

THE HILLS SHIRE COUNCIL

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11 July 2016

Ms Catherine Van Laeren
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Our Ref: 16/2015/PLP

Dear Ms Van Laeren

PLANNING PROPOSAL – 90 WEAVERS ROAD, MAROOTA

The Hills Local Environmental Plan 2012 (Amendment No. (#)) – rezone 90 Weavers Road, Maroota from RU1 Primary Production to RU2 Rural Landscape and to identify part of the site on the Terrestrial Biodiversity Map (16/2015/PLP)

Pursuant to Section 117(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), it is advised that Council has resolved to prepare a planning proposal for the above amendment.

Please find enclosed the information required in accordance with the guidelines 'A guide to preparing planning proposals' issued under Section 55(3) of the EP&A Act. The planning proposal and supporting material is enclosed with this letter for your consideration. It would be appreciated if all queries by the Panel could be directed to Principal Forward Planner, Megan Munari on 9843 0407.

The proposal will allow for a development application to be made for rural cluster subdivision made up of five development lots and one community association lot where biodiversity values would be protected.

Following receipt by Council of the Department's written advice, Council will proceed with the planning proposal. Any future correspondence in relation to this matter should quote reference number 16/2015/PLP. Should you require further information please contact Patrice Grzelak, Senior Town Planner on 9843 0364.

Yours faithfully

Stewart Seale

MANAGER FORWARD PLANNING

Enclosed CD containing:

1. Planning Proposal – 16/2016/PLP (Including Attachments A and B)
2. Attachment C - Council Report and Minute (14 June 2016)
3. Attachment D – Proponent's Application (August 2015)
4. Attachment E – Subdivision Plan (August 2015)
5. Attachment F – Bushfire Assessment Report (August 2015)
6. Attachment G – Flora and Fauna Assessment Report (August 2015)
7. Attachment H – Soil Chemistry Profile Assessment (January 2016)

PLANNING PROPOSAL

LOCAL GOVERNMENT AREA: The Hills Shire Council

NAME OF PLANNING PROPOSAL: Proposed The Hills Local Environmental Plan 2012 (Amendment No (#)) – to rezone 90 Weavers Road, Maroota from RU1 Primary Production to RU2 Rural Landscape and to identify part of the site on the Terrestrial Biodiversity Map.

ADDRESS OF LAND: 90 Weavers Road, Maroota (Lot 239 DP 752025).

SUMMARY OF HOUSING AND EMPLOYMENT YIELD:

	EXISTING	PROPOSED	TOTAL YIELD
Dwellings	1	5	5
Jobs	Nil	Nil	Nil

SUPPORTING MATERIAL:

Attachment A	Assessment against State Environment Planning Policies
Attachment B	Assessment against Section 117 Local Planning Directions
Attachment C	Council Report and Minute 14 June 2016
Attachment D	Proponent's Application (August 2015)
Attachment E	Subdivision Plan (August 2015)
Attachment G	Flora and Fauna Assessment Report (August 2015)
Attachment H	Soil Chemistry Profile Assessment

THE SITE:

The subject site has an irregular shape and an area of 10.12 hectares. The site is heavily vegetated and falls away from Weavers Road with a slope of over 20% to a gully at the site's centre.

The subject site contains a single storey dwelling and rural shed. Adjoining and adjacent properties also contain similar rural residential development with some previous horticultural activity evident at 103 Weavers Road opposite. Land immediately to the west and north-west of the subject site are currently zoned as RU2 Rural Landscape.

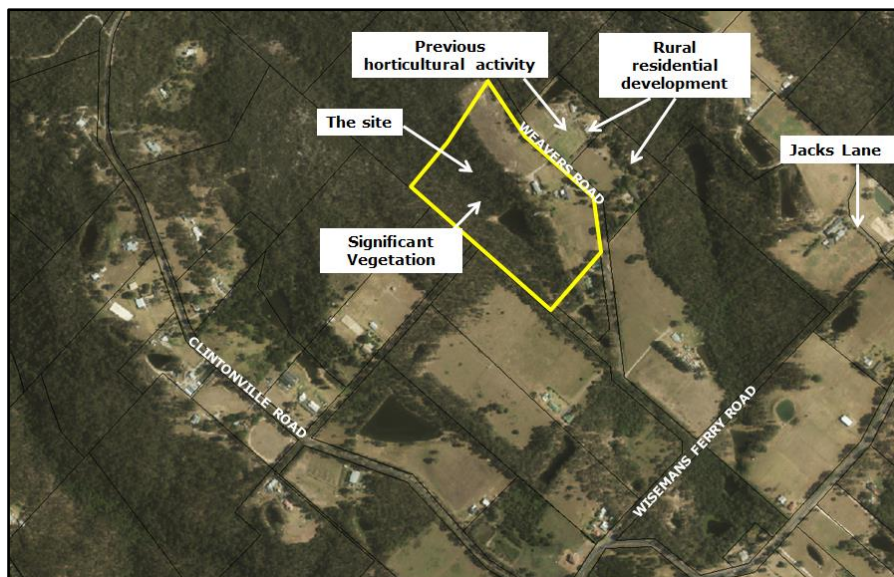


Figure 1
Aerial view of the site and surrounding locality

Council's 2009 Employment Lands Direction informed the drafting of Local Environmental Plan 2012 with regard to employment lands and employment generating activities. It included a strategy to create a specific zone to identify significant agricultural activities and rural resource lands such as extractive industries and intensive plant agriculture. The boundaries of the zone were not identified at this time however it was indicated that, in addition to the area for sand mining operations identified under Sydney Regional Environmental Plan No.9 – Extractive Industry (SREP No.9), there was a concentration of intensive plant and horticultural industries in the same locality along Old Northern Road and the spine of Wisemans Ferry Road towards Sackville Ferry Road.

In preparing LEP 2012, the specific boundaries of the RU1 Primary Production zone were defined by the SREP No.9 area and consideration of historic and existing agricultural activities identified by way of aerial photographs and site inspection. Consideration was also afforded to slope, bushland, and sensitive vegetation.

