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**Baulkham Hills Shire Council**  
**129 Showground Road**  
**CASTLE HILL NSW 2154**

Attention: Mark Colburt, Sustainability Program Co-ordinator  
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**SUBMISSION TO ENVIRONMENTAL MANAGEMENT PLAN**

Please accept the attached submission from **5 Acres Now**, representing a large number of landowners in the rural part of the shire.

The comments in this submission mainly deal with any impact that the Environmental Management Plan may have in regards to the aims and objectives of 5 Acres Now, which is to have growth restored to the rural shire by allowing breakdown of larger allotments to a density of one dwelling per 5 acres.

In general, the rural community has not been adequately informed about the process of the Environmental Management Plan. Until we drew it to their attention, most of our members were unaware of the existence of this document, let alone the potential impact that it will have if it were to be adopted in its present form. In our opinion, it is unreasonable to expect a community to accept a management plan about which they knew nothing.

It is noted on Page S10.2 that it is proposed to support the establishment of a local community environmental resource centre. This could be a way to inform the wider community on all council matters and it would be hoped that it could include members of the rural community on the committee if this centre becomes a reality.

We ask to be included on any Council mailing lists for information relevant to the rural part of the shire.

Yours sincerely

**Carol Petith**  
**Treasurer**

Page	Environmental Management Plan as at ITEM 11 on 7.12.04	Submission comments
108	Main amendments to the plan are housekeeping and updates to reflect Adoption of State Government targets of 40% water reduction and 15% energy reduction.	<p>These targets were picked out of thin air. Since they are arbitrary, there is no reason why they should be incorporated into the Council's management plan. If there are to be any targets set in this regard, they should be determined by a recognized process that takes all factors into account, including needs, supply, and demand</p> <p><b>Should not be adopted delete</b></p>
110	A copy of draft be sent to Environmental interest groups and a briefing be carried out to assist understanding of the plan	<p><b>The Community at large should be included in this and not only certain selected groups. Please add our group 5 Acres Now to the list of interest groups.</b></p>
115 ii	Council surveys have indicated that members of the community are prepared to pay for improvements to the local environment.	<p>Just because a small group who responded to council surveys of doubtful methodology stated they were prepared to pay for such improvements does not give the council the right to impose these costs on everyone.</p>
116 S1.1	Precautionary Principle. Measures to prevent environmental degradation should not be postponed due to lack of full scientific certainty.	<p>This is unjust.</p> <p><b>This should be deleted</b></p>
116 S1.1	Intergenerational Equity: Resources are left in trust for the benefit of future generations.	<p>This is Alice through the looking glass theory. No one knows what will be required in the future or what resources will be outdated or what new resources may be able to replace other resources. <b>This should be deleted</b></p>
116 S1.1	The fundamental goal of LA21 is to improve or maintain the community's quality of life while ensuring environmental protection, social equity, and the conservation of natural resources.	<p>The community as a whole would not benefit by the imposition of measures such as were proposed in the draft LEP 2004 (currently being reviewed) in which it was proposed to impose a Protection zoning over private lands without compensation. This is in no way equitable and is placing a prohibition on usage of private land and is devaluing private land. This would certainly not improve the community's quality of life.</p>
121 S1.6	It is clear that Baulkham Hills Shire is a region that will be facing increasing development, urban expansion and pollution pressures. The aim of the Environmental Management Plan is to provide future directions and guidelines for the mitigation of these pressures on the Shire's environmental amenity. A priority is to maintain the Shire's abundant natural assets and to attempt to maintain sustainably the diversity of land uses.	<p><b>The broader community need to be allowed to participate in any matter that may directly or indirectly affect their landholding.</b> Private land should not be treated as if it is government parkland.</p> <p>Directions and guidelines are ok but most of the assets of the Shire are owned by private landowners and as such these landowners should not be subjected to more and more rules and regulations that restrict the usage of</p>

