

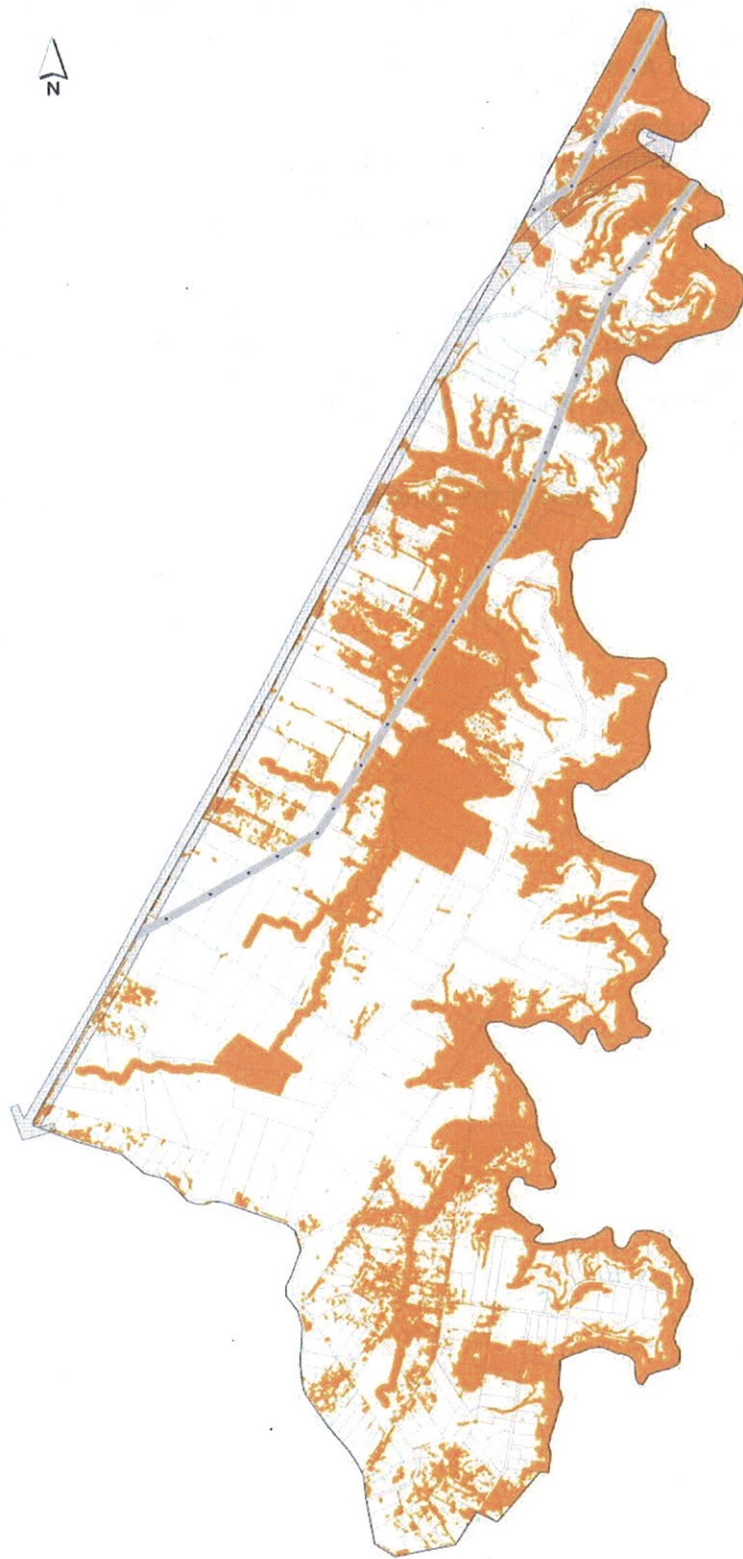


Figure 2
DCP 2012 Constrained Land Layer

In order to guide development outcomes for the new rural opportunities introduced through LEP 2012 Council recently adopted amendments to The Hills Development Control Plan (DCP 2012) (Attachment A) which are now in force.

With respect to 2ha subdivision in Maraylya, Box Hill and Nelson, DCP 2012 includes a constraints layer which identifies environmentally sensitive and constrained land that would be unsuitable for conventional 2ha subdivision introduced under LEP 2012. One aspect of this constraints layer is the identification of a 'high conservation corridor' that is comprised of the following:

- Key endangered and threatened ecological communities
- The retention of corridor vegetation that provides linkages to nearby creek lines;
- Riparian corridors that link vegetation along creek lines; and
- Properties identified as Priority Conservation Lands in the State Government's Cumberland Plain Recovery Plan.