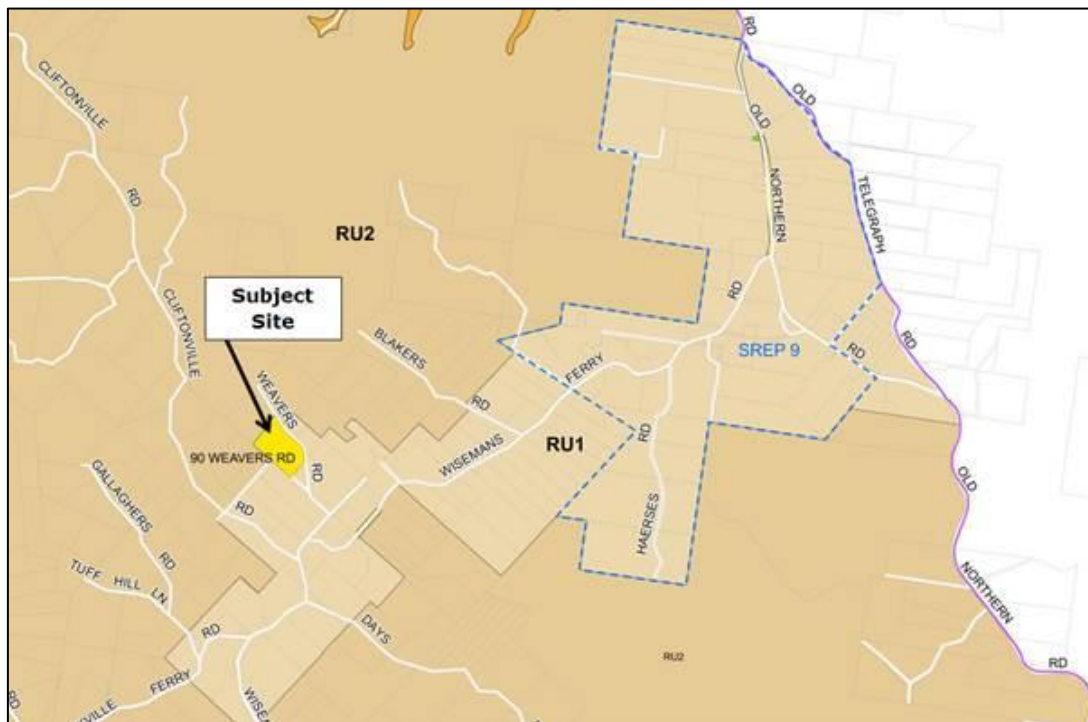


Figure 2

Current extent of RU1 Primary Production zone

PART 1 OBJECTIVES OR INTENDED OUTCOME

The planning proposal seeks to rezone the site from RU1 Primary Production to RU2 Rural Landscape to allow application to be made for a rural cluster subdivision. Amendment of minimum lot size or height of building standards is not proposed.

In support of the planning proposal the applicant has submitted a subdivision concept illustrating the intended future development outcomes for the site. Rural cluster subdivision of the subject site would provide for up to five development lots between 4,000m² and 1 hectare in area and a single community lot where biodiversity values would be protected. In support of the planning proposal the applicant has also submitted a Soil Chemistry Profile Assessment, Flora and Fauna Assessment and Bushfire Assessment Report.

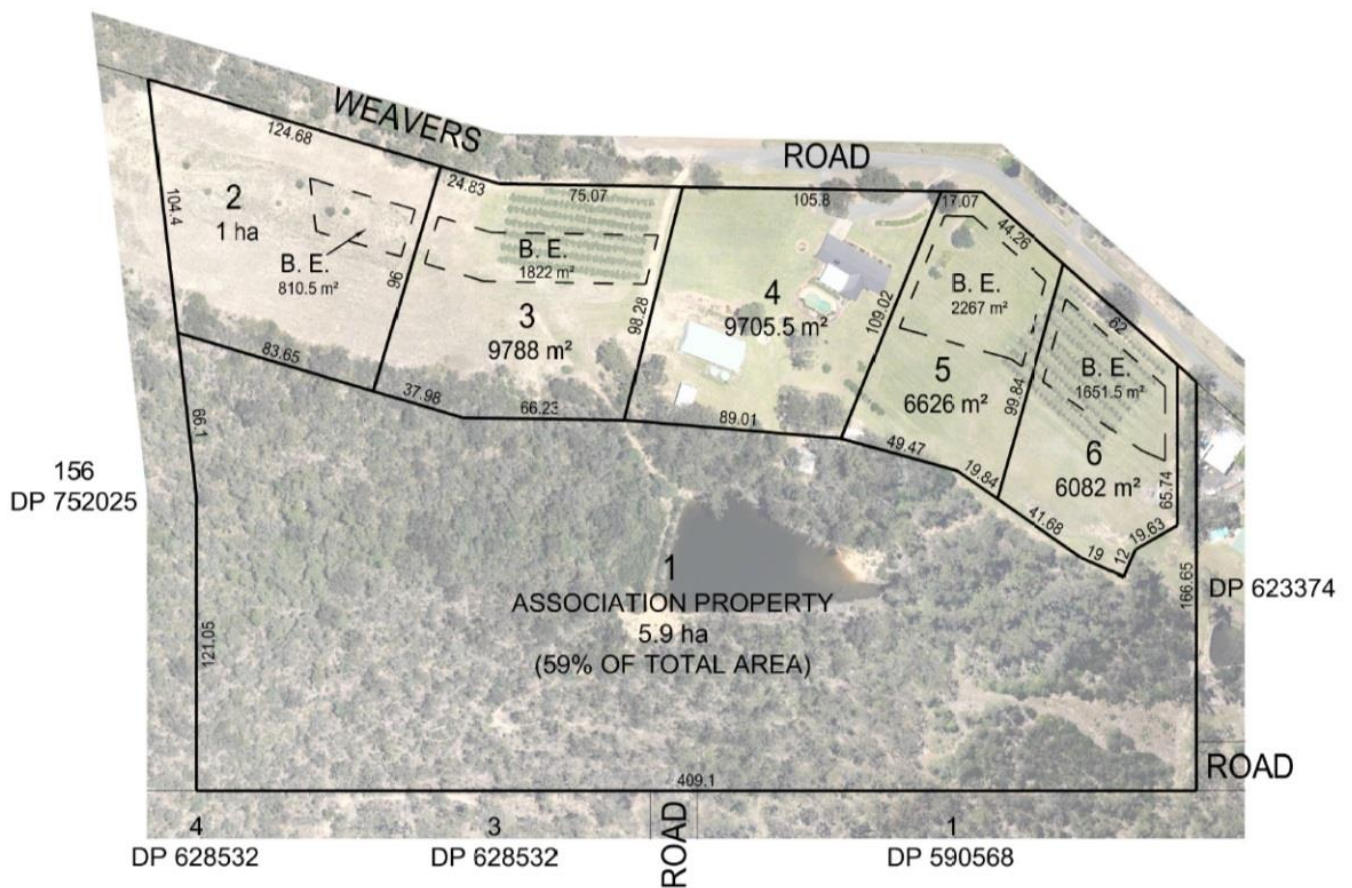


Figure 3

Proposed subdivision concept

PART 2 EXPLANATION OF THE PROVISIONS

The planning proposal outcome will be achieved by;

1. Amend The Hills Local Environmental Plan 2012 Land Zoning Map to rezone the site from RU1 Primary Production to RU2 Rural Landscape; and
2. Amend The Hills Local Environmental Plan 2012 Terrestrial Biodiversity Map to identify that part of the site affected by biodiversity.

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

1. *Is the planning proposal a result of any strategic study or report?*

No, the planning proposal is not a result of any strategic study or report.

The planning proposal has been initiated by a private landowner. The proposal seeks to facilitate a rural cluster development outcome on the land, given the site's reduced capacity to sustain agricultural activities, the peripheral location at the interface with the RU2 Rural Landscape zone and the extent of significant biodiversity on the site.

It is considered that there is justification for a rural cluster outcome on the site given the location of the site and the opportunity to secure the conservation and management of biodiversity.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the planning proposal is considered to be the best way to achieve the intended outcomes for the site.

The location at the periphery of the identified primary production area and the presence of a large area of critically endangered ecological community, Shale Sandstone Transition Forest, warrant consideration of a rural cluster outcome and the opportunity to secure the conservation and management of biodiversity land. It is considered that the potential for land use conflict can be appropriately managed through existing and proposed Development Control Plan requirements and the precedent for other sites to seek similar outcomes is limited, requiring detailed justification that environmental benefits would outweigh the loss of land identified for agricultural production.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Plan for Growing Sydney)?

