

ORDINARY MEETING

Minutes: 30 June 2020

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 111 **CP - Update on Kurmond-Kurrajong Investigation Area Structure Plan - Post Exhibition Report - (124414, 95498)**

Previous Item: 40, Ordinary (March 2015)
 114, Ordinary (July 2015)
 134, Ordinary (August 2015)
 199, Ordinary (November 2015)
 188, Ordinary (August 2016)
 257, Ordinary (November 2016)
 164, Ordinary (10 September 2019)

Directorate: City Planning

Councillor Richards declared a pecuniary interest in this matter as her partner owns land in the investigation area. She left the meeting and did not take part in voting or discussion on the matter.

Councillor Lyons-Buckett declared a pecuniary interest in this matter as she resides in the investigation area, but she remained present for discussion of the matter and voting, pursuant to Clause 4.36(b) of Council's Code of Conduct as the interest arose only because of an interest in her principal place of residence.

MOTION:

A MOTION was moved by Councillor Kotlash, seconded by Councillor Conolly.

That Council:

1. Receive the outcome of the public exhibition of the Draft Kurmond- Kurrajong Investigation Area Structure Plan.
2. Not adopt the Kurmond - Kurrajong Structure Plan attached as Attachment 4 to this report, but instead use the valuable planning information it contains to inform future placed-based planning assessments for other areas in the Hawkesbury LGA.
3. Progress the remaining planning proposals within the Kurmond - Kurrajong Investigation Area in accordance with Council's resolution 26 November 2016, particularly part:

6. Council continue processing the planning proposals within the investigation area that have received support via a Council resolution to proceed to a Gateway determination and any planning proposals currently lodged with Council as at 29 November 2016.
4. Include the information in the draft Kurmond – Kurrajong Investigation Area Structure Plan in the development of the related planning review documents.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

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For the Motion: Councillors Calvert, Conolly, Kotlash, Tree and Zamprogno.

Against the Motion: Councillors Garrow, Lyons-Buckett, Rasmussen, Reynolds, Ross and Wheeler

Absent: Councillor Richards

The motion was lost.

MOTION:

A MOTION was moved by Councillor Lyons-Buckett, seconded by Councillor Rasmussen.

Refer to RESOLUTION

132 RESOLUTION:

That Council:

1. Receive the outcome of the public exhibition of the Draft Kurmond-Kurrajong Investigation Area Structure Plan.
2. Defer consideration of the Draft Kurmond-Kurrajong Investigation Area Structure Plan until the following key strategy documents are completed:
 - a) Hawkesbury Local Housing Strategy
 - b) Hawkesbury Rural Lands Strategy
 - c) Hawkesbury Local Strategic Planning Statement.

In accordance with Section 375A of the Local Government Act 1993 a division is required to be called whenever a planning decision is put at a council or committee meeting. Accordingly, the Chairperson called for a division in respect of the motion, the results of which were as follows:

For the Motion: Councillors Calvert, Lyons-Buckett, Conolly, Garrow, Kotlash, Rasmussen, Reynolds, Ross, Tree, Wheeler and Zamprogno.

Against the Motion: Nil

Absent: Councillor Richards

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Item: 111 **CP - Update on Kurmond-Kurrajong Investigation Area Structure Plan - Post Exhibition Report - (124414, 95498)**

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Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the outcome of public exhibition of the Draft Kurmond Kurrajong Investigation Area Structure Plan which was exhibited from Friday, 27 September to Thursday, 7 November 2019. This report also includes the outcome of further community consultation undertaken with affected property owners in May 2020.

EXECUTIVE SUMMARY:

Through a Mayoral Minute on 3 February 2015, Council resolved to undertake Structure Planning within the Kurmond Kurrajong Investigation Area. The structure planning process was considered necessary given an increase of individual planning proposals within the area.

The Draft Structure Plan is a comprehensive study of the Kurmond - Kurrajong Investigation Area and provides a framework to guide land use planning. The Draft Structure Plan has been created to ensure reasonable opportunities are identified for rural living, whilst ensuring that the local environmental values, biodiversity, landscape, rural and scenic character of the area is maintained. The Draft Structure Plan will also provide greater certainty and confidence for property owners, developers and other investors about development in the Investigation Area.

The Structure Plan aims to:

- Provide rural living opportunities in close proximity to the existing Kurrajong and Kurmond village centres that will maintain and protect the significant biodiversity, landscape, scenic and rural character of the area
- Prevent subdivision development and land use that would have adverse implications on the quality of groundwater and surface water resources in the Investigation Area
- Ensure that subdivision and development complies with current standards of fire management and protection of people, biodiversity and property and
- Protect the visual landscape, amenity and rural character of the Investigation Area.

The Draft Structure Plan has been prepared in accordance with the Directions of the Sydney Region Plan – ‘A Metropolis of Three Cities’, the overarching planning framework for Metropolitan Sydney. Specifically, the following Directions were considered when preparing the Draft Structure Plan with particular emphasis given to ‘Objective 29- Environmental, social and economic values in rural areas are protected and enhanced’, of the Sydney Region Plan:

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- A city in its landscape
- An efficient city
- A resilient city

Recent progress with respect to the Kurmond Kurrajong Investigation Area included a number of associated studies, including:

- Kurmond and Kurrajong Landscape Character Study
- Ecological/Biodiversity Mapping
- Commercial/Retail Findings – Kurmond and Kurrajong.

