The Hills Development Control Plan (DCP) 2012

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THE HILLS Sydney's Garden Shire

Part B Section 1
Rural

B1

CONTENTS

INTRODUCTION

LAND TO WHICH THIS SECTION OF THE PLAN APPLIES

This section applies to the land within the following zones or any additional land where rural or agricultural land uses are permissible:

RU6 – Transition
RU1 – Primary Production
SP3 – Tourist
E2 – Environmental Conservation
RU2 – Rural Landscape
RU3 – Forestry
W2 – Recreational Waterways

Part 2: Extractive Industries also applies to those lands identified in Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995), refer figure Part 2, Figure 7.

AIM

The aim of this section is to ensure that rural development is compatible with the capability of land, has regard to the natural environment, scenic qualities and rural character and contributes to the social and economic wellbeing of the rural area.

WHAT IS RURAL CHARACTER?

The rural part of the Shire is the land beyond the urban edge and its character can vary from setting to setting and means different things to people depending on a range of things such as background, age or where they live that relates to the appearance, economic and social structure of rural communities.

Beyond the more populated areas it provides an important backdrop to the urban areas and rural villages. In general it is a relatively undeveloped place, with a natural look that could be described as unplanned and non-uniform. In terms of its physical characteristics it is agricultural activities, large land parcels, low scale dwellings, farm sheds and natural scenic beauty.

Within the Shire rural character is made up of activities such as 'lifestyle' housing, market gardens, cropping orchards, sand mining, horses, animal grazing, houses and outbuildings, vegetation, rolling hills, creeks, gullies, wetlands, rural enterprises and tourism.

Being so close to the urban fringe, the Shire has seen somewhat of a shift away from rural agricultural to more rural lifestyle in some areas where people enjoy the qualities of the area that make it rural with open spaces and countryside and a close community within the rural villages.

STATEMENT OF OUTCOMES AND DEVELOPMENT CONTROLS

Development in the rural areas is generally guided by Statements of Outcomes and Development Controls. In some specific circumstances potential variations to a development control due to such matters as slope or existing building location, are identified to allow flexibility in the application of the control where the variation sought would meet the outcome to be achieved. Other variations may be considered as part of a merit assessment and would be evaluated against the Statement of Outcome for that control.

In addition to those policies, guidelines and documents specified in the *Introduction*, this Rural Part of the DCP is to be read in conjunction with other relevant Parts relating to:

- *Dual Occupancy*
- *Business*
- *Landscaping*
- *Heritage*
- *Flood Controlled Land*
- *Signage*

PART 1: GENERAL DEVELOPMENT

1. Site Planning

A. General Controls applying to rural subdivision

STATEMENT OF OUTCOMES

- New lots are usable parcels that avoid multiple access points, maintain the scenic and rural character of the Shire and have regard to environmentally sensitive areas.
- New lots have dimensions that maintain the scenic and rural character of the Shire.
- New lots have sufficient area for the erection of a dwelling and associated structures, free of topographic constraints or restrictions.
- New public roads cater to rural traffic movements and allow for dual carriageways
- Waste water and effluent areas are appropriately sized and located to have minimal impact on the environment.

DEVELOPMENT CONTROLS

Minimum Lot Width (For lots fronting a public road)	60m at the building line
Building Platforms	Minimum size 15m by 20m Must not be sited on slopes greater than 20% or on prominent ridgelines
New Public Road Construction Width	20m
Minimum area for wastewater and effluent disposal areas	1,000m^2
Wastewater and effluent disposal areas	Refer to Section 2 - New Development for requirements

VARIATIONS

a) Battle-axe lots may be considered on merit based on site constraints. Minimum access widths are set out below:

Number of lots to be accessed	Minimum access widths
One lot	6.0 metre wide access handle with the construction of a 3.0 metre wide all-weather pavement
2 to 4 lots	6.0 metre wide access handle with the construction of a 3.0 metre wide all-weather pavement and suitable passing bays
Greater than 4 lots	Public road required

Note: Refer Council's Subdivision Design Guidelines for specification detail.

B. Additional Controls: Subdivision in Maraylya, Box Hill and Nelson

STATEMENT OF OUTCOMES

- Subdivision outcomes in Maraylya, Box Hill and Nelson reflect orderly development outcomes that utilise existing roads, have regard to site constraints and minimise development impacts on environmentally sensitive areas and important vegetation corridors such as those strategically identified in the Constrained Land Layer.

DEVELOPMENT CONTROLS

Constrained Land Layer	Development areas must be clear of the Constrained Land Layer shown in Figure 1
Front setback for land adjacent to Boundary Road (within Maraylya, Box Hill and Nelson Precinct)	50m
New Public Roads	New public roads should be located in accordance with those in Figure 1

Notes:

a) The Constrained Land Layer is comprised of:

- Land with a slope of 20% or more
- Watercourses
- High conservation corridors
- Riparian corridors for creek categories 2 and above (Strahler method of ordering watercourses)
- The 1 in 100 year flood extent from the Hawkesbury River

b) To help guide future changes an indicative layout plan for Maraylya, Box Hill and Nelson Precinct based on 2 hectare subdivision potential and the future road pattern is also shown in Figure 1. It is a general illustration of what might be achieved only and does not in any way guarantee Council approval of a Development Application based on this layout.

c) The Box Hill North Precinct was zoned for urban development on 20 February 2015. Site specific development controls for this area are contained in Part D Section 17 of the Development Control Plan.

