

STATEMENT IN SUPPORT OF REZONING (PLANNING PROPOSAL)

RURAL – RESIDENTIAL SUBDIVISION

1442 & 1442A KURMOND ROAD, KURMOND



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Prepared by Glenn Falson
BA; LG(Ord4); DTCP; M.EnvL; MPIA

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Executive Summary

The site at Kurmond is an 11.05ha site comprising of two allotments. The site is located on the northern fringe of the Kurmond residential village and adjoins the Kurmond Public School to the south and rural/residential lots to the north and residential lots to the east and west.

Council's Residential Strategy has identified specific areas / localities that are considered by the Council as suitable for further investigation for urban expansion and in a range of lot sizes from traditional small residential lots to larger periphery lots that might form a transition from the denser urban areas to the rural surrounding areas. The site is considered to be within an area identified within Council's strategy for investigation and in fact is included in a draft investigation map prepared by Council for consideration of further urban development at Kurmond.

Preliminary site investigations have been carried out which has demonstrated that the land is capable of being subdivided into a number of lots that would be consistent with other lands in the vicinity and would form an appropriate component of village expansion at Kurmond.

The site is capable of containing on-site wastewater disposal and matters relating to vegetation management and bushfire control can be satisfied.

The conclusion is that the site is appropriate for subdivision as proposed and that the current Lot Size Map should be altered to account for subdivision of the land into lots of minimum size 4,000m².

We understand that the general market for all types of land within the Hawkesbury LGA is strong and consistent with a short supply of lots including rural, rural/residential, and residential.

Water, electricity, telephone and transport services are currently available to the site boundaries. A new internal road would be created and each lot would have appropriate access.

It has been identified that there is a need for an additional 5-6,000 dwelling sites in the Hawkesbury LGA to 2031. Existing zoned areas are mostly built out hence the need identified within Council's strategy to look for additional sites including those around the perimeter of

existing towns and villages. The subject proposal will assist in satisfying, in some way, this identified demand.

Introduction

The Planning Proposal

Falson & Associates Pty Ltd has prepared this Planning Proposal on behalf of the landowners and it is submitted to Hawkesbury City Council to request that the current LEP Lot Size Map be altered to provide for lots with a minimum of 4000m².

This Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the guidelines prepared by the Department of Planning & Infrastructure entitled "A guide to preparing Planning Proposals", dated October 2012.

This Planning Proposal is in support of a rezoning proposal for land that adjoins the existing residential zone and Kurmond Primary School. The premise of the proposal is that it recognizes that the subject land is, prima facie, suitable for large lot residential use and would be an appropriate transitional development between the existing Kurmond Village and the larger rural holdings further along Kurmond Road. It is concluded that subdivision of this land is appropriate in the circumstances of the case and would be consistent with the direction identified in Council's recent Residential Strategy.

Attached to this submission is a proposed plan of subdivision to subdivide the existing two lots into fourteen (14) rural/residential lots that range from 4000m² to 2.33ha.

An LEP Gateway determination will determine whether further detailed site investigation is required although it is believed that the studies carried out to date are considered to be prima facie evidence that the site can be developed in accordance with the lot layout plan and that no further studies are required in conjunction with this Planning Proposal. However the flora/fauna study has recommended that further detailed investigation is carried out at a subsequent Development Application stage and that recommendations included within the report, if implemented, will result in impacts being minimised.

Background

The Hawkesbury Residential Land Strategy is the document prepared by Council to guide future residential development within the LGA, with

the aim of accommodating between 5,000 and 6,000 new dwellings by 2031.

The Strategy identifies that existing centres within the Hawkesbury only have the potential to accommodate approximately 600 of the total 5,000 – 6,000 required new dwellings. The remaining 5,400 dwellings need to be provided from greenfield sites and/or development around the periphery of existing towns and villages as recommended in the Strategy as follows:

The Hawkesbury Residential Development Model focuses on future residential development in urban areas and key centres. However, the importance of maintaining the viability of existing rural villages is recognised. As such, the Hawkesbury Residential Land Strategy has developed a strategy for large lot residential or rural residential development to focus around existing rural villages.

The future development of rural villages is recommended to:

- _ Be low density and large lot residential dwellings, which focus on proximity to villages and services and facilities; and*
- _ Minimise impacts on agricultural land, protect scenic landscape and natural areas, and occur within servicing limits or constraints.*

Additionally development within and adjacent to rural villages must:

- _Be able to have onsite sewerage disposal;*
- _Cluster around or on the periphery of villages;*
- _Cluster around villages with services that meet existing neighbourhood criteria services as a minimum (within a 1km radius);*
- _Address environmental constraints and with minimal environmental impacts; and*
- _Only occur within the capacity of the rural village.¹*

The Planning Proposal site's location and its attributes are considered to meet the above criteria.

Description of Land and Surrounding Locality

Location

The site is located approximately 85km north west of the Sydney CBD, and adjoins the Kurmond Village on the southern boundary of the site. Kurmond is situated on the Bells Line of Road which is the second major road route over the Blue Mountains linking Sydney to Lithgow.

¹ Hawkesbury Residential Land Strategy 2010, exec summary, page viii.

Kurmond Village is a small town that is centred on Bells Line of Road and in particular the shops and Primary School.

Site description

The site is comprised of two (2) allotments, Lots 104 & 105 DP 1051618. Together these lots have an area of 11.05ha.

There is an existing dwelling on the land on the south eastern corner of the land adjacent to Kurmond Road. The site has some vegetation close to Kurmond Road and adjacent to Howes Creek which traverses the site approximately 3/4 distance from Kurmond Road. The majority of the site is cleared for past grazing activities. There is an existing rural shed and some rural fencing.

The site is undulating but generally falls from the Kurmond Road frontage to the rear. There is a cleared open grassland area generally in the middle of the site.



Existing house in background. Entrance to site is in front of car.



Entrance to site. Land is cleared behind initial tree line.

Locality Description

The site adjoins the northern boundary of the Kurmond Village, is joined on 3 sides by residential development and on its 4th side (northern boundary) by rural/residential lots of varying lot sizes.

Topography

The land varies in height from approximately 125m AHD along the Kurmond Road frontage and then sloping gently to the middle of the site at the creek line of approximately 80m and then rising to the rear of the site to approximately 105m AHD.

Soils

The acid sulfate soil map contained within Hawkesbury's Local Environmental Plan 2012 indicates that the property is within a class 5 soil classification. Most of the Hawkesbury LGA is covered with this same classification. There is no particular requirement for development within this soil class area unless extensive earthworks are undertaken and when such might be close to waterways etc.

Agricultural Land

The site is within a Class 3 and 4 agricultural land classification in accordance with the Land Classification mapping of the NSW Department of Primary Industries. The Agricultural Land Classification Atlas for the Sydney Basin and Lower Nepean – Hawkesbury Catchment defines Class 3 land as:

Class 3 – Moderately productive lands suited to improved pasture and to cropping within a pasture rotation. The overall level of production is moderate as a result of edaphic or environmental constraints. Erosion hazard or soil structural breakdown limit the frequency of ground disturbance, and conservation or drainage works may be required.