		their land.
123 S2.1	In rural areas greenhouse emissions are largely the result of land clearing and deforestation for agricultural purposes.	In the North West Sector this is not really the case as land clearing is not occurring for agricultural purposes. Any land clearing that occurs would be a minor occurrence in this area in comparison to the big picture.
129 S3.3	To map and document the Shire's natural assets  To protect and manage the Shire's natural assets through existing zoning or with the establishment of reserve estates  To revise the LEP to ensure satisfactory zoning for the protection of diverse ecosystems, critical habitat, vegetation communities and endangered flora and fauna.	Who will pay for this? Council ratepayers or is it to be State government funded.  At a council meeting held on 16 Sept 2004 a crowd of 300 community members showed that they did not want to have environmental protection zoning on private property. The Community should be listened to. Any environmental protection zoning should only be placed over land that is not private. <b>Delete this reference</b>
131 S3.5	Goal 1  Identify and develop priorities for conservation, protection and rehabilitation of native bushland in the Shire.	As long as this is not on private land.
131 S3.5	*To identify native bushland as one of the Shire's primary assets within the Council's Management Plan  *To collect and collate existing sources of information on the management of the Shire's endemic bushland. To assess and map the shire's native bushland areas.  *To review existing criteria for identifying and assessing the conservation value of bushland sites.	Who is going to fund this?  Ratepayers should not be burdened with the cost and neither should landowners.  There are many thousands of hectares of bushland that are not in private ownership and as such there is more than sufficient bushland without needing to identify native bushland on private property.  There should not be placed on private landowners a financial burden caused by attempting to preserve all species of flora and fauna. <b>Delete these references</b>
131 S3.5	Goal 2  Identify and develop priorities for conservation, protection and rehabilitation of native bushland in the Shire.  Objectives  *To ensure appropriate zoning in the LEP to enhance conservation objectives and provide space for mitigation infrastructure (eg.drainage reserves and water quality buffers).	No zoning should be applied over private property without agreement with the landowner. <b>Delete this reference</b>
132 S3.6	Goal 4  Reduce the impacts of new and existing urban development on local bushland	Who decides where it is appropriate?  It is not appropriate to restrict development on private lands to the extent of protecting every piece of natural bushland. If it cannot

	<p>Objectives</p> <p>* To protect and maintain natural bushland in new development areas where appropriate through zoning and/or Development Controls</p>	<p>be proven that the bushland contains a rare or endangered species then it is not appropriate to protect it. Such protection causes devaluation of land and is not an equitable imposition.</p> <p><b>Delete this reference</b></p> <p>This is not in keeping with the freedom of every citizen. This should not be made mandatory and should be a choice only.</p> <p><b>Delete this reference</b></p>
132 S3.6	<p>In formulating strategies to ensure the best management of endangered fauna and flora, it is essential that Baulkham Hills Shire Council works with regional agencies, neighbouring Councils and local environmental community groups.</p>	<p>It is of utmost importance that the landowner should be the No. 1 stakeholder in any decisions that impose restrictions on landowners property.</p> <p>Strategies should not be implemented on an overall basis without input from individual landowners if their property is to affected by such decisions.</p>
140 S4.3	<p>Goal 2</p> <p>Manage sustainably the rate of growth in the Shire's urban fringe.</p> <p>*To review the capabilities of land within the Shire for future urban development.</p> <p>*To examine the rate of urban growth in the Shire in light of ecologically sustainable development principles and it's natural carrying capacity.</p>	<p>There needs to be housing choices that balance the rate of growth. The North West Sector is capable of supplying land for housing by reducing the size of larger allotments to a reasonable 5 acre size.</p> <p>Villages in North West Sector are capable of some expansion as growth has been denied for over last 30 years.</p> <p>Needs to be better clarified if this is to be understood.</p> <p><b>Delete this</b></p>
140 S4.3	<p>*To evaluate current zoning guidelines and restrictions in light of ecologically sustainable development objectives.</p>	<p>Needs to be better clarified if this is to be understood. <b>Delete this</b></p>
141 S4.4	<p>Goal 5</p> <p>Minimise urban sprawl.</p> <p>*To promote urban forms that minimize transport requirements and improve efficiency of land supply and infrastructure provision.</p>	<p>There should be more choices that allow some development in outer fringe such as allowing reduction of large allotments of 25 acres and more to be reduced to reasonable 5 acres. Urban consolidation is not the choice of every person and other choices should be allowed. In the future this urban consolidation theory may well be seen for what it is. Urban Congestion.</p> <p>There is not a real need for urban consolidation in all areas of Baulkham Hills Shire. The transport is not available to correspond with this style of housing and therefore the outer rural areas should be</p>