These recommendations are supported, in addition to the provision of relevant controls that:

- Retain existing landscape qualities
- Provide additional landscaping to enhance landscape character, views and vistas
- Provide sufficient setbacks between vegetation and buildings to ensure fire safety
- Accommodate on-site sewerage detention and management.

RECOMMENDATION:

That Council:

1. Receive the outcome of the public exhibition of the Draft Kurmond-Kurrajong Investigation Area Structure Plan.
2. Adopt the Structure Plan attached as Attachment 4 to this report.
3. Endorse the preparation of a planning proposal to amend the Hawkesbury Local Environmental Plan 2012 to:
 - a) Rezone the Investigation Area E4 Environmental Living.
 - b) Include a minimum lot size of 1 Hectare throughout the investigation area except for the areas indicated within the Draft Structure Map with a minimum lot size of 4,000m²
 - c) Make changes to the Development Control Plan as included in the Draft Structure Plan.
4. Progress remaining planning proposals within the Kurmond Kurrajong Investigation Area in accordance with the Adopted Structure Plan.
5. Review the Kurmond - Kurrajong Investigation Area Structure Plan following the completion of the LEP Review process, or following the finalisation of relevant strategic planning studies either by Council or the NSW State Government.

BACKGROUND

The Residential Land Strategy 2011 was adopted by Council on 10 May 2011. The aim of the Residential Land Strategy was to:

- Accommodate between 5,000 to 6,000 additional dwellings by 2031, primarily within the existing urban areas as prescribed in the Department of Planning and Infrastructure's (DP&I) North West Subregional Strategy;
- Preserve the unique and high quality natural environment of the LGA;

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- Accommodate changing population, which presents new demands in terms of housing, services and access;
- Identify on-going development pressures to expand into natural and rural areas, as well as new development both in and around existing centres;
- Identify physical constraints of flood, native vegetation and bushfire risk; and
- Ensure that the appropriate infrastructure is planned and provided to cater for future development.

The Hawkesbury Residential Land Strategy 2011 did not rezone land or approve development of areas or localities. It established a planning framework to assist in the implementation of the above aims. Additionally, the Residential Land Strategy was also to be used to guide the preparation and assessment of rezoning proposals (Planning Proposals). Following assessment of the various opportunities and constraints, it recommended a series of areas requiring further investigation for general, low density or medium density residential zonings around Richmond/Hobartville, North Richmond, Wilberforce, Glossodia, and Windsor/South Windsor/Bligh Park.

However, at the time, no funding was allocated by Council to implement the strategy and undertake the identified investigations.

It should also be noted that the Residential Land Strategy did not specifically identify Kurmond and Kurrajong as an investigation area. The Residential Land Strategy did however identify criteria to consider for Rural Villages (including Kurmond and Kurrajong), and indicated that future development of rural villages was to:

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

Further, that 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 1km radius)
- Address environmental constraints and with minimal environmental impacts and
- Only occur within the capacity of the rural village.

From 2012/2013 property owners in the Kurmond and Kurrajong area started to show an interest in large lot subdivision by lodging individual planning proposals to allow residential development for lifestyle purposes. However, there was no set guideline for Council to determine whether large lot subdivisions were suitable in the area given the constraints of topography, biodiversity, infrastructure and other amenities in the area.

On 3 February 2015, through a Mayoral Minute, Council resolved to carry out investigations within the Kurmond Kurrajong Investigation Area. The structure planning process was considered necessary given an increase of individual planning proposals within the area.

Funding for relevant consultancies to undertake the Structure Plan was not provided by Council at the time, and planning work was limited to internal staff resources that were also engaged with numerous other projects, and on top of other work being undertaken. Whilst the adoption of the 2018/2019 Budget included a strategy for funding relevant studies, difficulties in filling staff vacancies limited progress in relation to the completion of the necessary studies.

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Following consideration of a report on the outcome of a survey conducted with property owners within the Kurmond Kurrajong Investigation Area at Council's Ordinary Meeting on 26 November 2016, Council resolved:

That:

1. *Council receive the results of the Kurmond and Kurrajong Investigation Area Survey.*
2. *Council Staff identify a number of specific areas (based upon Constraints Mapping, survey results and the preferred approach as outlined in this report) for possible, but not certain, development of additional large lot residential/rural-residential development throughout the Investigation Area and some residential development up to, but not within, the existing villages of Kurmond and Kurrajong.*
3. *The identified areas be further consulted with the community regarding future development.*
4. *The results of that further consultation be reported to Council.*
5. *Council not accept any further planning proposal applications within the Kurmond and Kurrajong investigation area until such time as the structure planning as outlined in this report is completed. Council receive a progress report on the structure planning prior to July 2017.*
6. *Council continue processing the planning proposals within the investigation area that have received support via a Council resolution to proceed to a Gateway determination and any planning proposals currently lodged with Council as at 29 November 2016.*

With the introduction of amendments to State legislation, each Council was required to reflect the direction of the new Sydney Region Plan, and in the case of Hawkesbury, the Western City District Plan in the preparation of a Draft Local Strategic Planning Statement. A series of associated background studies to inform the preparation of the Draft Local Strategic Planning Statement were also required. This resulted in the need to reprioritise the work being undertaken in order to meet the deadlines set by the State Government to prepare these various strategies. Unlike the majority of other Metropolitan Sydney Councils who received \$2.5M each to undertake this work, no funding was provided to Hawkesbury City Council to undertake this work. As such this work has had to be undertaken with internal staff resourcing on top of other work being undertaken.