Class 4 – Marginal lands not suitable for cultivation and with a low to very low productivity for grazing. Agriculture is based on native or improved pastures established using minimum tillage. Production may be high seasonally but the overall level of production is low as a result of a number of major constraints both environmental and edaphic.

The surrounding land uses, the soil and slope profile of the land, proximity of Kurmond Village are all disincentives to any high order agricultural use. As a result, light grazing is identified as the highest agricultural value which can be placed on the land. Whilst the site has been used for hobby farm cattle and horse grazing in the past it is too small for any meaningful agricultural use in terms of cropping or production. Additionally there is a water course that traverses land that would limit any intensive agricultural use.

It is considered that subdivision of the land as proposed would have no impact on primary production capacity.

European Heritage

The Hawkesbury LGA has a diverse cultural heritage which includes cultural landscapes, roadways, historic buildings and infrastructure. The Hawkesbury LGA has heritage that dates back to the earliest years of colonial settlement, including four of the five Macquarie Towns.

The site does not contain a heritage listed item and there are no close items indicated on Council's LEP heritage map.

Aboriginal Cultural Heritage

Whilst the Hawkesbury LGA has a rich Aboriginal archaeological heritage there are no known sites on the subject land or in its close vicinity. Normal awareness during construction of a dwelling and

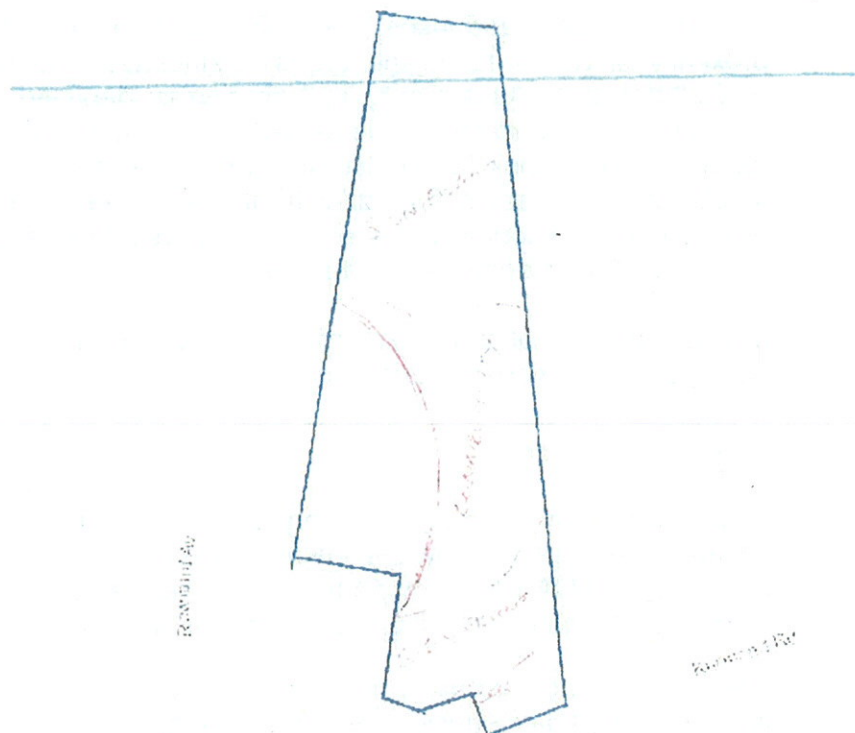
vehicle access would be appropriate and is what Council requires for any new construction.

Landscape, Visual and Open Space Values

The site is partly vegetated and this is the appearance when viewed from Kurmond Road. However once into the land it opens out into gently undulating rural land on the fringe of urban development.

It is not believed that there will be any substantive change to the landscape of the site or surroundings if the subdivision were to proceed. Whilst changing the site from rural to urban future housing development would be consistent with land to the south (in the village) and to the west along Rowlands Place. The local landscape will eventually alter by the construction of dwellings however this would not be distinguishable in a broader context.

Ecology



Extract of LEP Biodiversity Map.

The site is included in the Terrestrial Biodiversity Map within Council's LEP 2012. The map indicates that approximately half of the site is

classed as "connectivity between significant vegetation" and approximately 1/3 is "significant vegetation".

A Flora and Fauna Survey & Ecological Assessment has been undertaken by UBM Ecological Consultants Pty Ltd.

The report indicates:

*"Flora: No (0) flora species or populations listed under the TSC Act or EPBC Act were recorded for the current Study Area; therefore no impact to any threatened species is envisaged, and therefore no Assessment of Significance (Seven-part Test) for flora issues has been recommended."*²

Plant Communities: Four (4) plant communities were recorded."

The report indicates that one of the communities recorded is "Cumberland Shale Plains Woodland with elements of Moist Shale Woodland. Whilst this areas is not proposed for development it is possible that part of this bushland is required to be cleared or modified to create an Asset Protection Zone for bushfire safety purposes"³ and that a Seven-part Test will be required as part of the Development Application process. To some extent this will depend on ultimate dwelling location, size and design. Detailed bushfire assessment will be required with each dwelling application.

"Fauna: Three (3) habitat types were identified on the Property: Woodland (value moderate), open grassland (value low) and aquatic (value high).

By the completion of the current field survey (November 2013), 35 bird species were detected within, adjacent to, or flying over the Study Area; the latter identified by their distinctive calls as well as observation (Appendix 4). Three (3) native reptiles were observed within the Study Area. Three (3) introduced mammals were also identified. Horses have been grazed on the Property and there is evidence of this being on-going.

Seven (7) species of microchiropteran bats were identified with varying degrees of confidence (see Appendix 4). Four (4) of these species are listed as 'threatened'; the Eastern Bentwing Bat (Miniopterus schreibersii oceanensis), Eastern False Pipistrelle (Falsistrellus tasmaniensis), Eastern Freetail Bat (Mormopterus norfolkensis) and Greater Broad-nosed Bat (Scoteanax rueppellii).

² UBM report, page i,

³ UBM report, pages i & ii.

No other threatened fauna species were identified during the current field investigations.

Considering the findings of the current field investigations and given that some other threatened species are known to occur in the Region, a Seven-part Test of Significance under part 5A of the EP&A Act should be undertaken for each of the following species to assess the impacts of the proposed development at 1442/1442A Kurmond Road:

- ☐ *Powerful Owl (Ninox strenua)*
- ☐ *Square-tailed Kite (Lophoictinia isura)*
- ☐ *Varied Sittella (Daphoenositta chrysoptera)*
- ☐ *Eastern Bentwing Bat (Miniopterus schreibersii oceanensis), Eastern False Pipistrelle (Falsistrellus tasmaniensis), Eastern Freetail-bat (Mormopterus norfolkensis) and Greater Broad-nosed Bat (Scoteanax rueppellii)*
- ☐ *Grey-headed Flying-fox (Pteropus poliocephalus)*

Each assessment will consider the requirements for land clearing based on the Plan of Proposed Rural Subdivision and APZ requirements. As per flora issues, these Assessment will be undertaken upon completion of the final concept plan and approval of the Planning Proposal.”⁴

Bushfire

Council's Bushfire Prone Land Map identifies the site as being wholly within a Bushfire Prone Land – Vegetation Category 1 zone.

