

PLANNING PROPOSAL

MONTGOMERY
PLANNING
SOLUTIONS

Lot 1 DP 880604 (No. 1411)
Kurmond Road Kurmond



July 2012
Version 3

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This Planning Proposal was prepared by Robert Montgomery, Principal, Montgomery Planning Solutions in accordance with "A guide to preparing planning proposals" published by the NSW Department of Planning, 2009



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DOCUMENT TRACKING

Version	Date	Revisions
1	December 2010	Original Planning Proposal
2	May 2012	Various changes requested by DoPI
3	July 2012	Various changes requested by HCC

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Introduction

This Planning Proposal is prepared by Montgomery Planning Solutions on behalf of the owner of the land. The land, which is 11.5 hectares in area, is currently zoned Mixed Agriculture under the provisions of Hawkesbury Local Environmental Plan 1989. The land is cleared pasture with scattered trees, and shares its south-western boundary with 18 large residential lots.

It is considered that a portion of the land closest to Kurmond Road has the potential to be subdivided into large residential lots which would be similar in size and character to those adjoining.

At its Ordinary Meeting of 31 January 2012 Hawkesbury City Council resolved as follows:

1. *Council support in principle a planning proposal to permit not more than five large residential lots on Lot 1 DP 880684, 1411 Kurmond Road, Kurmond, generally consistent with the layout in plan prepared by McKinlay Morgan & Associates Pty Ltd., titled "Plan Showing Gradients Over Part of Lot 1 DP 880684 Kurmond Road, Kurmond", dated 1/11/2011.*
2. *The "in principle" support for this Planning Proposal must be subject to the proposal being responsible, jointly with the Roads and Maritime Services, for some 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.*
3. *Montgomery Planning Solutions be requested to provide Council with a planning proposal consistent with resolution 1 and Department of Planning and Infrastructure's "A guide to preparing planning proposals".*
4. *As a result of parts 1, 2 and 3 of the resolution, the planning proposal be forwarded to the Department of Planning and Infrastructure for a "gateway" determination.*
5. *The Roads and Maritime Services be reminded of the concerns of the community and Council in relation to the significant existing traffic problems along Bells Line of Road through North Richmond and request that this issue be addressed as soon as possible.*

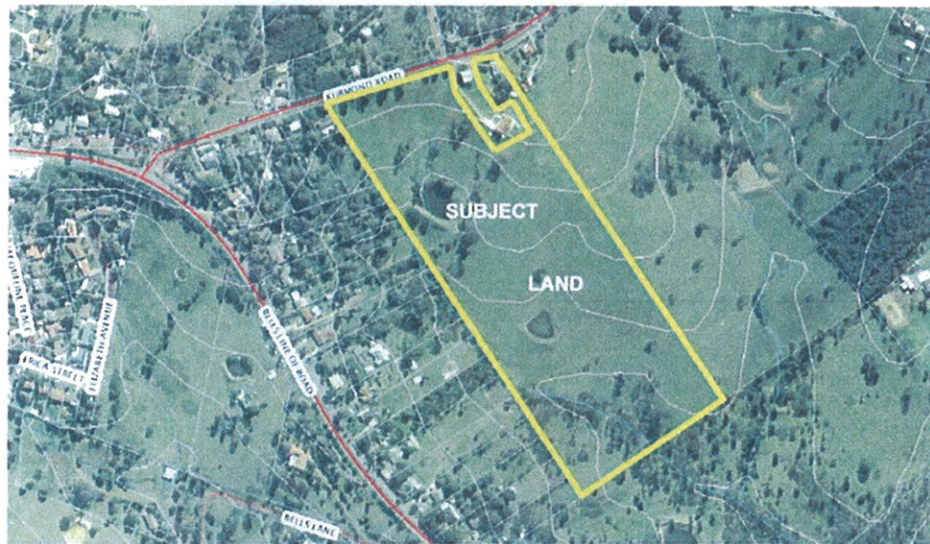
Figure 8 shows the area of the land which is the subject of this planning proposal. It is considered that the appropriate zone under Hawkesbury Local Environmental Plan 2012 would be RU5 Village, with a minimum allotment size of 4,000m². Alternatively, the zoning and lot size maps could remain unaltered, and the land could be included in Schedule 1 of the LEP to enable the proposal.

A concept subdivision plan is included in Figure 7.

Description of Site

The land is described as Lot 1 DP 880684 (No. 1411) Kurmond Road, Kurmond. The land is 11.5 hectares in area and is rectangular in shape, except for an irregular shaped boundary around a 4,422m² parcel (Lot 2) which was excised from the land in 1998. It is noted that development consent was issued for a boundary adjustment between lots 1 and 2 in September 2008. The land owners are not pursuing this consent.

Figure 1: Site Boundary. Source – NSW LPMA SIX Viewer



The land has a frontage to Kurmond Road of 160m (vacant) and 29m (frontage to existing dwelling). The land falls generally to the southeast from the ridge which runs along Kurmond Road. The land comprises cleared pasture with scattered trees and two small dams. A dwelling is positioned close to Kurmond Road in the northeast corner of the land.

