

Hawkesbury LEP 2012 (Amendment No 8) - 396 Bells Line of Road, Kurmond

Proposal Title : **Hawkesbury LEP 2012 (Amendment No 8) - 396 Bells Line of Road, Kurmond**

Proposal Summary : **The proposal aims to allow subdivision of land comprising Lot 2 DP 607906, 396 Bells Line of Road, Kurmond, to a minimum lot size of 4000m2 with a maximum yield of 23 lots.**

PP Number : **PP_2013_HAWKE_002_00** Dop File No : **13/15730**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.2 Rural Zones
1.3 Mining, Petroleum Production and Extractive Industries
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.4 Planning for Bushfire Protection
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that the proposal proceed subject to the following conditions:**

(1) Consultation with (a) Roads and Maritime Services, (b) the Office of Environment and Heritage, (c) the Hawkesbury-Nepean Catchment Management Authority, (d) NSW Trade and Investment, and (e) NSW Rural Fire Service;

(2) The Director General's delegate agrees that any inconsistencies with section 117 directions 1.2 (Rural Zones), 3.1 (Residential Zones), 3.4 (Integrating Land Use and Transport), 4.1 (Acid Sulfate Soils) and 6.3 (Site Specific Provisions) are justified and/or of minor significance;

(3) A flora and fauna study must be carried out;

(4) Prior to exhibition, Council must obtain written advice from the Commissioner of the NSW Rural Fire Service to the effect that the NSW Rural Fire Service does not object to the progression of the planning proposal.

(5) Any inconsistencies with Section 117 Directions 1.3 (Mining, Petroleum Production and Extractive Industries) and 6.2 (Reserving Land for Public Purposes) must be adequately addressed prior to finalisation of the plan;

(6) Community consultation for 14 days; and

(7) The timeframe for completing the local environmental plan is to be 9 months from the week following the date of the Gateway Determination.

Supporting Reasons : **The proposal will assist in delivering housing in the Metropolitan Rural Area, and represents a rational use of the land.**

Panel Recommendation

Recommendation Date : 03-Oct-2013

Gateway Recommendation : Passed with Conditions

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to update the planning proposal to adequately address the proposal's consistency or justify any inconsistency with S117 Directions 1.3 Mining, Petroleum Production and Extractive Industries and 6.2 Reserving Land for Public Purposes.
 2. Additional information regarding flora and fauna is to be placed on public exhibition with the planning proposal.
 3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).
 4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Transport for NSW - Roads and Maritime Services
 - Office of Environment and Heritage
 - Hawkesbury-Nepean Catchment Management Authority
 - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
 - NSW Trade and Investment (S117 Directions 1.3 Mining, Petroleum Production and Extractive Industries)
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
 6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated his plan making powers to councils in October 2012. Council has requested to be issued with delegation for this planning proposal. Council's request to be issued with plan making delegation should be supported.

Signature:



Printed Name:

Sabine Miller

Date:

8 Oct 2013