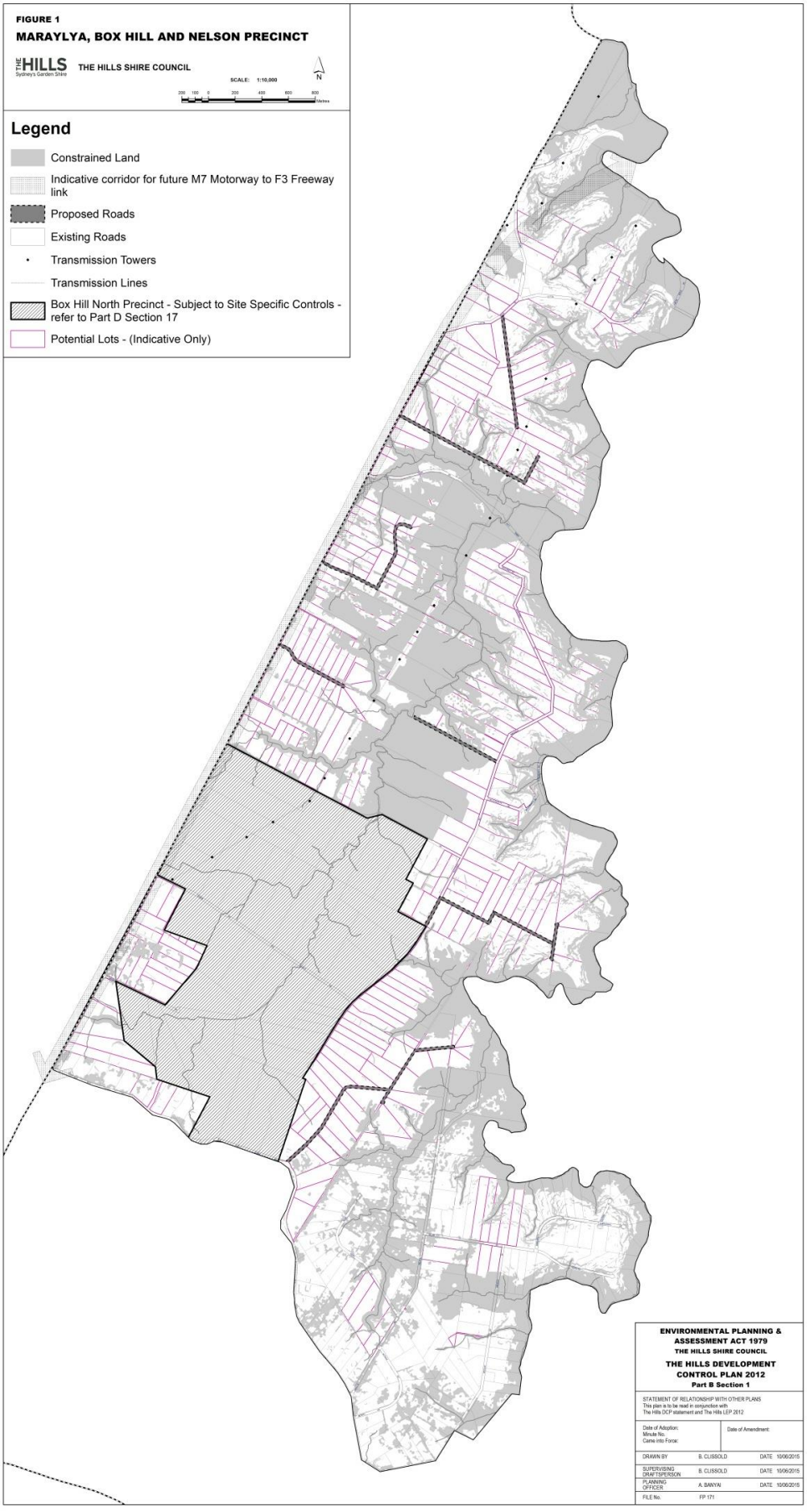


Figure 1: Maraylya, Nelson and Box Hill Precinct

Additional Controls: Rural Cluster Subdivision

STATEMENT OF OUTCOMES

- Rural cluster subdivision maintains the scenic and rural character of the Shire and minimises environmental impacts and bushfire hazards.
- Access to and within the site (including access to the association property) is safe and convenient for all users and maintains the open rural feel of the area.
- Rural cluster subdivision ensures existing environmental and biodiversity values are maintained or improved through effective ongoing management.

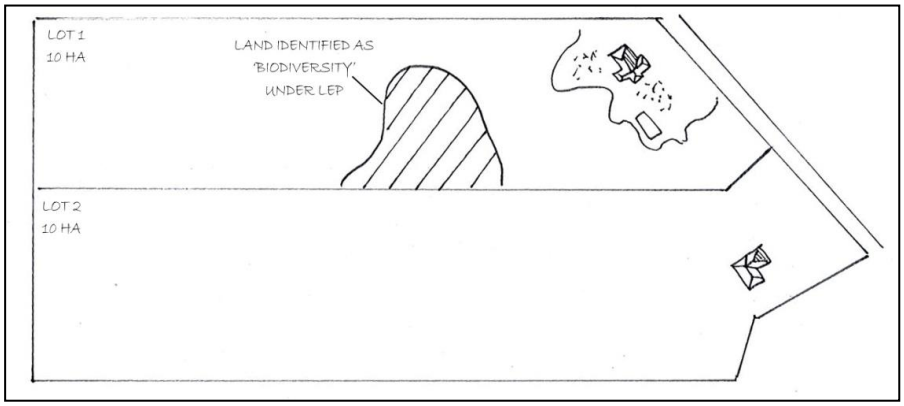
DEVELOPMENT CONTROLS

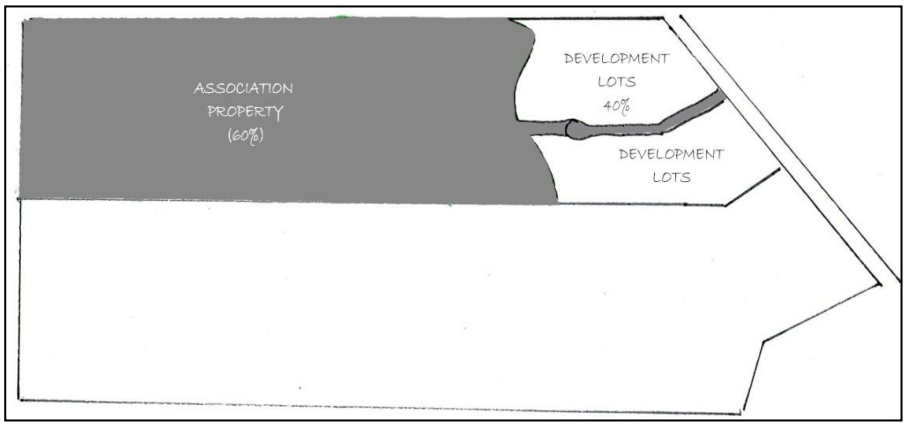
Site Layout	Lots must be clustered and grouped (Refer Figure 2) A minimum of 3 development lots (excluding the association property) are to be provided Lot location and arrangement must consider both ecological constraints and bushfire risk
Site Access	Vehicular access must be via a common driveway with secondary access to individual dwellings (Refer Figure 2)
Association Property	Minimum 60% of site area All lots must have direct access to the association property (Refer Figure 2)
Vegetation Management Plan	A Vegetation Management Plan shall demonstrate the subdivision will ensure the protection of the landscape, biodiversity and rural setting of the land Environmental management measures must demonstrate: • The same or greater biodiversity values on the site will be retained after subdivision • Natural creek lines are protected from increased nutrient loads and weed infestation, and • High biodiversity features including threatened ecological communities, populations, species and their habitats are maintained

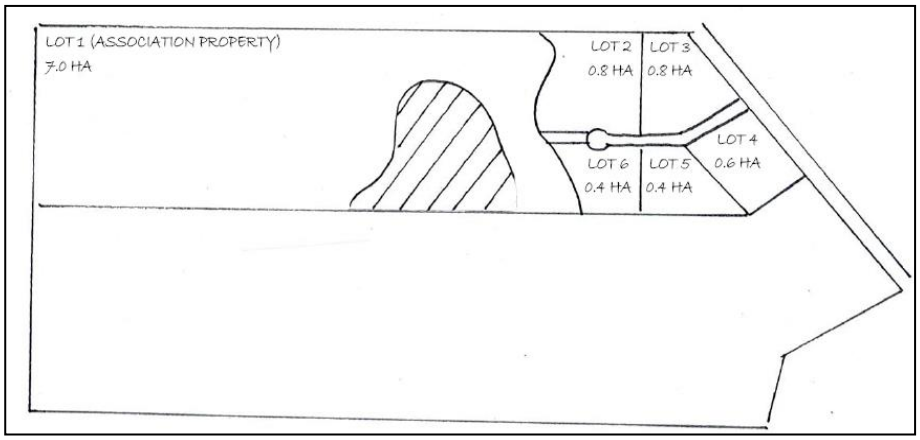
Note: Refer Council's Vegetation Management Plan Guidelines for detailed guidelines on content and requirements.

