Baulkham Hills Shire Rural Strategy

Baulkham Hills Shire Council
April 2003
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Chapter 1: Introduction

1.1 Introduction

Baulkham Hills Shire Council is preparing a Rural Lands Study which seeks to investigate and provide strategies for the future of the rural lands. The entire project is to have three stages as follows:

- Stage 1 – Background Research and Strategy Framework (complete)
- Stage 2 – Strategy – (currently occurring)
- Stage 3 – Plan Making – Scheduled to occur in 2003

This document forms one of two documents to be prepared for stage 2 – Strategy. The other document is titled Community Communication Report which presents the outcomes of the Community Focus Workshops that were held as part of Stage 2.

This document builds on the Background and Issues Report and Strategic Environmental Analysis and Strategy Framework documents that were prepared as part of Stage 1. It provides analysis of the issues inclusion in the strategies that are provided at the end of the document.

Baulkham Hills is located on the fringe of Sydney and has a large amount of rural land which provides a distinct landscape setting adjacent to the urban area. This creates a unique character for its rural and urban land. Within the rural area, which comprises approximately 80% of the Shire, there are rural villages, steep gorges, productive agricultural land and vast areas of native vegetation. The study area and the relationship to the surrounding areas as well as the individual localities with in the Shire are shown on Map 1.1.

The rural lands of Baulkham Hills Shire provide an important resource for the whole Shire and the wider region. This resource consists of a number of components:

- Rural Landscapes
- Agricultural Lands
- Native Vegetation
- Habitat linkages
- Living Areas
- Hawkesbury River and other water bodies

Each of these is important in its own right but it is the sum of them that provides the resource for the future.
Map 1.1: Location and Study Area
1.2 Aims and Objectives

The aims of the entire Rural Lands Study project as outlined in the Brief (which is provided at Appendix 1) are to:

- Protect and enhance a sustainable future for the rural lands;
- Involve the community and other stakeholders in the Study process, to ensure acceptance and ownership; and
- Generate a sustainable land use strategy and environmental planning instruments for the study area.

The objectives to be achieved via the Rural Lands Study are:

- Formulation of a robust strategic framework which allows Council to:
  - maintain long-term sustainable agricultural lands;
  - protect and enhance the existing and future rural economy - including tourism, agriculture, extractive industries, transport, employment and future investment opportunities;
  - maintain and preserve the natural environment and resources;
  - maintain and protect a healthy biodiversity within the natural environment of the Shire's rural lands;
  - avoid and manage land use conflict;
  - respond to social needs and preserve social values of the rural community;
  - maintain and enhance the existing character of rural villages;
  - conserve items of heritage value;
  - manage the demand for future rural subdivision; and
  - maintain and provide infrastructure were appropriate.

- Formulation of a series of sustainable strategies which incorporate ESD principles and are consistent with the objectives of the Baulkham Hills Shire Plan, Environmental Management Plan and the EP & A Act;

- Preparation of rural LEPs, DCPs, Section 94 Contributions Plans and Rural Initiatives (where and if required) which will act as implementation mechanisms for the strategies; and

- Provision of a methodology to monitor and review the medium to long-term performance of the policies resulting from the Rural Lands Study.

1.3 Methodology

The Strategy has been prepared by the consultant team based on discussions held with Council Officers, Government Departments and the Community. A review of all relevant literature has also been carried out.
Previous documents prepared in Stage 1 of the study were used as the basis of the information which has been analysed to prepare this strategy.

A detailed community consultation program was carried out in the preparation of this document. The outcomes of those consultations has been separately published in the Community Communication Report. In addition, separate consultations were held on 2 specific social issues which were identified during the consultation. These were Accessibility and Information / Communication.

Australian Bureau of Statistics census information was used to provide a population and demographic profile of Baulkham Hills’ rural lands. In addition various community groups were consulted to ascertain the issues surrounding social services provision.

Input has been given by the Community and the State Government Departments through formal and informal discussions with the Community and Statutory Liaison Groups that were established by the Council.

1.4 Study Team and Other Reports

This document has been prepared by the consultant team led by EDGE Land Planning who have written and compiled all of the strategies. Additional information has been provided as follows:

- Demographic Review - Baulkham Hills Shire Council
- Community Services - Heather Nesbitt Planning

A Separate reports has been prepared for the Village Character and Urban Design Analysis which has been published under separate cover.

A total of 21 Consultation Workshops have been held during the preparation of this document and the outcomes of these have been published in the Community Communication Report.

In addition, 2 workshops were held dealing with Indicators of Sustainability and Biodiversity. Expert consultants, academics and officers from Councils and Government Departments attended these. The list of participants is provided at Appendix 2. A third workshop was held with the Community to discuss Access and Communication Issues. The outcomes of these workshops have been incorporated into the relevant chapters of this document.
Chapter 2: Development and Planning Issues

2.1 Introduction

This chapter presents a discussion of the issues that have to be considered when considering the future of the rural lands. It should be stressed that, although it is a key issue, land use is not the only one. There are a range of social, environmental and economic issues that have to be considered in conjunction with the future land uses.

A social profile is also presented in this chapter. It should be noted that this one has been done using the 2001 census data which was not available when the Background and Issues Report was prepared.

2.2 The Issues

The main issues affecting rural fringe areas like Baulkham Hills Shire are the need to preserve the environment, the retention of agriculture and the pressure for subdivision of agricultural areas or the resubdivision of existing rural residential land.

The increasing trend towards the fragmentation of productive agricultural land is affecting its capability to produce agriculture in a sustainable manner. Once viable farming units are now being made into smaller less viable units and the use changed to residential type uses with no realisation about the impacts of this on such issues as land degradation, rural land use conflict or the cumulative impact of the loss to production of this good agricultural land. This trend is exemplified on the fringe of the Sydney region where the desire for rural living and a productive agricultural hinterland are coming into conflict.

Agriculture on the fringe is becoming more intensive as the value of land increases and hence the need to use it for higher yielding commodities. Intensive uses are also being relocated from other Council areas that have become urbanised. In the case of Baulkham Hills Shire, the intensive agricultural uses are mainly nurseries and flowers with some market gardening.

Growth management strategies can provide a balance between the pressure of urban and rural residential growth and the need protect this agricultural land from further fragmentation and alienation. Sound strategic planning is best placed to provide for the future of the rural lands of the Shire.

The Council has prepared a strategy for its urban lands and it is now timely to carry a similar exercise for the rural lands.

Baulkham Hills Council’s vision for the whole local Government area is:

The garden Shire - an interactive and vibrant community enjoying life in a high quality, open environment that reflects its heritage.
The preparation of a set of specific strategies for the rural areas will help to achieve the stated vision of the Council.

There is a perception in the community that rural land is land that is in a holding pattern awaiting subdivision for urban or rural residential development or to be converted to some other use. This is not correct. Areas such as Baulkham Hills have a vibrant and prosperous rural economy with a diverse community. Agriculture in the Sydney region is an important commodity and contributor to the regional economy. NSW Agriculture estimate that the farm gate value of agriculture in Sydney is $1 Billion which represents 14% of the total NSW production. This agriculture creates an estimated $4.4 billion in economic activity to the region. Agriculture also provides a landscape that creates its own unique character, which when interspersed with the native vegetation and topography create a rural environment which is sought after by tourists which in turn contribute to the Shire’s economy.

In order to understand the many issues associated with rural land, it is first necessary to define the terms rural land and rural character. This is a question that has as many answers as there are people who are involved in rural planning. The crudest definition is that rural land is all land that is not urban. However, that is too simplistic for any definition of rural land. Wide open land, farmland, forests, native vegetation, national parks, mountains, rivers, lakeshores, rural villages and rural residential areas all make up the landscape that we describe as rural. It is not any one landform or land use. It is the mixture of them that evokes the term rural land.

Rural Character is a term that is often misunderstood and misused when applied to rural land. The character of a place is the thing that distinguishes rural land from urban land. Rural character is made up of a number of components – the one thing they have in common is the feeling of openness. They include the following: open spaces, agriculture, grazing animals, market gardening, plantations, cropping, sheds, crop protection structures, artificial housing, vegetation (trees, shrubs and grasses) – both and exotic, houses and outbuildings, varying topography including rolling hills and steep gorges, rivers and streams. (Sinclair, 1999)

The relevant issues for this Strategy can be grouped into 2 broad headings of:

- Environmental opportunities and constraints; and
- Social and economic factors

Underlying all of the issues is the philosophy of Ecologically Sustainable Development (ESD) and Total Catchment Management (TCM). It is shown graphically in Figure 2.1. The arrows on the figure show that all of the issues are interrelated and one cannot be considered in isolation from the other.
The Background and Issues Report has dealt with the issues that have to be considered to achieve a sustainable outcome for the rural lands. Each of the issues needs to be addressed in order to provide for a sustainable future for the Shire. They are outlined below:
Environmental Opportunities and Constraints

- Water quality and quantity
- Land degradation
- Native vegetation and biodiversity
- Heritage
- Landscape Character
- Bushfire hazard
- Flood prone land
- Salinity
- Contaminated land
- Weeds

Social and Economic Factors

- Land use
- Agriculture
- Non-agricultural uses
- Tourism and recreational activities
- Extractive industry
- Agricultural water supply
- Urban growth
- Rural residential
- Villages
- Preserving rural land
- Amenity of living areas
- Rural land use conflicts
- Emerging social issues
- Infrastructure

This report will discuss these issues in the light of the future of the rural areas of the Shire.

2.3 Demographic Profile

This section provides a broad overview of the demographic profile of the rural lands. All information outlined below is based on analysis of the Australian Bureau of Statistics 2001 Census and previous censuses. To understand the Rural Lands in more detail, it has been amalgamated into one Planning District to compare to Council’s 10 urban Planning Districts and also into 18 geographic localities as identified by the Geographical Names Board and used by Australia Post. These localities are shown on Map 1.1 (in chapter 1) and comprise:

- Wiseman’s Ferry
- Lower Portland
- Leetsvale
- Maroota
- Sackville North
- South Maroota
- Cattai
- Glenorie
- Maraylya

- Middle Dural
- Dural (including Round Corner)
- Kenthurst
- Annangrove
- Nelson
- Box Hill
- Glenhaven (rural part)
- Rouse Hill (rural part)
- Kellyville (rural part)

Unfortunately the boundaries of these localities and the boundaries of the Census Collector Districts are not consistent. Therefore, population data from the Census does not directly reflect the population of each locality.
Baulkham Hills Shire Rural Strategy

2.3.1. Key Demographic Features of the Rural Lands

The Rural Lands have the following broad characteristics:

Baulkham Hills Shire covers an area of 380 km\(^2\) of which the Rural Lands comprise 80% of the total land area.

In 2001 the Shire had a population of 139,404 (119,545 in 1996) persons with the Rural Lands housing 16,001 residents or 11.4% (compared to 15,465 and 13% in 1996) of the total population of the LGA.

The population of the Rural Lands has grown by some 446 residents between 1996-2001.

The rural lands have a very similar age profile to the whole of Baulkham Hills Shire with a high proportion of youth (12-24 years) and increasing proportion of middle aged and older residents.

The youth population in rural lands is large with 3,220 residents aged 12-24 years. This is 14% of the total youth population of the LGA with the rural lands housing the fourth largest youth population in the LGA after Castle Hill (6,423 persons aged 12-24 years) Baulkham Hills (6,313 persons) and West Pennant Hills (3,614 persons). Table 2.1 shows the age profile of the rural lands compared to the total Shire and the statistical subdivision.

Table 2.1: Age Profile of Rural Lands in 2001

<table>
<thead>
<tr>
<th>Age Group (yrs)</th>
<th>Total Rural Lands</th>
<th>%</th>
<th>Total Shire</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>771</td>
<td>4.8</td>
<td>6.4</td>
</tr>
<tr>
<td>5-11</td>
<td>1,568</td>
<td>9.9</td>
<td>10.4</td>
</tr>
<tr>
<td>12-17</td>
<td>1,656</td>
<td>10.4</td>
<td>10.1</td>
</tr>
<tr>
<td>18-24</td>
<td>1,564</td>
<td>9.8</td>
<td>10.1</td>
</tr>
<tr>
<td>25-39</td>
<td>2,803</td>
<td>17.6</td>
<td>20.1</td>
</tr>
<tr>
<td>40-54</td>
<td>3,894</td>
<td>24.5</td>
<td>24.3</td>
</tr>
<tr>
<td>55-64</td>
<td>1,964</td>
<td>12.3</td>
<td>10.6</td>
</tr>
<tr>
<td>65-74</td>
<td>980</td>
<td>6.2</td>
<td>4.7</td>
</tr>
<tr>
<td>75+</td>
<td>711</td>
<td>4.5</td>
<td>3.3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15,911</strong></td>
<td><strong>100</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

Source: 2001 Census Data. Does not include overseas visitors.

Forty two of the Shire’s 372 Aboriginal residents live in the rural lands.

With some 1,684 rural residents born in non-English speaking countries (10.5% of total residents), this is considerably less than the LGA average (20.1%). Main non-English speaking countries of birth were Italy (334 residents), Germany (109),
There is limited information available on the number of residents with a disability. Broad statistical data suggests that 11.5% of residents in the Shire have a disability and 8.3% have a handicap. Several residential facilities for people with a disability are located in the rural lands such as McCall Gardens at Box Hill. Little information however is available on those living at home with family/carers or in independent housing.

The Census indicates that there are some 67 permanent caravan dwellings in the rural lands housing some 110 residents. These were primarily occupied by singles with some families living in these permanent caravans.

Although the rural lands have primarily households comprising of couples with children, the area also has an above average proportion of lone person households (636 households or 12.8% of households) compared to the LGA (10.5%). The proportion of one parent families is consistent with the LGA (2.5%). The relative isolation of the rural lands may add further difficulties for these household types.

With limited public transport and relative isolation of the rural lands from main urban centres it is important to note that in the 2001 Census, 153 rural households did not have a motor vehicle (3% of households). In contrast, 33.9% of rural households had three or more motor vehicles which is considerably higher than the LGA (22.8%).

The rural lands also has a significant tourist population particularly on the weekends and during school holidays. Wiseman’s Ferry is a major holiday destination and its population increases significantly over holiday periods. There are an estimated 500 beds of accommodation in the Wiseman’s Ferry area.

Many communities in the rural lands are located in more than one local government area and/or are covered by different Government service boundaries eg the Wisemans Ferry locality is located in the Hornsby, Baulkham Hills, Hawkesbury and Gosford LGAs.

**2.3.2. Demographic Profiles of Rural Localities**

As outlined earlier, accurate data on the population characteristics for each locality in the rural lands is not available. However, using the best match between locality and Census Collector Districts boundaries, Table 2.2 provides a detailed analysis of selected characteristics of each of the rural localities.

In summary, it highlights the following important features of the rural localities:

- Three quarters of rural residents live in the southern part of the rural lands in Kenthurst, Annangrove, Middle Dural, Dural/Round Corner, Box Hill, Nelson and the rural part of Glenhaven.
The most populated localities are Kenthurst, Glenorie, Dural/Round Corner, Box Hill and Annangrove.

Children aged 0-4 years are primarily living in Kenthurst (235 preschoolers) which houses 4.4% of the total preschoolers in the locality. However, other localities with a high proportion of this age group were Dural/Round Corner (111 children or 4.7%), Glenorie/Maroota (east) (77 children or 4.7%) and Box Hill (75 or 5.1%).

Youth are also primarily living in Kenthurst (471 youth) with 8.7% of the total youth population in the area. Again, significant concentrations were living in Dural/Round Corner (19.4% or 461 youth), Glenorie/Maroota (east) (19.7% or 326 youth) and Box Hill (20.4% or 302 youth).

Older residents aged over 65 years live primarily in Dural/Round Corner (430 older residents) which houses 18.1% of the area’s population. Significant concentrations however were also in Kenthurst (6.4% or 344 residents), Glenorie/Maroota (east) (10.7% or 177 residents) and Box Hill (8.8% or 130 residents). This may reflect the location of retirement villages/nursing homes in these localities.

Residents born in non-English speaking countries are also primarily living in Kenthurst (624 residents). NESB residents are also concentrated in Dural/Round Corner (10.9% or 259 residents), Glenorie/Maroota (east) (10.9% or 180 residents), Box Hill 11.5% or 171 residents) and Annangrove (11.6% or 169 residents).

Dwelling occupancy rates are spread out of the area with only 4 localities (Kenthurst, Middle Dural, Box Hill and Annangrove) on par with the LGA Average of 3.0. Nelson and rural Glenhaven are above the Shire average and the remaining localities below the Shire average.
**Baulkham Hills Shire Rural Strategy**

**Table 2.2: Selected Demographic Characteristics 2001**

<table>
<thead>
<tr>
<th>Locality</th>
<th>Population</th>
<th>% of Total</th>
<th>0-4 year olds</th>
<th>12-24 year olds</th>
<th>65+ year olds</th>
<th>NESB (occupied)</th>
<th>Total Private Dwellings (occupied)</th>
<th>Occupancy Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wiseman’s Ferry</td>
<td>536</td>
<td>3.3%</td>
<td>29</td>
<td>100</td>
<td>30</td>
<td>42</td>
<td>196</td>
<td>2.4</td>
</tr>
<tr>
<td>Leetsvale</td>
<td></td>
<td></td>
<td>5.4</td>
<td>18.7</td>
<td>5.6</td>
<td>7.8</td>
<td>(176)</td>
<td></td>
</tr>
<tr>
<td>Maroota (north)*</td>
<td>1,654</td>
<td>10.3%</td>
<td>77</td>
<td>326</td>
<td>177</td>
<td>180</td>
<td>563</td>
<td>2.8</td>
</tr>
<tr>
<td>Part Glenorie</td>
<td></td>
<td></td>
<td>4.7</td>
<td>19.7</td>
<td>10.7</td>
<td>10.9</td>
<td>(540)</td>
<td></td>
</tr>
<tr>
<td>Maroota (east)*</td>
<td>263</td>
<td>1.6%</td>
<td>15</td>
<td>6</td>
<td>18</td>
<td>3</td>
<td>99</td>
<td>2.1</td>
</tr>
<tr>
<td>Lower Portland+</td>
<td></td>
<td></td>
<td>5.7</td>
<td>2.3</td>
<td>6.8</td>
<td>1.1</td>
<td>(76)</td>
<td></td>
</tr>
<tr>
<td>Sackville North</td>
<td>740</td>
<td>4.6%</td>
<td>46</td>
<td>119</td>
<td>80</td>
<td>35</td>
<td>285</td>
<td>2.5</td>
</tr>
<tr>
<td>Part South</td>
<td></td>
<td></td>
<td>6.2</td>
<td>16.1</td>
<td>10.8</td>
<td>4.7</td>
<td>(279)</td>
<td></td>
</tr>
<tr>
<td>Maroota</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part Cattai</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maraylya</td>
<td>263</td>
<td>1.6%</td>
<td>21</td>
<td>53</td>
<td>30</td>
<td>9</td>
<td>103</td>
<td>2.6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>8.0</td>
<td>20.2</td>
<td>11.4</td>
<td>3.4</td>
<td>(90)</td>
<td></td>
</tr>
<tr>
<td>Kenthurst +</td>
<td>5,385</td>
<td>33.7%</td>
<td>235</td>
<td>471</td>
<td>344</td>
<td>624</td>
<td>1,782</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4.4</td>
<td>8.7</td>
<td>6.4</td>
<td>11.6</td>
<td>(1,684)</td>
<td></td>
</tr>
<tr>
<td>Middle Dural</td>
<td>546</td>
<td>3.4%</td>
<td>31</td>
<td>108</td>
<td>34</td>
<td>69</td>
<td>188</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5.7</td>
<td>19.8</td>
<td>6.2</td>
<td>12.6</td>
<td>(179)</td>
<td></td>
</tr>
<tr>
<td>Dural/ Round Corner</td>
<td>2,372</td>
<td>14.8%</td>
<td>111</td>
<td>461</td>
<td>430</td>
<td>259</td>
<td>887</td>
<td>2.6</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4.7</td>
<td>19.4</td>
<td>18.1</td>
<td>10.9</td>
<td>(839)</td>
<td></td>
</tr>
<tr>
<td>Box Hill+</td>
<td>1,483</td>
<td>9.3%</td>
<td>75</td>
<td>302</td>
<td>130</td>
<td>171</td>
<td>477</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5.1</td>
<td>20.4</td>
<td>8.8</td>
<td>11.5</td>
<td>(436)</td>
<td></td>
</tr>
<tr>
<td>Nelson+</td>
<td>325</td>
<td>2.0%</td>
<td>9</td>
<td>85</td>
<td>27</td>
<td>18</td>
<td>105</td>
<td>3.2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2.8</td>
<td>26.2</td>
<td>8.3</td>
<td>5.5</td>
<td>(105)</td>
<td></td>
</tr>
<tr>
<td>Glenhaven+ (part)</td>
<td>979</td>
<td>6.1%</td>
<td>47</td>
<td>241</td>
<td>72</td>
<td>105</td>
<td>300</td>
<td>3.3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4.8</td>
<td>24.6</td>
<td>7.4</td>
<td>10.7</td>
<td>(285)</td>
<td></td>
</tr>
<tr>
<td>Annangrove+</td>
<td>1,455</td>
<td>9.1%</td>
<td>47</td>
<td>259</td>
<td>122</td>
<td>169</td>
<td>501</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3.2</td>
<td>17.8</td>
<td>8.4</td>
<td>11.6</td>
<td>(475)</td>
<td></td>
</tr>
<tr>
<td>Total Rural Lands</td>
<td>16,001</td>
<td>100%</td>
<td>743</td>
<td>2531</td>
<td>1494</td>
<td>1684</td>
<td>5486</td>
<td>na</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4.6</td>
<td>15.8</td>
<td>9.3</td>
<td>10.5</td>
<td>(5164)</td>
<td></td>
</tr>
<tr>
<td>LGA averages</td>
<td>na</td>
<td></td>
<td>6.4</td>
<td>20.0</td>
<td>8.0</td>
<td>20.1</td>
<td>na</td>
<td>3.0</td>
</tr>
</tbody>
</table>

* community is split between two or more Census Collector Districts
+ community is larger than its identified boundaries with parts of other Collector Districts included
Part total community is not included in this Collector District

Source: ABS Census Data 2001
Chapter 3: Community Communication

3.1 Introduction

Communication with the community is an integral component of the Rural Lands Strategy. It is important to recognise that the community is vitally interested in the future of the area and as such should have input into the development of policies for the future. The Council sees community communication as a major component of the study. The communication gives the Council an opportunity to listen to what the community desires for the future of the area as well as allowing the Council to explain to the community the development issues and wider context of policy development within the Sydney region.

3.2 Community Focus Workshops

A total of 20 Community Focus Workshops were held in 10 localities throughout the rural areas of the Shire. Each locality had 2 workshops. The first one was aimed at identifying the issues that were seen as important. To do this the audience was provided with maps that showed the amount of vegetation in relation to the topography and individual lot boundaries as well as other matters. They were asked to identify their Liabilities, Assets, Needs and Dreams (LAND). These were written down and within 1 week were sent out to all of the participants. Three weeks later, a second workshop was held. This was aimed at identifying the constraints to achieving the matters raised in the first workshop and the actions that were needed to achieve the matters raised. The matters raised at the first workshop were condensed into a set of themes which was used as the basis of the identification of constraints and actions. The participants were then asked to identify their top 3 themes.

The workshops were well attended with the smallest being the Wisemans Ferry workshop 2 where 7 people attended to Rouse Hill and Kellyville workshop 1 where 103 people attended. The total attendance for workshop 1 was 442 (giving an average attendance of 44) and workshop 2 had a total attendance of 306 (with an average of 31 people). It should be noted that there were people who attended workshop 2 who did not attend workshop 1 in all localities.

The locations and attendances at each workshop are provided in Table 3.1.
### Table 3.1: Community Focus Workshop locations

<table>
<thead>
<tr>
<th>Localities Covered</th>
<th>Workshop 1</th>
<th></th>
<th>Workshop 2</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Date</td>
<td>Attendance</td>
<td>Date</td>
<td>Attendance</td>
</tr>
<tr>
<td>Wisemans Ferry</td>
<td>29 July</td>
<td>9</td>
<td>19 August</td>
<td>7</td>
</tr>
<tr>
<td>Maroota</td>
<td>30 July</td>
<td>16</td>
<td>28 August</td>
<td>12</td>
</tr>
<tr>
<td>Glenorie</td>
<td>5 August</td>
<td>64</td>
<td>29 August</td>
<td>54</td>
</tr>
<tr>
<td>Kenthurst</td>
<td>6 August</td>
<td>73</td>
<td>2 September</td>
<td>45</td>
</tr>
<tr>
<td>Annangrove</td>
<td>14 August</td>
<td>28</td>
<td>3 September</td>
<td>26</td>
</tr>
<tr>
<td>Dural, Glenhaven &amp; Middle Dural</td>
<td>9 September</td>
<td>53</td>
<td>30 September</td>
<td>50</td>
</tr>
<tr>
<td>Maraylya</td>
<td>11 September</td>
<td>39</td>
<td>2 October</td>
<td>28</td>
</tr>
<tr>
<td>Box Hill &amp; Nelson</td>
<td>16 September</td>
<td>57</td>
<td>9 October</td>
<td>43</td>
</tr>
<tr>
<td>Rouse Hill &amp; Kellyville</td>
<td>23 September</td>
<td>103</td>
<td>10 October</td>
<td>41</td>
</tr>
<tr>
<td>Sackville North, Lower Portland, Leetsvale, Cattai and South Maroota</td>
<td>25 September</td>
<td>12</td>
<td>14 October</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td>442</td>
<td><strong>TOTAL</strong></td>
<td>306</td>
</tr>
</tbody>
</table>

The details of the consultation facilitated by EDGE Land Planning are provided in the separately published *Community Communication Report 2002*.

### 3.3 Workshop Issues

A number of issues arose from the workshops which are listed below. They have not been prioritised.

- Distances and time to services and facilities
- Lack of coordination
- Subdivision of large lots (10 ha) and small lots (2 ha)
- Roads
- Electricity
- Bushfires
- Native vegetation conservation
- Weeds
- Tourism
- Water Supply
- Lifestyle
- Biodiversity and Environment
- Community facilities
- Public Transport
- Sand mining
- Shire boundary
- Communication
- Land Uses
- High Schools
- Footpaths and cycleways
Baulkham Hills Shire Rural Strategy

- Phones and data access
- Council and State Government relations
- Traffic generation and speed
- Rouse Hill Urban development

The participants were asked for their priorities of the issues and the following is the results of that:

- Subdivision 485
- Infrastructure 109
- Environment and Biodiversity 85
- Lifestyle 83
- Land Uses 52

It is apparent from this that there is a contradiction in the aspirations of the community. Whilst most of the community members who participated in the workshops want to have subdivision, they are also concerned about the lack of infrastructure, conservation of the environment, preserving the lifestyle and rural land use conflict. If there is more subdivision, there is likely to be an even larger strain on the infrastructure and impact on the environment and biodiversity. More rural residential usage and an increased number of people could cause an erosion of the peace and quiet which, it was stated, is the main contributor to the lifestyle.
Chapter 4: Constraints to Development

4.1 Introduction

There are a number of physical constraints within the rural lands of Baulkham Hills. The Background and Issues Report outlined the physical characteristics of the rural lands which are as follows:

- Water Catchments
- Geology and Soils
- Topography
- Native Vegetation
- Biodiversity
- Bushfire Risk
- Salinity
- Flooding
- Heritage
- Landscapes
- Groundwater Resources
- Weeds
- Acid Sulphate Soils

Whilst each of these are important in their own right, it is the topography and vegetation cover which are the most important for the future of the rural lands. All of the other issues are related in some way to them. It can be said that they are the major indicators of constraints.

It is also necessary to mention the legislative constraints to the future of the rural land. These include the Threatened Species Act, Rural Fires and Environmental Assessment Legislation Amendment Act, and other legislative requirements which minimise the development potential of land that is close to heavy vegetation and, in the case of the Bushfires legislation, high bushfire risk areas (which are a combination of vegetation and slope).

Maps 4.1 and 4.2 shows the topography and vegetation cover. It can be seen that the areas of steep topography are also covered in vegetation. The other constraints are related to these. Of particular note is the bushfire risk and biodiversity value. In order to assess the constraints in detail, it is necessary to identify the biodiversity value of the land. The Natural Assets Assessment Project has provided data on the extent and value of the native vegetation of the rural lands of the Shire.

In addition to the above list of physical constraints there are also issues with people living in the area, which is mostly rural residential with some agriculture and other uses. When there is a large number of rural residential people living in the area (particularly in the southern parts of the Shire) the provision of infrastructure for the area particularly, roads, social services and facilities, water and sewerage are costly and underprovided because of the distances involved and also because a lot of these are traditionally seen as ‘urban’ infrastructure and not readily available in the rural areas.
4.2 Topography and Water Catchments

The provision and conservation of water is a major issue for the rural lands of Baulkham Hills. There is a need to ensure that the integrity of the waterways are protected from inappropriate landuses.

There are many waterways in the Shire. Some are merely drainage depressions and only flow when it rains. Others, like Cattai, Little Cattai Creeks and the Hawkesbury River are extremely important because of their size and location. This is not to infer that the drainage depression is not as important as the larger creeks and river. A key objective of TCM is to ensure that landuses do not have a detrimental impact on the quality of the water in streams. It is also important to strive to improve the quality of water by ensuring that the surrounding land uses are sustainable and conform to the principles of ESD.

There are many things that can cause the waterways to become stressed. Some are as follows:

- Nutrient runoff from rural residence waste disposal and intensive agriculture;
- Dams and water diversions;
- Extraction from rivers and streams;
- Turbidity caused by soil erosion;
- Filling of land;
- Inappropriate development controls on existing uses; and
- Loss of indigenous riparian vegetation.

The issue of preserving the natural flows of rivers is one that is impacted upon by a number of issues, not the least being the number of rural dams which have the effect of holding back and trapping a large amount of water, especially after a long period of dry weather.

The protection and preservation of riparian land and its management is a major issue that has to be considered, especially for the Hawkesbury River.

The groundwater resources of the area are an issue that needs to be considered in a regional context, but one that the use of land in Baulkham Hills Shire can have an impact on.

Topography is an indicator of the number of water catchments within the Shire. The varying topographic features also show the potential for water catchment degradation because on steep slopes there is potential for erosion and land degradation. On flat land the issues are more related to the uses that are put on the land which can cause degradation of the catchment via pollution.

Photo 4.1 shows the Broadwater wetland which is at the bottom of the catchment for Little Cattai Creek. Photo 4.2 shows the steep land in the Kenthurst locality which illustrates the topographical and vegetation issues mentioned above.
Map 4.1: Topography

Photo 4.1: Water Catchments showing the Broadwater Wetland
Date of Photo: August 2001

Photo 4.2: Steep land and vegetation coverage with rural residences.
Date of Photo: August 2001
4.3 Native Vegetation

The Council has carried out a Sustainable Natural Assets Assessment Project. The first stage of this is to map the extent and significance of the native vegetation in the Shire. The report on this is to be separately published by the Council in the near future.

The report shows that large areas of bushland occur in the north of the Shire. There are extensive areas of fragmented bushland associated with rural residential development in the southern part of the rural lands. This bushland area accounts for approximately 25,000 ha or 62% of the entire Shire area. The bushland area contains significant amounts of threatened species and ecological communities of both flora and fauna.

Map 4.2 shows the broad outline of the vegetation for the Shire.

Photo 4.3 shows native vegetation in the former Maroota State Forest which has been classified as integral bushland in the Natural Assets Assessment Project.

Photo 4.3 Vegetation in the Former Maroota State Forest
Date of Photo: June 2001

The Natural Assets Mapping Report has identified the following areas as being significant natural areas:

- Cattai National Park;
- Broadwater Swamp and other wetlands;
- Cattai Creek and tributaries;
- Dyarrabin; and
- Maroota Forest and Little Cattai Creek.
Map 4.2: Extent of Native Vegetation Cover
The Natural Assets Mapping Report states the following in relation to the conservation of the native vegetation within the Shire:

The environmental characteristics of the areas where endangered communities occur often means that they coincide with areas of high capability for agriculture, quarrying or for urban development. Accordingly, there may be significant pressure for development of remnants, with high opportunity costs associated with protection of the endangered communities.

Whilst conservation strategies for the communities and significant natural areas within Baulkham Hills Shire are necessary, a uniform approach to conservation of all endangered communities and significant natural areas may not be appropriate. Instead, it is suggested that planning and conservation measures be tailored to particular groups of communities and to the characteristics of each significant natural area.

One important aspect about the native vegetation is that there is a lot of it in close proximity to the large amounts of rural residential development in the southern parts of the Shire. Photo 4.4 shows this in the Kenthurst area. It is important to note that these areas are also prone to bushfire risk. Map 4.3 shows the vegetation and lot and road pattern for the southern part of the Shire which is were there are smaller lots and a majority of rural residential uses.

Photo 4.4: Native vegetation and rural residential development  
Date of Photo: June 2001
4.3: Native Vegetation Cover and southern development pattern
4.4 Bushfire Risk

The bushfire risk within the Shire has been outlined in the Background and Issues Report and is an issue that has to be addressed in any strategy that is prepared for the rural lands.

The topographical features of the rural lands, being a complex series of steep ridges and deep gully systems aligned in east - west to northwest - southeastern direction contribute to the bushfire hazard. The landform has a great influence on fire behaviour. Fires can move swiftly along the ridges and valleys making control difficult since most roads and all major land clearing (which is associated with the development pattern) run parallel to the direction of the spread of the fires.

The recent Bushfires in the Shire in December 2002 have once again brought the matter to the forefront of planning and development in bushland areas. Baulkham Hills Shire was badly affected, with in excess of 40 houses destroyed. This is in addition to a number of sheds, trucks and cars. Photo 4.5 shows a truck that was destroyed as it was parked on the side of the road at Glenorie. The bushfires occurred over a large part of the Shire stretching from Maraylya to Glenorie and Maroota. The extent of the coverage can be seen from Map 4.4.

![Photo 4.5: Truck destroyed by bushfires at Glenorie](image)

Date of Photo: December 2002
Map to be provided by Rural Fire Service

Map 4.4: Extent of land burnt in the December 2002 fires
Source: NSW Rural Fire Service
Baulkham Hills Shire Rural Strategy

One thing the fire fighters were reported as noting with the recent fires was the amount of people who were not prepared for the possibility of a bushfire. It is evident that the community as a whole has become complacent about bushfires occurring. The destruction of bushland and some houses has shown that there is no room for complacency with bushfire risk. This non-preparedness related to the clearing of the land around the houses and the house construction.

An inspection of the Shire as well as the Shoalhaven and Wollondilly areas in 2002 (where houses were also destroyed) has revealed that, generally speaking, those houses that had a sufficient cleared area around them (asset protection zones) were saved and those that did not were burnt. The topography of the Shire also causes problems for the houses that have been constructed to make the best opportunity of the bushland setting. Photo 4.6 shows the ruins of a house that had vegetation in close proximity and which was also on sloping land.

Photo 4.6: The ruins of a house on sloping land.
Date of Photo: December 2002

One other issue that needs to be considered is asset protection zones around entire villages. There are a number of villages that are surrounded by dense bushland extending to within a few metres of the houses. Consideration should be given to the provision of an asset protection zone around the edges of such villages, which could be used for active recreation areas or open land.

A policy is only as good as its implementation. There is a need therefore to ensure that houses built in accordance with a policy maintain the asset protection zone. This is easier said than done and could be achieved by regular education campaigns.

The NSW Rural Fire Service and Planning NSW have recently released an updated set of guidelines called Planning for Bushfire Protection. These guidelines should be used to develop planning policies as part of the strategy. There has also been a change to the legislation concerning bushfires to provide a stronger and more efficient mechanism for planning for bushfire protection. The changes cover hazard reduction
Baulkham Hills Shire Rural Strategy

activities as well as planning and development control matters on land that is identified as being prone to bushfire. Key features include:

- Identification of bushfire-prone areas;
- Planning principles to be considered when councils are rezoning;
- Latest hazard assessment method to work out appropriate setbacks;
- Location of developments in areas of bushfire hazard based on latest CSIRO research on bushfire behaviour;
- Appropriate level of building construction relevant to setback distances; and
- Special setback distances for special use developments (such as aged care facilities).

The major items that affect the future of the rural lands are:

- the requirement to produce bushfire prone lands maps; and
- the revised Ministerial Direction that requires that the Council must consider the following matters in preparing any changes to the zoning (preparing a LEP):

1) Consult with the Commissioner of the NSW Rural Fire Service under section 62 of the Act, and take into account any comments so made;
2) Have regard to Planning for Bushfire Protection 2001; and
3) Where development is proposed, comply with the following provisions, as appropriate:
   (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:
      (i) An Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property; and
      (ii) An Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road;
   (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the draft local environmental plan permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with;
   (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks;
   (d) contain provisions for adequate water supply for fire fighting purposes;
   (e) minimise the perimeter of the area of land interfacing the hazard which may be developed;
introduce controls which avoid placing inappropriate developments in hazardous areas;

(g) introduce controls on the placement of combustible materials in the Inner Protection Area; and

(h) ensure that bushfire hazard reduction is not prohibited within the APZ.

The direction makes the following statement in regards to the rezoning of land:

*If the draft local plan does not comply with the provisions listed in paragraph 3, the Council must obtain written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the draft local environmental plan.*

Having regard to the matters raised in this and the previous section with regards to the amount of dense bushland as well as the topography of the area, it will have a major impact on the ability to subdivide rural land.

### 4.5 Rural Land Use and Lot Size

The Land use of the rural areas has been surveyed to find out its variety and the location of the uses. This is shown on Map 4.5. Map 4.6 shows the lot sizes within the rural areas. The significant thing to note with land use is the dominance of rural residential development particularly in the southern part of the study area. There are also some scattered occurrences of intensive plant uses throughout this area.

The southern part of the study area (Glenorie, Middle Dural, Dural, Glenhaven, Kenthurst, Annangrove, Box Hill, Nelson and Rouse Hill) has most of the lots less than 3 hectares (mostly 2 ha lots). In fact this area has a total of 4,210 lots which represents 78% of all rural lots. The majority of these lots (86%) are less than 3 ha. Figure 4.1 shows the break up of the lot size range for the southern part of the rural lands. This area has been highlighted because the mix of lot sizes causes potential for rural land use conflict to occur.

The majority of the land uses within the southern area are rural residential (72%) whilst only 6.4% are intensive forms of agricultural land use. The proportions of all land uses are shown in Figure 4.2 and it is significant to note that both the land uses and lot sizes for the southern parts of the rural lands are similar in proportion to the entire rural lands of the Shire. The rural residential uses also have a variety of uses associated with them. Figure 4.3 shows the breakup of the rural residential uses. It can be seen that there are a number of businesses operated from these areas (home based businesses and trucks). This signifies that the area has a mixture of residential uses and business uses. Map 4.5 shows that these are scattered throughout the area and not concentrated.
Figure 4.1: Southern Rural Lands Lot size range

Figure 4.2: Southern Rural Lands Land Uses
Figure 4.3: Rural Residential Land Uses

- Dwelling: 77.7%
- Horse: 13.4%
- Truck: 6.8%
- Home Business: 1.8%
- Wetland: 0.2%

Baulkham Hills Shire Rural Strategy

EDGE Land Planning
April 2003
Map 4.5: Rural Land Uses
Map 4.6: Rural Lot Sizes
Chapter 5: Biodiversity Conservation

5.1 Introduction

The Background and Issues Report and Strategic Environmental Analysis and Strategy Framework documents both dealt with the issue of Biodiversity and this chapter reproduces some of that work.

As part of the preparation of this document, a workshop was held to discuss biodiversity conservation in the Shire with a range of Government Authorities and surrounding Councils as well as experts in the field. The list of attendees at the workshop is provided in Appendix 2.

Biodiversity conservation can be done by the use of statutory and non-statutory mechanisms. The statutory mechanisms include the use of acts of parliament, state, regional and local plans whilst the non-statutory mechanisms include incentives, education and other programs. One important thing to note is that it is a combination of the statutory and non-statutory mechanisms that will lead to the conservation of the Shire’s biodiversity rather than one mechanism on its own.

It is important to recognise that biodiversity conservation underpins sustainability, and that biodiversity conservation is a function of land use and land management. Therefore, the consequences of alternative land use strategies on biodiversity need to be evaluated as part of the strategic environmental analysis.

5.2 Biodiversity

Biodiversity, as defined by the NSW Biodiversity Strategy, is:

"The variety of life forms, the different plants, animals and micro-organisms, the genes they contain, and the ecosystems they form. It is usually considered at 3 levels: genetic diversity, species diversity and ecosystem diversity. (NSW p4)"

The 3 levels of biodiversity are as follows:

- **genetic diversity** - the variety of genetic information contained in all of the individual plants, animals and microorganisms that inhabit the earth. Genetic diversity occurs within and between the populations of organisms that comprise individual species as well as among species;
- **species diversity** - the variety of species on the earth; and
- **ecosystem diversity** - the variety of habitats, biotic communities and ecological processes.

"It is not static, but constantly changing; it is increased by genetic change and evolutionary processes and reduced by processes such as habitat degradation,"
population decline, and extinction. The concept emphasises the interrelatedness of the biological world. It covers the terrestrial, marine and other aquatic environments.” (Commonwealth Government 1996b p5)

It is this mixture of things that makes the environment that people live in and enjoy. Biodiversity is vital in supporting human life on Earth. It provides many benefits, including all food, many medicines and industrial products and supplies clean air and water, and fertile soils. Australia is one of the biologically richest countries in the world and many industries such as tourism, agriculture, forestry and fisheries depend directly upon biodiversity. Therefore its conservation is critical – socially, economically and environmentally, so that the integrated elements that form the basis for sustainable development can be managed.

The conservation of biodiversity is recognised at various levels, including:

- International (United Nations) Convention on Biological Diversity (Australia is a signatory)
- National Strategy for the Conservation of Australia’s Biological Diversity (endorsed by all States and Commonwealth)
- National Local Government Biodiversity Strategy (endorsed unanimously by the national assemble of local government)
- NSW Biodiversity Strategy

Over the past 200 years, the Australian environment has been modified dramatically, and the Sydney basin is of course no exception.

The status of biodiversity is different in the sandstone ecosystems to the north and south east of the rural areas of the Shire from the shale ecosystems associated with the Cumberland plain area to the south west. The Western Sydney Regional State of the Environment Report states that there are 220 plant species and over 80% of the pre-European vegetation cover in the sandstone areas. In this area approximately 90% of the known communities are considered to be adequately conserved. In contrast to this, the Cumberland plain supports only 26% of the pre-European vegetation cover. Currently 9 of the 18 Cumberland plain vegetation communities are considered to be endangered. (WSROC, 2000, p113) As a unique vegetation community, the Cumberland woodland is listed as a threatened species under State legislation.

At a regional level, 51 plants and 52 animals are listed as rare to threatened. (WSROC, 2000, P113). The sandstone areas, because of the larger species diversity have the bulk of these species.

Up to 60 % of the Shire is still covered by native vegetation, although the condition of the bushland varies considerably. See attached map indicating vegetation cover in the Shire. A large proportion of this remaining bushland is within the northern part of the rural lands including the former Maroota State Forest, the largest single land holding in the Shire. Much of the southern parts of the rural lands and ridgetops have been heavily disturbed or denuded of their vegetation. However there still remains potential
for important vegetation links and reserves within both public and private land holdings.

Council is currently undertaking a Sustainable Natural Assets Assessment Project. It has identified current bushland distribution across the Shire. This has involved mapping the abundance and distribution of defined ecological communities. This has identified and delineated significant natural habitat, bushland and aquatic corridors, and threatened ecosystems. This information will assist in biodiversity planning protection, legislative responsibilities and information related to the assessment of development applications.

Other key regional initiatives and strategies highly relevant and supportive of biodiversity conservation to be strongly considered include:

- The Hawkesbury Nepean River Catchment Blueprint;
- The Healthy Rivers Commission Inquiry Recommendations; and
- Green Web Sydney

5.3 Biodiversity Conservation in Baulkham Hills Shire

The importance of biodiversity in Baulkham Hills has been outlined in the Background and Issues Report. The Sustainable Natural Assets Assessment Project also provides data on the biodiversity significance of the Shire. It is important therefore to provide a policy framework in which the biodiversity can be conserved. As mentioned above, this should cover the statutory and non-statutory mechanisms, as it is the combination of the two that will lead to biodiversity conservation.

One important aspect to note is that the biodiversity extends beyond the Shire boundaries to the surrounding Council areas. The importance of biodiversity linkages also must be highlighted. Linkages extend throughout the Shire and also to other adjoining Council areas. The linkages are along creeks and the Hawkesbury River as well as on the ridgetops. Photo 5.1 shows the linkage along the Little Cattai Creek and the Hawkesbury River.
A significant aspect of biodiversity conservation in the Shire is the presence of a large amount of rural residential development in the bushland areas. This is evident when the land use survey map is compared with the native vegetation map. Photo 5.2 shows it in more detail for the Annangrove locality.

**Photo 5.2: Rural residential development interspersed with the bushland**
Date of Photo: August 2001
5.4 Biodiversity Conservation Issues

In the context of Baulkham Hills, it is important to recognise that all landuse decisions will have an impact on the biodiversity of the area. It is also important to recognise that biodiversity is a key component of sustainability and that biodiversity conservation is a function of land use and land management. It is important therefore to take into consideration the impact on biodiversity when thinking about changing the use of the land.

The threats to the biodiversity of the Shire include the following:

- **Rural residential development.** This is a threat because it often includes the clearing of land which can cause a loss of habitat. It also introduces pets which can eat small animals. Effluent disposal areas can kill the surrounding native vegetation because of the high nutrient content. Weed invasion is also an impact and stems from ‘garden escapes’ and dumping of garden clippings. The weeds will also invade the area that has been denuded of native vegetation by the nutrient runoff from the effluent disposal systems.

- **Agriculture.** Clearing of land for agriculture can have an impact on the habitat and thus the biodiversity value of the land. Agriculture, if not properly managed, can cause nutrient laden runoff to invade the native vegetation and in turn can lead to the loss of biodiversity.

- **Bushfire.** This has the potential to cause a major impact on the biodiversity of the Shire. The recent bushfires in the Shire have caused a massive destruction of both habitat as well as plants and animals. It is important to recognise that the vegetation and habitat will regenerate and this needs to be allowed to occur. It should be noted that recent bushfire legislation requires the establishment of an ‘asset protection zone’ around any new house. This has the potential to destroy biodiversity habitat.

To ensure that the biodiversity of the Shire is conserved, it is necessary to first identify the important components of flora and fauna species and communities and then to identify the mechanisms that are available to achieve the biodiversity conservation. This involves the introduction of a suite of mechanisms that will not only conserve the existing areas but also provide for the regeneration and expansion of these areas.

One of the challenges to managing the biodiversity of the Shire is that most of the rural land is in private ownership. If it were in public ownership it could be declared a National Park or Nature Reserve or the like and it would be much easier to manage the biodiversity resource. However, because it is in multiple ownerships and each owner has differing ideals and objectives for their land, it means that there is a need to provide a more coordinated approach to managing the resource.
There is also a need to ensure that the conservation measures are carried out in a strategic manner to preserve the habitat linkages out of the Shire as well as those within the Shire’s boundaries.

Regulation through the use of legislation, zones and specific clauses in LEPs and DCPs is one mechanism. However to ensure that the private landowners in fact carry out the conservation of the biodiversity, there should be other mechanisms such as education and incentives.

The challenge for biodiversity conservation in the Shire is therefore to find the balance between the options available. It is necessary to note that regulation alone will not preserve the biodiversity and that there is a need to balance the regulation with education programs and incentives.