Yes, a discussion of consistency is provided below.

- **A Plan for Growing Sydney**

On 14 December 2014, the NSW Minister for Planning released 'A Plan for Growing Sydney'. The Plan is intended to guide land use planning decisions for the next 20 years and presents a strategy for accommodating Sydney's forecast population growth over this time. To achieve the Government's vision for Sydney as a "strong global City and a great place to live", the Plan sets out four (4) main goals, for Sydney to be:

- A competitive economy with world-class services and transport,
- A City of housing choice with homes that meet our needs and lifestyles,
- A great place to live with strong, healthy and well-connected communities, and
- A sustainable and resilient City that protects the natural environment and has a balanced approach to the use of land and resources.

The metropolitan strategic plan aims to create a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources. The plan recognises that Sydney's metropolitan rural area contains most of Sydney's conservation reserves and significant agriculture and extractive industry. It includes actions related to protection of biodiversity, protection of resources such as mineral, energy and construction material needs and protection of productive agricultural land to keep fresh food available locally. Action 4.1.2 highlights the need for a strategic framework to enhance and protect the broad range of environmental, economic and social assets for the metropolitan rural area. The plan identifies 'agricultural clusters' throughout the metropolitan rural area which includes the locality along Old Northern Road and Wisemans Ferry Road (refer Figure 4).

The planning proposal is consistent the environmental objectives of this plan, as part of the planning proposal seeks to conserve and protect a significant area (5.9ha) of Shale Sandstone Transition Forest within a separate community association lot.

Whilst there are agricultural clusters identified within the plan (Figure 4). Formal preparation of a strategic framework that assesses the conservation, social and economic values of the metropolitan rural area has not yet been completed.

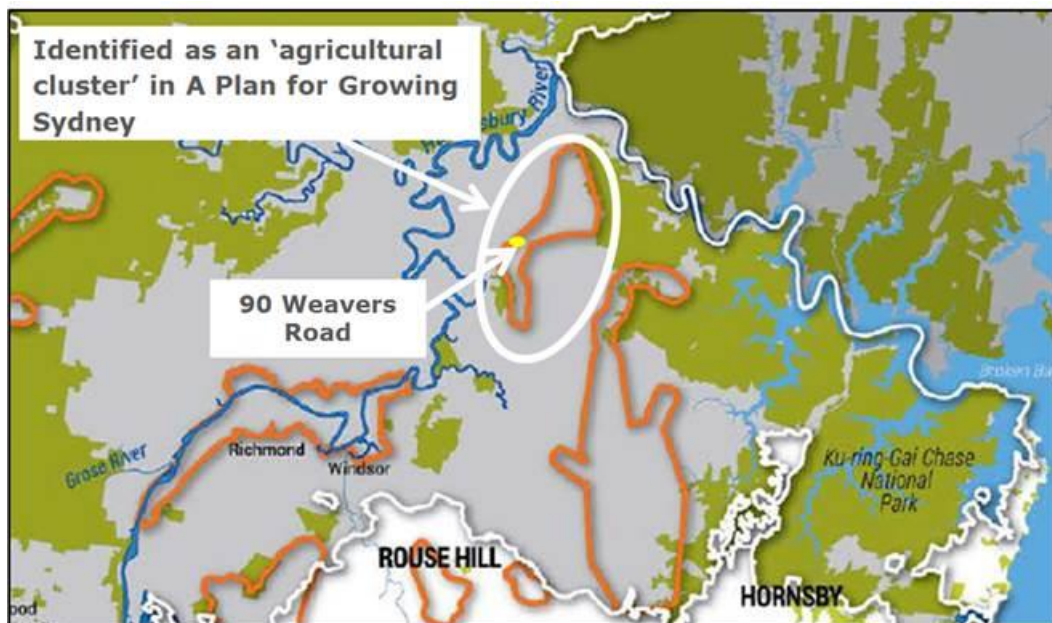


Figure 4

Extract - A Plan for Growing Sydney

Whilst the land, the subject of the planning proposal, is identified as part of the 'agricultural cluster', it currently does not accommodate any productive agricultural use. As part of the planning proposal submitted to Council, the land owner has indicated that viability for farming is limited due to site constraints including soil quality and the extent of native vegetation on the site. The capacity of the site to contribute to agricultural outcomes is addressed further in Section C.

4. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

- **The Hills Future Community Strategic Plan**

The Hills Future Community Strategic Direction articulates The Hills Shire community's and Council's shared vision, values, aspirations and priorities with reference to other local government plans, information and resourcing capabilities. It is a direction that creates a picture of where the Hills would like to be in the future. The direction is based on community aspirations gathered throughout months of community engagement and consultation with members of the community.

The planning proposal will assist in the realisation of The Hills Future outcome of protecting the natural environment.

- **Local Strategy**

Council's Draft Local Strategy was adopted in 2008, it is the principal document for communicating the future planning of the Shire and includes the objectives of longer term planning projects of the State Government as well as responding to, and planning for, local needs such as employment, housing and transport.

Key components of the Local Strategy related to the subject proposal are Rural Lands Study, Employment Lands Direction and Environment and Leisure Direction.

- *Rural Lands Strategy*

The Rural Lands Strategy was adopted in 2003 and acknowledges the importance of a consistent approach to the management of rural lands to ensure their suitability for agricultural use and to minimise the occurrence of incompatible surrounding uses. It reflects the value of

rural areas for the Shire, and the challenge of sustainable land use in the long term management of rural lands. Whilst the Strategy sought to provide for economic development opportunities, it recognised that some existing agricultural uses were marginal from an economic sustainability point of view. A specific land use designation (or zone) for agriculture was not suggested at the time the Strategy was prepared, due to the scattered nature of high class agricultural land and the lack of any large and contiguous areas of agricultural production. The proposal for a specific zone related to primary production was explored further in 2009 in the preparation of Council's Employment Lands Direction, following the opportunity offered by the Standard Instrument LEP.

The Rural Lands Strategy also includes an objective to ensure the ecological integrity of the rural lands are enhanced and maintained. It included an action to identify and protect significant linkages of native vegetation in a draft LEP for the Shires rural lands. The draft rural lands LEP reported to Council in June 2005 included an overlay designating environmentally sensitive lands, which included the rear portion of the subject site (refer Figure 5). The overlay formed the basis of the terrestrial biodiversity mapping contained in LEP 2012, since adjusted to exclude land zoned RU1 Primary Production.

Given the foregoing, the planning proposal is not considered to be inconsistent with the objectives and strategies contained within the Rural Lands Strategy. Development of the site for rural cluster subdivision, as proposed, will allow for retention of significant vegetation and will contribute to biodiversity in the area consistent with the objective of maintain and enhancing the ecological integrity of the rural area.