A bushfire assessment has been undertaken by Advanced Bushfire Performance Solutions that indicates that each lot complies with Planning for Bushfire 2006 including appropriate access, asset protection zones, water supply etc.

Access and Transport

Kurmond Road runs along the site's south eastern boundary, and is an undivided regional 2 lane road under the control of Hawkesbury Council. Kurmond Road intersects with Bells Line of Road which is a classified road.

Access to the site from Kurmond Road is relatively level and good sight distances exist in each direction.

There is an existing local bus service that runs past the site and which links to Kurmond, Kurrajong, North Richmond and then to Richmond and Penrith. There is a Sydney metropolitan train station at Richmond.

It is acknowledged that North Richmond and the Bridge on Bells Line of Road currently experiences traffic capacity problems during peak

⁴ UBM report, page ii & iii.

periods. Should this planning proposal proceed then the impact of this proposal would be insignificant in terms of the road and bridge's function. It is noteworthy that there are other Planning Proposals afoot that, if supported, would be of a size where substantial upgrading of the North Richmond Bridge or some alternative traffic management would take place. Additionally it is understood that Council is in the course of preparation of a S94 contributions plan for development at Kurmond. It is envisaged that if this Planning Proposal were to proceed a contribution would be levied on the subdivision for each additional lot created to assist in implementation of traffic infrastructure in the locality. Alternatively the landowner could enter into a Voluntary Planning Agreement with Council so that an amount approximating what might come from the S94 Plan can be levied with the resultant subdivision if the S94 Plan has not at that time been implemented.

Utilities and Services Infrastructure

The site has reticulated water but no reticulated sewer service. It is noted that the existing Kurmond Village also does not have a reticulated sewer service.

As happens in rural lands in the Hawkesbury effluent is either disposed of on site or is collected and pumped out via an approved contractor for transportation to an approved waste outlet. The subject site is large enough for each lot to have on-site disposal and this is indicated in the Wastewater Feasibility Study carried out by Toby Fiander & Associates.

The Fiander report concludes *"that there is sufficient suitable land on the blocks of the indicative subdivision to allow for adequate disposal"*.⁵

Electricity and telephone are available to the site.

Garbage and recycling services are provided to the site and would be available to the additional lots created.

Community Facilities and Human Services

The following facilities are available within the Kurmond Village:

- Primary school.
- Shops including mini-market, chemist, bakery, newsagent and a variety of specialty shops.
- Cafes and restaurants.

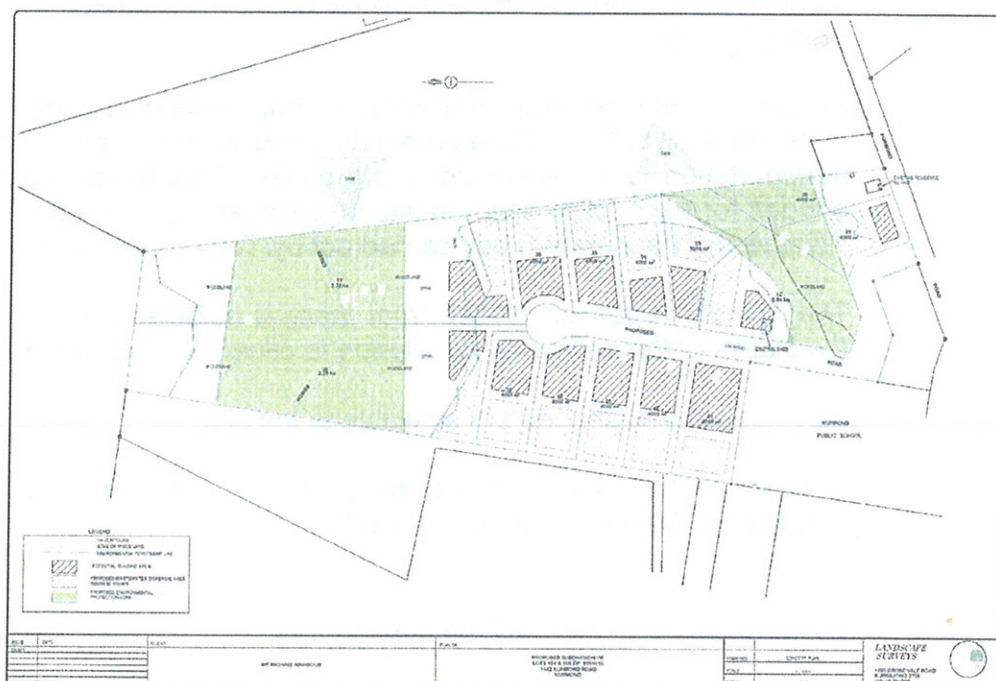
⁵ Fiander report, page 5.

Alternative Land Uses

Council's LEP 2012 does allow a range of uses in the current RU4 zoned land however the only reasonable alternative use for the site would be the current use of low-key grazing opportunities and for a dwelling on each of the two lots. As mentioned the site is adjacent to the Kurmond Public School and other residential development. Any significant agricultural use of the site would pose a conflict with these adjoining uses.

Subdivision Design

The plan of subdivision shows the two original lots divided into fourteen (14) rural/residential lots of varying sizes depending on topography, vegetation etc.





Cleared area of existing internal track. Road would generally follow this path.



Cleared area towards middle of site looking north to Howes Creek.



Cleared area towards middle of site looking east.

Statutory Planning Policies and Controls

Land Use Zoning

The site is currently zoned RU4 – Primary Production Small Lots under Hawkesbury LEP 2012.

The lot size map within the LEP provides for a minimum lot size of 4ha within the RU4 zone.

State Planning Controls and Policies

Sydney Regional Environmental Plan No 9 – Extractive Industry (No 2 – 1995)

The primary aim of SREP No 9 (No 2-1995) are to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance and to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential. The site is not within the vicinity of land described in Schedule 1, 2 and 5 of the SREP nor will

the proposed development restrict the obtaining of deposits of extractive material from such land.

State Environmental Planning Policy 44 – Koala Habitat

State Environmental Planning Policy 44 – Koala Habitat Assessment is applicable. There is no evidence of koalas on site and the site is not core habitat as defined by SEPP44. The flora/fauna report by UBM indicates:

“Some preferred feed trees available (Forest Red Gum, Grey Box, Grey Gum). No indication that these trees are used by these species (ie Koala). Unlikely to occur within the Subject Property. Further assessment of this species is not required.”⁶

SEPP5 – Remediation of Land

nb

The land has not been used for an agricultural use for many years. Previous uses were for limited grazing activities of cattle and horses. There is no obvious evidence of surface or groundwater pollution as a result of past uses. It is not believed that any geotechnical investigations need to be carried out for the planning proposal to proceed.