5.5 Biodiversity Conservation Options

The mechanisms available to conserve biodiversity include statutory and non-statutory mechanisms which will be discussed below.

<table>
<thead>
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<th>Statutory Mechanisms</th>
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<td>Sustainability mechanisms.</td>
<td>Marketing.</td>
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There is a need for a suite of interrelated mechanisms to ensure that the biodiversity of the Shire is preserved. It is also necessary to the Council’s actions with those of the adjoining Councils as well as the various community groups and relevant State and Federal Government programs.

5.5.1. Statutory Mechanisms

The statutory mechanisms available to conserve biodiversity include zoning, clauses in a LEP, DCP and protection via State and Federal Government legislation. It should be noted that as the Rural Strategy can’t directly influence State and Federal policy, this section will focus on the statutory mechanisms that the Council can carry out.

There should also be links to the various Regional Environmental Plans and other State Government policies. It is recognised, however, that the Council cannot influence these documents as they already exist. The Regional Strategies that are to be prepared by PlanFirst are relevant to this strategy and some of the recommendations of this document are relevant.

**LEPs**

A "Nature Conservation or Environmental Protection Zone" within an LEP could contain certain provisions that would ensure the preservation of significant habitats with identified biodiversity values. This zone could place restrictions on the clearing of land, and the uses that would be permissible to be carried out on such land. This could be seen as being a drastic step and could have a significant impact on the future use of land.
the land. It would have to be backed up by a specific study of the area that would identify the land and its biodiversity value. The Sustainable Natural Assets Assessment Project provides this detail. The identification of land as a nature conservation zone could also be used as a requirement for some form of incentive scheme that will be discussed below. Such a zone is being proposed in the City of Shellharbour as part of its draft rural LEP. It would be appropriate to include such a zone only in those parts of the Shire which have been identified as being significant in the Natural Assets Assessment Report.

An alternative way to conserve the biodiversity and not specifically zoning the land is to have a zone that reflects use or character of the land – Rural Landscape or Mixed Rural for example – and create an overlay hatching (this could be for environmental protection or enhancement). This would be tied to a clause in the LEP that would have restrictions on the uses and activities that can be carried out on the land. This has the advantage of not creating a specific zone, but the disadvantage of not highlighting the biodiversity significance of the land in question.

It is noted that the Sustainable Natural Assets Assessment Project has identified a series of linkages within the Shire. The presence of these linkages provides the ability of wildlife to move between one area and another and therefore contribute to the preservation of biodiversity within the Shire and wider region. The conservation of biodiversity within the Shire is integral to the future of the rural land and the wildlife linkages therefore are also integral with any rural planning policy to be prepared. The identification and protection of these linkages via a LEP would be a mechanism and would also put the wildlife linkages in the context of the rural landuses within the whole of the Shire. There is also a need to provide some detail as to how these linkages can be preserved and maintained as well as identifying specific ones that may need to be enhanced.

It must be recognised that the LEP regulates development potential (and land value and expectations) rather than ensuring conservation of biodiversity. It also identifies what matters must be considered in any development proposal. Therefore, it needs to be implemented in association with other mechanisms.

Cluster Subdivision can also be used to protect biodiversity. This is a technique that is discussed in Chapter 7. It allows land that has been cleared to be subdivided whilst the land that is steep and vegetated can be conserved as a biodiversity habitat linkage.

**Provisions in a DCP**

Provisions within a ‘theme-specific’ Development Control Plan could provide specific details on the preservation of biodiversity within the area. This could include issues such as the construction of fences, the proximity of buildings to native vegetation areas as well as clearing of land. It can also include provisions related to conservation and enhancement of biodiversity linkages. These provisions can also be included in a LEP if the Council chooses to have the detail in the LEP rather than in a DCP.
5.5.2. Non-Statutory Mechanisms

Non-statutory mechanisms include incentives as well as education programs. Incentives can be financial or non-financial, and supported by other mechanisms.

Financial incentives include rate rebates or relief, stewardship/cash payments, and grants.

Non-financial (or motivational) incentives include training (e.g. property management planning), provision of materials and administrative/technical support facilities, access to data bases and equipment, and local award schemes.

Development incentives include tradeable or transferable development rights, development credits, waiving fees and charges, and compensatory habitat.

Other related mechanisms include revenue raising through special rates (e.g. local environmental levies) and Section 94/developer contributions; and property right mechanisms such as management agreements (e.g. contracts), covenants, revolving funds and developer consent conditions.

5.5.3. Financial Incentives

Financial incentives could be provided for people who commit to conserve biodiversity on their property. The financial incentives could be for landholders that have entered into a management agreement or contract with the Council to conserve and / or enhance a biodiversity linkage that has been identified. The eligibility for receiving funding can also be linked to land that has been zoned for nature conservation (as outlined above) or that has a hatching over it. In this way there is an incentive for people to have such a zone or overlay on their land.

Currently, there is no separate rating category Local Government Act for ecological or conservation significance. Although NSW legislation has discouraged Councils to offer rate rebates, a comprehensive review in Opportunity Denied (Cripps, Binning, & Young 1999 p 54) for the Commonwealth, has revealed there are opportunities to create sub-categories for ratings, under say, the farmland or residential rating categories to offer rate rebates based upon conservation outcomes as part of a program linked to management agreements. However, this is complex and needs to have an agricultural use of the property to attract farmland and residential rates should be in areas zoned for residential development. The rebates could be done by way of a sliding scale related to the significance and range of things the landowner is willing to do to preserve the biodiversity.

Until there is amendment to categories for rating in the Local Government Act (s 529) to include a category of conservation, then an easier path would be to develop and implement a scheme that offers either annual stewardship payments or grants to participating landholders under Section 356 of the Act. The money can either come from general revenue or by way of Environmental levies which are collected by other Council’s in NSW and the money is specifically put towards a project. Such environmental levies require ministerial approval. Once this has been collected, an
annual stewardship payments or financial assistance grant can be made under the provisions of section 356 of the Local Government Act. To ensure accountability then such a scheme should be identified in Council’s Management Plan. Many Councils around Australia have been offering such financial incentives, and notable examples in NSW include Eurobodalla, Bega and Dubbo. In Victoria, Surf Coast Shire has a system for biodiversity credits that offers a sliding scale of payments or other support based upon levels of commitment and performance by landholders. Rate capping considerations may require a special case to be put the relevant Minister for prior approval. Eurobodalla Shire is probably the best example of a highly successful levy with sustained community support that has provided a range of local conservation incentives.

This is a complex way of achieving the outcome and it would be easier if there was to be an amendment to the act to insert a provision for a rating category for ecological significant land preservation. It would also be possible for the State Government to contribute to this, as the biodiversity resource is a Sydney regional and state significant one. Postponement of rates may also be possible under the Local Government Action.

Other potential sources of income include Section 94 contributions which require an amendment to the local Contributions Plan. Lismore City Council has made such a link with biodiversity programs.

Finally, for an incentives program to be successful, it needs to be supported by other Councils in Western Sydney. Biodiversity conservation is an issue that extends across the entire Sydney region and beyond. It is therefore considered appropriate that it be funded on a region wide basis by the State Government. It must be recognised that successful biodiversity conservation occurs where there is a partnership and sharing of responsibility between all of the players in the process. One approach could be that of the State Government providing the funding and the local Councils can administer and implement the funding program at the local level.

5.5.4. Non-Financial Incentives

The most successful local incentive schemes undertaken by Local Government have extended financial payments to include a range of support and assistance in the form of training, materials, access to equipment, technical advice, etc. Indeed it is often a requirement of financial payment or rate relief that landholders undertake accredited courses (e.g. property management planning). Working in close co-operation with State agencies and other peak organisations (especially Greening Australia) can provide a much greater depth of sustained support for landholders.

Purchase of Development Rights involves a landowner selling the development rights to the land to a government or non-government organisation. In return a covenant is taken out over the land to ensure that the land is only used for the purpose for which the development right has been purchased. The purchase of development rights can also be used to require soil and water management to be undertaken on the property and for the biodiversity habitat to be enhanced. The property is inspected at regular intervals to ensure that it is being used properly.
Transfer of Development Rights occurs where land is declared to be in a preservation zone and kept for a specific purpose. The development rights to this land can be purchased by developers who wish to gain an increase in the development potential of land declared to be in a development zone.

Both of these methods exist in the United States (such as in Lancaster County Pennsylvania, Montgomery County Maryland and the Pinelands in New Jersey, and Yolo County in California). Of the two, the Purchase of Development Rights is the more successful. Both are applicable to the Australian situation with the issues of Transfer of Development Rights already in existence for heritage sites in the city of Sydney. Its application to agricultural land is problematical under the existing EP&A Act because the Planning NSW is of the opinion that there are no rights to develop land in NSW, merely the right to lodge a development application which is then assessed on its merits. However, this issue needs clarification as there is a transfer of development rights scheme in the City of Sydney for the preservation of heritage buildings (as mentioned above).

For particular properties which have been identified as having potential for further development, it is possible that an incentive could be provided to the developer to gain a higher density for the conservation of specific parts of biodiversity or the provision of an enhancement of a biodiversity linkage. Such a scheme operates in the Hunter Valley Vineyards area of the Cessnock City Council where a density bonus is given for tourist accommodation in return for planting of particular wildlife linkages.

In far north Queensland, Johnstone Shire has a planning scheme that includes Bonus Development Rights to conserve and protect local habitat. This complements their voluntary conservation agreements program that provides rate discounts for covenanted properties.

5.5.5. Education Programs

Education programs are an important component of biodiversity conservation. They can be provided by individual Councils or by State Government Agencies such as the National Parks and Wildlife Service. One such program that can be used is the Backyard Buddies program, currently being undertaken by the National Parks and Wildlife Service.

Education programs can be used to provide a context for the conservation of biodiversity. They can focus on the other issues outlined above and provide information for the public. A local education program can compliment the Backyard Buddies program discussed above. Education can also be undertaken of the Council staff and elected representatives. The main thing to consider is to ensure that any program is wide reaching and integrated with other programs.

There is also an opportunity to provide information for community groups and schools in the form of a Local Biodiversity Kit.
5.6 Biodiversity Conservation for Baulkham Hills Shire

The previous section outlined the various options that are available to address the biodiversity conservation needs of Baulkham Hills Shire. This section will provide some recommended outcomes that were discussed at the Biodiversity Workshop. There is a need to develop and implement a suite of interrelated mechanisms, that includes:

- Land use planning,
- Incentives,
- Education and marketing,
- Strong enforcement under regulatory powers.

To ensure that there is a strategic context for the conservation of biodiversity, a performance based strategy (possibly called Hills Alive Biodiversity Strategy) should be prepared that is action orientated and prioritised to conserve local and regional biodiversity. There will also need to be appropriate resources devoted to the preparation and implementation of the Baulkham Hills Shire Biodiversity Strategy. This needs to have the following components:

- Planning - a review and revision of the LEP and relevant DCPs to recognise, integrate and sustain local biodiversity to include environmental overlays including environmental protection (highest conservation status) and environmental enhancement (potential habitat, and strengthening of linkages and corridors) across all zonings.

- Incentives - development and implementation of a supportive and ‘catalytic’ program of financial and non-financial incentives to assist and recognise the efforts of committed local private landholders to conserve biodiversity.

- Regulation & Enforcement - a renewed commitment of the Council with increased resources and staff time to properly enforce local and State regulations and by-laws in respect of biodiversity conservation.

- Education - a strategic approach to community education, including a focus on reinforcing the land use planning, incentives and regulation and enforcement components. It should link effectively and efficiently (e.g. minimising duplication of effort) with other regional and State providers, including NPWS, field education centres, NGOs etc. Finally, an ‘in-house’ professional development program focused on training staff (tailored for different levels; including operational works and service areas and management) and Councillors for biodiversity awareness and responsibilities that includes a check-list approach to response. The preparation of a Biodiversity Kit to be distributed to schools and community groups.
Chapter 6: Social Sustainability

6.1 Introduction

An integral component of ESD is social sustainability. Defining social sustainability has been the subject of considerable debate but has broadly focussed on ensuring quality of life or community wellbeing. It is considered as being achieved through a balance of economic, social and environmental issues resulting in a better quality of life for the existing and future community. The NSW Office of Social Policy (see Office of Social Policy, Quality of Life - A Social Policy Approach, July 1994) recommends that the following factors are integral to achieving this balance:

- Social justice needs such as equal access to education, health, welfare, personal safety, housing and broader community and cultural services and facilities
- Economic development particularly in terms of employment, quality of working life and personal economic situation; and
- Environmental policy related to the physical aspects of communities such as livability, community values and ecological sustainable development.

More recent work undertaken by Wills (2001) identifies seven key outcomes for achieving quality of life and community wellbeing. These focus on social/cultural, economic and environmental outcomes and are described as:

- Livability – natural and built environments for healthy and easy living
- Equity – equal opportunity for the development of human potential
- Conviviality – people living well together
- Adequate prosperity – consuming less but with sufficiency
- Sustainability – sufficient development without threatening viability
- Viability – remaining within the ecological limits and maintaining species diversity
- Vitality – resulting from activity, participation and interaction between people

6.2 Access and Communication

The Community Focus workshops identified a number of social issues that that could be grouped under the general heading of access and communication. The following were the major issues expressed:

- Public Transport - many residents are concerned about transport issues in the Rural Lands identifying strongly the lack of public transport in many communities; the lack of pedestrian and cycleway facilities; poor ferry services; and lack of community transport.

- Other Transport Issues - similarly, concerns were expressed about high traffic volumes (particularly from schools in the area); high traffic speeds; truck
traffic and road load limits; poor rural addressing system and vegetation on the roads.

- Communication - many residents also consider that communication is difficult in the Rural Lands with many identifying that the existing telephone and internet services are poor; information on community and local services is not readily available; co-ordination between Councils and government agencies is poor; and that communication between Council, residents and neighbours is not adequate. Overall, it is evident that many residents feel that rural residents are not able to fully participate in the decision-making processes of Council and government and that information/communication is not adequate in this part of the Shire.

As a result and in an effort to identify and discuss with the community options to address the issues, a workshop was held on 10 February. The detailed outcomes of the workshop are provided at Appendix 3.

6.3 Strategy Framework for Sustainability

For the Baulkham Hills Rural Lands it is important to ensure that social sustainability is a key component of the strategic planning framework for this community. Quality of life and community wellbeing are key outcomes to be integrated into a holistic planning approach for this community. However, it should be pointed out that a lot of people move to the rural areas for a lifestyle knowing that certain facilities and services are not there.

To be socially sustainable, the Rural Lands Strategy should:

- **Ensure that appropriate services are reasonable accessible to meet the needs of rural residents** - Council should review the provision and delivery of all Council services to remove impedients and ensure reasonable access for rural residents. A performance indicator could be set based on population distribution or other appropriate standard/benchmark (ie 10% of clients should be from the Rural Lands for services for the broad community; 14% of clients for services for older residents etc). Rural residents identified in this report which may be particularly isolated and/or disadvantaged should also be targeted through Interagency Networks, government programs and established community-based services to determine opportunities to improve service delivery to these rural residents. These actions should be integrated into Council’s Social Plan to facilitate implementation.

- **Encourage sustainable and healthy transport systems** - as part of Council’s Transport Strategy, it will be important to ensure that innovative and sustainable community-based approaches are considered to address local public transport issues in the Rural Lands. There are many examples both in rural NSW and interstate of successful approaches to providing transport services in dispersed communities. Provision of community buses, dial-a-bus services, walking/cycling provision, youth buses etc.
Promote access to appropriate information and life-long learning – develop a media strategy which improves information delivery to the Rural Lands. A variety of mediums is recommended including local newspapers, community newsletters, school bulletins, community noticeboards, Council’s website, resident networks and community group networks eg Rural Fire Service, Sporting Groups, Churches, School P & Cs etc. This should include not just Council information but also information from other government agencies and service providers. Representation of rural residents on Council Advisory Committees is also essential eg Youth Council, Access Committee. Council should also work together with community-based organisations and government agencies to improve access to life-long learning opportunities through Council library services, local evening colleges, local schools etc.

Ensure that appropriate housing is available for local residents – this needs to be carefully balanced with environmental issues in the Rural Lands but provision of appropriate housing particularly for older residents and residents who have traditionally lived in the Rural Lands needs to be considered eg people working in local agricultural industries such as nurseries, fresh flower production, vegetable growing etc. Affordability is likely to be a key issue for both these groups as land prices in the Rural Lands continue to increase. Also, given the servicing issues involved with dispersed populations, it is important for further residential development to be concentrated around existing urban villages where residents are able to access services more effectively. This is particularly important for high need groups such as older residents (eg retirement villages should be in established villages not on isolated rural lots); caravan park residents (eg should be again close to established villages) etc.

Recognize and support rural community cultural life and sense of identity - as part of Council’s Cultural Strategy, target key built and cultural heritage sites in the Rural Lands to be protected, enhanced and promoted. Again, a community-based approach focussing on partnership with local community-based groups, the Aboriginal community and residents should be adopted. This may include the development of a Heritage Trail; promotion of local agricultural events; interpretative signage/shelters/information; oral history projects; village festivals etc.

Support the range of lifecycle groups and cultural diversity of the Rural Lands – the Rural Lands have a component of very young population and this needs to be recognised and supported. Issues for children and youth need to be addressed and their rural lifestyles supported and celebrated. Equally, although the Rural Lands have a small proportion of residents from non-English speaking backgrounds, many have and continue to play a significant role in local agriculture eg Italian flower growers and Cambodian fresh vegetable farmers. Their contribution needs to be recognised and supported as part of the Rural Lands Strategy.
Promote and support a network of community groups/organizations and mechanisms – given the strong community identity of the Rural Lands, it will be important to develop a community participation strategy which focuses on improving resident participation in Council’s decision making processes and supports existing and new community groups/organizations. These assets have strong value for Council and if used well, will ensure that there is community support for addressing issues and meeting community needs. These networks should not just focus on resident groups but also those with other interests such as a rural business network, agricultural producers network, rural environment group, youth network, volunteer centre etc.

Provide a range of environmentally sustainable employment opportunities to enable residents to work locally where possible – this study highlights the value of agricultural and rural-based businesses to the Rural Lands. Further opportunities to support local agricultural producers need to be developed and should include opportunities for better communication with Council on agricultural issues; promoting links to agricultural networks; and expansion through Council’s Economic Development Strategy.

Protect key environmental features of the community – the rural landscape; local bushland; the Hawkesbury River and its tributaries; and local flora and fauna are some of the important environmental features which are valued by both rural and urban residents. These features need to be maintained and valued as part of the Rural Lands and available for both urban and rural residents to enjoy. Approaches to increase and manage public access to these features need to be developed together with community-based approaches for promotion and protection. Actions such as the development of local bush regeneration groups, Landcare, Streamwatch etc have been successful in the Shire and other communities while consideration should be given in Council’s Open Space Strategy to the development of informal parks; interpretative shelters; walking trails; and water-access features at significant natural sites in the Rural Lands. Land use strategies developed as part of this and subsequent studies should also support the protection of key environmental features of the area.

Promote physically attractive and safe villages and centres - develop community action plans for each rural village and surrounding rural area which are based on a partnership between Council and the community to address community needs. Ensure that these plans involve and address the needs of key target groups including older residents, residents with a disability, youth, children, residents from non-English speaking backgrounds and indigenous residents. Issues of traffic, mobility, safety, amenity and services are like to be key issues for local villages. These plans should also consider the adequacy of existing community buildings and recreation facilities to address service delivery needs. However, it is important to
recognise that, in some instances, improved facilities may not be the most effective way to improve service delivery.

- **Integrated approach to addressing environmental, economic and social needs** – a holistic approach is needed which involves liaison and joint approaches with neighbouring Councils. Hornsby and Hawkesbury Shire Councils, both of which border the Baulkham Hills LGA and have significant rural lands with similar issues, are key players in the successful implementation of any strategies for the Rural Lands. Opportunities for shared funding, joint approaches, improved coordination and new service models could be explored. In addition, Council will need to monitor and publicly report on any actions undertaken to implement the recommendations outlined above to ensure that there is community feedback.
Chapter 7: Preserving Rural Land

7.1 Introduction

This chapter deals with the preservation of rural land. For the purposes of discussion, the term ‘rural land’ is taken to mean all land that is not within an urban area. It includes agricultural, rural residential and other uses as well as native vegetation, wetlands and waterways.

There are three basic ways to recognise and preserve rural land:

- Land use zoning;
- Incentives / Monetary Compensation; and
- Education / Right to Farm Legislation.

Land use zoning entails placing restrictions on the use of the land by way of statute. It is practised in Australia as the principal method for controlling the development of land. It is a system where land is designated for a principal use and uses that are considered not to be suitable or compatible with the principal use are prohibited. There is also the ability to require certain uses to submit an application for use of the land, which is then assessed having regard to a set of published assessment criteria.

Incentives / Monetary compensation takes two forms. Firstly, Purchase of Development Rights involves a farmer selling the development rights to the farm to a government or non-government organisation. In return a covenant is taken out over the land to ensure that the land is only used for agricultural purposes. The purchase of development rights can also be used to require soil and water management to be undertaken on the property. The property is inspected at regular intervals to ensure that it is being used properly. Transfer of Development Rights occurs where land is declared to be in a preservation zone and kept for agriculture. The development rights to this land can be purchased by developers who wish to gain an increase in the development potential of land declared to be in a development zone. Both of these methods exist in the United States. Of the two, the Purchase of Development Rights is the more successful. Both are applicable to the Australian situation with the issues of Transfer of Development Rights already in existence for heritage sites in the city of Sydney. Its application to agricultural land is problematical under the existing EP&A Act.

Right to farm legislation basically allows farmers to have a right to continue farming as long as they are carrying out “good management practices” even if there is a loss of amenity for surrounding rural residential uses. It precludes surrounding rural residential dwellers from suing in the courts for nuisance caused to them by the farm noises, odours or dust. This means that the farmer has to have the right to override the environmental pollution legislation, particularly in relation to noise control. This is a good concept in theory but in practice is difficult to implement effectively as it does not provide a solution for both sides of the problem. The farmer is able to continue...
Baulkham Hills Shire Rural Strategy

operating but the surrounding rural residential property owners have not solved their amenity issue.

Of these three, only land use zoning is practiced in NSW. Although, Tasmania has Right to Farm legislation, its effectiveness as a tool to preserve agricultural land has been questioned because it doesn’t override the environmental pollution legislation. Western Australia has a system of mediation for rural land use conflict. Purchase of Development Rights and Tradeable Development rights are not used for the recognition and preservation of agricultural land in Australia. However, it is considered that there should be an investigation into their applicability or modification for the Australian political and social environments. It may be that one, two or a combination of them or a modified version is applicable, but without investigation it will not be known.

7.2 Agricultural Land

Agricultural land is a resource, it is not a commodity. It is a resource that is dwindling in the Sydney region as urban expansion moves further westward. The importance of agriculture for Sydney has been discussed in the Background and Issues Report.

"Prime agricultural soils represent the highest level of agricultural productivity; they are uniquely suitable for intensive cultivation with no conservation hazards. It is extremely difficult to defend agricultural lands when their cash value can be multiplied tenfold by employment for relatively cheap housing. Yet the farm is the basic factory - the farmer is the country's best landscape gardener and maintenance workforce, the custodian of much scenic beauty. The market values of farmland do not reflect the long-term value or the irreplaceable nature of these living soils. An omnibus protection of all farmland is difficult to defend; but protection of the best soils in a metropolitan area would appear not only the sensible, but clearly desirable." (McHarg, 1992 p 60)

Whilst Baulkham Hills does not have a great deal of high class agricultural land (Classes 1 to 3), it does have some significant pockets. These are located at Maraylya, Box Hill, Cattai, Maroota and South Maroota and along the banks of the Hawkesbury River in Sackville North and Lower Portland. Much of the agriculture that is practiced in these areas is intensive plant growing activities such as nurseries, cut flowers, hydroponics and market gardening. As outlined in the Background and Issues Report, according to a recent survey undertaken by the Horticultural Research and Development Corporation (1998, published 2001) the Baulkham Hills and Hornsby Shires represent the second largest area of nursery production in Australia. More than 4% of the total national area of production is found in these two Shires. Whilst some might not recognise plant nurseries as an agricultural use, it must be noted that a large number of these are wholesale plant nurseries and are not open to the general public for retail sales. As such, they are considered to be an agricultural use. Photo 7.1 shows one of these nurseries in the Glenorie locality. Photo 7.2 shows some of the agriculture that is grown in the Maroota area and highlights intensive plant growing and horse studs.
One major issue with planning for the preservation of agricultural land is the size of the existing lots. As outlined in the Background and Issues Report, the smaller the lot the more likely it is to be used for a rural residential use and when there is a mixture of rural residential and intensive agriculture this can lead to rural land use conflict. This is an issue that is evident in the areas of Baulkham Hills rural lands that have a large amount of small lots such as Annangrove, Kenthurst, and Dural. Where there are a number of lots which are larger than 10 ha it is easier to protect the resource for agricultural use because of the ability to locate any dwellings away from the intensive agriculture that is practiced on the adjoining land. (this relates to the parts of the Shire that are cleared and flat). There is also a higher probability that the land will be used for agriculture rather than rural residential.

Photo 7.1: Plant Nursery at Glenorie
Date of Photo: June 2001
It is therefore appropriate that these areas be maintained for future agricultural use. However, it is recognised that some of the existing agricultural uses on the land are marginal from an economic sustainability point of view and infact anecdotal evidence from these farmers is that they do not make a good financial return. They have therefore requested that the land be subdivided as a way of giving a financial return to the property. The subdivision of the land, however, is not necessarily considered to be a good option due to the impact on the following:

- Rural character;
- Loss of land for others to carry out agricultural uses;
- Vegetation cover;
- Effluent disposal;
- Tourism; and
- Topography.

The major cost of maintaining this resource is the amount of rates that the owners have to pay. Therefore there is a need for an incentive to be provided for these owners and future owners to maintain the land as a resource if the community feels that the resource should be maintained. This incentive could be in the way of reduced Council rates. This matter has been discussed in detail in the *Background and Issues Report*.

It should be recognised that this desire to subdivide is based on the farmers’ belief that they should be permitted to subdivide the land. At no time has there been any indication from the Council or State Government that they would be able to subdivide some time in the future. The land is a resource that can be utilised in the future if it is not subdivided. However, experience has shown that once land is subdivided, even into rural residential lots of 2 to 4 ha, the ability for it to be used for agricultural use is lost. It can be sold as an intact holding which can then be used as a rural residence if...
desired as an interim use, but the important thing to note is that the resource has been preserved for future uses and potentially agriculture.

It is also important to recognise the landscape and topographical features and their impact on the ability to use the land productively for agriculture but also for the visual and scenic amenity which adds to the rural appeal of the area which in turn can contribute to the tourism industry.

7.3 Designating Rural Land

The utilisation of landuse zoning to segregate landuses is a commonly used practice in New South Wales. In rural areas however there has generally been one or 2 generic type zones that have been called a "rural" zone. One of the major reasons for zoning an area is to preclude or regulate specific uses that are considered to be not in keeping with the general amenity of the area.

Zone names such as residential, commercial and industrial are used to identify a list of specific land uses that are permissible in a particular location. Rural zones are often less specific. The term rural describes a character, not a use. It is therefore appropriate to use a zone name that provides an indication of the uses that are carried out within that rural area.

Zoning can also be used to identify the major objective for any future as well as existing development in an area for example, if an area is of high conservation status then a zone name outlining this is also appropriate.

7.3.1. Rural Land Units

In order to identify the most appropriate future land management controls, the methodology used identifies a series of land units. These land units are areas which are contiguous, have similar characteristics and are generally homogenous in nature. These characteristics can be topographical, the abundance of vegetation, the similarities in landuses, land tenure, landscape character or the like.

Landuse surveys and lot size analyses have been used to identify land with common features as a foundation for future zoning. The landuse survey is used because it provides an overview of the existing landuse pattern within an area and therefore gives an indication of the predominant landuses which should be conserved. It is important to consider the size of the lots and holdings within an area because the existing fragmented lot patterns contribute to rural land use conflicts and the ability of the area to be protected from such rural landuse conflicts.

The methodology used identifies a series of land units as the basis for the land use designations. These land units are areas, which are contiguous, have similar characteristics and are generally homogenous in nature. These characteristics can be topographical, the abundance of vegetation, the similarities in landuses, land tenure, landscape character or the like. They have also been based on an understanding of the issues affecting the rural lands of Baulkham Hills Shire as well as a review of planning
policies of other local government areas. Comments from the community were also taken into consideration. In particular is the desire of the community for lifestyle and conservation of vegetation and the natural features and environmental qualities of the area. It is important to note that these units are based on the existing land uses and landforms and that no attempt has been made at this stage to consider the policy and planning provisions that relate to the land. This is the next step.

There are six broad rural land units in the rural lands of Baulkham Hills which are described below and shown on Map 7.1.

*Agriculture*. This land unit has a combination of large lots, existing agricultural production and high class agricultural land. Photo 7.3 shows this in the Box Hill locality.

![Photo 7.3: Agriculture Land Unit](image)

*Date of Photo: January 2001*

*Rural Landscape*. The landscape character is the dominant element of this land unit. It has a variety of uses ranging from intensive agriculture, tourist facilities, extensive agriculture, extractive industries and rural residential. It also has areas of native vegetation throughout it. Photo 7.4 shows this land unit in the Glenorie area.
Photo 7.4: Rural Landscape Land Unit  
Date of Photo: June 2001

*Nature Conservation.* These areas have a significant amount of native vegetation on them, are generally crown land and are in the north of the study area. Photo 7.5 is the Broadwater wetland which has a significant amount of native vegetation surrounding it.

Photo 7.5: Native Vegetation Land Unit  
Date of Photo: August 2001

*Mixed Rural uses.* This land unit has a small lot size of approximately 2 ha and has a mixture of rural residential, rural business and intensive agriculture. Photo 7.6 shows this land unit.
Photo 7.6: Mixed Rural Uses Land Unit  
Date of Photo: June 2001

*Rural Living.* Residential use of the rural land is the major use in this land unit. Photo 7.7 shows this land unit. One of the key factors about this land unit is the amount and extent of native vegetation and the diverse topography.

Photo 7.7: Rural Living Land Unit  
Date of Photo: June 2001

*Village.* This land unit is an urban area and is an existing village. It has a mixture of residential and commercial land uses. Photo 7.8 shows the village of Round Corner.
Photo 7.8: Village Land Unit
Date of Photo: June 2001
Map 7.1 Rural Land Units
7.3.2. Land use Designations

The land units can be translated into future zones. However, as this is a strategy and does not zone the land, the term land use designation has been used to describe them. In determining the boundaries of the land designations, the mixture of land uses and the large amount of lots in the 2 ha size have been considered.

Landuse surveys and lot size analyses can be used to identify appropriate designations for certain lands as a foundation for future zoning. The landuse survey is used because it provides an overview of the existing landuse pattern within an area and therefore gives an indication of the predominant landuses which should be conserved. It is important to consider the size of the lots within an area because the existing fragmented lot patterns contribute to rural land use conflicts and the ability of the area to be protected from such rural landuse conflicts.

A sieve methodology has been used to determine the land use designations. It is described in Appendix 4.

The designations are as follows:

- Rural Landscape;
- Rural Living Mixed Uses;
- Nature Conservation;
- Biodiversity Protection (overlay); and
- Village.

They are outlined on Map 7.2 and are discussed below.

The lack of any large and contiguous areas of agricultural production along with the scattered nature of the high class agricultural land mean that a specific designation for agriculture has not been provided. This is not to say that agriculture is not an important component of the rural lands. It can be accommodated in the rural landscape and rural living mixed uses designations and will remain as a use that is encouraged in these areas due to its importance to the wider Sydney region as a resource.
Map 7.2: Rural Land Designations
Rural Landscape

This is an area that has a mixture of land uses and forms which create a distinct rural landscape character. It covers the rural landscape and agriculture land units. It also forms part of the attraction of the Shire for tourists as well as providing the attributes that people desire as part of the rural lifestyle that was mentioned at the community communication meetings. It also has the significant parcels of agricultural land uses which are scattered throughout the rural lands.

It incorporates the existing rural 1(b) zone and part of the rural 1(a) zone.

The mixture of rural uses is to be retained with controls placed on the location of houses so that they do not create a conflict by being too close to the boundaries, thereby creating rural land use conflict. Agriculture uses are to be encouraged as are rural tourism and accommodation in this area.

The subdivision minimum is to be 10 hectares. Rural cluster subdivision is to be permitted on lots of 20 ha minimum with specific controls on the distance from water courses and native vegetation areas.

A set of desired future character statements (which can ultimately become the zone objectives) should be prepared for the designation and it should include the following matters:

- Preservation of the open rural landscape and its cultural heritage values;
- Maintenance of large holdings;
- Provision for both intensive and extensive forms of agriculture;
- Buildings to blend into the landscape;
- Protection and improvement of water quality;
- Preservation and enhancement of native vegetation, including habitat linkages; and
- Protection of the amenity of existing residents.

Controls should also be placed on the height of dwellings as well as the impact they have on the landscape by way of location and appearance. For example, they should be located below ridgelines and be of colours that blend in with the surrounding environment.

Consideration should be given to placing controls on the clearing of land and preservation of areas of known biodiversity habitat and important habitat linkages.

Rural Living Mixed Uses

There are parts of the rural lands that have a variety of land uses predominantly being a mixture of rural residential, intensive agriculture and other home based businesses as well as some areas of native vegetation. Applying the methodology of naming the landuse designation for the area is difficult, as there is no dominant landuse. Therefore a terminology of mixed rural has been chosen. This is because the area displays a mixture of land uses where there is no one dominant use, as highlighted on the land.
Baulkham Hills Shire Rural Strategy

use survey map in Section 4.5. The pattern of land tenure here is highly fragmented in the 0.8 to 3 hectare range with most of the lots being around 2 hectares. The minimum lot size for this area therefore is generally 2 hectares as this will retain the existing subdivision pattern with some limited subdivision able to occur on the relatively few larger lots which are greater than 4 hectares.

This is based on the existing Rural 1(c) and 1(d) zones as well as some of the rural 1(a) land in Nelson which has a predominantly similar lot size range.

A set of desired future character statements (which can ultimately become the zone objectives) should be prepared for the designation and it should include the following matters:

- Preservation of the open rural landscape and its cultural heritage values;
- Buildings to blend into the landscape by having ‘earthy’ colours and low scale buildings;
- Protection and improvement of water quality;
- Preservation and enhancement of native vegetation, including habitat linkages;
- Protection of the amenity of existing residents;
- Screening from public places.

The uses that would be permitted without consent, require consent and which would be prohibited for this designation would be those that currently apply to the Rural 1(c) zone. There should also be more reliance put on the protection of the natural assets of the area.

Controls should also be placed on the height of dwellings as well as the impact they have on the landscape by way of location and appearance. For example, they should be located below ridgelines and be of colours and design that blend in with the surrounding environment.

Consideration should be given to placing controls on the clearing of land and preservation of areas of known biodiversity habitat and important habitat linkages. This is to be outlined in more detail in Council’s Native Vegetation and Biodiversity Planning Framework that is currently being prepared.

Nature Conservation

These are heavily vegetated parts of the Shire. They also contain a number of threatened species and have been identified in the Natural Assets Mapping Report as being significant areas of biodiversity habitat.

This designation is for land that is covered by native vegetation. It is also mostly steep land that has limited access. It has two components:

- National Parks and Nature Reserves; and
- Private Land.
A set of desired future character statements (which will ultimately become the zone objectives) should be prepared for the designation and it should include the following matters:

- Encourage biodiversity conservation;
- Preserve the integrity of the native vegetation for its own values as well as habitat conservation;
- Recognise areas of significant threatened species;
- Protect areas of significant habitat;
- Discourage clearing of vegetation, subdivision and incompatible development;
- Identify linkages to be protected and enhanced; and
- Limit clearing of land and construction of buildings in close proximity to the edges of the zone.

These should be linked back to an overall sustainability objective in a future LEP.

Ostensibly, it is to ensure that the native vegetation and resultant habitat is conserved and enhanced. It should have an environmental nomenclature in any zoning that will follow.

Incentives have been dealt with in Chapter 5 and to be eligible for any incentives, the land in question should be covered by this designation.

**Biodiversity Protection (Overlay)**

There are significant flora and fauna linkages that extend over parts of the Shire in the north as well as the south. The most appropriate way of ensuring that the integrity of the linkage is not diminished by land clearing is to identify it as an overlay. There is a need to place restrictions, via a specific clause in a future LEP, on:

- Clearing of land;
- Fencing;
- The location of buildings;
- Effluent disposal areas; and
- Specific land uses.

This land has been identified by the Natural Assets Mapping report as being a significant wildlife linkage.

A set of desired future character statements (which will ultimately become the objectives) should be prepared for the designation and it should include the following matters:

- Encourage biodiversity conservation;
- Preserve the integrity of the native vegetation for its own values as well as habitat conservation;
- Protect areas of significant habitat;
Discourage clearing of vegetation, subdivision and incompatible development;
Limit clearing of land and construction of buildings

These should be linked back to an overall sustainability objective in a future LEP.

This is to be an overlay and as such will not have the same restrictions as a zone and will ostensibly control clearing of the land.

**Village**

There are a number of villages that exist within the study area as follows:

- Wisemans Ferry
- Glenorie
- Kenthurst
- Round Corner – Dural

These each have a special character which needs to be preserved. The designation of them as village will help to preserve this.

A set of desired future character statements (which will ultimately become the objectives) should be prepared for the designation and it should include the following matters:

- Retain rural village character.
- Develop a core commercial centre.
- Ensure that new dwellings respect the character of surrounding dwellings.
- Make provision for commercial and community facilities to serve the surrounding areas.
- Ensure new residential development blends with the existing streetscape.

The *Village Character Analysis and Urban Design Guidelines*, which is a separate document prepared by Woods Bagot provides detailed design guidelines that respond to each of the individual villages and their specific issues.

There is land at Annangrove and Maraylya that has the potential for the creation of an urban settlement pattern around existing commercial and community facilities. This land has been designated as village but will require more detailed investigation to ascertain is potential for development. These investigations will include the following:

- Traffic Generation
- Ecological Investigations
- Bushfire Hazard
- Water and Sewerage investigations
- Water Cycle management

It may be that these investigations do not yield any potential but it will not be known unless it is investigated.
7.4 Rural Rate Incentive

Currently, bona fide rural producers pay a lesser amount for the annual rates. The current rural rebate is 75% of the residential rate. The rates are charged on a proportion of the unimproved capital value of the land. Generally speaking, the rural land has a higher value than the residential land. This means that the rural ratepayers pay a higher rate than those who live in the urban areas.

Analysis of the amount of rates payed by rural ratepayers is shown in the following table 7.1

Table 7.1: Annual Rates Payable

<table>
<thead>
<tr>
<th>Use</th>
<th>Annual Rate Range</th>
<th>Annual Average Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extensive Agriculture</td>
<td>$592 to $1,724 *</td>
<td>$1,262</td>
</tr>
<tr>
<td>Intensive Agriculture</td>
<td>$592 to $2,002 *</td>
<td>$1,040</td>
</tr>
<tr>
<td>Rural Residential</td>
<td>$600 to $2,026</td>
<td>$1,258</td>
</tr>
<tr>
<td>Residential</td>
<td>$542 to $834</td>
<td>$726</td>
</tr>
</tbody>
</table>

Notes: * includes Farmland Rebate

It can be seen therefore that the highest rates are payed by those who have an extensive agricultural use of the land who live on the largest holdings and who are also the most isolated from the urban areas. The next highest is rural residential followed by intensive agriculture then urban. It should be noted also that the extensive agriculture and intensive agriculture uses obtain the rural rebate. It should also be noted that the ratepayers who pay the residential rate receive the most services (garbage, sealed roads, better access to community facilities, etc).

Some scenarios have been carried out on the potential impact on the other ratepayers of a reduction in the rebate payed to the farmers in the Shire. The results of this are shown in Table 7.2. It can be seen that a large reduction of the rural rebate will not cause such a large increase in the amount of money paid by the residential ratepayers.
Table 7.2: Rural Rebates

<table>
<thead>
<tr>
<th></th>
<th>Properties</th>
<th>Income</th>
<th>50% reduction</th>
<th>80% reduction</th>
<th>90% reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farmland Rate</td>
<td>442</td>
<td>$477,420.93</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non reduced farmland</td>
<td></td>
<td>$119,355.23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reduced Difference</td>
<td></td>
<td>$298,388.08</td>
<td>$477,420.93</td>
<td>$537,098.54</td>
<td></td>
</tr>
<tr>
<td>Total Rural Rate</td>
<td>49,836</td>
<td>$596,776.16</td>
<td>$298,388.08</td>
<td>$119,355.23</td>
<td>$59,677.62</td>
</tr>
<tr>
<td>Residential Rate</td>
<td>49,836</td>
<td>$37,349,489.55</td>
<td>$37,349,489.55</td>
<td>$37,349,492.55</td>
<td></td>
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<tr>
<td>Additional Income</td>
<td></td>
<td>$37,647,877.63</td>
<td>$37,826,910.48</td>
<td>$37,886,591.09</td>
<td></td>
</tr>
<tr>
<td>Current Rate</td>
<td></td>
<td>$749.45</td>
<td>$749.45</td>
<td>$749.45</td>
<td></td>
</tr>
<tr>
<td>Additional Rates</td>
<td></td>
<td>$755.44</td>
<td>$759.03</td>
<td>$760.23</td>
<td></td>
</tr>
<tr>
<td>Additional Payable</td>
<td></td>
<td>$5.99</td>
<td>$9.58</td>
<td>$10.78</td>
<td></td>
</tr>
</tbody>
</table>

7.5 Rural Residential Uses

Rural residential is the use of land in the rural area for residential rather than productive agriculture. The main source of income is not derived from the land. It can be on lots as small as 1 to 2 ha and as large as 10 to 20 to 40 ha in some cases. It is important to acknowledge that it is a housing choice and not one that is actually needed for the sustainable future of the rural land. In fact, it can cause problems with the sustainability of agriculture because of rural land use conflict and it has the potential to cause a detrimental impact on the rural landscape if it is allowed to proliferate. It is an increasing form of rural land use and the land use survey has shown that it is the dominant land use in terms of actual numbers of lots. It can be described as a sterile, unproductive and destructive land use because it takes land out of production and renders it unsuitable for future agriculture because of the small lots and residential use which would come into conflict with intensive forms of agriculture. There is also no ability to retain any of the potential value of the land as a productive resource. Once it has been subdivided, it is very difficult and expensive to put it back into production.

Subdivision of land for rural residential development is an option to be considered. It has benefits as well as problems associated with it. The benefits of subdivision for rural residential development are as follows:

- Opportunity for family members to reside in the same area and thus maintaining community and family links;
- More housing in an area which will provide employment for builders and other tradesmen;
- More population which will support the local businesses;
- More population provides more people and services and facilities;
- A one off profit for the existing landowner;
- Provides wider choice of lots in the rural areas; and
- Potential to improve the environmental amenity by subdivision under the provisions of rigorous environmental and planning legislation.

Rural residential development and subdivision of rural land has many problems associated with it, which are as follows:
Baulkham Hills Shire Rural Strategy

- Potential loss of native vegetation / bushland;
- More housing in the area creates more traffic and a denser settlement;
- A denser settlement pattern decreases the rural character of the locality by gradually reducing the open nature on the local landscape;
- Potential increase in nutrients from on-site effluent disposal and other activities on site that affect the water quality of the local catchment (particularly if the land cannot be serviced by a reticulated sewerage system);
- Loss of amenity for rural dwellers;
- Potential for rural landuse conflict with adjoining agricultural activities;
- Loss of productive agricultural land;
- High capital costs to Council and Government Agencies to service the initial development;
- Potential for an increase in the amount of ongoing services and facilities required to be provided by the Council and Government Authorities (for example the upgrading of existing rural Roads and street lighting in established rural areas); and
- Potential landscaped degradation by putting more houses and Roads over the existing open rural landscape.

Although there are clear short term benefits to be gained from subdivision for rural residential development particularly for the existing landowners, such development must consider the longer term adverse impacts on the local environment and future communities as well as the potential demands on local services and facilities that may not be available. Given also that rural residential subdivisions are effectively large lot residential estates that have more in common with residential estates than the rural lands they replace, there is a growing need to provide these estates with the level of environmental and social services expected of a residential area. In an area like Baulkham Hills Shire which is located on the fringe of the metropolitan area and where there is a desire within the community to live within a rural landscape, there is a continuing demand for rural residential development which is a function of the limited availability of suitable land.

In fact it could be said that by creating rural residential lots, you are creating the demand because it will always be there and the supply will be low. However the take-up of rural residential development within the Baulkham Hills Shire has been varied and not as high as would be expected. Data from other rural land studies shows that the subdivision take-up of land subdivided as a rural residential estate is high, however the subdivision of land that is already fragmented, for example in 2 hectare lots, is not as high.

It is noted that during the consultations a large number of people requested subdivision into rural residential development. The subdivision ranged in size from 4000 sq m (1 acre) to 2 hectares. As noted above whilst there may be benefits to the landowner of rural residential development there are also many long term disbenefits that arise.
### 7.6 Rural Cluster Subdivision

Rural cluster subdivision is a form of subdivision which groups the dwelling lots together thereby retaining the open landscape character of the specific area by having a large residue lot which usually has environmental attributes such as native vegetation cover, creek lines, etc. It also allows land to be kept in large holdings so that the future urban subdivision potential is not compromised as much as it would be if subdivision is permitted to a 1 or 2 ha minimum lot size.

It would only be permissible in the Rural Landscape land use designation.

The minimum size of the lots is 1 ha and the maximum size is proposed to be 2 ha. Effluent disposal can be on the individual housing lot or be a centralised system which is disposed on the residue lot. The number of lots that may be subdivided is based on a density of 1 dwelling lot for every 4 hectares of the lot to be subdivided. This size has been chosen having regard to the existing lot pattern and size of the areas to which the provisions are to apply and to the landscape sensitivity of those areas. The minimum area required to allow the clustering is 20 ha and this can be in multiple ownerships.

It is preferable to utilise this form of subdivision in the landscapes that have some hills which can be used to screen any intrusive elements such as dwellings and outbuildings. It utilises community title subdivision whereby the community lot is retained as one open landscape and this cannot be subdivided any further.

As stated above the major objective of this type of subdivision is to allow some further dwellings to be constructed whilst retaining the landscape and biodiversity quality of the area. An additional objective for heritage items is that the integrity of the heritage items and its setting be preserved. A conservation plan would be required in order to carry out rural cluster subdivision in association with a heritage item. For an agricultural use, it would have to be accompanied by an assessment of the land for agriculture.

It could also be appropriate for the conservation of biodiversity areas where the lots are built on the already cleared land with the steep vegetated land to be retained. This would suit the land that is covered by the biodiversity protection overlay.

This form of subdivision would be most appropriate in the Box Hill, Nelson and Maraylya areas where the lots are larger. It may be appropriate for biodiversity conservation in the rest of the rural landscape designation but only where the land is covered by a biodiversity protection overlay.

There would need to be controls instigated on the following matters:

- Slope of the land,
- Soil type,
- Good agricultural land,
- Surrounding land uses and potential land use conflicts,
7.7 Rural Uses

It can be seen therefore that there is a need to prepare a set of strategies to address the rural land uses generally and in particular, the issues apparent in the southern part because of the large amount of lots less than 3 ha and the mixture of land uses.

This section provides a discussion on the following land uses that have been identified in the research and discussions conducted in the formulation of this study as requiring specific management due to particular issues:

- Agricultural Uses
- Dual occupancies
- Home based businesses
- Roadside Stalls and Farm Gate Sales
- Rural sheds
- Truck businesses

A table at the end of this section summarises the uses and gives an indication of how they are to be dealt with in relation to the proposed land use designations / zones.