A series of separate studies have either been undertaken or considered as part of the process of informing the preparation of a Structure Plan, including:

- Constraints and Opportunities Analysis
- Kurmond and Kurrajong Landscape Character Study
- Ecological/Biodiversity Mapping
- Commercial/Retail Findings - Kurmond and Kurrajong
- Traffic Study
- Views and View Classification and Design Controls
- Hawkesbury Tourism Destination Management Plan

The report also highlights a series of next steps in respect of the Kurmond Kurrajong Investigation Area Structure Planning process, and other recommendations from identified matters within the studies.

NSW State Government - Metropolitan and Regional Context

Whilst Structure Planning for the Kurmond Kurrajong Investigation Area was commenced in 2015, it is important to understand the context in which this ongoing strategy work is being undertaken. This is also the case for the review of the Residential Land Strategy that Council has resolved to undertake.

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Metropolitan Context

Planning for future residential uses in the Hawkesbury Local Government Area (LGA) needs to consider how the LGA itself, and the wider district and region, is expected to grow and change over the next few decades.

This requires Council to work within the strategic planning direction set by the NSW Government and the Greater Sydney Commission as confirmed in March 2018 by way of:

- Greater Sydney in the Greater Sydney Region Plan - a metropolis of 3 Cities including the Western Parkland City
- The Western City District, of which the Hawkesbury is a part.

Greater Sydney Region Plan

The Greater Sydney Region Plan forecasts that between 2016 and 2036, the Western City District is expected to grow by 740,000 people in 2016 to 1.1 million people by 2036. This equates to a need for nearly 40,000 new homes in 2016-2021 alone, and nearly 185,000 new homes between 2016 and 2036. Of this, the Western City District Plan sets a five-year housing target for Hawkesbury LGA of 1,150 new homes between 2016 to 2021. Existing Residential Zonings within the Hawkesbury already provide for an additional 4,500 dwellings located at:

- Vineyard Stage 1 (2,500 dwellings)
- Redbank (1,400 Lots)
- Jacaranda Ponds (580 Lots)

However, further work is required to understand the housing and economic impacts of the growing population, with the Hawkesbury LGA projected to grow from around 67,000 people in 2016 to just over 85,000 people by 2036 based on projections from the Department of Planning, Industry and Environment.

The Greater Sydney Region Plan also notes that flooding in the Hawkesbury-Nepean Valley is one of the most significant natural hazards in Greater Sydney. It states that if the 1867 flood - where the river level reached 19.7 metres at Windsor - were repeated today, 12,000 residential properties would be impacted, 90,000 people would need evacuation and damage would cost an estimated \$5 billion.

Furthermore, existing crossings across the Hawkesbury River become inoperable at less than a 1:10 flood, making additional growth on the west side of the river highly problematic.

The Greater Sydney Region Plan also introduced the Metropolitan Rural Area by way of *Objective 29 – Environmental, social and economic values in rural areas are protected and enhanced*. The Plan states that urban development is not consistent with the values of the Metropolitan Rural Area. Further, that restricting urban development in the Metropolitan Rural Area will help manage its environmental, social and economic values, help to reduce land speculation, and increase biodiversity from offsets in Growth Areas and existing urban areas.

The Greater Sydney Region Plan also states that place based planning can be used to identify, maintain and enhance the environmental, social and economic values of rural lands. The Plan continues, and states that rural residential development is not an economic value of the Metropolitan Rural Area, and that further rural residential development in the Metropolitan Rural Area is generally not supported. Limited growth of rural residential development could be considered where there are no adverse impacts on the amenity of the local area and where the development provides incentives to maintain and enhance the environmental, social and economic values of the Metropolitan Rural Area.

Western City District Plan

The Western City District Plan focuses on Infrastructure, Liveability, Productivity, Sustainability and implementation. In doing so it collectively classes Richmond and Windsor as a strategic centre, recognising its expanded role as a hub for retail and commercial services; major health facilities including

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the Notre Dame University medical teaching campus. The Plan also identifies a growing tourism opportunity, focused on colonial history, rural character, agriculture and environmental assets including the Greater Blue Mountains World Heritage area, the Hawkesbury River and the surrounding agricultural lands.

The Plan sets a baseline target of 12,000 jobs by 2036 (up from 10,300 in 2016) with a higher target of 16,500 jobs.

The existing aerospace and defence activities at RAAF Base Richmond is a hub of logistics support for the Australian Defence Force. Over 450 aerospace workers work within the precinct for the Royal Australian Air Force, United States Air Force, Northrop, Airbus Group Australia Pacific, Lockheed Martin, Standard Aero, GEAviation, L3 Aviation Products and CAE.