It is noted that the land is within class 5 Acid Sulfate soil as identified in the Acid Sulfate Soil Map forming part of LEP 2012. There is no particular requirement arising as a result of this classification.

SREP5 No 20 – Hawkesbury Nepean River

Sydney Regional Environmental Plan No 20 (No 2) – Hawkesbury Nepean River [From 1st July 2009 existing Regional Environmental Plans become a “deemed” SEPP under new Division 2, Part 3 of the EP&A Act].

The aim of SREP 20 is to protect the environment of the Hawkesbury – Nepean River System by ensuring that the impacts of future land uses are considered in a regional context. Part 2 of SREP20 provides general planning considerations and recommended strategies. The following specific policies are relevant:

1. Total Catchment Management

⁶ UBM report, page 31.

Policy: Total catchment management is to be integrated with environmental planning for the catchment.

Strategies

- a) *Refer the application or other proposal for comment to the councils of each adjacent or downstream local government area which is likely to suffer a significant adverse environmental effect from the proposal.*
- b) *Consider the impact of the development concerned on the catchment.*
- c) *Consider the cumulative environmental impact of proposals on the catchment.*

The proposal is a minor spot rezoning that would have little impact on the river or its catchment. This type of development is envisaged by Council's Residential Land Strategy. Any cumulative impact would be recognised as suitable in the context of expanding towns and villages as promoted by Council's strategy.

The subdivision as such will have no impact on water quality although future dwellings on the site would need to be designed in an appropriate manner such that water quality is not adversely impacted. Appropriate mechanisms exist to ensure appropriate water quality can be put into place within the subdivision design and layout of access and building envelopes.

The Fiander report recommends that each lot is capable of containing on-site effluent.

6. Flora and Fauna

Policy: Manage flora and fauna communities so that diversity of species and genetics within the catchment is conserved and enhanced.

The UBM report indicates that the subdivision can proceed subject to detailed investigation dependent on final bushfire asset protection zone requirements for subsequent dwellings.

9. Rural Residential Development

Policy: Rural residential development should not reduce agricultural sustainability, contribute to urban sprawl, or have adverse environmental impacts (particularly on the water cycle or on flora or fauna).

As mentioned the land is class 3 and 4 agricultural land of low value and limited potential. The site is within that generally identified by Council as having some urban potential and thus development is

anticipated. Effluent, bushfire, and flora/fauna studies carried out suggest that the environmental impacts will be satisfactory.

Regional Planning Controls and Policies

Sydney Metropolitan Strategy

The Metropolitan Plan for Sydney 2036 is applicable. The Metropolitan Plan 2036 (the Plan) is the strategic plan that guides Sydney's growth to 2036. The Plan is an integrated, long-term planning framework that will significantly manage Sydney's growth and economic development to 2036.

The Plan sets capacity targets for each subregion to facilitate housing and economic growth through providing more jobs closer to home. The Plan anticipates the North West to provide an additional 169,000 dwellings by 2036.

The Hawkesbury Residential Land Strategy is Council's response to implementing the Metro Strategy as far as it applies to the Hawkesbury LGA. The proposal arises out of Council's Strategy identifying a need for further urban development on the periphery of existing towns and villages subject to relevant criteria.

Draft North West Subregional Strategy

The Metropolitan Plan has been developed to set the framework targets for 10 Metropolitan subregions to provide for major growth in housing and employment.

The North West subregional planning strategy, which covers, inter alia, the LGA of Hawkesbury sets the broad direction for additional dwelling and employment growth.

This Strategy is split up into a number of sub-regional strategies including the North West Subregional Strategy which provides for the Hawkesbury LGA to accommodate an additional 5,000 dwellings to 2036.

The draft subregional strategy acknowledges that the Hawkesbury LGA is largely constrained by the Hawkesbury Nepean flood plain, with limited capacity for additional growth to the south of the Hawkesbury River due to the risk of flooding.

The draft subregional strategy identifies and assumes that the majority of future housing growth within the LGA will need to occur on land located predominantly to the north of the River, in association with existing local centres. This Planning Policy is consistent with this objective and is consistent with the further detailed investigation carried out by Council through its Residential Land Strategy.

Local Planning Controls and Policies

Hawkesbury Local Environmental Plan 2012.

Hawkesbury LEP 2012 is the current LEP applying to the site and the Hawkesbury LGA. The land is zoned RU4 – Primary Production Small Lots and the Lot Size Map within the LEP provides that subdivided lots are to have a minimum area of 4ha.

To alter the minimum lot size provisions requires an alteration of the Lot Size Map for the land through the Planning Proposal process.

Hawkesbury Residential Lands Strategy 2010.

Council adopted the Strategy to guide it in future development of zoned residential lands and lands in proximity of zoned residential lands. The Strategy identifies that existing centres only have the potential to accommodate approximately 600 of the total 5,000 – 6,000 required new dwellings for the LGA as identified in the North Western Sub Regional Strategy. The remaining 5,400 dwellings need to be provided from greenfield sites, infill development and incremental development around existing towns and villages.

The Residential Lands strategy included a recommendation as follows:

The Hawkesbury Residential Development Model focuses on future residential development in urban areas and key centres. However, the importance of maintaining the viability of existing rural villages is recognised. As such, the Hawkesbury Residential Land Strategy has developed a strategy for large lot residential or rural residential development to focus around existing rural villages.

The future development of rural villages is recommended to:

- Be low density and large lot residential dwellings, which focus on proximity to villages and services and facilities; and*
- Minimise impacts on agricultural land, protect scenic landscape and natural areas, and occur within servicing limits or constraints.*

Additionally development within and adjacent to rural villages must:

- _Be able to have onsite sewerage disposal;*
- _Cluster around or on the periphery of villages;*
- _Cluster around villages with services that meet existing neighbourhood criteria services as a minimum (within a 1km radius);*
- _Address environmental constraints and with minimal environmental impacts; and*
- _Only occur within the capacity of the rural village.*

The proposal has been designed and the site is located to meet the above requirements.

Hawkesbury Employment Lands Strategy 2008.

The Employment Lands Strategy identifies Kurmond as having a local neighbourhood commercial centre. The Strategy makes the following recommendations in respect of what should happen with Kurmond.

Villages and neighbourhood centres such as Kurrajong, Kurmond, Pitt Town, Bligh Park, Wilberforce and McGraths Hill should be supported by allowing additional residential intensification in their immediate vicinity where environmental constraints allow. This might require an accompanying increase in business and retail development capacity.⁷

The proposal is consistent with the recommendations for Kurmond.

Community Strategic Plan 2013-2032

The Hawkesbury Community Strategic Plan 2013–2032 is based on five themes:

- Looking after people and place
- Caring for our environment
- Linking the Hawkesbury
- Supporting business and local jobs
- Shaping our future together

Each theme contains a number of Directions, Strategies, Goals and Measures.

There is no specific strategy relating to subdivision around villages and the Planning Proposal is not inconsistent with any of the broad themes within the Strategic Plan. Of relevance is that the Planning Proposal is consistent with the “looking after people and place” directions statement in that:

⁷ Hawkesbury Employment Lands Strategy, 2008, p113.

