

**ITEM-10 SUBMISSIONS TO DRAFT RURAL STRATEGY -
STAGE 2 - RURAL LANDS STUDY (FP116)**

KEY RESULT AREA: Planning and Development

BUSINESS PROGRAM: Forward Planning - Strategic

BUSINESS GOAL: *To provide long term planning strategies for the future of the Shire.*

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STRATEGIC PLANNING CO-ORDINATOR

HISTORY

22/04/2003 Council resolved that the Draft Rural Strategy be exhibited for a period of one month.

**06/05/2003 –
03/06/2003** Public Exhibition of the Draft Rural Strategy

REPORT

1. Exhibition of the Draft Rural Strategy

In accordance with Council's resolution of 22 April 2003, the Draft Rural Strategy was exhibited for period of one month, from Tuesday 6 May 2003 to Tuesday 3 June 2003. A total of 5059 rural property owners in the Shire were advised of the exhibition by way of written notification. The Draft Rural Strategy was exhibited at the following locations: -

- Council's web site
- Dural Library, Pellitt Lane, Dural
- Chatman's Local Store, Sackville North
- Wisemans Ferry Post Office, Old Northern Road, Wisemans Ferry
- Maroota Public School & Resource Centre, Old Northern Road, Maroota
- Maraylya Service Station, 415 - 417 Boundary Road, Maraylya
- Glenorie RSL, Post Office Road, Glenorie
- Annangrove Supermarket, Annangrove Road, Annangrove

During the exhibition period a total of sixty nine (69) submissions were received, including three (3) petitions, ten (11) submissions from resident groups or special interest community groups and five (5) from Statutory Authorities.

The Draft Rural Strategy document contained the following information: -

- Details of community engagement throughout the process;

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- Strategy issues - including constraints to and opportunities for development;
 - Response to the strategy issues – including biodiversity conservation, social sustainability, preservation of rural land, economic development & rural tourism and indicators of sustainability;
 - Growth management philosophy for the rural lands;
 - Development principles for the rural lands;
 - Strategies for the rural lands; and
 - Rural land use designations.

2. Issues Raised in Submissions

The main issues raised in regard to Stage 2 related to the following: -

(i) Community Expectation for the Development of Rural Lands

A number of submissions stated that the draft Strategy does not reflect the community's desires and wishes for the development of rural lands as conveyed in the community workshops. In this regard, the majority of workshop participants identified subdivision as the issue of highest priority, whereas the draft Strategy does not support further subdivision of the rural area other than cluster subdivision in the 'Rural Landscape' designation.

Comment:

The community workshops were intended as a two-way exchange of information, allowing the community to be informed about issues and constraints associated with the rural lands of the Shire, as well as providing an opportunity for residents to express their desires for the future of the area. The Draft Rural Strategy is based on comments made at the community workshops, together with the findings of Stage 1 principally the Background and Issues Report, and consultation with relevant Statutory Authorities.

The Draft Rural Strategy aims to balance community desires, such as subdivision, with recent legislation requirements, servicing issues as well as the constraints and opportunities for rural land such as bushfire, biodiversity conservation, water catchment management, landscape protection, economic development, land use conflicts and growth management. As a result an outcome of this work is that not all community expectations are able to be met in the rural area.

(ii) Subdivision

The majority of submissions from individual property owners stated that further subdivision should be allowed in areas where there are currently restrictions on the minimum allotment size i.e. 4000m² (1 acre) lots in Glenhaven, Dural and North Kellyville, 1 hectare lots in the 1(c) zone, and 2 hectare (5 acre) lots in the 1(b) zone. The most common reasons provided in support of subdivision included: -

- There is no continuing agricultural or farming uses in the area, and therefore there will be no potential conflict between rural residential and agricultural landuses;
- There is no need for rural residential allotments to be connected to reticulated water or sewerage services as water tanks can provide adequate potable water supply and modern effluent disposal technology can adequately dispose of effluent on small parcels of land;
- The increase in population would benefit the community by increasing support of local schools, shops and organisations and would ensure the provision of required services and infrastructure funded by Developer Contributions;

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- Bushfire should not be considered a constraint to further subdivision as smaller allotments are easier to maintain;
 - Subdivision would promote the affordability of rural housing / land and allow family members to live near each other;
 - There is a high real estate demand for 2 hectare rural lots.