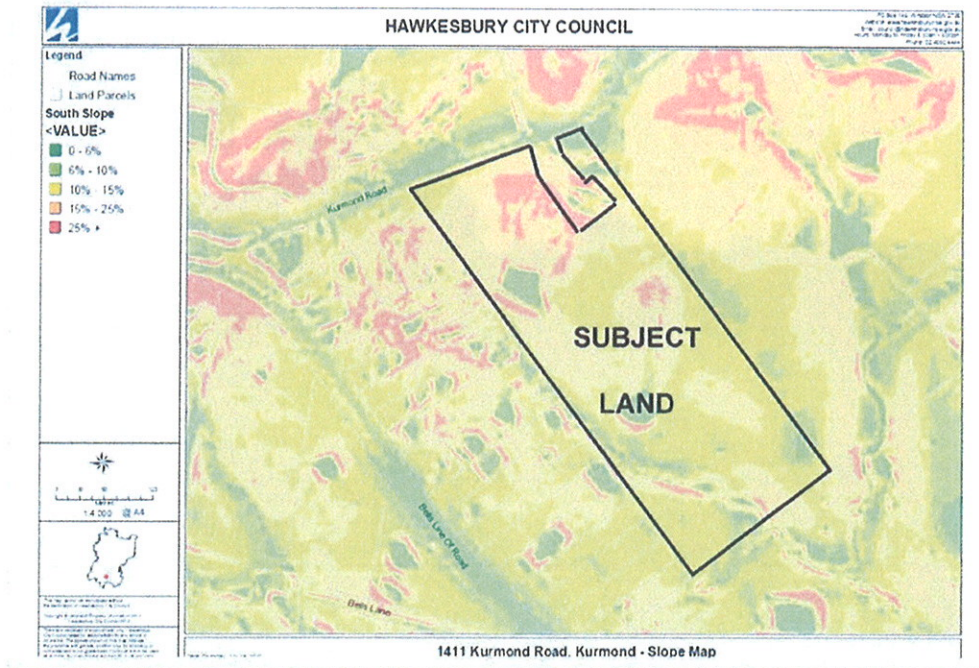
Figures 2 and 3 provide views over the land and beyond. It can be seen in figure 3 that the land comprises a relatively level platform near Kurmond Road, with a gentle fall to the southeast. More detail is provided in the site analysis at figure 4.

Figure 2: View South east across subject land from Kurmond Road



Figure 3: View Southwest along Kurmond Road frontage



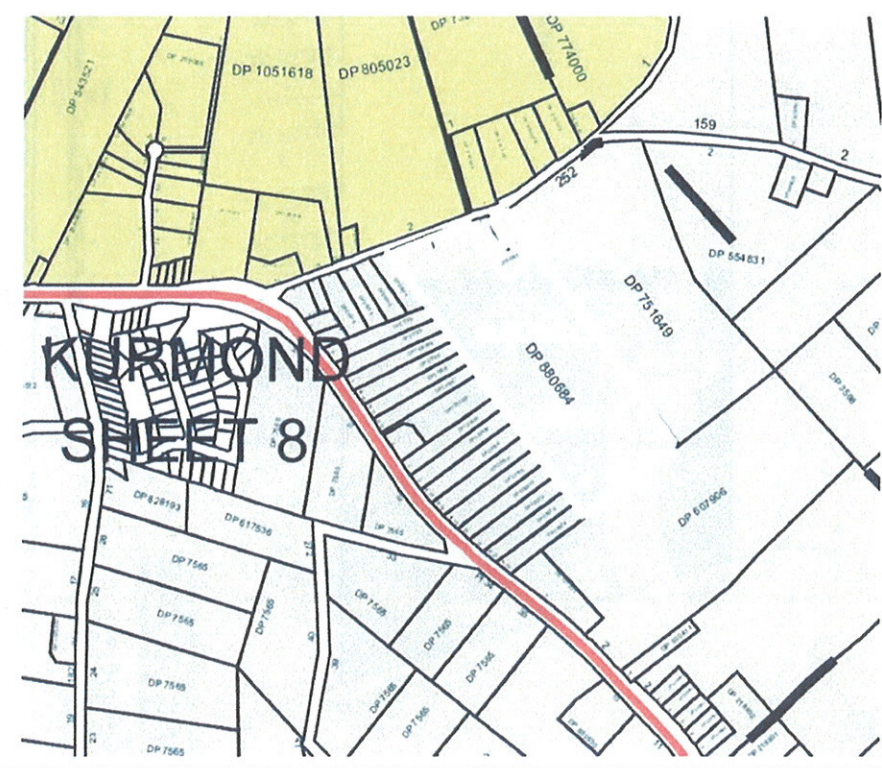
Figure 4: Slope Analysis. Source: Hawkesbury City Council

A more detailed site analysis was completed by McKinlay Morgan & Associates Pty Ltd Surveyors to establish suitable building areas. This is shown in Figure 5 below

Surrounding Land Use

Existing Zone

Figure 6: Hawkesbury LEP 1989 Zoning. Source - LEP 1989 Map 2.