	<p>*To plan for appropriate and sensitive urban consolidation within existing residential areas.</p>	<p>allowed to have development of the larger landholdings to a reasonable 5 acre size to supply housing needs. This could be done in a sensitive way to fit in with the environment.</p>
141 S4.4	<p>Goal 6</p> <p>Ensure new urban developments do not decrease the quality and availability of social and environmental amenities for the community.</p> <p>*To ensure that infrastructure provision is concurrent with land release and not implemented piecemeal after developments are completed.</p> <p>To identify, with community consultation the level of infrastructure and services that the Shire's rural population expect and are willing to pay for.</p>	<p>Some rural areas already have infrastructure that is sufficient to allow breakdown of larger allotments. Where new developments of consolidated housing are concerned the section 94 contributions should be applied.</p> <p>The North West Sector community should also be part of any discussions via meetings that could be conducted in Rural precincts</p>
146 S5.1	<p>Council's rural land study is aimed at protecting the Shire's rural character by excluding unsuitable developments, protecting key agricultural lands and cultural sites while identifying opportunities for an expanding urban and rural residential population.</p> <p>The land and water resources necessary for continuing agricultural viability and the sustainability of current agricultural practices is also to be assessed and evaluated.</p> <p>Over the past thirty years, however, productive agricultural land in the Hills district has come under increasing pressure from other land uses such as urban and rural residential, extraction and recreation.</p>	<p>The North West Sector precincts of Kenthurst, Maraylya, Cattai, Glenorie and Hillside and Portland etc do not contain any agricultural viable industries that need to be protected and the land is predominately class 3 to 5.</p> <p>It was shown in the last proposed draft LEP (where most of the shire land was to be subjected to a 7b environmental protection zone) that most of the rural land in the shire is not agriculture land.</p> <p>Continual reference to saving Agricultural land in the North West Sector is outdated information and should definitely be addressed to stop the continual misinformation.</p> <p>As stated any land that was agricultural has now been used for housing in the Kellyville and Rouse Hill areas and as such there is no agricultural land of major significance that would be threatened. Therefore the main use of land in the North west Sector should be directed to rural residential on allotments of 5 acres or 5 acre density.</p>
146 S5.1		
147 S5.2	<p>Goal 1 Rural land to be recognized as a valuable regional resource.</p> <p>Objectives</p> <p>*To increase awareness of the economic, ecological and heritage values of rural lands.</p> <p>*To determine the impact of rural residential subdivision on the future viability of productive farming activities in Baulkham Hills Shire.</p>	<p>The North West Sector rural lands should be used for housing of a rural-residential nature as this would address the economic value of the lands rather than have vast large allotments being held in perpetuity</p> <p>Rural residential subdivision will not have any impact on productive farming as farming is no longer an activity and would only occur</p>

		on odd allotments. Rural residential subdivision should be permitted as there is no conflict.
147 S5.2	<p>Goal 2. Develop a strategic plan for agriculture within the Shire</p> <p>Objectives</p> <p>*To develop, with community consultation and participation, criteria for examining the planning and management needs of rural lands in Baulkham Hills Shire.</p> <p>*To identify and protect the land and water resources needed for the Shire's key agricultural industries.</p>	<p>Agriculture is a lost industry and as such there is no need to develop a plan</p> <p>Our Group 5 Acres Now submitted to Council a Balanced Approach document that shows the need for rural residential development of the rural lands. 5 Acres Now group wish to be informed of any consultation process.</p> <p>There are little agricultural industries remaining in the North West Sector. There are no key agricultural industries.</p>
148 S5.3	<p>Goal 3 Develop and implement techniques for the sustainable management of rural land and the restoration of degraded land.</p> <p>Objectives</p> <p>*To commission, collate and disseminate research into the ecological carrying capacity of rural lands in the Shire.</p> <p>*To encourage co-ordination and the dissemination of best practice agricultural information between landholders, rural interest groups, government bodies and the community.</p>	<p>5 Acres Now group wishes to be informed of any discussions regarding this.</p> <p>As stated Agriculture is not a viable industry in the Rural Sector of Baulkham Hills Shire in precincts such as Kenthurst, Maraylya, Cattai Glenorie, Cattai, Portland, Maroota and other adjoining precincts.</p>
168 S8.1	<p>8.1 Care of public lands.</p> <p>Much of the remnant bushland is in private ownership. It is acknowledged that if these areas are to be saved from development there may need to be compensation and incentives for private property owners. Sources of funding for such initiatives would need to be determined.</p>	<p>At a council meeting held on 16 Sept. 2004 a crowd of over 300 landowners attended to voice their opposition of any proposal to place an environmental protection zoning over private lands. This definitely needs to be considered and any such proposal should not be done with the approval of the relevant landowner.</p>