7.7.1. Agricultural Use

The term "sustainable agriculture" has many connotations and is linked to the concept of Ecologically Sustainable Development, which embodies the 3 themes of Environment, Economics and Social.

A definition of sustainable agriculture in the 'Strategic Plan for Sustainable Agriculture - Sydney Region' is

"Agriculture that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends”

Another definition is provided by the Standing Committee on Agriculture of the Australian Agriculture Council Working Group on Sustainable Agriculture:

"Sustainable Agriculture is the use of farming practices and systems which maintain and enhance the economic viability of agricultural production; the natural resource base; and other ecosystems which are influenced by agricultural activities

All of these definitions embrace the concepts of environmental and economic issues, but do not consider the social aspects of sustainable agriculture. These include the capacity of agriculture to meet the demands of the population for healthy and fresh food and fibre products, as well as its ability to have a minimal impact on the amenity and peace of mind of community members, thus reducing rural land use conflict.
New definitions for sustainable agriculture should be incorporated into the Strategy and be as follows:

Sustainable Agricultural use of land means the use of land for animal boarding, breeding or training establishments, cattle feedlots, extensive agriculture, intensive horticulture, intensive livestock keeping establishments, opportunity feedlots or turf farming, which can be maintained and managed so that the land remains

- environmentally sustainable (that is, environmental pollution and land degradation arising from the use is minimised);
- socially sustainable (that is, land use conflict and loss of amenity of the surrounding area arising from the use is minimised); and
- economically sustainable (that is, there is a capability of making a net farm profit from the use).(Wollondilly Shire Council)

From a land use planning perspective, there are 3 broad agricultural uses in NSW: intensive plants, intensive animals and extensive agriculture. It follows, therefore that there is a need define these uses separately. Both of the intensive uses should require consent and extensive agriculture should not as it is considered that it does not, generally, cause major land degradation or water quality problems (unless it is associated with major land clearing). It generally occupies land already cleared and is historically used for that purpose and because it is considered to be an unreasonable and complex land use to be able to embody in a development application.

A suggested definition for extensive agriculture is:

**Extensive Agriculture** means the growing of plants using natural rainfall or the rearing of animals using grazing as a feeding method, but does not include intensive plant growing or intensive animal keeping.

This definition uses as its basis cropping and grazing that does not need the continual application of water or feed not occurring naturally. Periodic feeding for drought and water application is considered to be included in this.

A suggested definition of intensive plant growing is as follows:

**Intensive plant growing** means the growing of plants and fungi where water is applied over and above that naturally occurring and using the following horticultural systems:

- Hydroponics,
- Crop protection structure,
- Market gardening,
- Orcharding,
- Field flowers,
- Vineyards, and
- Turf farming.
except, where in the opinion of the Consent Authority, the produce is grown for personal household consumption or enjoyment

This definition relies on a particular horticultural system as the basis for definition. It is the horticultural system, which has the potential to cause land degradation, water quality or land use conflict. Other definitions require decisions to be made about whether the particular use requires consent due to the potential to cause water quality problems. This definition requires consent for the use (horticultural system) rather than an interpretation. It is considered that vineyards be added to this definition because of the potential to have an impact on adjoining land uses by way of rural land use conflicts.

A suggested definition for intensive animal establishment is as follows:

**Intensive animal establishment** means a building or place in which or on which livestock are held for the purpose of nurturing by a feeding method other than natural grazing and includes:

- Poultry farms,
- Buildings and places use for aquaculture (including the farming of crustaceans);
- Horse training and boarding establishment;
- Piggeries; and
- Worm farms;

but does not include the keeping of livestock for personal enjoyment or consumption by the occupier of the land.

The main determinant of whether a form of animal keeping falls under this definition is the reliance on a feeding method other than natural grazing. This could be amended to include uses such as rabbit keeping.

### 7.7.2. Dual Occupancy

Dual occupancy, in its most traditional form, is the construction of a second dwelling on a property for accommodation of a family member (either aged or young people) and is commonly referred to as a granny flat. The introduction of a Regional Environmental Plan in the 1980s permitted dual occupancy in Baulkham Hills Shires’ new and established residential zones as well as most rural zones. It became a legitimate housing form that contributed to urban consolidation in metropolitan Sydney. Urban consolidation is not an objective for Council’s rural areas, however attached dual occupancies continue to be permitted in many of the rural zones with minimal planning controls over their location, size or design. Additional constraints such as land clearing and effluent disposal bring into question the appropriateness of dual occupancies as a residential land use in rural areas.

The concept of a dual occupancy is to have the second dwelling as a small addition to the house or be a smaller building and not to be as large as the main dwelling. However this has not occurred and in both urban and rural situations, 2 new dwelling houses (of equal size) have been constructed side by side on blocks of land. In an urban context, there has been the ability to subdivide these 2 dual occupancies. This
Baulkham Hills Shire Rural Strategy

has caused a considerable amount of community unrest where it has been proposed in new urban release areas where such small lots were not planned. In the rural zones, dual occupancies are required to be attached by use of a garage / carport or breezeway. However the outcome is often one long building whose bulk and scale is not consistent with the rural streetscape character that consists of residential buildings and sheds separated by large spaces.

Attached dwellings will also require specific design guidance to ensure appropriate building forms for rural areas. If dual occupancies are to be considered on land less than 2 hectares in area, they should be required to be connected to water and sewer. This requirement already applies to dual occupancies in the residential zones.

If Council is of the opinion that dual occupancies should continue as a legitimate housing option for its rural areas, decisions must be made about how to regulate their form (attached or detached), size, design, location and environmental impacts to ensure that the desired rural character is maintained. An additional detached dwelling on a rural property may be acceptable provided that the second dwelling meets the following criteria:

- Within the curtilage (proximity) of the existing dwelling house on the same lot;
- Significantly smaller than the existing dwelling house (50%);
- Located behind the existing dwelling house;
- Access to both dwellings is limited to one driveway;
- Have only one electricity line and meter on the property;
- Ensure that the location of new dwellings minimises the removal of trees or vegetation and minimises site disturbance; and
- Require at least 1 hectare of land for each dwelling in order to enable an effective area for on site for effluent disposal.
The concept is illustrated in Figure 7.1.

**Figure 7.1: Detached Dual Occupancy Concept**

It is considered that subject to these criteria being met, the potential for future subdivision of a detached dual occupancy will be minimised because of the fact that it is at the rear of the property and would be difficult to separate as it would interfere with the garden of the main dwelling. Whilst it is recognised that one cannot totally diminish any potential for future subdivision, adherence to the above principles will diminish it to a significant and acceptable amount. It should be pointed out that the subdivision of dual occupancies should still be prohibited.

### 7.7.3. **Home Based Businesses**

Home based businesses are an emerging employment trend in Australia. They provide an important employment opportunity for people living on rural land on the fringe of metropolitan Sydney. Home based businesses can cover a wide variety of uses ranging from trucking businesses to small home based industrial uses to home office based businesses such as consultants. Small start-up businesses require cheap premises, good exposure, efficient access to complementary services and spatial flexibility. (Morris and Kaufman 1996 p 5)

One of the major issues with home based businesses is that, generally they are not provided for in rural planning instruments. There is a need to recognise the value of home based businesses to the Baulkham Hills economy. Baulkham Hills LEP 1991 provides a good definition to allow home based businesses to develop. It is as follows:
**home business** means a business (excluding health care) carried out, or partly carried out, in a dwelling or within the site area of a dwelling, by the permanent residents of the dwelling, where:

(a) the business involves employment of not more than one person, at any one time, in addition to the permanent residents, and
(b) the business does not occupy a total floor area of more than 50m², and
(c) the business does not:

(i) interfere with the amenity of the locality by reason of pollution, or
(ii) involve exposure to view from any public place of any unsightly matter, or require the provision of any essential service main of a greater capacity than that available in the locality, or
(iv) involve the exhibition of any notice, advertisement or sign (other than a non-illuminated notice or sign, which would fit within a rectangular figure 1.2m in length and 0.6m in height, that is exhibited on that dwelling or land to indicate the names and occupations of the residents of the dwelling), or
(v) result in a significant increase in traffic, and
(d) the goods made or produced in the building, room or rooms, as a result of the business are not displayed or sold from the property, and
(e) there is a maximum of one home business per dwelling.

A form of this definition may be appropriate for the rural areas.

From a business location point of view, some rural areas lend themselves to limited trucking and building type businesses, where there is space to locate a shed and parking area for trucks and equipment. Insufficient development standards and controls in the past however have allowed these businesses to locate in inappropriate areas or have allowed an unacceptable intensity of activity to occur on certain sites. While it is appropriate that a certain level of home based businesses be encouraged to establish in the rural areas, they need to be adequately controlled both by definition and by specific standards that set a threshold to the use, ensure protection of the environment and amenity of the locality, and give certainty to local residents about what level of non-residential activities are permissible and appropriate.

Photo 7.9 shows a home based business in Annangrove.
7.7.4. Farmgate Sales

Farmgate sales or roadside stalls occur throughout the rural lands and are defined as a roadside stall in Baulkham Hills LEP 1991. The definition is reproduced below:

*roadside stall means a building or place (not exceeding 20 square metres in floor space or area, respectively) where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.*

They are permitted in rural zones. However, there are no guidelines for them. They have the potential to cause traffic hazards if they are located too close to the road and if there is not sufficient area for the cars to pull off the road completely. There is a need therefore to provide some guidelines for them.

Photo 7.10 shows a farm gate sale outlet on Old Northern Road which has adequate area for a car to stop and park away from the road.
7.7.5. Rural Sheds

Rural sheds are part of the rural areas but are becoming increasingly responsible for visual and other environmental impacts upon the rural landscape. Those impacts relate to the size (height and width), location and the colours and materials used for their construction, as well as the purpose for which they are being erected. Concerns relating to rural sheds were raised in the various community consultation workshops. Many rural sheds are used in conjunction with a home based business and this use of sheds is considered to be appropriate.

Again, insufficient development standards and controls in the past have allowed rural sheds to be located in inappropriate areas or to be constructed to an inappropriate size on certain sites. This is partly due to State Environmental Planning Policy No. 4 (SEPP 4) which historically permitted rural sheds to be constructed without consent and without consideration of the use of the shed. Rural sheds need to be adequately controlled both by definition and by specific standards that set a threshold to their size and use, and ensure protection of the environment and amenity of the locality. This will give certainty to local residents about the size, form, number, use and locations that are permissible and appropriate.

There is a need to ensure that rural sheds do not detract from rural landscapes and rural road vistas and sight lines, particularly by way of their height and size. Rural sheds used in conjunction with a home based business should also be located at the rear of the property and have regard to the uses and potential uses of adjoining land. Siting, building, external appearance and landscaping controls would ensure that the impacts of rural sheds are minimised. It would also be appropriate to place a limit on the size and number of sheds where associated with a rural residential use of the land.
7.7.6. Truck Parking

The parking of trucks in rural areas as part of a home based business is apparent in the Shire can cause problems with the amenity of the surrounding land. It has already been noted that a large proportion of the rural landuse is of a rural residential nature. There are also a significant amount of these rural residential uses that have associated truck uses. It has also been shown in the analysis of the landuse survey that the areas which have the highest proportion of truck usage are also the areas which have a majority of lots in the 0.8 to 3 hectare range. This can create conflict with the adjoining residential uses due to closer rural settlement patterns. A number of trucking operations also have associated plant and equipment such as bobcats and backhoes with associated trailers.

Complaints received by Council about rural truck operations often relate to the number of trucks or plant operating from the site. It may therefore be appropriate to place controls on the number of trucks that can be operated from a property in a rural residential area. Having regard to the additional plant and machinery associated with trucking uses it would be appropriate to limit this to one truck and two pieces of plant. This may allow a person to operate a truck, backhoe, as well as a bobcat or a combination of these. However the number of trucks would be limited to one as it is considered that more than one truck would not be in keeping with the amenity aspirations of residents of the area.

7.7.7. Extractive Industries

Extractive industry is a significant use in the Shire with large sand deposits at Maroota which are the subject of Sydney Regional Environmental Plan No 9. Council has a DCP which deals with the Extractive Industries in a comprehensive manner.

One issue that has been brought to the attention of the council is the cumulative impact of the extractive industries and there is a need to consider this, particularly as it impacts on the local flora and fauna as well as ground water.
Chapter 8: Economic Development and Rural Tourism

8.1 Introduction

Economic development is important for the future of the rural lands. It is linked to the tourism potential which is one area that has great potential for expansion.

The Background and Issues Report has outlined the value of the agricultural sector and highlighted the horticulture industry as having potential for expansion. The recreational horse industry also has potential for expansion and is one that is a corollary to the rural living sector. There is also some potential for the value adding of other urban fringe agriculture production because of the proximity to the Sydney market.

8.2 Economic Development

The rural landscape of the Shire and the proximity to recreation resources like the Hawkesbury River give it opportunities to develop a rural tourist industry further than at present. Bed and Breakfast and farmstay accommodation can be encouraged as can tourist facilities that utilise the rural land. Ecotourism can be also be encouraged and developed.

The proximity of the area to Sydney in conjunction with the rural landscape make it a suitable place to develop resort / conference centres on rural properties. This would enable large holdings to remain and the buildings could be clustered together to retain the open character of the area. This is a concept that should be allowed for in planning instruments with the option available to utilise community titles with lot sizes less than the general minimum for the area.

8.3 Rural Tourism

The Report by the University of Western Sydney into Rural Tourism in the region identifies the barriers to achieving the potential for a vibrant rural tourism industry to include:

- Access to training for the operators;
- The need for collaboration and coordination across the region; and
- The need to educate the community about the potential for tourism to become a growth industry in the region.

A number of other more specific recommendations are made in the Study but it is evident that there is potential for this to become a growth industry in the Shire which can value add to the existing tourist operations and rural activities. However, for this to eventuate, there is a need to work with the industry and other Councils in the region to get a common goal and identify the matters that have to be resolved to go forward.
8.4 Hawkesbury Harvest

Hawkesbury Harvest, which is based in the neighbouring LGA has been set up to promote the health and nutrition of the local food produce. The farm gate trail has been established in an attempt to get people to know more about the local produce. There is potential to expand the farm gate trail through Baulkham Hills and to link up with Hornsby Shire. In fact, there are numerous farm gate sale outlets throughout the area which can be encouraged. Geranium Cottage in Middle Dural is a member of Hawkesbury Harvest and is on the current farm gate trail map.

A farmer’s market is also a good way of encouraging local producers to become known in the community and also gives them the opportunity of selling their produce locally. There is a farmer’s market being held on a monthly basis in the grounds of the Castle Hill Showgrounds. This has been a success with the numbers of stalls operated by local producers and attendees by local people is continuing to grow.
Chapter 9: Indicators of Sustainability

9.1 Introduction

The Background and Issues Report and Strategic Environmental Analysis and Strategy Framework documents both dealt with the issue of Indicators of Sustainability and this discussion paper reproduces some of that work.

This discussion paper has been prepared for a workshop which is to be held to discuss indicators of sustainability, which will help to develop the Baulkham Hills Rural Strategy.

"Sustainability is a direction, more than a fixed destination. It is most effective when embraced voluntarily by people living together in cooperation and democracy. The term is now being used worldwide, in every language, to express this critical concept for the future of human societies on earth: that to survive, we need to better understand the consequences of current growth and development patterns on future generations and to pay attention, now, to the linkages that make the environment, economy and society interdependent. The challenge is to learn to continually work with this delicate balance through changing times. The concerns range from local needs and regional limits to global impacts, but the work is here, now, day by day. And it involves everyone." (Sustainable Seattle 2000)

As noted above, sustainability is a set of principles to achieve a desired end state of the development process. However without some form of measurement of this sustainability there is no way of knowing whether a certain type of development is sustainable in the long-term. The concept of indicators of sustainability, (that is, the measuring of development impact and feeding back these measurements into the plan making process) is a desirable goal.

9.2 Developing the Indicators

Indicators can be developed that will give an assessment of the health of a catchment as well as the quality of life of the residents within an area. The discussion that follows has been based on research into the preparation of catchment health indicators and this has been modified to develop a set of quality of life indicators. These indicators are sometimes called environmental indicators and catchment health indicators. It is suggested that the term “catchment health” indicators are more accurate for the land use planning area. It is more understandable and also is something that Councils can have an impact upon – the health of the local catchment and the impact of land use on that health. Similarly, it is suggested that the term "Quality of Life” indicators be used to provide an assessment of the social issues for a community. If the social issues are being addressed adequately, the residents will have a good quality of life and if not the quality of life will not be good. It is also easier to understand. The indicators have to be considered in the context of ESD.
"In both rural and urban landscapes, environmental changes due to various human activities, ... are being increasingly felt and raising our perceptions of the environmental costs of these activities. People in the cities have experienced smogs, some rivers and beaches no longer fit for recreational use, loss of favourite natural areas to suburban and coastal development, and so on. Farmers and rural inhabitants have seen the losses soil in wind and water erosion; they are aware of areas no longer able to be farmed because of gully development, of the declining crops and pastures in saline areas, and of paddocks with unhealthy trees and no regeneration." (Williams, et al 1998 p 99)

Changes are continually occurring within catchments and some of them are a result of the development process taking place. In fact it could be said that all development has an impact on a catchment. "These visible undesirable changes in condition of the atmosphere, land and water are indicators of degradation - degradation that is being brought about through a change in the environmental processes by human activity." (Williams, et al 1998 p 99) There is a need therefore to develop indicators of the health of a catchment and then identify ways of measuring these so that appropriate management policies can be put in place.

"Finding an appropriate set of indicators of sustainable development for a community, a city, a region, a country or even the world is not an easy task. It requires knowledge of what is important for the viability of the systems involved, and how that contributes to sustainable development. The number of representative indicators should be as small as possible, but as large as essential." (Bossel 1999 p xi)

Council has a great opportunity to actually measure the sustainability of the policies that are written. Introducing catchment health indicators and quality of life indicators into the planning process can do this. These can then be measured by the State of the Environment reporting (which is publicly reported) and used as a guide to the adequacy of land use policy.

Indicators can be developed for catchment health and quality of life. Catchment health indicators will enable the monitoring of the physical catchment whilst the quality of life indicators will give an indication of the quality of life and lifestyle of those people who live in the catchment.

A steering committee should be formed which has representatives from all areas of Council as well as the community. Community representatives should ideally be from the development sector, the environment sector and other community group areas.

The following steps should be carried out when developing a set of indicators of sustainability.

**Step 1. Identify goals and issues. These should come directly from a strategy.**

**Step 2. identify a set of base data requirements for the issues and identify key potential changes that should be measured.**
Step 3. Identify criteria for choosing the indicators. This should include the following:
Pressure, State, response, potential for change. It should be noted that Pressure and State will have been identified in the base data and the strategy. There is a need to identify the indicators for the response and potential for change items.
Make the criteria SMART - Simple Measurable Accessible Relevant Timely.
Provide links to data collection.
Identify directional symbols.
The response to the indicators equals the bottom line.
Potential indicators identify moving ahead.
Understand social research.
Measurability.

Step 4. Prepare a draft list of indicators. This is to include a measuring protocol. There is a need to test this against the measurability of the indicators.

Step 5. Consult with the wider community and receive comments.

Step 6. Conduct a technical review of the draft list. This review should be simple and not technical and should be a review not a rewrite.

Step 7. Determine the indicators and identify the allocation of tasks. They should be included in the management plan with responsibility to report on data and provide actions.

Step 7 Review and report. This is to include data collection, actions, issue changes and processes. The reporting should be done by the State of the Environment Report.

For example, the strategy identifies the need to conserve biodiversity. Indicators of the current state of biodiversity in Baulkham Hills Shire have been identified. One of the pressures on biodiversity conservation can be said to be the number of rural residential developments that are occurring and placing a pressure on vegetation due to clearing thereby removing the habitat and an element of biodiversity. A response to this would be to prepare a policy that will encourage the preservation of the wildlife linkages. Such a policy could be a Local Environmental Plan or Development Control Plan. The measure is to find out whether the linkage is being enhanced or degraded. Therefore the indicator is the wildlife linkage. A measuring protocol for the wildlife linkage could be to utilise aerial photography to find out whether the linkage has been enhanced or degraded. This could be done every 2 years as part of the State of the Environment Report and thus is reported publicly to enable a review of the policy when it is required.
### 9.3 Catchment Health Indicators

A set of catchment health indicators has been developed as an example of how they could work for the rural lands of the Shire. They are listed in Table 9.1.

The indicators and measures don’t have to be rigorously scientific because they are indicators of an unhealthy catchment. They should be used as a trigger for further detailed study if required. The response to an indicator of an unhealthy catchment is to identify the source of the problem. If it is a matter that requires development consent, the first thing to look at is the development control process and to identify if implementing a condition of consent can solve it. If this cannot be used to solve the problem, it may be necessary to alter a DCP or LEP to require consent for the land use or put management controls in place to ensure that it does not continue to cause an unhealthy catchment.

#### Table 9.1: Catchment Health Indicators

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Measure</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Quality</td>
<td>Turbidity of waterway</td>
<td>An inspection is carried out on a regular interval at a specific location and if the water is turbid (that is brown) it is an indicator of unhealthy catchment. However if the stream is clear it is an indicator of a healthy catchment.</td>
</tr>
<tr>
<td></td>
<td>Presence of BOD, E Coli, etc</td>
<td>Water testing is carried out on a regular basis at specific measuring points</td>
</tr>
<tr>
<td></td>
<td>Number of Macroinvertebrates</td>
<td>Water testing is carried out on a regular basis at specific measuring points</td>
</tr>
<tr>
<td></td>
<td>Recreational Water Quality for Primary Contact Recreation being Good</td>
<td>Analysis of the Recreation Water Quality Monitoring results on a regular basis.</td>
</tr>
<tr>
<td></td>
<td>Nutrient build up in the waterways</td>
<td>Regular inspections are carried out and photographs taken of streams to assess the amount of algae and weed growth.</td>
</tr>
<tr>
<td></td>
<td>Onsite Effluent Disposal failures</td>
<td>A register is kept of the number of notices issued to upgrade onsite effluent disposal systems by catchment.</td>
</tr>
<tr>
<td>Biodiversity</td>
<td>Number of Bird Sightings</td>
<td>Bird sightings are collated by bird watchers in the community.</td>
</tr>
<tr>
<td></td>
<td>Amount of Illegal Native Vegetation Loss</td>
<td>A register is kept of the number of complaints and occurrences of illegal land clearing in each locality.</td>
</tr>
<tr>
<td></td>
<td>Preservation of Linkages</td>
<td>Linkages are measured every 2 years with the aid of aerial photography to see if the linkage has been enhanced or degraded.</td>
</tr>
<tr>
<td></td>
<td>Community</td>
<td>Records are kept of the number of people who</td>
</tr>
<tr>
<td>Indicator</td>
<td>Measure</td>
<td>Method</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Involvement in Bushcare</td>
<td>are involved in Bushcare activities and trees planted on private and public land.</td>
<td></td>
</tr>
<tr>
<td>Enhancement of Linkages</td>
<td>Photos are taken at regular intervals of areas where a linkage has been planted as well as an inspection.</td>
<td></td>
</tr>
<tr>
<td>Soil Erosion and Sedimentation</td>
<td>Number of occurrences</td>
<td>A register is kept of the number of occurrences of soil erosion and sediment build up on public and private land.</td>
</tr>
<tr>
<td>Landscape</td>
<td>Obtrusive Buildings</td>
<td>Photos are taken at regular intervals from a standard point to see if any new buildings are intruding into the landscape.</td>
</tr>
<tr>
<td>Weed Growth</td>
<td>Amount of weeds present in streams and on the banks of streams</td>
<td>Visual inspection and photographs are taken of specified streams to determine the amount of weed growth.</td>
</tr>
<tr>
<td>Illegal Waste Dumping</td>
<td>Number of Complaints and incidences</td>
<td>A register is kept of the number of incidents of illegal waste dumping in each locality.</td>
</tr>
<tr>
<td>Illegal Landfill</td>
<td>Number of Complaints and incidences</td>
<td>A register is kept of the number of incidents of illegal land filling in each locality.</td>
</tr>
<tr>
<td>Land Contamination</td>
<td>Number of remediated sites</td>
<td>A register is kept of the number of sites that are remediated under the provisions of SEPP 55.</td>
</tr>
<tr>
<td>Air Quality</td>
<td>Number of days of Exceedence of NH&amp;MRC Goals</td>
<td>Analysis of the Pollution Indices issued by the EPA to ascertain the number of days that it exceeds 50 being the recommended level by the National Health and Medical Research Council (NH&amp;MRC).</td>
</tr>
<tr>
<td>Land use Conflict</td>
<td>Number of Complaints received by Council.</td>
<td>A register is kept of the number of complaints received in each locality.</td>
</tr>
</tbody>
</table>

9.4 Quality of Life / Community Wellbeing Indicators

Based on the framework outlined above, the following indicators (Table 9.2) have been used as determinants of social sustainability for communities. These indicators are based on research on social sustainability as outlined in the attached references. They also reflect many of the issues raised in the Background and Issues Paper and Consultation Report undertaken for this study.
**Table 9.2: Quality of Life Indicators**

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Measure</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Justice</td>
<td>Concentrations of population.</td>
<td>Identify the adequate population base for each service type.</td>
</tr>
<tr>
<td>Appropriate services available</td>
<td>For each target group count services available, method of access and rate of utilisation by target group. Consult with target group and service providers to determine services not provided and service issues.</td>
<td></td>
</tr>
<tr>
<td>to all residents</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adequate transport systems</td>
<td>Determine the utilisation of public transport and other sustainable transport modes by rural residents. Monitor traffic congestion on main rural roads.</td>
<td></td>
</tr>
<tr>
<td>Adequate service capacity</td>
<td>Assess the ability of the service to expand or change to meet future demand.</td>
<td></td>
</tr>
<tr>
<td>Access to appropriate information</td>
<td>Assess the distribution, type and quality of information provided to the community. This should include the needs of people from non-English speaking backgrounds, those living in more remote areas and those requiring access to particular services.</td>
<td></td>
</tr>
<tr>
<td>Provision of a range of housing choices</td>
<td>Assess the provision of affordable housing in the rural areas of Baulkham Hills Shire.</td>
<td></td>
</tr>
<tr>
<td>Networking within the community</td>
<td>Count the number and breadth of the networks and organisations that exist in the community.</td>
<td></td>
</tr>
<tr>
<td>Economic Development</td>
<td>Provision of local employment opportunities.</td>
<td>Determine the proportion of rural residents who work in the LGA through monitoring journey to work data from the ABS Census of Population and Housing.</td>
</tr>
<tr>
<td>Support for local businesses.</td>
<td>Count the increase in new local businesses by surveying the Chamber of Commerce.</td>
<td></td>
</tr>
<tr>
<td>Employment opportunities available</td>
<td>Survey the number and range of employment opportunities in rural areas. This should include number of employees, age profile, educational level etc.</td>
<td></td>
</tr>
<tr>
<td>Adequate transport systems</td>
<td>Regularly assess the adequacy of the transport systems to allow rural residents to access employment opportunities in the rural parts of Baulkham Hills Shire as well as other areas.</td>
<td></td>
</tr>
<tr>
<td>Productive links between rural communities and the urban area</td>
<td>Provide information on the benefits of the rural areas to the urban community and then periodically survey the urban residents to assess their understanding of the rural areas.</td>
<td></td>
</tr>
<tr>
<td>Environment</td>
<td>Key environmental features of the</td>
<td>Assess the adequacy of protection by LEP and DCP of the key environmental features such as</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Indicator</th>
<th>Measure</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>community protected and enhanced</td>
<td>the rivers, and biodiversity linkages within the rural areas.</td>
<td></td>
</tr>
<tr>
<td>A physically attractive community with its identified lifestyle features maintained.</td>
<td>Assess the views of the community of the maintenance of the key features that the community find enhances their lifestyle.</td>
<td></td>
</tr>
<tr>
<td>Integrated approach to addressing environmental, economic and social needs</td>
<td>Undertake regular Quality of Life surveys to determine whether all these issues are being addressed</td>
<td></td>
</tr>
</tbody>
</table>

9.5 Linking Indicators to the Planning System

Indicators can be linked into the planning system via the use of Strategy, LEPs / DCPs and development consents. In this way you can require a proponent to provide data to be used to measure the indicators. The following has been developed as part of the work being carried out in Shellharbour for the Rural Lands Project which encompasses a Strategy, LEP and DCP.

The Strategy sets the overriding goals which are then translated into the LEP via the Plan aims and the zone objectives. A clause makes reference to the Indicators of Sustainability and the indicators are included as a schedule to the LEP. In this way, the Council can impose conditions on the development consent requiring the proponent to provide data which can be used to measure the indicator and which is published in the SoE Report. Figure 9.1 on the following page outlines how they can be integrated in an ongoing manner. It also shows how the management plan and development assessment components of the Council are linked.
Figure 9.1: Linking Indicators of Sustainability to the Planning System
Source: Shellharbour Rural DCP
Chapter 10: Growth Management

10.1 Introduction

Growth management is the essence of planning for rural land. It is about ensuring growth that occurs is managed so that it happens in an effective and efficient way as well as maintaining and conserving the resources for future generations. Hence it must be sustainable.

There is a need to consider all of the issues affecting rural land in a holistic manner and developing policies that address the issues. Good planning policies consider the issues and how they have been addressed in the past as well as the current legislative and policy frameworks.

Growth management is not just about providing for more subdivision and housing. It is about managing the social and economic implications of future growth in a responsible manner while raising the awareness of the need to protect and preserve the environmental values of an area, as well as protecting the people from risk.

The discussion in the previous chapters has outlined the complexity of the issues that have to be addressed as well as the variety of policy responses that can be applied. It must be recognised that the complexity of the issues is such that overcoming one does not mean that it has been addressed as other matters have to be considered also.

This chapter provides an overview of the growth management issues that affect the Shire and provides some options for consideration.

10.2 Strategic Context

There is a need to ensure that growth management occurs in a wider strategic context. Therefore, the growth management of Baulkham Hills Shire has to consider the impact on and of other areas outside the Shire. This includes economic, social and environmental impacts. There is also a need to consider the wider strategic objectives of the metropolitan region. The latest metropolitan strategy titled Shaping Our Cities and Shaping Western Sydney (prepared by the State Government) were discussed in the Background and Issues Report. The important components of these are:

- A compact City;
- Ecologically Sustainable Development; and
- Effective urban management.

Translating the Metropolitan Strategy to the Baulkham Hills Shire means that the Council and the community have to adhere to the following:
Baulkham Hills Shire Rural Strategy

- There is a need to halt the urban sprawl and thus help to provide a compact City;
- There is a need to provide for the balanced growth by adopting the principles of Ecologically Sustainable Development; and
- Preparation of sound strategic planning policies for the Shire that embraces all aspects of the Council and not just the land use areas. This will help to achieve effective urban management.

The council must address the above matters closely in regard to the rural strategies.

10.3 Growth Management Principles

Given the identified constraints and strategic imperatives for Baulkham Hills Shire, the following growth management principles have been identified for consideration:

- Encourage and promote a diverse range of agricultural and other rural uses;
- Embody the concepts of
  - Ecologically Sustainable Development; and
  - Total Catchment Management;
- Limited urban expansion (release area);
- Investigate opportunities for village expansion in accordance with a hierarchy of settlements;
- Provide opportunities for rural subdivision;
- Encourage a wide range of agricultural and other complimentary rural uses such as tourism having regard to environmental impact.

Photo 10.1 shows the urban expansion over agricultural land in Sydney’s west.

### Photo 10.1: Urban expansion into agricultural land.
Date of Photo: August 2001
10.4 Options for Growth Management

When applying the principles to the following development options, a clearer picture of acceptable alternatives emerges:

- No Growth
- Total Rural Residential Conversion
- Limited Growth
- Full Urban Development

A no growth option means that there would be no further development within the rural lands. This would include the rural land as well as in the villages. Such an option would restrict further development in the area with no opportunities for any rural population growth. This is likely to be considered unreasonable and unachievable.

Total rural residential conversion would entail the subdivision and conversion of all land to a rural residential use. Ultimately this would mean that there would be limited forms of agriculture in the Shire and would entail the destruction of a large area of significant vegetation as well as causing potential land degradation of the steep land. The landscape would also be affected. The disadvantages are land use conflicts with existing rural industries, traffic generation, potential loss of bushland, potential water quality degradation and lack of services and facilities to meet the expected increases in rural populations. Given the current deficit (identified in the Background and Issues Report) in providing services and facilities for the existing rural communities, as well as the environmental impact this option presents major environmental, social and economic problems and is not likely to be a sustainable option to pursue.

A limited growth option would provide for village expansion as well as targeted rural residential development while preserving and promoting rural enterprises. This option would provide for managed expansion of the rural villages. Members of the community have commented that they live in these rural villages as a lifestyle choice and would prefer to see the village atmosphere retained. They certainly did not want to see massive amounts of urban development within and surrounding the villages. A limited amount of rural residential development would also provide for some further opportunities for people who wish to move into the area. It would also allow for the continuation of the existing mixture of rural uses including agriculture, home businesses and tourist uses. This would also allow for the expansion of the Rouse Hill Development Area into the areas designated in the original Regional Environmental Plan to the north and west of the existing urban release areas.

Full urban development of Baulkham Hills Shire’s rural land would encourage urban sprawl and is considered to be unsustainable. It would cause traffic generation, pollution of waterways, loss of bushland, pressure of facilities and services (particularly roads), air pollution, loss of agricultural land in close proximity to the Sydney market, loss of rural landscapes and scenic amenity. All of this would drastically alter the rural character of the Shire. It would not be in keeping with the Council’s vision for the future, which is to promote the area as ‘the garden Shire’ which
Baulkham Hills Shire Rural Strategy

has an interactive and vibrant community enjoying life in a high quality, open environment that reflects its heritage.

10.5 Rouse Hill Development Area

The Rouse Hill Development area is located in the southwestern corner of the Shire. It is one of the major urban land releases in Sydney and covers parts of the Blacktown, Hawkesbury and Baulkham Hills Council areas. It forms part of the North West Sector of Sydney which is planned to be a major area to accommodate the residential growth of Sydney for the next 25 years.

Sydney Regional Environmental Plan (REP) No. 19 was prepared in 1989 to cover the release of the land for urban development. In Baulkham Hills Shire, the land covered by the REP extends from Windsor Road in the west to Boundary Road in the north and Old Pitt Town Road and Cattai Creek in the east and the urban area in the south. The land has been rezoned and released for urban development since the preparation of the REP.

There are two issues that were raised in the community communication sessions concerning the rezoning of the land. They are the land North of Kellyville and also the timing of the development of the rest of the land identified in the REP.

The land at North Kellyville is currently subdivided into 2 ha allotments with a mixture of rural residential and intensive agriculture uses. The landowners have banded together and a large majority of them wish to have the land rezoned for residential development. The first stage in this process is to have it included in the Metropolitan Development Program to facilitate its rezoning. The land is within the servicing catchments of the water and sewerage as well as being close to the other infrastructure being planned for the wider area. The fragmentation of the land is one of the obstacles to be overcome, but the residents have formed themselves into one group which will help to facilitate the rezoning. The residents have raised the issue of rezoning the land in the short term and this is supported.

The land that is to be rezoned in the future has been identified in the REP and the residents have expressed concern that there is not any timing for the rezoning of the land. Planning NSW are in the process of preparing a Masterplan to identify the land to be rezoned as part of the next stage of the urban release in the north west sector. Work on this is to be carried out in June and July of 2003 and the detail should be known by the end of 2003.

Another issue that has been raised is the land that is on the northern side of Old Pitt Town Road. This is not to be included in the REP, however the residents living there will be impacted on by the rezoning. This was raised at the community communication meetings and it is reasonable to request that this matter be addressed by the workshop
10.6 Settlement Hierarchy

Settlement hierarchies are used to provide a ranking of the settlements in the study area so as to enable their future to be identified which is based on a set of criteria that is standardised across the Shire. The preparation of a hierarchy is one of the components of growth management.

The *Background and Issues Report* outlines the number of settlements within the rural areas of the Shire. In a Shire like Baulkham Hills with such a large urban population and strong urban growth rate, it is important to acknowledge that the people who live in the rural areas will do a lot of their weekly shopping in the metropolitan area at one of the larger shopping centres either in the Shire or somewhere else, usually on their travel to or from their place of work. They also may be located on the fringe of the urban area.

In the context of the growth management of the Shire, a hierarchy of settlements can be used to identify the location of areas for future village expansion and rural residential development.

A settlement hierarchy was suggested in the *Background and Issues Report* which is outlined in Table 10.1. The criteria for identifying the hierarchy is based on the functionality of the centre and is in the *Background and Issues Report*.

### Table 10.1 Settlement Hierarchy

<table>
<thead>
<tr>
<th>Hierarchy Title</th>
<th>Settlement</th>
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</thead>
<tbody>
<tr>
<td><strong>Sub Regional Centre</strong></td>
<td>Castle Hill</td>
</tr>
<tr>
<td></td>
<td>Blacktown</td>
</tr>
<tr>
<td></td>
<td>Proposed Rouse Hill Centre</td>
</tr>
<tr>
<td><strong>District</strong></td>
<td>Kellyville</td>
</tr>
<tr>
<td><strong>Villages</strong></td>
<td>Wisemans Ferry</td>
</tr>
<tr>
<td></td>
<td>Glenorie</td>
</tr>
<tr>
<td><strong>Rural Centre</strong></td>
<td>Lower Portland</td>
</tr>
<tr>
<td></td>
<td>Maraylya</td>
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<tr>
<td></td>
<td>Annangrove</td>
</tr>
<tr>
<td></td>
<td>Box Hill</td>
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<tr>
<td></td>
<td>Windsor</td>
</tr>
<tr>
<td></td>
<td>Hornsby</td>
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<tr>
<td></td>
<td>Round Corner – Dural</td>
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<tr>
<td></td>
<td>Kenthurst</td>
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<tr>
<td></td>
<td>Sackville</td>
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<tr>
<td></td>
<td>South Maroota</td>
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<tr>
<td></td>
<td>Maroota</td>
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</tbody>
</table>

The introduction of a hierarchy, which is based on the existing levels of service allows for the identification of those centres which have the ability to expand. In the case of the Baulkham Hills Shire, the villages have the range of services that will allow for them to be expanded.

The expansion of villages should be based on the capability of the village to cope with the expansion by way of facilities and services provided in the village and the natural environment surrounding and within the village. The hierarchy outlined above is based
on the facilities and services provided in each town and village. Certain services and facilities that would be expected in a rural village like ambulance, banks, police and hotels are not provided in the rural villages of Baulkham Hills because of the proximity to metropolitan Sydney. This is summarised in Table 10.2.

### Table 10.2: Facilities and Services in Villages.

<table>
<thead>
<tr>
<th>Service</th>
<th>Wisemans Ferry</th>
<th>Glenorie</th>
<th>Kenthurst</th>
<th>Round Corner - Dural</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education – Primary (Govt)</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>Education – Secondary (Govt)</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
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<tr>
<td>Post Office</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Police</td>
<td>✔</td>
<td>×</td>
<td>×</td>
<td>×</td>
</tr>
<tr>
<td>Rural Fire Station</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>Health Services or Doctor</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>Community Hall</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>Sporting Facility</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Small Business Centre</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>Petrol Station</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Reticulated Sewerage</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>×</td>
</tr>
<tr>
<td>Reticulated Water</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
</tbody>
</table>

### 10.7 Potential for Expansion of Settlements

The major issues for the potential of a centre to expand are as follows:

- Provision of reticulated water and sewerage;
- Provision of adequate access to the higher order centres (road and public transport);
- Ability to provide for social services and facilities;
- Presence of unconstrained land surrounding the settlement;
- Fragmentation of land surrounding the settlement; and
- Ability to absorb a higher density of population.
Table 10.3: Issues for Village Expansion

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Issues to be addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wisemans Ferry</td>
<td>Road access, provision of reticulated sewerage, provision of increased water supply, topography and vegetation clearance, land capability, relationship to land in Hornsby Shire.</td>
</tr>
<tr>
<td>Glenorie</td>
<td>Provision of reticulated sewerage, provision of increased water supply, proximity to intensive agricultural uses, relationship to land in Hornsby Shire, clearance of native vegetation, land capability, fragmentation of surrounding land.</td>
</tr>
<tr>
<td>Kenthurst</td>
<td>Topography, provision of reticulated sewerage, provision of increased water supply, clearing of native vegetation, proximity to intensive agriculture and land capability.</td>
</tr>
<tr>
<td>Round Corner - Dural</td>
<td>Topography, clearance of native vegetation, land capability, traffic management and proximity to intensive agriculture.</td>
</tr>
</tbody>
</table>

Of these four villages, only Glenorie has any potential for expansion. One of the major reasons for this is that Glenorie is listed on the Priority Sewerage Program to be provided with reticulated sewerage within the next 10 years. The land for expansion is to the south east of the village. The land is relatively flat in this location, however the existing lot pattern is such that it would have to be subdivided in a holistic manner with all of the landowners (or at least a large number of contiguous ones) subdividing for urban development. The lot sizes would be similar to those that exist. As the eastern part of the village is within the Hornsby Shire, there will need to be discussions held with Hornsby Shire. Wisemans Ferry is isolated and also has steep land and flooding constraints. Kenthurst has steep land and vegetation as well as bushfire constraints. Round Corner has topographical and vegetation as well as bushfire constraints.

There are 2 rural centres within the Shire that have been designated as rural centres in the hierarchy but that have the potential for further investigation as potential villages. They are Annangrove and Maraylya. They have been identified because they possess community buildings, commercial and recreational uses surrounded by mostly open land. Both centres will need to be connected to a reticulated sewerage system which is possible having regard to the proximity to the new release area of Kellyville - Rouse Hill. In the case of Annangrove, it is based on the commercial centre and oval. The land to the north of the commercial centre is relatively flat and is in lot sizes of 2 ha. Maraylya is based around the commercial use on the eastern side of Boundary Road and the school and community hall are on the western side, which is in the City of Hawkesbury so there will have to be discussions held with Hawkesbury City Council.

10.8 Urban Design

There are a number of urban design issues that affect the future of the villages in the rural lands as well as the areas where subdivision is being proposed. Woods Bagot, Architects, Landscape Architects and Planners have analysed the settlements of the Shire and provided some guidelines for the improvement of these areas.
The separately published report titled *Village Character Analysis and Urban Design Guidelines* provide an analysis of the current issues as well as some design guidelines. Each village and settlement area in the rural areas has been studied and the following matters are included:

- **Village Structure** provides an analysis of the features of the area including pathways, edges, nodes, gateways and landmarks;
- **Land Uses and Activities** identifies the dominant land uses;
- **Built form and style** has been identified as it has a significant bearing on the character. The different eras of development are also identified;
- **Landscape** analysis identifies dominant landscape features and elements that have an impact on the character;
- **Landform and Views** are an important feature as they help to define the character and also things to be protected;
- **Village Character** has been identified from the above discussion. A statement of the character of each area has been provided so that policies can be developed to ensure that the character is preserved;
- **Opportunities and constraints** have been identified that highlight the physical opportunities, uses and actions that may maintain the character as well as highlighting the physical constraints that have to be taken into account;
- **Development Principles** have been provided which should be adopted when considering future planning of the areas; and
- **Design Guidelines** have been provided to outline the matters that need to be addressed from an urban design aspect.

In particular, design guidelines are provided for the following villages and rural centres:

- Wisemans Ferry
- Glenorie
- Kenthurst
- Maroota
- Annangrove
- Round Corner
- Dural

However, they are only guidelines and there is a need to develop detailed Masterplans for the following villages which have a complex range of issues that have to be addressed:

- Wisemans Ferry
- Glenorie
- Kenthurst
- Round Corner
- Dural
Chapter 11: Rural Strategies

11.1 Introduction

There is a need for a set of strategies that covers all of the issues for the rural areas of the Shire.

A strategy should not be just a set of land use changes. Strategies, by their nature are documents that can be used to highlight a number of issues and approaches to the future of the rural land. The preparation of a strategy enables the Council to address the big picture issues as well as giving an indication about the future direction for the development of an area. The measure of success of a strategy is its implementation by the Council and the acceptance of this by the community. A strategy will make a series of recommendations that will have an impact on the Council’s resources. In an area like Baulkham Hills Shire where new urban housing is being produced, a large amount of the resources of the Council is devoted to these areas. Too often in the past, the provision of services and facilities to the rural areas has not kept pace with the urban areas. If we are to achieve a sustainable future for the rural areas, this resource imbalance needs to be rectified. It is important to recognise that the strategy does not commit the Council to carry out the actions immediately. Once it has been exhibited and adopted it then has to be considered in the light of the Council’s Management Plan and planning policy documents.

The document should make reference to the Residential Strategy as this provides the context for the urban expansion of the Shire and also is a key component in growth management of rural land.

As stated above, the Rural Strategy needs to be treated as a set of guiding principles and actions that are needed to help achieve the Council’s vision. It also needs to be recognised that this cannot be done by a mere change to the LEP. There are a number of other matters that need to be addressed such as financial and non-financial economic incentives, guidelines, plans, provision of services to the community as well as environmental monitoring and enforcement. Sustainability embodies the three concepts of environment, economics and social equity. Therefore, for the strategy to provide for a sustainable future, it needs to address all of these.

The issues can be broken into the two categories as follows:

- Social and economic factors
- Environmental opportunities and constraints

The graphic used earlier (Figure 2.1) to describe the linkages between these and the concepts of ESD and TCM is relevant here and will provide the logical linkages to the strategies that follow.
Before the detailed strategies are outlined, it is appropriate to have two sections that outline a growth management philosophy and a set of development principles.

### 11.2 Growth Management Philosophy

The growth management philosophy is linked to the residential strategy and identifies a set of ‘rules’ to be followed to manage the growth of the rural areas. It also provides for a formal link to the residential strategy.

The matters to be included in a growth management strategy are as follows:

- Encourage and promote a diverse range of agricultural and other rural uses;
- Embody the concepts of
  - Ecologically Sustainable Development; and
  - Total Catchment Management;
- Limited urban expansion (release area);
- Investigate opportunities for village expansion in accordance with a hierarchy of settlements;
- Provide opportunities for rural subdivision;
- Encourage a wide range of agricultural and other complimentary rural uses such as tourism having regard to environmental impact.

### 11.3 Development Principles

A set of development principles can also be established to set some criteria against which developments can be measured to assess their sustainability. This should include the following:

- Consider the environmental capacity of the area and ensure development is consistent with the land capability. Issues to consider include:
  - Native vegetation and linkages
  - Proximity to water courses
  - Slope of the land / topography
  - Bushfire risk
- Provide a choice of living opportunities and types of settlement.
- Provide for the continued and improved social and economic well being of the community.
- Protect the water quality of the Hawkesbury River and tributaries.
- Where possible, improve the water quality and habitat throughout the region.
- Development should have regard to the natural values and features of the rural areas of Baulkham Hills.
- Promote a conservation philosophy for Baulkham Hills Shire.
- Recognise that the rural land provides the backdrop of the urban areas of the Shire.
- Consider the impact of development on existing rural residential or agricultural uses on surrounding properties.
11.4 Vision for the Rural Lands

A vision should be identified which covers the issues and which should also relate to
the strategy. It is considered that the current vision for the Shire covers the matters to
provide for a sustainable future for the rural lands. It is reproduced below:

_The garden Shire - an interactive and vibrant community enjoying life in a high
quality, open environment that reflects its heritage._

11.5 Strategies for the Rural Lands

A vision should be identified which covers the issues and which should also relate to
the urban land and strategy

There are a number of headings for the components that are needed to provide for the
sustainable future of the rural lands of Baulkham Hills. Each heading should have a
specific objective with implementation strategies and policy actions with responsible
authorities as well as a timeframe for implementation.