- It offers future residents a choice of housing options that are appropriate in the context of the site and overall qualities of the Hawkesbury.
- Any population increase resulting from the Planning Proposal will have appropriate infrastructure provision and will accord with relevant rural, environmental and heritage characteristics of the Hawkesbury.
- It will provide for appropriate development and promote physical and community infrastructure on both sides of the Hawkesbury River.

Of further relevance is that the Planning Proposal is consistent with the the strategy contained in the Community Plan that identifies community needs (additional housing opportunities), establishes an appropriate benchmark and ensures that required services and facilities are available and can be delivered.

Our City Our Future - Rural Rezoning Policy 1998

This policy was adopted in 1998 and has somewhat been superseded by more current policies of Council. However the provisions of the policy are indicated below with comments on each.

1.0 Purpose of the Policy

1. That the following principles be adopted for consideration of rural rezonings to allow smaller lot subdivision :

a. Fragmentation of land is to be minimised;

The land is within an area identified within Council's subsequent Residential Land Strategy as having urban potential. Fragmentation of this land is envisaged by this subsequent strategy.

b. Consolidation within and on land contiguous with existing towns and villages be preferred over smaller lot subdivision away from existing towns and villages;

The proposal is consistent with this principle.

c. No subdivision along main roads and any subdivision to be effectively screened from minor roads;

The site does not front a main road and existing vegetation will largely screen the subdivision from Kurmond Road.

d. No subdivision along ridgelines or escarpments;

The site is not on a ridgeline or in an escarpment area.

e. Where on site effluent disposal is proposed, lots are to have an area of at least 1 (one) hectare unless the effectiveness of a smaller area can be demonstrated by geotechnical investigation;

The lots will vary in size down to a minimum of 4000m². This is the size of allotment that is indicated by Council as being the minimum to contain on-site effluent disposal in later studies (eg Kurrajong Heights, Wilberforce and within LEP 2012 generally). There has been an effluent disposal assessment which concludes that the size of lots proposed and other criteria is met such that the lots are suitable for effluent disposal.

f. The existing proportion of tree coverage on any site is to be retained or enhanced;

The subdivision does not propose removal of vegetation. Some vegetation removal may be required for bushfire asset protection zones and the flora/fauna assessment undertaken concludes that the proposal is satisfactory. The majority of vegetation on site will be left in its current state and the percentage that might need to be removed is minimal.

g. Any rezoning proposals are to require the preparation of Environmental Studies and Section 94 Contributions Plans at the applicant's expense.

The rezoning process has altered since this policy of Council. The Gateway Process will dictate whether further studies are required.

h. Community title be encouraged for rural subdivision as a means of conserving environmental features, maintaining agricultural land and arranging for the maintenance of access roads and other capital improvements.

The form of title for subdivision of the land has not been determined. Community title can be investigated should the Planning Proposal proceed.

2. Prepare a draft local environmental plan to alter minimum requirements to average requirements with an absolute minimum requirement sufficient to contain on site effluent disposal. A clause is to be added to Hawkesbury Local Environmental Plan 1989, prohibiting

any further subdivision of the residue lot if all subdivision entitlement is exhausted.

These controls can be imposed and is a matter for Council when considering support of the Planning Proposal.

3. As a means of encouraging the retention of large holdings, a concessional lot entitlement of up to 50% of the existing legal entitlement be considered under State Environmental Planning Policy No 1 where a land holding has an area in excess of 40 (forty) hectares and where the subdivision will maximise the area of a single residue lot through the provision of small rural residential lots. Such subdivision proposals are to comply with the principles of this document with a clause to be added to Hawkesbury Local Environmental Plan 1989, prohibiting any further subdivision of the residue lot if all subdivision entitlement is exhausted.

Not applicable as land is less than 40ha.

4. Vineyard - In accordance with previous resolutions and resident representations urban development with appropriate services should be supported.

Not applicable.

Matters to be addressed in a planning proposal Justification Statement (s 55(1) of the Act

The Planning Proposal has been prepared in accordance with the NSW Department of Planning & Infrastructure *A Guide to Preparing Local Environmental Plans* (October 2012). The Proposal is structured in the following parts:

1. Objectives or Intended Outcomes;
2. Explanation of Provisions;
3. Justification;
 - a) Need for the Planning Proposal;
 - b) Relationship to Strategic Planning Framework;
 - c) Environmental, Social & Economic Impact;
 - d) State and Commonwealth Interests;
4. Mapping;
5. Community Consultation;
6. Project Timeline.

Part 1 - Objectives or Intended Outcomes

The proposed local environmental plan would alter the Lot Size Map as it applies to the land. It is presumed that there will be provisions contained within the draft plan that would limit the number of lots to generally coincide with the planning proposal and that no further subdivision of this land would be permissible once the actual number of lots have been assessed as appropriate.

The proposal, albeit in a small way, would assist in meeting the demand for additional housing supply and housing choices within the requirement for an additional 5-6,000 houses by 2031.

Part 2 - Explanation of Provisions

The effect of the planning proposal would be to amend LEP 2012 by:

- i. Amending Lot Size Map Sheet LSZ_008AA and Lot Size Map Sheet LSZ_008A to change the minimum lot size for the land to 4,000 square metres with a maximum lot yield of 14 lots
- ii. Inclusion of a new provision with LEP 2012 to control the maximum number of lots into which the land can be subdivided, ie 14 lots.

Part 3 - Justification

Section A - Need for the planning proposal.

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

Council's Residential Land Strategy 2010 and the North West Sub-Region Strategy indicate the goal of providing further 5-6,000 dwellings within the Hawkesbury LGA by 2031.

The proposal is the result of an indication within the Residential Lands Strategy adopted by Council in 2010 that required a vibrant future for small villages including the development around their perimeters commensurate with appropriate access and facilities. The site is on the fringe of the Kurmond Village and is considered to be

within an area to be considered for development in accordance with Council's Strategy.

Additionally the Planning Proposal is a result of the landowner's request for Council to consider further development of the site as being consistent with land within the Kurmond Village.

The use of the LEP Gateway determination process will assist in an incremental way, the achievements of the strategic objectives of the Sub-Regional Strategy and Hawkesbury Residential Land Strategy.

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

The current Lot Size Map does not allow for subdivision in the manner proposed. A planning proposal and subsequent local environmental plan is the most appropriate and easiest way to bring about development of the subject land to be consistent with Council's Residential Lands Strategy. The subject site is in an obvious location to expand the village of Kurmond whilst at the same time recognizing environmental features of the site.

The alternative to altering the Lot Size Map would be to actually rezone the site to a "best fit" zone within the standard instrument list of zones such as R5 Large Lot Residential or RU5 Village. It is considered that neither of these zones (or any other zone) would be appropriate unless coming from a detailed study of a broader area. In the meantime the existing zone objectives are still appropriate and will ensure an adequate fit of the subdivision and adequate control of development. Changing the Lot Size Map is easier, efficient and can be done in a timely manner whilst maintaining the philosophy of the Standard Instrument LEP.