Comment:

The subdivision potential of land was based on a consideration of relevant opportunities and constraints including, topography, slope, vegetation, bushfire and other environmental aspects. Subdivision to an area less than 2 hectares is more consistent with urban development and therefore requires access to urban services such as suitable roads, and reticulated water and sewer. In response to the reasons provided to justify further subdivision, the following comments are made: -

- In regard to existing or future agriculture, where land is not suitable for intensive agricultural purposes other complimentary rural landuses or agricultural uses may be viable. The Strategy also aims to manage potential landuse conflicts by developing specific policies to manage rural businesses and activities.
- Where there is no access to a reticulated water and sewerage system, subdivision should be restricted. In this regard, water tanks are not considered appropriate as the sole source of permanent water for rural-residential development. The area required for on-site sewerage management systems varies in accordance with the physical features of the site such as soil type, slope and vegetation. It is generally considered that reticulated water and sewerage services are essential for small lot rural-residential development.
- Sydney Water has advised that there are no plans for the extension or amplification of existing services within the rural area. Existing water infrastructure cannot cater for additional population and any subdivision of rural land would require major amplification of the system to ensure existing pressure remains the same. Sydney water has advised that there are no plans to extend services into the rural areas and recommends that subdivision within low-pressure areas should also be restricted, as further subdivision in these areas impacts on the maintenance of water pressure elsewhere.
- Increasing the population and density of rural subdivision has environmental, social and economic impacts. Population and development pressure are also the most common cause of habitat degradation. A denser settlement pattern and increased population, creates more traffic, as well as potential loss of amenity for rural dwellers.
- Bushfires are a naturally occurring process in the Australian environment and are a significant constraint to development in the rural area. Management of the bushfire risk involves careful landuse planning and consideration of physical constraints such as slope, vegetation cover and accessibility, and fire prevention strategies such as the establishment of asset protection zones. New Bushfire legislation requirements cannot be ignored.
- In regards to affordability and the issue of providing land for family members, dual occupancy development provides for additional accommodation in the vicinity of the primary dwelling on rural properties and may be one opportunity to address this matter.

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- It is recognised that the rural area offers a highly attractive lifestyle option and that the subsequent demand, especially for 2 hectare lots, is high. However, the short-term economic benefits of subdivision do not outweigh the long-term problems associated with subdivision. Further, it is considered that the attractability and scenic qualities of the rural area begins to be eroded by the additional population and development resulting from further subdivision.

(iii) Cluster Density Subdivision

A number of submissions objected to the provision for cluster subdivision in the 'Rural Landscape' designation, including the proposed density of 1 dwelling per 4 hectares. The use of community title was generally not favoured and the minimum allotment size was requested be reduced to 10 hectares, due to the difficulty in consolidating allotments to the minimum 20 hectares. There was also some suggestion that the density should be reduced to 1 dwelling per 3.3 hectares.

Comment:

Cluster subdivision is a form of subdivision which groups the dwelling lots together allowing the retention of open space or the preservation of significant environmental attributes within a community title arrangement. It also allows land to be kept in large holdings so that the future urban subdivision potential is not compromised.

The proposed density of 1 dwelling per 4 hectares was chosen having regard to the existing lot pattern and size and landscape sensitivity of the areas to which the provisions would apply. Community title subdivision is used as it provides an opportunity to conserve and manage significant environmental attributes in common ownership. Cluster Subdivision represents one of a range of options that may have application in the rural area. Council's planning controls do not specify titling arrangements.

(iv) Dual Occupancy

Submissions commenting on dual occupancy development generally stated that the location of the second dwelling for dual occupancy development should not be restricted to behind the primary dwelling and the size of the second dwelling should not be limited to 50% of the primary dwelling. It was also stated that there should be less stringent rules about the requirements for a common driveway and combined electricity meter. Subdivision of dual occupancy development should also be permitted.

Comment:

The purpose of dual occupancy development is to allow for additional accommodation in the form of a smaller detached dwelling, which is within the curtilage of the primary dwelling on the one property title. The specific provisions relating to the form, location and size of detached dual occupancy will be the subject of further investigation in the preparation of a Rural Development Control Plan.

(v) Expansion of Rural Villages

The proposal to investigate the future expansion of rural villages was both supported and objected to, in the submissions.

Comment:

The major issues when considering the potential expansion of settlements are the provision of reticulated water and sewerage, provision of adequate access to the higher order centres (road

and public transport), ability to provide for social services and facilities, the presence of unconstrained land surrounding the settlement, fragmentation of land and ability to absorb a higher population. Topography, vegetation cover, and proximity to agriculture were identified as potential constraints to expansion.

Of the four rural villages only Glenorie was identified as having the potential for expansion. However, in their submission Sydney Water advised that the Priority Sewerage Program will only investigate and provide improved wastewater services to the existing urban zoned lots in Glenorie by 2010, and that this area should not be identified as an area of potential expansion.

Annangrove and Maraylya were also identified as having potential for further investigation as potential rural villages. However, these centres would need to be connected to a reticulated sewerage system. This matter is the subject of future investigations and consultation with Sydney Water. In the case of Maraylya its proximity to land suitable for urban expansion is also a factor in any consideration of future subdivision.