VARIATIONS

a) Site Access: Separate access to individual dwellings from an existing public road may be considered where a single common driveway is not achievable due to site constraints or where necessary to facilitate emergency access for emergency services.







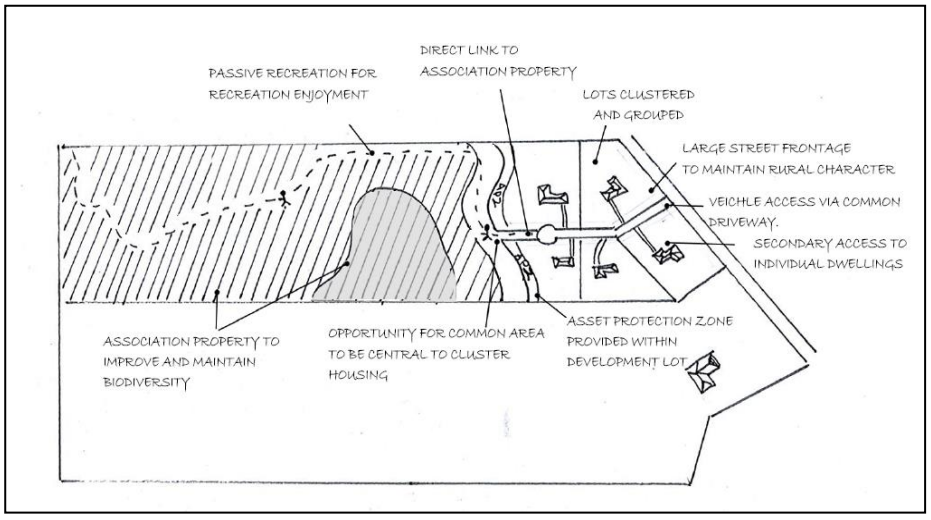


Figure 2: Rural Cluster Subdivision – Key principles

2. New Development

STATEMENT OF OUTCOMES

- The scale, siting and visual appearance of new development maintains the open rural feel of the landscape and preserves scenic and environmental qualities of the area.
- The location of new rural/ residential development is to have regard to the potential impacts arising from existing adjacent rural business activities.

DEVELOPMENT CONTROLS

Maximum Site Coverage* (refer note)	
Lots greater than 10 hectares in size	25% of the land area; or 5,000m^2, whichever is the lesser
Lots between 2 and 10 hectares in size	15% of the site area; or 2,500m^2, whichever is the lesser
Lots less than 2 hectares in size	50% of the site area; or 2,500m^2, whichever is the lesser
Minimum Setbacks	
Lots fronting a classified road	30m
Lots fronting any other road	10m
Side and rear setbacks	5m
Side setback for a residential dwelling adjacent to a lot where intensive plant agriculture, intensive livestock agriculture, rural industry, plant nursery or other approved rural activity	40m
Roadside stalls and boundary fencing	Nil
Development adjacent to the Hawkesbury River	30m
Front setback for land adjacent to Boundary Road (within Maraylya, Box Hill and Nelson Precinct)	50m
General Controls	
Front fences	1.8m maximum height Must be of open style and not be of solid masonry or solid panel construction
Cut and fill	• Cut shall not exceed 1m and fill shall not exceed 600mm. • Filling of land is to only be in conjunction with an approved land use or legitimate rural activity such as horse riding. • Fill shall be limited to the use of Virgin Excavated Material as defined under the Protection of the Environment Operations Act 1997
Stormwater Management	Stormwater management arrangements are to demonstrate there are no impacts to adjoining lots, watercourses or existing native bushland
Salinity (refer note)	Development proposed in areas where there is a known salinity hazard must incorporate appropriate management responses
Wastewater and effluent disposal areas	Proposals must demonstrate sufficient area is available for any proposed on-site sewerage management and effluent disposal areas. Proposals must ensure compliance with Council's applicable Local Approvals

	Policy. Wastewater and effluent disposal areas must be located on land that meets the following locational criteria: 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% Soil depth greater than 300mm

Notes:

a) Site coverage includes areas containing dwellings, outbuildings, ancillary items (such as pools, manoeuvring areas, garages and the like).

b) Some areas within Box Hill, Nelson and Rouse Hill are affected by salinity. Applicants in these areas should contact Council's Environmental Health Team to determine if a site is identified as having a known salinity hazard.

VARIATIONS

a) Variations to site coverage may be permitted where light weight structures are proposed as part of a rural enterprise development.

3. Dwellings

STATEMENT OF OUTCOMES

- Dwellings, including attached dual occupancies and secondary dwellings should fit within the rural setting of the rural landscape while providing for a residential lifestyle.
- Driveways have sufficient width to accommodate safe access to and from properties.
- Residential developments have a high standard of aesthetic quality and amenity for both occupants and surrounding residents.

DEVELOPMENT CONTROLS

Front elevations	Must not be greater than 50% of the street frontage if the lot is sited on a public road.
Minimum width access driveways	4m
Water supply	Sites that do not have access to reticulated water must provide a minimum water supply of 80,000 litres for domestic purposes.
Secondary Dwellings and Attached Dual Occupancies	
Construction Materials	Secondary dwellings or attached dual occupancies shall be constructed of the same material of the existing dwelling. Existing dwellings may be renovated to match the proposed external materials of the new dwelling
Structures not permitted	The use of temporary buildings and moveable structures as secondary dwellings is not acceptable. This includes but are not limited to the following: • Demountable buildings • Portable modular buildings • Portable modular cabins and sheds • Caravans • Shipping containers
Additional controls	Refer to Dual Occupancy Section of the DCP

4. Rural Sheds

STATEMENT OF OUTCOMES

- Rural sheds do not detract from the scenic and environmental qualities of the rural area and maintain the amenity of surrounding residents.

DEVELOPMENT CONTROLS

Size* (refer notes)		
Maximum gross floor area	Zone	
	RU1 and RU2	RU6
	500m^2	300m^2
General Controls		
Landscaping	Where a shed is setback less than 10m from an adjoining side or rear property boundary landscape screening with a width of 2m must be provided.	

Notes:

a) The maximum accumulative building footprint of all sheds on an individual allotment shall not exceed the maximum allowable floor area.

b) Where there is an inconsistency between the size of a shed and overall site coverage of development on a site, the site coverage control shall override.

5. Tennis Courts

STATEMENT OF OUTCOMES

- Tennis courts do not impact on the amenity of surrounding development.

DEVELOPMENT CONTROLS

Landscaping screening to boundaries	Dense landscaping must be incorporated into side and rear setbacks to screen the court from the view of adjoining properties
Fencing	Must be green or black mesh
Lighting	Shall not emit light spill outside the property boundary

6. Agriculture & Rural Industries

STATEMENT OF OUTCOMES

- Agriculture, aquaculture and rural industries are sensitive to adjoining land uses and minimise noise, odour and visual impacts.