The headings are as follows:

<table>
<thead>
<tr>
<th>Social and Economic Factors</th>
<th>Environmental Opportunities and Constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>▪ Growth Management</td>
<td>▪ Water Catchments</td>
</tr>
<tr>
<td>▪ Land Use Planning</td>
<td>▪ Ecological Management</td>
</tr>
<tr>
<td>▪ Quality of Life</td>
<td>▪ Scenic Landscapes</td>
</tr>
<tr>
<td>▪ Economic and Employment Opportunities</td>
<td>▪ Heritage and Culture</td>
</tr>
<tr>
<td>▪ Infrastructure</td>
<td>▪ Natural Hazards</td>
</tr>
</tbody>
</table>

The implementation strategies expand on the objectives and state how they are to be
achieved and point towards the policy and actions that are required to carry out the
strategy. The policy actions outline the detail of the strategies and provide an
indication of what work is required.

This section is layed out so that it is easy to identify what actions are required for the
strategies which are outlined. The following chart shows how it is to be read.
It should be noted that in some cases, the matters raised in the strategies and actions are being carried out by the Council already and mention to them is to reinforce the current actions of the Council.

In a number of cases, there is a need to undertake some more detailed investigations and research in order to provide a sound basis for future policy action.

The timeframe has been selected to allow them to be built into the State and Local political processes and are broken into three sections:

- **short term** which is nought to two years,
- **medium term** which is to two five years, and
- **long-term** which is five years and beyond.

It is helpful to provide a map that outlines the broad features of the strategy. Map 11.1 shows the settlement hierarchy and Map 11.2 shows the land designations. They should be read in conjunction with the following strategies.
Map 11.1: Proposed Settlement Hierarchy
Map 11.2: Land Use Designations
### Social and Economic Factors

#### Growth Management

**Objective:** Provide for coordinated and effective growth in the Shire’s rural lands.

<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Provide a sustainable growth management approach to future development.</td>
<td>1.1 Adopt the growth management philosophy outlined in section 11.2 of this document and which is shown on Map 11.1.</td>
<td>Council</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>2. Promote a hierarchy of settlements based on Villages and Rural Centres and encourage appropriate development within them.</td>
<td>2.1 Adopt the following settlement hierarchy: <strong>Villages</strong>  - Wisemans Ferry  - Glenorie  - Kenthurst\  - Round Corner - Dural <strong>Rural Centres</strong>  - Lower Portland  - Maraylya  - Annangrove  - Box Hill  - Sackville  - South Maroota  - Maroota</td>
<td>Council</td>
<td>Short term</td>
</tr>
</tbody>
</table>
### Implementation Strategy

<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
</table>
| 3. Identify Investigation areas that may accommodate further development subject to the provision of water and sewerage infrastructure and will require rezoning. | 3.1 Adopt the following village expansion areas as outlined on map 11.2  
- Glenorie  
- Annangrove  
- Maraylya  
3.3 Once adequate water and sewerage infrastructure are available, prepare a draft LEP for the village expansion and large lot residential investigation areas. | Council                  | Short to medium term          |
| 4. Limit further metropolitan urban releases                                            | 4.1 Limit urban releases to that land identified by Sydney Regional Environmental Plan No. 19 – Rouse Hill Development Area  
4.2 Request Planning NSW to place the North Kellyville area on the Metropolitan Development Program. | Council                  | Short to medium term          |
| 5. Provide for the economic and social growth of Shire’s rural areas and in particular, maintain and enhance rural job opportunities. | 5.1 Prepare Strategies for the economic and social growth in the rural areas of Baulkham Hills Shire. Work with Hornsby Council to prepare joint plans for the village of Glenorie and provide for the coordinated development of the village of Wisemans Ferry  
5.2                                                                                   | Council and Government Agencies | Short term and ongoing        |
11.6.2. Land Use Planning

**Objective:** Develop a land use framework that will give a level of certainty to the people who live in the rural areas of the Shire

<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Develop a new suite of land use designations</td>
<td>1.1. Adopt the following land use designations as outlined on map 11.2:</td>
<td>Council</td>
<td>Short term</td>
</tr>
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2.1.2. **Rural Living Mixed Uses**
- Preservation of the open rural landscape and its cultural heritage values.
- Buildings to blend into the landscape by having ‘earthy’ colours and low scale buildings.
- Protection and improvement of water quality.
- Preservation and enhancement of native vegetation, including habitat linkages.
- Protection of the amenity of existing residents.
- Screening from public places.

2.1.3. **Village**
- Retain rural village character.
- Develop a core commercial centre.
- Ensure that new dwellings respect the character of surrounding dwellings.
- Promote the provision of water and sewerage infrastructure.
- Make provision for commercial and community facilities to serve the surrounding areas.
- Ensure new residential development blends with the existing streetscape.

2.1.4. **Biodiversity Protection (overlay)**
- Preserve the integrity of the native vegetation for its own values as well as habitat conservation.
- Protect areas of significant habitat.
- Discourage clearing of vegetation, subdivision and incompatible development.
- Limit clearing of land and construction of buildings.
### 2.1.5. Nature Conservation

- Preserve the integrity of the native vegetation for its own values as well as habitat conservation.
- Recognise areas of significant threatened species.
- Protect areas of significant habitat.
- Discourage clearing of vegetation, subdivision and incompatible development.
- Identify linkages to be protected and enhanced.
- Limit clearing of land and construction of buildings in close proximity to the edges of the zone.

### 3. Identify minimum lot sizes that will enable the continuation of the use.

<table>
<thead>
<tr>
<th></th>
<th>3.1. Adopt the following lot size minimum for the corresponding land use designation:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rural Landscape                                    10 hectares</td>
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<tr>
<td></td>
<td>Nature Conservation                            40 hectares</td>
</tr>
<tr>
<td></td>
<td>Mixed Rural                                      2 hectares</td>
</tr>
</tbody>
</table>

### 4. Permit subdivision for clustering of development which uses community titling.

<table>
<thead>
<tr>
<th></th>
<th>4.1. Develop controls to allow rural cluster development to occur only in the Rural Landscape land use designation. These are to include:</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>slope of the land,</td>
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<td></td>
<td>soil type,</td>
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<td>good agricultural land,</td>
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<td>surrounding land uses and potential land use conflicts,</td>
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<td>visual landscape features,</td>
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<td>water courses, and</td>
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<td>native vegetation.</td>
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<thead>
<tr>
<th>Council</th>
<th>Term</th>
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<tbody>
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<td>Short</td>
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</table>

**Council Short Term**
<table>
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<tr>
<th>5. Prepare one set of land use regulations for the rural parts of the Shire.</th>
<th>5.1. Review and consolidate the existing LEP into one instrument for the rural lands.</th>
<th>Council</th>
<th>Short term</th>
</tr>
</thead>
</table>
| 6. Provide plans that consider the future design aspects of the villages identified in the settlement hierarchy. | 6.1. Prepare Masterplans for the following villages:  
- Wisemans Ferry  
- Glenorie  
- Kenthurst  
- Round Corner - Dural | Council | Short term |
| 7. Prepare management guidelines for land uses in rural parts of the Shire. | 7.1. Prepare a Development Control Plan to provide effective and appropriate land use management guidelines for the rural lands of the Shire. | Council | Short term |
| 8. Provide controls and management requirements for specific land uses that are considered to be non-sustainable or problematic. | 8.1. Prepare specific controls for the following land uses and regulate them in a new rural LEP and DCP:  
- Dual Occupancies  
- Farmgate Sales (Roadside Stalls)  
- Home Based Businesses  
- Intensive Animal Establishment  
- Intensive Plants  
- Rural Produce Stores  
- Rural Sheds  
- Rural Truck Business  
- Tourism (Bed and Breakfast and Ecotourism)  
- Dams  
- Land Clearing  
- Fencing  
- Signage | Council | Short term |
## 11.6.3. Quality of Life

**Objective:** Ensure that residents have adequate access to appropriate services and facilities.

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<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
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</thead>
<tbody>
<tr>
<td>1 Monitor the provision of services and facilities for the people who live in the rural parts of Baulkham Hills Shire to ensure that they are receiving adequate level of service.</td>
<td>1.1 Prepare a set of Quality of Life indicators which can be measured and used to assess the level of service provided to the people who live in the rural parts of the Shire.</td>
<td>Council and Government Agencies</td>
<td>Short term</td>
</tr>
<tr>
<td>2 Facilitate greater use of the Council’s facilities and services by rural residents.</td>
<td>2.1 Review all Council facilities/services to ensure that actions are in place to increase access for rural residents including improved information, transport, new service models etc.</td>
<td>Council and Government Agencies</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>3 Facilitate improved involvement of rural residents in Council’s consultation and decision-making processes.</td>
<td>3.1 Review all Council consultation structures and provide an improved community participation strategy for rural residents.</td>
<td>Council and Community groups</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>4 Provide rural residents with better links to government and non-government service providers</td>
<td>4.1 Review all Council committees, inter Council and inter governmental working groups and consultation structures to ensure that rural issues are represented and if required, establish new structures for rural residents to link with government and non-government service providers.</td>
<td>Council and Government Agencies</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>5 Improve access to Council and community information for residents of the rural parts of the Shire.</td>
<td>5.1 Develop a media strategy for the regular distribution of Council and community information to all residents of the rural parts of the Shire</td>
<td>Council and media organisations</td>
<td>Short term</td>
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<td>Implementation Strategy</td>
<td>Policy Action</td>
<td>Responsibility</td>
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<td>5.2 Implement the recommendations that are contained in Appendix 3 which relate to communication.</td>
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<tr>
<td>6 Encourage participation of rural residents in developing and implementing actions that improve their quality of life.</td>
<td>6.1 Develop a policy that supports existing and establishes new rural community networks and organisations. This may include the provision of Council information and resources to support their establishment and initial operation eg Landcare, Youth Network, Rural Business Network etc.</td>
<td>Council, Government Agencies and Community groups</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>7 Ensure that there is equal access to Local, State and Federal Government Services</td>
<td>7.1 Review and lobby for government programs and polices to provide equity of access for rural residents to all services eg Council’s Management Plan, Teamwest, Area Health Action Plans, Disability Plans etc.</td>
<td>Council and State and Federal Government agencies</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>8 Provide an adequate level of service for the provision of public transport in the rural parts of the Shire.</td>
<td>8.1 Implement the recommendations that are contained in Appendix 3 which relate to public transport.</td>
<td>Council and State and Federal Government agencies and private bus companies</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>9 Improve physical and social environment of Rural Villages and Service Centres</td>
<td>9.1 Prepare a set of action plans for all Rural Villages and Service Centres to meet local needs for community, recreation and other needs.</td>
<td>Council, Government Agencies and Community groups</td>
<td>Short term and ongoing</td>
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<tr>
<td>10 Ensure that the needs of specific target groups in the community are met</td>
<td>10.1 Review Council’s Social Plan and other relevant policies to integrate actions which address the needs of rural:  - youth,  - older residents,  - residents with a disability,</td>
<td>Council, Government Agencies and Community groups</td>
<td>Short term and ongoing</td>
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<tr>
<td>Implementation Strategy</td>
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<tr>
<td>11 Explore a range of funding options which facilitate the delivery of facilities, services and infrastructure to rural areas.</td>
<td>11.1 Develop a Rural Areas S.94 Contributions Plan.</td>
<td>Council, Government Agencies and Community groups</td>
<td>Short term and ongoing</td>
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<td>11.2 Develop a long-term funding strategy for rural services and infrastructure delivery.</td>
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## 11.6.4. Economic Development and Employment Opportunities

**Objective:** To provide for economic development opportunities that are in keeping with the rural character of the Shire.

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<th>Time-frame</th>
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<tbody>
<tr>
<td>1 Ensure that the economic development of Baulkham Hills Shire considers the rural land.</td>
<td>1.1 Amend the current Economic development strategy to incorporate rural based activities such as tourism, rural employment opportunities, value adding onto existing rural activities.</td>
<td>Council</td>
<td>Short term and ongoing.</td>
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<td>1.2 Develop a Shire Marketing Plan that promotes the rural lifestyle benefits of working and living in the Baulkham Hills Shire.</td>
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<tr>
<td>2 Provide employment generating opportunities the rural parts of the Shire.</td>
<td>2.1 Encourage the existing businesses to remain and expand.</td>
<td>Council</td>
<td>Ongoing</td>
</tr>
<tr>
<td>3 Provide economic incentives to encourage the development of rural activities.</td>
<td>3.1 Investigate the implementation of a scheme of rewards and incentives covering financial (rate rebates) non-financial (subdivision bonus criteria)</td>
<td>Council and Government Agencies</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>4 Promote the Shire as a place for rural based tourism.</td>
<td>4.1 Encourage the development of rural accommodation including bed and breakfast and some ecotourism type uses.</td>
<td>Council and Government Agencies</td>
<td>Short term and ongoing</td>
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<td>4.2 Encourage the development of tourist facilities that provide a recreation theme.</td>
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<td>4.3 Consider the suitability of resort / convention centres to be able to utilise large holdings with the possibility of creating small lots only via a community titles scheme.</td>
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<td>4.4 Encourage the Hawkesbury Harvest Farm Gate Trail to be extended into the Shire in</td>
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<td>Implementation Strategy</td>
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<td>4.5</td>
<td>conjunction with Hornsby Shire. Promote the continuation of the farmers / growers market at Castle Hill.</td>
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## 11.6.5. Infrastructure Requirements

**Objective:** Provide an adequate level of infrastructure for the people who live and work in rural parts of the Shire.

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<th>Implementation Strategy</th>
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<th>Time-frame</th>
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<tbody>
<tr>
<td>1 Ensure that an adequate reticulated water supply is available residents.</td>
<td>1.1 Adopt a policy of not permitting subdivision of land in the low pressure areas identified by Sydney Water.</td>
<td>Council and Sydney Water</td>
<td>Short term</td>
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</tbody>
</table>
| 2 Ensure that the most appropriate sewage disposal system is provide for all land in the rural parts of the Shire. | 2.1 Encourage Sydney Water to provide reticulated sewerage to Glenorie and Kenthurst villages.  
  2.2 Adopt a policy of not permitting subdivision of rural land less than 1 ha unless it can be connected to a reticulated sewerage system. | Council and Sydney Water | Short to medium term |
| 3 Ensure that there are adequate community facilities to house the required level of social services. | 3.1 Develop and implement action plans for the rural villages and centres to ensure that the appropriate levels of community facilities are provided. | Council and Government Agencies | Short to medium term |
| 4 Ensure that recreation facilities are adequate to serve the needs of the residents of rural parts of the Shire. | 4.1 Develop and implement action plans for the rural villages and centres to ensure that the appropriate levels of recreation facilities are provided | Council and Government Agencies | Short to medium term |
| 5 Ensure that the roads in the rural parts of the Shire are adequate for the amount of existing and future traffic demands | 5.1 Prepare a road upgrading program in consultation with the Traffic Committee and local residents. | Council and Government Agencies | Short to medium term |
| 6 Develop a sustainable transport system for the rural parts of the Shire. | 6.1 Prepare a Transport Plan which will integrate with the urban areas and address the following issues:  
  - Transport routes | Council and Government Agencies | Short to medium term |
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<th>Responsibility</th>
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<td>▪ Provide a range of sustainable transport modes ie walking, cycling, public transport, community transport</td>
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<td>▪ Links between the transport nodes</td>
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<td>▪ Maintaining the amenity of the rural parts of the Shire.</td>
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11.7 Environmental Opportunities and Constraints

11.7.1. Water Catchments

**Objective:** *To ensure that the quality of surrounding waterways is not adversely affected by development.*

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<tbody>
<tr>
<td>1. Consider the cumulative impact of development on the catchment.</td>
<td>1.1 Establish a set of Catchment Health Indicators by which the cumulative impact of development can be measured and managed.</td>
<td>Council and HNCMT, EPA, DLWC</td>
<td>Short Term</td>
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<td>2. Ensure development does not increase the sedimentation load in surrounding water bodies.</td>
<td>2.1 All development is to utilise best management practices for soil and water management on the site.</td>
<td>Council</td>
<td>On-going</td>
</tr>
<tr>
<td>3. Ensure new development is located so it does not have a detrimental impact on nearby water bodies.</td>
<td>3.1 All development to be located an appropriate distance from waterways.</td>
<td>Council</td>
<td>On-going</td>
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<tr>
<td>4. Ensure Domestic and other forms of Effluent Disposal does not have a detrimental impact on water quality.</td>
<td>4.1 On-site effluent disposal is to be in accordance with Council’s policy for dealing with On-site Sewage Management and the NSW Environment and Health Protection Guidelines for On-site Sewage Management for Single Households.</td>
<td>Council</td>
<td>On-going</td>
</tr>
</tbody>
</table>
11.7.2. Ecological Management

**Objective:** To ensure that the ecological integrity of the rural lands are enhanced and maintained.

<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
</table>
| 1 Recognise and understand the biodiversity values of the rural parts of the Shire. | 1.1 Prepare plans linking core areas of remnant vegetation to facilitate species migration.  
1.2 Establish a land use and management approach consistent with State, regional, local biodiversity goals  
1.3 Investigate reserves and areas subject of agreement between owners and government agencies for their preservation.  
1.4 Incorporate significant bushland in future Local Environmental Plans.  
1.5 Determine conservation strategies for endangered and vulnerable species in the Council area in association with the National Parks and wildlife Service.  
1.6 Consider the implementation of environment protection zones to protect significant biodiversity areas. | Council and Government Agencies in partnership with the community | Short term and ongoing |
<p>| 2 Preserve the existing biodiversity habitat on private lands throughout the rural parts of the Shire. | 2.1 Identify and protect significant linkages of native vegetation as outlined in the Natural Assets Mapping Report and incorporate in the draft LEP for the Shire’s Rural Lands. | Council | Short term |</p>
<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Encourage the State Government to continue to investigate and identify the biodiversity values of the Shire</td>
<td>3.1 Implement actions in the NSW Government Biodiversity Strategy that have identified Baulkham Hills Shire Council as a lead organisation, the Australian Local Government Biodiversity Strategy and the Cumberland Plain Endangered Ecological Communities Recovery Plan.</td>
<td>Council and Government Agencies in partnership with the community</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>4 Provide a mechanism to conserve roadside vegetation.</td>
<td>4.1 Prepare a roadside vegetation management plan for the rural parts of the Shire.</td>
<td>Council and Government Agencies</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>5 Develop a mechanism that will allow for the accessing of information provided with development applications.</td>
<td>5.1 Create a database that will provide details of the information submitted with development applications such as flora and fauna study findings, flooding information and aboriginal heritage study findings.</td>
<td>Council and Government Agencies in partnership with the community</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>6 Increase awareness and involvement in identifying, protecting and enhancing biodiversity.</td>
<td>6.1 Prepare guidelines for tree / vegetation evaluation including use of the 8 part test for significance under the provisions of the Threatened Species Conservation Act.</td>
<td>Council and Government Agencies</td>
<td>Short term and ongoing</td>
</tr>
</tbody>
</table>
11.7.3. Scenic and Landscape

**Objective:** Ensure that development has a minimal impact on the scenic and cultural landscape of the Shire

<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Incorporate the preservation of landscape into a development control plan for rural areas.</td>
<td>1.1 Ensure that dwelling houses and outbuildings in rural areas are classified as local development under the provisions of the Environmental Planning and Assessment act.</td>
<td>Council</td>
<td>Short term and ongoing</td>
</tr>
<tr>
<td>1.2 Develop guidelines for the siting and design of buildings in the rural landscape and incorporate them into a DCP.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Objective:** Ensure that urban growth is managed to retain the rural character of the Shire

<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Carry out investigations into the impact of both urban and rural residential development proposals to ensure that it has minimal impact on the scenic and cultural landscape values.</td>
<td>2 Require all rezoning applications for new urban and rural residential development to investigate the impact of the proposal on the Landscape Character of the rural lands.</td>
<td>Council</td>
<td>Short term and ongoing</td>
</tr>
</tbody>
</table>
### 11.7.4. Heritage and Culture

**Objective:** To preserve the rural heritage and culture of the Shire

<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Formally recognise the heritage values of the rural areas.</td>
<td>Council</td>
<td>Short term</td>
</tr>
<tr>
<td>1.1</td>
<td>Incorporate any unlisted existing heritage items into the proposed LEP for the Shire’s Rural Lands.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Protect and enhance the recognised heritage values.</td>
<td>Council</td>
<td>Short term</td>
</tr>
<tr>
<td>2.1</td>
<td>Prepare guidelines to ensure that the heritage values of the landscape are preserved and not harmed by development and incorporate these into a DCP for the rural areas.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Identify the Aboriginal Heritage significance of the Shire</td>
<td>Council</td>
<td>Short term</td>
</tr>
<tr>
<td>3.1</td>
<td>Update the planning controls to protect aboriginal cultural heritage sites.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Promote and support the rural culture of the Shire</td>
<td>Council</td>
<td>Short term</td>
</tr>
<tr>
<td>4.1</td>
<td>Publish information on heritage items and include in community and tourist information.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1.5</td>
<td>Support cultural and tourist activities which promote rural heritage eg local shows, agricultural days, heritage tourist trails, etc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Provide incentives to protect the heritage values.</td>
<td>Council</td>
<td>Short term</td>
</tr>
<tr>
<td>5.1</td>
<td>Encourage landowners to carry out a heritage curtilage study and conservation plans of historic homesteads including homestead gardens.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
11.7.5. Natural Hazards

Objective: **Recognise the impact of natural hazards on future land use and settlement.**

<table>
<thead>
<tr>
<th>Implementation Strategy</th>
<th>Policy Action</th>
<th>Responsibility</th>
<th>Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ensure bush fire risk is considered in all future settlement areas.</td>
<td>1.1 Implement the requirements of the Planning for Bushfire Protection into the proposed LEP and DCP.</td>
<td>Council</td>
<td>Short term</td>
</tr>
<tr>
<td>2. Ensure that land degradation is minimised.</td>
<td>2.1 Do not allow development to occur on land where vegetation clearing will cause erosion.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Ensure that Salinity is minimised.</td>
<td>3.1 Identify the areas of salinity occurrence and place controls on clearing of land and land use.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Identify the flooding of land as a constraint to future development.</td>
<td>4.1 Adopt the 1% Annual Exceedence Probability Flood as the design flood for all new development and do not allow development to occur in the identified area.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 11.7 Locality Outcomes

This section provides a summary of the major outcomes for each locality within the Shire. Reference should be made to the detailed strategies and actions in the previous sections of this report.

<table>
<thead>
<tr>
<th>Locality</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wisemans Ferry</td>
<td>Promote tourism in the village</td>
</tr>
<tr>
<td></td>
<td>Promotion of tourism uses associated with the Hawkesbury River</td>
</tr>
<tr>
<td></td>
<td>Work with Hornsby Shire to provide a more coordinated approach to the provision of services and facilities in the village</td>
</tr>
<tr>
<td></td>
<td>Prepare a plan of management with Hornsby Shire.</td>
</tr>
<tr>
<td>Leetsvale</td>
<td>Proposed land use designation is Rural Landscape</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td></td>
<td>Promotion of tourism uses associated with the Hawkesbury River</td>
</tr>
<tr>
<td>Lower Portland</td>
<td>Proposed land use designation is Rural Landscape</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td></td>
<td>Promotion of tourism uses associated with the Hawkesbury River</td>
</tr>
<tr>
<td>Sackville North</td>
<td>Proposed land use designation is Rural Landscape</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td></td>
<td>Promotion of tourism uses associated with the Hawkesbury River</td>
</tr>
<tr>
<td>Maroota</td>
<td>Proposed land use designation is Rural Landscape</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td>South Maroota</td>
<td>Proposed land use designation is Rural Landscape</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td>Cattai</td>
<td>Proposed land use designation is Rural Landscape</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td>Maraylya</td>
<td>Proposed land use designation is Rural Landscape</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td></td>
<td>Investigation of a small village to be situated around the existing service station / general store</td>
</tr>
<tr>
<td>Glenorie</td>
<td>Proposed land use designation is Rural Landscape</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td></td>
<td>Investigation of further subdivision to the south of the village in conjunction with water and sewerage infrastructure</td>
</tr>
<tr>
<td></td>
<td>Urban design guidelines have been prepared for the village</td>
</tr>
<tr>
<td>Kenthurst</td>
<td>Proposed land use designation is Rural Living Mixed Uses</td>
</tr>
<tr>
<td></td>
<td>Provision for Clustered Rural subdivision</td>
</tr>
<tr>
<td></td>
<td>Create a ‘village’ designation around the existing</td>
</tr>
</tbody>
</table>
### Baulkham Hills Shire Rural Strategy

<table>
<thead>
<tr>
<th>Location</th>
<th>Proposed Land Use Designation</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle Dural</td>
<td>Rural Living Mixed Uses</td>
<td>Proposed land use designation is Rural Living Mixed Uses</td>
</tr>
<tr>
<td>Round Coroner Dural</td>
<td>Village Design Guidelines</td>
<td>Proposed land use designation is Rural Living Mixed Uses</td>
</tr>
<tr>
<td>Box Hill</td>
<td>Rural Living Mixed Uses and part rural landscape</td>
<td>Provision for Clustered Rural subdivision in the Rural Landscape Designation.</td>
</tr>
<tr>
<td>Nelson</td>
<td>Rural Living Mixed Uses and part rural landscape</td>
<td>Provision for Clustered Rural subdivision in the Rural Landscape Designation.</td>
</tr>
<tr>
<td>Annangrove</td>
<td>Rural Living Mixed Uses</td>
<td>Proposed land use designation is Rural Living Mixed Uses</td>
</tr>
<tr>
<td>Rouse Hill</td>
<td>Rural Living Mixed Uses</td>
<td>Proposed land use designation is Rural Living Mixed Uses</td>
</tr>
<tr>
<td>Kellyville</td>
<td>Rural Living Mixed Uses</td>
<td>Encourage Planning NSW to place North Kellyville on the Metropolitan Development Program</td>
</tr>
<tr>
<td>Glenhaven</td>
<td>Rural Living Mixed Uses</td>
<td>Proposed land use designation is Rural Living Mixed Uses</td>
</tr>
</tbody>
</table>
Chapter 12: Conclusion

This document forms the culmination of stage 2 of the Rural Lands Study project. It provides an analysis of the major issues facing the rural lands of the Shire and discusses some options that can be further explored to address them. The main issues affecting rural fringe areas like Baulkham Hills are the need to preserve the environment, the retention of agriculture and the pressure for subdivision of agricultural areas or the resubdivision of existing rural residential land.

The report has addressed the following issues which will need to be addressed by the Rural Lands Strategy:

- Growth Management
- Settlement Hierarchy
- Constraints to Development
- Social Sustainability
- Biodiversity Conservation
- Incentives
- Economic Development and Rural Tourism
- Rural land uses and lot sizes
- Rural Residential Uses
- Rural Subdivision’

Each issue has been assessed considering the strategic and environmental implications and options that could be applied to resolve them have been discussed.

A strategy framework has been outlined which addresses the matters that should be considered in the Strategy to be prepared in Stage 2.
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Baulkham Hills Shire Council (2001) Baulkham Hills Local Environmental Plan, 1991 (as amended), Baulkham Hills Shire Council, Castle Hill


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EDGE Land Planning
April 2003
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Sinclair, I. W. (2001d) *Lifestyle Living*, in New Planner, Number 49, Royal Australian Planning Institute (NSW), Sydney

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Appendix 1: Brief
Baulkham Hills Shire Council

Rural Lands Study

Consultant Brief

Stage Two – Strategy Making

April 2002
Council’s Vision:

The Garden Shire – an interactive and vibrant community enjoying life in a high quality, open environment which reflects its heritage

Council’s Mission:

To take a holistic approach to social, environmental & economic aspects of urban & rural planning by:

- Strategic leadership and commitment;
- Providing effective services & facilities;
- Facilitating community access to support services; and
- Fostering a safe & cleaner community.
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ATTACHMENTS

Background and Issues Report

Community Consultation Report

BRIEF

1. SYNOPSIS

The Shire of Baulkham Hills is located on the north-western edge of the Sydney Metropolitan area, and is bordered by the local government areas of Hawkesbury and Gosford to the north, Hornsby to the east, Parramatta to the south and Blacktown to the west. The rural zoned lands within the Shire comprise approximately 80% of the land area of the Shire, which equates to approximately 300 square kilometres. The rural area of the Shire is flanked by the natural sandstone ridge of Old Northern Road, from Dural to Wisemans Ferry, and the ecologically integral Hawkesbury River and its tributaries from Wisemans Ferry to Cattai.

Council’s values in relation to the rural lands relate primarily to:

- “Taking pride in and enhancing our reputation as the Garden Shire;
- seeking to retain our rural heritage and atmosphere; and
- protecting and enhancing the natural, built, and cultural environment consistent with the aims of sustainability.” (Hills Shire Plan, 2000)

Underlying the Council’s approach to all planning for the rural lands are the principles of Ecologically Sustainable Development (ESD), with the aim of achieving ‘best practice’ environmental protection wherever possible.

The rural lands of Baulkham Hills Shire are within Sydney, one of the fastest growing cities in Australia, and for this reason the effects of urban expansion and changes in agricultural practices are impacting upon the rural lands. Such impacts have lead to pressure for change and a need to realise the goal of determining a sustainable land use strategy for the future strategic management of the rural lands.

In order to realise this goal Baulkham Hills Council has resolved to prepare a Rural Lands Study, over a three year period (completion date May 2003). Stage One is now complete and consultants will be engaged to undertake Stage Two of the Study. Stage Two is due for completion in November 2002. Stage One involved the background research and formulation of issues to be addressed in Stage Two (Strategy Making) of the Study. Further information regarding Stage One of the Study is included in the “Background” section of this brief.

Throughout the Study process it is essential that effective community consultation occurs involving all stakeholders. This ongoing consultation process aims to ensure that all relevant issues are addressed, and stakeholders have ownership and acceptance of the Study, strategy and plans.

The Rural Lands Study will provide Council and the community with a clear direction for the sustainable future of the rural lands, and will indicate how such a sustainable future can be achieved, via a land use strategy/strategies, which will form the basis of an LEP(s) and DCP(s). The Rural Lands Study will lead all stakeholders into a positive future as a result of a holistic approach to the environmental, social, cultural and...
2. BACKGROUND

Stage One (Background Research and Strategy Framework) of the Rural Lands Study is now complete. Stage One provides and analysis of the major issues facing the rural lands of the Shire and discusses some options that can be further explored to address the issues. It was found via Stage One of the Study that the main issues affecting rural fringe areas of the Baulkham Hills Shire are:

- the need to preserve the natural environment & rural character;
- the retention of agricultural land;
- pressure for subdivision of agricultural areas; and
- pressure for resubdivision of existing rural-residential holdings of land.

Three main documents were prepared which form the background, research and issues identification phase (Stage One) of the Study. They are as follows:

- Background and Issues Report – outlines the broad existing characteristics of the study area as well as identifying the matters that will have to be addressed when considering the future of the rural lands of Baulkham Hills Shire.
- Community Consultation Report – provides a summary of matters discussed throughout the formal consultation phase.
- Strategic Environmental Assessment and Strategy Framework – draws the findings of Stage One together and sets the scene for Stage Two of the Study.

The Background and Issues Report is attached as Attachment 1 and the Community Consultation Report is attached as Attachment 2.

Council resolved on 9th April 2002 as follows:

1. Council receive this report and note that Stage One of the Rural Lands Study is now complete; and
2. A report be submitted to Council on the appointment of consultant(s) for Stage Two of the Rural Lands Study in May 2002."

A copy of this Council report relating to Stage One of the Study, is included in Attachment 3. The report includes the Strategic Environmental Assessment and Strategy Framework of Stage One of the Study.
3. STUDY AREA

The study area comprises approximately 300 square kilometres of the land, which represents the majority of the land contained in the North Ward of the Shire. The study area consists of the rural zoned land – 1(a), 1(b), 1(c) & 1(d) (including the former Maroota State Forest and extractive industries), rural villages, Cattai National Park (zoned National Parks & Nature Reserves 8(a)) and wetlands located in and along Little Cattai Creek (zoned Environmental Protection 7(a) Wetlands).

The study area includes land to which Sydney Regional Environmental Plan (SREP) No. 9 – Extractive Industries, SREP No. 18 – Public Transport Corridor and SREP No. 19 – Rouse Hill Development Area and SREP No. 20 – Hawkesbury-Nepean River apply.

The suburbs/towns/localities contained wholly or partially within the study area include: Round Corner, Dural, Middle Dural, Glenorie, Hillside, Glenhaven, Kenthurst, Annangrove, Kellyville, Rouse Hill, Box Hill, Nelson, Maraylya, Cattai, Sackville, Leetsvale, Lower Portland, Wisemans Ferry and Maroota.

The attached map (overleaf) indicates the study area, as the rural zoned part of the Shire.
Baulkham Hills Shire Rural Strategy

LEGEND
- Rural
- Residential
- General Business
- Special Business
- Light Industrial
- Special Uses
- Special Uses
- Public Open Space
- Private Open Space
- Environmental Protection
- National Parks
- Employment Area

Baulkham Hills Shire Council
RURAL LAND STUDY
Scale: 1:60,000 Planning Services 2000

EDGE Land Planning
April 2003
4. **AIMS AND OBJECTIVES**

The aims of the project are to:

- protect and enhance a sustainable future for the rural lands;
- involve the community and other stakeholders in the Study process, to ensure acceptance and ownership; and
- generate a sustainable land use strategy and environmental planning instruments for the study area.

The objectives to be achieved via the Rural Lands Study are:

- Formulation of a robust strategic framework which allows Council to:
  - maintain long term sustainable agricultural lands;
  - protect and enhance the existing and future rural economy – including tourism, agriculture, extractive industries, transport, employment and future investment opportunities;
  - maintain and preserve the natural environment and resources;
  - maintain and protect a healthy biodiversity within the natural environment of the Shire’s rural lands;
  - avoid and manage land use conflict;
  - respond to social needs and preserve social values of the rural community;
  - maintain and enhance the existing character of rural villages;
  - conserve items of heritage value;
  - manage the demand for future rural subdivision; and
  - maintain and provide infrastructure where appropriate.

- Formulation of a series of sustainable strategies which incorporate ESD principles and are consistent with the objectives of the Baulkham Hills Shire Plan, Environmental Management Plan and the EP&A Act;

- Preparation of Rural LEP(s), DCP(s), Section 94 Contributions Plans and Rural Initiatives (where and if required) which will act as implementation mechanisms for the strategies; and

- Provision of a methodology to monitor and review the medium to long-term performance of the policies resulting from the Rural Lands Study.

5. **TASKS AND MILESTONES/OUTCOMES**

The study has been divided into the following three stages:

1. **Stage One** – Background Research and Strategy Framework - completed
2. **Stage Two** – Strategy (subject of this brief) – to be completed by November 2002
3. **Stage Three** – Plan Making – to be undertaken in 2003

This brief relates only to Stage Two.
STAGE TWO: MAY 2002 – NOVEMBER 2002

STRATEGY MAKING

(The consultant should identify how the following tasks will be carried out and the key professionals/sub consultants who will undertake each of the tasks/components of Stage Two detailed below.)

A strategy should not be just a set of land use changes. Strategies, by their nature are methods that can be used to highlight a number of issues and approaches to the future of the rural land. Strategies provide for outcomes and provide a process whereby longer-term objectives can be clearly articulated. The preparation of a strategy enables the Council to address the big picture issues as well as giving an indication about the future direction for the development of an area. The measure of success of a strategy is its implementation by the Council and the acceptance of this by the community.

The Rural Strategy needs to be treated as a set of guiding principles and actions that are needed to help achieve the Council’s vision. The issues addressed in a Rural Strategy to provide for a sustainable future can be broken into the two categories as follows:

- Social and economic factors
- Environmental opportunities and constraints

TASKS

1. **Review Reports Prepared During Stage One**

2. **Prepare a Growth Management Philosophy**

   The growth management philosophy provides a set of principles to be followed to manage the growth of rural areas in the Shire. (refer p. 53 of Strategic Environmental Assessment and Strategy Framework)

3. **Prepare Development Directions/Guidelines**

   Development directions/guidelines provide criteria against which development in the rural areas of the Shire can be measured to assess their sustainability. (refer p. 53 of Strategic Environmental Assessment and Strategy Framework)

4. **Prepare Vision and Strategies**

   The objectives and relevant issues that may be addressed in the Rural Strategy are as follows:

   *(Note - The objectives and relevant issues do not have to be limited to this list)*

   (refer p. 54-55 of Strategic Environmental Assessment and Strategy Framework)
Baulkham Hills Shire Rural Strategy

Environmental Assessment and Strategy Framework

i) **Social and Economic Factors**

**Growth Management**
- Balanced approach
- Growth Management Philosophy
- Settlement Hierarchy

**Land Use Planning**
- New Zones
- Minimum lot sizes
- Cluster subdivision
- Land use regulations
- Land management guidelines
- Investigate Non-statutory mechanisms to preserve rural land
- Investigate financial and non-financial incentives

**Quality of Life**
- Assess the provision of services
- Develop action plans for access and information dissemination
- Prepare Quality of life indicators

**Economic and Employment Opportunities**
- Encourage economic development
- Promote tourism
- Promote rural based accommodation
- Encourage farm gate sales and growers markets

**Infrastructure**
- Assess the adequacy of existing infrastructure
- Upgrade existing areas before developing new areas
- Utilise as much of the existing infrastructure before providing for new areas that will need more infrastructure

ii) **Environmental Opportunities and Constraints**

**Water Catchments**
- Cumulative impact of development
- Minimal impact on receiving streams
- Adequate disposal areas for on-site effluent management
Ecological Management
- Recognise biodiversity conservation
- Implement Greening Plan
- Investigate the use of incentives for biodiversity conservation

Scenic Landscapes
- Identity and preserve the existing landscapes
- Recognise that they contribute to the identity of the Shire

Heritage and Culture
- Recognise the heritage and culture of the Shire area including aboriginal and non-aboriginal aspects
- Protect and enhance the recognized heritage values
- Investigate the use of incentives for heritage conservation

Natural Hazards
- Ensure that flooding, bushfire risk, salinity, slope, acid sulphate soils and land degradation are assessed as a constraint to future development.

5. Test Strategies Against Sustainability Indicators

Test the strategies in regard to impacts against Catchment Health Indicators and Quality of Life/Community Well Being Indicators. (refer p. 46-51 of Strategic Environmental Assessment and Strategy Framework)

Milestones or Outcomes of Stage Two

It is expected that the consultant submission will include milestones and major outcomes (including documents/maps etc) that will form Stage Two of the Study.

Consultation Associated with Stage Two

It is expected that the consultant submission will include the following as a minimum in regard to consultation:
- A community consultation program involving (but not limited to) the Community Liaison Group and Statutory Liaison Group.
- Minimum of 2 Council briefings.
- Monthly meetings with project co-ordinator.

Note: Council will undertake any hotline numbers, booking of halls, printing and mail outs associated with the consultation associated with Stage Two, only. It is expected that the consultant will undertake all other work/tasks associated with the consultation.
1. STUDY MANAGEMENT

The consultant will be expected to form a fundamental part of a team including the consultant, sub-consultants, officers working within Council, the statutory liaison group and the community liaison group. The team will be co-ordinated/managed by a strategic planning officer from within Council. The consultant will work closely with the team and be provided access to all team members, Council documents and other resources as required.

2. SELECTION CRITERIA AND RESPONSE TO BRIEF

The successful consultant will be selected having regard to the following criteria:

- Understanding of the brief;
- Methodology capable of achieving each task milestone and outcome;
- A Project Management outline showing each task and the time frame required for completion within the prescribed time frame as set out in this brief, including details of the proposed consultation methods;
- The key personnel involved in the project, their qualifications and experience;
- The proposed budget for each task and the total amount of the project including an hourly rate for any contingency work beyond the scope of this brief;
- Details of any information that should be provided by the Council to assist the project; and
- Public Liability insurance in the joint names of the Principal and Consultant that covers the Principal, the Consultant and all Sub-Consultants/Contractors for an amount of $10,000,000. The consultant should have Professional Indemnity insurance cover for an amount of $10,000,000 or greater.

3. TIMEFRAME/TIMETABLE

The timeframe for completion of the entire Study is May 2003. The timeframe for Stage Two is:

Stage Two - May 2002 – November 2002

4. BUDGET and FEE PAYMENTS

It is expected that payments shall be made in stages, based upon the successful completion of each milestone. The consultant should identify a suggested staging for fee payment, based upon an overall budget for Stage One of up to $70,000.

Any error or deficiency that becomes apparent during the study will be referred to the consultant for correction in the suitable form. No additional payment will be provided where such actions result from work carried out by the consultant.
5. THE FINAL SUBMISSION

The consultant shall provide Council with the following:

- One (1) bound and one (1) unbound copy of the first and final draft of each written document produced as part of Stage Two of the Study;
- Three (3) bound and one (1) unbound copy of each final written document produced as part of Stage Two of the Study;
- One (1) copy of first and final draft maps produced as part of Stage Two of the Study (which are GIS compatible with Arcview Shape Files or Arc Info Coverages with ISG co-ordinates);
- One (1) floppy disk (3.5 inch) or one (1) CD suitable for Microsoft Office 2000 (Word 2000) with all final written documents and maps produced as part of Stage Two of the Study;
- Where database and spreadsheet information is inserted in the reports or included as an attachment, the format files are to Microsoft Access or Excel (2000); and
- Copies of any material to be distributed to the public, liaison groups or published in any media, will be referred to the Project Co-ordinator for review prior to release.

Any consultant firm who cannot provide information in the formats listed above will not be considered for this commission.

6. CLOSING DATE

The closing time and date for submissions is **4:30pm on Tuesday 14th May 2002.** Submissions should be in A4 format and a maximum of 25 pages.

7. COUNCIL CONTACT

Cinnamon Dunsford of Council’s Forward Planning Team is co-ordinating the Rural Lands Study. Council’s first point of contact with regard to the Rural Lands Study is:

Ms Cinnamon Dunsford  
Strategic Planning Co-ordinator  
Phone: 9843 0261  
Fax: 9843 0411  
Email: cdunsford@bhsc.nsw.gov.au

Please note Cinnamon Dunsford is on leave during the month of May, therefore please contact  
David Green, Manager – Strategic Planning on 9843 0258  
or at email address dgreen@bhsc.nsw.gov.au during this time.
1. LIST OF STAKEHOLDER GROUPS

Community Liaison Group Members
A list of Community Liaison Group members will be provided to the successful consultant.

Statutory Liaison Group Members
* planningNSW
* Sydney Water
Roads and Traffic Authority
TransportNSW
State Rail Authority – Estate Rail
* NSW Fisheries
TourismNSW
* NSW Agriculture
* Environment Protection Authority
* Department of Land and Water Conservation
* National Parks and Wildlife Service
* Department of Mineral Resources
* Rural Fire Service (Baulkham Hills Shire)
Rural Fire Service
Integral Energy
* Transgrid
Department of Local Government
Lower Hawkesbury Catchment Support Committee
Department of Public Works and Services
State Forests of NSW
Nature Conservation Council of NSW
NSW Heritage Office
National Trust of Australia – NSW
Department of Housing
Landcom
NSW Police Department – Planning and Evaluation Unit
Western Sydney Area Health Service
Department of Sport and Recreation
Department of Education and Training
State Emergency Services
Waterways Authority
Waste Service NSW
Baulkham Hills Shire Rural Strategy

Telstra
AGL
Bureau of Meteorology
Office of Western Sydney
Department of State and Regional Economic Development
Adjoining Councils
(* = the members that Council currently meets with)
2. TERMS OF ENGAGEMENT

Copyright and Confidentiality

All work arising out of or in respect of or in anyway connected with this consultancy will remain confidential unless and until such time as its release is approved by the Project Co-ordinator or where required by Council.

Copyright ownership of all work arising out of the study shall be invested in Baulkham Hills Shire Council. After final adoption by Council of the study and its findings in terms of the output required in the brief, the consultant may publish or use the data gained in undertaking the study.

Conflict of Interest

Consultants will be required to disclose in their submission whether or not there is any potential for a conflict of interest to arise in accepting the contract to undertake this study.

If during the term of the study such a conflict arises the Consultant is required to immediately inform Council’s planning co-ordinator for this study.
Appendix 2: Biodiversity Conservation and Indicators of Sustainability Workshops
Attendees at the Indicators of Sustainability Workshop

- Baulkham Hills Shire Council
- Edge Land Planning
- Planning NSW
- NSW Agriculture
- Australian National University
- Hornsby Shire Council
- University of Western Sydney

Attendees at the Biodiversity Conservation Workshop

- Baulkham Hills Shire Council
- Edge Land Planning
- Teresa Hames Consulting
- Three Colours Green
- Camden Council
- Hornsby Shire Council
- Planning NSW
- Land & Environment Planning
- National Parks & Wildlife Service
- Eco Logical Australia
Appendix 3: Access and Communication Workshop
1. Introduction

As part of the Baulkham Hills Rural Lands Study being undertaken by Edge Land Planning for Baulkham Hills Shire Council, a workshop was held with members of the Rural Lands Study Reference Group, to discuss in more detail the key social issues identified in the Community Workshops 1 and 2 held in 2002. Specialist consultant, Heather Nesbitt, was engaged to facilitate a workshop on the issues raised and to recommend appropriate strategies and actions to be incorporated in the Baulkham Hills Rural Lands Strategy – Stage 2.

The workshop Addressing Public Transport, Communication and Other Key Social Issues was held on Monday 10th February at 7.30pm at Glenorie RSL, Glenorie. Invitations were sent to 25 residents and 5 relevant government/private agencies. The workshop was attended by 25 residents representing the communities of Kenthurst, Round Corner, Maraylya, Hillside, Glenhaven, ???. There were 15 men and 10 women with the majority being aged over 45 years.

The workshop was facilitated by Heather Nesbitt, from Heather Nesbitt Planning, with assistance provided by study consultant, Ian Sinclair, Edge Land Planning and Council’s Strategic Planning Co-ordinator, Cinnamon Dunsford.

The aim of the workshop was to develop a greater understanding of the issues raised in Stage 1 and to work with the community in developing workable strategies and actions to address these issues. To achieve this, the facilitator, together with the study consultant and Council staff, provided the workshop attendees with:

- Brief overview of the social issues raised in the Community Focus Workshops 1 and 2
- Current strategies used by Council to address these issues
- Potential strategies and actions which could be used to the Baulkham Hills Rural Lands Strategy – Stage 2 to address these issues

The agenda for the workshop is provided in Appendix 1.

2. Social Issues Identified In Stage 1

Analysis of the outcomes of the Community Workshops (see Appendix 2) identified some times where social issues were raised by the community. Each of these responses were grouped with similar issues and the following key themes identified:

- Public Transport – many residents are concerned about transport issues in the Rural Lands identifying strongly the lack of public transport in many
Baulkham Hills Shire Rural Strategy

communities; the lack of pedestrian and cycleway facilities; poor ferry services; and lack of community transport.

- Other Transport issues – similarly, concerns were expressed about high traffic volumes (particularly from schools in the area); high traffic speeds; truck traffic and road load limits; poor rural addressing system and vegetation on the roads.

- Communication – many residents also consider that communication is difficult in the Rural Lands with many identifying that the existing telephone and internet services are poor; information on community and local services is not readily available; co-ordination between Councils and government agencies is poor; and that communication between Council, residents and neighbours is not adequate. Overall, it is evident that many residents feel that rural residents are not able to fully participate in the decision-making processes of Council and government and that information/communication is not adequate in this part of the Shire.