(a) to encourage existing sustainable agricultural activities,

- (b) to ensure that development does not create or contribute to rural land use conflicts,*
- (c) to encourage agricultural activities that do not rely on highly fertile land,*
- (d) to prevent fragmentation of agricultural land,*
- (e) to ensure that agricultural activities occur in a manner:*
 - (i) that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as streams and wetlands, and*
 - (ii) that satisfies best practice guidelines and best management practices.*
- (f) to promote the conservation and enhancement of local native vegetation, including the habitat of threatened species, populations and ecological communities by encouraging development to occur in areas already cleared of vegetation,*
- (g) to ensure that development retains or enhances existing landscape values that include a distinctive agricultural component,*
- (h) to prevent the establishment of traffic generating development along main and arterial roads,*
- (i) to control outdoor advertising so that it does not disfigure the rural landscape,*
- (j) to ensure that development does not create unreasonable economic demands for the provision or extension of public amenities or services.*

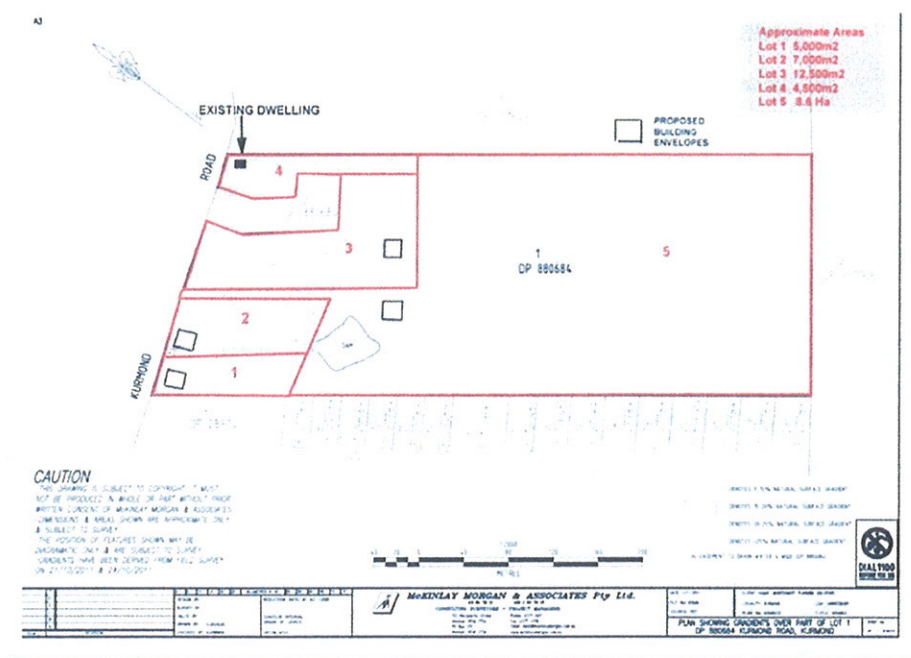
It is noted that the minimum permissible lot size is 10 hectares within the Mixed Agriculture zone in this locality.

It is considered that the land is unsuitable for any intensive agriculture due to the close proximity of both residential development south of Kurmond Road and the rural residential development on the northern side of Kurmond Road.

Council has seen many conflicting situations with orchards, market gardens and the like. It is considered that providing additional land for housing along the road frontage is a logical continuation of the established development pattern. The remainder of the land will continue to be used for low intensity grazing, which does not present a conflict with large residential lots.

The objective of the planning proposal is to allow the land to be subdivided into four large residential lots (in keeping with properties adjoining to the south-west) and one larger rural lifestyle lot. The intended outcome is to facilitate a development application to subdivide the land. Figure 7 below is a concept plan for a workable subdivision layout.

Figure 7: Concept Subdivision Layout



Part 2 – Explanation of Provisions

It is intended to either:

1. Amend zoning and lot size maps as follows:

- amend proposed Hawkesbury Local Environmental Plan 2012 Land Zoning Map Sheet 12 to identify part of the land as RU5 – Village as shown in Figure 8 below; and
- amend proposed Hawkesbury Local Environmental Plan 2012 Lot Size Map Sheet 12, to fix the minimum lot size for part of the land at 4,000 square metres as shown in Figure 9 below.