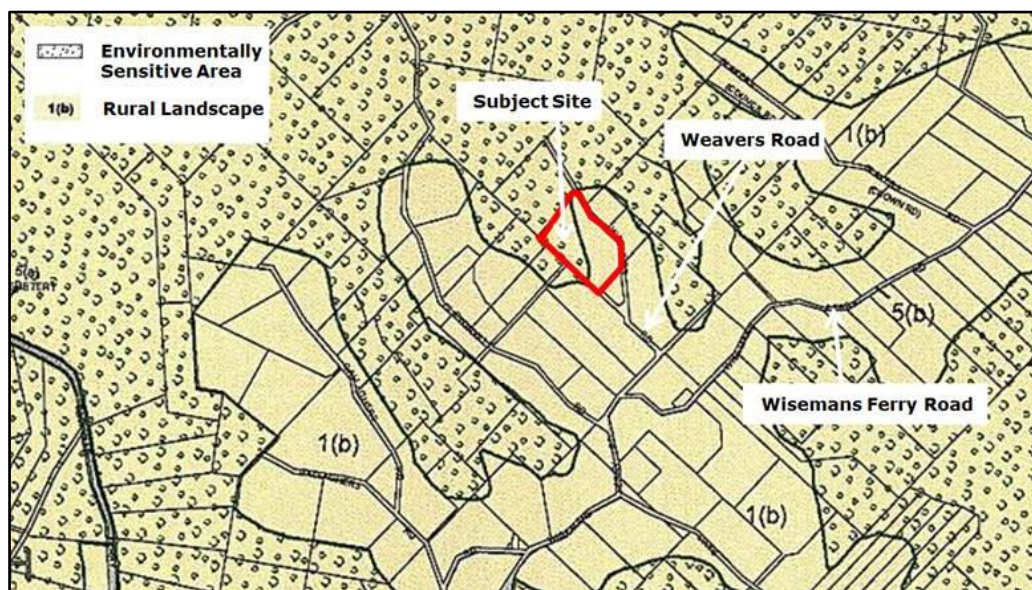


Figure 5

Extract Draft 2005 Rural Lands LEP

Part of subject site identified as environmentally sensitive area

- *Employment Lands Direction*

The Employment Lands Direction seeks to facilitate sustainable economic development that promotes growth in local business and employment opportunities. It outlines the historic contribution of the Shires rural area to the local economy including sand mining in the northern part of Maroota, where SREP 9 identifies land with extractive potential of regional significance. The Direction also identifies a cluster of horticultural use in the form of market gardens, orchards and roadside stalls selling fresh produce along the nearby Old Northern Road and Wisemans Ferry Road and recommends the creation of a new RU1 Primary Production zone to reflect the significant land uses.

The boundaries of the zone, whilst not specified in the Direction, were informed by the activities allowed under SREP 9 as well as the site opportunities and constraints such as slope, bushland and sensitive vegetation. In preparing draft LEP 2012, the subject site was included

within the boundaries of the primary production zone albeit was not in production at the time of inspection in 2009.

The current planning proposal is inconsistent with the objectives of the Employment Lands Direction, however closer examination of the suitability of the RU1 Primary Production zone for the site indicates that the capacity for agricultural uses is potentially limited by soil quality and the area of land free of vegetation and slope constraints. The location immediately adjoining the RU2 Rural Landscape zone and the environmental qualities of the land provide suitable justification for change in this instance.

- *Environment and Leisure Direction*

The Environment and Leisure Direction seeks to provide for the protection of flora and fauna in land use planning and provide for ongoing effective management of environmentally significant lands.

The planning proposal is consistent with this Direction. If supported, the concept will deliver the retention of a significant area of vegetation (Shale Sandstone Transition Forest), which is a critically endangered ecological community, within a separate community association lot as well as continuation of the biodiversity corridor in this area within the Local Environmental Plan 2012.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

- **State Environmental Planning Policy No. 55 – Remediation of Land**

There may be potential for land contamination on the subject site due to previous agricultural land uses. The proponent has not submitted a Contamination Report for the site. A future Report will be required to conclude natural soils are free of contamination and do not present a risk to human health or the environment. Additionally, the Gateway Determination may require that a further report be prepared to ensure that the site is suitable for the proposed increased residential uses.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The consistency of the planning proposal with the s.117 Ministerial Directions is detailed within Attachment B. A discussion on the consistency of the proposal with each relevant Direction is provided below.

- **Direction 1.2 Rural Zones**

Direction 1.2 Rural Zones seeks to protect the agricultural production value of rural land. The direction requires that a planning proposal must not contain provisions that will increase the permissible density of land within a rural zone. The planning proposal seeks to rezone the subject site from RU1 Primary Production to RU2 Rural Landscape which would uplift the density and enable an application to be made for rural cluster subdivision, which is inconsistent with this direction.

The inconsistency is considered to be minor as the planning proposal includes a single site that has low capacity for agricultural uses and is limited by soil quality and vegetation and slope constraints.

- **Direction 2.1 Environmental Protection Zones**

This Direction requires that a planning proposal protects and conserves environmentally sensitive areas. The proposal is consistent with this direction as it facilitates the protection of a significant area of vegetation (5.9ha of Shale Sandstone Transition Forest), as it will be within a separate community association lot that continues the biodiversity corridor in this area.

This Direction requires that a planning proposal to encourage the sound management of land mapped as bushfire prone. The direction seeks to protect life, property and environment from bushfire hazards.



A Bushfire Report submitted with the planning proposal, which states that, proposed building envelopes within the proposed new allotments have the capacity to meet the minimum requirements of "Planning for Bushfire Protection" 2006. The Direction requires that Council undertake consultation with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act), and prior to undertaking community consultation in satisfaction of section 57 of the EP&A Act. Council will need to take into consideration any comments received as part of this consultation.

Clause 5.11 of LEP 2012 requires that bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without consent. This provision ensures that bush fire hazard reduction work is not prohibited within Asset Protection Zones. The planning proposal is consistent with this Direction.

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

Appropriate studies have been undertaken to ensure that critical habitat or threatened species, populations or ecological communities, or their habitats will not be adversely affected as a result of the proposal.

Based on a desktop review of available data the high biodiversity values have been previously identified on the site or in the locality.

- Large areas of native vegetation occur on the site and Council vegetation mapping includes Shale Sandstone Transition Forest which is listed as a critically endangered ecological community under the Threatened Species Conservation Act (1995).
- A 10 kilometre search of Bionet (Atlas of NSW Wildlife) returns over 2,000 records from over 100 threatened species from the locality. Therefore there is a high likelihood of threatened species and/or their habitats occurring on the site.
- The site has good connectivity, with two large vegetated corridors within the site connected to large areas of bushland in the surrounding area, especially to the north and north-west of the site.
- Presence of creek lines and large dams occur on the site, associated predominately with the above corridors.

There is a clear distinction within the site of cleared land and the areas of retained native bushland where the majority of the biodiversity values identified above would occur. The north western boundary directly adjoins land zoned as RU2 Rural Landscape. This zoning in the surrounding area includes land mapped as "Biodiversity" on the Terrestrial Biodiversity Map that would generally support rural cluster subdivision development subject to satisfaction of the applicable Local Environmental Plan 2012 and Development Control Plan requirements. Under the mapping criteria used for the preparation of LEP 2012 the biodiversity values identified above would have resulted in the Terrestrial Biodiversity mapping extending onto the subject site, and only the RU1 Primary Production zoning precluded this from occurring.

The Development Control Plan 2012 provides controls related to minimum lot sizes for community title schemes and includes guiding principles to ensure the protection of the landscape, biodiversity and rural setting of the land. The DCP also requires that a minimum 60% of the site is to be provided as the association property. The management of this area would be governed by a Vegetation Management Plan to assure that the biodiversity on the site is protected, maintained and enhanced.