Combined, the RAAF Base, Western Sydney University Hawkesbury campus, TAFE NSW Richmond, and a new STEM (Science, Technology, Engineering and mathematics) Secondary School will complement business activities around the Badgerys Creek Aerotropolis that will be focused on the planned Western Sydney Airport.

North West Growth Area

Part of Hawkesbury LGA is within the North West Growth Area which includes the Vineyard Precinct, an area designated by the NSW Government as suitable for large scale Greenfield land releases. In the case of Hawkesbury, the release areas are also located within a relatively short distance of the Richmond rail line.

Western Sydney City Deal

Council is involved in the Western Sydney City Deal, a 20-year agreement between the Australian and NSW governments and Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly councils that will optimise the opportunity of the new airport and focus on connectivity; jobs; skills and education; planning and housing; liveability and environment; and governance.

Western Sydney Airport will also create international and domestic tourism opportunities. This will have a positive influence on the Hawkesbury's visitor economy by better connecting visitors to visitor experiences such as the Hawkesbury Farm Gate Trails, and exceptional landscapes and waterways, in addition to heritage areas including the Macquarie towns and the Hawkesbury Regional Gallery and Museum.

The Hawkesbury's unique landscape also offers rich soils for agricultural production that can in turn lead to export opportunities that will link to Badgerys Creek Airport. The Western Sydney University at Hawkesbury Campus and AgriPark Research Centre provide tertiary education in medical and forensic science, animal science, natural science, sustainable agriculture and food security with world-class research facilities in grasses, pastures, legumes, insects and ecology.

Hawkesbury Housing and Employment Strategy.

In response to these issues and opportunities, and consistent with the requirements of the Sydney Region Plan and Western City District Plan, Council needs to develop detailed housing and employment strategies.

In the case of housing, based on draft background studies undertaken, planning focuses on housing development:

- Within the areas of the North West Growth Area located within Hawkesbury
- Near existing transport connections or centres
- Within easy access of future job locations
- Within existing urban areas with good access to existing services such as education, health and commercial services that minimise risks associated with flooding and bushfires.

In the case of employment, based on draft background studies undertaken, planning focuses on economic development, that builds on:

- The area's natural advantages, its rich soils and associated agricultural lands, its areas of natural beauty and wilderness
- Its strengths, the cluster of aerospace, education, research and employment activities between Windsor and Richmond
- Richmond and Windsor as a strategic centre, recognising its expanded role as a hub for retail and commercial services; major health facilities including the Notre Dame University medical teaching campus
- Growing tourism opportunities, focused on colonial history, rural character, agriculture and environmental assets including the Greater Blue Mountains World Heritage area, the Hawkesbury River and the surrounding agricultural lands.

Kurmond Kurrajong Investigation Area

The Kurmond-Kurrajong Investigation Area was identified by considering the location criteria provided within the Hawkesbury Residential Land Strategy 2011 (i.e. “within 1km radius” and “cluster around or on the periphery of villages”), undertaking a desk top survey of matters such as slope, existing vegetation, existing road layout and accesses, and zone and property boundaries.

The investigation area consists of approximately 457 individual property owners. The total area of the investigation area is 632 Hectares. Not all sites within the investigation area will be able to subdivide according to the minimum lot size provision due to development constraints and topography of the area.

The Kurmond-Kurrajong Investigation Area Structure Plan is prepared as a result of Council's Resolution dated 5 February 2013. Table 1 below illustrates the historic trail of Council Resolutions to support the Kurmond-Kurrajong Investigation Area Structure Plan in a chronological order.