In addition, the initial work undertaken by Edge Land Planning, Baulkham Hills Rural Lands Study – Stage 1, identified several key social issues as a result of the study. Many of these are consistent with the themes identified by the Community Focus Workshops 1 and 2 outlined above. However, some were not raised at the Community Focus Workshops and it was considered important by the study consultants to further investigate these as part of this workshop. These issues were:

Community Services – many rural residents with high needs have poor /no access to appropriate community and social services eg older residents, residents with a disability, youth, children etc

Life-long Learning - access to life-long learning programs is very limited in the rural area and this is a key need of the community

Appropriate Housing – with a significant aged population and the potential for a number of residents with disabilities, the provision of appropriate housing for older rural residents and rural residents with a disability is limited.

Cultural Heritage – the Rural Lands have an extensive Aboriginal and European cultural heritage which should be identified and promoted.

3. Workshop Outcomes

This section details the information collected at the workshop as recorded by the groups on butchers paper. As shown in the workshop agenda, three small groups were formed to enable more in-depth discussion of the potential strategies and actions which could be included in the Rural Lands Strategy – Stage 2.

It is important to highlight at the outset that the potential strategies and actions proposed by the consultants at the workshop were considered appropriate by the workshop attendees.
Baulkham Hills Shire Rural Strategy

The list below highlights the proposed strategies and actions each group considered to be the most appropriate together with additional comments about the issue/proposed strategies and actions. Where more than one group identified this strategy/action, the number of groups is recorded in brackets.

For some issues, no additional strategies and actions were proposed implying that the workshop attendees considered those recommended by the consultants to be appropriate.

Theme: Public Transport

Issue: No/poor public transport

Potential Strategies and Actions Identified by Workshop

Maintain school bus routes during school holidays. The service is established and many people and children would use the bus
Extend the express bus to Glenorie and Annangrove/Kenthurst with Council providing Park’n Ride facilities (3). Works well during the Easter Show, sporting events so should work on an on-going basis. Need to ensure that car park has good security.
Provide Park’n Ride facilities at Round Corner (near Ellerman Park), Annangrove and Glenmorie (3)
Recognise that more demand from the rural area is required for additional bus services to be viable
Locate bus stops in safe locations eg bus stop at McDonalds not safe for pedestrians to cross
Encourage private bus operators to provide single ticketing and weekly bus tickets
Encourage private bus operators to provide discounted tickets for Seniors.
Encourage Westbus to extend the existing Beach Bus service to Sundays and investigate other potential targeted services eg Movie Bus
Encourage private bus operators to provide better services to Pennant Hills station

Issue: No footpaths/cycleways

Potential Strategies and Actions Identified by Workshop

Develop footpaths/cycleway networks in all villages particularly to/from local schools (3) Locations of the footpaths should be developed in consultation with the community. This will ensure that appropriate routes are developed eg on Pitt Town Road need small footbridges across creeks.
Keep verges slashed to promote walking
Provide appropriate signage highlighting that cyclists use the roads/cycleways
Address issues which may prevent any community/Council joint projects for the provision of cycleways/footpaths eg Workcover

Issue: No/poor community transport

Potential Strategies and Actions Identified by Workshop
Baulkham Hills Shire Rural Strategy

Provide more information on community buses available to rural residents (3)
Provide more community bus services for key groups such as youth and older residents eg weekly shopping bus to Windsor/other areas (2)
Provide list of community buses available together with list of drivers with appropriate licence

Issue: Poor ferry services

Potential Strategies and Actions Identified by Workshop

No additional strategies and actions recommended

Issue: Vegetation on roads

Potential Strategies and Actions Identified by Workshop

Prepare and implement a Roadside Vegetation Management Plan to identify an appropriate and regular maintenance program for roadside vegetation (3)
Address issues which may prevent any community/Council joint projects for the removal of dangerous roadside vegetation eg Workcover
Require Council Road Maintenance staff to remove dangerous trees when on patrol in the rural area

Theme: Other Transport Issues

Issue: No enforcement/variable road load limits

Potential Strategies and Actions Identified by Workshop

Provide more inspectors for enforcement particularly on weekends and at key locations ie Kenthurst Road, Cattai Ridge Road, Pitt Town Road (2)
Provide information to residents on conditions set on properties for excavation, land filling etc ie number of trucks, hours permitted (3)
Provide information and complaint Council phone service for truck/load limit issues (2)
However, need to recognise that there are many trucking businesses located in the Rural Lands

Issue: Poor rural addressing system

Potential Strategies and Actions Identified by Workshop

Support completion of Council’s rural addressing system by June 2003 (3)
Concern about how the system works and changes to the system with new subdivisions

Issue: High traffic speeds

Potential Strategies and Actions Identified by Workshop

No additional strategies and actions recommended
**Baulkham Hills Shire Rural Strategy**

*Issue: High traffic volumes during school times*

Potential Strategies and Actions Identified by Workshop

No additional strategies and actions recommended

*Issue: Sealing of Blue Gum Road*

Potential Strategies and Actions Identified by Workshop

Raised by one group as a key transport issue
Undertake feasibility study to seal Blue Gum Road including a traffic count; cost benefit of sealing the road versus ongoing maintenance; and transport benefits/disbenefits of linking Annangrove and Pitt Town Roads (1)

**Theme: Waste Management**

*Issue: Rubbish/litter along roadsides*

Rubbish/litter along roadsides not identified earlier but a major problem. Ensure that Council’s Waste Management Strategy includes the Rural Lands (1)

**Theme: Communication**

*Issue: Poor phone and internet services*

Lobby Telstra to provide improved ADSL services throughout the rural area
Develop a CTC or similar at the Maroota Resource Centre

*Issue: Lack of information on local and community services*

Provide more Council newsletters to rural residents particularly on relevant local issues eg truck movements, bus timetable etc (2)
Provide information through and support the publication of community newsletters available to rural residents eg Bush Telegraph, Living Heritage (2)
In consultation with the Rural Fire Service, develop an improved emergency communication strategy for rural residents relating to evacuation protocols, status of bush fires etc.
Encourage local newspapers to extend home delivery to all rural residents and/or identify and publicise additional distribution points in the rural area eg local shops, schools, post office etc (3)
Provide information to rural residents on key groups/organizations to address local issues.
Support the empowerment of local rural residents to access information on community services. This is a better approach than people whingeing about a lack of information. However isolation is an issue for some rural residents and different groups in the community access information differently.
Develop a CTC or similar at the Maroota Resource Centre
Baulkham Hills Shire Rural Strategy

**Issue: Lack of coordination between government departments and Councils**

No additional strategies and actions recommended

**Issue: Poor communication between Council and residents and neighbours**

Provide more Council newsletters to rural residents particularly on relevant local issues eg truck movements, bus timetable etc (2)
Revise structure of existing Ward briefings to include more/different rural locations
Increase opportunity for public participation in Ward briefings
Promote and support Progress Associations as a key forum for communication with local residents
Provide a Council Community Noticeboard in each village
Provide resources to support the development of a community-based Local Action Plan for each village to address specific local issues and increase community capacity.
Develop a CTC or similar at the Maroota Resource Centre

**Theme: Community Services**

**Issue: Poor /no access to appropriate community and social services for residents with high needs eg older residents, residents with a disability, youth, children etc**

Improve information on community services available to rural residents. Many people are not aware of what services are available.
Encourage the development of “global villages” where rural communities are self-sufficient and have the capacity and resources to assist each other. Use resources of the community eg older residents to help out at school canteens, Streamwatch etc (2).
Provide resources to support the development of a community-based Local Action Plan for each village to address specific local issues and increase community capacity.
Develop a CTC or similar at the Maroota Resource Centre

**Theme: Life-long Learning**

**Issue: Limited access to life-long learning programs**

No additional strategies and actions recommended
Develop a CTC or similar at the Maroota Resource Centre
Baulkham Hills Shire Rural Strategy

Theme: Appropriate Housing

Issue: Need for more appropriate housing for older rural residents and rural residents with a disability

Ensure that any SEPP 5 housing includes all three levels of care for residents ie self-contained units, hostel care and nursing home care.

Theme: Cultural Heritage

Issue: Lack of recognition of cultural heritage of the Rural Lands

No additional strategies and actions recommended

4. Recommendations

Based on the outcomes of the workshop, together with the research undertaken by the consultants, the list of proposed strategies and actions provided in Table 1 are recommended for inclusion in the Baulkham Hills Rural Lands Strategy – Stage 2. It is also recommended that this report be sent to all workshop attendees and copies be made available to other interested parties in either hard copy or on Council’s website.

Table 1: Recommended Strategies and Actions for Identified Social Issues

<table>
<thead>
<tr>
<th>THEME: Public Transport</th>
<th>Strategies and Actions</th>
<th>Key Council Partners</th>
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</thead>
<tbody>
<tr>
<td>Issue</td>
<td></td>
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<tr>
<td>No/poor public transport</td>
<td>Current</td>
<td>Private bus operators</td>
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<td></td>
<td>Public transport is not a Council responsibility but Council Transport Strategy is to be reported to Council March 2003</td>
<td>Hornsby Council</td>
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<td></td>
<td><strong>Recommended</strong></td>
<td>DOT</td>
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<td></td>
<td>Provide Park ’n Ride facilities at key locations</td>
<td>RTA</td>
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<td></td>
<td>Encourage private bus operators to improve rural bus services through a range of public transport initiatives eg extension of Express Bus to Glenorie and Kenthurst/Annangrove; single ticketing; improved timetable including direct services to Castle Hill and Norwest etc</td>
<td>Community groups</td>
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<tr>
<td></td>
<td>Encourage private bus operators to provide specific public transport initiatives eg movie bus, beach bus, shopper bus</td>
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<td></td>
<td>Ensure that all bus stops have high levels of pedestrian access and safety</td>
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</table>
### Baulkham Hills Shire Rural Strategy

| No footpaths/cycleways | **Current:** Council Transport Strategy to be presented in March 2003 | **Recommended:** In consultation with community, prepare a pedestrian/cycle strategy for each village in the Rural Lands. Develop a public education program to encourage use of sustainable transport ie walking, cycling. Address issues which may limit any community/Council joint projects for the provision of cycleways/footpaths in the rural area. | RTA Hornsby Council Community groups Schools Gas, water, electricity, phone utilities |
| No/poor community transport | **Current** None identified | **Recommended** Prepare local community action plan for Wisemans Ferry with the better coordination of community transport a key issue to be addressed. Increase use of existing community bus resources in the Rural Lands through better coordination, information and promotion. | Organisations with community buses Hawkesbury, Hornsby and Gosford Councils HACC Community and user groups |
| Poor ferry services | **Current** RTA responsibility | **Recommended** Establish Council sponsored working group to meet with RTA to discuss improvements to existing ferry services. | Hawkesbury, Hornsby and Gosford Councils RTA |
| No bus service to schools in non-peak | **Current** Council has lobbied in the past on this issue. | **Recommended** Encourage private bus operators to improve public transport to local schools eg stops at schools in non peak times, better servicing of private schools etc. | Govt and private schools DOT RTA Community reps |

### Theme: Other Transport Issues

<table>
<thead>
<tr>
<th>Issue</th>
<th>Strategies and Actions</th>
<th>Key Council Partners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetation on roads</td>
<td><strong>Current</strong> Council has program for maintenance of</td>
<td>RFS RTA</td>
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</table>
## Baulkham Hills Shire Rural Strategy

<table>
<thead>
<tr>
<th>Issue</th>
<th>Current Status</th>
<th>Recommended Actions</th>
<th>Responsible Bodies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council roadsides</td>
<td>RTA has program for roadsides of major roads</td>
<td><strong>Recommended</strong></td>
<td>Hawkesbury, Hornsby and Gosford Councils</td>
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<tr>
<td></td>
<td><strong>Prepare a Roadside Vegetation Management Plan</strong></td>
<td><strong>Require Council Road Maintenance staff to remove dangerous trees when on patrol in the rural area</strong></td>
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<tr>
<td>No enforcement/variable road load limits</td>
<td>Current Enforcement officer team recently expanded</td>
<td><strong>Recommended</strong></td>
<td>RTA</td>
</tr>
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<td></td>
<td><strong>Increase the number of Council enforcement officers to ensure better coverage of the rural area</strong></td>
<td><strong>Provide an information and complaint Council phone service for truck/load limit issues</strong></td>
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<tr>
<td>Poor rural addressing system</td>
<td>Current Council’s rural addressing program completed by July 2003</td>
<td><strong>Recommended</strong></td>
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<td></td>
<td><strong>Not required</strong></td>
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<tr>
<td>High traffic speeds</td>
<td>Current All Council roads are 50km/hr in village areas.</td>
<td><strong>Recommended</strong></td>
<td>RTA DET Public and private schools</td>
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<td></td>
<td><strong>Encourage RTA to implement 50km/hr speed limits where required</strong></td>
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<tr>
<td>Excessive rubbish/litter on roadsides</td>
<td>Current Council has a Waste Management Strategy?</td>
<td><strong>Recommended</strong></td>
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<td></td>
<td><strong>Incorporate actions to address this issue in Council’s Waste Management Strategy</strong></td>
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<tr>
<td>High traffic volumes during school times</td>
<td>Current Council has School Safety Program and Road Safety Officer</td>
<td><strong>Recommended</strong></td>
<td>RTA Private bus operators Public and private schools</td>
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<td><strong>Council to develop strategy for reducing traffic volumes generated by schools eg school public transport plan; not permitted outside village areas etc.</strong></td>
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<tr>
<td>Issue</td>
<td>Council Strategies and Actions</td>
<td>Key Council Partners</td>
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<tr>
<td><strong>Poor phone and internet services</strong></td>
<td>Current&lt;br&gt;Not a Council responsibility&lt;br&gt;&lt;br&gt;<strong>Recommended</strong>&lt;br&gt;Lobby Telstra to upgrade all exchanges in the rural area for ADSL&lt;br&gt;Lobby Telstra to progressively improve telephone services in the rural area&lt;br&gt;Seek funding to establish a Community Technology Centre (CTC) or similar in the Rural Area</td>
<td>Telstra&lt;br&gt;RTA</td>
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<tr>
<td><strong>Lack of information on local and community services</strong></td>
<td>Current&lt;br&gt;Community information provided through Council media, library services, website and printed directory&lt;br&gt;Implement Council’s Library Services Strategy for the Rural Lands&lt;br&gt;&lt;br&gt;<strong>Recommended</strong>&lt;br&gt;Cooperatively provide public access computers with internet connection at key locations in the Rural Area&lt;br&gt;Encourage local newspapers to extend home delivery to all rural residents and/or identify and publicise additional distribution points in the rural area eg local shops, schools, post office etc</td>
<td>Local newspapers</td>
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<tr>
<td><strong>Lack of coordination between govt depts and Councils</strong></td>
<td>Current&lt;br&gt;Liaison with key government agencies and neighbouring Councils on specific issues only.&lt;br&gt;&lt;br&gt;<strong>Recommended</strong>&lt;br&gt;Improve coordination between govt agencies and relevant Councils by developing local action plan for each rural community</td>
<td>Hornsby, Hawkesbury and Gosford Councils&lt;br&gt;Relevant government agencies&lt;br&gt;Community organizations&lt;br&gt;Community groups</td>
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<tr>
<td><strong>Poor communication between Council and residents and neighbours</strong></td>
<td>Current&lt;br&gt;Council Communication Strategy includes the publication of Council information through a range of mediums including direct mailouts; annual Ward briefings; Council’s website; at local libraries; information</td>
<td>Hornsby, Hawkesbury and Gosford Councils&lt;br&gt;Relevant government agencies&lt;br&gt;Community</td>
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in local community and commercial newspapers; and on community noticeboards.

**Recommended**
Further assess the location and format of Ward briefings in the rural area
Ensure rural residents are represented on Council Advisory Committees eg Access Committee, Youth Committee
Support the establishment of more community based organizations /self help groups eg Agricultural Producers Network, Youth Network, Rural Environment Network, Rural Volunteer Network
Extend Council information to school newsletters and provide additional community noticeboards in the Rural Lands
Cooperatively provide public access computers with internet connection at key locations in the rural area
Seek funding to establish a Community Technology Centre (CTC) or similar
Develop reporting mechanisms to feedback to the community on progress of recommendations from the Rural Lands Study
Provide information through and support the publication of community newsletters available to rural residents
In consultation with the Rural Fire Service, develop an improved emergency communication strategy for rural residents relating to evacuation protocols, status of bush fires etc.
Provide resources to support the development of a community-based Local Action Plan for each rural community to address specific local issues and increase community capacity.

<table>
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<tr>
<th>Theme: Other Social Issues</th>
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<tr>
<td><strong>Issue</strong></td>
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<tr>
<td>Poor /no access to appropriate community and social services eg older residents, residents with a</td>
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<td>Issue</td>
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<td>Limited access to life-long learning programs</td>
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<td>Limited provision of appropriate housing for older rural residents and rural residents with a disability</td>
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<td>Lack of recognition of cultural heritage of the Rural Lands</td>
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Appendix 1

BAULKHAM HILLS RURAL LANDS STUDY
COMMUNITY WORKSHOP
ADDRESSING PUBLIC TRANSPORT, COMMUNICATION AND OTHER SOCIAL ISSUES
10th February 2003

AGENDA

Introduction – What is the status of the Rural Lands Study?
Cinnamon Dunsford, Strategic Planning Co-ordinator

What you can expect from this Workshop – Heather Nesbitt, Consultant

Social issues identified in 2002 Community Focus Workshops
Ian Sinclair, Consultant

What is currently being done to address these issues
– Heather Nesbitt

As a group, we will briefly discuss these issues and answer questions about the current approach to addressing these issues.

So will these work and what else can be done? - Draft strategies and actions for the Rural Lands Study – Heather Nesbitt and Ian Sinclair

The workshop will be divided into several groups and facilitated by a Project Team member. Together with other members of your group, you will spend 40 minutes discussing the draft strategies and actions. Only limited discussion time is provided but please try to comment on actions/strategies for all 18 issues.

Will the draft strategies and actions work?
If no, which ones won’t work and why not?
If no, what else should be considered?

What the groups decided – Heather Nesbitt

The outcomes of each of the group discussions will be presented.
WHERE TO NOW? – Cinnamon Dunsford

PLEASE STAY FOR LIGHT REFRESHMENTS AND A CHAT!

Thank you for coming and participating in this workshop. If you have any questions about the Study and/or its progress, please contact Cinnamon Dunsford, Strategic Planning Coordinator, Baulkham Hills Shire Council on 9843 0261.
### Appendix 2

**Table A1: Issues and Potential Strategy/Action Identified in Stage 1 Study**

<table>
<thead>
<tr>
<th>Theme: Public Transport and other Transport Issues</th>
<th>Issue</th>
<th>Community</th>
<th>Strategy/Action Identified by Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>No/poor public transport</td>
<td>Wisemans Ferry Maroota Glenorie Kenthurst Annangrove Dural/Glenhaven/ Middle Dural Maraylya Box Hill/Nelson Rouse Hill/Kellyville Sackville North/ Lower Portland/ Leetsvale/ Cattai/South Maroota</td>
<td>Provide walking/cycle/horse track on Old Northern Road Provide taxi service Car parking areas at railway stations, shopping centres, route intersections Suitable bus shelters and paving Car parking areas at express bus stops. City bus services outside of the peak hours. Provide incentives for public transport use, car pooling, etc. Private bus companies to consider weekly and monthly tickets. Provide transport alternatives eg bus bays Better coordination between local and State govt. Better weekend and off peak services Provide more community transport and info on how to use it/sustainable transport Increase population density Provide shuttle buses to main centres and Norwest Subsidise private buses</td>
<td></td>
</tr>
<tr>
<td>No footpaths/cycleways</td>
<td>Wisemans Ferry Dural/Glenhaven/ Middle Dural Rouse Hill/Kellyville Annangrove</td>
<td>Provide on high traffic roads eg parts of Old Northern Rd and Glenhaven Rd Better access in shopping areas Develop a footpath network Clear nature strips for better pedestrian use Provide footpath between village and ferries Provide footpaths using community input and clear roadside verges for walking Education on use of cycle paths</td>
<td></td>
</tr>
</tbody>
</table>
### Baulkham Hills Shire Rural Strategy

<table>
<thead>
<tr>
<th>Issue</th>
<th>Community</th>
<th>Strategy/Action Identified by Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>No/poor community transport</td>
<td>Wisemans Ferry</td>
<td>Better coordination between 4 Councils’ community transport</td>
</tr>
<tr>
<td>Poor ferry services</td>
<td>Wisemans Ferry</td>
<td>Coordinate ferry status between two ferries/Council areas</td>
</tr>
<tr>
<td></td>
<td>Sackville North/</td>
<td>Build a bridge</td>
</tr>
<tr>
<td></td>
<td>Lower Portland/</td>
<td>Don’t build a bridge</td>
</tr>
<tr>
<td></td>
<td>Leetsvale/</td>
<td>Investigate issue</td>
</tr>
<tr>
<td></td>
<td>Cattai/South Maroota</td>
<td>Provide better located warning signs on closures etc</td>
</tr>
<tr>
<td>Vegetation on roads</td>
<td>Maroota</td>
<td>Removal of fallen vegetation by RFS</td>
</tr>
<tr>
<td></td>
<td>Sackville North/</td>
<td>Lop and cut down overhanging trees</td>
</tr>
<tr>
<td></td>
<td>Lower Portland/</td>
<td>Remove overhanging trees near road pavement</td>
</tr>
<tr>
<td></td>
<td>Leetsvale/</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cattai/South Maroota</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kenthurst</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dural/Glenhaven</td>
<td></td>
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<tr>
<td></td>
<td>/Middle Dural</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maraylya</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Box Hill/Nelson</td>
<td></td>
</tr>
<tr>
<td>No bus service to schools in non-peak</td>
<td>Kellyville/Rouse Hill</td>
<td>None identified</td>
</tr>
<tr>
<td>No enforcement/variable road load limits</td>
<td>Glenorie</td>
<td>More enforcement officers</td>
</tr>
<tr>
<td></td>
<td>Kenthurst</td>
<td>Enforce load limits</td>
</tr>
<tr>
<td></td>
<td>Maroota</td>
<td>Review load limits for roads</td>
</tr>
<tr>
<td>Poor rural addressing system</td>
<td>Wisemans Ferry</td>
<td>Undertake new rural addressing from Old Northern Rd to Singleton Rd</td>
</tr>
<tr>
<td>High traffic speeds</td>
<td>Wisemans Ferry</td>
<td>Implement 50km/hr from school to ferries</td>
</tr>
<tr>
<td></td>
<td>Maroota</td>
<td>Flashing lights in school zones</td>
</tr>
<tr>
<td></td>
<td>Glenorie</td>
<td>Provide quality roads equal to speed limits</td>
</tr>
<tr>
<td></td>
<td>Dural/Glenhaven/</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Middle Dural</td>
<td></td>
</tr>
<tr>
<td>High traffic volumes during school times</td>
<td>Kenthurst</td>
<td>Provide better school drop off areas</td>
</tr>
<tr>
<td></td>
<td>Dural/Glenhaven/</td>
<td>Education on use of cycle paths</td>
</tr>
<tr>
<td></td>
<td>Middle Dural</td>
<td>Provide flashing lights at all schools</td>
</tr>
<tr>
<td></td>
<td>Annangrove</td>
<td></td>
</tr>
</tbody>
</table>

### Theme: Communication

<table>
<thead>
<tr>
<th>Issue</th>
<th>Community</th>
<th>Strategy/Action Identified by Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poor phone and internet services</td>
<td>Wisemans Ferry</td>
<td>Upgrade telephone services</td>
</tr>
<tr>
<td></td>
<td>Kenthurst</td>
<td>Lobby Telstra to upgrade exchanges for ADSL</td>
</tr>
<tr>
<td></td>
<td>Annangrove</td>
<td>Lobby Telstra for better phone service</td>
</tr>
<tr>
<td></td>
<td>Sackville North, Lower Portland, Leetsvale,</td>
<td></td>
</tr>
</tbody>
</table>
### Baulkham Hills Shire Rural Strategy

<table>
<thead>
<tr>
<th>Theme: Other Social Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Issue</strong></td>
</tr>
<tr>
<td>Poor /no access to appropriate community and social services eg older residents, residents with a disability, youth, children etc</td>
</tr>
<tr>
<td>Limited access to life-long learning programs</td>
</tr>
<tr>
<td>Limited provision of appropriate housing for older residents and residents with a disability</td>
</tr>
<tr>
<td>Lack of recognition of cultural heritage of the Rural Lands</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lack of information on local and community services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cattai and South Maroota Rouse Hill and Kellyville</td>
</tr>
<tr>
<td>Wisemans Ferry Annangrove Rouse Hill and Kellyville</td>
</tr>
<tr>
<td>Provide info in tourist centre Local newspapers should be delivered</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lack of coordination between govt depts and Councils</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wisemans Ferry Dural, Glenhaven and Middle Dural</td>
</tr>
<tr>
<td>Provide local Council officer Provide NPWS and DLWC office Better coordination between Councils particularly on transport and planning issues</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Poor communication between Council and residents and neighbours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wisemans Ferry Maroota Dural, Glenhaven and Middle Dural Rouse Hill and Kellyville</td>
</tr>
<tr>
<td>Council in 45 phone book Provide community noticeboards Council provide email Council info service Require distribution of local newspapers in rural area eg Forgotten Valley News Council info in the Gazette More on Council’s website Community information noticeboards More dispute mediation More understanding of rural issues</td>
</tr>
</tbody>
</table>
Appendix 4: Methodology to Assess the most appropriate Land Use Designation for Rural Land
The following method is used to identify the land units and designations discussed in chapter 8.

1. **Data Gathering**
   - Land Use Survey
   - Lot size analysis
   - Slope mapping
   - Fauna And Flora Study / Vegetation cover
   - Soils mapping
   - Drainage and Catchments
   - Agricultural land classification
   - Landscape features
   - Water quality and quantity

2. **Identify Constraints**
   - Urban expansion areas
   - Rural residential areas
   - Intensive agricultural uses
   - Land use conflicts
   - Native vegetation areas
   - Water courses
   - Steep land

3. **Identify Land Units**
   - Similar topographic features
   - Clusters of land uses

4. **Assess Agricultural Potential**
   - Identify high class land
   - Rank areas for land uses
   - Identify lot sizes and land uses

5. **Consider the Appropriate Zone**
   - Agriculture
   - Mixed Use / Agricultural landscape
   - Nature conservation
   - Rural living
   - Rural urban fringe
ORDINARY MEETING
OF COUNCIL

Tuesday, 7 June 2005

OUR VISION
The Garden Shire – a dynamic, diverse and vibrant, family-oriented community working together to enjoy life in a high quality, open environment that reflects our heritage.

OUR MISSION
To provide a sustainable approach to urban & rural living by:
- Fostering social, cultural & environmental diversity.
- Sound planning & economic stability.
- Strategic leadership with consultation & commitment.
- Facilitating community access to support services.
- Promoting a family environment & safer community.
ITEM-11  FURTHER REPORT – RURAL LANDS STUDY (FP 133)

OUTCOME: Planning

OPERATIONS PROGRAM: Forward Planning

REPORTING OFFICER  ACTING GENERAL MANAGER
DAVE WALKER

HISTORY

16/09/2004  Council resolved:-

1. “The briefing be received.

2. The matter be deferred.

3. A Working Group be established comprising the Mayor, Deputy Mayor, North Ward Councillors, the General Manager and/or his nominee to consult with the community on the outcomes of this meeting and review of the draft LEP and DCP.

4. The Working Group Report on the infrastructure requirements (both transport and utilities) needed to support its recommendations as part of the report to be prepared for the first meeting of March 2005.

5. The Mayor be authorised to engage an independent Town Planning Consultant to assist the Working Group.

6. A further report be referred to Council by the first meeting in March 2005”.

22/02/2005  Council received a Status Report on the Review on the Rural Lands Study at its meeting.

The report advised Councillors of the actions undertaken by the Rural Lands Working Group and the consultant, Connell Wagner Pty Limited appointed by the Working Group to review the Rural Lands Study.

30/03/05  Connell Wagner Pty Limited presented their report to the Working Group.
Three working group meetings have been held during this period to enable discussion of and formulation of responses to the findings and recommendations of the consultant’s report.

REPORT

The purpose of this report is to advise Council of the status of the various issues raised within the meetings of the Rural Lands Study Working Group and to recommend actions for the future progression of planning for the rural lands.


The aims of the review were to:

i) ensure that the technical work and the findings of the Rural Lands Study strategy documents were robust and a sound platform for land use planning controls for the rural lands of the Shire;

ii) provide advice in relation to the planning response contained in the reports to Council (including the draft Local Environmental Plan and draft Development Control Plan);

iii) critically review the Rural Lands Study in relation to the proposed land use designations and the subdivision potential of particular rural areas.

Independent review by Connell Wagner Pty Limited supported the study’s compliance with statutory requirements, concluded the views of the community and statutory authorities have largely been taken into account, whilst acknowledging it is unlikely to accommodate all community views as is the nature of planning being a “balance”. The draft LEP and DCP is considered one means to addressing the development constraints, and there were considered other opportunities, as discussed in the recommendations, for further rural area living.

The consultant made eight (8) recommendations to the Working Group. These are discussed as follows:-

Consultant’s Recommendation:
(i) Immediately investigate all potential village expansions and hold any rezoning around these villages until this work is complete.

RLS Working Group Recommendation:
Proceed to seek the views of DIPNR and servicing authorities.

Council Officer’s Comment:
The extent of potential village expansions have been mapped with respect to Glenorie, Round Corner and Annangrove villages. It is proposed to seek the views of the Department of Infrastructure Planning and Natural Resources (DIPNR) and servicing authorities before making any further recommendations to Council.

Proposed Action:
Council seek the views of the Department of Infrastructure, Planning and Natural Resources regarding village expansion ‘test sites’.
Consultant’s Recommendation:

(ii) Investigate potential for smaller transitional lots (i.e. less than two hectares) around villages to support villages, subject to being supplied with water and sewerage services.

RLS Working Group Recommendation:

Concern raised as to how and by whom water and sewerage provision will occur. The issue of potential village expansion should be investigated before consideration is given to further rural residential development around the villages.

Council Officer’s Comment:

The issue of potential village expansion should be investigated before consideration is given to further rural residential development around the villages.

Proposed Action:

As per the previous proposed action, the views of the Department of Infrastructure, Planning and Natural Resources regarding village expansion be sought prior to further advances regarding rural residential development.

Consultant’s Recommendation:

(iii) Assess willingness of landholders to forward fund the provision of infrastructure especially water and sewerage services.

RLS Working Group Recommendation:

Concern that land owner expectations will be prematurely raised should this action be pursued prior to recommendations 1 and 2 above being resolved.

Council Officer’s Comment:

It is considered appropriate that the views of DIPNR are sought on village expansion „test sites” before raising land owner expectations.

Proposed Action:

The views of the Department of Infrastructure, Planning and Natural Resources regarding village expansion be sought prior to raising landowner expectations.

Consultant’s Recommendation:

(iv) Consider rezoning of lands at Maraylya, Nelson and Kenthurst for two hectare subdivision subject to further land capability assessments.

RLS Working Group Recommendation:

Recommendation noted. However 2 hectare and 5 hectare subdivision is supported as a three staged development of the rural lands, the concept being that land connected to Sydney water be developed first, secondly land that is not serviced and thirdly land above the escarpments that would be suitable for clearing and possible creation of agri-buisness/tourism enterprise.

Council Officer’s Comment:

The areas subject to this recommendation have been examined under Stage 2 of the Rural Lands Study. It was concluded that no additional potential for 2 hectare subdivisions existed. Further land capability assessments are not expected to reach different conclusions.
Proposed Action:
No additional land capability assessments be undertaken.

Consultant’s Recommendation:
(v) Develop staging plan for any future land releases if further rezonings are proposed.

RLS Working Group Recommendation:
Supported.

Council Officer’s Comment:
In the event that:
   i) village expansion and further rural residential subdivisions are found to be viable, and
   ii) such proposals are supported by DIPNR,

a staging plan to facilitate orderly development of infrastructure provision and the collection of
development contributions would be appropriate.

Proposed Action:
No further action required prior to item i) and ii) be determined.

Consultant’s Recommendation:
(vi) Investigate further differentiation of land use designations into small and large holding
areas (agricultural and rural living) zones, and environmental protection zones, to
support any rezoning proposals.

RLS Working Group Recommendation:
   (a) Establish a rural enterprise zone now;
   (b) Investigate consultant’s recommendation.

Council Officer’s Comment:
The draft LEP as recommended by this report provides sufficient differentiation between landuse
categories. These are three (3) basic rural zones:-

   • Rural 1(a) - 40 hectare minimum area which denotes those areas likely to be required
     for future urban development;
   • Rural 1(b) – 10 hectare minimum area for general rural development;
   • Rural 1(c) – 2 hectare minimum area for rural residential development.

In addition a 7(a) wetlands zone, a 7(c) riparian corridor zone and an overlay, to denote areas of
environmental sensitivity, are proposed.

The addition of further zones has the effect of restricting future land use options. The broad zones
proposed provide flexibility for landowners whilst clearly indicating the general nature of the
lands within each zone.

In addition the LEP template being prepared by DIPNR to which all future LEPs will be required
to conform, seeks to reduce not increase the number of zones within LEPs.
**Proposed Action:**
The draft Rural Lands Local Environmental Plan and draft Development Control Plan be placed on public exhibition upon receipt of a Section 65 Certificate from DIPNR for a minimum period of sixty (60) days.

**Consultant’s Recommendation:**
(vii) Investigate the future long term development of the former Maroota State Forest and consider area-specific local environmental plan for the area. In the meantime, defer the area from any future local environmental plan until a clearer understanding of constraints and opportunities are understood.

**RLS Working Group Recommendation:**
Supports retention of the area as it currently exists in the LEP.

**Council Officer’s Comment:**
The consultant’s recommendation was framed within the context of a 7(b) Environmental Protection Zone. The amended draft LEP as proposed by this report replaces the 7(b) zone with an ‘overlay’ designating environmentally sensitive lands, where development proposals are assessed against specific criteria at development application stage.

Under the revised draft LEP it is proposed that the former Maroota State Forest would remain within the Rural 1(b) zone, therefore the proposal to defer from the draft LEP would have no effect.

**Proposed Action:**
That the former Maroota State Forest remains zoned Rural 1(b) under the draft Rural Lands Local Environmental Plan recommended to be placed on public exhibition.

**Consultant’s Recommendation:**
(viii) Review the boundaries of the 7(a) environmental protection zone and consider refinements where necessary. If necessary, adopt additional environmental protection zones or overlay zones to reflect varying environmental constraints.

**RLS Working Group Recommendation:**
Recommendation noted. Proposed ‘environmentally sensitive area’ overlay is in accordance with the Working Group’s recommendation, however would prefer the overlay to not restrict any development within the identified area.

**Council Officer’s Comment:**
The zone boundaries of the Environmental Protection 7(b) Zone (7(a) appears to be a typographical error of Connell Wagner) were based on the findings of the BHSC Natural Assets Assessment Project, fieldwork and aerial photographs. This zone has subsequently been converted into an environmentally sensitive overlay, to denote where special provisions within the LEP will apply. It is not considered necessary to adopt additional protection zones or overlays.

**Proposed Action:**
No amendments to the draft Rural Lands Local Environmental Plan and draft Development Control Plan recommended to be placed on public exhibition.
2. Potential for 2 Hectare and 5 Hectare Subdivision

A Motion was put and lost at Councils meeting of 17 May 2005 that sought to commence the investigation of the potential for 2 hectare and 5 hectare subdivision north and west of Glenorie to Wisemans Ferry.

The Working Group members requested that this issue be addressed in this report. Accordingly the following comments are made.

The preparation of a draft LEP and draft DCP has been on the basis of extensive research culminating Stages 1 to 3 inclusive of the Baulkham Hills Shire Rural Lands Study over the last four years. Independent review by Connell Wagner Pty Limited supported the study’s compliance with statutory requirements and concluded that:

"... wholesale two hectare (5 acres) development across large tracts of the shire was not supported by the RLS, is not supported by this review, and is not likely to be supported by the council nor the NSW Government."

3. Environmentally Sensitive Area

The draft LEP reported to Council in September 2004 proposed the inclusion of an Environmental Protection 7(b)(Bushland) zone that was based upon the findings of the BHSC Natural Assets Assessment Project, fieldwork and aerial photographs.

As an alternative to introducing this zone it is recommended that an ‘overlay’ be applied to denote environmentally sensitive areas where potentially damaging land uses would be prohibited and additional heads of consideration would be applied to assess development applications (See Clause 34(a) of the draft LEP in Attachment 2 to this report).

Attachment 4 shows the comparison between permissible uses in the formerly proposed Environmental Protection 7(b) (Bushland) Zone, the proposed ‘Environmentally Sensitive Area’ overlay and the Rural 1(b) (Rural Landscape) Zone.

4. Rural Enterprises

Following discussions between the Mayor and Director-General of DIPNR in January 2005 a draft study brief has been the subject of an application for grant funding from DIPNR. The brief was prepared in conjunction with the following Local Government Areas:

Campbelltown City Council
Gosford City Council
Hawkesbury City Council
Hornsby Shire Council
Penrith City Council

At the time of writing the application has not been determined.

The aim of the proposed study is to:-

   a) Identify the values of rural resource land that should be protected and enhanced;
b) Acknowledge the issues and trends facing agriculture and other rural pursuits on the Metropolitan fringe;
c) Prepare a vision for rural resource lands that acknowledges the important economic, social and environmental role of rural resource lands in the Metropolitan context;
d) Develop a strategy, including recommended amendments to planning controls and incentives, to encourage the innovative and sustainable development of rural resource land.

In addition the Rural Lands Study Working Group has received representations from the North Western Sydney Agribusiness & Tourism Alliance seeking amendments to Council’s draft LEP to facilitate the establishment of ‘agribusiness’ and ‘agri-tourism’ within the Shire and addition of similar definitions across Councils which encourage rural enterprises in the Shire. Therefore it is proposed to add the following uses to the list of landuses defined under Council’s LEP.

Council currently may approve a gallery as an ‘educational establishment’. Some confusion exists over whether or not sales of art work is permitted. To address this issue the following definition is proposed:

“Art gallery means a building or part of a building used for the display and sale of works of art.”

It is proposed that this use be permissible in the following zones:
Rural 1(b) (Rural Landscape) and Rural 1(c) (Rural Living);
Residential 2(c) (Tourist Village); and
Business 3(d) (Village Centre).

The current LEP does not clearly define where purpose built conference facilities may be operated. To rectify this situation it is proposed to add to the definition of ‘reception establishments’ the terms “conferences” and “conventions”. No change is proposed to the location or zones where the use is permissible.

A number of options have been canvassed by the Working Group including:
i) the establishment of a specific ‘rural enterprise’ zone;
ii) the inclusion of a definition of ‘rural enterprise’ as a specific landuse within Council’s LEP; and
iii) the inclusion of an additional objective within the rural zone landuse tables within the LEP to make it plain that Council’s LEP encourages the establishment of rural enterprises.

In addition, at the time of writing this report, a discussion paper prepared by the North Western Sydney Agribusiness & Tourism Alliance has been received outlining a rural enterprise zone concept based on a collection of definitions from Cessnock City Council’s LEP. The paper has been circulated to Councillors for their information.

The establishment of a ‘rural enterprise’ zone is not supported because:-
i) it would reduce the flexibility currently afforded by the broad land use zones within the proposed draft LEP;
ii) there has been no investigation to determine the appropriate location or extent of such a zone;
iii) the existing land use tables already permit a wide range of land uses that would be likely to be captured by any definition of ‘rural enterprise’.

It was suggested at the Working Group meetings that Cessnock City Council may have an established rural enterprise definition within their LEP. Discussions with senior officers of Cessnock City Council and review of their LEP provides the contrary, that no rural enterprise definition or zone exists within the local government area.

The inclusion of an overarching rural enterprise definition could be considered however detailed consideration of what is captured by the definition is required as Council’s current approach of identifying individual land uses provides more flexibility. For example a broad ‘rural enterprise land use’ may include some uses not compatible or desirable across the entire rural area. Keeping the individual land uses separately defined enables Council to be more selective as to which uses are permissible within each zone.

Should consideration of a rural enterprise definition wish to be entertained, the following definition is provided for Council’s consideration for inclusion in Rural 1(b) and Rural 1(c) zones:

“Rural enterprise means a building or place where rural zoned land is used for one or more commercial purposes related to agriculture and/or tourism but, in the Table to Clause 13, does not include a building or place elsewhere specifically defined in this Clause, or a building or place used for a land use elsewhere specifically found in this Clause.

Prior to the inclusion of any such definition within the draft LEP, it is recommended that Council await any findings of the rural resource lands study which may assist in the formulation of a rural enterprise definition.

The third option, the inclusion of an objective within the Rural 1(a), Rural 1(b) and Rural 1(c) zone land use tables is supported and serves to indicate that Council is supportive of the rural enterprise concept. The proposed objective is:

“To encourage innovative and sustainable tourist developments, sustainable agriculture, and/or the provision of farm produce directly to the public.”

It is further noted that the object of the study brief for which funding is sought from DIPNR is to explore all of the issues impacting upon rural businesses, not just Council planning controls.

With respect to the related resolution of Council on 19 April 2005 that is:

“Council officers prepare a report for Council at the earliest opportunity outlining the specific changes, if any, required to relevant DCPs and LEPs to permit the activities associated with ‘agri-tourism’ in rural areas and this report include the merits and demerits of permitting such a change to the relevant DCPs and LEPs”.

a separate report has been prepared and is included in this business paper.
5. Farmgate Sales

The introduction of a „farm gate sales’ definition within the draft LEP is intended to encourage sustainable agriculture, employment, enable direct revenue to local farmers, encourage tourism and the provision of produce to the public. The definition has been sourced from Hawkesbury Council’s LEP, and is defined within the draft LEP as follows:-

„Farm gate sales’ means a building or place used for the selling of agricultural products grown on the land, and may include the selling of products made from agricultural products grown on the land on which the building or place is situated provided that:

(a) sales take place in a building, an area within a building or a defined area of land, and
(b) the area used for selling is not greater than 75 square metres, and
(c) the building or area is located more than 20 metres from the boundary between the land and the public road, and
(d) a defined car parking area is provided on the land.

The definition is proposed to be amended following discussions within the RLS Working Group meeting which expressed concern regarding the 20 metre setback.

Deletion of Item (c) above is therefore proposed, so the criteria will read as follows:-

(a) sales take place in a building, an area within a building or a defined area of land, and
(b) the area used for selling is not greater than 75 square metres, and
(c) a defined car parking area is provided on the land.

Building setbacks will remain consistent with all development in the rural areas as required within Development Control Plan No.1, that is 30 metres for development on land having frontage to a classified road and 10 metres for land with frontage to all other roads.

The „farm gate sales’ definition was intended to replace the existing „roadside stall’ definition as „farm gate sales’ enabled a larger sized development to occur if desired. However the desire to retain a form of roadside stall has been expressed by the Working Group. The current „roadside stall’ definition is silent on road setbacks, and therefore the current 10 metre and 30 metre setbacks theoretically apply. Should Council wish to retain the „roadside stall’ definition in addition to the proposed „farm gate sales’ definition, the rural DCP should be amended to allow a „zero’ front setback with respect of roadside stalls.

6. Open Space 6(a) Zone - Cadwells Road and Porters Road

The draft LEP reported to Council in September 2004 recommended the deletion of the Rural 1(d) zone. This zone applied only to the Porters/Cadwells/Nyari Road area in Kenthurst known as the „Parkridge Estate„ Lot 407 DP 808168 Porters Road at 31.14 hectares, is separated into two separate sections being, 16.20 hectares fronting Porters Road zoned Rural 1(b) and 14.94 hectares located in the gully with no street frontage zoned Rural 1(d).

As the subdivision is complete, it was proposed to zone the land Rural 1(c) and Open Space 6(a) to reflect that the subdivision has been completed to a density consistent with the surrounding
Rural 1(c) zone and that some areas of the current Rural 1(d) zone have been designated for future public open space under DCP No.96.

The Working Group expressed concern that Lot 407 DP 808168 proposed to be zoned open space still has development potential and that the Rural 1(d) zone should be retained as a distinct zone.

The draft LEP has been amended to reflect the views of the Working Group on this issue retaining the current zoning of Rural 1(b) and Rural 1(d) for this site.

7. Revised Draft LEP and Draft DCP
As a result of the Working Group review process the following amendments have been made to the above draft instruments since they were last reported to Council in September 2004:-

i) Draft Local Environmental Plan

- The Rural 1(d) Zone and Rural 1(b) Zone have been re-inserted within the Parkridge Estate area in Kenthurst;
- The Open Space 6(a) zoning has been removed from land adjoining the Parkridge Estate area in Kenthurst;
- Environmental Protection 7(b) (Bushland) Zone has been removed from the draft LEP;
- An Environmentally Sensitive Area overlay has been created instead of the 7(b) zone;
- The proposed „farm gate sales’ definition has been amended;
- Addition of the definition of an „art gallery’ has been created; and
- Amendment to the definition of a „reception establishment’ to address inclusion of conference and convention facilities.

ii) Draft Development Control Plan No.1

- Reinsert reference to Rural 1(d) zone;
- Reference to 7(b) Zone deleted;
- Zero setback introduced for roadside stalls; and
- Expansion of village areas is being investigated following recommendations form the consultant and RLS Working Group with proposed areas being forwarded for consultation to DIPNR.

The draft LEP introduces rural cluster subdivision into the Rural 1(b) zone but does not facilitate broad scale 2 hectare subdivision sought by some members of the community.

8. Options

To progress this matter the following options are available to Council:

Option 1.  Do nothing, that is, retain the current planning controls.

Advantages:
- Maintains the status quo.

Disadvantages:
- Fails to implement the objectives of the Rural Lands Study, that is to develop a sustainable land use strategy for the rural areas of the Shire;
No environmental protection measures are introduced;
Pressure upon Council for further rural residential subdivision remains unanswered.

Option 2. Adopt Connell Wagner’s recommendations stated within the Baulkham Hills Rural Lands Study Independent Review.

Advantages:
- Allows the issue of rural village expansions to be pursued;
- Allows an alternative view to Council Officers to be explored.

Disadvantages:
- Further work is required to revisit issues addressed in Stages 1 and 2 of the Rural Lands Study;
- The outcome of further work is unlikely to be different than the conclusions of the Rural Lands Study;
- Additional expense and time.

Option 3. Pursue broad scale 2 and 5 hectare subdivision as proposed by Council’s Working Group meeting in response to Connell Wagner’s report.

Advantages:
- Responds to the desires of some of the members of the community.

Disadvantages:
- Is unlikely to be supported by DIPNR;
- Further work is required to revisit issues addressed in Stages 1 and 2 of the Rural Lands Study;
- The outcome of further work is unlikely to be different than the conclusions of the Rural Lands Study;
- Additional expense and time;
- Inconsistent with findings of independent review.

Option 4. Exhibit the draft LEP and draft DCP attached to this report, and seek the views of DIPNR on the possible expansion of the villages at Glenorie, Round Corner-Dural and Annangrove.

Advantages:
- Enables the draft LEP to be the subject of informed debate;
- Provides an outcome consistent with the objectives of the Rural Lands Study;
- Allows the issue of the rural villages to be progressed;
- Provides a response to the ongoing pressure for further rural residential subdivision’
- Consistent with consultant’s recommendation No.1.

Disadvantages:
- Will not satisfy those in the community seeking broad scale rural residential subdivision.
CONCLUSION

Given the above, Option 4 is recommended.

FINANCIAL IMPACT

This matter has no direct financial impact upon Council’s adopted budget or forward estimates.

RECOMMENDATION

1. Council request a Section 65 Certificate from the Department of Infrastructure, Planning and Natural Resources to enable the exhibition of the draft Local Environmental Plan attached as Attachment 2 to this report.

