

## 14 PLACE AND LANDSCAPE

Item 14.1 – Report on the Impacts of Secondary Dwellings and Item 14.2 – Adoption of Bingara Gorge No.2 Planning and Agreement Amendment have been moved to the Open Items by Exception part of the document.

### 14.3 DRAFT PLANNING PROPOSAL - PROPOSED AMENDMENTS TO WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011 (APPROVAL PATHWAYS FOR HORTICULTURE IN RURAL ZONES)

At 6:49 pm, Cr Blair Briggs left the meeting due to a previously declared conflict of interest.

#### RESOLUTION 20/2024

Moved: Cr Matthew Gould

Seconded: Cr Suzy Brandstater

**That Council:**

1. **Agree that the draft Planning Proposal (Approval Pathways for Horticulture in Rural Zones) has strategic planning merit**
2. **Submit the Planning Proposal to the NSW Department of Planning, Housing and Industry with a request for a Gateway determination *after the following changes have been incorporated:***
  - a) ***Amend clause 2 of the proposed complying development schedule and clause 2 of the proposed exempt development schedule to read "If the use is proposed to include hydroponic operations that utilise drain to waste systems any waste water must be appropriately collected and either used to irrigate field based horticulture on the landholding or else be fully captured and appropriately disposed of."***
  - b) ***Amend clause 3 of the proposed complying development schedule and clause 3 of the proposed exempt development schedule to read "Must have access to a suitable water source to sustain the use"***
  - c) ***Remove the lot size based setbacks and amend the minimum setback changes for controlled-environment horticulture in RU1, RU2 & RU4:***
    - i. ***For property boundaries adjoining any residential zone – 20 metres***
    - ii. ***For property boundaries not adjoining a residential zone – 10 metres. (not including any property boundary that forms part of the landholding)***
  - d) ***Provide an incentivised minimum 5m setback for certified organic field-based horticulture***
  - e) ***Ensure protective covering such as hail and bird netting is captured in field based controls***
  - f) ***Amend the slope controls to allow field based and controlled environment horticulture on a slope up to 15%, after any allowable cut and fill (up to a maximum of 1 metre).***
  - g) ***Remove the limitations on operational hours & machinery repairs , noting industry needs.***
  - h) ***Amend clause 15 of the proposed complying development schedule and clause 15 of the proposed exempt development schedule to read "Must not result in the***

***removal of any native vegetation that requires a permit, approval or development consent, unless the removal or pruning is carried out in accordance with the permit, approval or development consent."***

- i) Amend the proposed maximum height of controlled environment structures to 8 metres above existing ground levels.***
- j) The addition of a pathway for small scale horticulture as exempt development in the RU2 and RU4 zones.***
- k) Greater clarity that the proposal applies to both the land use and the provision of supporting buildings & infrastructure.***
- 3. Acknowledge the feedback from Water NSW and continue to work proactively with state agencies in progressing the planning proposal.***
- 4. Request authorisation for Council as the Local Plan Making Authority to undertake the plan making functions for this Planning Proposal.***
- 5. Write to the Minister for Planning and Public Spaces requesting an exception to clause 4.19 Wildlife hazards of State Environmental Planning Policy (Precincts – Western Parkland City) 2021, where horticulture is undertaken in a fully enclosed controlled environment structure.***
- 6. Through the consultation process, provide plain English, user friendly information including:***
  - a) The intent of the proposal and how it encourages greater horticultural production within the shire***
  - b) an explanation that the provisions will only generally apply to the rural zones and that certain properties may not be able to access the exempt or complying pathways due to constraints***
  - c) Mapping to explain the areas that will be excluded due to environmental or other constraints.***
- 7. Ensure that the changes outlined in the planning proposal are incorporated into council's affordable farming initiative.***
- 8. Write to the Hon Andrew Giles, Minister for Immigration, Citizenship and Multicultural Affairs and the Member for Hume, the Hon Angus Taylor seeking the permanent inclusion of Wollondilly within the second or third working holiday visa (subclass 417) program Seasonal Worker Program.***
- 9. Thank and commend the exceptional work of the Agricultural and Rural Industries Advisory Group and Council staff in helping to develop the Planning Proposal.***

On being put to the meeting the motion was declared **CARRIED 8/0**

In Favour: Crs Michael Banasik, Suzy Brandstater, Matthew Deeth, Hilton Gibbs, Matthew Gould, Judith Hannan, Paul Rogers and Beverley Spearpoint

Against: Nil

At 6:58 pm, Cr Blair Briggs returned to the meeting.