Should the planning proposal proceed amendments will occur to the Terrestrial Biodiversity map as shown in Part 4.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The subject site is identified as Bush Fire Prone Land and any development that may occur on the subject site would be subject to the requirements of the NSW Rural Fires Act 1997 and the implementation of appropriate asset protection zones.

It is considered the proposed amendments to *The Hills Local Environmental Plan 2012* do not result in any additional likely environment effects that would not already be anticipated under the current controls applicable to the site.

Any future development application for the site would be assessed against the LEP provisions and the Hills Development Control Plan having regard to potential impacts of the development on adjoining and surrounding property owners.

9. Has the planning proposal adequately addressed any social and economic effects?

Desktop analysis of aerial imagery from 2005 to 2014 identifies that there has been a reduction in land area within the Shire used for horticultural activities (329.7 ha in 2005 and 317.8 ha in 2014). Part of the loss of agricultural land has been a result of urban development in the release areas. However, there has also been a -7.3% decrease in the area of land used for horticulture in the RU1 Primary Production zone in Maroota since 2008 (refer Table 1).

	2008	2014	% change
Horticultural activities (market gardens, orchards, crops)	161.7ha	149.74ha	-7.3%
Extractive industries	102.9ha	120.9ha	+17.4%

Table 1

Changes to horticultural activities and extractive industry operations
RU1 Primary Production zone 2008 to 2014

The Maroota area is characterised by dispersed agricultural lots used predominately for intensive horticultural purposes such as market garden cultivation, orchard vines and large crops. Extractive industry operations within the SREP 9 boundary have increased in land area by 17.4% since 2008 (refer Table 1) and partly account for the reduction in horticultural activities in the locality. Figure 7 shows the changes to horticultural activities and extractive industry operations in the RU1 Primary Production zone between 2008 and 2014.

Given that the RU1 Primary Production zone was only introduced in October 2012 and the analysis is based on 2014 aerial imagery, it is considered too soon to gauge whether the use of the zone will deliver on the objective of encouraging primary industry production in the locality. However, it is observed that the ongoing horticultural activities are generally on larger unconstrained sites with land areas in the order of 12ha.

A five class system used by NSW Agriculture classifies land in terms of its suitability for general agricultural use. Agricultural land is classified by evaluating biophysical, social and economic factors that may constrain the use of land for agricultural purposes. The subject site is identified as a mix of two classes being Class 4 (approximately 6ha) and Class 3 (approximately 4ha).

Class 3 lands are suited to cropping but not continuous cultivation with production risks managed through cropping in rotation with pastures. The land is well suited to grazing with limitation to production including shallow, stony or eroded soils. Soil conservation or drainage works may be required to improve the cultivation capacity. Class 4 land is generally suitable for grazing but not for cultivation. Overall level of production is comparatively low due to major environmental constraints.

The subject site at 90 Weavers Road has a total site area of 10.12 hectares, of which approximately 5.9ha or 59% contains significant vegetation. This leaves approximately 3.66ha for agricultural activities, excluding the area currently occupied by existing buildings and paved areas. Of this 40% or 1.46ha is Class 4 agricultural land with limited cultivation capacity (Figure 8). An area of approximately 0.66ha in the Class 3 agricultural lands has been previously cleared for orchards however the land owner indicates that this is not viable as the two main retail outlets prefer to deal with large volume growers.

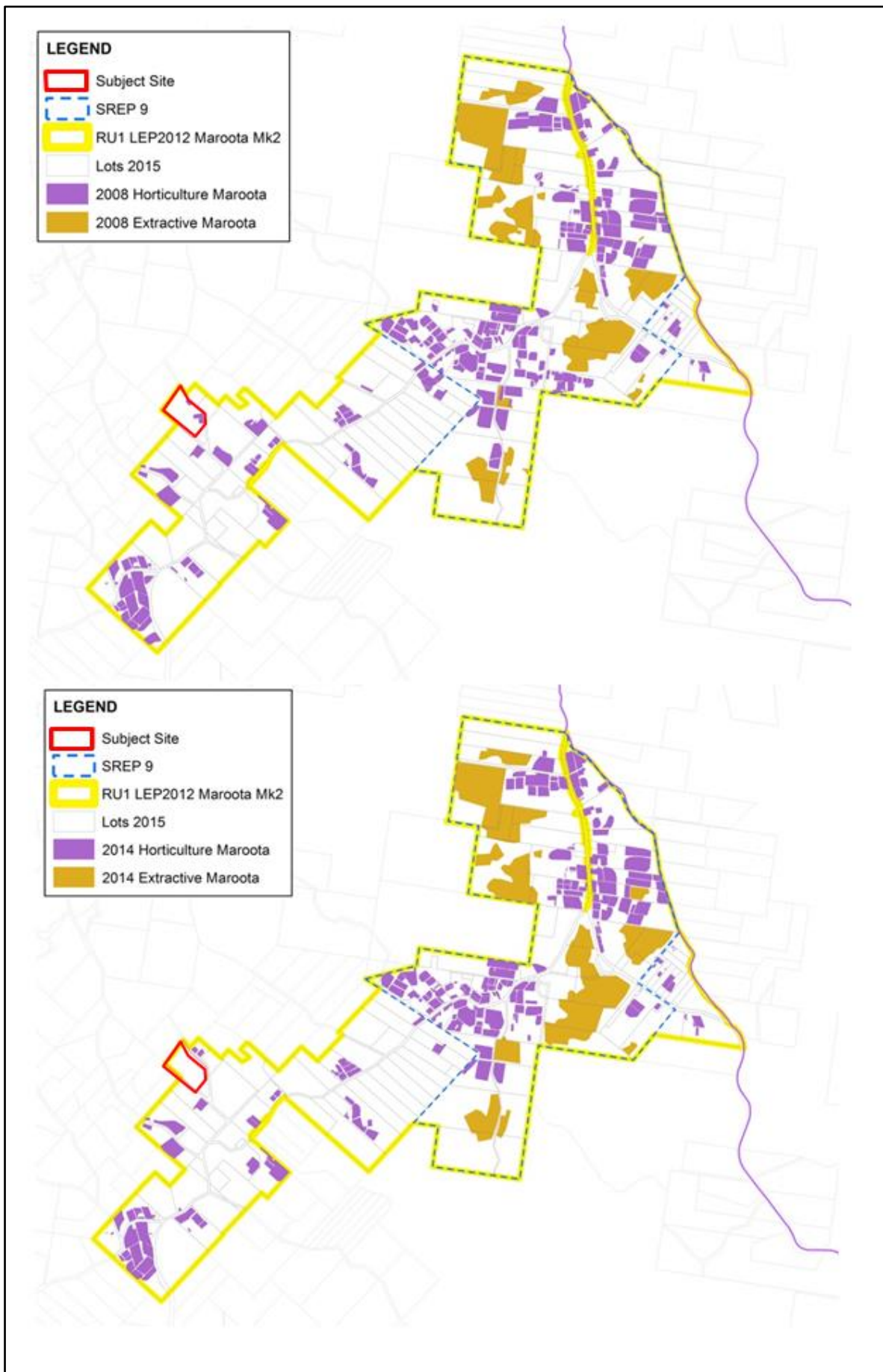


Figure 7
Changes to horticultural activities and extractive industry operations
RU1 zone Primary Production zone 2008 to 2014