Figures 1, 2, 3 and 4 below illustrates the Kurmond-Kurrajong Investigation Area

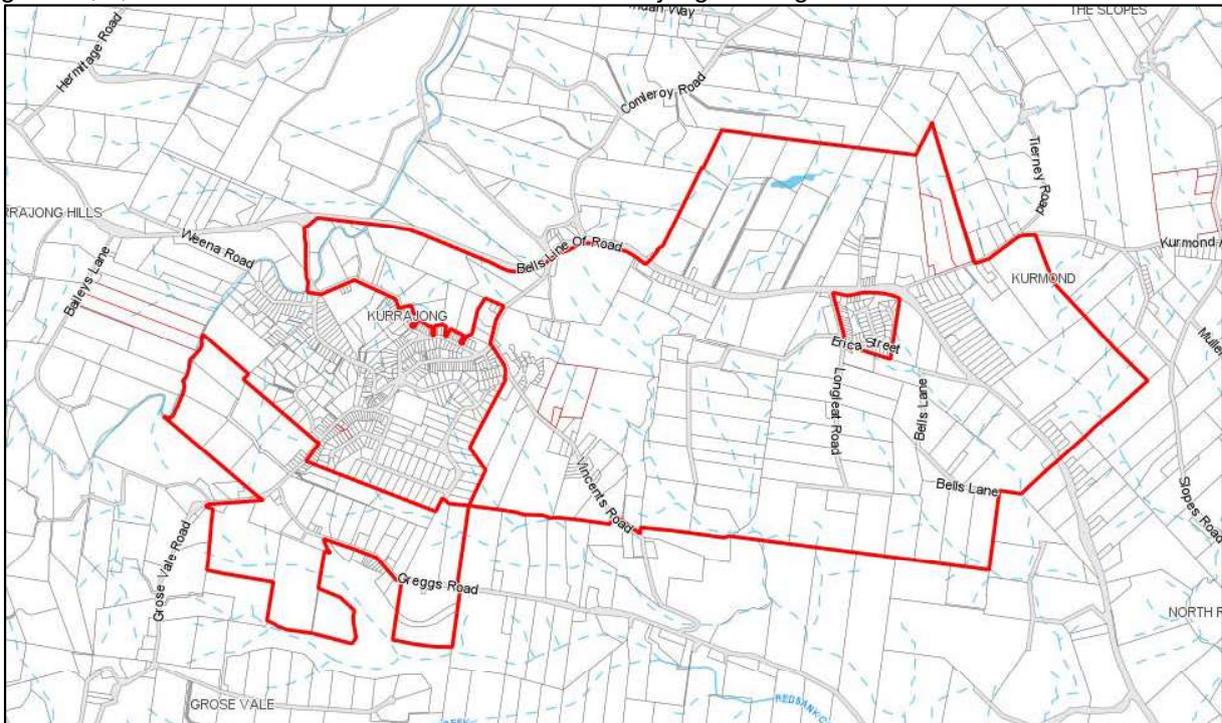


Figure 1: Kurmond-Kurrajong Investigation Area

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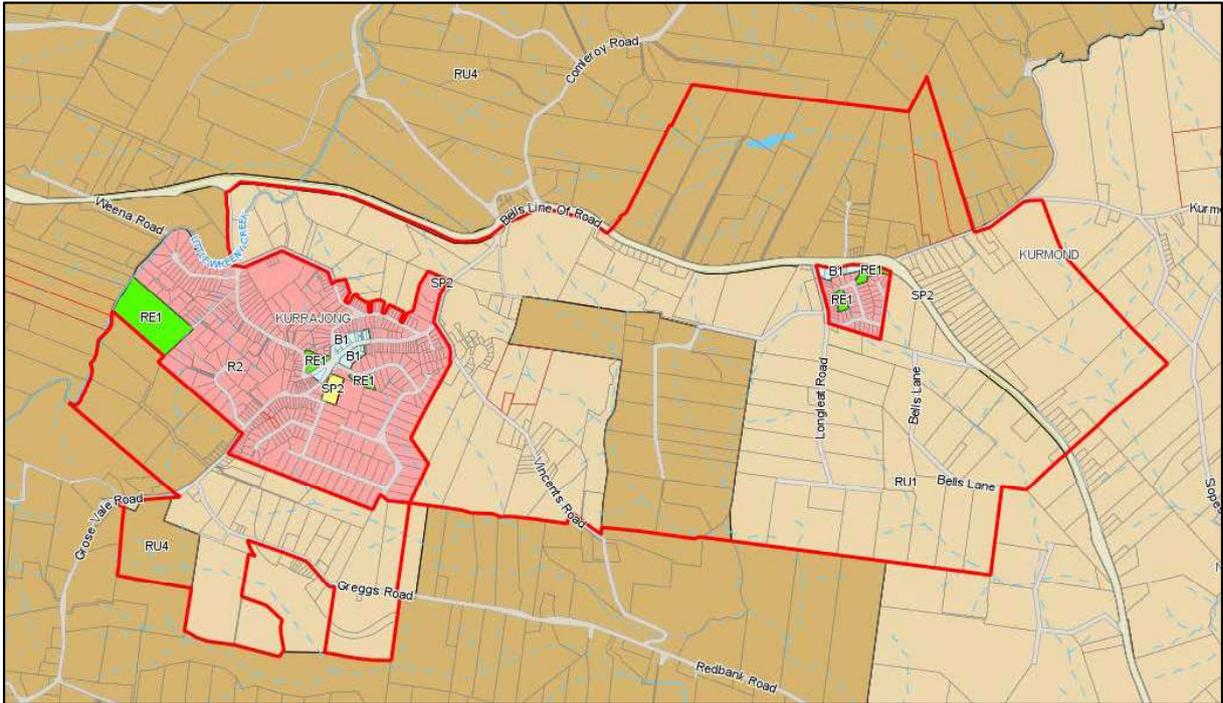


