

ATTACHMENT D

Max & Marie Endicott
90 Weavers Road
MARROOTA NSW 2756

Baulkham Hills Shire Council
3 Columbia Court
BAULKHAM HILLS NSW 2153

Re: Rezoning RU1 to RU2 - 90 Weavers Road, Maroota, NSW

Please find attached our submission to Council to have the abovementioned property rezoned from RU1 to RU2 Rural Landscape.

The information attached includes:

- How the proposal fits with the LEP definition for cluster housing
- Compliance with the controls contained within the Rural section of The Hills Development Control Plan 2012 (Part B Section 1 Rural)
- An indicative layout / concept subdivision plan that meets the principles of clustering
- Justification for why the land is no longer viable for farming / agriculture
- How biodiversity will be maintained and improved on the site
- Address of bushfire safety
- Address of flora and fauna impacts

Yours sincerely

Max Endicott

16 April 2015

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How the proposal fits with the LEP definition for cluster housing

The proposed development includes subdivision of the existing 10 ha property on Lot 239 DP 752025 into 6 new individual lots comprising the following areas:

Lot 1 – 5.91ha (bushland lot offered to Council)

Lot 2 – 9326 sqm (existing cleared land)

Lot 3 – 9340 sqm (existing cleared land/ former orchard)

Lot 4 – 1 ha (existing house and rural shed to be retained)

Lot 5 – 6579 sqm (existing cleared land/ former orchard)

Lot 6 – 6910 sqm (existing cleared land/ former orchard)

The lots would be accessed off Weavers Road. The bushfire consultant report has not recommended any special provisions that require clearing of native vegetation in order to comply with *Planning for Bushfire Protection 2006*.

The proposed development application does not require the clearing of native vegetation. This development application includes offering Council a residual lot of mapped Shale Sandstone Transition Forest Endangered Ecological Community vegetation comprising over half (5.91 ha) of the entire 10 (ten) hectare property. The residual lot would be down slope of the newly created allotments.

The proposed subdivision layout is included with this submission.

Yours sincerely

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Re Cluster development 90 Weavers Road, Maroota, NSW

Justification for why the land is no longer viable for farming / agriculture

The present cleared area is not enough for a family to make a living, especially at present with the two main retail outlets preferring to deal with large volume growers. Approximately six acres has been cleared for the orchard. To make it viable, we would need to clear another ten acres to plant out which is environmentally unfavourable. This would have a devastating affect on the local flora and fauna. The previous owner and myself farmed this area as a subsequent income to our main income.

The ground is quite rocky and requires considerable work to bring it to a healthy state for farming. As we were farming intensively on a small area of land for some years, the soil has become quite exhausted.

The soil has poor water retention and is naturally acidic and low in nitrogen. We had to use large volumes of fertilizer to bring the soil up to a standard where we could grow fruit trees. The escalating cost of fertilizer and soil enhancers has eaten away any profits the orchard was able to derive.

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How biodiversity will be maintained and improved on the site.

The community area is all natural bush and will remain untouched. There is more than adequate cleared land for housing, outbuildings and septic system dispersal areas.

The bushfire consultant report has not recommended any special provisions that require clearing of native vegetation in order to comply with *Planning for Bushfire Protection 2006*. The proposed development application does not require the clearing of native vegetation. This development application includes offering Council a residual lot of mapped Shale Sandstone Transition Forest Endangered Ecological Community vegetation comprising over half (5.91 ha) of the entire 10 (ten) hectare property. The residual lot would be down slope of the newly created allotments.

The good connectivity of the site and its function as a regional corridor means that a variety of mobile threatened fauna are likely to be seasonally transient through the site. However, the site does not contain unique or critical habitat features that will be impacted by the proposed development.

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Compliance with the controls contained within the Rural section of The Hills Development Control Plan 2012 (Prt B Section 1 Rural)

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 will be provided as the association property
- c) The subdivision will ensure the protection of the landscape, biodiversity and rural setting of the land.
 - 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.

ASSOCIATION PROPERTY

OBJECTIVES

- (i) To ensure equitable access to the association property for all occupants.
- (ii) To provide common areas for outdoor recreation and relaxation opportunities within the property.

DEVELOPMENT CONTROLS

- (a) All lots are to demonstrate reasonable access to the association property.
- (b) The association property is to be managed in accordance with a Community Management Statement.
- (c) The Community Management Statement shall contain details of the obligations of landowners in the ongoing management of association property.

DEVELOPMENT SITES

OBJECTIVES

- (i) To provide for housing that is grouped together with a mix of lot sizes so as to maintain and enhance the rural character.
- (ii) To provide for a viable number of dwellings to facilitate the effective operation of a community scheme.
- (iii) To prevent over development and reduce the impact of clearing.

DEVELOPMENT CONTROLS

- a) Dwelling houses are to be clustered and grouped.
 - b) The lots fronting Weavers Road, will have a minimum 60 metres frontage.
- Five development lots (excluding the association property) will be provided.

OBJECTIVES

- (i) To provide an acceptable level of access, safety and convenience for all users.
- (ii) To ensure access does not impact on the biodiversity values of the land.
- (iii) To ensure safe access and egress for emergency services and residents is available.

DEVELOPMENT CONTROLS

- (d) Each block will have their own onsite sewage management system.

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