Figure 8: Extract from Draft Hawkesbury LEP 2011 Zone Map Sheet 12

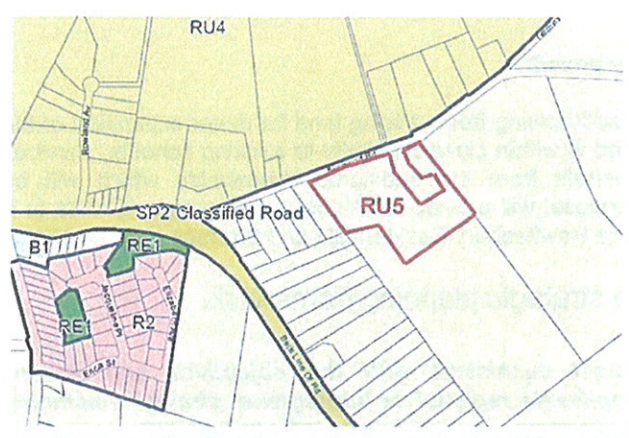
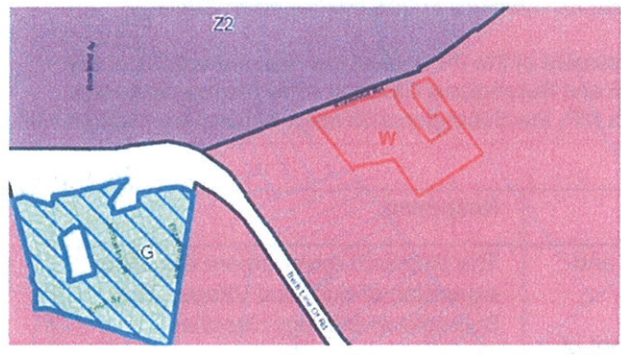


Figure 9: Extract from Draft Hawkesbury LEP 2011 Lot Size Map Sheet 12



OR

2. Add the following entry to the table to Schedule 1- Additional permitted uses, of proposed Hawkesbury Local Environmental Plan 2012:

Lot Description	Address	Additional permitted use	Conditions
Lot 1, DP 880604	No. 1411 Kurmond Road, Kurmond	Subdivision into five (5) allotments	Minimum lot size 4,000m ²

Part 3 – Justification

Section A – Need for the planning proposal

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

The Proposal satisfies the criteria for rural village expansion as contained within the 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?*

Yes. It is considered that the planning proposal is the best means of achieving the objective and intended outcome for the land.

3. *Is there a net community benefit?*

Yes, there is a net community benefit arising from utilising land for minor expansion of the rural village of Kurmond. The land is within close proximity to existing schools, services and shops, all of which will benefit from the additional households which will be established on the land. The proposal will provide additional housing opportunities in a suitable area in accordance with the Hawkesbury Residential Land Strategy.

Section B – Relationship to strategic planning framework.

4. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or subregional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

The applicable subregional strategy is the draft North West Subregional Strategy, prepared under the 2005 *City of Cities: A Plan for Sydney's Future* (Metropolitan Strategy).

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

Actions	Response
MPB1.1 Plan for centres to grow and change over time.	The proposed development is a minor expansion of Kurmond Village. The Subregional Strategy classifies Kurmond as a rural village.
MPD1.1 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.	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
MPD2.1 Ensure local planning controls include more low rise medium density housing in and around smaller local centres.	
MPF1.1 Focus land release in Growth	

Centres. NWB2.1.1 Councils to consider planning for houses growth in centres, particularly those well serviced by public transport. NWC1.1.3 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. NWC1.3.1 North West councils to plan for sufficient zoned land to accommodate their local government area housing target in their Principal LEPs. NWC2.1.2 Councils to provide in their LEPs zoned capacity for a significant majority of new dwellings to be located in strategic and local centres. NWC2.3.2 North West councils to provide an appropriate range of residential zonings to cater for changing housing needs.	to occur on land located predominantly to the north of the River, in association with existing local centres. The HRLS was prepared in response to the Subregional Strategy. The HRLS found that is limited capacity within existing residential 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 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. The subject site is free from these constraints and satisfies the HRLS criteria for rural village expansion.. The subject site would make a minor contribution to the housing target that has been set for the LGA by the State government. The PP proposes to create opportunities for large lot residential development, which adds to the range of housing opportunities. With good access to Kumond Village, the future residents will support existing businesses and in doing so strengthen the viability of the centre. The Vineyard Precinct is the only part of the LGA that is located within the North West Growth Centre. Whilst Vineyard has the potential to accommodate 1,000-1,500 dwellings (not all of which are in the LGA), it is understood that this land is not due to be released by the State government for urban development in the short to medium term.
MPB1.3 Aim to locate 80 per cent of all	State Plan Priority E5 sets a target to