The Planning Proposal is a key means of achieving the State and Regional objectives and strategic outcomes within the Hawkesbury LGA, specifically the housing targets set by Council's Residential Land Strategy and the North-West Subregional Strategy. Whilst there are some large lot yield proposals currently with Council and the Department of Planning & Infrastructure the total proposed yield to 2031 can only be addressed if smaller

proposals such as this are included alongside larger proposals. In this way there will be a variety of housing choices brought to the market and smaller landholders are seen to be part of the process and an integral component of local communities.

Section B - Relationship to strategic planning framework.

3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies?)

The Metropolitan Plan for Sydney 2036

The Sydney Metropolitan Strategy – City of Cities: A Plan for Sydney's Future (the Metro Strategy) was released in 2005 to support growth while balancing social and environmental impacts over 25 years. The Metro Strategy has now been updated and integrated with the Metropolitan Transport Plan towards greater sustainability, affordability, liveability and equity for generations to come.

Draft North West Subregional Strategy

The Draft North West Subregional Strategy identifies and assumes that the majority of future housing growth within the LGA will need to occur on land located predominantly to the north of the River in association with existing local centres. Whilst not specifically mentioned in the sub regional strategy Kurmond Village would fall within such a local centre.

The proposal is consistent, albeit in a small way, with the objective of a further 5-6,000 dwellings within the Hawkesbury LGA by 2031.

The Metropolitan Plan for Sydney 2036 can be viewed at <http://strategies.planning.nsw.gov.au/MetropolitanStrategyforSydney/PreviousMetropolitanstrategies.aspx>

The Subregional Strategy can be viewed at <http://www.shop.nsw.gov.au/pubdetails.jsp?publication=7957>

The table below provides an assessment of the planning proposal against the relevant objectives and actions of the Metropolitan Plan for Sydney 2036 and actions of the Subregional Strategy. The Metropolitan Plan objectives and actions are prefixed with the letters MP, the Subregional Strategy actions are prefixed with the letters NW.

Strategic Planning Framework Assessment

Actions	Response
MP Objective B1 To focus activity in accessible centres MP Action B1.1 Plan for centres to grow and change over time. MP Action B1.3 Aim to locate 80% of all new housing within walking catchments of existing and planned centres of all sizes with good public transport. NW Action B2.1.1 Councils to consider planning for houses growth in centres, particularly those well serviced by public transport. MP Action B3.1 Plan for new centres in existing urban areas and greenfield release areas.	The proposal assists in carrying out this action. The site is within walking distance of the village shops and bus route to the larger centres of Richmond and Windsor. The proposal provides for a small extension to the north of the Kurmond Village and adjoining the local public school and residential zoned existing development. The site is adjoining an existing urban centre and a logical one for large lot residential lots as proposed and the locality will allow other similar development over time. The site provides good access to the local shopping centre in Kurmond and has bus routes to Richmond connecting with rail to Blacktown and Sydney. The HRLS recognises that urban growth in the Hawkesbury is severely limited by environmental constraints such as State and National parks, agricultural land values, flooding issues, and noise constraints. This is part of its rationale for promoting limited infill development and development around the periphery of existing towns and villages. The proposal and the site is consistent with this rationale.
NW Action C1.1.3 Hawkesbury Council to prepare a strategic residential land use study to consider opportunities for further growth around local centres to the north of the Hawkesbury River, cognisant of flooding and flood evacuation issues.	The Subregional Strategy acknowledges that the LGA is largely constrained by the Hawkesbury - Nepean flood plain, with limited capacity for additional growth to the south of the Hawkesbury River due to the risk of flooding. The Subregional Strategy assumes that the majority of future housing growth within the LGA will need to occur on land located predominantly to the north of the River, in

NW Action C1.3.1 North West councils to plan for sufficient zoned land to accommodate their local government area housing target in their Principal LEPs. NW Action C2.1.2 Councils to provide in their LEPs zoned capacity for a significant majority of new dwellings to be located in strategic and local centres. NW Action C2.1.3 North West councils to ensure location of new dwellings improves the subregion's performance against the target for State Plan Priority E5 NW Action C2.3.2 North West councils to provide an appropriate range of residential zonings to cater for changing housing needs. NW Action C5.1.2 Councils to reflect best practise established by the Growth Centres Commission in land release areas outside the North West Growth Centre.	association with existing local centres. Council's HRLS was prepared having regard to constraints and opportunities and has carried out the actions required by the Strategy. There is an expectation within the rural village areas of the Hawkesbury LGA that additional housing opportunities will occur commensurate with projected growth. The Hawkesbury has a demand for a range of housing needs including large lot residential land as proposed for this site. Development as proposed accords with the servicing and environmental capacities of the land.
MP Objective D1 To ensure an adequate supply of land and sites for residential development MP Action D1.1 Locate at least 70 per cent of new housing within existing urban areas and up to 30 per cent of new housing in new release areas. MP Action D1.2 - reflect new subregional housing targets in Subregional Strategies and Local Environmental Plans, and monitor their achievement. MP Objective D2 To produce housing that suits our expected future needs MP Action D2.1 Ensure local planning controls include more low rise medium density housing in and around smaller local centres. NW Action D2.3.3 State and local government to improve existing interchanges and bus stops.	The HRLS was prepared in response to the Subregional Strategy. The HRLS found that there is limited capacity within existing residentially zoned land of the LGA to accommodate more dwellings hence the majority of new dwelling will need to be provided from greenfield sites / extension of the footprint of existing centres. The proposal is on the edge of a local village centre and envisaged by Council's Residential Strategy as being within an area for limited growth. The proposal does not achieve this action. Kurmond is not currently provided with adequate water and sewer services to provide for low rise medium density housing.

NW Action E2.1.2 Sydney Metropolitan and Hawkesbury – Nepean Catchment Management Authorities to work with agencies and North West councils to ensure that the aims and objectives of Catchment Action Plans are considered in the future management and planning of local council areas. NW Action E6.3.1 The Heritage Office to work with local councils to identify areas in the North West Subregion to promote and provide access to heritage places, contribute to local economies and assist in sustaining heritage places.	It is assumed that consultation with relevant public authorities including the Hawkesbury – Nepean CMA will be undertaken by Council and/or the DPI. The site does not contain and is not close to heritage places.
MP Objective F1 To contain Sydney's urban footprint MP Action F1.1 Focus land release in Growth Centres. MP Objective F2 - to maintain and protect agricultural activities and resource lands NW Action F2.1.1 Councils to maintain or enhance the provision of local open space particularly in centres and along transport corridors where urban and residential growth is being located. NW Action F2.1.2 Council to consider open space improvement programs with better facilities to encourage use. NW Action F2.1.3 Councils to consider mechanisms to increase the capacity of local sports fields to a district level. NW Action F2.1.4 NSW Government and local councils to develop links between smaller reserves to create diversity and broader user experience.	The proposal is for large lot residential development. There is a demand for this type of development which is in short supply within the Hawkesbury LGA. The site is on the fringe of the Kurmond village area and assists in carrying out this action and is consistent with development envisaged by Council's Residential Land Strategy. The site has a small portion that is suitable for agriculture however the proximity of residential housing, local public school and vegetation constraints suggests that any meaningful agricultural use is limited. There is no open space proposed with this development. If it proceeds the development will not hinder future open space provision.

