises, odours and visual impacts associated with those activities may be experienced. The aim of the attachment is to raise awareness about rural activities that may include issues related to pursuits such as poultry farms, market gardens, orchards and the like.

Compliance Policy

Councils have many compliance and enforcement functions under the Local Government Act 1993 and other State legislation. These include:

- Planning
- Building and construction
- Environmental protection
- Public health
- Parking
- Animal management
- Liquor and restaurants
- Public Areas and other activities

Local Government is bound by a regulatory system that relates to the impacts and conflicts of land use, the protection of the environment and the amenity of the area. If unmanaged there can be environmental impacts from agricultural pursuits and this can include visual, odour, dust, traffic and water quality impacts.

Land use conflict is increasingly creating difficulties for many sectors of Australian agriculture and conflict is heightened when industries are highly intensive and have the potential to periodically generate unacceptable externalities (Henderson et al. 2000). The situation is commonly experienced in Peri Urban areas where there is significant rural residential development.

Whilst acknowledging its responsibilities as a regulatory authority, Council has also recognised that some impacts from rural pursuits cannot always be mitigated to 'no impact at any time' and that this is part of being in a rural environment. As a result Council has taken a policy position that if aspects of a lawful rural pursuit that are causing

complaint are being undertaken in a reasonable way Council will take no action.

Wollondilly has been recognised as one of a small number of councils around Australia, and an industry leader, in its proactive approach to the protection of productive rural lands and agriculture in the Sydney Basin by implementing comprehensive strategic planning approaches to address these conflicts (Robertson et al. 1999; Henderson Et al. 2000) which in turn protect the good things related to rural living and growth.

Rural Living handbook and Information sheets

Wollondilly Shire Council in conjunction with the Sydney Catchment Authority developed a resource for residents titled the *Wollondilly Rural Living Handbook*. This handbook was developed to assist and educate the communities that were moving into the rural/agricultural environment.

The handbook provides rural landowners with general information on managing rural land, best management practices and contact details of people and organisations who provide support to rural landowners.

Owners of rural land are responsible for its management and the *Wollondilly Rural Living Handbook* gives landowners' advice on how to meet legislative requirements such as weed and pest animal control, maintenance of fences, stock welfare and managing bushfire fuel loads on rural land.

There is a variety of local information on the Wollondilly Shire within the Handbook. This includes recommended native planting species, noxious weeds lists, native local flora and contacts and the Handbook is a resource that can be referenced to from time to time.

The *Living Together in Rural Wollondilly* information sheets were also developed as another example of Wollondilly Shire Council's commitment to the agricultural sector. The information series was designed to foster an understanding and inform the Shire's residents of the realistic expectations when living in a predominantly rural environment.

The Information Series contains 7 Information Sheets covering the following topics:

1. Welcome to Rural Wollondilly - What to Expect
2. Agricultural Industries and their Impacts.
3. Agricultural Planning Controls in the Wollondilly Shire.
4. How to be a Good Neighbour in Rural Wollondilly.
5. Managing Weed and Animal Pests.
6. Safe Driving on Rural Roads.

7. Dispute Resolution Tips and Agricultural Contacts.

The series of information sheets assist to alleviate the impacts of land use conflict on the Shire's agricultural producers and generally increase the level of awareness amongst residents of common impacts associated with agricultural land use.

Both these resources were designed to set the context and be used as an educative tool for the community to raise awareness, lead to better understanding of the Peri Urban predicament and the context of the pressures on us now and into the future.

Sydney Peri Urban Network

In the recent review into NSW Local Government, two Peri Urban Local Government areas were identified as leaders in championing Peri Urban issues (Samsom et al. 2013). These areas were Wollondilly and the Hawkesbury.

The Peri Urban environment is the interface between an urban environment and a rural area in which farming has occurred. The Wollondilly Local Government Area is located to the South West of Sydney and has taken the lead in establishing a network for Councils in NSW Peri Urban areas.

The Peri-urban area can be viewed as a landscape type in its own right, neither fully urban nor rural but rather a mosaic of often unique incompatible and unplanned uses which presents unique challenges to policy makers and communities. Wollondilly is located in this transition zone and often misses out on funding opportunities and strategic initiatives due to confusion of fitting into neither metro nor rural guidelines.

Better planning processes and policies are needed across a range of key government and agencies whose decisions and policies impact on the Peri Urban region. An argument also exists for separate funding streams, initiatives, research and policy development for Peri Urban Councils i.e not rural funding, not metropolitan funding but Peri Urban funding opportunities, initiatives and research to help redress the relative lack of data and policy for Australia's Peri Urban regions.

The network, The Sydney Peri Urban Network (SPUN) has a membership of thirteen Councils that are located on the fringe of the Sydney metropolitan region. Councils involved include: Wollondilly, Camden, Blacktown, Blue Mountains, Gosford, Hawkesbury, Hornsby, Kiama, Penrith, Shellharbour, Shoalhaven, The Hills and Wingecarribee.

Sydney's Peri Urban areas are recognised as being part of a NSW solution for managing growth

through providing opportunities for major land releases, strengthening local town and village character, settlements, lifestyle, tourism and agricultural (and economic) pursuits. The Network was developed to assist and empower Councils in managing the significant pressures faced in Peri Urban areas.

SPUN's aim is to be a leader in advocating for peri-urban issues at the state and federal level which include managing significant growth, land use planning, lack of infrastructure, funding gaps, identifying agricultural and recreational space and community expectations.

The group's focus is working with government to manage sustainable growth and protect important environmental, ecological and agricultural assets.