new housing within walking catchments of existing and planned centres of all sizes with good public transport. NWC2.1.3 North West councils to ensure location of new dwellings improves the subregion's performance against the target for State Plan Priority E5. NWD2.3.3 State and local government to improve existing interchanges and bus stops. NWD3.1.1 The Roads and Traffic Authority (now Roads and Maritime Service (RMS)), in cooperation with the local government, to continue to upgrade walking and cycling facilities, including cycleway development in Blacktown, Castle Hill and Colo. NWD3.1.2 The NSW Government and local government to work together to align local walking and cycling networks with public transport routes to improve accessibility to public transport.	increase the proportion of people living within 30 minutes by public transport of a Strategic Centre. The nearest Strategic Centres are Penrith (Regional Centre) and Rouse Hill (planned Major Centre). Public transport and pedestrian/bike paths are currently available along the bells Line of Road at Kurmond.
MPH3.1 Design and plan for healthy, safe, accessible and inclusive places. NWC5.1.2 Councils to reflect best practise established by the Growth Centres Commission in land release areas outside the North West Growth Centre.	The PP is a minor expansion of an existing rural village.
NWE2.1.2 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.	It is anticipated that as part of the consultation with public authorities the Hawkesbury – Nepean CMA will be given an opportunity to comment on the PP.
NWE4.1 Maintain rural activities and resource lands.	A large portion of the land will still be available for low intensity grazing, as it is currently used.
MPG5.2 Ensure water cycle management for new release areas and	The PP is a minor expansion of an existing rural village.

sites for urban renewal. NWE2.1.5 North West council to continue to promote water sensitive urban design.	
NWE6.3.1 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 anticipated that as part of the consultation with public authorities the Heritage Office will be given an opportunity to comment on the PP.
NWF2.1.1 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. NWF2.1.2 Council to consider open space improvement programs with better facilities to encourage use. NWF2.1.3 Councils to consider mechanisms to increase the capacity of local sports fields to a district level. NWF2.1.4 NSW Government and local councils to develop links between smaller reserves to create diversity and broader user experience. NWF2.1.5 Local councils to consider modifying under utilised open space for informal activities such as skating, basketball, netball and the establishment of cafes.	No open space is provided by the PP. It is considered unnecessary for a minor expansion of an existing rural village.

This planning proposal represents minor growth north of the Hawkesbury River which is associated with the existing Kurmond local centre. Therefore, the proposal is consistent with the North West Subregional Strategy and the Sydney Metropolitan Strategy.

5. Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

The relevant strategic plans are the Hawkesbury Community Strategic Plan 2010-2030 and the Hawkesbury Residential Land Strategy, 2011.

5.1 Hawkesbury Community Strategic Plan 2010-2030

The provisions of the Community Strategic Plan which are of most relevance to the planning proposal are:

Looking after people and place

Directions

- *Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.*
- *Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.*
- *Have development on both sides of the river supported by appropriate physical and community infrastructure.*
- *Have friendly neighbourhoods, connected communities, and supported households and families.*
- *Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.*

Goals

- *Maintain and foster the rural character of villages within the Hawkesbury.*
- *Accommodate at least 5,000 new dwellings to provide a range of housing options (including rural residential) for diverse population groups whilst minimising environmental footprint.*
- *Towns and villages to be vibrant place that people choose to live in and visit.*
- *Plan, provide and advocate for a range of community, cultural, recreational, sporting, health and education services and facilities to meet the needs of residents and visitors.*

Caring for Our Environment

Directions

- *Be a place where we value, protect, and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.*
- *Take active steps to encourage lifestyle choices that minimise our ecological footprint.*
- *Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.*

Goals

- *Balance the needs of our ecology, recreational and commercial activities.*
- *Sustainable use of potable and recycled water.*
- *Reduce greenhouse gas emissions*

Linking the Hawkesbury

Directions

- *Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions.*
- *Be linked by accessible, viable public transport, cycleways and pathways to the major growth and commercial centres within and beyond the Hawkesbury.*
- *Have a comprehensive system of well maintained local and regional roads to serve the needs of the community.*
- *Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.*

Goals

- *An efficient transport network that links the Hawkesbury internally and to regional growth centres.*

Supporting Business and Local Jobs

Directions

- *Help create thriving town centres, each with its own character that attracts residents, visitors and businesses.*

Goals

- *Increased patronage of local businesses and attract new residents and visitors.*

Shaping Our Future Together

Directions

- *A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.*

Goals

- *Work together with the community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.*
- *Council demonstrate leadership by implementing sustainability principles.*

The planning proposal would assist in the achievement of some of the above mentioned Directions and Goals, e.g., the dwelling house target, increased patronage of local business and attracting new residents to the Hawkesbury.

5.2 Hawkesbury Residential Land Strategy 2011

The Hawkesbury Residential Land Strategy guides the location and type of future residential development within the LGA. The strategy is based on best practice models of sustainable development which seek to guide future residential development within the LGA over the next 30 years and ensure future residential development is sustainable and meets the needs of the Hawkesbury population.

The review of population and dwelling characteristics (Chapter 3.0) identified that future population growth within the LGA is ageing and household sizes are decreasing. This will have significant impact on housing needs, services and facilities within the LGA.