The figure below details the extent of the constrained land layer over the precinct.

3.32 RURAL CLUSTER SUBDIVISION

3.32.1 LAND TO WHICH THIS SECTION OF THE PLAN APPLIES

This section of the Development Control Plan establishes site specific objectives and development controls to guide rural cluster subdivision.

Under The Hills LEP 2012, rural cluster subdivision is an opportunity under Clause 4.1AA(3A) *minimum subdivision lot size for community title schemes* and applies to land in Zone RU2 *Rural Landscape* and where affected by biodiversity.

The objectives and development controls relating to rural development outlined earlier in this DCP apply to rural cluster subdivision. In particular controls relating to site coverage, building platform, building setbacks, planning for bushfire protection, fencing, and onsite sewage management. In the event of any inconsistency between this section of the DCP and any other Sections of the DCP, the provisions of this section shall prevail only to the extent of the inconsistency.

Planning Principles:

Planning for rural cluster subdivision is to consider principles illustrated in Figures 2a-2d:

3.32.2 SITE PLANNING

OBJECTIVES

- (i) *To encourage rural cluster subdivision that will ensure land is developed, managed and conserved in a holistic and sensitive manner*
- (ii) *To achieve an environmental outcome that ensures the protection of the landscape, biodiversity and rural setting of the land*
- (iii) *To encourage the effective management of the landscape, biodiversity and rural setting.*

DEVELOPMENT CONTROLS

- a) Compliance with the standards contained in Clause 4.1AA(3A) *minimum*

subdivision lot size for community title schemes under The Hills LEP 2012.

- b) A minimum 60% of the site is to be provided as the association property (unless it will jeopardise the objective to achieve a better biodiversity outcome).

Note. the association property is a common lot that is used, enjoyed and managed by all the occupants within the rural cluster scheme.

- c) The development should demonstrate that the subdivision will ensure the protection of the landscape, biodiversity and rural setting of the land.

Each cluster subdivision must include a Community Management Statement that includes items to guide the environmental management of the association property such as:

- Same or greater area of biodiversity will be retained after subdivision/construction
- Biodiversity is protected from weed incursion
- Natural creek lines are protected from increased nutrient loads and weed infestation
- High value biodiversity features on the site including threatened ecological community, population, species or their habitats as listed under the Threatened Species Conservation Act 1995 are retained and maintained.
- Impact of pests that pose a threat to the maintenance of high value biodiversity features (where identified) are managed.
- Provision of asset protection zones and onsite sewage management system will not impact on improving and maintaining biodiversity values on the site.
- Landscaping within the scheme is reflective of the local biodiversity and will not encroach or potentially reduce the biodiversity values.