NW Action F2.1.5 Local councils to consider modifying under utilised open space for informal activities such a skating, basketball, netball and the establishment of cafes.	
MP Objective G5 To achieve sustainable water use MP Action G5.2 Ensure water cycle management for new release areas and sites for urban renewal. NW Action G2.1.5 North West council to continue to promote water sensitive urban design. Objective G6 - to protect Sydney's unique diversity of plants and animals.	Water sensitive urban design requirements will be incorporated into the future VPA and/or DCP for the site and will ensure that water sensitive design is incorporated into future dwelling construction. The subdivision will not adversely impact on threatened flora/fauna.
MP Objective H3 To provide healthy, safe and inclusive places based on active transport. MP Action H3.1 Design and plan for healthy, safe, accessible and inclusive places.	Limited expansion of the Kurmond Village as identified in the HRLS will continue to build on village infrastructure and village atmosphere. It will encourage additional transport services and promote village shops and services.

4. Is the planning proposal consistent with council's local strategy or other local strategic plan?

The Planning Proposal is considered consistent with the following plans of Council:

- Residential Land Strategy 2010;
- Community Strategic Plan 2013-2032;

Residential Land Strategy 2010

Council's Residential Land Strategy identifies that existing zoned land within the Hawkesbury only have the potential to accommodate approximately 600 of the total 5,000 – 6,000 required new dwellings to 2031.

Additionally the Strategy requires a vibrant future for small villages including the development around their perimeters commensurate with appropriate access and

facilities. The site is on the fringe of the Kurmond Village and is considered to be within an area to be considered for development in accordance with Council's Strategy.

The Hawkesbury Residential Land Strategy can be viewed on Council's website www.hawkesbury.nsw.gov.au.

Community Strategic Plan 2013-2032

As mentioned earlier the Community Strategic Plan contains a number of themes which contains a number of Directions, Strategies, Goals and Measures.

There is no specific strategy relating to subdivision around villages and the Planning Proposal is not inconsistent with any of the broad themes within the Strategic Plan.

The Hawkesbury Community Strategic Plan 2013 - 2032 can be viewed on Council's website www.hawkesbury.nsw.gov.au.

Our City Our Future – Rural Subdivision Policy 1998

This Policy has largely been superseded by later Council policies. The proposal is consistent with the general philosophies within this policy or is justifiably inconsistent given that the site is within an area now identified as having urban potential.

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

Yes, the proposal is consistent with the following state policies:

SEPP 9 – Extractive Industry	The site is not identified as having a resource nor will its subdivision interfere with resource extraction identified within the SEPP.
SEPP 44 – Koala Habitat	There is no evidence of koala on the site.
SEPP 55 – Remediation of Land	There is no past use of the land

	that would require a remediation plan being implemented.
SEPP (Exempt and Complying Development Codes) 2008	The planning proposal does not include provisions that contradict or hinder the application of the SEPP.
SREP 20 Hawkesbury Nepean River	The proposal is not inconsistent with the strategies contained within SREP 20.

State Environmental Planning Policies and Sydney Regional Environmental Plans can be viewed at <http://www.legislation.nsw.gov.au/maintop/scanact/inforce/NO/NE/0> by clicking on "S" within the "Browse in Force" "EPIs" section.

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

The Minister for Planning and Infrastructure, under section 117(2) of the EP&A Act issues directions that local councils must follow when preparing planning proposals for new local environmental plans. The directions cover the following broad categories:

- a. employment and resources
- b. environment and heritage
- c. housing, infrastructure and urban development
- d. hazard and risk
- e. regional planning
- f. local plan making.

The following section provides an assessment of the planning proposal against applicable Section 117 directions. A full copy of the directions can be viewed at <http://www.planning.nsw.gov.au/LinkClick.aspx?fileticket=dOkLhSFp9eo%3d&tabid=248&language=en-AU>

Direction	Consistency	Comments
1.2 Rural Zones	Yes	The proposal is considered to be of minor significance only in terms of impact on the available rural zones and rural/agricultural lands. The site has not been used for any form of rural/agricultural use for many

		years and is currently required to be mechanically slashed to keep grass and weed infestation at bay. Due to the location of the site adjacent to the existing Kurmond Primary School the site is arguably not conducive to productive agricultural use due to nuisance arising. As the proposal is only for fifteen housing lots, provides a community benefit and is considered to be of minor significance the proposal does not, in our view, warrant the preparation of a specific rural study particularly noting Council's Residential Strategy that identified sites such as this for village expansion.
1.3 Mining, Petroleum Production and Extractive Industries	Yes	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. The site does not have any identified resource deposits and, in any case, it is unlikely that any extraction would be able to take place in such close proximity to housing development and the adjoining local primary school.

3.1 Residential Zones	Yes	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. Subdivision of the land would allow for a variety of lot sizes and housing opportunities, enable connection to existing services and be of appropriate environmental impact.
3.4 Integrated Land Use and Transport	Yes	The proposed rezoning will have no impact on transport. Kurmond is served by a local bus route and the proposal is of minor significance only. It is therefore considered that the proposal does not warrant the preparation of a specific study in accordance with this Direction.
4.1 Acid Sulfate Soils	Yes	The land is within that broad area in the locality covered by class 5 soil on Council's Acid Sulfate Soils Map within LEP 2012. The proposal is consistent with the Direction in that: • No works are proposed with the subdivision or a subsequent dwellings that would require an assessment of soils. • The draft LEP is of minor significance.
4.4 Planning for Bushfire Protection	Yes	A bushfire report in accordance with <i>Planning for Bushfire Protection</i> has been prepared and indicates that matters of bushfire protection can be adequately incorporated into the subdivision including asset protection zones and

		management of vegetation.
6.1 Approval and Referral Requirements	Yes	The proposal is of minor local significance. There is no reason why any further development of the site would require consultation or referral procedures to be incorporated into the LEP. The proposal is therefore consistent with this Direction.
6.3 Site Specific Provisions	Yes	The proposal would maintain the existing zone within LEP 2012 but alter the Lot Size Map to accord generally with the subdivision proposal which would provide for a maximum lot yield. Additionally there is no need for any specific development standards to be incorporated into the LEP. The proposal therefore is able to satisfy this Direction. The planning proposal will not provide any unnecessary restrictive site specific planning controls.
7.1 Implementation of the Metro Strategy	Yes	Kurmond Village is not mentioned within the Metropolitan Strategy and has no hierarchical status. It is not contained within the north-west growth centre. The proposal is of minor significance and reflects an appropriate low-scale development adjacent to an existing village and which is consistent with Council's Residential Strategy. The proposal is not inconsistent with the Metro Strategy and therefore complies with this Direction.

Section C – Environmental, social and economic impact

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

The site is cleared for its most part where residential development would take place. Notwithstanding this a flora/fauna assessment has been undertaken which indicates that the subdivision can take place generally in accordance with the proposed lot layout.

