

Mr Graeme Bell
32 Jacks Lane
Maroota NSW
2756

1st September, 2018

Ph: (02)45750894

The Hills Shire Council
Reference 7/2018/PLP

Ms Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Re: Submission of Application to Rezone Land @ above address
Ref: 7/2018/PLP

Please find enclosed further information as requested under the application, particularly with respect to the viability of the land for agricultural purposes and compliance with Bush Fire Protection 2006:

Regarding viability of the land for agricultural purposes (Section B point 4, and Section C point 9)

1. The Hills Shire Council has placed restrictions on the use of this land despite the property being zoned RU1. The restrictions include no commercial poultry farming, pig farming, market gardening, boarding kennels, waste disposal or mushroom farming (copy enclosed).
2. The soil at 32 Jacks lane has been tested as extremely acidic with very little moisture retention, rendering it useless for farming activity in its present state. In addition, our environmental impact statement has suggested that the amount of fertilizer needed to improve the soil, would most likely have detrimental effects to the water in the dams and consequently the run off into the Hawkesbury River This would impact the identified critically endangered ecological community in the riparian zone on the subject site.
3. We are currently being rated at 'residential' by The Hills Shire Council (attached).

Regarding compliance with Bush Fire Protection 2006 (Section B point 6 Direction 4.4, and Section D point 11)

4. The advice we have received from the RFS has been inconsistent and confusing:
 - During an initial consultation with the RFS regarding a prepared Bushfire Hazard Assessment Report, they provided us with a list of requirements that must be fulfilled in order to proceed with the application (copy attached). We made the requested changes to the application, which was also compliant with the specifications set out under the 'Multi Lot Residential Subdivision in Bushfire Prone Areas' document (copy attached).
 - Further Mr Bradley Bourke (from the RFS) then reassured both myself and our fire consultant that he had no issue with our submission.
 - Our proposal, also creates a second access for the current residents at the end of Jacks Lane, in the case of a fire emergency.
 - Although the regulations states that access above 200m from a through road may require a second egress,(ours access being 210m), it should be noted that Jacks Lane is actually part of the property starting at Wisemans Ferry Road. That roadway is 10m wide and the submission would widen the tar section from 3m to 4.5m.

- The RFS has approved a similar subdivision in Blakers Road. That subdivision is approximately 650m from Wisemans Ferry Road (the closest through road). Blakers Road is no wider than Jacks Lane. Additionally there are in excess of 14 residents living in Blakers Road that would need to evacuate in case of a bushfire emergency.
5. Meetings with the following experts in this field met with their approval under certain circumstances outlined here:
- Mr. John Hojel (RFS Manager at Kenthurst RFS Headquarters) noted that Lots 2 and 3 needed an alternative access to meet the RFS requirements, however, since this was provided in our plan, he believed the submission was acceptable and could not see a reason why the submission should not be approved.
 - Mr. Gary Chapman (Fire Chief in our area). Mr. Chapman personally inspected the property, he stated that he has no problem with access to and from the property for fighting fires and for evacuation in an emergency.
 - Mr. Craig Burley (Fire Consultant at Windsor and consultant to the RFS), Mr. Burley inspected the proposal and could not see any problem with it.
6. The properties at the end of Jacks Lane (originally part of the same property), are zoned RU2. Their only access is across a 'right of way' (known as Jacks Lane), through the subject site zoned RU1. The commentary by the NSW RFS on the subject site is inconsistent with the current status of the existing RU2 zoned area at the end of Jacks Lane.

An onsite inspection by one of your representatives would be appreciated.

If you require any further clarification of this matter, please do not hesitate to contact me.

Regards

Graeme Bell