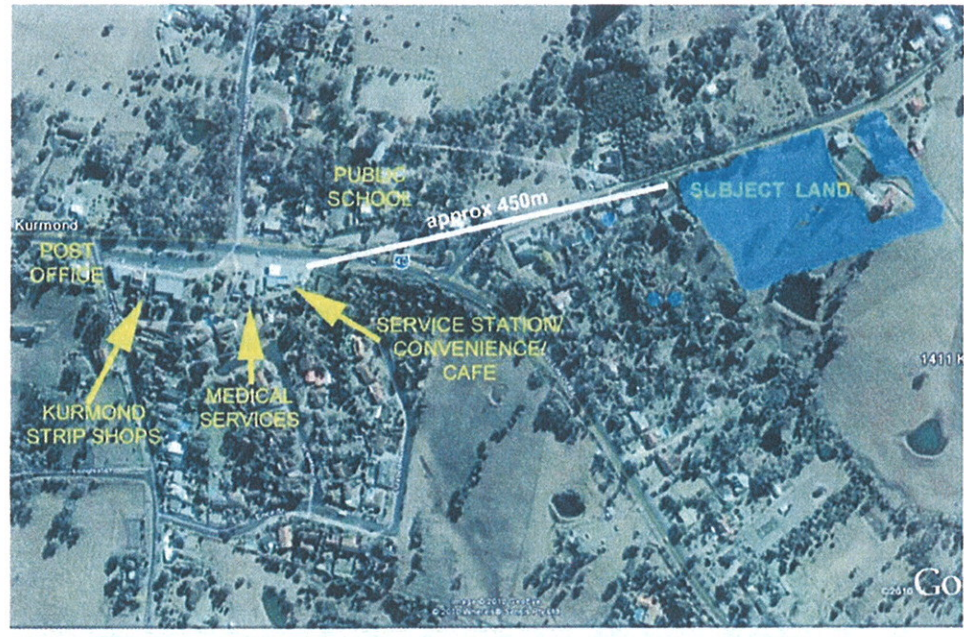
The projections show an estimated demand for an additional 5,932 dwellings which is slightly higher than the dwelling target set in the North Western Subregional Strategy. The Residential Strategy is designed to be suitably flexible to provide 5,000-6,000 dwellings with the final number of dwellings being shaped by market demand and more detailed environmental capacity analysis. As outlined in Section 3.3.6 [of the Strategy], the majority of additional dwellings (5,400 dwellings) will be located in existing or expanded urban and village areas where they can access such services and facilities. The remainder of future development (600 dwellings) will be located in the remaining localities, subject to compliance with the sustainability matrix for neighbourhood centres.¹

The following table sets out the Rural Village Criteria from the Strategy, with comments in relation to the subject planning proposal.

6.5 Rural Village Criteria	
Be able to have onsite sewerage disposal	Yes. The resulting large residential lots will be capable of on-site sewerage disposal.
Cluster around or on the periphery of villages	Yes. The land immediately adjoins residential allotments which form part of Kurmond Village.
Cluster around villages with services that meet existing neighbourhood criteria services as a minimum (within 1km radius)	Yes. The land is located within 500m of Kurmond Village which provides a range of services including primary school, post office, medical, neighbourhood shops, take-away and dine-in food and cafes.
Address environmental constraints and with minimal environmental impacts	Yes. The proposal will have minimal environmental impacts.
Within the capacity of the rural village	Yes. The proposal represents a minor expansion of the Kurmond Village only.

It is therefore concluded that the proposal meets all relevant criteria within the Hawkesbury Residential Land Strategy. Figure 10 shows the relationship between the land and the available nearby services.

¹ Hawkesbury Residential Land Strategy, 2011, pg 7/1

Figure 10: Local Services

6. Is the planning proposal consistent with applicable state environmental planning policies?

A review of state environmental planning policies reveals that the following may be applicable and relevant:

- SEPP 55 – Remediation of Land
- SREP No. 20 – Hawkesbury - Nepean River

SEPP 55 – Remediation of Land.

The land has been used for agriculture for many years. However, there is no evidence to suggest that any activities which would give rise to contamination have occurred within the area proposed for large lot residential subdivision.

Notwithstanding, it is noted that the Department of Planning Local Plan Making Guidelines states as follows:

In some cases it will be necessary to undertake technical studies or investigations to justify different aspects of a planning proposal. Generally, these studies or investigations should not be carried out in the first instance. Instead, the issues giving rise to the need for these studies or investigations should be identified in the planning proposal. The initial gateway determination will then confirm the studies or investigations required and the process for continuing the assessment of the

proposal, including whether it will need to be resubmitted following completion of the studies or investigations.

In terms of this planning proposal, it is considered that no study is warranted in order to progress the draft LEP. Any future development application for subdivision may then require further investigation.

SREP No. 20 – Hawkesbury - Nepean River

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 SREP 20 provides general planning considerations, specific planning policies and recommended strategies. The following specific policy is relevant to the Planning Proposal:

(1) Total catchment management

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 development proposals on the catchment.*

It is considered that the proposal is a minor spot rezoning and will have no impact on the Hawkesbury River Catchment. As development of this type is contemplated by the Hawkesbury Residential Land Strategy, there is no adverse cumulative impact.

(6) Flora and fauna

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

The land is cleared pasture, with scattered trees mainly associated with the dam and water course (in the southwest corner of the land). This planning proposal would see limited residential development along the Kurmond Road frontage of the land, with minimal impact on flora and fauna.