Wollondilly Shire Council instigated the formation of the network to be part of the solution for strategic planning in NSW. The group shares information and experiences and advice on legislation and policy reform. All thirteen Councils face similar challenges, but also recognise opportunities to develop better relationships and develop tailor-made policies and solution-focused initiatives for issues impacting upon Sydney Peri Urban areas.

Council through SPUN also aims to advocate for further research into innovative approaches to agricultural lands retention. The approaches could include transferable development rights or schemes based on a bio-banking model.

CONCLUSION

The location of Wollondilly on the fringe of the Sydney metropolitan area and its attractiveness as a place to live implies increasing population growth will be an important part of our future. Wollondilly is faced with challenges and risks that define our Peri Urban predicament and we have an obligation to manage growth well and maintain our vision of "Rural Living".

This will require innovative well planned and coordinated development and infrastructure that considers the uniqueness of our towns and villages and Wollondilly's rural setting. As our housing needs increase we also want to increase local jobs to meet the needs of the growing population. This also necessitates a consideration of the environment and agriculture pursuits of the area. It is human nature to want to have the best of both worlds and Wollondilly Shire Council is proactively looking at implementing innovative, solution-focused actions, within a partnership approach with our community to do this.

This is an approach that builds on the fundamental belief that our community should be true partners in

planning for our future, sharing both risk and reward, ultimately "having our chook and eating it too".

REFERENCES

Couclelis H, 2005, "Where has the future gone?" Rethinking the role of integrated land-use models in spatial planning Environment and Planning A 37(8) 1353 – 1371

Buxton M, Tieman G, Bekessy S, Budge T, Mercer D, Coote M, Morcombe J 2006 '*Change and continuity in peri-urban Australia: state of the peri-urban regions: a review of the literature.*' (Land and Water Australia, Department of Environment and Heritage: Canberra)

Buxton, M., Haynes, R., Mercer, D. & Butt, A. 2011 Vulnerability to Bushfire Risk at Melbourne's Urban Fringe: The Failure of Regulatory Land Use Planning. Geographical Research, 49(1) pp1-12

Green G., Haines A. 2012. Asset Building & Community Development 3rd Edition, Sage Publications Inc.

Halfacree K., 1993. Locality and social representation: Space, discourse and alternative definitions of the rural. Journal of Rural Studies, Volume 9, Issue 1, January 1993, Pages 23–37

Healey P. 2004. *The Treatment of Space and Place in the New Strategic Spatial Planning in Europe.* International Journal of Urban and Regional Research, Volume 28, Issue 1, pages 45–67

Henderson S. & Epps R., 2000 Urban Fringe Land Use Conflict: Two Poultry Case Studies. A report for the Rural Industries Research and Development Corporation

Isserman A. 2005. In the National Interest: Defining Rural and Urban Correctly in Research and Public Policy, International Regional Science Review October 2005 vol. 28 no. 4 465-499

Marsden T, Murdoch J, Lowe P, Munton R, Flynn A, 2005. *Constructing The Countryside: An Approach To Rural Development.* UCL Press Limited.

- Mathie A., & Cunningham G. 2003., From clients to citizens: Asset-based Community Development as a strategy for community-driven development. *Development in Practice* Volume 13, Issue 5, 2003. pages 474-486
- Mathie A., & Cunningham G. 2005 Who is Driving Development? Reflections on the Transformative Potential of Asset-based Community Development. *Canadian Journal of Development Studies*. Volume 26, Issue 1, 2005 pages 175-186
- NSW Department Of Local Government (DLG) Councillor Guide – 2008 found at <http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/Councillorguide.pdf>
- Ragusa, A.T. (2010). *Country landscapes, private dreams? Tree change and the dissolution of rural Australia*. In Whitford, T. & Blacklow, N. (Ed.). *Where the crows fly backward: notions of rural identity* (pp. 137-50). QLD: Post Pressed.
- Ragusa, A.T. (2010). *Seeking trees or escaping traffic? Socio-cultural factors and 'tree change' migration in Australia*. In Luck, G., R. Black & D. Race (Eds.). *Demographic change in rural landscapes: what does it mean for society and the environment?* Netherlands: Springer.
- Robertson A. & Watts R. 1999. *Preserving Rural Australia: Issues and Solutions* CSIRO Publishing
- Rokabauer G, 2013. *Planning for co-existence in peri-urban agriculture*. Wollondilly Shire Council, NSW, Australia. Presentation made at Food matters What role can Councils play, Australian Food Sovereignty Alliance Forum.
- Sansom G., Munro J. & Inglis G. 2013. *Revitalising Local Government – Final Report Of The NSW Independent Local Government Review Panel* found at <http://www.localgovernmentreview.nsw.gov.au/information.asp?areaindex=LGR&index=102&mi=9>
- Schaeffer P., Kahsai M., Jackson R., 2013. *Beyond the Rural–Urban Dichotomy Essay in Honor of Professor A. M. Isserman*, *International Regional Science Review* January 2013 vol. 36 no. 1 81-96
- Wollondilly Shire Council 2008, *The Rural Living Handbook 2009, A Guide for Rural Residential Landholders*, Wollondilly Shire Council, NSW.
- Wollondilly Shire Council 2010, *Living Together In Rural Wollondilly* information sheets found at http://www.wollondilly.nsw.gov.au/index.php?option=com_content&view=article&id=497545:living-together-in-rural-wollondilly&Itemid=3040
- Worthington, A & Dollery, B. 2000. *Can Australian Local Government Play A Meaningful Role In The Development Of Social Capital In Disadvantaged Rural Communities?* *Australian Journal of Social Issues* (Australian Council of Social Service), 01/11/2000, Vol. 35 Issue 4, p349-361