(vi) *Conservation and Biodiversity Initiatives*

The majority of submissions that commented on the conservation and biodiversity initiatives in the strategy were generally in support of the initiatives or that the initiatives should be extended to be more stringent and comprehensive. There was also some concern that the emphasis on conservation and biodiversity initiatives would conflict with the promotion of agriculture or would be an impediment to the future development of rural land.

Comment:

The maintenance and protection of the natural environment, biodiversity and water quality is one of the objectives of the Rural Lands Study. The Strategy sets out specific policy actions regarding ecological management including the development of Catchment Health Indicators, the implementation of environmental protection zones to protect significant biodiversity through LEPs and the identification and mapping of native vegetation through the Natural Assets Mapping project.

(vii) *Heritage and Cultural Values.*

There was general support for the heritage and cultural initiatives discussed in the strategy and request for further work in this area. Some submissions considered that the Strategy does not adequately define cultural / heritage values or provide adequate details or strategies to manage these.

Comment:

The Strategy includes specific policy actions to promote, preserve and protect heritage and culture. The specific strategies and actions in relation to heritage and conservation will be further considered in the preparation of LEP, DCP and management plans as appropriate.

In summary the contents of all submissions have been noted and will be considered in the preparation of a draft Local Environmental Plan and Development Control Plan for the rural area.

4. Draft Rural Strategy

The issues addressed by the Draft Rural Strategy are summarised in the Growth Management Philosophy, Development Principles and Objectives set out in the Strategy. These provide a

broad framework and basis for the preparation of a Local Environmental Plan and Development Control Plan as part of Stage 3 of the Rural Lands Study.