DEVELOPMENT CONTROLS

Acoustic/noise impacts	Proposals must demonstrate they will not give rise to offensive noise as defined in the Protection of the Environment Operations Act and complies with the NSW Industrial Noise Policy
Intensive Livestock Agriculture and Aquaculture & Rural Industries	
Odour impacts	Proposals must demonstrate that appropriate measures will be undertaken to reduce the impacts of odours on adjoining properties
Intensive Plant Agriculture and Rural Industries	

Landscape screening to boundaries	Dense landscape screening with must be incorporated into all boundary setbacks to effectively screen the development from adjoining property boundaries

7. Landscape Material Supplies, Garden Centres & Plant Nurseries

STATEMENT OF OUTCOMES

- Rural business premises such as landscaping material supplies or garden centres/plant nurseries do not impact on the amenity of surrounding development.
- Rural businesses have a high aesthetic quality and maintain the scenic value of the rural landscape.

DEVELOPMENT CONTROLS

Landscaping screening to boundaries	Dense landscape screening must be incorporated into side and rear setbacks to effectively screen the development from adjoining property boundaries
Acoustic	Where a proposal is likely to have noise impacts to surrounding properties measures must be taken to reduce impacts
Odour and dust control	Proposals must demonstrate that appropriate measures will be undertaken to reduce the impacts of odours and dust on adjoining properties
Bulk storage bins	Shall not be located in any setback area

8. Tourist Facilities, Restaurants & Cafes

STATEMENT OF OUTCOMES

- Tourist facilities, restaurants, cafes and reception establishments minimise impacts on the rural streetscape and adjoining land uses.
- Tourist facilities are directly accessible from a public road.

DEVELOPMENT CONTROLS

Car parking areas in front setback	Car parking may be forward of the building setback when a minimum 5m width landscaping buffer is provided to the front boundary of the site
Additional controls	Refer to Business Section of the DCP
Tourist Facilities	
Access	Must have direct access to a public road

9. Water Storage Facilities (Dams, Weirs, Reservoirs)

STATEMENT OF OUTCOMES

- Water storage facilities do not have an adverse impact on the environment or residential amenity.

DEVELOPMENT CONTROLS

Location relative to effluent	Shall not be located within 40m of an effluent disposal

disposal areas	area

Note: Some development may have additional requirements under the Water Management Act 2000 and the Dams Safety Act 1978.

10. Development adjoining or in the visual catchment of the Hawkesbury River

STATEMENT OF OUTCOMES

- Nearby development does not detract from the scenic qualities of the Hawkesbury River.

DEVELOPMENT CONTROLS

Location of buildings	Buildings on land adjoining the river or within the visual catchment of the river shall be located so that the ridgeline is below the top of the escarpment or setback 20m from the top of the escarpment as shown in Figure 3

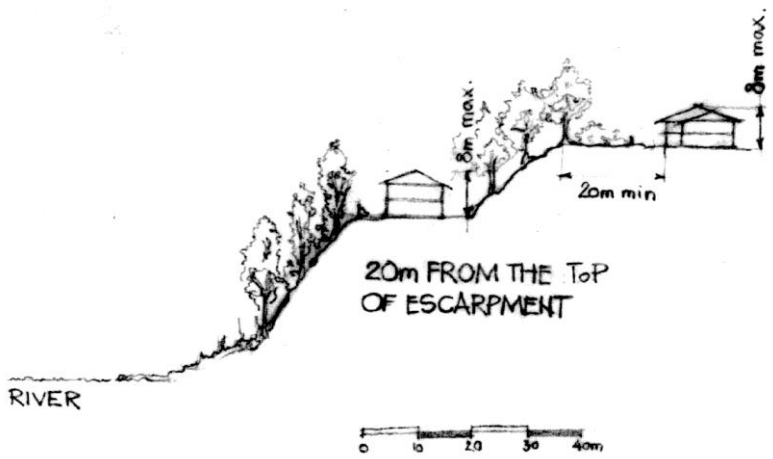


Figure 3: Location of buildings in relation to the top of the escarpment

11. Restricted Development Areas (Kenthurst)

STATEMENT OF OUTCOMES

- Areas of particular environmental significance in Kenthurst locality are protected from development.

DEVELOPMENT CONTROLS

Restricted Development Area	Refer Figure 4

Note: Development, other than bushfire hazard reduction, is prohibited in restricted development areas. In these areas, development includes:

- the erection of a fence on the land
- the removal of soil or rock from the land
- the deposit of soil, rock and any other matter on the land
- the destruction or removal of any tree or other vegetation on the land.

Figure 4: Restricted Development Areas (Kenthurst)

12. Land at 2 Schwebel Lane, Glenorie

The site specific outcomes and controls apply where development is for the purpose of a concrete batching plant/landscape supplies and associated uses.

STATEMENT OF OUTCOMES

- To ensure the aesthetic character, streetscape and residential amenity of Glenorie Village is maintained.
- To make provisions for substantial landscaping to maintain and enhance the aesthetic qualities of the site and provide a visual barrier between the site, public roads, adjoining land uses and Glenorie Village
- To ensure safe vehicular access to the site
- To minimise the level of noise transmitted to adjoining land uses.

DEVELOPMENT CONTROLS

Setbacks and Landscaping	Setbacks are to be in accordance with Figure 5 Where indicated on Figure 5 setbacks are to be landscaped at sufficient densities so that an effective visual barrier is achieved
Materials	External building materials must not utilise metal-siding systems, masonry block work and textured or highly patterned brickwork
Access	All vehicular access to the site is to be from Schwebel Lane and be as far as practicable from the intersection of Old Northern Road and Schwebel Lane
Noise Transmission	The equivalent continuous energy average (LAeq) emanating from the site measured over a 15-minute period shall not exceed the background noise level by more than 5dB. This is to be assessed at the most affected point on or within the residential boundary and any other noise sensitive receivers such as schools in the vicinity of the subject site. Where the background noise level plus 5dB exceeds 45dB(A), then the LAeq emanating from the site shall not exceed the acceptable noise levels specified in the Noise Guide for Local Government or the NSW Industrial Noise Policy. A landscaped earth mound or other noise attenuation device shall be constructed within the setback adjacent to the southern property boundary as shown Figure 5. Noise attenuation must be achieved without compromising the landscape objective of this plan.