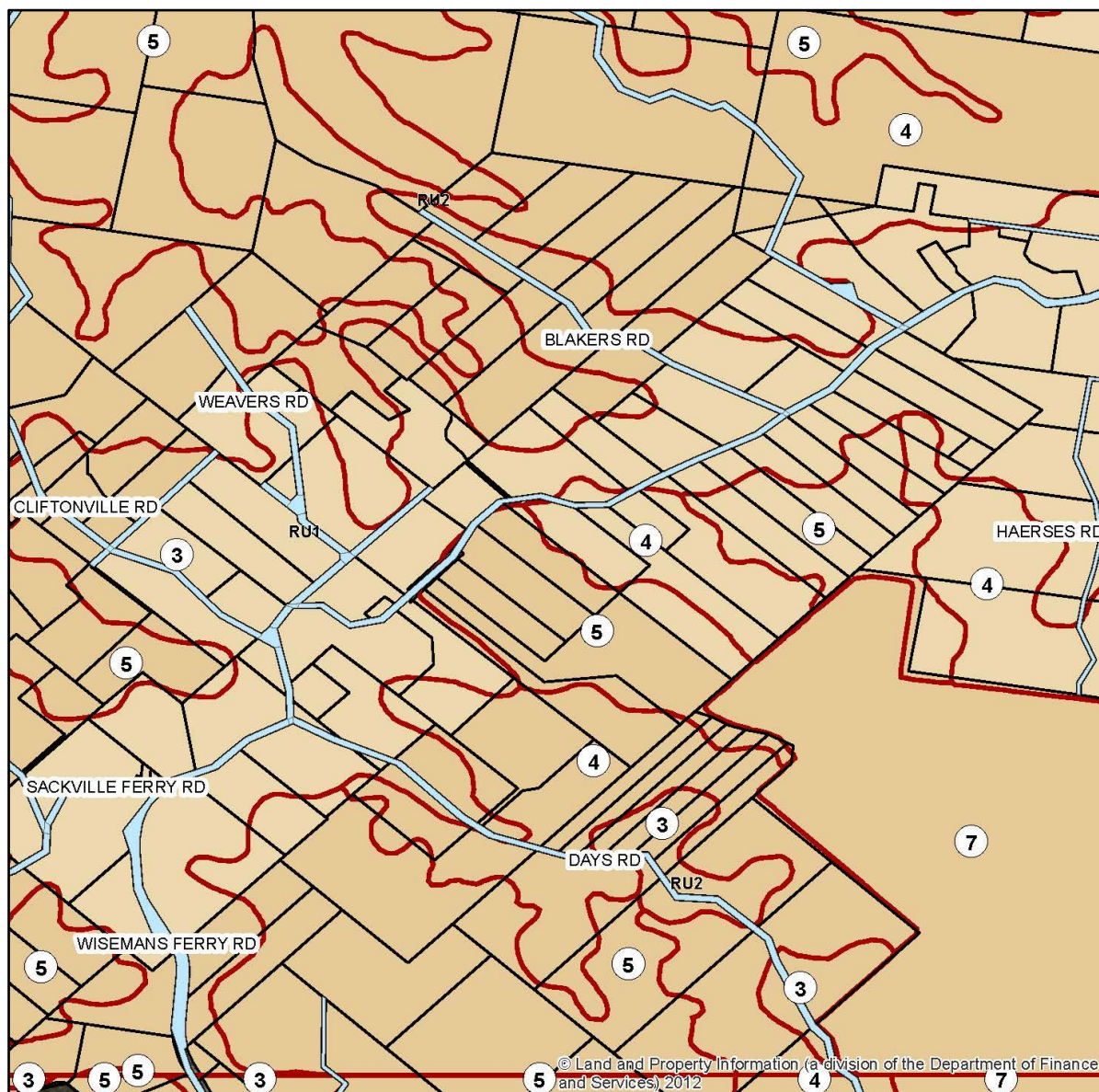


Figure 8
 Agricultural land classifications in the Maroota locality
 (Source: Department of Primary Industry, 2016)

A Soil Chemistry Profile Assessment submitted with the planning proposal concludes that the soil from the subject site is strongly acidic with a high portion of exchangeable hydrogen. As the soil is sandy based material, the soil has a poor ability to retain plant nutrients. The assessment also notes that the ability of the soil to hold water is low and, in its current state, is not an ideal agricultural soil.

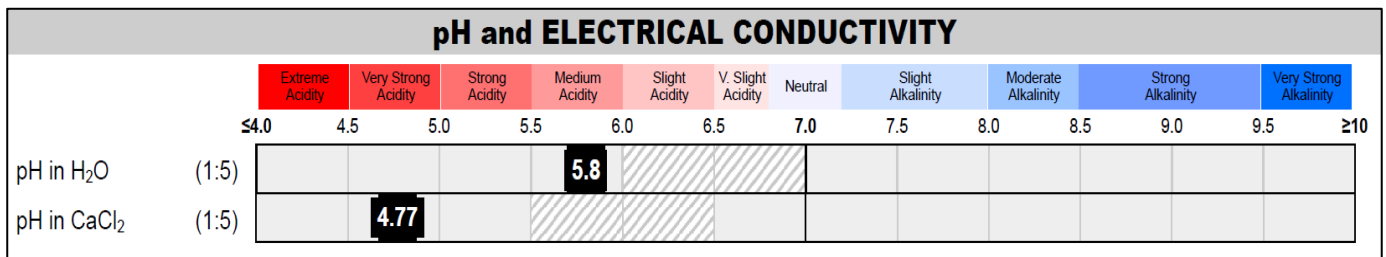


Figure 9
pH testing of soil from subject site

Given the number of constraints to undertaking agriculture on the subject site, it is not considered that the proposal will result in the loss of productive agricultural land. Allowing opportunity for rural cluster subdivision will facilitate conservation and ongoing management of the land affected by significant biodiversity. In this instance, this outcome is preferred. Proceeding with the proposal would require further consultation with the Department of Trade and Investment, Regional Infrastructure and Services, Primary Industries but, given the analysis undertaken, the proposed change is considered to be justified.

SECTION D - STATE AND COMMONWEALTH INTERESTS

10. Is there adequate public infrastructure for the planning proposal?

Given the scale of the proposal no significant augmentations will be required to the existing infrastructure to ensure that future development lots are appropriately serviced. However it will be appropriate for consideration to be made in relation to the following infrastructure:

- Water Services

The Development Control Plan 2012 provides development controls related to new dwellings and includes a control relating to water supply. The control requires that sites that do not have access to reticulated water must provide a minimum water supply of 80,000 litres for domestic purposes.

- Sewerage Services

Requirements for wastewater and effluent disposal areas also include controls that require proposals to demonstrate sufficient area is available for any proposed on-site sewerage management and effluent disposal areas. Proposals must ensure compliance with Council's Local Approvals Policy. Wastewater and effluent disposal areas must be located on land that is 40m from a dam or intermittent watercourse, 100m from a permanent water course 6m from a structure, property boundary or native vegetation, not on slope greater than 15% and has a soil depth greater than 300mm.

The proposed development outcome and associated services will be assessed at the subdivision and development application stage prior to construction certificate. The subject site also falls under The Hills Section 94A Contribution Plan where the levy will contribute to public facilities and services.

11. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal? (Note: The views of State and Commonwealth Public Authorities will not be known until after the initial gateway determination. This section of the planning proposal is completed following consultation with those public authorities identified in the gateway determination.)