Figure 2: Zoning Map Kurmond-Kurrajong Investigation Area



Figure 3: Lot Size Map of Kurmond-Kurrajong Investigation Area

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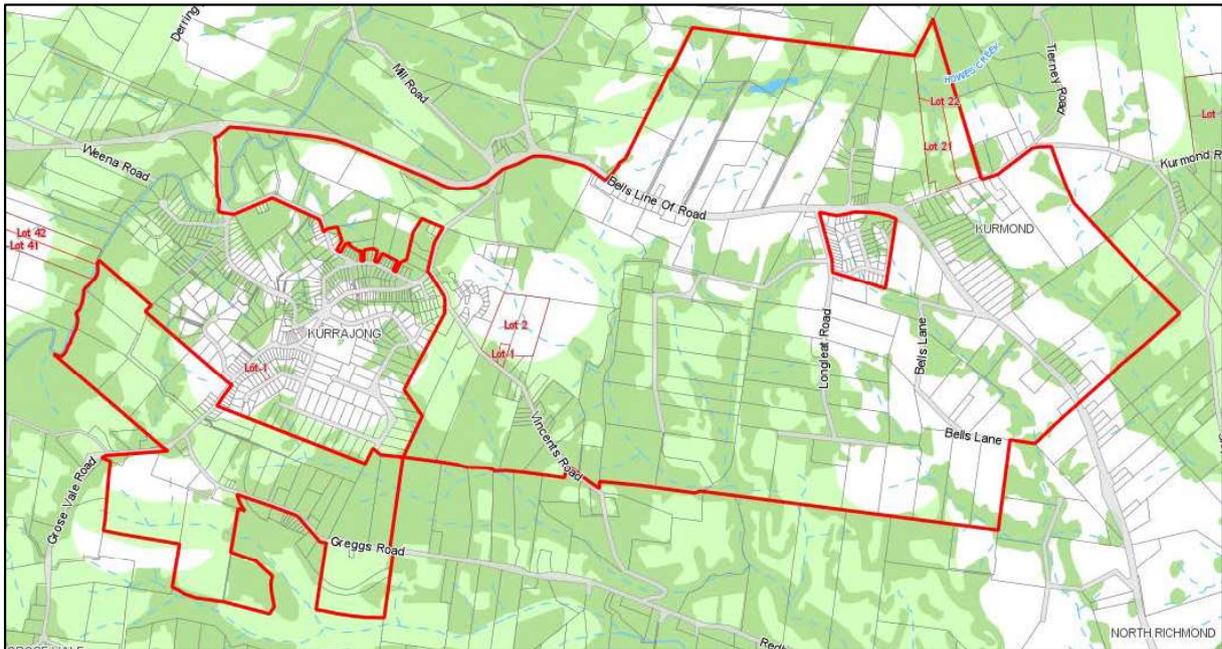


Figure 4: Biodiversity Map of Kurmond-Kurrajong Investigation Area

Chronology of Kurmond-Kurrajong Investigation Area

Detailed History

The following has been provided by way of background with respect to the Kurmond-Kurrajong Investigation Area.

Table 1: Chronology of Council Resolutions Associated with the KKIA Structure Plan

| Background in Chronological Order | |
|--|--|
| 10 May 2011 | <p>Hawkesbury Residential Land Strategy adopted by Council.</p> <p>The Residential Land Strategy mapped certain areas within the Local Government Area to investigate the potential for General, Low Density or Medium Density residential zonings. The Residential Land Strategy also provided the category to identify investigation areas for future development within and on the periphery of rural villages.</p> |
| 5 February 2013 | <p>Council resolved to carry out investigations within the “Kurmond Village large lot residential/rural-residential Investigation Area”.</p> <p>These investigations were to determine the suitability of the identified lands for large lot residential and/or rural residential development.</p> |
| 24 June 2014 | <p>Council resolved to review the area for investigation identified by Council on 5 February 2013 and determined that this was to be the first area to have a development/structure plan prepared.</p> |

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| Background in Chronological Order | |
|---|--|
| 3 February 2015 Mayoral Minute | <p>Council resolved to suspend acceptance of new planning proposals under the Hawkesbury Residential Land Strategy until the key implementation actions of the Residential Land Strategy, in particular structure planning and development contribution planning had been completed for the Kurmond-Kurrajong Investigation Area, or 31 July 2015.</p> <p>Planning proposals that had already been received by Council were to continue to be processed. Those planning proposals, in accordance with previous resolutions of Council were not to proceed to gazettal until the relevant structure plan or S94 Plan was in place.</p> <p>The identified structure and development contributions planning was to be given priority.</p> |
| 31 March 2015 | <p>Council resolved to adopt the Investigation Area to enable structure planning and development contributions planning for the purposes of large lot residential/ rural-residential development within the Kurmond and Kurrajong area.</p> |
| 28 July 2015 | <p>Council resolved that the development principles and local planning approach outlined in the report be adopted as an Interim Policy for the purpose of structure planning within the Kurmond and Kurrajong Investigation Area.</p> <p>Council's resolution of 3 February 2015 was maintained for Kurmond and Kurrajong. Council resolved to suspend acceptance of new planning proposals under the Hawkesbury Residential Land Strategy until 30 November 2015.</p> |
| 24 November 2015 | <p>A progress report was presented to Council on the Kurmond-Kurrajong Investigation Area and to inform Council of the status of other planning proposals within the Investigation Area.</p> |
| 30 August 2016 | <p>A further progress report was provided to Council where it was resolved to defer the item for the consideration of the new Council.</p> |
| 26 November 2016 | <p>Council resolved:</p> <p><i>That:</i></p> <ol style="list-style-type: none"> 1. Council receive the results of the Kurmond and Kurrajong Investigation Area Survey. 2. Council Staff identify a number of specific areas (based upon Constraints Mapping, survey results and the preferred approach as outlined in this report) for possible, but not certain, development of additional large lot residential/rural-residential development throughout the Investigation Area and some residential development up to, but not within, the existing villages of Kurmond and Kurrajong. 3. The identified areas be further consulted with the community regarding future development. 4. The results of that further consultation be reported to Council. 5. Council not accept any further planning proposal applications within the Kurmond and Kurrajong investigation area until such time as the structure planning as outlined in this report is completed. Council receive a progress report on the structure planning prior to July 2017. 6. Council continue processing the planning proposals within the investigation area that have received support via a Council resolution to proceed to a Gateway determination and any planning proposals currently lodged with Council as at 29 November 2016. |