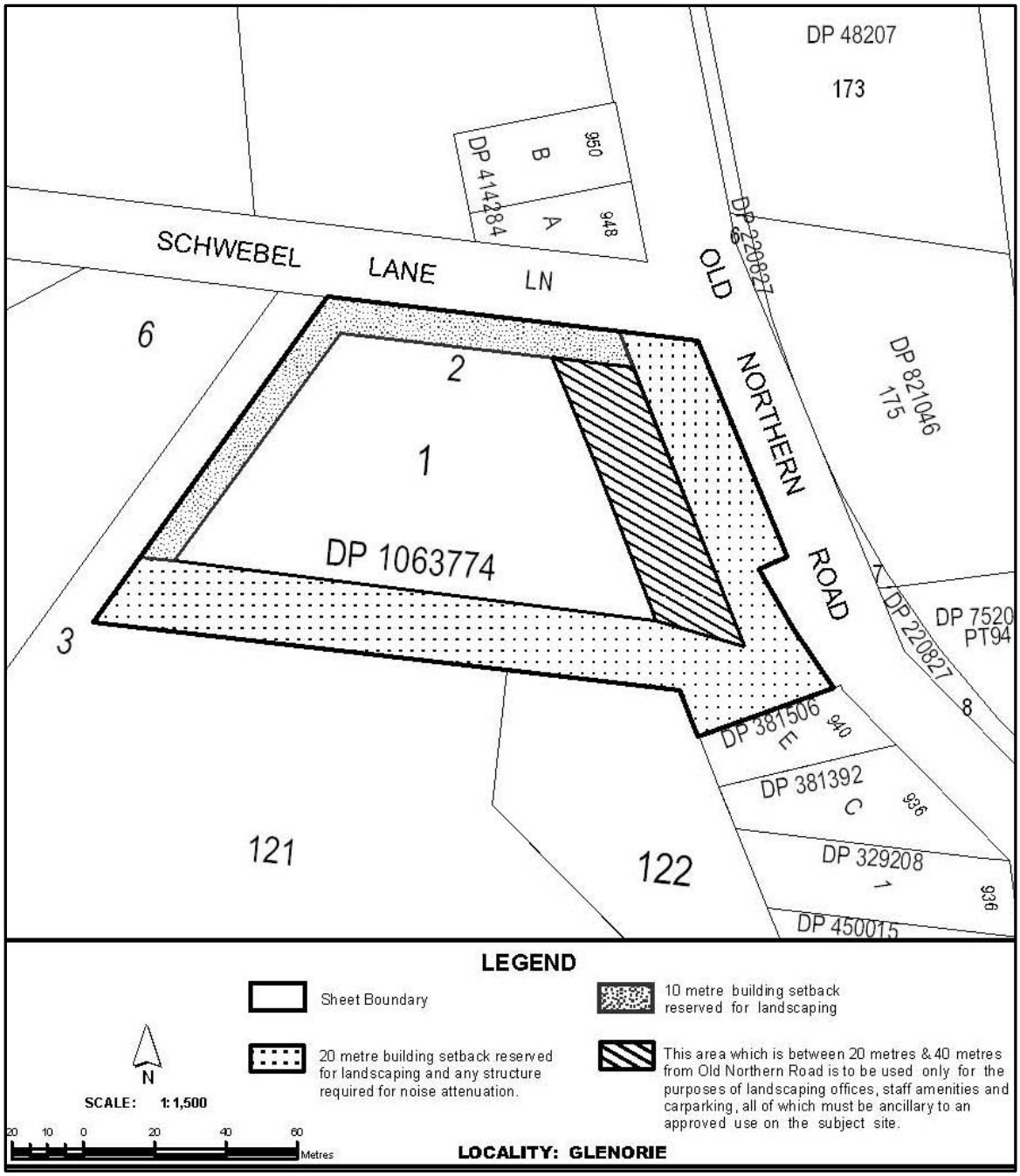


Figure 5: 2 Schwebel Lane, Glenorie

PART 2: EXTRACTIVE INDUSTRIES

1. Site Planning

STATEMENT OF OUTCOMES

- Extractive industries and related activities maintain an effective buffer to protect landscape quality, the habitats of threatened species, populations and ecological communities of the shire.
- Extractive industries maintain and enhance the rural-residential streetscape, existing character and amenity of rural-residential activities.

DEVELOPMENT CONTROLS

Adjoining property boundary	Minimum setback of 10m
Public road	Minimum setback of 30m
National Park, State Forest or Crown Lands boundary	Minimum setback of 40m
Any site or relic of heritage, archaeological, geological or cultural significance	Minimum setback of 40m
Top bank of a watercourse	Minimum setback of 40m, or otherwise to the requirements of the Office of Water
Public or Community facility	Minimum setback of 100m
Residence not associated with extraction	Minimum setback of 100m
Electricity transmission lines	In accordance with the requirements of the controlling electricity authority / transmission corporation

Note: The above setbacks may vary depending upon the nature and location of extractive industries.

2. Transport

STATEMENT OF OUTCOMES

- Maintain and upgrade the safety and efficiency of the existing road network, and achieve safe, coordinated and controlled transport links for extractive industries.
- The safety and amenity of existing rural and residential activities is maintained and protected.

DEVELOPMENT CONTROLS

Access to public roads	Access points to public roads are to be controlled and limited to maintain the safety and efficiency of the public road network.
Internal access carriageways - width	Minimum of 12m wide in accordance with established road construction standards as Illustrated in Figure 6 (Typical Cross Section of Internal Haul Roads)
Internal access carriageways - setbacks	Minimum 10m setback from adjoining property boundary Minimum 50m setback from environmentally sensitive areas including habitats of threatened species. Minimum 100m setback from residences not associated with extraction

Note:

Alternative designs of internal access/Intersection points will consider:

- Specific needs of the operation and site characteristics;
- Austroads: Guide to Traffic Engineering Practice;
- RMS: Road Design Guides;
- RMS: Guide to Traffic Generating Developments;
- Or other designs agreed to by the Roads and Maritime Services (RMS)

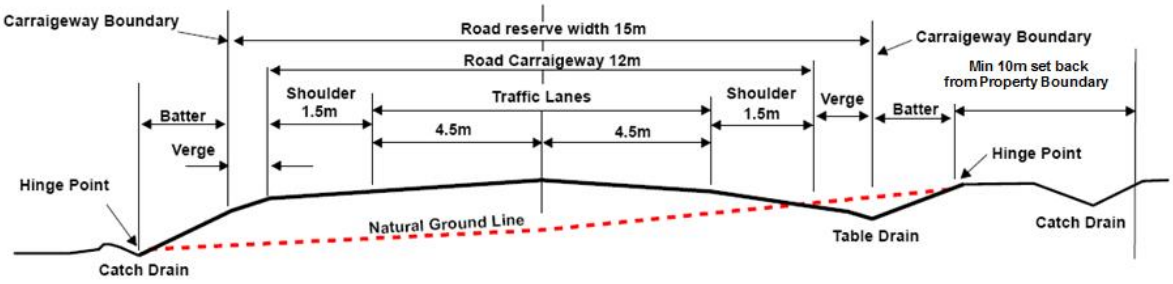


Figure 6: Typical Cross Section of Internal Haul Roads

3. Water Resources

STATEMENT OF OUTCOMES

- Ground water resources and supplies are conserved to protect groundwater dependent riparian ecosystems and natural habitats.
- The quality, quantity and location of water supplies and downstream drainage patterns are maintained and protected, and water usage is conserved sustainably.

DEVELOPMENT CONTROLS

Drainage Outlets	Employ operational practices capable of maintaining and monitoring drainage outlets at downstream boundaries together with pre-existing groundwater flow and quality conditions
Water flow patterns & water quality	Determine the likely impact upon groundwater and nominate an effective freeboard above wet weather high ground water level capable of conserving water flow patterns and water quality on each extraction site
Extraction	Not to occur within 2 metres of the wet weather high groundwater level or otherwise to the requirements of the Office of Environment and Heritage

4. Visual Amenity & Scenic Quality

STATEMENT OF OUTCOMES

- The natural, scenic and landscape quality of the area is conserved and the rural character is retained.
- The aesthetic, visual, cultural, scientific, historic, social and other special values of the landscape are conserved.