A list of relevant agencies would be determined as part of the Gateway Determination. Following the Gateway determination, all relevant agencies will be consulted.

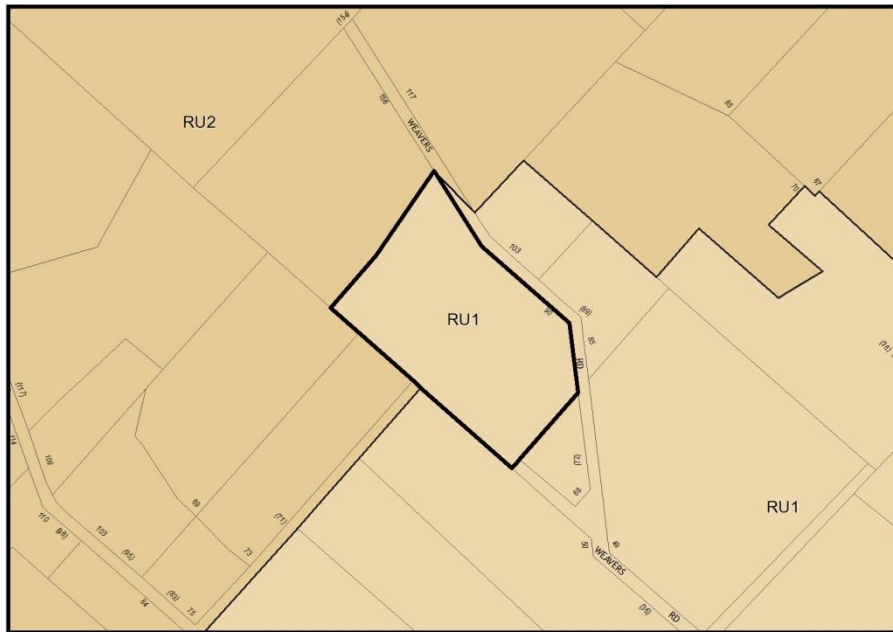
A preliminary list of public agencies which could be consulted is included below.

- NSW Rural Fire Service;
- Office of Environment and Heritage;
- Sydney Water; and
- Endeavour Energy.

PART 4 MAPPING

The planning proposal seeks to amend the Land Zoning Map of *The Hills Local Environmental Plan 2012*.

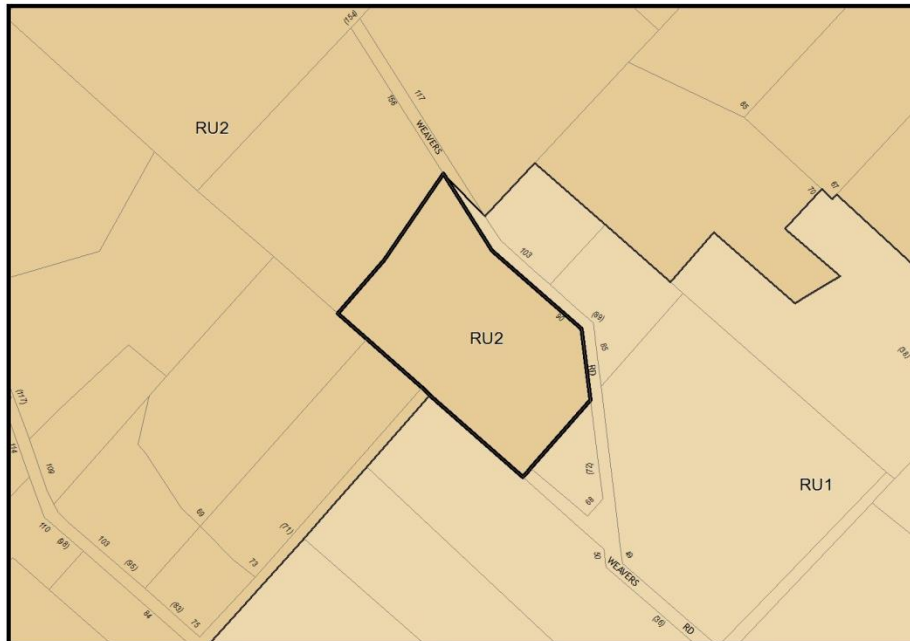
Existing Land Zoning Map



Land Zoning (LZN)

RU1 Primary Production **RU2** Rural Landscape

Proposed Land Zoning Map

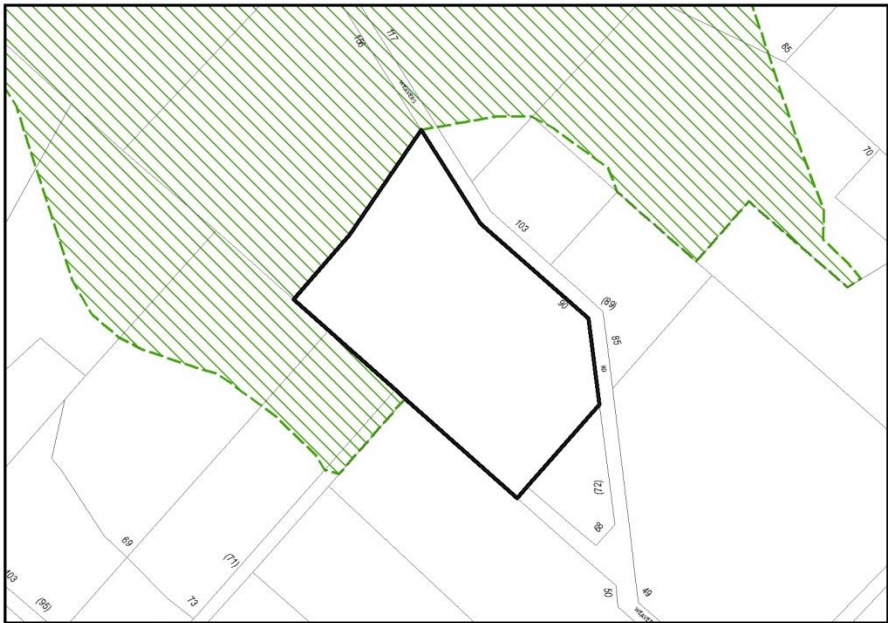


Land Zoning (LZN)

RU1 Primary Production **RU2** Rural Landscape

The planning proposal seeks to amend and Biodiversity Layer of *The Hills Local Environmental Plan 2012*.