(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).

Note. Refer also to items (1)–(7) and (12) for relevant strategies.

Strategies:

- (a) Give priority to agricultural production in rural zones.
- (b) When considering a proposal for the rezoning or subdivision of land which will increase the intensity of development of rural land (for example, by increasing cleared or hard surface areas) so that effluent equivalent to that produced by more than 20 people will be generated, consider requiring the preparation of a Total Water Cycle Management Study or Plan.
- (c) Maintain or introduce appropriate separation between rural residential use and agricultural use on the land that is proposed for development.
- (d) Do not locate development in areas identified for future urban purposes in the Metropolitan Strategy.
- (e) Consider the suitability of the land for keeping livestock, whether or not for commercial purposes, and appropriate mitigating measures to prevent land degradation.
- (f) Consider the ability of the land to accommodate on-site effluent disposal in the long term.
- (g) Consider any adverse environmental impacts of infrastructure associated with the development concerned

It is considered that this minor proposal will not be in conflict with the relevant policies and strategies of Sydney REP 20 and can proceed.

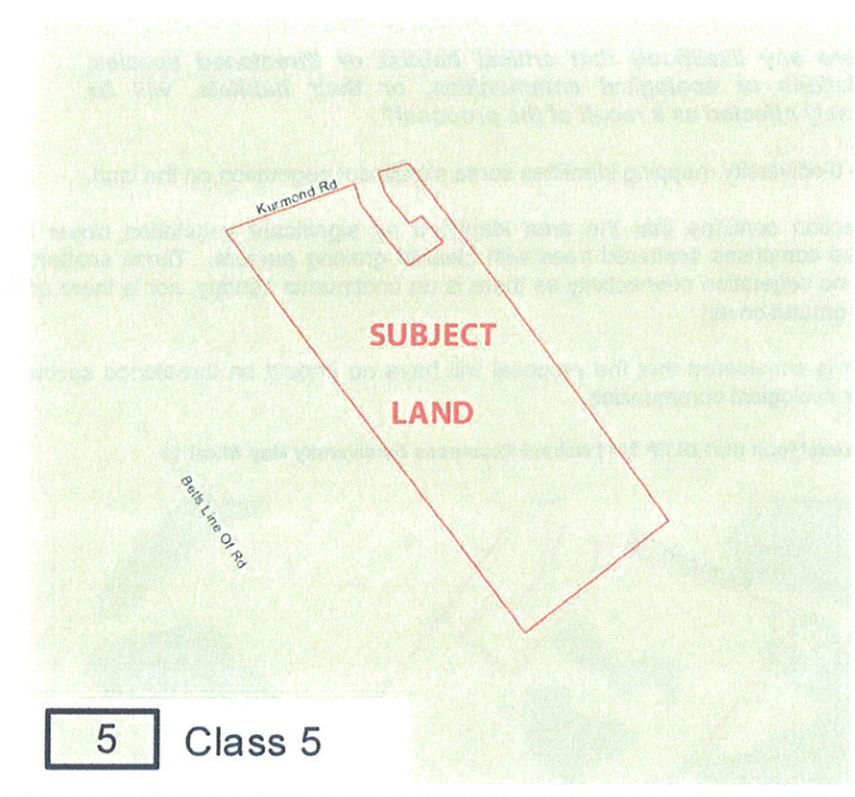
7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table lists the S117 Directions which are relevant to the proposal, with commentary re consistency.

Direction	Consistency	Reason
1.2 Rural Zones	Yes	The draft LEP will be inconsistent with paragraph 4(a) in that the land will be rezoned from a rural zone to a village zone It is considered that the inconsistency is justified for the following reasons: • It is justified by a strategy (Hawkesbury Residential Land Strategy) as it meets the criteria for rural village development. • It is justified by this planning proposal (study). • The proposal is in accordance with the North West Subregional Strategy. • The proposal is of minor significance

1.3 Mining, Petroleum Production and Extractive Industries	Probable	The Planning proposal may require consultation with NSW Industry and Investment as a result of this Direction. Advice is requested from the Department of Planning and Infrastructure as to whether consultation is required.
3.4 Integrated Land Use and Transport	Yes	The draft LEP will provide housing opportunities in a locality which is well serviced by public transport (for a rural village). The draft LEP is consistent with the relevant guidelines and policy.
4.1 Acid Sulfate Soils	Yes	Figure 11 below is an extract from the Council's Acid Sulfate Map, which shows that the property is identified as Class 5. There are no specific requirements in relation to Class 5 Soils. Accordingly the proposal is consistent with this Direction.
4.4 Planning for Bushfire Protection	Yes	The Rural Fire Service will be consulted by the Council during preparation of the draft LEP. A preliminary assessment indicates that the proposal is able to comply with <i>Planning for Bushfire Protection</i> .
7.1 Implementation of the Metropolitan Strategy	Yes	The planning proposal's consistency with the Metropolitan Strategy is discussed in question 4 under Section B of this report.

