

Rezoning of Lot 1 DP 880604, 1411 Kurmond Road, Kurmond for rural-residential purposes

Proposal Title :	Rezoning of Lot 1 DP 880604, 1411 Kurmond Road, Kurmond for rural-residential purposes		
Proposal Summary :	The objective of the Planning Proposal is to allow the land to be subdivided into four large residential lots and one larger rural lifestyle lot in keeping with the adjacent subdivision pattern to the west. A concept plan for a indicative subdivision layout is in Documents.		
PP Number :	PP_2012_HAWKE_005_00	Dop File No :	12/16656

Planning Team Recommendation

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

S.117 directions :
1.2 Rural Zones
4.1 Acid Sulfate Soils
4.4 Planning for Bushfire Protection
7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **Recommendation:**

It is recommended that the Planning Proposal proceed subject to the following conditions:

1. Community consultation is required under section 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 for a period of 14 days;
2. The Planning Proposal be amended prior to exhibition to:
 - o delete the option of amending the Hawkesbury LEP 2012 to include the subject property as an additional item in Schedule No 1; and
 - o include only, the option of amending zoning and lot size maps to accommodate the proposed rezoning.
3. The Planning Proposal be amended to include the previously excised lot (Lot 2 DP 880684) in this Planning Proposal to promote the orderly and economic use of the land.
4. Director General pursuant to the item (5) (d) of section 117(2) Direction - 1.2 Rural Zones agrees that the inconsistency in this instance is of minor nature;
5. The Director General pursuant to the item (8) (b) of section 117(2) Direction – 4.1 Acid Sulfate Soils agrees that the inconsistency in this instance is of minor nature;
6. Council should consult with Roads and Maritime Services to seek its support for upgrade to the intersection of Kurmond Road and Bells Line of Road to improve right turn movements into Kurmond Road for traffic travelling west along Bells Line of Road;
7. Council should consult with Department of Primary Industry – Agriculture for the reason that the subject site is shown on Council's Acid Sulfate Soils Planning Map and because the site consists of Class 3 and Class 4 land;
8. Under section 117 Direction 4.4 Planning for Bushfire Protection, Council is required to consult with the Commissioner of the NSW Rural Fire Service following the receipt of the Gateway Determination and prior to undertaking community consultation. Following such consultation, Council should demonstrate the consistency of the Proposal with the Direction;
9. Council should consult with the Office of Environment and Heritage – NSW National Parks and Wildlife Service for an assessment of any likely impact on critical habitat,

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threatened species, populations or ecological communities at the site; and

10. The Planning Proposal is to be completed within 9 months from the week following the Gateway determination.

Supporting Reasons : The proposal will assist in achieving the target contained in the North West Subregional Strategy for new dwellings in the Hawkesbury.

Panel Recommendation

Recommendation Date : 08-Nov-2012

Gateway Recommendation : Passed with Conditions

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. 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 2009) and must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Transport for NSW – Roads and Maritime Services
- Department of Primary Industry – Agriculture
- NSW Rural Fire Service
- Office of Environment and Heritage – NSW National Parks and Wildlife Service

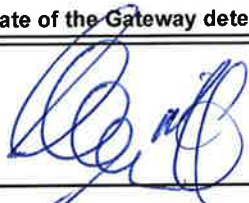
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

4. 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).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

13.11.12