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| Background in Chronological Order | |
|--|---|
| 30 May 2017 | Council reaffirmed its previous resolution in relation to new Planning Proposals within the Investigation Area, which read as follows: <i>Council not accept any further planning proposal applications within the Kurmond and Kurrajong Investigation Area until such time as the structure planning as outlined in this report is completed.</i> |
| 13 April 2018 | Clouston Associates were commissioned to undertake a Landscape Character Study of Kurmond and Kurrajong. |
| 31 July 2018 | Report to Council informing the progress of the Kurmond-Kurrajong Investigation Area including the Kurmond-Kurrajong Landscape Character Study prepared by Clouston Associates. |
| 10 September 2019 | Report to Council presenting the Draft Kurmond-Kurrajong Investigation Area Structure Plan, seeking resolution to adopt the Draft KKIA Structure Plan for public exhibition. <i>Council resolved to adopt the Draft Kurmond-Kurrajong Structure Plan for the purpose of public exhibition.</i> |
| 27 September to 7 November 2019 | The Draft Kurmond-Kurrajong Investigation Area Structure Plan was on public exhibition. |
| 10 May to 2 June 2020 | Correspondence forwarded to all property owners within the Kurmond Kurrajong Investigation Area seeking further input. |

Policy Considerations

The Draft Structure Plan is a framework to guide future land use planning and identify planning mechanisms to ensure that development within the investigation area makes the area a great place to live both today and for future generations.

The Draft Structure Plan is a comprehensive and holistic study of the Investigation Area. It examines in detail the constraints within the Investigation Area in order to identify the opportunities for future rural living opportunities, and thereby set a long term vision for how the Investigation Area should evolve over time.

The aim of the Draft Structure Plan is to ensure that reasonable opportunities are identified for rural residential development, whilst ensuring that the local environmental values, biodiversity, scenic, landscape and rural characters of the area are maintained.

It has been considered that the development within the Kurmond Kurrajong Investigation Area is not going to achieve a LGA wide community benefit, however, the Draft Structure Plan demonstrates place-based planning to meet the local housing demand in the investigation area.

Metropolitan Rural Area (MRA)

In March 2018, the NSW Government released the Sydney Region Plan – A Metropolis of Three Cities, which is the overarching Land Use Planning Framework for NSW Government to guide future land use development of Metropolitan Sydney.

The Plan classed the whole of the Hawkesbury LGA except for the Vineyard Precinct as being within the Metropolitan Rural Area, having a range of environmental, social and economic values. The characteristics of Metropolitan Rural Area as per the Plan includes farmland, mineral resources and distinctive towns and villages in rural and bushland settings. Its areas of high environmental value have been mapped by then previous Office of Environment and Heritage, and its landscape and scenic qualities highlighted.

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Objective 29 of the Region Plan – Environmental, social and economic values in rural areas are protected and enhanced.

Metropolitan Rural Area Objective 29 emphasises that urban development is not consistent with the values of the Metropolitan Rural Area. The Plan eliminates the need for urban area expansion into the Metropolitan Rural Area, meaning the Department of Planning, Industry and Environment (DPIE) and Greater Sydney Commission (GSC) will not support any proposed zones that are inconsistent with the Metropolitan Rural Area Objective 29 of the Region Plan.

Given the above, it is important that the proposed zone for the Kurmond-Kurrajong Investigation Area, is consistent with the Metropolitan Rural Area objectives.

COMMUNITY ENGAGEMENT

The Draft Kurmond-Kurrajong Structure Plan was exhibited from Friday, 27 September to Thursday, 7 November 2019 in accordance with Council's Community Engagement Plan.

The public exhibition included:

- Public notices in The Hawkesbury Courier on 26 September, 10 October and 24 October 2019
- Council's Website and Community Engagement Platform Your Hawkesbury Your Say
- Hard copies of the exhibition was placed at Council's Administration Centre
- Media Release
- Letters sent to approximately 450 property owners within the Investigation Area

During the public exhibition period, Council received a number of enquiries regarding the Draft Kurmond Kurrajong Investigation Area Structure Plan by phone and at the counter. All enquirers were encouraged to put in a written submission.

A total of 26 written submissions were received during the public exhibition of the Draft Kurmond Kurrajong Investigation Area Structure Plan. One submission was received after the close of the public exhibition period. A total of 12 submitters supported, and six submitters objected to the Draft Structure Plan. Nine submitters neither supported nor objected to the Structure Plan, but provided comments on matters such as more parking spaces in Kurrajong town centre, revitalisation of the Kurmond Kurrajong town centres, update on Stage 2 of the Hawkesbury LGA wide Traffic Study to be able to comment on the draft structure plan, inclusion of walkways and cycle-ways and cleared vegetation along the road sides, and appropriateness of Minimum Lot Sizes larger than 4,000m² to protect the environment within the investigation area. Key issues raised in submissions related to:

- Lot sizes
- Traffic impacts
- Infrastructure requirements
- Views and vistas
- Landscape character
- Biodiversity mapping
- Environmental impacts

The key issues raised in submissions received are summarised in Table 2 and copies of all submissions are provided in Attachment 1.