2. The draft Rural Lands Local Environmental Plan and draft Development Control Plan be placed on public exhibition upon receipt of a Section 65 Certificate from DIPNR for a minimum period of sixty (60) days.

3. Council seek the views of the Department of Infrastructure, Planning and Natural Resources regarding village expansion ‘test sites’ as indicated in Attachment 5.

4. Considering the issues raised in this report, Council determine if it wishes to include in the Draft Local Environmental Plan for exhibition a definition of ‘rural enterprise’.

ATTACHMENTS

1. Draft Local Environmental Plan 2005 Map – Sheets 1 to 5
2. Draft Local Environmental Plan 2005 written document
3. Draft Development Control Plan No.1 – Rural Zones
4. Comparative Table – Permissible Uses within the proposed ‘Environmentally Sensitive Area’ overlay, formerly proposed Environmental Protection 7(b) (Bushland) Zone and Rural 1(b) zoning
5. Village Expansion Maps
Baulkham Hills Local Environmental Plan 2005
(Amendment No. ___ )

under the
Environmental Planning and Assessment Act 1979

I, the Minister for Infrastructure, Planning & Natural Resources make the following
local environmental plan under the Environmental Planning and Assessment Act
1979.

Minister for Infrastructure, Planning & Natural Resources

1 Name of plan

This plan may be called Baulkham Hills Local Environmental Plan 2005
(Amendment No. ___ ).

2 Aims, objectives etc

This plan aims to review and update Baulkham Hills Local Environmental Plan
2005 in relation to all rural land to implement a sustainable land use strategy
and ensure provisions, which relate to rural land are sustainable, and able to
manage the changing needs of the rural area.

3 Land to which plan applies

This plan applies to all rural zoned land and land within rural villages in
Baulkham Hills Shire, as shown edged heavy black on the map marked
"Baulkham Hills Local Environmental Plan 2005 (Amendment No. ___ )"
deposited in the office of Baulkham Hills Shire Council.

4 Relationship to other environmental planning instruments

This plan amends Baulkham Hills Local Environmental Plan 2005 in the
manner set out in Clause 5.
5. Amendments to Baulkham Hills Local Environmental Plan 2005
Baulkham Hills Local Environmental Plan 2005 is amended:

[1] Clause 5 Definitions (1)
Insert after the word 'goods' in the definition of agricultural products establishment the word:
', machinery'

[2] Clause 5 Definitions (1)
Insert after the words 'not for the purpose of' in the definition of agriculture the word:
aquaculture'

[3] Clause 5 Definitions (1)
Insert in appropriate order:

ancillary rural development means minor development that is ancillary to, but detached and separated from a dwelling-house lawfully erected in a rural area, and includes garages, swimming pools, and outbuildings or structures but does not include tennis courts, squash courts and the like.

[4] Clause 5 Definitions (1)
Insert in appropriate order:

aquaculture means a building or place used for the commercial breeding, hatching, rearing or cultivation of marine, estuarine or fresh water organisms, including aquatic plants or animals such as fin fish, crustaceans, molluscs or other aquatic invertebrates.

[5] Clause 5 Definitions (1)
Insert in appropriate order:

art gallery means a building or part of a building used for the display and sale of works of art.

[6] Clause 5 Definitions (1)
Insert in appropriate order:
environmentally sensitive area means an area of land that is shown by a dark green pattern and edged dark green on the map.

[7] Clause 5 Definitions (1)

Omit the definition of creek. Insert instead:

creek means
(a) any watercourse, whether perennial or intermittent and whether comprising a natural channel or a natural channel artificially improved; and
(b) any tributary, branch or other watercourse into or from which a watercourse referred to in paragraphs (a) flows.

[8] Clause 5 Definitions (1)

Insert in appropriate order:

farm gate sales means a buildings or place used for the selling of agricultural products grown on the land, and may include the selling of products made from agricultural products grown on the land on which the building or place is situated provided that:

(a) sales take place in a building, an area within a building or a defined area of land, and
(b) the area used for selling is not greater than 75 square metres, and
(c) a defined car parking area is provided on the land.

[9] Clause 5 Definitions (1)

Omit the definition of intensive animal industry. Insert instead:

intensive animal industry means agricultural animal production where livestock are held in a building or place for the purposes of nurturing solely by a feeding method other than natural grazing and may involve the use of:

(a) a beef cattle feedlot; or
(b) a dairy farm; or
(c) a piggery, including a free-range piggery; or
(d) a poultry farm, including a free-range poultry farm; or
(e) a worm farm;

but does not include use of a building or place for keeping livestock intended solely for personal consumption or enjoyment.
[10] Clause 5 Definitions (1)

Omit the definition of intensive horticulture establishment. Insert instead:

intensive horticulture establishment means a building or place used for the production of plants or fungi or for where crop protection structures or equipment are used, and may involve the following:

(a) hydroponics;
(b) market gardening;
(c) orcharding;
(d) field flowers;
(e) vineyards;
(f) turf farming; and
(g) mushroom growing

but does not include a place used to grow produce solely for personal consumption or enjoyment.


Omit the definition of prescribed materials in relation to a site or building. Insert instead:

prescribed materials, in relation to a site or building, means materials of low reflectivity that blend with the landscape of the site and its surroundings.

[12] Clause 5 Definitions (1)

Insert in appropriate order:

riparian corridor means that component of land (including flood plains) adjacent to watercourses.

[13] Clause 5 Definitions (1)

Insert in appropriate order:

riparian vegetation means emergent aquatic and semi aquatic plants as well as the over and understorey vegetation in the zone immediately adjacent to, or verging watercourses.

[14] Clause 5 Definitions (1)

Insert in appropriate order:
draft

rural cluster development means development that includes

(a) the subdivision of land into three or more residential
allotments and the erection of a detached dwelling-house
on each allotment; and

(b) in the same subdivision, a separate association property
for the preservation of any significant natural feature(s) on
the site.

[15] Clause 5 Definitions (1)

Omit the definition of rural industry. Insert instead:

rural industry means handling, treating, processing, packing or
transporting of primary products, whether or not the products are
produced on the site and may include the servicing in a
workshop of plant or equipment used for rural purposes in the
locality, but does not include the repair of motor vehicles.

[16] Clause 5 Definitions (1)

Omit the definition of rural workers dwelling. Insert instead:

rural workers dwelling means a dwelling-house which is
situated on land on which there is already erected a dwelling-
house and which is occupied by a person who is engaged in an
existing use of the land for the purposes of agriculture,
aquaculture, intensive animal industries or intensive horticulture
establishments.

[17] Clause 5 Definitions (1)

Omit after the word ‘sale’ in the definition of stock and sale yard the
words:

‘and includes a public cattle market’

[18] Clause 5 Definitions (1)

Insert at the end of the definition of the map:

Baulkham Hills Local Environmental Plan 2005 (Amendment No. x )

[19] Clause 5 Definitions (1)

Omit the definition of tourist facility. Insert instead:
tourist facility means an establishment providing facilities for tourist accommodation or recreation, and may include boat sheds, boat landing facilities, camping ground, holiday cabins, marina, motel, playground, water sport facilities or any other similar uses that attract tourists to the area.

[20] Clause 5 Definitions (1)

Insert in appropriate order:

wetland means an area with characteristics of both terrestrial and aquatic environments that is flooded or waterlogged often enough to support aquatic or other plants typical of areas with those characteristics.

[21] Clause 12 Zones indicated on the map

Omit the matter relating to Zone 1(b). Insert instead:

Zone No. 1(b) (Rural I(b)(Rural Landscape) Zone) - coloured brown, and lettered "I(b)".

[22] Clause 12 Zones indicated on the map

Omit the matter relating to Zone 1(c). Insert instead:

Zone No. 1(c) (Rural I(c)(Rural Living) Zone) - coloured dark brown, and lettered "I(c)".

[23] Clause 12 Zones indicated on the map

Omit the matter relating to Zone No. I(d)

[24] Clause 12 Zones indicated on the map

Insert in appropriate order:

Zone No. 3(d) (Business 3(d)(Village Centre) Zone) - coloured dark blue and lettered "3(d)".

[25] Clause 12 Zones indicated on the map

Omit reference to Zone No. 7(a) (Environmental Protection 7(a)(Wetlands) Zone). Insert instead:

Zone No 7(a) (Environmental Protection 7(a)(Wetlands) Zone) - coloured light orange and lettered "7(a)".

[26] Clause 12 Zones indicated on the map
draft

Insert in appropriate order:

Zone No 7(c) (Environmental Protection 7(c) (Riparian Corridor) Zone) - coloured dark orange and lettered "7(c)".

[27] Clause 13, Table

Omit the matter relating to Zone No. 1(a). Insert instead:

Zone 1(a) (Rural 1(a) Zone)

1. Objectives of Zone

   The objectives of the zone are:

   (a) to ensure that existing or potentially productive agricultural land is not withdrawn prematurely from agricultural production; and

   (b) to ensure that development is carried out in a manner that minimises risks from natural hazards and does not unreasonably increase demand for public services and public facilities; and

   (c) to provide for urban support functions; and

   (d) to ensure that development of land within the zone does not hinder the proper and orderly development of any future urban lands; and

   (e) to protect and enhance the natural environment including biodiversity, native vegetation, habitat linkages, and surface water and groundwater resources, areas of scenic and environmental value; and

   (f) to encourage innovative and sustainable tourist developments, sustainable agriculture and/or provision of farm produce directly to the public; and

   (g) to ensure that development is designed and carried out having regard to:

      (i) the adjoining land uses;

      (ii) the amenity of existing residents; and

      (iii) the rural and heritage character of the surrounding area.

2 Development allowed without consent

Exempt development and development for the purpose of:
agriculture; bed and breakfast establishments; bush fire hazard reduction; home activities.

3 Development allowed only with consent

Development for the purpose of:

additions and alterations to an existing dwelling-house; advertising structures; agricultural products establishments; aquaculture; attached dual occupancies; bushfire fighting establishments; caretaker's dwellings; cemeteries; child care centres; clearing of bushland; community facilities; dams; demolition; dwelling-houses; environmental protection works; exhibition homes; exhibition villages; health care premises; farm gate sales; filling of land; firewood establishments; home businesses; home industries; intensive animal industries; intensive horticulture establishments; landscape supply establishments; leisure facilities; places of worship; public buildings; public utility undertakings; recreation areas; recreation facilities; renewable energy facilities; retail plant nurseries; roads; rural industries (other than poultry processing); rural worker's dwellings; sheds; stables; stock and sale yards; tennis courts in association with a dwelling; utility installations (other than gas holders or generating works); veterinary establishments; wholesale plant nurseries.

Development for the purpose of the following (which is **notifiable development**):

animal boarding breeding and training establishments; clubs; educational establishments; forestry; guest houses; hospitals; institutions; reception establishments; research establishments; telecommunications facilities.

Included in this item is the following **complying development**:

ancillary rural development; erection of sheds between 50m² and 100m² in gross floor area.

4 Prohibited development

Any development not included in item 2 or 3.

[28] Clause 13, Table

Omit the matter relating to Zone No. 1(b). Insert instead:

**Zone 1(b) - (Rural 1(b)(Rural Landscape) Zone)**
1 Objectives of the Zone

The objectives are:

(a) to preserve and maintain the open rural landscape character of the locality and provide for intensive and extensive forms of agriculture; and

(b) to provide for a variety of rural-residential development and tourist facilities in appropriate locations; and

(c) to ensure that development is carried out in a manner that minimises risks from natural hazards, does not unreasonably increase demand for public services and public facilities and is within the servicing capacity of the area; and

(d) to protect and enhance the natural environment including biodiversity, native vegetation, habitat linkages, surface water and groundwater resources, and areas of scenic and environmental value; and

(e) to encourage innovative and sustainable tourist developments, sustainable agriculture and/or provision of farm produce directly to the public; and

(f) to ensure that development is designed and carried out having regard to:

(i) the adjoining land uses;
(ii) the amenity of existing residents; and
(iii) the rural and heritage character of the surrounding area.

2 Development allowed without consent

Exempt development and development for the purpose of:

agriculture; bed and breakfast establishments; bushfire hazard reduction; home activities.

3 Development allowed only with consent

Development for the purpose of:

additions and alterations related to an existing dwelling-house; advertising structures; agricultural products establishments; aquaculture; attached dual occupancies; bushfire fighting establishments; caretaker's dwellings; cemeteries; child care centres; clearing of bushland; community facilities; convenience
draft

stores; dams; demolition; dwelling-houses; environmental protection works; exhibition homes; exhibition villages; farm gate sales; firewood establishments; filling of land; health care premises; helipads; heliports; home businesses; home industries; intensive animal industries; intensive horticulture establishments; landscape supply establishments; leisure facilities; places of worship; public buildings; public utility undertakings; recreation areas; recreation facilities; renewable energy facilities; restaurants; retail plant nurseries; roads; rural cluster development; rural industries; rural worker's dwellings; sawmills; sheds; stables; stock and sale yards; tennis courts in association with a dwelling; utility installations (other than gas holders or generating works); veterinary establishments; wholesale plant nurseries.

Development for the purpose of the following (which is notifiable development):

animal boarding breeding and training establishments; art galleries; caravan parks; clubs; educational establishments; extractive industries or industries directly associated with, or dependent upon, extractive industries; forestry; guest houses; hospitals; institutions; liquid fuel depots; motels; reception establishments; research establishments; rural enterprise; service stations; telecommunications facilities; tourist facilities.

Included in this item is the following complying development:

ancillary rural development; erection of sheds between 50m² and 100m² in gross floor area.

4 Prohibited development

Any development not included in item 2 or 3.

[29] Clause 13, Table

Omit the matter relating to Zone No. 1(c). Insert instead:

Zone 1(c) - (Rural 1(c)(Rural Living) Zone)

1 Objectives of the Zone

The objectives are:

(a) to accommodate rural-residential development that is sympathetic to the environment and minimises risks from natural hazards; and
draft

(b) to provide for a range of activities that are compatible with the rural residential character of the locality; and

c) to ensure that development is carried out in a manner that minimises risks from natural hazards, does not unreasonably increase demand for public services and public facilities and is within the servicing capacity of the area; and

d) to encourage the preservation of suitable areas for open space purposes; and

e) to protect and enhance the natural environment including biodiversity, native vegetation, habitat linkages, surface water and groundwater resources, and other areas of scenic and environmental value.

(f) to encourage innovative and sustainable tourism developments, sustainable agriculture and/or provision of farm produce directly to the public; and

(g) to ensure that development is designed and carried out having regard to:

(i) the adjoining land uses;
(ii) the amenity of existing residents; and
(iii) the rural and heritage character of the surrounding area.

2 Development allowed without consent

Exempt development and development for the purpose of:

agriculture; bed and breakfast establishments; bushfire hazard reduction; home activities.

3 Development allowed only with consent

Development for the purpose of:

additions and alterations related to an existing dwelling-house; advertising structures; aquaculture; attached dual occupancies; bushfire fighting establishments; caretaker's dwellings; cemeteries; child care centres; clearing of bushland; community facilities; dams; demolition; dwelling-houses; environmental protection works; exhibition homes; farm gate sales; filling of land; health care premises; home businesses; home industries; intensive animal industries; intensive horticulture establishments; landscape supply establishments; leisure facilities; places of worship; public buildings; public utility undertakings; recreation areas; recreation facilities; renewable energy facilities; retail plant nurseries; roads; rural enterprise;
rural industries (other than poultry processing); rural workers' dwellings; sheds; stables; tennis courts in association with a dwelling; utility installations (other than gas holders or generating works); veterinary establishments; wholesale plant nurseries.

Development for the purpose of the following (which is **notifiable development**):

animal boarding breeding and training establishments; art galleries; clubs; educational establishments; hospitals; restaurants; research establishments; telecommunications facilities.

Included in this item is the following **complying development**: ancillary rural development; erection of sheds between 50m² and 100m² in gross floor area.

4 **Prohibited development**

Any development not included in item 2 or 3.

[30] **Clause 13, Table**

Omit the matter relating to Zone No. 2(c). Insert instead:

**Zone 2(c) - (Residential 2(c)(Tourist Village) Zone)**

1 **Objectives of zone**

The objectives are:

(a) to provide for tourist-orientated activities and housing developments that are appropriately located in the village setting; and

(b) to provide for a range of uses (primarily support services) serving the needs of residents and complementary to the scale of neighbouring land uses; and

(c) to ensure the provision of water and sewerage infrastructure to service the needs of residents; and

(d) to allow people to carry out a reasonable range of activities from their homes, where such activities are not likely to adversely affect the amenity of neighbours or the surrounding area; and

(e) to allow a range of developments, ancillary to residential uses, that:
(i) is capable of visual integration with the surrounding environment; and
(ii) serves the needs of the surrounding population without conflicting with the residential intent of the zone; and
(iii) does not place excessive demands on services.

2 Development allowed without consent

Exempt development and development for the purpose of:

home activities

3 Development allowed only with consent

Development for the purpose of:

additions or alterations related to an existing dwelling-house; advertising structures; agriculture (other than dams); bed and breakfast establishments; bushfire fighting establishments; bushfire hazard reduction; cemeteries; child care centres; commercial premises; community facilities; convenience stores; demolition; dwelling-houses; dwellings; educational establishments; environmental protection works; exhibition homes; filling of land; health care premises; home businesses; medical practitioner’s surgeries; places of worship; public buildings; public utility undertakings; recreation areas; recreation facilities; renewable energy facilities; research establishments; restaurants; retail plant nurseries; roads; service stations; shops; tennis courts in association with a dwelling; utility installations (other than gas holders or generating works); veterinary establishments.

Development for the purpose of the following (which is notifiable development):

art galleries; attached dual occupancies; car repair stations; caravan parks; clubs; detached dual occupancies; environmentally integrated housing; exhibition villages; guest houses; hospitals; hotels; motels; reception establishments; telecommunications facilities; tourist facilities.

Included in this item is the following complying development:

additions and alterations related to an existing dwelling-house, being an addition to the ground floor only, with not more than 1 metre cut or 0.6 metre fill (that do not increase the number of the storeys in the dwelling); different shop use resulting from change of use of a shop; different commercial premise use resulting from change of use of commercial premises; erection of single-
storey dwelling-houses with not more than 1 metre cut or 0.6 metre fill; internal alterations to an existing commercial premises; internal alterations to an existing shop.

4 Prohibited development

Any development no included in item 2 or 3.

[31] Clause 13, Table

Insert in appropriate order

Zone 3(d) - (Business 3(d)(Village Centre) Zone)

1 Objectives of zone

The objectives are:

(a) to encourage appropriate development to accommodating the retail, commercial and social needs of residents and the surrounding rural areas; and

(b) to encourage the development of tourist-orientated activities that are appropriately located in a village setting; and

(c) to ensure that new development is compatible with the heritage character of the rural village; and

(d) to allow a range of developments, that:

(ii) are visually integrated with development carried out on land in the surrounding area; and

(iii) do not significantly impact upon the natural environment; and

(iii) are within the servicing capacity of the area.

2 Development allowed without consent

Exempt development and development for the purpose of:

home activities.

3 Development allowed only with consent

Development for the purpose of:

advertising structures; agricultural products establishments; bus station; bushfire hazard reduction; car repair stations; civic centres; community facilities; commercial premises;
convenience store; demolition; filling of land; health care premises, leisure facility; medical practitioners' surgeries; motor vehicle servicing; place of assembly; place of worship; public building; public utility undertaking; recreation area; recreation facility; renewable energy facilities; research establishment; restaurant; shops; shop-top housing; utility installations (other than gas holders or generating works); veterinary establishment.

Development for the purpose of the following (which is notifiable development):

art galleries; child care centers, clubs; educational establishments, guest houses; hospitals; hotels; motels; reception establishments; service station; telecommunications facilities; tourist facilities.

Included in this item is the following complying development:

change of use of a commercial premises to commercial premises; change of use of a shop to a shop; internal alterations related to an existing commercial premises; internal alterations related to an existing shop.

4 Prohibited development

Any development not included in item 2 or 3.

[32] Clause 13, Table

Omit the matter relating to Zone No. 7(a). Insert instead:

Zone 7(a) - (Environmental Protection 7(a)(Wetland) Zone)

1 Objectives of zone

The objectives are:

(a) to conserve and enhance the ecological, scenic and environmental attributes of wetland areas; and

(b) to allow development only where it will not have a detrimental effect on wetlands.

2 Development allowed without consent

Development for the purpose of:

home activities.

3 Development allowed only with consent
Development for the purpose of:

additions or alterations related to an existing dwelling-house, demolition; environmental protection works; public open space.

Development for the purpose of (which is \textit{notifiable development}):

Nil.

4 Prohibited development

Any development not included in item 2 or 3.

[33] Clause 13, Table

Insert in appropriate order:

Zone 7(c)(Environmental Protection 7(c)(Riparian Corridor) Zone)

1 Objectives of zone

The objectives are:

(a) to protect and conserve the ecological, scenic and environmental attributes of riparian corridors; and

(b) to create and maintain wildlife linkages along riparian corridors; and

(c) to allow a limited range of development only where it will not have a detrimental effect on riparian corridors.

2 Development allowed without consent

Development for the purpose of:

home activities.

3 Development allowed only with consent

Development for the purpose of:

alterations and additions to an existing dwelling-house; demolition; environmental protection works; public open space; roads; utility installations.

Development for the purpose of the following (which is \textit{notifiable development}):
4 Prohibited development

Any development not included in item 2 or 3.

[34] Clause 18 Subdivision in Zones Nos 1(a), 1(b), 1(c), 7(a) & 7(c)

Omit the matter relating to Clause (18). Insert instead:

(1) Subject to subclause (5), land within a zone specified in paragraph (a) - (c) must not be subdivided unless each separate allotment to be created by the subdivision has an area of not less than the area so specified in respect of that land:

(a) Zone No. 1(a) - 40 hectares;
(b) Zone No. 1(b) - 10 hectares; and
(c) Zone No. 1(c) - 2 hectares.

(2) Consent must not be granted to a subdivision of land within Zone No. 1(d) unless:

(a) the land forms part of an existing holding; and
(b) the number of lots to be created and the consent authority is satisfied will be used for the purpose of erecting a dwelling-house is not greater than the area of the existing holding, expressed in hectares, divided by 2 and calculated to the nearest whole number; and

(c) the area of each separate allotment to be created is not less than 0.6 hectares.

(3) An allotment of land created in accordance with subclause (2) must not be further subdivided into lots for the purpose of erecting a dwelling-house.

(4) Nothing in subclause (3) precludes a subdivision that complies with subclause (2) being carried out in stages.

(5) Despite any other provision of this plan, land may be subdivided, with development consent, for any of the following purposes:

(a) creating a public reserve;
draft

(b) creating an allotment or allotments which is, or is intended to be, used for public purposes, including drainage purposes, bushfire brigade or other rescue service purposes or public convenience;

(c) making a minor adjustment to a common boundary between allotments, being an adjustment that does not involve the creation of any additional allotment;

(d) rectifying an encroachment on an allotment;

(e) consolidating allotments;

(f) opening or widening a public road; and

(g) enlarging the area of any existing allotment without reducing the area of any existing allotment, below the minimum described in subclause (1).

(6) Council will not consent to the creation of allotments solely zoned Environmental Protection 7(a)(Wetland) or Environmental Protection 7(c)(Riparian Corridor) unless the purpose of the subdivision is to enable the dedication or transfer of the allotment to a statutory agency.

(7) For the purpose of calculating the minimum area of a lot created by the subdivision of land within zones specified in subclause (1), paragraphs (a) – (c) of this Clause, the area of any part of that lot that is within the Environmentally Sensitive Area, Zone No. 7(a) or Zone No. 7(c) is to be excluded.

[35] Clause 18a Rural Cluster Development

Insert after Clause 18 Subdivision of land in Zones 1(a), 1(b), 1(c), 7(a) and 7(c):

18a Rural Cluster Development

(1) Subdivision of land within Zone No 1 (b), 7(a), or 7(c) in accordance with the Community Land Development Act 1989 to create a community scheme is permitted, but only with the consent of Council. Such subdivision is referred to in this Clause as a community title subdivision.

(2) The use of land zoned 7(a), 7(c) or labeled "Environmentally Sensitive Area" on the map in conjunction with rural cluster development is permitted only where such land forms part or all of the association property in a community title subdivision.
(3) Despite Clause 18, the Council may consent to a community title subdivision for the purposes of rural cluster development only where:

(a) the total area of the land is equal to or greater than 20 hectares; and

(b) there is a maximum of 1 residential allotment for every 4 hectares of land;

(c) where each residential allotment is a minimum of 0.4 hectares in area and a maximum of 1 hectare in area, and is wholly contained within land zoned 1(b) zone; and

(d) the remaining land is contained in an association property.

(4) Despite part (2) of this Clause, Council shall not grant consent to the development of land for the purposes of rural cluster development unless it is satisfied that the landscape, biodiversity and rural setting of the site shall be protected and enhanced through the implementation of appropriate management measures.

(5) Council must not consent to the development of land for a dual occupancy, either attached or detached, on any residential allotment created as a result of rural cluster development.

(6) Council shall not consent to the further subdivision of an association property created as part of a rural cluster development.

[36] Clause 24 Development Near Hawkesbury River

Omit parts (1) and (2) of Clause (24). Insert instead:

(1) This Clause applies to all land, which is within the visual catchment of the Hawkesbury River (the visual catchment meaning the area between the river and the top of the escarpment).

(2) No building or structure, including movable dwellings or manufactured homes (other than loading ramps, jetties, pontoons or the like) shall be erected on land within 50 metres of the bank of the Hawkesbury River.

[37] Clause 28 Clearing of bushland in Zone 1(a), 1(b), 1(c), 1(d) or 7(a) requires consent

Omit reference to 7(a).

[38] Clause 31 Advertising structures and advertisements
Omit part (3) of Clause (31). Insert instead the following:

"Council or any organisation approved by Council, may erect advertising structures on land within Zone 1(a), 1(b), 1(c) or 1(d) for the purpose of directing the travelling public to tourist areas or for the purpose of displaying private advertisements to tourist facilities."

[39] **Clause 34 Environmental management and monitoring**

Insert in appropriate order:

7(c)

[40] **Clause 34(a) Consideration for development in Environmentally Sensitive Area**

Insert after Clause 34 Environmental management and monitoring the following Clause:

**Clause 34(a) Consideration for development in Environmentally Sensitive Area**

(1) This Clause applies to land within Zone 1(b) and 1(c) that is marked as Environmentally Sensitive Area on the map.

(2) Consent must not be granted to the carrying out of development for any purpose other than the following:-

- additions and alterations related to an existing dwelling-house; agriculture, attached dual occupancies, bed and breakfast establishments, bushfire fighting establishments, bushfire hazard reduction, demolition, dwelling houses, environmental protection works, farm gate sales, fencing, guest houses, home businesses, leisure facilities, recreation areas, recreation facilities, renewable energy facilities, roads, rural cluster development, telecommunication facilities, tennis courts in association with a dwelling, tourist facilities and utility installations on land to which this Clause applies.

(3) Council shall not consent to the carrying out of development for any purpose specified in Clause 34(a)(2) unless Council is satisfied that:

(a) the development does not have a significant impact on the natural environment and the biodiversity of the land including the habitats of threatened, endangered and/or vulnerable flora and fauna species and communities; and

(b) the activity or use of land is ecologically sustainable and the extent of clearing is minimised; and
draft

(c) the landscape and biodiversity of the site are protected and enhanced through the implementation of appropriate management measures; and

(d) the development does not result in unreasonable exposure of persons or property to bushfire hazard; and

(e) the siting and design of the development responds to the topography of the land minimising the visual impact of the proposed development upon the landscape; and

(f) the height, bulk scale and relationship of buildings with each other is compatible with the character of the locality and the environmental features of the site; and

(g) the buildings are constructed of prescribed materials; and

(h) the disposal of effluent will not have any adverse impact upon the subject land or the locality; and

(i) access roads do not require substantial changes to the landform of the subject site.

[41] Clause 34(b) Tourist facilities in Environmentally Sensitive Area

Insert after Clause 34(a) Consideration for development in Environmentally Sensitive Area the following Clause:

34(b) Tourist facilities in Environmentally Sensitive Area

Council shall not consent to the development of a tourist facility within the Environmentally Sensitive Area, unless the Council is satisfied that:

(a) the primary focus of the tourist facility is on experiencing nature;

(b) the facility fosters environmental and cultural understanding, and may include educational or interpretative activities;

(c) the facility is ecologically sustainable and the extent of clearing is minimised;

(d) the siting of the development responds to the nature and topography of the land;

(e) the tourist facility may include some form of tourist accommodation where the maximum number of
accommodation units shall not exceed four (4) within any one building;

(f) the height, bulk, scale and relationship of buildings with each other is compatible with the character of the locality and the environmental features of the site;

(g) the buildings are constructed of prescribed materials;

(h) access roads do not require substantial changes to the landform; and

(i) the impact of on-site effluent disposal on water quality is minimised.

[42] Clause 52 Considerations for developing along classified roads

Insert in part (1) of the Clause in appropriate order:

2(c) and 3(d)

Insert in part (2) of the Clause in appropriate order the words:

‘farm gate sales’, ‘rural industry’, ‘rural enterprise’ and ‘tourist facility’.

[43] Schedule 3 Development prohibited in certain zones

Insert in appropriate order:

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1. INTRODUCTION

1.1 NAME AND STATUS OF DCP

This Development Control Plan (DCP) has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act, 1979 and Environmental Planning and Assessment Regulations 2000, and is to be referred to as "Development Control Plan No. 1 – Rural Lands".

A Development Control Plan becomes part of the development control process under the Environmental Planning and Assessment Act, 1979, by virtue of Section 79(C). The provisions of this DCP are amongst the considerations that are relevant when Council determines a development application.

1.2 LAND TO WHICH THIS PLAN APPLIES

This Development Control Plan applies to land zoned 1(a), 1(b), 1(c), 2(d), 3(d), 7(a) and 7(c) under the Baulkham Hills Local Environmental Plan 2005.

1.3 AIMS AND OBJECTIVES OF DCP

The aim of the DCP is to establish objectives and development controls for development in the rural areas of the Shire of Baulkham Hills.

The principal objectives of this DCP are:

(a) to provide comprehensive guidelines for the development of the rural areas in the Shire;

(b) to protect, maintain and enhance the natural environment including bushland, threatened species, river foreshore, wetlands, riparian corridors, ridgelines and views;

(c) to ensure that development is compatible with the capability of the land, does not unreasonably increase demand for services and minimizes risks from natural hazards;

(d) to encourage the use of the land for agriculture and rural uses, and minimise any conflict between competing land use;

(e) to encourage the development of vibrant tourist villages and tourist facilities that contribute to the social and economic wellbeing of the rural area;

(f) to ensure that development does not have a detrimental impact on the natural environment, scenic qualities of the area or amenity of surrounding residents, and that it contributes to the rural character of the area.

1.4 RELATIONSHIP TO OTHER PLANS, POLICIES AND DOCUMENTS

This DCP is made under and conforms to Baulkham Hills Local Environmental Plan 2005 (as amended).

This DCP is to be read in conjunction with the following:

• State Environmental Planning Policy (Seniors Living) 2004
• Sydney Regional Environmental Plan No. 19 – Rouse Hill Development Area.
• Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP 20)
• Baulkham Hills Local Environmental Plan 2005
• DCP No. 2 – On-Site Sewage Management Systems
• DCP No. 3 – Residential
• DCP No. 5 – Dual Occupancy
• DCP No. 8 - Business
• DCP No. 10 – Heritage
• DCP No. 11 – Signage
• DCP No. 12 - Parking
• DCP No. 15 – Landscaping
• DCP No. 37 – Telecommunications Facilities
• Guidelines for the Management of Contaminated Sites (2000)
• Making Access For All (2002)
• Safer by Design Guidelines (2002)
• Design Guidelines Subdivision Development (1997)
• Planning for Bushfire Protection Guidelines (2001)
DRAFT DEVELOPMENT CONTROL PLAN NO. 1


1.5 DEFINITIONS

Definitions for some terms used in this DCP are provided in Section 8 otherwise, the definitions contained within the Environmental Planning and Assessment Act, Environmental Planning and Assessment Regulations, and the Sutherland Shire Local Environmental Plan 2005 shall apply for the purposes of this DCP.

Please liaise with Council's Planning officers should you require any further explanation.
2. DEVELOPMENT APPLICATION PROCESS

Baulkham Hills Shire Council is the consent authority in respect of approvals to develop land. Applications for development consent must:

- be made on Council’s Development Application form in accordance with the requirements noted on that form;
- be accompanied by the required fee and
- include the plans and details listed as submissions requirements in this DCP.

2.1 PRE-LODGEMENT

Initial discussions with Council’s Duty Town Planner will help determine whether your proposal is permitted under Baulkham Hills Local Environmental Plan 2004, whether Council consent is required and the type of application required.

Some forms of development (depending on the scale and nature of the development) do not require Council approval.

For smaller scale development that does require approval an informal pre-lodgement meeting with the Duty Town Planner at Council’s Customer Service Centre should be held to help identify relevant issues.

Prior to the lodgement of any application for the erection of a new building, or extensions to an existing building, applicants must attend a formal pre-lodgement meeting with Council’s Officers. Relevant consultants and advisors used by the applicant should also attend these meetings.

Formal Pre-lodgement Meetings are held on a weekly basis and arrangements for a pre-lodgement meeting can be made at the Customer Service Centre of Council’s Administration Complex or by telephoning 9943 0555.

2.2 DEVELOPMENT APPLICATIONS

Developments requiring consent will fall into one of the following categories:

Complying Development
Some extensions and the erection of single storey dwellings may be complying development and Council may grant approval or the construction may be endorsed by a private certifier.

Local Development
The majority of developments require the lodgement of a standard development application.

Notifiable Development
A small group of activities are defined in Baulkham Hills Local Environmental Plan 2004 as Notifiable Development. Additional advertising, described below, is required for these applications. An advertising fee, to cover the cost of advertising, must be paid upon the lodgement of a development application.

Integrated Development
Integrated development is development (not being Complying Development) that, in order for the development to be carried out, requires development consent and approval under one or more of the following:

- Roads Act, 1993;
- Fisheries Management Act, 1994;
- Heritage Act, 1977;
- National Parks & Wildlife Act, 1974;
- Protection of the Environment Operations Act, 1997;
- Rivers & Foreshore Improvement Act, 1948;
- Waste Minimisation & Management Act, 1995;
- Water Act, 1912; and

2.3 NOTIFICATION AND ADVERTISING

Local Development

Upon receipt of an application that requires development consent (but which is not notifiable development), Council shall notify each landowner whose property adjoins the subject site and those directly opposite the site except where:

- there is no impact on adjoining properties; or
- all adjoining properties and adjacent landowners have noted on the
submitted plans that they have no objection to the application; or
> in the case of a subdivision application, the proposal is for a boundary adjustment where no additional lots are created.

Notifiable Development

For Notifiable development, as defined under Baulkham Hills LEP 2005, Council shall:

- always notify each landowner whose property adjoins the subject site and those redundant opposite the site;
- place an advertisement within the local newspaper advising of the proposal and the period for submissions; and
- place a notice on the subject site.

Integrated Development

Integrated development can be either local development requiring consent or notifiable development and therefore subject to the notification processes described above. However, it can also be defined as “nominated” integrated development where special advertising procedure is prescribed in the Environmental Planning and Assessment Regulations 2000.

Determining the extent of Notification

Council may contact additional landowners if it is considered that the application has a greater impact.

In determining whether to extend or limit the extent of notification Council will consider the following factors:

- Sitting and design
- Views
- Privacy
- Access
- Overshadowing
- Noise
- Public Interest
- Topography
- Solar Access
- Drainage
- Landfill

- Traffic generation

2.4 SUBMISSIONS

The notification and advertising described above invites interested parties to come and view the plans and provide relevant comment on any proposal.

The minimum period of time for submissions is shown in the table below:

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Minimum Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Requiring Council Consent</td>
<td>14 days</td>
</tr>
<tr>
<td>Notifiable Development</td>
<td>14 days*</td>
</tr>
<tr>
<td>Nominated Development</td>
<td>31 days*</td>
</tr>
</tbody>
</table>

*From the date the notice appears in the local newspaper.

The period of time may be extended. Any advertising period shall not include the last 2 weeks of December and the first 2 weeks of January in any year.

2.5 ASSESSMENT OF APPLICATIONS

In assessing development proposals, Council will have regard to:

- Section 79C of the Environmental Planning and Assessment Act, 1979;
- how the development satisfies the aims and objectives and any relevant provisions of Baulkham Hills LEP 2005;
- conformity with this DCP and any other relevant DCPs applying to the land;
- submissions received as a result of the notification/advertising process; and
- any other legislation applying to the land or to the type of development proposed.

Developments that fail to comply with the statutory provisions of the Environmental Planning & Assessment Act, 1979, the Baulkham Hills Local Environmental Plan, 2005 or the objectives stated within this DCP are unlikely to be granted development consent.
Development Application Process

1. Consultation with adjoining property owners should be considered
   - Consider their opinions

2. Mandatory consultation with Council on draft proposal
   - Has the applicant attended a pre-lodgement meeting?

3. Finalise application and consult with Authorities, EG, RTA, Sydney Water
   - Does proposal comply with BHLEP 2004

4. Lodge development application with Council
   - PAY FEES

5. Advertisement of application in local newspapers. Application placed on public exhibition for 14 days (minimum)
   - Council notifies adjoining property owners

6. Assessment of application against relevant planning instruments and DCPs
   - Consideration of submissions
   - Conciliation Conference may be required

7. Application determined

8. Development work can commence if all conditions are complied with and construction certificate obtained
3. ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Ecologically sustainable development, as identified in the National ESD Strategy, refers to development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It embodies the responsibility to maintain ecological processes (biodiversity and life support systems), quality of life and social interactions within a productive economic environment.

In order to fulfil Council’s statutory responsibilities as required by Schedule 2 of the EP&A Regulations, 1994 and the Local Government Amendment (ESD) Act, 1997 and to meet its adopted goals and objectives as defined in its Environmental Management Plan, development is required to meet Council’s Sustainability Objectives.

3.1 COUNCIL’S ESD OBJECTIVES

ESD 1 To apply the precautionary principle where development is likely to cause short or long-term irreversible or serious threats to the environment.

ESD 2 To address and allow for broad community involvement in respect to local issues of concern throughout the development process.

ESD 3 To ensure during the design, construction and operation of the development, that water is utilised efficiently and that water leaving the site is of a quality and quantity comparable to that which is received.

ESD 4 To ensure that biodiversity, and that the integrity of ecological processes, are not compromised by the development.

ESD 5 To promote the following during the design, construction and operation of any development:

- The use of energy efficient materials and designs;
- Utilisation of renewable energy and materials; and
- Energy efficient technology.

ESD 6 To follow the principles of the ‘Waste Hierarchy’ (reduce, reuse, recycle) in the use of materials and the design of waste recovery and disposal systems throughout the development process.

ESD 7 To protect neighbourhood amenity and safety in the design and construction and operation of the development.

ESD 8 To encourage the long-term economic viability and health of the community in the development process.

ESD 9 To encourage the use of public transport, use of bicycles and pedestrian trips in the development and design process.

3.2 ACHIEVING THE ESD OBJECTIVES

In all aspects of the planning for development in rural areas, consideration must be given to achieving the ESD objectives listed.

Submission Requirements:

As part of the Statement of Environmental Effects required to be submitted with all development applications a summary of the measures proposed in order to achieve these objectives must be included.

Applications for dwelling-houses or dual occupancy developments are required to comply with the provisions of the Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 and State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.
4. ZONE FUNCTIONS

4.1 RURAL 1(a)

The purpose of this zone is to identify land with future urban development potential and to ensure that development does not prejudice future urban growth.

The majority of land zoned Rural 1(a) has been identified within Rouse Hill Development Area under Sydney Regional Environmental Plan No. 19 (SREP 19). This plan identifies land for future urban growth of Sydney that is to be developed over the next 20 to 30 years.

The Rural 1(a) zone therefore seeks to ensure that interim development for rural and urban support processes does not conflict with objectives for future urban development.

4.2 RURAL 1(b)(RURAL LANDSCAPE)

Land zoned Rural 1(b) (Rural Landscape) comprises the majority of land in the northern part of the Shire and adjoining the Hawkesbury River. The planning intent of this zone recognises the need to protect areas of scenic and environmental quality, to maintain the rural character of the area, provide for the agricultural use of land and to provide for opportunities for the development of tourist facilities.

4.3 RURAL 1(c)(RURAL LIVING)

The function of the Rural 1(c)(Rural Living) zone is to accommodate rural-residential development compatible with the environmental characteristics of certain land in the Shire.

Land zoned 1(c)(Rural Living), similar to the 1(a) and 1(b) zones, permits the agricultural use of the land and in addition, permits a range of uses that do not unreasonably increase demand on public services. These provisions seek to protect the rural character of the area while providing for a rural-residential lifestyle.

4.4 RURAL 1(d)

The Rural 1(d) Zone applies to land in Nyari and Cadwell’s Road area of Kunchur and allows a range of uses compatible with rural-residential development.

The zoning permits a flexible density approach to subdivision due to the area’s topography, limited agricultural capability and available water supply and precludes more intense agricultural pursuits.

Development Control Plan No.96 - Rural 1(d) Zone contains provisions relating to the Rural 1(d) zone.

4.5 RESIDENTIAL 2(c)(TOURIST VILLAGE)

The purpose of this zone is to provide for a wide range of residential and ancillary uses compatible with development within the tourist village zones. The zone recognises the special character of these areas and their potential for encouraging tourism. A broad range of residential and tourist facilities is permitted within the zone with the consent of Council.

4.6 BUSINESS 3(d)(VILLAGE CENTRE)

The land zone Business 3(d)(Village Centre) identifies the retail and commercial centres in the rural area. The zone provides specific controls to reinforce the rural nature of these centres whilst still providing for business opportunities to meet the retail and commercial needs of the surrounding area. A broad range of retail, commercial and tourist orientated activities are permitted in the zone.

4.7 ENVIRONMENTAL PROTECTION 7(a)(WETLAND)

Land zoned Environmental Protection 7(a) (Wetlands) identifies natural wetlands within the Shire. These areas have unique ecological, scenic and environmental attributes that require special protection. Development is allowed in these areas only where it is unlikely to have a significant detrimental effect on the wetland.

4.8 ENVIRONMENTAL PROTECTION 7(c)(RIPARIAN CORRIDOR)

The land zoned Environmental Protection 7(c) (Riparian Corridor) identifies land adjacent to major waterways such as Cottai Creek. The zone provides a buffer between the riparian vegetation along the creek and adjoining land uses and protects important habitat linkages.
Development allowed in the zone is limited to uses that will not have an adverse impact on the riparian corridor.

### 4.9 SETTLEMENT HIERARCHY

The settlement hierarchy identifies residential settlements within the rural area and ranks each in terms of its population, and the facilities and services provided.

Facilities and services may include the provision of schools (primary and / or secondary), post office, police station, rural fire station, health services or doctor, community hall, sporting facilities, small business centre, petrol station, reticulated sewerage and reticulated water.

The settlement hierarchy for the rural lands is as follows:

<table>
<thead>
<tr>
<th>Villages</th>
<th>Rural Centres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glenorie</td>
<td>Annangrove</td>
</tr>
<tr>
<td>Kenthurst</td>
<td>Box Hill</td>
</tr>
<tr>
<td>Round Corner</td>
<td>Corner Kenthurst</td>
</tr>
<tr>
<td>Dural</td>
<td>Annangrove Road</td>
</tr>
<tr>
<td>Wisemans Ferry</td>
<td>Dural</td>
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<tr>
<td></td>
<td>Lower Portland</td>
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<tr>
<td></td>
<td>Maraylya</td>
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<tr>
<td></td>
<td>Maroopa</td>
</tr>
<tr>
<td></td>
<td>Sackville</td>
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<td>South Maroona</td>
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### 4.10 DEVELOPMENT IN RURAL VILLAGES

The Village Character Analysis Urban Design Guidelines prepared by Woods Bagot dated July 2003 provides an analysis of the assets, opportunities and constraints within the existing form and character of the tourist villages and centres.

Any large-scale development or re-development of a tourist village or centre must take into account the principles of design contained in Guidelines. These principles include:

- Village structure;
- Land use and activities;
- Built form and style;
- Landscape and views; and
- Village character.

Residential development in the Residential 2(b), 2(c)(Tourist Village) and 2(d)(Protected) zones, such as the erection of a single dwelling house or alterations and additions to an existing dwelling house must comply with the relevant provisions set out in DCP No. 3 - Residential.

Commercial development in the Business 3(d)(Village Centre) Zone must also comply with the relevant provisions of DCP No. 8 - Business.

### 4.11 ENVIRONMENTALLY SENSITIVE AREA

Land considered to be environmentally sensitive with unique ecological, scenic and environmental attributes that require special protection, are identified within an Environmentally Sensitive area overlay.

Development allowed in these areas is limited to that which does not require a large area of clearing and is unlikely to have a detrimental effect on the natural bushland.
5. OBJECTIVES AND DEVELOPMENT CONTROLS

Objectives and Development Controls for development in rural areas are set out in the following sections.

Compliance with the controls set out in this DCP will not necessarily ensure the approval by Council of any application. Each application will be considered on the individual circumstances and merits.

Objectives - what the development controls are trying to achieve.

Development Controls - specific measures, which if met, will be deemed to have satisfied the objectives.

Submission Requirements – specifies the information required to accompany a development application.

An applicant may request a variation to any development control provided that the objectives of the specific development control and this DCP as a whole can still be achieved. The applicant must submit written documentation to support any request for a variation to the DCP.

Note: In the event of any inconsistency between this DCP and another, this DCP shall prevail only to the extent of the inconsistency.

5.1 DEVELOPMENT SITES

Objectives

(i) To prevent fragmentation of land required for future urban development in Zone 1(a);

(ii) To provide for a wide range of activities that maintains the rural, agricultural and environmental qualities of the Zone 1(b) area;

(iii) To provide opportunities for rural-residential development in Zone 1(c);

(iv) To ensure that all new allotments have measures sufficient to minimise the impact of bushfires;

(v) To provide for the proper and orderly development of these lands.

(vi) To ensure that the rural character is maintained.

Development Controls

(a) The minimum site area and frontage requirements created by the subdivision of the land in the following zones are shown in Table 1.

<table>
<thead>
<tr>
<th>TABLE 1: DEVELOPMENT SITE REQUIREMENTS</th>
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<td>ZONE</td>
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<td>7(a)</td>
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<td>7(c)</td>
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</table>

(b) The minimum depth of a residential lot in the 2(c) zone shall be 27 metres.

(c) Council will not approve subdivision of unsewered land unless it is demonstrated that an acceptable on-site disposal system can be implemented for each proposed lot.

(d) Council shall not grant consent to the subdivision of any lot unless it can be demonstrated that the existing lot has a dwelling-house capability including the capability of satisfactorily disposing of effluent on that lot.

(e) All development must comply with the provisions of Sydney Regional Environmental Plan No. 20 (SREP 20) Hawkesbury-Nepean River.

Submission Requirements

- Subdivision Plan;
- Statement of Environmental Effects;
- Arborist or Flora and Fauna Report;
DRAFT DEVELOPMENT CONTROL PLAN NO. 1

RURAL LANDS

- Soil and Salinity Contamination Report, addressing the area surrounding proposed building platform;
- Bushfire Threat Assessment Report;
- Correspondence from the relevant local Aboriginal Land Council, regarding the Aboriginal significance of the site.