Figure11: Extract from HCC DLEP 2011 Acid Sulfate Sheet 12



Section C – Environmental, social and economic impact.

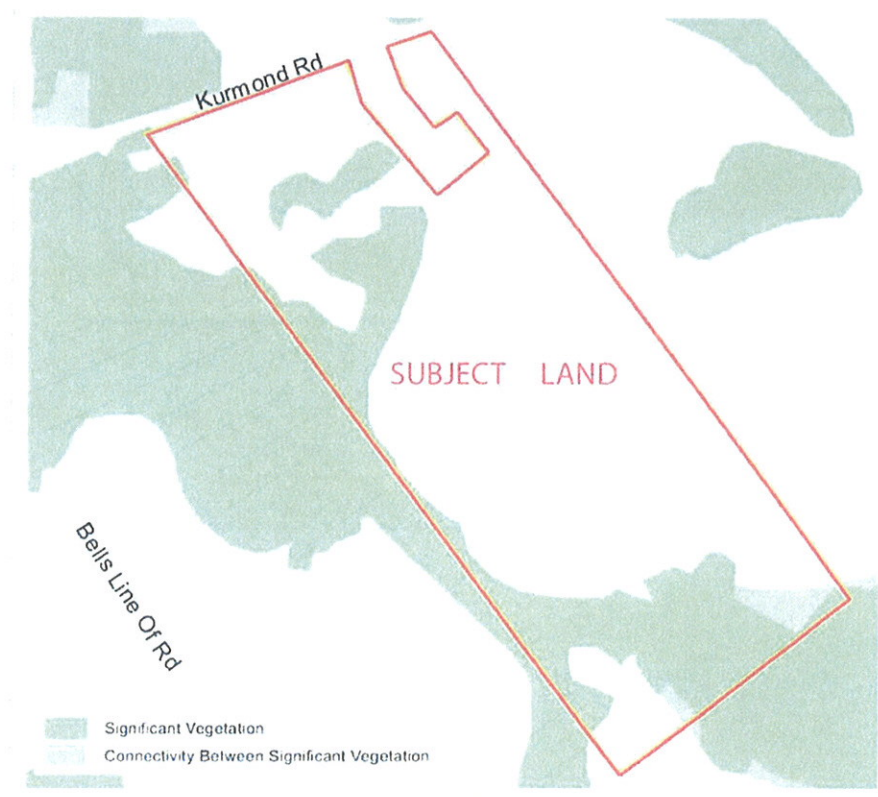
8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The Council's biodiversity mapping identifies some significant vegetation on the land.

Ground inspection confirms that the area identified as significant vegetation closer to Kurmond Road comprises scattered trees with cleared grazing pasture. These scattered trees provide no vegetation connectivity as there is no continuous canopy, nor is there any understory or ground cover.

Accordingly, it is considered that the proposal will have no impact on threatened species populations or ecological communities.

Figure 9: Extract form HCC DLEP 2011 Natural Resources Biodiversity Map Sheet 12



9. *Are there any other likely environmental effects as a result of the planning proposal and how are these to be managed?*

The land is classified as bushfire prone land. Any subdivision application which may follow this planning proposal will address the requirements of *Planning for Bushfire Protection* in detail. However a preliminary review of the proposal indicates that compliance will be achievable. There is sufficient area for asset protection zone requirements and the adjoining properties are managed lands which reduces the bushfire risk.

10. *How has the planning proposal adequately addressed any social and economic effects?*

The social and economic effects of the proposal are considered to be acceptable, as the Hawkesbury Residential Land Strategy promotes this form of development. The proposal will have a positive social and economic effect by increasing the availability of housing in this locality.

It is noted that the land has not been identified as containing any items of European or aboriginal cultural heritage.

Section D – State and Commonwealth Interests

11. *Is there adequate public infrastructure for the planning proposal?*

The land is serviced by electricity, telephone and communications and reticulated water. . The likely demand for services created by the subdivision would be met by the usual contribution process with the authorities. The Council has identified that the intersection of Kurmond Road and Bells Line of Road requires some upgrading. The applicant will be discussing this aspect with the NSW Roads and Maritime Services.

12. *What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?*

As the gateway determination has not yet been issued, public authorities have not been consulted at this stage.

Part 4 – Community Consultation

It is considered that a public exhibition period of 14 days would be sufficient community consultation for this planning proposal.

Conclusion

It is considered that this planning proposal satisfies all of the requirements for a Gateway Determination by the LEP Review Panel. In summary, the proposal is justified for the following reasons:

1. The land has the appropriate physical characteristics to support large lot residential development as proposed.
2. The proposed rezoning will make use of existing infrastructure, therefore no additional infrastructure or new road construction is required.
3. There will be no adverse environmental or visual impact as a consequence of development of the land.
4. The proposal represents a suitable expansion of the existing Kurmond Village.
5. The proposal is consistent with all relevant State, Regional and Local Strategies, including the Hawkesbury Residential Land Strategy.