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

The following possible (but not probable) environmental effects are identified.

Water Quality

The proposal would rely on on-site disposal of effluent for each dwelling (existing and proposed). It is anticipated that appropriate on-site disposal systems can be designed for the site given the topography, grass cover and area available.

Bushfire Prone Land

The bushfire assessment report indicates that each lot is capable of containing appropriate asset protection zones.

Traffic and Access

The site fronts Kurmond Road. The entrance to the site has good sight distances in each direction and each lot would front a road. A formal traffic study has not been done however it is believed that traffic generated from the proposal is capable of being adequately contained on the local road system.

Site Contamination

The site is classified as class 5 within Council's Acid Sulfate Soils Map within LEP 2012. The site has been used for low-

key grazing activities in the past. It is unlikely that there will be any contamination issues arising from this past use.

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

The land has been much disturbed over the years through past farming practices. It is considered unlikely that there are items of European or aboriginal cultural heritage on site.

There are not any identified negative social or economic effects arising from this proposal. Positive outcomes are identified in terms of assisting local commercial and retail outlets and assisting in maintaining local primary school student numbers.

Whilst on the one hand the proposal would reduce agricultural land it is probable that no meaningful agricultural uses can take place given the primary school location next door and the slope and vegetation characteristics of some of the site.

The Planning Proposal has examined the potential social and economic effects. There have been no negative impacts identified. Positive impacts identified include consistency with Council's Residential Lands Strategy; creation of additional housing opportunities (and thus conforming to the Metro Strategy); contributing to the local economy; creation of jobs during construction; assisting in maintaining local primary school numbers.

Section D – State and Commonwealth interests

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

The proposal for fifteen housing lots will not require the provision of additional public infrastructure. Electricity and telephone is available to the site. Reticulated water goes past the site's frontage. Whilst it is assumed that water would be available from Sydney Water if there was a supply difficulty then this would not be a bar to the subdivision occurring as the majority of nearby lots rely on water

catchment rather than the reticulated supply. It may be that Sydney Water requires a restricted supply to each dwelling whereby the subdivision draws no more than the current provision to the two existing lots with this being stored and re-reticulated to dwellings in conjunction with roof water storage tanks. Again this is a common type of provision within the Hawkesbury LGA.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

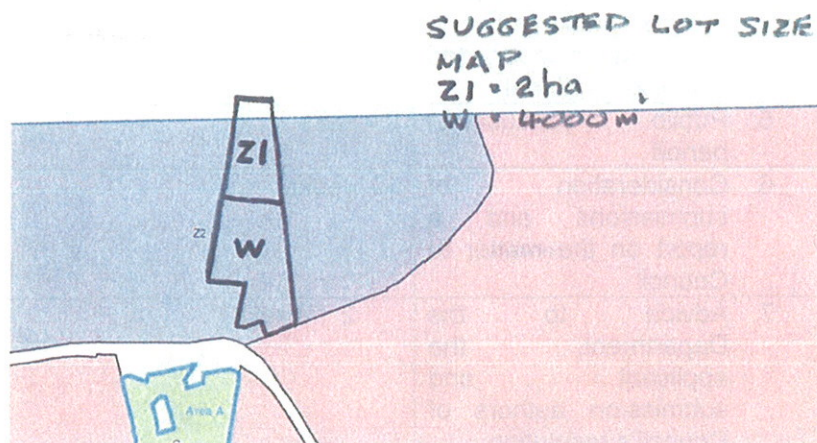
Consultation has not occurred at this stage. It is anticipated that consultation will be undertaken with the following public authorities:

- Office of Environment and Heritage.
- Roads and Maritime Services.
- Rural Fire Service.
- Department of Trade & Investment – Mineral Resources Branch.

Part 4 - Mapping

Attached to this report are the following maps:

- Aerial photo with the subject land outlined.
- Map of current zone for the locality with subject land outlined.
- An altered Lot Size Map indicating the lot size minimum requirement relating to the site. This map is also reproduced below.



The site and locality generally around the site is within a 10m building height limit as shown on Council's LEP Building Height Map.

The site is also shown on Council's LEP Biodiversity Map as being partly within a Significant Vegetation Area, partly within an area of Connectivity between Significant Vegetation Areas, and partly clear of constraint. The Planning Proposal does not propose any alteration of this map and any subsequent subdivision of the land should work within this map constraint and provide appropriate mitigation measures.

Part 5 – Community consultation

This is a matter for Council and the Department of Planning & Infrastructure. It is envisaged that the proposal would be advertised in a local newspaper and that adjoining owners would be notified. A period of 14 days is considered sufficient community consultation for this planning proposal and would seem to be consistent with the Department of Planning & Infrastructure "A guide to preparing local environmental plans".

Part 6 – Project Timeline

Project Phase	Indicative Timeline
1. Anticipated commencement date	12 weeks from date of referral to DP&I for Gateway determination
2. Completion of technical information prior to government agency consultation	6 weeks
3. Government agency consultation	4 weeks
4. Preparation of written advice to the adjoining/affected property owners, public notice in a local newspaper, and exhibition material	3 weeks
5. Public consultation period	2 weeks
6. Consideration of submissions and a report on the matter to Council	10 weeks
7. Advice to the Department, the applicant and submission authors of Council's resolution	2 weeks

8. Request to PC to prepare a draft LEP under Section 59(1) of the Act with a copy of the request to DP & I	2 weeks
9. Finalisation of the content of the draft LEP by PC in consultation with Council and issuing of legal opinion on the draft plan	6 weeks
10. Request to the Department for online notification of the LEP	2 weeks

Conclusion

The subject site is on the periphery of the Kurmond village and is a site that has available low density urban infrastructure and is suitable for large lot residential subdivision as proposed.

The proposal would allow a reasonable low density housing use of the site and also provide a reasonable transition between the village and larger existing rural/residential lots generally to the north of the site.

Importantly the proposal is consistent with Council's adopted Residential Land Strategy as it provides larger residential lots on the edge of an existing urban area commensurate with available services. It is also consistent with the Metropolitan Strategy and Draft North Western Subregional Strategy in that it will assist in a small way of creating the target of 5-6,000 dwellings to 2031.

There will be a net community benefit in that the proposal (and subsequent residential use) will assist in maintaining local village commercial and retail uses.

The proposal will also provide a more suitable use immediately adjacent to the Kurmond Primary School than could otherwise occur with non-compatible agricultural or rural industrial uses of the site.

Additionally there is a multiplier effect associated with expenditure from subsequent access and dwelling construction which will be of benefit to the local community. This is manifest in the boost particularly to the local Kurmond community with added catchment for the local retail sector, provision of jobs, use of transport, and the strengthening of the general economic and social wellbeing of the local community. It is

also noteworthy that the local public school needs more children to keep up their class numbers.

There are no identified negative community impacts arising from the proposal.

It is believed that the planning proposal satisfies the requirements of the Department of Planning & Infrastructure for a Gateway Determination by the LEP Review Panel.