DEVELOPMENT CONTROLS

Rehabilitation of Extraction Sites	Extraction sites are to be rehabilitated to a final landform capable of integrating with the physical elements and

	land use patterns of the local landscape
Protection of Landforms	The proposal should demonstrate that areas of high visual sensitivity such as outstanding, distinctive or diverse landforms or land cover features will be preserved and protected
Machinery and Equipment	To be stored in buildings and structures of non-reflective materials and of a height, bulk and scale proportional to the surrounding landscape
Perimeter Screen Planting	Extraction sites must provide perimeter screen planting of a sufficient height to screen views of the site from surrounding public and private places

5. Flora & Fauna Buffer Zones

STATEMENT OF OUTCOMES

- Sufficient separation is provided to threatened species and critical ecological communities, and the scenic and environmental quality of the Shire is retained.

DEVELOPMENT CONTROLS

Extractive Industry Buffer Zones	• To be a minimum of 50m from important habitats of threatened species, populations, ecological communities and/or; • No less than the site specific requirements of the National Parks & Wildlife Services. The buffer zone should not be disturbed except for ongoing management or rehabilitation purposes

6. Heritage & Archaeological Resources

STATEMENT OF OUTCOMES

- Archaeological resources, geological features and areas and items of heritage value are identified, protected and conserved.

DEVELOPMENT CONTROLS

Buffer Areas	Site planning for extractive operations should provide buffer areas to conserve: • Potential Habitation Sites or sites with potential Archaeological Deposits • Archaeological sites protected under the National Parks & Wildlife Act, 1974 and as listed in the Register of Aboriginal Sites • Distinct geological features
Heritage items	Conserve and protect local, regional and state listed heritage items.

Note: Reference should also be made to the Office of Environment and Heritage Aboriginal Sites Register and Council's Aboriginal Sites Predictive Study

7. Soil Conservation

STATEMENT OF OUTCOMES

- Wind, water & soil erosion of disturbed and rehabilitated areas are minimised by maintaining effective sediment and erosion control measures for the protection of environmentally sensitive areas and downstream properties.

DEVELOPMENT CONTROLS

Clearing and extraction	Limit the extent of cleared areas at any one time by ensuring that soil surface conditions on extraction sites are protected & maintained by natural or manufactured material or mulch or by any other acceptable soil stabilisation technique
Drainage control	Developments must ensure that drainage control measures are provided for upstream catchments from runoff that may by pass the extraction site. They should also ensure infiltration into and control runoff from the subject site. Ensure the long term stability of natural channels downstream of the site by maintaining pre-existing rates, volumes and quality of channel flow. Protection measures may include controlled entry and exit points from sub-catchments
Sediment Control	Sediment control design should include details of the proposed dewatering method for the settling volume, spillway configuration, energy dissipation and the design life of the structure
Wind Breaks	Ensure that wind breaks including trees, shrubs and bund walls are of a height, length, orientation, location & permeability capable of reducing wind velocity across extraction areas
Drainage Control Measures	Ensure that drainage control measures such as diversion

	channels or holding structures including graded banks, drains or dams are designed for a peak discharge of a 1 in 20 Annual Exceedance Probability (AEP) storm event with a minimum one metre flood freeboard margin. Ensure that sediment control dams are located downstream of wet screening plants and between tailing dams and downstream boundaries. These structures should have a sediment trapping capacity at least half the volume of the largest tailing dam. Ensure that all batters of dams and detention basins have a preferred gradient of 4H (Horizontal):1V (Vertical), which should be stabilized by vegetation or other appropriate measure. Sediment loss should be controlled by the installation of upstream diversion channels, catch drains and sediment traps along the downstream toe of the embankment. These should be maintained until vegetation cover is achieved
Tailing (Sludge) Pond Measures	
Tailing (Sludge) Pond Design	Design should have regard to: • Site investigations including soil profiles, water table level, & in-situ materials • Site suitability, including topography, geotechnical and meteorological conditions of the locality • Physical, mineral & chemical properties of tailings; • Stability of embankments including heights, slope, natural strength, materials & degree of compaction foundations • Potential seepage into groundwater including high pressure groundwater levels resulting from high water table levels within the embankment

8. Acoustic Management

STATEMENT OF OUTCOMES

- The acoustic quality and environment of residents, Public & community facilities and other receivers in the Shire is maintained and protected.
- The potential for offensive noise emission is limited.

DEVELOPMENT CONTROLS

Acoustic Buffer	Provide an effective acoustic buffer to residences and public places not associated with their operations
Noise Control	Implement effective noise control measures where noise emissions exceed maximum average background noise level
Acoustic Shielding	Proponents are encouraged to implement the extraction “cell” technique as a means of facilitating acoustic shielding around worked extraction sites
Minimise Road Traffic Noise	Ensure that road traffic noise is minimised to reduce potential impacts upon the acoustic environment of residents and community facilities within the locality Proponents should indicate the special transport needs of the activity, which are most likely to generate noise

	outside normal operating hours
Hours of Operation	Ensure that the hours of operation of extraction and the transportation of materials are limited to 7.00am to 6.00pm Monday to Friday inclusive, and 7.00am to 4.00pm Saturday. Variations to these hours may be justified having regard to the nature and location of a particular project
Acoustic Barriers	Signs and barriers should be installed and maintained at the point of access to ensure compliance. The barriers should be kept locked except during authorised hours of operation

Note: Noise levels must be assessed in accordance with the NSW Industrial Noise Policy and any other EPA requirements.

9. Air Quality Management

STATEMENT OF OUTCOMES

- To preserve the air quality and protect the health and amenity of residents, visitors and industry employees.

DEVELOPMENT CONTROLS

Dust Air Pollution	Implement effective measures capable of controlling air pollution caused by dust, particularly during dry and windy weather conditions. Ensure that dust suppression equipment is fitted to all processing equipment. Employ wind activated water sprinkler systems to ensure extraction sites minimise dust generation particularly during high periods of wind and when sites are unattended. Ensure that stockpiles of material are effectively stabilised and maintained so as to prevent any dust nuisance
Covering of Loads (Trucks)	Prior to leaving extraction sites all laden trucks are to have their payloads fully covered by suitable material to prevent spillage from the trucks onto roads and adjoining properties
Access Roads	Ensure that access roads are sealed at the entrance to extraction sites and remaining unsealed portions of access roads are watered on a regular basis as a means of dust suppression

10. Rehabilitation

STATEMENT OF OUTCOMES

- Extraction sites are fully rehabilitated in an orderly, progressive and controlled manner and the environment of threatened species is protected.
- The natural attributes of surrounding catchments are conserved and the scenic, heritage and environmental quality of the Shire is protected and enhanced.
- Rehabilitation achieves a final landform that is capable of supporting agricultural production or other post-extraction use that is compatible with the rural/residential character of the region.