RURAL LANDS STRATEGY

GROWTH MANAGEMENT PHILOSOPHY	<p>Management of growth in the rural areas requires the following considerations: -</p> <ul style="list-style-type: none"> ▪ Encourage and promote a diverse range of agriculture and other rural uses; ▪ Embody the concepts of: - <ul style="list-style-type: none"> - Ecologically Sustainable Development; - Total Catchment Management; ▪ Limited urban expansion (release area); ▪ Investigate opportunities for village expansion in accordance with a hierarchy of settlements; ▪ Provide opportunities for rural subdivision; ▪ Encourage a wide range of agricultural and other complimentary rural uses such as tourism having regard to environmental impact.
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DEVELOPMENT PRINCIPLES	<p>Criteria against which development can be measured to assess their sustainability should include: -</p> <ul style="list-style-type: none"> ▪ Consideration of environmental capacity and land capability including: - <ul style="list-style-type: none"> - Native vegetation and linkages; - Water courses; - Slope / topography; and - Bushfire risk. ▪ Provide choice of living opportunities and settlements types; ▪ Provide improved social and economic well being of community; ▪ Protect water quality of Hawkesbury River; ▪ Improve water quality and habitat; ▪ Have regard to natural values and features of rural area; ▪ Promote conservation philosophy; ▪ Recognize rural land in context of urban area; and ▪ Consider impact of development on rural residential and agricultural uses on surrounding properties.
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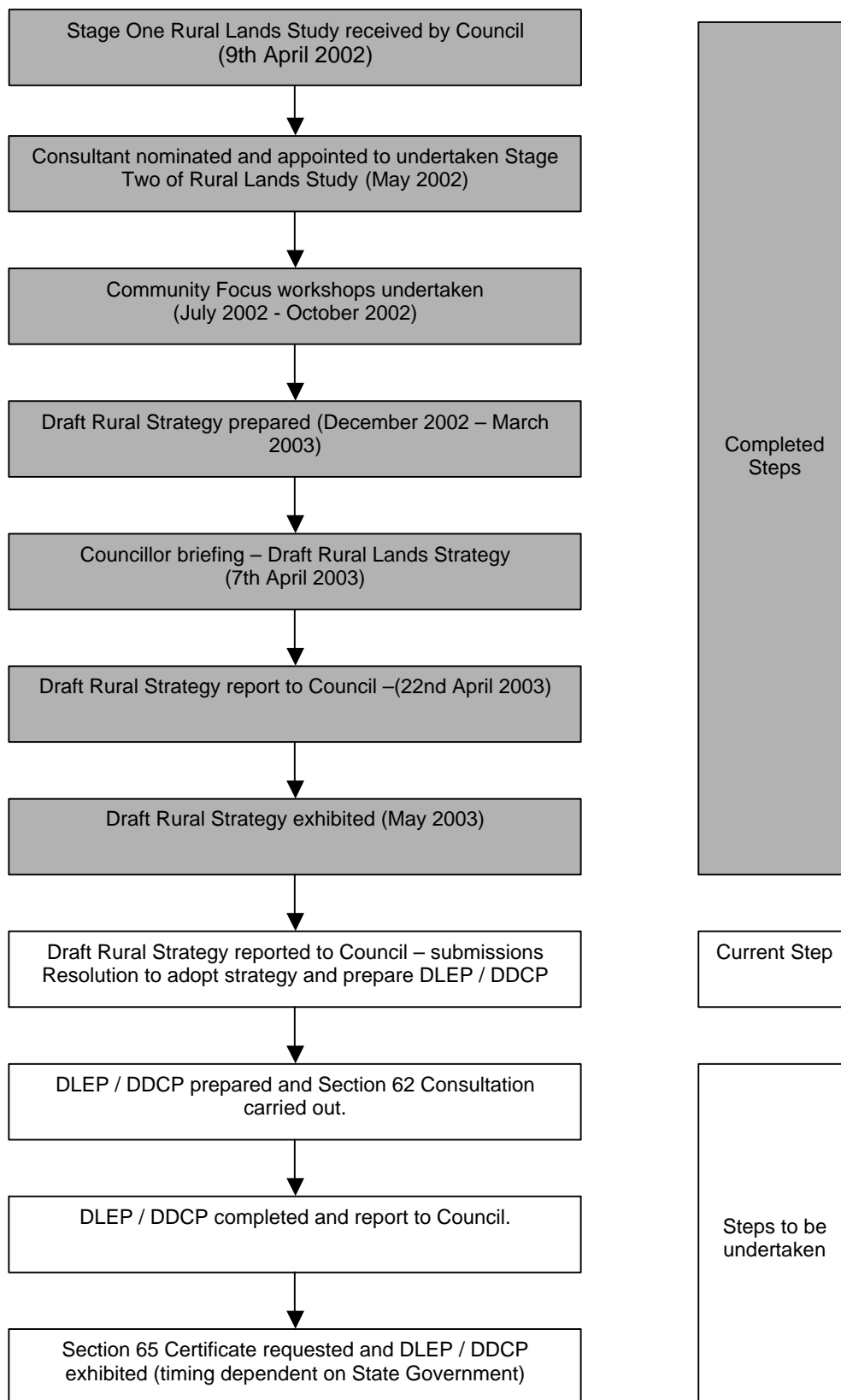
SOCIAL & ECONOMIC STRATEGIES	OBJECTIVES
Growth Management Philosophy	Provide for co-ordinated and effective growth in the Shire's rural areas.
Land Use Planning	Develop a land use framework that will give a level of certainty to the people who live in the rural areas of the Shire.
Quality of Life	Ensure that residents have adequate access to appropriate services and facilities.
Economic & Employment	To provide for economic development opportunities that is in keeping with the rural character of the Shire.
Infrastructure	Provide an adequate level of infrastructure for the people who live and work in rural parts of the Shire.

**ENVIRONMENTAL OPPORTUNITIES &
CONSTRAINTS**

Water Catchments	To ensure that the quality of surrounding waterways is not adversely affected by development.
Ecological Management	To ensure that the quality of surrounding waterways is not adversely affected by development.
Scenic Landscapes	Ensure that development has a minimal impact on the scenic and cultural landscape of the Shire.
Heritage & Culture	Ensure that urban growth is managed to retain the rural character of the Shire.
Natural Hazards	To preserve the rural heritage and culture of the Shire. Recognise the impact of natural hazards on future land use and settlement.

4. Where to Next?

The conclusion of the exhibition period and review of the submissions received marks the completion of Stage 2 of the Rural Lands Study. The flowchart below provides a current works program for the Rural Lands Study.



CONCLUSION

Following the exhibition of the Draft Rural Strategy and consideration of the submissions received, it is now considered timely to proceed with Stage 3 of the Rural Lands Study. Stage 3 involves the preparation of a Local Environmental Plan and Development Control Plan.

Accordingly, it is recommended that Council adopt the growth management philosophy, development principles and objectives contained within the Draft Rural Strategy, and proceed with the preparation of an LEP, DCP and Section 94 Plan (if required) in accordance with the Strategy.

FINANCIAL IMPACT

Funds have been provided within Council's budget (Account 27201) to accommodate this proposal. To date nothing has been expended of the 2003/04 budget provision.

RECOMMENDATION

1. Council resolve to prepare a draft Local Environmental Plan, draft Development Control Plan and Section 94 Contribution Plan in accordance with Stage 3 of the Rural Lands Study taking into account the growth management and objectives of the Draft Rural Strategy.

ATTACHMENTS

1. Proposed Settlement Hierarchy
2. Proposed Land Use Designations