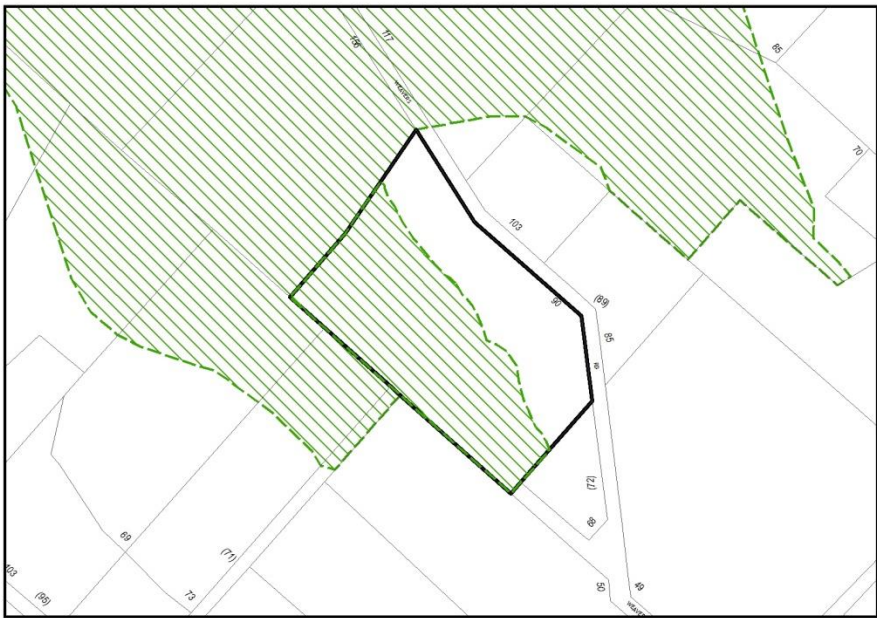
Existing Biodiversity Layer



Biodiversity Map

 Biodiversity

Proposed Biodiversity Layer



Biodiversity Map

 Biodiversity

PART 5 COMMUNITY CONSULTATION

The planning proposal will be advertised in local newspapers and on display at Council's administration building, Dural Library and Rouse Hill Library. The planning proposal will also be made available on Council's website. In addition, letters will be issued to adjoining and nearby property owners and stakeholders.

PART 6 PROJECT TIMELINE

STAGE	DATE
Commencement Date (Gateway Determination)	July 2016
Government agency consultation	August 2016
Commencement of public exhibition period (28 days)	September 2016
Completion of public exhibition period	October 2016
Timeframe for consideration of submissions	November 2016
Timeframe for consideration of proposal post exhibition	November 2016
Report to Council on submissions	December 2016
Planning Proposal to PCO for opinion	January 2017
Date Council will make the plan (if delegated)	February 2017
Date Council will forward to department for notification (if delegated)	February 2017

ATTACHMENT A: LIST OF STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/CONSISTENT
No. 1	Development Standards	NO	-	-
No. 14	Coastal Wetlands	NO	-	-
No. 15	Rural Landsharing Communities	NO	-	-
No. 19	Bushland in Urban Areas	YES	NO	-
No. 21	Caravan Parks	YES	NO	-
No. 26	Littoral Rainforests	NO	-	-
No. 29	Western Sydney Recreation Area	NO	-	-
No. 30	Intensive Agriculture	YES	NO	-
No. 33	Hazardous and Offensive Development	YES	NO	-
No. 36	Manufactured Home Estates	NO	-	-
No. 39	Spit Island Bird Habitat	NO	-	-
No. 44	Koala Habitat Protection	NO	-	-
No. 47	Moore Park Showground	NO	-	-
No. 50	Canal Estate Development	YES	NO	-
No. 52	Farm Dams and Other Works in Land and Water Management Plan Areas	NO	-	-
No. 55	Remediation of Land	YES	YES	CONSISTENT
No. 59	Central Western Sydney Regional Open Space and Residential	NO	-	-
No. 62	Sustainable Aquaculture	YES	NO	-
No. 64	Advertising and Signage	YES	NO	-
No. 65	Design Quality of Residential Apartment Development	YES	NO	-
No. 70	Affordable Housing (Revised Schemes)	YES	NO	-
No. 71	Coastal Protection	NO	-	-
Affordable Rental Housing (2009)		YES	NO	-
Building Sustainability Index: BASIX 2004		YES	NO	-
Exempt and Complying Development Codes (2008)		YES	NO	-
Housing for Seniors or People with a Disability (2004)		YES	NO	-
Infrastructure (2007)		YES	NO	-
Kosciuszko National Park – Alpine Resorts (2007)		NO	-	-
Kurnell Peninsula (1989)		NO	-	-
Major Development (2005)		YES	NO	-
Mining, Petroleum Production and Extractive Industries (2007)		YES	NO	-
Miscellaneous Consent Provisions (2007)		YES	NO	-
Penrith Lakes Scheme (1989)		NO	-	-
Port Botany and Port Kembla (2013)		NO	-	-
Rural Lands (2008)		NO	-	-
SEPP 53 Transitional Provisions (2011)		NO	-	-
State and Regional Development (2011)		YES	NO	-
Sydney Drinking Water Catchment (2011)		NO	-	-

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/CONSISTENT
Sydney Region Growth Centres (2006)	NO	-	-
Three Ports (2013)	NO	-	-
Urban Renewal (2010)	NO	-	-
Western Sydney Employment Area (2009)	NO	-	-
Deemed SEPPs			
SREP No. 8 (Central Coast Plateau Areas)	NO	-	-
SREP No. 9 – Extractive Industry (No. 2 – 1995)	YES	NO	-
SREP No. 16 – Walsh Bay	NO	-	-
SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997)	YES	NO	-
SREP No. 24 – Homebush Bay Area	NO	-	-
SREP No. 25 – Orchard Hills	NO	-	-
SREP No. 26 – City West	NO	-	-
SREP No. 30 – St Marys	NO	-	-
SREP No. 33 – Cooks Cove	NO	-	-
SREP (Sydney Harbour Catchment) 2005	NO	-	-

ATTACHMENT B: ASSESSMENT AGAINST SECTION 117 MINISTERIAL DIRECTIONS

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
1. Employment and Resources				
1.1	Business and Industrial Zones	NO	-	-
1.2	Rural Zones	YES	YES-	INCONSISTENT
1.3	Mining, Petroleum Production and Extractive Industries	NO	-	-
1.4	Oyster Aquaculture	NO	-	-
1.5	Rural Lands	NO	-	-
2. Environment and Heritage				
2.1	Environment Protection Zone	YES	YES	CONSISTENT
2.2	Coastal Protection	NO	-	-
2.3	Heritage Conservation	NO	-	-
2.4	Recreation Vehicle Area	NO	-	-
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	NO	-	-
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones	NO	-	-
3.2	Caravan Parks and Manufactured Home Estates	NO	-	-
3.3	Home Occupations	NO	-	-
3.4	Integrating Land Use and Transport	NO	-	-
3.5	Development Near Licensed Aerodomes	NO	-	-
3.6	Shooting Ranges	NO	-	-
4. Hazard and Risk				
4.1	Acid Sulfate Soils	YES	NO	-
4.2	Mine Subsidence and Unstable Land	NO	-	-
4.3	Flood Prone Land	YES	NO	-
4.4	Planning for Bushfire Protection	YES	YES	CONSISTENT
5. Regional Planning				
5.1	Implementation of Regional Strategies	NO	-	-
5.2	Sydney Drinking Water Catchment	NO	-	-
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	NO	-	-
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	NO	-	-
5.8	Second Sydney Airport: Badgerys Creek	NO	-	-

DIRECTION		APPLICABLE	RELEVANT? (YES/NO)	(IF RELEVANT) INCONSISTENT/ CONSISTENT
5.9	North West Rail Link Corridor Strategy	NO	-	-
6. Local Plan Making				
6.1	Approval and Referral Requirements	NO	-	-
6.2	Reserving Land for Public Purposes	NO	-	-
6.3	Site Specific Provisions	NO	-	-
7. Metropolitan Planning				
7.1	Implementation of the Metropolitan Plan for Sydney 2036	NO	-	-
7.2	Implementation of Greater Macarthur Land Release Investigation	NO	-	-