5.2 BUILDING SETBACKS

Objectives

(i) To ensure that certain developments do not adversely affect the traffic environment along classified roads; and

(ii) To protect the scenic and environmental amenity of rural land adjacent to classified and other roads;

(iii) To ensure adequate space is provided between and around all buildings and structures in the rural area, so as to assist in preserving the character of the rural area.

Development Controls

(a) The minimum building setback on land having a frontage to a classified road is 30 metres.

The blue centre line denotes a classified road on the Baulkham Hills LEP 2006 zoning map.

(b) The minimum building setback having frontage to all other roads is 10 metres.

(c) The minimum side setback for any building or structure within a rural zone is 5 metres.

(d) Despite items (a) and (b) above, the minimum building setback for a ‘roadside stall’ is zero.

Submission Requirement

- Site plans must clearly indicate the setbacks of buildings or structures from property boundaries.

5.3 RURAL-RESIDENTIAL DEVELOPMENT

Objectives

(i) To provide for the development of dwelling-houses within the rural areas of the Shire;

(ii) To ensure that rural-residential development does not adversely impact on the rural character of the area.

Development Controls

(a) The design, bulk and scale of a dwelling-house must compliment the rural character of the locality.

(b) The maximum height for a dwelling-house is two (2) storeys or 8 metres to the ridge from natural ground level, whichever is greater.

(c) The location of the building platform shall have regard to existing development and be located so that the asset protection zones can be mutually supportive and avoid the need for excessive clearing of bushland.

(d) Building platforms shall not be sited on slopes greater than 20% or on prominent ridge tops so that they do not have a detrimental effect on the landscape.

(e) The minimum building platform for a lot shall be 15m by 20m.

(f) The proposed external building materials, finishes, and colours must be of low
reflectivity, and be of dark or ‘earthy’ tones.

(g) Where a dwelling-house is proposed to be located in close proximity to an established intensive horticultural establishment, intensive animal industry, rural industry or other approved rural activity, the dwelling-house must be sited so as to reduce the potential for land use conflict.

Landscape screening or noise attenuation measures should be considered in order to reduce potential for conflict.

(g) Satisfactory arrangements to be made for the disposal of stormwater to ensure that:
- adjoining lots are not affected; and
- there is no detrimental impacts on any watercourse or existing bushland.

(h) All proposed dwellings are to have a habitable floor level 500mm above the 1 in 100 year ARI storm event.

(i) Vehicular access must be provided to the dwelling-house via a flood-free driveway.

(j) Access driveways to be of a trafficable width to allow passing vehicles manoeuvring and turning space including emergency and service vehicles.

Submission Requirements
- Site Plan indicating proposed access to the building platform.
- Schedule of proposed external building materials, finishes and colours.
- Details of stormwater management.

5.4 DUAL OCCUPANCY DEVELOPMENT

Objectives
(i) To provide opportunities for a second dwelling-house to be erected on any allotment for residential purposes;

(ii) To ensure the size and scale development is appropriate and does not adversely impact on the environment.

Development Controls
(a) Vehicular access to both dwellings shall be from a single common driveway or access road.

(b) The siting of the dual occupancy shall minimise the removal of trees or vegetation and site disturbance.

(c) Where a site is not serviced by a reticulated sewerage system, at least 1 hectare of land per dwelling shall be available in order to enable effective area for onsite effluent disposal.

In this regard, developments must comply with the requirements of DCP No. 2 – On-Site Sewage Management.

(d) Where the creation of a dual occupancy involves an existing dwelling, the second dwelling shall be constructed of the same materials of the existing dwelling, or the existing dwelling shall be renovated to match the proposed external materials of the new dwelling.

The design of the second dwelling shall harmonise with the architecture of the existing building.

(e) Attached dual occupancies shall be connected by a common wall separating habitable rooms of each respective dwelling or by a garage having with each dwelling having a common wall with the garage.

(f) Where the method of attachment is by way of a garage, a connecting link is to include a roof having a design and external appearance similar to that of the existing dwelling and which physically connects the opposing walls of each dwelling.

Attachment by way of a pergola, breezeway, verandah or the like that does
not integrate the design of the two dwellings will not be permitted.

(g) Attached dual occupancies are to have the design and appearance of a single dwelling house.

(h) Where an attached dual occupancy fronts a public road, the total length of the front elevation must not exceed 50% of the frontage of the lot.

Submission Requirements
- Site Plan showing location of the dual occupancy, the distance to boundaries and between dwellings, access driveway, significant vegetation;
- Architectural Plans and Elevations;
- Landscape Plan indicating landscaping of the development.

5.5 RURAL CLUSTER DEVELOPMENT

Objectives

(i) To provide for a range of housing opportunities in the rural area;

(ii) To protect and preserve land containing significant bushland, endangered ecological communities, cultural heritage items or other natural features;

(iii) To encourage innovative design that integrates the dwellings and natural features of the site;

(iv) To ensure that rural cluster housing development does not adversely affect the environment of the rural area.

Development Controls

(a) The development is to be designed to respect site constraints such as topography, drainage, soil landscapes, flora, fauna and bushfire hazard.

(b) Dwelling-houses are to be clustered and grouped in order to reduce the impact of clearing and on-site disposal on the site.

(c) Dwelling houses are to be clustered or grouped around a single common driveway. Rural cluster developments that propose separate lots fronting an existing public road will not be approved.

(d) The subdivision design shall demonstrate consideration of:

- views
- orientation
- passive solar design
- privacy
- noise transmission
- on-site disposal
- in the siting and design of building platforms.

(e) Building platforms shall not be sited on slopes greater than 20% or on prominent ridge tops so that they do not have a detrimental effect on the landscape.

(f) Vehicular access to the site shall be via a single common driveway, with secondary access to individual dwellings. The access driveway shall be incorporated into the community property.

(g) The provision of common facilities for the informal recreation of residents such as tennis courts, stables and horse riding facilities should be considered.
If such facilities are provided, these are to be located within the community property and central to the cluster of dwelling-houses. Individual recreation facilities such as tennis courts, stables and horse riding facilities will not be permitted.

(h) Development on land identified as bushfire prone on the Baulkham Hills Bushfire Prone Land map shall provide a single asset protection zone, to protect all dwellings, in accordance with the requirements of the Planning for Bushfire Protection Guidelines.

The asset protection zone shall be located within the community property and be maintained by the Community Association.

(i) Effluent disposal system to serve each dwelling-house shall be designed in accordance with the provisions of DCP No. 2 - On-Site Sewage Management Systems.

(j) Suitable restrictions shall be imposed on the community allotment to protect the significant natural features of the site and minimise the extent of development or clearing. Details shall be included in the Management Plan for the community title subdivision.

Submission Requirements

- Site Analysis Plan indicating the sites opportunities and constraints such as topography, flora, fauna, bushfire prone land, drainage, views, slope.
- Site Plan indicating the distance to boundaries, building platforms, access driveway, fencing and all common property.
- Draft Plan of Subdivision indicating the proposed allotment boundaries, building platforms, on-site disposal area, and hazard reduction area.
- A Draft Plan of Management, in accordance with the Development Act 1989 and the Community Land Management Act 1989.
- Concept plan for the on-site sewage management system prepared in accordance with DCP No. 2 — On-Site Sewage Management Systems.
- Bushfire Threat Assessment Report
- Flora & Fauna Report
5.6 RURAL WORKERS DWELLING

Objective

(i) To provide residential accommodation for rural workers in close proximity to their employment.

Development Controls

(a) The minimum area of land on which a rural workers dwelling may be erected is 10 hectares.

(b) The rural workers dwelling may only be used in accordance with the definition as contained with the Baulkham Hills LEP 2005 (as amended).

(c) The maximum floor area for a rural workers dwelling shall be 150m².

(d) Access to the rural worker's dwelling is to be via the main access driveway for the site. A second access driveway will not be permitted.

(e) A rural workers dwelling shall only be permitted where there is a justified need for rural workers to be accommodated on the same site as the rural activity.

It must be demonstrated that off-site accommodation is unsuitable owing to the nature of the activity or the distance of the site from appropriate rental accommodation.

(f) A rural workers dwelling shall only be permitted where it can be demonstrated that the rural activity generates enough income to support additional employees, and cannot operate without that employees labour.

(g) The use of demountable buildings that can be removed in the event that the agricultural activity on the site ceases is encouraged.

Submission Requirements

- Site Plan indicating the location of the access driveway, principal dwelling house and rural workers dwelling.
- Floor Plan and elevation of the rural workers dwelling.
- Documentary evidence demonstrating that:
  - your farm generates enough income to support the employee;
  - your farm cannot operate without the employee’s labour;
  - onsite accommodation is essential for your enterprise.

Also refer to requirements set out in NSW Agriculture brochure entitled 'Can I build a rural worker’s dwelling'.

5.7 RURAL FENCING

Objective

(i) To encourage the provision of fencing that reflects the rural character and does not detract from the scenic qualities of the rural area.

Development Controls

(a) Open style transparent fencing that is rural in character is encouraged.

Solid masonry or solid panel fences are prohibited.

(b) Front fences shall be constructed from any material other than prefabricated metal sheeting or brush style fencing.

Open style fencing encouraged
(c) The maximum height of a front fence shall be 1.8 metres.

Submission Requirements

- Site plan showing location of proposed fencing.
- Details of fencing including type, height, materials and colour.

Note: A Development Application is required for any rural fence that does not comply with the Exempt Development Provisions in Schedule 2 of Baulkham Hills LEP 2005.

5.8 TENNIS COURTS

Objectives

(i) To ensure that the development of tennis courts associated with a dwelling-house does not have an adverse impact on the natural environment or the amenity of surrounding development.

Development Controls

(a) The minimum setback of the tennis court perimeter from the front boundary shall be 10 metres and from the side and rear property boundaries shall be 2 metres.

(b) Dense landscaping within the setback area is required to screen the court from view from neighbours.

(c) The siting and finished level of the court is to have regard to the physical constraints of the site, and the siting and scale of neighbouring dwellings.

(d) The extent of cut and fill for construction of the tennis court shall be restricted to 1 metre of cut and 600mm of fill.

(e) Fencing shall be of green or black mesh fencing.

(f) Where lighting is proposed, the tennis court shall be sited to avoid interference with neighbouring properties and the lights shall be directed so as to avoid light spillage outside the property.

Submission Requirements

- Statement of Environmental Effects
- Site Analysis Plan, which details the physical attributes and constraints of the site as well as its relationship with adjoining properties.
- Site Plan indicating the location of the tennis court, dwelling-house and distance to boundaries.
- Cross-sections to demonstrate the extent of cut and fill.
- Landscape Plan prepared in accordance with DCP No. 15 – Landscaping detailing fencing to be erected as well as existing and proposed plantings.
- Details on lighting fixtures, location and height of light poles and a light spill diagram illustrating the fall of light (and associated intensities) emanating from the lights.
- Light spill diagrams are to illustrate the location of adjoining residences, location of windows and use of respective rooms where affected.

5.9 RURAL SHEDS

Objectives

(i) To ensure that rural sheds greater than 100m² in floor area, do not compromise the scenic quality of the rural area;

(ii) To control the height and size of rural sheds to minimise their visual impact on the landscape.

Development Controls

(a) The proposed external materials, finishes and colours of the shed shall complement
and harmonise with the surrounding environment.

(b) Sheds are to be sensitively located so that they do not dominate the rural landscape.

(c) Sheds are to be setback a minimum of 5 metres from the side or rear boundary of a property.

(d) The height of a rural shed shall be no more than 5 metres and the walls shall not exceed 3.6 metres in height.

The roof pitch shall not exceed 24 degrees.

(e) The maximum floor area of a rural shed shall be less than:

- 500m² in the Rural 1(e) Zone
- 500m² in the Rural 1(b) Zone
- 200m² in the Rural 1(c) Zone

(f) The rural shed shall be designed so that any walls that can be viewed from a public place contain windows, doorways or suitable design features.

(g) Cut shall not exceed 1 metre and fill shall not exceed 800mm.

(h) Landscaping shall be provided between the development and any boundary that is located within 10 metres of the shed.

(i) The development shall not encroach into any registered easement and shall be clear of any on-site disposal area or other services.

(j) Compliance with the relevant provisions of the Building Code of Australia.

Submission Requirements

- Site Plan indicating the location of the proposed shed and distance to the nearest boundary.
- Floor Plan and Elevation of the proposed shed.
- Schedule of external materials, finishes and colours.
- Landscaping Plan prepared in accordance with DCP No. 15 – Landscaping.
- Statement of Environmental Effects outlining the purpose of the shed and details of any access.
- Waste Management Plan.

5.10 LANDSCAPING

Objectives

(i) To encourage the planting of fire resistant plants to minimise the spread of bushfire in the rural area;

(ii) To ensure landscaping enhances the rural character of the area.

Development Controls

(a) Fire-resistant plants with the following features shall form an integral part of the landscaping scheme of rural properties:

- high moisture content
- high levels of salt
- low volatile oil content of leaves
- smooth barks without 'ribbons' hanging from branches.

(b) Landscaping shall complement and contribute to the natural surroundings of the rural area.

The use of locally or regionally occurring species is encouraged.

(c) The introduction of noxious weeds as part of a rural landscaping scheme is prohibited.

Submission Requirement

- Landscape Plan prepared in accordance with DCP 15.

5.11 TOURIST FACILITIES

Objectives

(i) To enable opportunities for the establishment of tourist facilities in the 1(b), 2(c) and 3(d) zones; and

(ii) To ensure that tourist facilities do not place excessive demands on services or adversely affect the environment or amenity of the rural area.

Development Controls
(a) The built form of the development must take into account the scenic qualities of the surrounding area and be of sympathetic design, which responds to its environment.

(b) The size, scale, bulk, design and building materials shall be compatible with the surrounding rural landscape.

(c) Any buildings must comply with the setback requirements of the DCP.

Any car parking areas may be forward of the building setback provided that a minimum landscaping buffer of 2 metres is provided from the boundary of the site.

(d) All car parking is to be provided on site in accordance with DCP No. 12 - Parking.

(e) The proposed method of sewage disposal must be in accordance with the provisions of DCP No. 2 - On-site Sewage Management.

(f) Where a proposed tourist facility is proposed to be located on bushfire prone land, suitable measures to reduce bushfire hazard including asset protection zones are to be provided.

(g) A proposed tourist facility must have direct access to a public road.

(h) The site must be adequately landscaped to ensure that the development does not have an adverse impact on the scenic quality of the locality.

(k) Development must comply with the provisions of Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River No. 2 1997.

(i) Subdivision of Tourist Facilities shall not be permitted.

Submission Requirements

- Site Analysis Plan
- Site Plan, floor plans and elevations of any structures or buildings.
- Schedule of external materials, finishes and colours.
- Statement of Environmental Effects outlining the need for and purpose of the proposal, and how the proposal satisfies the development controls. Details of the hours of operation, number of guests, staff, truck movements per day, likely traffic generation should be provided.
- Landscaping Plan prepared in accordance with DCP No. 15 - Landscaping.

5.12 RECEPTION ESTABLISHMENTS / RESTAURANTS

Objectives

(i) To encourage the establishment of reception establishments and restaurants;

(ii) To ensure that such facilities do not place excessive demands on services or adversely affect the amenity of nearby properties.

Development Controls

(a) The size, scale, bulk, design and building materials shall be compatible with the surrounding rural landscape.

(b) Any buildings must comply with the setback requirements of the DCP.

Car parking areas may be forward of the building setback provided that a minimum landscaping buffer of 2 metres is provided to the boundary of the site.

(c) All car parking is to be provided on site in accordance with DCP No.12 - Parking.

(d) An adequate curtilage is to be provided around the building and must be suitably landscaped in accordance with DCP 15 – Landscaping.

Submission Requirements

- Statement of Environmental Effects shall describe the proposed activity and provide details regarding the hours of operation, number of employees, number of patrons, number of truck movements etc.
- Site Analysis Plan
- Site Plan, floor plans and elevations of any structures or buildings.
- Schedule of external materials, finishes and colours.
- Acoustic Report prepared by a suitably qualified acoustic engineer to provide an
5.13 FARM GATE SALES

Objectives

(i) To encourage the establishment of farm gate sales areas;

(ii) To promote the establishment of locally based tourism and agriculture;

(iii) To ensure that farm gate sales do not have an adverse impact on the environment of the area.

Development Controls

(a) Sales are to take place in a defined building or area, no greater than 75m².

(b) A defined car parking area is to be provided at a rate of one (1) space per 10m² of sales area.

(c) The driveway and car parking area shall be of sufficient size to accommodate adequate turning area and in accordance with the provisions of DCP 12 - Parking

(d) The hours of operation for Farm Gate Sales shall be restricted to daylight hours only. No illumination of the premises or the signage shall be permitted.

Submission Requirements

- Site Plan showing boundaries of the site, location of farm gate sales area, car parking and signage.
- Statement of Environmental Effects detailing the nature of the operation and its compliance with the provisions of the DCP.

5.14 SIGNAGE

Objectives

(i) To permit an approved use the opportunity to adequately advertise the activity being undertaken while maintaining the scenic and rural quality of the area;

(ii) To ensure that any advertising sign is sympathetic to the environment and to the scale and design of development in the vicinity.

Development Controls

Refer to the provisions for signs in rural zones contained in DCP No. 11 - Signage.

5.15 DEVELOPMENT IN BUSINESS 3(d) (VILLAGE CENTRE) ZONE

Objectives

(i) To encourage the development of commercial and retail development in the Tourist village Business Centres;

(ii) To ensure that development in the tourist village business centres is compatible with the rural character of the area;

(iii) To enhance aesthetic, visual and historic amenity and character of village centres streetscape.

Development Controls

(a) For all commercial and retail development in the Business 3(d) zone, the ratio of the gross floor space of any building to the total site area shall not exceed 1:1.

(b) Development in the Business 3(d)(Village Centre) zone located along a public road may utilize a zero setback.

Covered awnings that provide weather protection and enhance the rural character of the centre, shall be permitted over the footpath area.

(c) Where a retail / commercial development adjoins a residential zone a minimum side setback of 5 metres shall apply.

(d) The maximum height of buildings within the Business 3(d)(Village Centre) zone shall be 8 metres or 2 storeys.
5.16 RURAL INDUSTRIES / AGRICULTURAL PRODUCTS ESTABLISHMENTS

Objectives

(i) To provide for a range of activities related to agricultural and rural uses within the rural area;

(ii) To ensure that rural industries and agricultural products establishments do not place excessive demands on services or adversely affect the environment or amenity of an area.

Development Controls

(a) In determining a proposal for rural industries, Council will take into account the need for and purpose of the proposal and the availability of essential services.

(b) If the use of machinery such as generators, pumps, heating appliances is proposed, the applicant must demonstrate that reasonable measures will be taken to reduce potential for land use conflict and lessen the impact of noise on adjoining properties.

Measures such as insulation of machinery, vegetation buffers, or limited or scheduled use may be implemented.

(c) For rural industries a total of one (1) car parking space for each employee and two (2) visitor spaces shall be provided in a designated car parking area.

(d) For agricultural products establishments parking shall be provided in accordance with the provisions of DCP 12 – Car Parking.

(e) The proposed buildings shall be constructed of prescribed materials.

(f) An adequate curtilage is to be provided around the building and must be suitably landscaped in accordance with DCP 15 – Landscaping.

Submission Requirements

- Written justification for the proposal;
- Site Plan indicating the location of all buildings, the car parking area;
5.17 INTENSIVE HORTICULTURAL ESTABLISHMENTS

Objectives

(i) To provide for the development of intensive horticultural establishments on rural properties;

(ii) To ensure that intensive horticultural establishments are sensibly located and do not have an adverse impact on the environment or amenity of neighbours.

Development Controls

(a) The site shall be designed so as to ensure adequate area is provided for landscaping buffers, waste water retention ponds, stormwater detention ponds, parking areas, access roads, water tanks, sheds, dwelling-houses and rural workers dwellings, in addition to any area used for intensive horticulture.

(b) Landscape buffers and screen planting with a minimum width of 2 metres shall be created to screen crop protection structures.

(c) Species are to be selected so that at maturity, the landscaping will equal the height of the structure and provide significant foliage to adequately screen the structure. Several different species may be required to achieve an adequate screen.

The vegetation used will be of types capable of reaching a mature height within three years of the occupation and/or commencement of use of the structure.

(d) A total of one (1) car parking space for each employee shall be provided in a designated car parking area.

(e) Any water used in the irrigation of crops must be treated before being released into the local water catchment.

(f) If the use of machinery such as generators, pumps, heating appliances is proposed, the applicant must demonstrate that reasonable measures will be taken to reduce potential for land use conflict and lessen the impact of noise on adjoining properties.

Measures such as insulation of machinery, vegetation buffers, or limited or scheduled use may be implemented.

Submission Requirements

- Site Analysis Plan
- Site Plan identifying all buildings, structures, car parking areas etc.
- Elevations of any proposed structures.
- Landscaping Plan including details of proposed screen planting and landscaping buffers, prepared in accordance with DCP 15 - Landscaping.
- Statement of Environmental Effects describing the proposed activity, number of employees, number of truck movements etc.
- Environmental Management Plan (EMP) outlining the measures to ensure that the development will not have an adverse impact on the environment and provide details of the proposed system of monitoring of such measures.

Also refer to Guidelines for Greenhouse Development prepared by NSW Agriculture 2004 www.agric.nsw.gov.au

5.18 INTENSIVE ANIMAL INDUSTRIES

Objectives

(i) To provide for the development of intensive animal industries on rural properties;

(ii) To ensure that intensive animal industries are sensibly located and do not have an adverse impact on the natural environment.

Development Controls

(a) All buildings or structures shall be set back from the boundary in accordance with the
provisions of this DCP and landscaped so as to be screened from public view.

(b) A total of one (1) car parking space for each employee shall be provided in a designated car parking area.

(c) If the use of machinery such as generators, pumps, heating appliances is proposed, the applicant must demonstrate that reasonable measures will be taken to reduce potential for land use conflict and lessen the impact of noise on adjoining properties.

Measures such as insulation of machinery, vegetation buffers, or limited or scheduled use may be implemented.

(d) The applicant must demonstrate that reasonable measures will be implemented to mitigate the impact of odours on adjoining properties and reduce the potential for land use conflict.

Submission Requirements

- Site Analysis Plan.
- Site Plan identifying all buildings, structures, car parking areas etc.
- Elevations of any proposed structures.
- Landscaping Plan including details of proposed screen planting and landscaping buffers prepared in accordance with DCP 15 - Landscaping.
- Statement of Environmental Effects describing the proposed activity, number of employees, number of truck movements etc.
- Environmental Management Plan (EMP) outlining the measures to ensure that the development will not have an adverse impact on the environment and provide details of the proposed system of monitoring of such measures.

Also refer to the Intensive Agriculture and the Development Control Process Notes prepared by NSW Agriculture at: www.agric.nsw.gov.au

### 5.19 RETAIL / WHOLESALE PLANT NURSERIES

#### Objectives

- To provide for the development of retail and wholesale plant nurseries in rural zones;

- To ensure that plant nurseries do not have an adverse impact on the natural environment or amenity of surrounding properties.

#### Development Controls

(a) Any proposed buildings must be setback a minimum of 10 metres from the front boundary and 5 metres from a side or rear boundary.

(b) Landscape buffers and screen planting with a minimum width of 2 metres shall be created to screen nursery areas.

(c) Any water used in the irrigation of plants must be treated for nutrients before being released into the local water catchment.

(d) If the use of machinery such as generators, pumps, heating appliances is proposed, the applicant must demonstrate that reasonable measures will be taken to reduce potential for land use conflict and lessen the impact of noise on adjoining properties.

Measures such as insulation of machinery, vegetation buffers, or limited or scheduled use may be implemented.

(e) The applicant must demonstrate that reasonable measures will be implemented to mitigate the impact of odours and dust on adjoining properties and reduce the potential for land use conflict.

(f) The number of car parking spaces provided should be consistent with the rate required in the DCP 12 – Car Parking for retail and wholesale plant nurseries.

(g) Retail Plant Nurseries shall provide a car parking area designed and constructed in accordance with the provisions of DCP No. 12 – Car Parking.

(h) Wholesale Plant Nurseries shall provide a designated area for employee car parking contained wholly within the site.
### DRAFT DEVELOPMENT CONTROL PLAN NO. 1

#### ORDINARY MEETING OF COUNCIL

(i) Appropriate facilities for customers shall be provided for retail plant nurseries.

**Submission Requirements**

- Statement of Environment Effects (SEE) describing the site, the proposed use and details of employee numbers, parking provisions, signage and operating hours.
- Site Analysis Plan to determine the suitability of the operation, including wind direction, access, water management, sediment and erosion control, flora/fauna, scenic qualities and proximity to and compatibility with adjoining land uses.
- Site plan showing proposed access arrangements, car parking and location of signage.
- Architectural Plans of any structures to be erected as part of the development.
- Landscape Plan prepared in accordance with Council's Development Control Plan No. 15 Landscaping.
- Traffic Assessment Report

#### 5.20 FARM DAMS

**Objectives**

(i) To provide for the developments of dams on rural properties;

(ii) To ensure that dams do not have an adverse impact on the environment or amenity of neighbours.

**Development Controls**

(a) A dam shall be setback a minimum of 5 metres from the boundary of the property, to allow for landscaping and maintenance.

(b) Erosion and Sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, sediment, vegetation, debris or other pollutants.

(c) Dam walls are to be suitably compacted, stabilized, top dressed and seeded with fast growing grasses to stop any soil erosion.

(d) All development must comply with the provisions of Sydney Regional Environmental Plan No. 20 (SREP 20) Hawkesbury-Nepean River.

**Note:** Where the proposal involves one or more of the following, the proposal is Integrated Development and requires concurrence from the Department of Infrastructure Planning and Natural Resources:

- the proposed dam is situated within 40 metres of the embankment of a river, creek or drainage line, wetlands etc;
- the storage capacity of the proposed dam is or exceeds 1 megalitre;
- the proposed dam is likely to capture in excess of 10% or more of the average regional yearly overland run-off from the subject property; and / or
- depth of the proposed dam is within 2 metres of the wet weather depth of the local groundwater table.

The construction of a dam may also require the formal approval of the NSW Dams Safety Committee, depending upon the nature, height and storage capacity of the proposed dam.

**Submission Requirements**

- Statement of Environmental Effects describing the proposed development including the size, shape, depth and storage capacity of the proposed dam, and justification for the intended purpose of the dam;
- Details of the catchment size, volume, flow system, and subsoil strata / type, source and storage;
- Survey Plan prepared by a registered surveyor detailing the dam dimensions, batters and cross sections and location in relation to adjoining properties;
- Geotechnical report prepared by a suitably qualified engineer to confirm method of construction, compaction, and stability;
- Landscape Plan prepared in accordance with Council's DCP No. 15 - Landscaping;
- Arborist report detailing tree protection and tree replenishment schemes;
- Sediment and Erosion Control Plan for the clearing, construction, and maintenance.

#### 5.21 FILLING OF LAND

**Objectives**
### Development Controls

- (a) Filling of land shall only be permitted in association with an approved landuse or legitimate rural activity such as horse riding arenas.

- (b) Fill shall be limited to the use of Virgin Excavated Natural Material (VENM) which must not contain any contaminates and does not include any car bodies, tyres, demolition waste, or any organic waste.

- (c) All fill is to be suitably compacted and stabilized.
  
  Fill should also be top dressed and seeded with fast growing grasses to stop soil erosion, where appropriate.

- (d) Erosion and Sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, sediment, vegetation, debris or other pollutants.

- (e) Any filling of land for the purposes of a horse riding arena or the like shall be for private use only.

- (i) To ensure that filling of land occurs only is association with approved land uses or legitimate rural activities;

- (ii) To ensure that the filling of land does not have an adverse impact on the natural environment.

### Note

Any works within 40 metres of a river creek, watercourse or natural drainage depression shall require concurrent from the Department of Infrastructure, Planning and Natural Resources as integrated Development.

### Submission Requirements

- Statement of Environmental Effects (SEE) describing the source, type and quantity of the fill, its potential environmental impact, the number of truck movements and written justification to demonstrate that the landfill as being in association with an approved land use activity on the site.

- Site Plan indicating the location of the proposed fill on the land, the distance to the boundaries and buildings, and the proposed vehicular access to be utilised during construction.

- Survey Plan prepared by a registered surveyor to show the existing natural ground contour levels, the full extent and degree of the fill, and finished ground contour levels and cross sections indicating the depth of fill are to accompany survey plans.

- Geotechnical advice prepared by a qualified geotechnical engineer to confirm the method of stability and compaction rate.

- Sediment and Erosion Control Plan to show how sedimentation will be controlled.

- Landscape Plan prepared in accordance with Council's Development Control Plan No. 15 Landscaping, to show tree protection measures and a tree retention and replenishment scheme.

- Flora and Fauna Impact Assessment Report and / or Eight Part Test for all threatened species endangered ecological communities within and in proximity of the site.

### 5.22 Development Near The Hawkesbury River

#### Objectives

- (i) To protect the scenic quality of the Hawkesbury River and other waterways and creeks in the Shire;

- (ii) To ensure that the water quality of the waterways and creeks are protected from development.
Development Controls

(a) The minimum building setback to the Hawkesbury River is 50 metres.

(b) Buildings within the visual catchment of the Hawkesbury River are to be constructed using materials that exhibit low reflective qualities and blend in with the landscape of the site and the surrounding environment.

(c) Where a building is within the visual catchment of the river, the maximum height shall be 8 metres above natural ground level.

(d) Such a building shall be located below the top of the escarpment or setback 20 metres from the top of the escarpment.

(e) The construction of rockwalls or similar for the purposes of bank stabilisation shall be limited to the immediate vicinity of any approved access point to the river i.e. a boat ramp, jetty or pontoon.

The use of tyres as a construction material is prohibited.

(f) Landscaping or revegetation of river banks with endemic species of reed and mangroves and trees such as river she-oaks (Casuarina cunninghamiana) shall be implemented to prevent erosion of river bank.

Riparian vegetation along river

Submission Requirements

- Site Analysis identifying edge of escarpment, prominent ridgelines, visual catchment from river to determine location of dwelling.
- Photomontage to demonstrate the visual impact of the development on the riverscape.
- Schedule of external materials, finishes, and colours.
- Landscaping Plan identifying measures to prevent erosion prepared in accordance with DCP 15 - Landscaping.

5.23 BUILDING ON FORESHORE

Objectives

(i) To protect the scenic quality of waterways, wetlands and creeks in the Shire;

(ii) To ensure that the water quality and vegetation of waterways, wetlands and creeks are protected from development.

Development Controls

(a) With respect to any other land fronting a river, lake, lagoon, wetland, natural or artificial water feature, Council may, by resolution, fix building lines upon a Development Control Plan.

(b) Buildings are not to be erected within any foreshore building line fixed by Council.

(c) Variations to foreshore building lines may be considered where the levels or depth of
<table>
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<th>Draft Development Control Plan No. 1</th>
<th>Rural Lands</th>
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<td>the lot or other site characteristic may warrant.</td>
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<td>(d) Where the redevelopment of a site is proposed that has existing structures that do not conform to the objectives of this plan and the structures are not considered by Council to have heritage value, Council may seek to have those structures removed as part of the redevelopment of the site to achieve the long-term reinstatement of the foreshore area.</td>
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<td>(e) Land shall not be cleared of vegetation or trees between a foreshore building line and the bank of a river, creek or natural watercourse in respect of which it is fixed without the consent of Council.</td>
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<td>(f) Buffer zones shall be revegetated with appropriate native species to assist in bank stabilisation and protection of habitat.</td>
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Submission Requirements

- Site Plan identifying edge of bank and foreshore building line.
- Schedule of external materials, finishes, and colours.
- Landscaping Plan prepared in accordance with DCP 15 - Landscaping.

5.24 Biodiversity

Objective

(i) To conserve and protect the biodiversity of the Shire including habitats of threatened flora and fauna species and communities, in accordance with Council’s ESD objective 4.

Development Controls

(a) Significant flora and fauna species, communities and ecological communities are to be preserved.

(b) Development should be designed to retain existing bushland and fauna habitats, including identifiable corridors and linkages.

Submission Requirements

- Fauna and Flora Assessment in accordance with Section 5A of the

Environmental Planning & Assessment Act, 1979.

If the assessment finds there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats applicants will be required to submit a Species Impact Statement (SIS). Reference should be made to the requirements of the Environmental Planning & Assessment Act, 1973, and the Threatened Species Conservation Act, 1995.

5.25 Clearing of Bushland

Objectives

(i) To limit the clearing of bushland in the rural areas by encouraging the sensitive siting of development;

(ii) To protect and enhance the Shire’s flora, fauna and biodiversity;

(iii) To allow for the creation and maintenance of asset protection zones and bushfire hazard reduction.

Development Controls

(a) The clearing of bushland shall only be permitted where it can be demonstrated that the clearing is for the purposes of agriculture, or other approved rural activity.

(b) The clearing of bushland along significant ridges shall be limited, to ensure the scenic value of the rural area is preserved.

(c) The impact of any proposed clearing of bushland on threatened flora, fauna and endangered ecological species must be considered.

(d) Hazard reduction within an identified asset protection zone is to be carried out by hand with trees being felled rather than pushed over.

(e) Material generated as a result of clearing or hazard reduction must be disposed of within the site through slashing, mowing, mulching, or trittering.
Material must also be evenly spread and compacted.

Submission Requirement
- Site Plan showing size and location of area to be cleared.
- Flora and Fauna Report.
- Written justification for the clearing of bushland.

5.26 DEVELOPMENT ON BUSH FIRE PRONE LAND

Objectives
(i) To provide for development on bushfire prone land;

(ii) To minimise the impact of fire protection measures on vegetation, fauna, views, watercourses and so erosion, amenity and access;

(iii) To ensure that adequate measures are provided to lessen the risk of bushfire hazard.

Development Controls
(a) Any development of land that is identified as:
   - Vegetation Category 1;
   - Vegetation Category 2; or
   - Vegetation Buffer – 100 m & 30m

   on the current Baulkham Hills Bushfire Prone Land map certified by the Commissioner of the NSW Rural Fire Service, must comply with the requirements of the Planning for Bushfire Protection Guidelines.

(b) Asset Protection Zones are to be placed wholly within the property they are intended to protect.

(c) Asset Protection Zones are to be identified as restrictions on the burdened lots.

(d) Asset Protection Zones, perimeter roads and Fire Trails are not acceptable on land that is considered environmentally sensitive.

(e) Perimeter roads in subdivisions are to have the following minimum specifications:
   - 5.5 metre wide seal
   - Vertical kerb and gutter on the fire source side of road
   - Roll top kerb and gutter on development side of road
   - 1 metre wide mountable verge
   - Have adequate turning facilities for emergency vehicles.

(f) Long ‘dead end’ sections of road are not appropriate.

(g) The location of hydrants are to be delineated by blue pavement markers in the centre of the road.

(h) Where a fire trail is located on private land, a 6 metre wide right of carriage way shall be centrally located over the fire trail.

(i) Where a fire trail crosses common boundaries of lots, a gate or barrier with a Council approved lock will be required.

(j) Mountable verges are to be stabilised and free of overhanging branches.

(k) Passing bays should be provided at regular intervals of 200 metres (minimum).

(l) Battle-axe shaped allotments, where the access handles are in excess of 30 metres in length, are to have hydrants located at the end of the access handle.

(m) To ensure effectiveness of the fire protection measures, restrictions may be placed upon the titles of the affected lots. These restrictions may relate to:
   - Habitable and storage structures being excluded from within the Asset Protection Zone.
   - Level at which the fuel loading is to be maintained within the Asset Protection Zone.
   - Responsibility for and nature of maintenance of fire trail, hazard reduction and Asset Protection Zone.

Submission Requirements
- A Bushfire Threat Assessment.
5.27 WATER STORAGE

Objectives

(i) To ensure that adequate water is available for domestic purposes in areas not serviced by reticulated water.

(ii) To ensure that an adequate water supply is maintained for the purposes of bushfire fighting.

Development Controls

(a) Where reticulated water is not available to the site, a water supply of 80,000 litres must be provided for domestic purposes.

(b) All developments in the rural zones must maintain a water supply of 20,000 litres, dedicated to fire fighting purposes.

Where this supply is combined with storages for domestic water supply as required in part (a), a domestic draw-off line terminating at a level above the level of 20,000 litre capacity is required.

(c) A suitable connection at the base of the tank for attachments to the local bush fire brigade units shall be provided.

(d) Water supply should be gravity fed or supplied by a diesel or petrol powered pump that is not dependent on mains electricity supply.

Submission Requirements

• Details of the size and location of the proposed water tanks.

5.28 RESTRICTED DEVELOPMENT AREAS

Objective

(i) To protect areas of particular environmental significance.

Development Controls

(a) Land that is identified as a Restricted Development Area is shown on Map Sheet No. 1 in Appendix 1.

(b) Development, other than bushfire hazard reduction, is prohibited in restricted development areas. In these areas, development includes:
• the erection of a fence on the land;
• the removal of soil or rock from the land;
• the deposit of soil, rock and any other matter on the land;
• the destruction or removal of any tree or other vegetation on the land.

5.29 EROSION AND SEDIMENT CONTROL

Objectives

(i) Minimise land degradation, water pollution and damage to infrastructure from accumulated sediment in accordance with Council’s ESD objective 5;

(ii) To provide development controls for all stages of development and to ensure a consistent approach to erosion and sediment control in accordance with Council’s ESD objectives 1 and 4.

Development Controls

(a) Applications for development including subdivision are to be accompanied by an Erosion and Sediment Control Plan (ESCP) that will describe the measures to be taken at development sites to minimise land disturbance and erosion and control sediment pollution of waterways.

ESCPs are to clearly identify the erosion and sediment control measures to be used.

(b) Erosion and Sediment Control Plans shall be prepared in accordance with “Managing Urban Stormwater (Blue Book) – Soils and Construction”, produced by the NSW Department of Housing.

(c) The erosion and sediment control measures proposed may need to change...
during the development process to reflect alterations in soil and drainage patterns during the process. The erosion sediment control plan should address all these phases.

(d) Erosion and sediment controls must be in place before work commences and be retained, and revised to reflect changes in site conditions, until the development is finalised and the site stabilised.

**Submission Requirements**

- Erosion and Sediment Control Plans shall include:
  - Locality of the site, north indication and scale;
  - Existing contours with catchment boundaries;
  - Description and location of vegetation;
  - Staging of works to minimise disturbance;
  - Movement of water on to, through and off the site;
  - Location of specific controls;
  - Maintenance of the controls;
  - Rehabilitation / maintenance of the works area; and
  - Location of topsoil stockpile to be reused on site.

**5.30 WASTE MANAGEMENT PLANNING**

**Objectives**

(i) To promote improved project management and to reduce the demand for waste disposal during demolition and construction;

(ii) To maximise reuse and recycling of building/construction materials;

(iii) To encourage building designs and construction techniques that will minimise waste generation;

(iv) Minimise waste generation to landfill via the waste hierarchy in accordance with Councils ESD objective 6;

(v) To assist in achieving Federal and State Government waste minimisation targets.

**Demolition**

**Development Controls**

(a) Site operations should provide for planned work staging, at source separation, re-use and recycling of materials and ensure appropriate storage and collection of waste.

(b) Straight demolition should be replaced by a process of selective deconstruction and reuse of materials. Careful planning is also required for the correct removal and disposal of hazardous materials such as asbestos and is to be carried out by persons accredited from Workcover in accordance with EPA requirements.

(c) Project management must seek firstly to re-use and then secondly to recycle solid waste materials either on or off site. Waste disposal to landfill must be minimised to those materials that are not re-useable or recyclable.

(d) When separated, materials are to be kept uncontaminated to guarantee the highest possible reuse value.

(e) Details of waste sorting areas and vehicular access are to be provided on plan drawings.

(f) Prior to any demolition works commencing on the site, the applicant is to notify all adjoining and adjacent neighbours and Council, five (5) working days prior to work commencing.

**B. Construction**

**Development Controls**

(a) Avoid oversupply and waste of materials by careful assessment of quantities needed.

(b) The use of prefabricated components may reduce waste.

(c) Re-use of materials and use of recycled material is desirable where possible.

(d) Site operations should provide for planned work staging, at source separation, re-use and recycling of materials and ensure...
appropriate storage and collection of waste.

(e) All Asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with Work Cover Authority and EPA requirements.

Submission Requirements

- Applications for developments are to be accompanied by a Waste Management Plan (WMP). Appendix 2 contains a template that can assist in the preparation of a WMP. The WMP demonstrates appropriate project management and construction techniques that minimise waste including the following:
  > re-use of topsoil and disposal of any excess to an approved site;
  > green waste re-used in landscaping either on-site or off-site;
  > bricks, tiles and concrete re-used on-site as appropriate, or recycled off-site;
  > plasterboard re-used in landscaping on-site, or returned to supplier for recycling;
  > framing timber reused on-site or recycled elsewhere;
  > windows, doors and joinery recycled off-site;
  > plumbing, fittings and metal elements recycled off-site;
  > the location of on-site storage facilities for material to be reused on-site, or separated for recycling off-site; and
  > the destination and transportation routes of all materials to be either recycled or disposed of off-site.

A WMP is to provide the following information:

- Construction & Demolition
  > Types of waste to be produced;
  > Quantities of waste likely to be produced;
  > Re-use or recycling methods for waste either on-site or off-site;
  > Location of on-site storage facilities for waste materials;
  > Contractor and destination of all waste materials;
  > Demonstrate that waste going to landfill is not recyclable or is hazardous;
  > A Waste Data File (a file containing the WMP together with records of waste receipts or dockets) of recycling and disposal of demolition and construction materials must be kept by the person(s) responsible for the site.

- Design of Facilities and On-going Management
  > Type of future use for the development;
  > Types of waste to be generated;
  > Estimated volume of waste to be generated per week;
  > Show on plans and describe on-site storage and/or treatment facilities for waste; and
  > State the destination for waste produced.

### 5.31 Salinity

**Objective**

(i) To provide guidelines for development identified as being within an area affected by salinity.

**Development Control**

(e) Any development proposed within Box Hill, Nelson or Rouse Hill is required to consult with Council’s Health and Environment Protection Section to determine if the proposed development is in an area identified as having known salinity hazard.

**Submission Requirement**

- Details of site investigations, appropriate salinity management responses and preparation of a site specific salinity management plan in accordance with the Western Sydney Salinity Code of Practice, March 2003.

### 5.32 Land on Corner of Schwabell Lane and Old Northern Road

**Objectives**

(i) To ensure that the tourist village character and residential amenity of Glennore Village is maintained;

(ii) To ensure that development fronting Old Northern Road and Schwabell Lane presents a streetscape compatible with the character of the surrounding locality;
(iii) To make provisions for substantial areas for landscaping to maintain and enhance the aesthetic quality of the site and Glenorie Village;

(iv) To ensure safe vehicular access to the site; and

(v) To minimise the level of noise transmitted to adjoining land uses.

Development Controls

(a) Buildings, by way of their design, scale and appearance, are to be compatible with existing development in the Glenorie Village.

(b) Buildings employing metal-siding systems, masonry blockwork and textured or highly patterned brickwork should be avoided.

(c) No vehicular access to the site is to be gained from Old Northern Road. All vehicular access to the site is to be from Schwebel Lane.

(d) Vehicular access points to the site are to be located as far as practicable from the intersection of Schwebel Lane and Old Northern Road.

The equivalent continuous energy average (Lₐₑₐ) emanating from the site measured over a 15-minute period shall not exceed the background noise level by more than 5dB(A).

This is to be assessed at the most affected point on or within the residential boundary and any other noise sensitive receivers such as schools in the vicinity of the subject site.

(g) Where the background noise level plus 5dB(a) exceeds 45dB(a), then the LAₙ₀, emanating from the site shall not exceed the acceptable noise levels specified in the NSW Environmental Protection Authority’s Industrial Noise Policy Table 2.1 Amenity Criteria.

The policy can be viewed at the following website: www.epa.nsw.gov.au

(h) A landscaped earth mound or other noise attenuation device shall be constructed within the setback adjacent to the southern property boundary as shown on Map Sheet 2 in Appendix 1.

(i) Noise attenuation must be achieved without compromising the landscape objective of this plan.

(j) All setbacks shown on Map Sheet No. 2 in Appendix 1 are to be landscaped in accordance with Council’s DCP No. 15 – Landscaping.

(k) Setback planting should include trees, shrubs and ground covers planted at sufficient densities to provide an effective visual barrier.

Submission Requirements

- Traffic Impact Assessment shall be submitted with any development application likely to result in a change to the traffic generation for the site.
- Acoustic Assessment prepared by a suitably qualified consultant shall be submitted with any development application likely to result in a change in noise generation for this site.
DRAFT DEVELOPMENT CONTROL PLAN NO. 1  

6. COMPLYING DEVELOPMENT

Complying development is development that needs consent. It can be addressed by specified predetermined development controls that are stipulated in the development control plan. Council or an accredited certifier may issue complying development certificates. The certificate may be issued subject to conditions.

Within the rural zones of the Shire complying development includes the erection of sheds between 50m² and 100m² and ancillary rural development. Reference should be made to the land use table within the Baulkham Hills LEP 2004 to determine the development identified as complying development within each specific rural zone.

Clause - Complying Development of Baulkham Hills LEP 2005 lists the locations and circumstances where complying development provisions do not apply. Further, complying development must comply with the requirements of:

(a) Baulkham Hills LEP 2005 and relevant zone objectives;

(b) this development control plan; and

(c) any other relevant development control plans applying to the subject land or type of development to be carried out.

This section of the DCP provides the development controls and conditions for the consideration and determination of applications for complying development certificates for development in rural zones.

Application forms for complying development certificates are available from Council or accredited certifiers. Section 6 of this DCP sets out the plans and information required to be submitted with an application for a complying development certificate in rural zones.

Where an application is determined by an accredited certifier, they must notify Council of the determination by forwarding copies of the determination and any endorsed plans, specifications and any other documents lodged with the application to Council within 7 days of the date of determination.

A list of registered accredited certifiers can be obtained from the Department of Infrastructure, Planning and Natural Resources or the Association of the professional body.

In addition to the general provisions contained in Section 5 of this DCP, complying development shall have regard to the following provisions.

Objectives

Clearly state what Council is seeking to achieve and the desired outcomes relating to the particular control or element.

These objectives are most likely to be achieved by meeting the performance criteria or development controls.

Performance Criteria

Performance criteria are the means used to determine whether or not a design element is consistent with the objectives of the DCP. Each element of the DCP is given an objective, which is capable of being achieved by a range of actions, which are included as the performance criteria. Performance criteria are not prescriptive numerical standards but rather design considerations against which any proposed development will be assessed.

In some cases, to ensure minimum standards are achieved with respect to public safety, health amenity and access, prescriptive development controls will still need to be complied with.

Development Controls

Development Controls are prescribed requirements for achieving an outcome consistent with the objectives of the DCP. These controls may be either numerical requirements or specific site controls such as restricted development areas or the position of roads or access points.

Variations to the development standards may be considered by Council, where the applicant is able to demonstrate that the variation to the control does not compromise the objectives of the particular control or element.

6.1 ERECTION OF RURAL SHEDS AND ANCILLARY RURAL DEVELOPMENT

Objectives

(i) To allow for rural development that is of a minor nature to be assessed by either Council or an Accredited Certifier.
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<th>RURAL LANDS</th>
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(ii) To encourage development which is in harmony with the surrounding area and which is sympathetic to the street or locality in which it is proposed.

**Performance Criteria**

(a) Any development proposals that do not comply with all the relevant provisions of Baulkham Hills LEP 2005 and this DCP cannot be carried out as complying development.

**Development Controls**

(a) A shed shall be no less than 50m² in size and not greater than 100m² in size.

(b) The minimum building setback requirements for sheds are:

- Classified roads: 30 metres
- Other roads: 10 metres
- Side and rear: 5 metres

(c) The development must be designed so that any walls that can be viewed from a public place contain windows or be appropriately landscaped.