DEVELOPMENT CONTROLS

Rehabilitation - Design and Materials	Extraction sites are to be rehabilitated to a usable and stable final landform. The rehabilitation of extraction sites is to integrate with the shape, form, contour, vegetation, soil composition, drainage and land use characteristics of the surrounding terrain. The final use of land for agricultural purposes will only be considered where it can be demonstrated that the original land use was agricultural or where the adjoining land use is for agriculture. Otherwise, all sites are to be rehabilitated to bushland. Extraction areas should be progressively rehabilitated to integrate with the shape, form, contour, colour, land use, drainage characteristics, landscape quality and diversity of the pre-existing surrounding terrain, under the direction of a qualified person. Rehabilitation should commence prior to proceeding onto the next extraction area. Stockpiles of clean topsoil & overburden should be appropriately formed and shaped to ensure the viability of the soil and seed source of the site/area for later re-spreading or backfilling. Extracted areas should be backfilled only with earth and rock materials sourced as a result of extraction. No solid waste or putrescible materials are to be disposed of within the site without the prior approval of Council and other State Government agencies
Rehabilitation – Planting and Maintenance	Rehabilitation should incorporate, where appropriate, endemic native plants, grass covers and species. Disturbed areas should be appropriately maintained until rehabilitation is well established. Permanent ground cover should be established on areas disturbed for more than 30 days and is to be maintained by regular watering and additional applications of seed and fertiliser. Proponents should regularly maintain rehabilitated areas having regard to the following criteria:

	• Replanting exposed areas & replacing dead plants within six months • Repairing erosion problems • Pest and weed control • Fertiliser applications where appropriate • Regular watering • Application of lime or gypsum to control pH and improve soil structure, where appropriate
Rehabilitation Bond	Proponents will be required to pay a Rehabilitation Bond of a minimum $3.00 per square metre. The amount and phasing of the bond payment may vary depending upon the approved works program referred to in the Rehabilitation Strategy

11. Community Engagement

STATEMENT OF OUTCOMES

- Community participation and employment associated with Extractive Industries is encouraged, facilitated and promoted.

DEVELOPMENT CONTROLS

Community Engagement	Proposals should provide opportunities to involve the local community where possible, for example via employment and the engagement of local community groups

12. Setbacks from Maroota Public School

STATEMENT OF OUTCOMES

- To protect and maintain the safety and amenity of the Maroota Public School and residences not associated with extraction.

DEVELOPMENT CONTROLS

Extractive Activities - Setbacks	Extractive Industries are to be set back at least 250m from Maroota Public School

13. Section 94 Contributions

STATEMENT OF OUTCOMES

- To attain sufficient funds necessary to maintain and upgrade the regional and local road networks.

DEVELOPMENT CONTROLS

Developer Contributions	As a result of road damage caused by heavy vehicles extractive industry operators shall contribute to the maintenance of the regional and local road network. Proponents may be required to make developer contributions under Section 94 of the Environmental

	Planning & Assessment Act 1979 and in accordance with Council's Contribution Plan No.6 – Extractive Industries and shall be imposed as a condition of consent. The current Section 94 levy is based upon a per tonne rate, payable for material transported from extraction sites. As a condition of consent proponents may be required to submit to Council monthly certified statements of material won from each extraction site all within fourteen days after the end of each proceeding month. Monies currently collected from developer contributions will be placed in a trust account and transferred to the Roads and Traffic Authority for the maintenance, restoration and rehabilitation of the Old Northern and Wiseman's Ferry Roads and other associated works in accordance with road improvement programs as agreed between Council and the Roads and Maritime Services

14. Environmental Management Systems

STATEMENT OF OUTCOMES

- Extractive Industries consistently perform to good environmental management practices and ensure the ecological sustainability of extractive industry sites.
- Internationally and nationally recognised environmental management systems are implemented.

DEVELOPMENT CONTROLS

Environmental Management	All aspects of the operation are to employ and maintain good environmental management practices. This may involve the establishment a Management Committee including at least two permanent residents not associated with the extractive operation. This management committee may provide input into the proponent company's environmental management system and details of which may be recorded in the annual Environmental Management Plan

15. Information Required for an Extractive Industries Development Application

Council requires a high standard of application, which will enable it to conduct a proper and informed environmental impact assessment of the social, economic and environmental consequences of extractive industries.

To facilitate the timely consideration of your application, Council has designed this preferred format, content & structure for all Extractive Industry development applications.

EXECUTIVE SUMMARY

- The study site and locality;
- Background on the Proposal;
- Objectives of the Proposal;
- Justification for the Proposal;

- Management of the Proposal;
- Statutory requirements;
- The structure of the application; and
- Executive Summary: The General findings & Recommendations.

SITE ANALYSIS

- Location and ownership details including zoning & surrounding land uses;
- Topography, slopes, geology and meteorology;
- Visual and Landscape aspects;
- Soils and soil erosion;
- Hydrology, including surface & groundwater resources;
- Air quality;
- Background Noise levels;
- Flora and Fauna;
- Archaeology & Heritage; and
- Transport including accessibility.

DESCRIPTION OF THE DEVELOPMENT

- Previous and surrounding land uses;
- Local & Regional context;
- Operating objectives & procedures;
- Extraction program plan for the life of operation;
- Extraction quantity/rate and life span;
- Hours of operation;
- Equipment and on-site facilities;
- Internal & external transport arrangements;
- Power supplies and services;
- Energy consumption;
- Employment and the Multiplier effects;
- Site Management, occupational health & safety;
- Rehabilitation staging and phasing;
- Post-extraction landforms and uses; and
- Risks, safeguards & contingencies.

THE PLANNING CONTEXT

- Address the procedures for Integrated Development in Section 90 of the Environmental Planning & Assessment Act, 1979;
- Address Schedule 2 'Environmental Impact Statements' and Schedule 3 'Designated Development' of the Environmental Planning & Assessment Regulation, 2000
- SREP No.9 (2 -1995) – Extractive Industries (only Maroota)
- SREP No.20 – Hawkesbury Nepean River;
- Related Acts including Protection of the Environment Operations Act 1997; and
- Consultation with public authorities & the community.

ENVIRONMENTAL IMPACT AND MITIGATION DURING CLEARING WORKS

- Phasing/staging in relation to extraction program;
- Construction materials and equipment;
- Drainage works;
- Temporary structures and works;
- Soil conservation & management procedures;
- Location and containment of major work areas;
- Hours of operation;
- Noise generation during works;
- Transport arrangements;
- Dust suppression measures;
- Number of employees;
- Expected time frame;

- Safety issues; and
- Contingency arrangements.

ENVIRONMENTAL IMPACT AND MITIGATION DURING EXTRACTION

- Extraction program plans (extent and depth);
- Extraction materials and equipment;
- Soil conservation & management procedures;
- Hydrology including drainage works, ground – water protection & management strategies;
- Sediment and erosion control plan including tailing dam designs;
- Temporary structures and works;
- Location & containment of major work areas;
- Hours of operation;
- Noise generation during works;
- Transport arrangements;
- Air quality management, including dust suppression;
- Waste minimisation measures;
- Protection methods for environmentally sensitive areas, including flora, fauna and heritage;
- Number of employees;
- Expected time frame for each extraction phase/stage;
- Site management issues; and
- Risks, safeguards & contingency arrangements.
- Identify areas of archaeological sensitivity and/or sites with Potential Archaeological Deposits;
- Assess the scientific, educational, landscape and cultural value of aboriginal sites including possible mythological or cultural sites with no physical elements; and
- Detail how all facets of the operation will employ and maintain good environmental management practices.