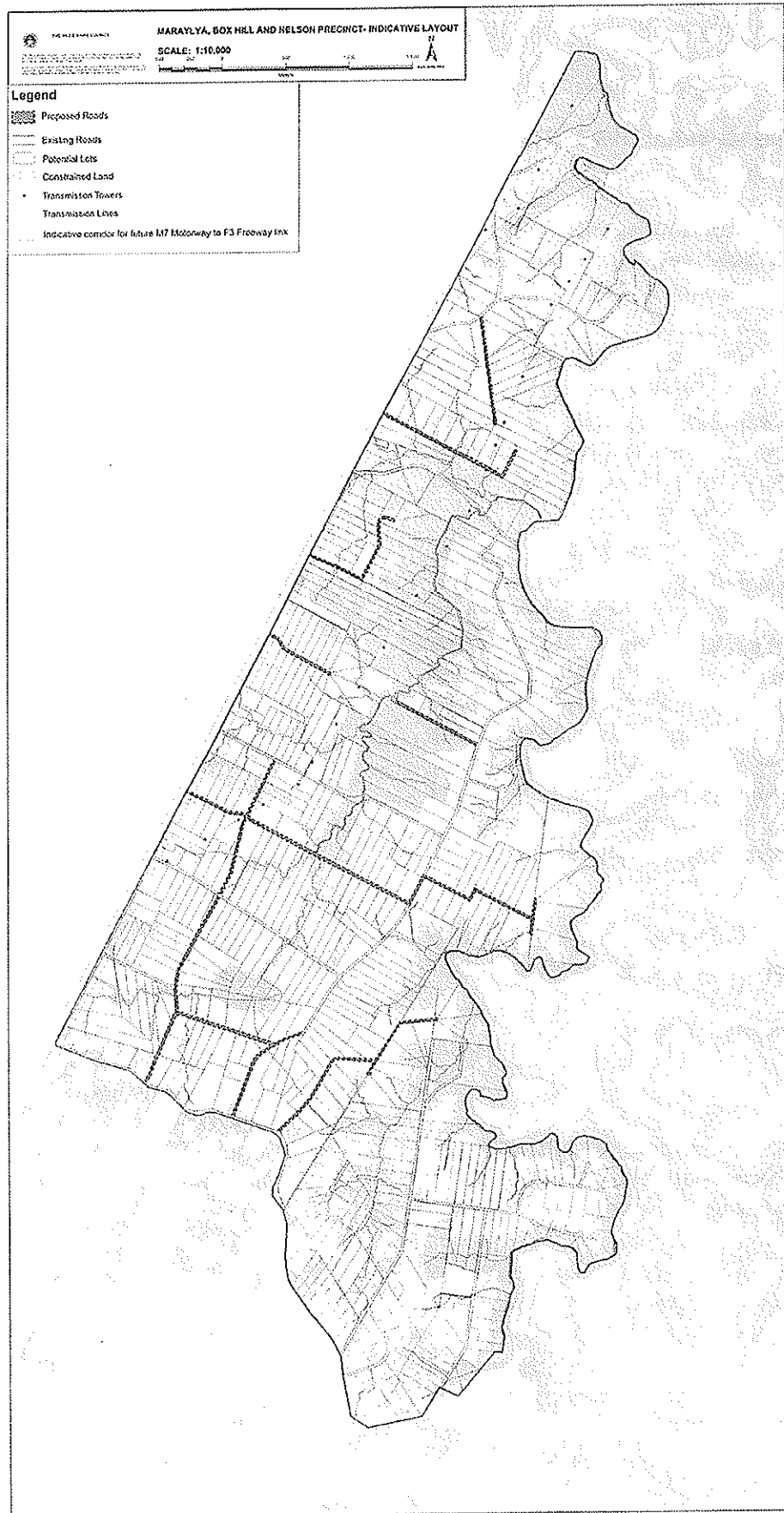


Figure 2 Maraylya, Box Hill & Nelson Precinct: Indicative layout plan

- c) For battle-axe shaped lots, a minimum site area of two hectares shall be provided, excluding the access handle.

- a 50 metre wide corridor within the Hawkesbury LGA; and
- the existing 20 metre Boundary Road reservation.

3.31.4 ROADS

OBJECTIVES

- (i) *To identify suitable locations for new roads that considers the environmental and physical constraints of the land.*
- (ii) *To facilitate logical and orderly development.*

DEVELOPMENT CONTROLS

- (a) New public roads are to be generally located in accordance with those shown on DCP Map Sheet No.3.

Any variation to the location of proposed roads must consider the Planning Principles in Section 3.31.1.

- (b) A minimum road reservation width of 20 metres is required for all new roads. Roads are to be constructed in accordance with Council's Design Guidelines for rural roads.
- (c) Costs associated with the construction of proposed roads are the responsibility of the developer.

North of Boundary Road the full 120 metre wide corridor is shown.

New dwellings and on-site sewage management systems are not permitted to be located within the setback area. However, consideration will be given to the erection of sheds and other ancillary development in this setback area (standard rural setbacks as contained in section 3.3 'Building Setbacks' of this DCP will apply).

Indicative Layout Plan

Figure 2 shows an indicative two hectare lot layout for the Precinct. It provides a guide only to how two hectare subdivision in the Precinct might occur and is a general illustration of what might be achieved based on the future road pattern. It does not in any way guarantee Council's approval of a Development Application based on this layout. Variations to the general indicative layout should have regard to the planning principles outlined earlier.

3.31.5 BUILDING SETBACKS

OBJECTIVES

- (i) *To ensure that sufficient land is available to facilitate future strategic road infrastructure projects in the locality.*

DEVELOPMENT CONTROLS

- (a) A minimum building setback of 50 metres is to be provided adjacent Boundary Road for the future M7 Motorway to F3 Freeway link, as shown on DCP Map Sheet No.3.

A total corridor width of 120 metres has been applied. This is comprised of:

- a 50 metre wide corridor within The Hills Shire LGA (this includes a 40 metre wide future road corridor plus a 10 metre wide setback area);

3.31.6 SUBMISSION REQUIREMENTS

- Plan of subdivision indicating the following:
 - Proposed allotment boundaries
 - Building platforms and setbacks
 - On-site sewage disposal areas
 - Asset protection zones
- Contamination Report
- On-site wastewater report