(d) The external materials of the development should blend with the environment and be of non-reflective materials.

(e) Cut shall not exceed 1 metre and fill shall not exceed 600mm.

(f) The walls shall not exceed 3 metres in height and the roof pitch shall not exceed 24 degrees.

(g) Landscaping shall be provided between the development and any boundary that is located within 10 metres of the shed.

(h) The development shall not to encroach into any registered easement and shall be clear of any septic disposal area or other services.

(i) Tree Management provisions contained within BHLEP 2005 requires the approval by Council before the removal of any tree.

A tree for the purposes of the provision is defined as any tree or shrub, whether endemic, exotic or introduced that has a spread of more than 3 metres, and a height of more than 5 metres, and measures more than 150 millimetres in diameter measured 1 metre up from the ground.

Note: Any development which requires the removal of a tree or trees (as defined above) is not complying development.

(j) Roof water drainage is not to discharge onto the adjoining properties and is to be directed to a rainwater tank or other suitable disposal method.

(k) A waste management plan is to be prepared which demonstrates project management and construction techniques, which minimise waste before, during and after construction.

(l) Compliance with the relevant provisions of the Building Code of Australia.

(m) The proposed development must be permissible within the zone and in accordance with any relevant provisions of Baulkham Hills LEP 2005.

(n) The ground floor level of the structure at any point is to be no more than 600mm above the natural ground level.

**Standard Conditions**

1. Development in Accordance with Submitted Plans
   The development is to be carried out in accordance with the approved plans and details, endorsed and returned with this certificate.

2. Compliance with Building Code of Australia
   All building work must be carried out in accordance with the provisions of the Building Code of Australia.

3. Commencement of Complying Development
   The erection of a building in accordance with a complying development certificate must not be commenced until:

   The person having the benefit of the complying development certificate has:

   - Appointed a principal certifying authority for the building work, and
   - Notified the principal certifying authority that the person will carry out
the building work as an owner-builder, if that is the case, and

The principal certifying authority has, no later than 2 days before the building work commences:
- Notified the Council of his or her appointment, and
- Notified the person having the benefit of the complying development certificate of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and

The person having the benefit of the complying development certificate, if not carrying out the work as an owner-builder, has:
- Appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
- Notified the principal certifying authority of any such appointment, and
- Unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.

4. Excavations and Backfilling
All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

5. Retaining Walls and Drainage
If the soil conditions require it:
- retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
- adequate provision must be made for drainage.

6. Support for Neighbouring Buildings
If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

7. Protection of Public Places
If the work involved in the erection or demolition of a building:
- is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- the building involves the enclosure of a public place;
- a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
Any such hoarding, fence or awning is to be removed when the work has been completed.

8. Signs to be Erected on Building and Demolition Sites

A complying development certificate for development that involves any building work must be issued subject to a condition that the requirements of subclauses (b) and (c) are complied with.

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

➢ Showing the name, address and telephone number of the principal certifying authority for the work, and

➢ Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

➢ Stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work is being carried out, but must be removed when the work has been completed.

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building.

This clause does not apply in relation to Crown building work that is certified, in accordance with section 118G of the Act, to comply with the technical provisions of the State's building laws.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A of the EP & A Regulations 2000, which currently imposes a maximum penalty of $1,100).

9. Toilet Facilities

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must:

➢ be a standard flushing toilet, and

➢ be connected:

➢ to a public sewer, or

➢ if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the council, or

➢ if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the council.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

In this clause:

Accredited sewage management facility means a sewage management facility to which Division 4A of Part 3 of the Local Government (Approvals) Regulation 1993 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 95B of the Regulation.

Approved by the council means the subject of an approval in force under Division 1 of Part 3 of the Local Government (Approvals) Regulation 1993.

Sewage management facility has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

10. Council Infrastructure

Council must be notified in the event of any existing damage to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to commencement of work.

Adequate protection must be provided for Council infrastructure prior to work commencing and during building operations.

Payment of Council's infrastructure inspection fee shall be made prior to commencement of work.

Roof water connection across footpaths shall be a 100mm diameter, sewer grade
<table>
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<tr>
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</tr>
</thead>
</table>

UPVC pipe(s). Connection to kerb shall be made with a rectangular, hot dip galvanised, mild steel weephole shaped to suit the kerb profile and with a capacity equal to a 100mm pipe. The pipe shall be connected to the weephole with a UPVC profile adaptor.

Soil and building materials are not to be deposited on any road, footpath or public reserve.

No vehicular traffic or any drainage work is permitted on any public reserve without the prior approval of Council.

11. Waste Management
Submission of evidence that construction/demolition works have been carried out in accordance with the approved Waste Management Plan.

12. Service Authorities
Unimpeded access must be available to the electricity supply authority, during and after building, to the electricity meters and metering equipment.

The Building plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney Water’s sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water’s requirements, the building plans will be stamped indicating that no further requirements are necessary.

13. Covenants
This approval in no way varies covenants, if any, attaching to the land nor shall prejudice any action that may be taken by any interested party in this regard.

14. Notification
Two days before work commences, Council shall be notified of the Principal Certifying Authority in accordance with Form 7 of the Environmental Planning & Assessment Act, 1979 - Regulations.

15. Hours of Work
Work on the project to be limited to the following hours:-

Monday to Saturday – 7.00am to 5.00pm; No work to be carried out on Sunday or Public Holidays.

The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work.

16. Notice of Critical Stage Inspections
A notice given under section 86(1) (a1) (ii) of the Act must contain the following information:

- The name and address of the principal certifying authority by whom the notice is given,
- A telephone number on which the principal certifying authority can be contacted for business purposes,
- The registered number of the complying development certificate,
- A description of the work to be carried out,
- The address of the land at which the work is being carried out,
- A list of the critical stage inspections and other inspections required to be carried out in respect of the work.

17. Critical Stage Inspections
The following critical stage inspections, shall be carried out by the Principal certifying Authority or by another certifying authority with the agreement of the Principal Certifying Authority:

At the commencement of the building work,
- Pier holes prior to the placing of concrete,
- Steel reinforcement in position for footings or slabs, or any in-situ reinforced concrete building element prior to the pouring of concrete,
- Damp-proof course and ant capping laid, (including bearers and joists),
- First floor joists (first floor additions),
- Prior to covering of the framework for any floor, wall, roof or other building element,
- Prior to covering waterproofing in any wet areas of Class 1a or 1b buildings,
- Prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms in wet areas within a building of Class 2, 3 or 4 buildings,
- Prior to the covering of any stormwater drainage connections or drainage lines and disposal trenches, and
DRAFT DEVELOPMENT CONTROL PLAN NO. 1

18. Trees to be Retained
The preservation of trees is to be in accordance with Council's Tree Management provision contained within BHLEP- 2004, which prohibits the ringbarking, cutting down, topping, lopping or willful destruction of trees except with the prior approval of Council.

All trees are to be protected by paraweb fencing, firmly staked four (4) metres from the trunk of the tree. This fencing is to be erected prior to the commencement of any site works and is to be maintained in position for the duration of the works. The area within the drip line of the tree is not to be used for the stockpiling of new or demolition material, nor for vehicular or pedestrian convenience or uses that would compact the soil in this area.

Note: Any development, which requires the removal of a tree or trees within the proposed building platform, is not complying development.

19. Structural Steel Certificate
Structural steel details regarding size of structural steel members are to be submitted to the Principal Certifying Authority prior to work commencing.

20. Details of Footings/Stabs
Details of footings and slabs, indicating compliance with Australian Standard AS 2870.1-1986; Residential slabs and Footings Construction, shall be submitted to the Principal Certifying Authority prior to work commencing. The details shall include designation of the site classification in accordance with Section 2 of AS 2870.1.

21. Roof Trusses
Manufacturer's specifications of roof trusses to be submitted to the Principal Certifying Authority prior to work commencing.

22. Details of Wall Bracing
Details of wall bracing to indicate compliance with Australian Standard AS 1684-1992: National Timber Framing Code, shall be submitted to the Principal Certifying authority prior to work commencing. The details shall include the calculation of the maximum design gust wind speed in accordance with Australian Standard AS 4055-1992: Wind Loads for Housing.

23. Termite Barriers
The building shall be protected from attack from subterranean termites in accordance with Australian Standard AS 3680.1-1995: Protection of Building From Subterranean Termites-New Buildings. (Note: Council does not permit hand spraying as a stand-alone method of termite protection).

On completion of the installation of the barrier, the Principal Certifying Authority shall be furnished with a certificate from the person responsible, stating that the barrier complies with AS 3680.1.

A durable notice shall be permanently fixed to the building in a prominent location, such as the meter box or the like indicating:

- the method of protection;
- the date of installation of the system;
- where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
- the need to maintain and inspect the system on a regular basis.

24. Reflective Materials
Construction materials are to exhibit low reflective qualities and are to blend in with the landscape of the site and the surrounding environment.

27. Wet Areas
The wet areas in the building shall be impervious to water as required by the Building Code of Australia. On completion of the waterproofing of the wet areas, the Principal Certifying Authority shall be furnished with a certificate from the person...
responsible, stating that the materials used are suitable for the situation, and that the application and/or installation has been carried out in accordance with Australian Standard AS 3740-1994: Waterproofing of Wet Areas in Residential Buildings.

28. Drainage Easements
Fill, stockpiles, building materials and sheds shall not be placed within any easement. Existing ground levels within drainage easements shall not be altered by cut or fill. Provision for overland flow and passage of earthmoving equipment shall be maintained along drainage easements as a permanent feature of any landscaping, fencing, gates, recreation areas, outbuildings, structures or other work undertaken on the site.

No works undertaken on the site shall divert overland flow out of the drainage easement.

29. Pier and Beam Footings
Buildings and structures (including brick fences) adjacent to drainage easements shall be supported on pier and beam footings located outside easements. The base of the piers shall be a minimum of 900 mm below ground level and shall extend below the invert level of pipes within easements. Structural engineers’ details shall show the size and levels of existing pipes and the design levels for the base of piers adjacent to the easement.

30. Stabilised Access Point
A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements of the Soil Conservation Services and the Department of Infrastructure, Planning & Natural Resources. Additional erosion and sedimentation controls may be required on site as directed by the Principal Certifying Authority.

32. Metal Roof Sheeting
Metal roof sheeting is to be pre-colour coated.

33. Disturbance of Vegetation
Care is to be exercised during the construction of the proposed works to ensure natural vegetation and topography is not unnecessarily disturbed.

34. Surplus Excavated Material
Any excavated materials not used in the construction of the subject works is to be removed from the site in accordance with the approved Waste Management Plan.

Information to be submitted with a Complying Development Application

Information to be submitted with a complying development application:

- Plans and elevations at an appropriate scale (eg. Scale 1:100 or 1:200) with the following information:
  - Site dimensions and Area
  - Distances to all boundaries and existing structures on site
  - Height of the structure
  - Existing trees in the vicinity of the development
  - Landscaping Plan
  - Changes in levels
  - Original ground levels
  - Types of materials
  - Sedimentation & Erosion Control Plan
  - Waste Management Plan

6.2 SWIMMING POOLS

Objectives

(i) To permit swimming pools in association with dwelling houses provided consideration is given to the siting and design, having regard to the amenity of the adjoining residents.

(ii) To minimise the impacts on adjoining properties and the natural environment.
DRAFT DEVELOPMENT CONTROL PLAN NO. 1

RURAL LANDS

Performance Criteria

(a) Any development proposals that do not comply with all the relevant provisions of Baulkham Hills LEP 2004 and this DCP cannot be carried out as complying development.

Development Standards

(a) The pool must be ancillary to a dwelling-house and for private use only.

(b) The pool is not within the front building setback.

(c) The coping around the pool is to be no more than 300mm above the existing ground level.

(d) The pool is at least one (1) metre (measured from the edge of the concourse) from the side and rear boundaries.

(e) The minimum setback of a swimming pool from a side or rear boundary is 10 metres.

(f) Landscaping shall be provided between the swimming pool and the boundary to adequately screen the development and protect the amenity of adjoining properties.

(g) The noise level of any filtration equipment or pumps does not exceed 55dBA above ambient background noise level measured at the property boundary.

(h) Separation of the pool from the dwelling, adjoining properties or any public place shall comply with the Swimming Pools Act 1952.

(i) Tree Management provisions contained within Baulkham Hills LEP 2005 require the approval by Council for the removal of any tree.

A tree for the purposes of the provision is defined as any tree or shrub, whether endemic, exotic or introduced that has a spread of more than 3 metres, and a height of more than 5 metres, and measures more than 150 millimetres in diameter measured 1 metre up from the ground.

Note: Any development which requires the removal of a tree or trees (as defined above) within the building platform is not complying development.

Standard Conditions

1. Development in Accordance with Submitted Plans
   The development is to be carried out in accordance with the approved plans and details, endorsed and returned with this certificate.

2. Notice of Critical Stage Inspections
   A notice given under section 86 (1) (a1) (ii) of the Act must contain the following information:
   - The name and address of the principal certifying authority by whom the notice is given;
   - A telephone number on which the principal certifying authority can be contacted for business purposes;
   - The registered number of the complying development certificate;
   - A description of the work to be carried out;
   - The address of the land at which the work is to be carried out;
   - A list of the critical stage inspections and other inspections required to be carried out in respect of the work.

3. Critical Stage Inspections
   The following critical stage inspections, shall be carried out by the principal Certifying Authority or by another certifying authority with the agreement of the Principal certifying Authority:
   - At the commencement of the building work;
   - Pier holes prior to the placing of concrete;
   - Steel reinforcement in position for footings or slabs, or any in-situ reinforced concrete building element prior to the pouring of concrete;
   - Damp-proof course and ant capping laid, (Including bearers and joists);
   - First floor joists (first floor additions);
   - Prior to covering of the framework for any floor, wall, roof or other building element;
   - Prior to covering waterproofing in any wet areas of Class 1a or 10 buildings;
DRAFT DEVELOPMENT CONTROL PLAN NO. 1

- Prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building of Class 2, 3 or 4 buildings;
- Prior to the covering of any stormwater drainage connections or drainage lines and disposal trenches; and
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

48 hours notice must be given, either in writing, or by telephone prior to the Principal Certifying Authority carrying out the inspection. No building shall be occupied or used prior to a satisfactory final inspection being carried out.

4. Safety Fencing
   The swimming pool shall be isolated by means of an approved safety fence or shall comply with Clause 9 of the swimming pool Act 1992 and Clause 5 of the Swimming Pool Regulation 1992. Should Council be engaged as the Principal Certifying Authority, Council will require the swimming pool fencing be inspected prior to the swimming pool being filled with water.

5. Resuscitation Poster
   The provision of a suitable poster showing details of resuscitation techniques shall be provided, such poster to contain the advice that "Young children should be supervised when using this swimming pool".

6. Filtration Motor
   The filtration motor shall be operated between the following hours only:

   Monday to Friday (other than a public holiday) 7.00am – 8.00pm
   Saturday to Sunday and Public Holidays 8.00am – 8.00pm

   You are advised that should noise levels exceed 5dBA above the ambient noise level measured at the boundary, you shall be required to enclose the filtration motor in an effective soundproof unit.

7. Sewered Areas and Unsewered Areas

Discharge and/or overflow pipe from the swimming pool and filtration unit to be connected to the sewer where available.

All backwash water from the filtration unit is to be similarly disposed, or alternatively, must be piped to an absorption trench.

The pool excavations not to conflict with the position of household drainage trenches or lines, the position of which must be ascertained before pool excavation commences.

8. Hours of Work
   Work on the pool to be limited to the following hours:

   Monday to Saturday 7.00am-5.00pm
   **No work to be carried out on Sunday or Public Holidays**

   The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work.

9. Disturbance of Vegetation
   Care is to be exercised during the construction of the proposed works to ensure natural vegetation and topography is not unnecessarily disturbed.

10. Waste Management
    Submission of evidence that construction works have been carried out in accordance with the approved waste management plan.

11. Surplus Excavated Material
    Any excavated materials not used in the construction of the subject works is to be removed from the site and disposed of in accordance with the approved Waste Management Plan.

Information to be submitted with a Complying Development Swimming Pool Application

Information to be submitted with a complying development application:

- Plans at an appropriate scale (eg. Scale 1:100 or 1:200) with the following information:
- Site dimensions and Area
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- Distances to all boundaries and existing structures on site
- Existing trees in the vicinity of the development
- Landscaping Plan
- Changes in levels
- Original ground levels
- Sedimentation & Erosion Control Plan
- Waste Management Plan
7. INFORMATION REQUIRED FOR A DEVELOPMENT APPLICATION

Applicants are required to demonstrate that an appropriate planning process has been undertaken. To ensure that this process is recognised, applicants are required to attend a pre-lodgement meeting to discuss concept plans and any other issues relevant to the site before formal lodgement of the Development Application.

### 7.1 PRE-LODGEMENT

- A site plan;
- An elevation of the proposed facility;
- Any other relevant information to describe the concept of the proposed development.

### 7.2 PLANS AND DOCUMENTATION

The following plans and documentation may be required for all applications along with a completed development application form and relevant fees.

**Site Analysis Plan (Six Copies)**
A Site Analysis Plan should investigate and identify the opportunities and constraints of the site and identify the following:

- Location and height of existing vegetation and bushland;
- Any threatened species or endangered ecological communities;
- Significant views, prevailing winds, prominent ridge lines;
- Topography; significant landforms, watercourses;
- Rural character, heritage items;
- Adjoining land uses, buildings or structures.

**Subdivision Plan (Six Copies)**
- The Subdivision Plan shall include site dimension and area, north point, scale, relationship to adjoining properties including significant structures/features;

**Site Plan (Six Copies)**
- All existing boundaries, lot and deposited plan number;
- Dimensions and area of site;
- North point and scale;
- Vegetation and existing trees including those to be removed;
- All existing and proposed buildings and structures; and
- Contours.

**Architectural Plans including Floor Plans and Elevations (Six Copies)**
To be provided at an appropriate scale to identify the size, height, area and internal layout of the proposed building or structure.

**Statement of Environmental Effects (SEE) (Four Copies)**
This is a written statement describing the potential impact of the proposed development, the significance of the impact and how any negative impacts will be addressed.

The SEE must include a detailed statement identifying how Council's Ecologically Sustainable Development objectives have been integrated in to the planning and design of the development. The SEE should also describe how the development controls of this DCP have been achieved or provide written justification where a variation is proposed.

**BASIX Certificate**
Submission of a BASIX Certificate for all new residential development and alterations and additions to existing dwelling-houses, issued within three months of the date of lodgement.

See website for further information: www.basix.nsw.gov.au

**Bushfire Threat Assessment Report (Four Copies)**
A bushfire threat assessment must form part of all development applications in land identified as bushfire prone land. Bushfire protection measures have the potential to affect vegetation, fauna, views, watercourses, soil erosion, amenity and access.

Assessment of threat from bushfire must examine impacts of the proposal both within and external to the site, including the capacity of the existing road network.
serving the site to accommodate traffic in emergency situations.

Preparation of an assessment of threat should have reference to:

- NSW Rural Fire Service (RFS) – Planning for Bushfire Protection – a guide for land use planners, fire authorities, developers and home owners;
- Guidelines for Single Dwelling development Applications prepared by NSW Rural Fire Service, 2004;
- Guidelines for Subdivision Applications prepared by NSW Rural Fire Service, 2004;
- Consultation with Council and RFS staff.

Environmental Management Plan (EMP) (Four Copies)
An EMP outlines the overall approach to the planning and ongoing management of an activity in order to ensure that there are no adverse impacts on the environment as a result of the activity.

An EMP may contain separate EMPs for:
- Stormwater management
- Erosion control
- Monitoring and
- Revegetation

Waste Management Plan (Four Copies)
A copy of the Waste Management Plan is provided at Appendix 2. A WMP must be submitted for all developments involving any demolition and / or construction.

Economic Assessment Report (Four Copies)
An Economic Assessment Report prepared by suitable qualified expert shall be submitted detailing the catchment area, projected demand for the development and impact on other retail/commercial centres. The report must justify the need for the development in economic and social terms.
8. DEFINITIONS

For the purposes of this DCP the following meanings are implied:

Ancillary Rural Development - means minor development that is ancillary to, but detached and separated from a dwelling-house lawfully erected in a rural area, and includes garages, swimming pools, and outbuildings or structures but does not include tennis courts, squash courts and the like.

Building Setback - means the minimum distance that a wall, window or outer-most part of the building is required to be from a property boundary. It is measured as the horizontal distance between the proposed wall, window or outer most part of the building and the boundary.

Clearing of Bushland means to remove vegetation which is either a remainder of the natural vegetation on the land or, if altered, is still representative of the structure and / or floristics of natural vegetation.

Creek - means:
(a) any watercourse, whether perennial or intermitted and whether comprising a natural channel or a natural channel artificially improved; and
(b) any tributary, branch or other watercourse into or from which a water course referred to in paragraph (a) flows.

Crop Protection Structures - means a structure used to provide modified growing conditions and / or protection from pests or adverse weather and may include greenhouses, glass houses, shade houses, shed cloth, hail netting or screen houses.

DCP - Development Control Plan

Development Controls - set out both numerical parameters and a broad/ flexible framework capable of achieving the Objectives. They also encourage innovative design approaches that can adapt to the site-specific characteristics and/or technological advances in the industry.

Existing Tree - any tree with a height over 5.0 metres and/or spread of 3.0 metres and/or a trunk diameter of 150 millimetres measured 1.0 metre from the base of the tree.

Filling of Land – means filling of land by raising the natural ground level through deposition of clean (uncontaminated) excavated natural, earthy material, such as topsoil, lime, clay or sand, above the natural or pre-existing ground level, in association with agriculture or with a land use for which consent has been granted, where the landfill deposited exceeds one metre in depth or a total area of 100m2, but does not include top dressing to an average depth of 50mm or less.

Floor Space Ratio - floor space ratio is the total floor area of all buildings, divided by the total area of the development site. The only areas to be excluded from the floor area calculations are spaces used for lift towers, cooling towers, plant rooms and built car- parking structures required to meet Council’s parking standards, and loading bays. The site area excludes land required for road widening or any other public purpose.

Greenhouse - means a protective structure covered in a transparent or partially transparent material to enclose an area for the propagation and cultivation of plants which is of sufficient size for persons to work within the structure and includes greenhouses, glasshouses, polyhouses, igloos, hot houses and tunnel houses.

Gross Floor Area – means the sum of the areas of each floor of a building, where the area of each floor is taken to be the area within the outer face of the external enclosing walls measured at a height of 1400 mm above each floor level, but does not include:
(a) columns, fin walls, sun control devices and any elements, projections or works outside the general lines of the outer face of the external wall, or
(b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts, or
(c) car-parking needed to meet any requirements of the Council and any internal access thereto, or

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(c) space for the loading and unloading of goods.

Objectives - identify the desired outcomes relating to each environmental issue. These objectives may be achieved by meeting the development controls.

Original allotment - means an allotment in existence at that date on which Baulkham Hills Shire Council Local Environmental Plan 2005 was gazetted.

Rural Cluster Development means development that includes:

(a) the subdivision of land into three or more residential allotments and the erection of a detached dwelling-house on each allotment; and

(b) in the same subdivision, a separate community allotment of land for the preservation of any significant natural feature(s) on the site.

Rural-Residential Development means a dwelling-house erected on an allotment zoned Rural 1(a), 1(b) or 1(c).

Visual catchment means the area between the river and the top of the escarpment.
9. REFERENCES


Planning for Bushfire Protection Guidelines prepared by Department of Planning and NSW Rural Fire Service, 2002.


Village Character Analysis Urban Design Guidelines prepared by Woods Bagot July 2003

Managing Urban Stormwater (Blue Book) – Soils and Construction produced by the NSW Department of Housing.

10. DOCUMENT SPECIFICATION

Subject Reference: FP133

Council first adopted DCP No. 1 – Rural Lands which superseded

- Development Control Plan No. 1 - Rural 1(a), 1(b) and 1(c);
- Development Control Plan No. 22 - Corner of Old Northern Road and Schwebel Lane

on __________, 2005 (Minute No. ____) and came into force on __________, 2005

Since this date DCP No. 1 - Rural Lands has been amended as follows:

<table>
<thead>
<tr>
<th>Amendment No</th>
<th>Description of Amendment</th>
<th>Date amended by Council</th>
<th>Date amended DCP came into force</th>
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DEVELOPMENT CONTROL PLAN No. 1

RURAL LANDS

Legend:
- Building Setback Reserved for Landscaping
- One Storey
- Future Road Widening
- Two Storey
- Subject Sites
- Access

LOCALITY: RURAL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979
BAULKHAM HILLS SHIRE COUNCIL

DRAFT DEVELOPMENT CONTROL PLAN No. 1 - Rural Lands
Sheet No. 4 of 4

DRAWN BY: W. WRIGHT
DATE: 30/07/2004

SUPERVISING DEPARTMENT: B. CHISOLD
DATE: 30/07/2004

PLANNING OFFICER: T. DUROC - SIMOVIC
DATE: 30/07/2004

FILE No.: COL 128

STATEMENT OF RELATIONSHIP WITH OTHER PLANS
This plan is to be read in conjunction with Baulkham Hills L.E.P. 2004

Data of Amendment:
Minute No.
 Comes into Force:

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APPENDIX 2 – WASTE MANAGEMENT PLAN
## DEVELOPMENT CONTROL PLAN NO. 1

### RURAL LANDS

## WASTE MANAGEMENT PLAN

### DEMOLITION, CONSTRUCTION AND USE OF PREMISES

The applicable sections of this table must be completed and submitted with your Development Application.

Completing this table will assist you in identifying the type of waste that will be generated and will advise Council of how you intend to reuse, recycle or dispose of the waste.

The information provided on the form (and on submitted plans) will be assessed against the objectives of the DCP.

For a copy of the Western Sydney Recycling Directory or if you would like any assistance completing your waste management plan, please contact the Construction and Demolition Waste Management Officer on ph (02) 9843 – 0505.

If space is insufficient in the table please provide attachments.

### Outline of Proposal

**Site Address:**

**Applicant’s name and address:**

**Phone:** __________  **Fax:** __________

**Buildings and other structures currently on the site:**

**Brief Description of Proposal:**

The details provided on this form are the intentions for managing waste relating to this project.

**Signature of Applicant:** __________________________  **Date:** __________________________
STAGE ONE – DEMOLITION

This is the stage with the greatest potential for waste minimisation, particularly in Sydney where there are high levels of development, relatively high tipping charges and where alternative quarry materials are located on the outskirts.

Applicants should consider whether it is possible to re-use existing buildings, or parts thereof, for the proposed use.

With careful onsite sorting and storage, and by staging work programs it is possible to re-use many materials, either on-site or off-site.

Council is seeking to move from the attitude of straight demolition to a process of selected deconstruction, i.e. total reuse and recycling both off-site and on-site. This could require a number of colour-coded or clearly labelled bins onsite (rather than one size fits all).

Applicants should demonstrate project management that seeks to:

- re-use of excavated material on-site and disposal of any excess to an approved site;
- greenwaste mulched and re-used in landscaping either on-site or off-site;
- bricks, tiles and concrete re-used on-site as appropriate, or recycled off-site;
- plasterboard re-used in landscaping on-site, or returned to supplier for recycling;
- framing timber re-used on-site or recycled elsewhere;
- windows, doors and joinery recycled off site;
- plumbing, fittings and metal elements recycled off site;
- All Asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with Workcover Authority and EPA requirements;
- location of on-site storage facilities for material to be reused on-site, or separated for recycling off-site, and
- destination and transportation routes of all materials to be either recycled or disposed of off-site.

Applicants proposing any demolition work should complete the following table and the following details should be shown on your plans.

- location of on-site storage space for materials (for re-use) and containers for recycling and disposal.
- vehicle access to the site and to storage and container areas
### Demolition Stage One – To be completed for proposals involving demolition

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<tr>
<th>Materials On-Site</th>
<th>DESTINATION REUSE &amp; RECYCLING</th>
<th>DISPOSAL</th>
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<tbody>
<tr>
<td>Type of Material</td>
<td>Estimated Volume (m³) or Area (m²) or weight (t)</td>
<td>ON-SITE specify how materials will be reused or recycled on-site</td>
</tr>
<tr>
<td>EXAMPLE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **Excavation Material**
- **Green Waste**
- **Bricks**
- **Tiles**
- **Concrete**
- **Timber** - please specify
- **Plasterboard**
- **Metals**
- **Asbestos**
### DEVELOPMENT CONTROL PLAN NO. 1

#### RURAL LANDS

<table>
<thead>
<tr>
<th>Materials On-Site</th>
<th>DESTINATION REUSE &amp; RECYCLING</th>
<th>DISPOSAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of Material</strong></td>
<td><strong>Estimated Volume (m³) or Area (m²) or weight (t)</strong></td>
<td><strong>ON-SITE</strong> specify how materials will be reused or recycled on-site</td>
</tr>
<tr>
<td>Other Waste</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e.g. ceramic tiles, paints, plastics, PVC tubing, cardboard.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

How will waste be separated and/or stored on-site for reuse and recycling? How will site operations be managed to ensure minimal waste creation and maximum reuse and recycling?

e.g. Staff training, selected deconstruction v. straight demolition, waste management requirements stipulated in contracts with sub-contractors, on-going checks by site supervisors, separate area set aside for sorted wastes, clear signage for waste areas etc.

---

**Note:** Details of the site area to be used for on-site separation, treatment and storage (including weather protection) should be provided on plan drawings accompanying your application.
STAGE TWO - CONSTRUCTION

Stage Two – Potential for Waste Minimisation During Construction Stage

- Consider the following measures that may also save resources and minimise waste at the construction stage:
  - Purchasing Policy – i.e. Ordering the right quantities of materials and prefabrication of materials where possible;
  - Reusing formwork;
  - Minimising site disturbance, limiting unnecessary excavation;
  - Careful source separation of off-cuts to facilitate re-use, resale or efficient recycling;
  - Co-ordination/sequencing of various trades.

How to Estimate Quantities of Waste

- There are many simple techniques to estimate volumes of construction and demolition waste. The information below can be used as a guide by builders, developers & homeowners when completing a waste management plan:

  To Estimate Your Waste:
  1. Quantify materials for the project
  2. Use margin normally allowed in ordering
  3. Copy these amount of waste into you waste management plan

- When estimating waste the following percentages are building "rule of thumb" and relate to renovations and small home building:

<table>
<thead>
<tr>
<th>Material</th>
<th>Waste as a Percent of the Total Material Ordered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timber</td>
<td>5-7%</td>
</tr>
<tr>
<td>Plasterboard</td>
<td>5-20%</td>
</tr>
<tr>
<td>Concrete</td>
<td>3-5%</td>
</tr>
<tr>
<td>Bricks</td>
<td>6-10%</td>
</tr>
<tr>
<td>Tiles</td>
<td>2-5%</td>
</tr>
</tbody>
</table>

Converting Volume into Tonnes: A Guide for Conversion

- To improve provide more reliable figures:
  - Compare your projected waste quantities with actual waste produced;
  - Conduct waste audits of current projects;
  - Note waste generated and disposal methods;
  - Look at past waste disposal receipts;
  - Record this information to help estimate future waste management plans.

- On a waste management plan amounts of waste may be stated in - m³ or m² or tonnes (t).

- For any assistance with your Waste Management Plan, please conduct Council’s Waste Management Officer on PH (02) 9843 – 0505
## Development Control Plan No. 1

### Rural Lands

### Construction Stage Two – for proposals involving construction

<table>
<thead>
<tr>
<th>Materials On-Site</th>
<th>DESTINATION</th>
<th>REUSE &amp; RECYCLING</th>
<th>DISPOSAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Material</td>
<td>Estimated Volume (m³) or Area (m²) or weight (t)</td>
<td><strong>ON-SITE</strong> specify how materials will be reused or recycled on-site</td>
<td><strong>OFF-SITE</strong> specify the contractor and recycling outlet</td>
</tr>
</tbody>
</table>

**EXAMPLE**
- *e.g. bricks*   
  *e.g. 2m³*  
  *e.g. clean & reuse for footings and broken bricks behind retaining walls*  
  *e.g. sent by XYZ Demolishers to ABC Recycling Company*  
  *e.g. nil to landfill*
<table>
<thead>
<tr>
<th>Materials On-Site</th>
<th>DESTINATION REUSE &amp; RECYCLING</th>
<th>DISPOSAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Material</td>
<td>Estimated Volume (m³) or Area (m²) or weight (t)</td>
<td>ON-SITE specify how materials will be reused or recycled on-site</td>
</tr>
<tr>
<td>Metals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Waste</td>
<td>e.g. ceramic tiles, paints, plastics, PVC tubing, cardboard.</td>
<td></td>
</tr>
</tbody>
</table>

How will waste be separated and/or stored onsite for reuse and recycling? How will site operations be managed to ensure minimal waste creation and maximum reuse and recycling?

e.g. Staff training, recycled materials used in construction, waste management requirements stipulated in contracts with sub-contractors, on-going checks by site supervisors, separate area set aside for sorted wastes, clear signage of waste areas etc.
Note: Details of site area to be used for on-site separation, treatment and storage (including weather protection) must be provided on plan drawings accompanying your application.

STAGE THREE – DESIGN OF FACILITIES

- The following details should be shown on your plans:
  1. Location of temporary storage space within each dwelling unit;
  2. Location of Waste Storage and recycling Area(s), per dwelling unit or located communally onsite. In the latter case this could be a Garbage and Recycling room;
  3. Details of design for Waste Storage and Recycling Area(s) or Garbage and Recycling Room(s) and any conveyance or volume reduction equipment; and
  4. Location of communal composting area.

- Every building shall be provided with a Waste Storage and Recycling Area that is flexible in size and layout to cater for future changes in use. The size is to be calculated on the basis of waste generation rates and proposed bin sizes.

### Stage 3 - Design of Facilities – To be completed if designing waste facilities for the proposed development

<table>
<thead>
<tr>
<th>TYPE OF WASTE TO BE GENERATED</th>
<th>EXPECTED VOLUME PER WEEK</th>
<th>PROPOSED STORAGE AND TREATMENT FACILITIES</th>
<th>DESTINATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please specify. For example: glass, paper, food waste, offcuts etc.</td>
<td>Litre or m3</td>
<td>For example: waste storage &amp; recycling area, garbage chute, on-site composting, compaction equipment</td>
<td>recycling disposal, specify contractor</td>
</tr>
</tbody>
</table>

Note: Details of on-site waste management facilities should be provided on plan drawings accompanying your application.
DEVELOPMENT CONTROL PLAN NO. 1  
RURAL LANDS

ON-GOING MANAGEMENT

Describe how you intend to ensure on-going management of waste on-site (eg. lease conditions, caretaker/manager on-site).

For a copy of the Western Sydney Recycling Directory or if you would like any assistance completing your waste management plan, please contact the Construction and Demolition Waste Management Officer on ph (02) 9843 – 0505.

Thank you for the information.
Table 1: Comparative Table – Permissible Uses within the proposed ‘Environmentally Sensitive Area’ overlay, formerly proposed Environmental Protection 7(b) (Bushland) Zone and current rural zoning

<table>
<thead>
<tr>
<th>Formerly Proposed Environmental Protection 7(b) (Bushland) Zone</th>
<th>‘Environmentally Sensitive Area’ overlay</th>
<th>Rural 1(b) Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additions and alterations related to an existing dwelling-house</td>
<td>Additions and alterations related to an existing dwelling-house</td>
<td>Additions and alterations related to an existing dwelling-house</td>
</tr>
<tr>
<td>Demolition</td>
<td>Demolition</td>
<td>Demolition</td>
</tr>
<tr>
<td>Dwelling houses</td>
<td>Dwelling houses</td>
<td>Dwelling houses</td>
</tr>
<tr>
<td>Environmental protection works in association with a land use permissible in an adjoining zone</td>
<td>Environmental protection works</td>
<td>Environmental protection works</td>
</tr>
<tr>
<td>Fencing</td>
<td>Fencing</td>
<td>Farm gate sales</td>
</tr>
<tr>
<td>Guest houses</td>
<td>Guest houses</td>
<td>Guest houses</td>
</tr>
<tr>
<td>Home businesses</td>
<td>Home businesses</td>
<td>Home businesses</td>
</tr>
<tr>
<td>Leisure facilities</td>
<td>Leisure facilities</td>
<td>Leisure facilities</td>
</tr>
<tr>
<td>Recreation areas</td>
<td>Recreation areas</td>
<td>Recreation areas</td>
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<tr>
<td>Recreation facilities</td>
<td>Recreation facilities</td>
<td>Recreation facilities</td>
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<tr>
<td>Renewable energy facilities</td>
<td>Renewable energy facilities</td>
<td>Renewable energy facilities</td>
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<tr>
<td>Roads</td>
<td>Roads</td>
<td>Roads</td>
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<tr>
<td>Rural cluster development</td>
<td>Rural cluster development</td>
<td>Rural cluster development</td>
</tr>
<tr>
<td>Telecommunication facilities</td>
<td>Telecommunication facilities</td>
<td>Telecommunication facilities</td>
</tr>
<tr>
<td>Tennis courts in association with a dwelling</td>
<td>Tennis courts in association with a dwelling</td>
<td>Tennis courts in association with a dwelling</td>
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<tr>
<td>Tourist facilities</td>
<td>Tourist facilities</td>
<td>Tourist facilities</td>
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<tr>
<td>Utility installations</td>
<td>Utility installations</td>
<td>Utility installations</td>
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<tr>
<td>Agricultural products establishments</td>
<td>Agricultural products establishments</td>
<td>Agricultural products establishments</td>
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<tr>
<td>Aquaculture</td>
<td>Aquaculture</td>
<td>Aquaculture</td>
</tr>
<tr>
<td>Animal boarding breeding and training establishments</td>
<td>Animal boarding breeding and training establishments</td>
<td>Animal boarding breeding and training establishments</td>
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<tr>
<td>Caravan parks</td>
<td>Caravan parks</td>
<td>Caravan parks</td>
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<tr>
<td>Caretaker’s dwellings</td>
<td>Caretaker’s dwellings</td>
<td>Caretaker’s dwellings</td>
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<tr>
<td>Home activities</td>
<td>Home activities</td>
<td>Home activities</td>
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<tr>
<td>Cemeteries</td>
<td>Cemeteries</td>
<td>Cemeteries</td>
</tr>
<tr>
<td>Child care centres</td>
<td>Child care centres</td>
<td>Child care centres</td>
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<tr>
<td>Clearing of bushland</td>
<td>Clearing of bushland</td>
<td>Clearing of bushland</td>
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<tr>
<td>Clubs</td>
<td>Clubs</td>
<td>Clubs</td>
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<tr>
<td>Community facilities</td>
<td>Community facilities</td>
<td>Community facilities</td>
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<tr>
<td>Category</td>
<td>Subcategory</td>
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<tr>
<td>Convenience stores</td>
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<tr>
<td>Dams</td>
<td>Dams</td>
<td></td>
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<tr>
<td>Educational establishments</td>
<td></td>
<td></td>
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<tr>
<td>Exhibition homes</td>
<td></td>
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<tr>
<td>Exhibition villages</td>
<td></td>
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<tr>
<td>Extractive industries or industries directly associated with, or dependent upon, extractive industries</td>
<td></td>
<td></td>
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<tr>
<td>Firewood establishments</td>
<td></td>
<td></td>
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<tr>
<td>Filling of land</td>
<td></td>
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<tr>
<td>Forestry</td>
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<tr>
<td>Health care premises</td>
<td>Health care premises</td>
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<tr>
<td>Helipads</td>
<td></td>
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<tr>
<td>Heliports</td>
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<tr>
<td>Home industries</td>
<td>Home industries</td>
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<tr>
<td>Hospitals</td>
<td></td>
<td></td>
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<tr>
<td>Intensive animal industries</td>
<td></td>
<td></td>
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<tr>
<td>Intensive horticulture establishments</td>
<td></td>
<td></td>
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<tr>
<td>Institutions</td>
<td></td>
<td></td>
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<tr>
<td>Landscape supply establishements</td>
<td></td>
<td></td>
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<tr>
<td>Liquid fuel depots</td>
<td></td>
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<tr>
<td>Motels</td>
<td>Motels</td>
<td></td>
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<tr>
<td>Places of worship</td>
<td></td>
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<tr>
<td>Public buildings</td>
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<tr>
<td>Public utility undertakings</td>
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<tr>
<td>Reception establishments</td>
<td></td>
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<tr>
<td>Research establishments</td>
<td></td>
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<tr>
<td>Restaurants</td>
<td>Restaurants</td>
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<tr>
<td>Retail plant nurseries</td>
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<tr>
<td>Rural industries</td>
<td></td>
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<tr>
<td>Rural worker's dwellings</td>
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<tr>
<td>Sawmills</td>
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<td>Sheds</td>
<td>Sheds</td>
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<tr>
<td>Service stations</td>
<td></td>
<td></td>
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<tr>
<td>Stables</td>
<td>Stables</td>
<td></td>
</tr>
<tr>
<td>Stock and yard sales</td>
<td></td>
<td></td>
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<tr>
<td>Veterinary establishments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wholesale plant nurseries</td>
<td></td>
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</tr>
</tbody>
</table>
The proposed modification to Condition 1 is not supported in respect of the modification to landscape setbacks to the carpark. Condition 1 requires modification in order to refer to the revised colour scheme as follows:-

Condition 1 be deleted and replaced with:-

**1. Development in accordance with Submitted Plans (as amended)**
The development being carried out in accordance with the approved plans and details submitted to Council, as amended in red, stamped and returned with this consent, and the proposed modification to colour scheme as approved by 2217/04/HB/A. No works (including excavation) shall be undertaken prior to the release of the construction certificate. The amendments in red relate to the revised carpark and entry/accessway.

PART B:-

The proposed modification to Condition 46 be partly supported as follows:-

**46. External Finishes**
The office component of the building, as shown in red on the attached plan, is permitted to be painted white with red banding. This approval does not authorise the erection of any signage. The remainder of the main building and new shed shall be a red and grey colour scheme, details of which shall be submitted for approval prior to the issue of the Construction Certificate. The existing rural shed is permitted to remain its existing colour.

9.51pm - Clr Tolar left the meeting and returned at 9.55pm during Item 11

The meeting adjourned at 10.59pm during consideration of Item 11 and resumed at 11.12pm with the same Councillors present.

**ITEM-11 FURTHER REPORT – RURAL LANDS STUDY (FP 133)**

**Proceedings in Brief**
Mr Alex Davidson - President of 5AcresNow Inc., Mr Robert Laird, Ms Angela Muller (objectors) and Mr Phillip Taylor & Mr Rod Wall (in favour) addressed Council regarding this matter.

A MOTION WAS MOVED BY COUNCILLOR HARTY AND SECONDED BY COUNCILLOR HAY THAT
1. Council request a Section 65 Certificate from the Department of Infrastructure, Planning and Natural Resources to enable the exhibition of the draft Local Environmental Plan attached as Attachment 2 to this report.

2. The draft Rural Lands Local Environmental Plan and draft Development Control Plan be placed on public exhibition upon receipt of a Section 65 Certificate from DIPNR for a minimum period of sixty (60) days.

This is page number 10 of the Minutes of the Ordinary Meeting of the Baulkham Hills Shire Council, held on 7 June 2005
MINUTES of the duly convened Ordinary Meeting of Council Meeting of the Baulkham Hills Shire Council held in the Council Chambers, Castle Hill on 7 June 2005.

3. Council seek the views of the Department of Infrastructure, Planning and Natural Resources regarding village expansion ‘test sites’ as indicated in Attachment 5.

4. Council seek the views of the Department of Infrastructure, Planning and Natural Resources regarding the possible subdivision of 25 acre lots into 5 acres and over which were previously used for farming, where Sydney Water provides a supply and a minimum of 100,000 litres of water in underground tanks is provided for each lot subdivided to be used for bush fire control and back-up domestic use.

5. Council include in the draft Local Environmental Plan for exhibition a definition of ‘rural enterprise’ as follows:

   “Rural enterprise means a building or place where rural zoned land is used for one or more commercial purposes related to agriculture and/or tourism but, in the Table to Clause 13, does not include a building or place elsewhere specifically defined in this Clause, or a building or place used for a land use elsewhere specifically found in this Clause.

AN AMENDMENT WAS MOVED BY COUNCILLOR GRIFFITHS AND SECONDED BY COUNCILLOR WILLIAMS THAT

1. Detached or dual occupancy development under 5.4 in the rural areas and the relevant objectives be included in DCP No. 1 and Lot 407 DP808168 be zoned 1(d).

2. Council retain the current rural LEP with the following amendments:-

   (a) Pursue 2 hectare and 5 hectare subdivisions as proposed by Council’s Working Group in response to Connell Wagner’s report.

   (b) Adopt Connell Wagner’s recommendations regarding the expansion of rural villages.

   (c) Council seek the views of DIPNR regarding how best to achieve these outcomes.

   (d) Background material from previous land studies, including the Fox Report, comments from the Working Group and all written submissions from the current Rural Land Study to be provided as supporting documentation.

   (e) Consideration be given to the implementation of a Rural Enterprise Zone.

3. A further report be submitted which identifies the zoning in (1) above and the written planning instrument which accompanies these zones.

4. This Motion be sent to WSROC requesting their support on the above issues.

THE AMENDMENT WAS PUT AND LOST

THE MOTION WAS PUT AND CARRIED.

This is page number 11 of the Minutes of the Ordinary Meeting of the Baulkham Hills Shire Council, held on 7 June 2005
452 RESOLUTION

1. Council request a Section 65 Certificate from the Department of Infrastructure, Planning and Natural Resources to enable the exhibition of the draft Local Environmental Plan attached as Attachment 2 to this report.

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Councillors Griffiths and Bolitho rose for a Division. The result of the Division was as follows:

**AYES**
- Clr Phillips
- Clr Tolar
- Clr Harty
- Clr Hay
- Clr Bentham
- Clr Dinnie
- Clr Shore

**NOES**
- Clr Williams
- Clr Bolitho
- Clr Griffiths
- Clr Dimbrowsky
- Clr Thomas

(A Rescission Motion was later lodged in respect of this matter)

NOTICES OF MOTION

11.53pm - Clr Bentham retired from the meeting during Item 2
ITEM-2 DRAFT DEVELOPMENT CONTROL PLAN - CHILD CARE CENTRES

A MOTION WAS MOVED BY COUNCILLOR HAY AND SECONDED BY COUNCILLOR HARTY THAT
1. Council Officers prepare a draft Development Control Plan for Child Care Centres for reporting back to Council before July.
2. Council resolve to prepare and exhibit an amendment to draft Local Environment Plan 2005 upon its gazettement addressing the objectives of zone 2(b) in relation to child care centres.

(The meeting lapsed for want of a quorum before the Motion could be Put. The matter was relisted for consideration on 21 June 2005)

11.55pm - Clr Bolitho returned to the meeting

REPORTS OF GENERAL MANAGER

ITEM-3 STRONG WOMEN, STRONG COMMUNITIES SEMINAR

A MOTION WAS MOVED BY COUNCILLOR HAY AND SECONDED BY COUNCILLOR HARTY THAT Council authorise Councillor Phillips to attend the Strong Women Strong Communities Seminar in Sydney on 16 June 2005.

THE MOTION WAS PUT AND CARRIED.

453 RESOLUTION

Council authorise Councillor Phillips to attend the Strong Women Strong Communities Seminar in Sydney on 16 June 2005.

REPORTS OF ASSISTANT GENERAL MANAGER

ITEM-4 APPOINTMENTS TO SECTION 355 MANAGEMENT COMMITTEES

A MOTION WAS MOVED BY COUNCILLOR HAY AND SECONDED BY COUNCILLOR HARTY THAT the Recommendation be adopted.