ENVIRONMENTAL IMPACT AND MITIGATION DURING REHABILITATION

- Rehabilitation strategy;
- Rehabilitation materials and equipment;
- Soil conservation & management procedures;
- Hydrology including drainage work and water management strategies;
- Sediment and erosion control plan including capping of tailing dams;
- Temporary structures and works;
- Location and containment of major work areas;
- Hours of operation;
- Noise generation during works;
- Transport arrangements;
- Air quality management, including dust;
- Protection methods for environmentally sensitive areas, including flora, fauna and heritage;
- Number of employees;
- Time frame for each rehabilitation phase/stage;
- Site management issues;
- Risks, safeguard & contingency arrangements;
- Participation with community & public authorities;
- Final landform including water management; and
- Post extraction land use capabilities.

ECONOMIC APPRAISALS

- Estimates of material quality and quantity;
- Scope of the assessment
- Economic appraisal technique used;
- Project costs and benefits;

- Community costs and benefits including the no go option;
- Externalities including environmental effects and costs;
- Identify the number, degree, and extent of economic linkages between extractive industry and businesses within the Shire by way of an Economic Appraisal Report and;
- Conclusions.

SOCIAL IMPACT ASSESSMENT

- Scoping;
- Profiling;
- Formulating options/alternatives;
- Projecting & predicting effects;
- Impact management;
- Monitoring and mitigating;
- Evaluation
- Identify, mitigate and manage/monitor social impacts resulting from extractive industries by way of a Social Impact Assessment and Social Impact Management Plan and;
- Conclusion.

CUMULATIVE IMPACT

- Extraction activities within the locality;
- Social impacts and mitigating measures/management;
- Environmental impacts including groundwater, flora, fauna, noise and air quality;
- Transport routes including road damage and access arrangements;
- Community facilities and services;
- Hazard analysis including identified, discounted and emergency hazard management; and
- Relationships with other non-extraction land uses within the locality.

ENVIRONMENTAL MANAGEMENT SYSTEMS

- Water Management Plan;
- Noise Monitoring Plan;
- Sediment & Erosion Control Plan;
- Extraction Program Plan;
- Flora/fauna Monitoring Program;
- Rehabilitation Management plan;
- Waste Management Plan;
- Environmental Management Plan;

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- Identify principles and objectives of the National Strategy for Ecologically Sustainable Development (ESD) 1992 relating to the project;
- The framework in which council, public authorities and the community can participate in the preparation, monitoring of performance and rehabilitation of the project;
- Implementation of the precautionary principle including an evaluation of measures undertaken to avoid serious or irreversible damage to the environment;
    - Means of ensuring inter-generational equity;
    - Means of conserving biological diversity & ecological integrity within the locality;
    - Recognition of the global dimension of impacts, including greenhouse gas emissions;
    - Recognition of economic appraisal and social impact assessments;
    - Efficient mining procedures including occupational health & safety;
    - Achieving social equity and satisfaction;
    - Water resource management;
    - Waste management/ minimisation strategy;
    - Risks, safeguards & contingency arrangement; and
    - Other effective monitoring and review programs.

REVIEW OF ALTERNATIVES

- Alternative sources of material;
- Alternative transport routes;
- Alternative sources of employment; and
- Alternative land uses including “no go” option.

RECOMMENDATIONS

- Need for the development in local and regional context;
- Alternatives to the development;
- The preferred option;
- Summary impact assessment of the preferred option; and
- Conclusions.

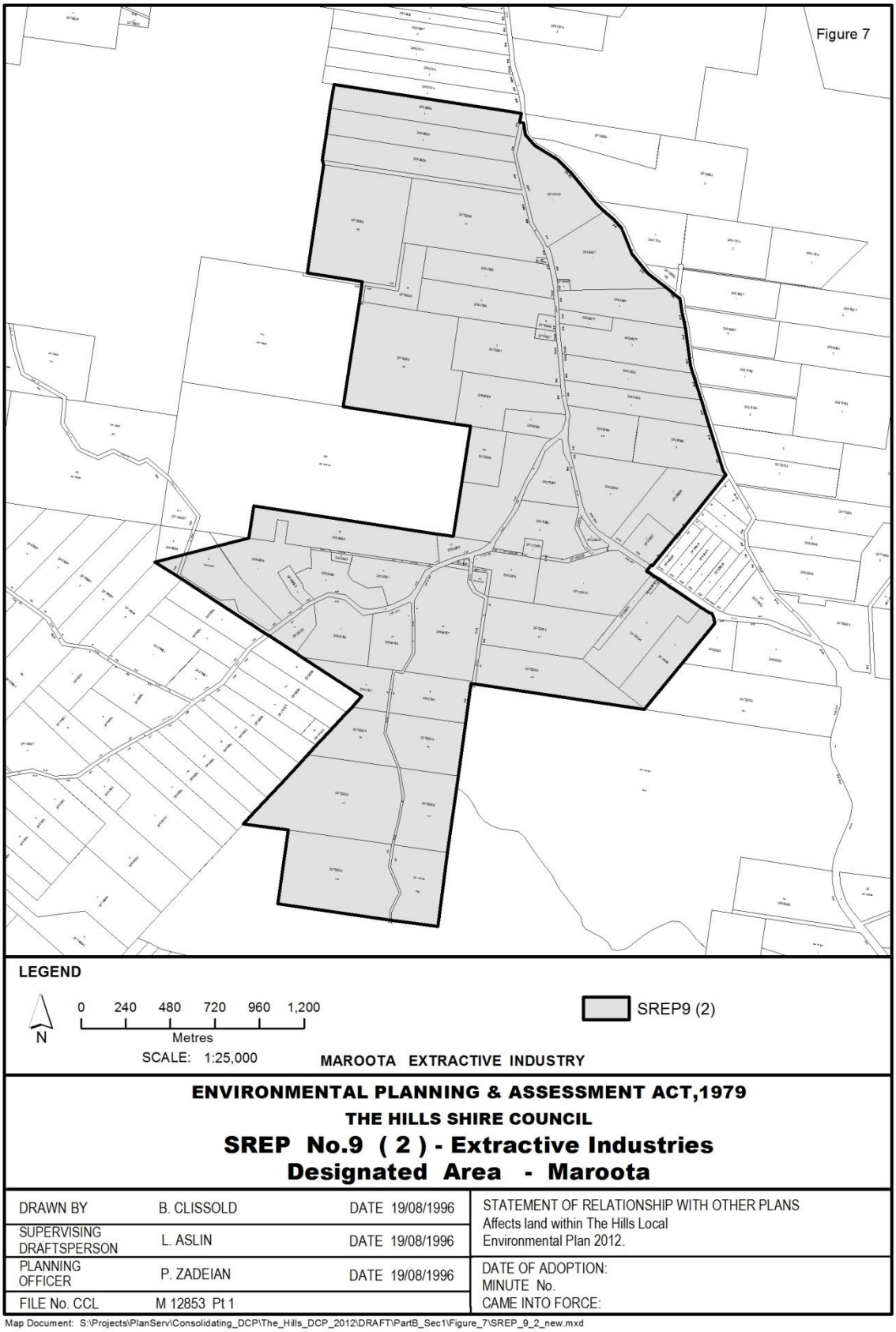


Figure 7: Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995) Designated Area