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Table 2 – Summary of Submissions Received – Public Exhibition September – November 2019

| Summary of issues raised | Response |
|---|---|
| <p>Supports and welcomes the KKIA Structure Plan.</p> <p>Has a planning proposal for large lot subdivision (631 Bells Line of Road, Lot 1 DP 120436) at Council since 2013.</p> <p>Looks forward to working with Council to expedite the planning proposal process to achieve an outcome on his planning proposal.</p> <p>Acknowledged staff's professionalism and patience in dealing with the planning proposal.</p> | <p>Comments noted.</p> <p>The purpose of the Draft KKIA Structure Plan is to determine the suitability of the identified land for large lot residential and or rural residential development.</p> <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan.</p> <p>Comment noted.</p> |
| <p>Objects to the Plan's treatment of views and vistas.</p> <p>The Plan's scope is stretched beyond its original terms of reference and generally understood Mandate.</p> <p>The Plan sets vague, incomplete, subjective and unmanageable criteria.</p> <p>The Plan unjustly prioritises those within the investigation area over those outside.</p> <p>The Plan lacks proportionality.</p> <p>Page 8 sets out the statement of policy intent which has the effect of constraining opportunities for growth in one area for the benefit of another.</p> <p>Emphasis on views and vistas is vague, selective and subjective and would be unmanageable in operational sense.</p> <p>Interpretation of the view and vistas criteria will be difficult.</p> <p>Overlay of view and vista criteria on development controls will lead to uncertainty and conflict.</p> <p>The Plan has stretched the intention of the Region Plan – Scenic Landscapes; beyond what is proportionate by capturing vast tracts of land seen from a much smaller area.</p> | <p>The Sydney Region Plan - 'A Metropolis of Three Cities' has classed Hawkesbury as a Metropolitan Rural Area (MRA). The objectives of the MRA are to retain the environmental, social and economic values in the rural areas and protect and enhance it.</p> <p>The KKIA Structure Plan considers the Direction – A City in its Landscape, specifically Objective 29 and recommends controls to preserve the rural and local character of the area including biodiversity, landscape and scenic characteristics.</p> <p>The Investigation Area is constrained by a lack of services such as sewer and water connection and other transport and health amenities to cater for a significant increase of population in the area.</p> <p>Whilst it is agreed that views and vistas are subjective and the attributes change over time, but it is still a legitimate and essential consideration. The emphasis of the plan is to ensure that consideration of views and vistas is undertaken when assessing development.</p> <p>Existing planning controls do not refer to views, the proposed Structure Plan recommends an approach in this respect that is based on contemporary approaches to consideration of this aspect.</p> <p>Existing NSW State Government Plans refer to tourism, and people coming out into the hinterland to experience rural landscapes and scenic backdrops such as the Blue Mountains.</p> <p>Consideration of views and vistas is an approach that has been used in other local government areas.</p> |

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| <p>The characterisation of Kurmond and Kurrajong village centres on page 11 needs to be upgraded to reflect the urgent need for Council to provide a suite of accommodative policy setting to foster additional retail and business activities.</p> | <p>Whilst views may be subjective, they are a genuine and documented consideration in the deliberations and Land and Environment Court matters and have in a number of situations formed the basis of a refusal or amendment of the application.</p> <p>The KKIA Structure Plan does not include the town centres of Kurmond and Kurrajong. However, the additional population of the investigation area will support retail activities within the town centres, although it is noted that the existing centres are currently viable based on existing population.</p> <p>Commercial/Retail Findings in terms of Kurmond and Kurrajong highlighted that there is already sufficient population in the surrounding area to support further retailing. Kurmond and Kurrajong town centres revitalisation will be informed through a separate study in the future.</p> |
| <p>More parking in Kurrajong is required.</p> | <p>Comments noted.</p> <p>The Kurrajong town centre is outside of the scope of the structure plan; however, the car parking space issue can be considered through a separate study in the future.</p> |
| <p>Supports the Plan.</p> <p>In favour of rural residential development.</p> | <p>Comments noted.</p> <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan.</p> |
| <p>Supports the Plan.</p> <p>Agrees with the 1 hectare Min lot subdivision. Does not approve 4,000sqm lots and medium density development.</p> <p>Agrees to retain the green-scape of the area.</p> | <p>Comments noted.</p> <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan.</p> |
| <p>Objects to the Plan</p> <p>Retain large lots to maintain the rural character of the area.</p> <p>Development at 67 Kurrajong Road (37 lots) and at corner of Vincent Road and Old Bells Line of Road should be able to meet the future housing supply for the area.</p> | <p>There has been interest from property owners within the investigation area to subdivide their land for residential lifestyle purposes. Through a Mayoral Minute, this lead to a need for the structure plan. There are a number of current planning proposals within the Investigation Area that need to be assessed based on the guidance of the structure plan.</p> <p>The purpose of the structure plan is to consider the provision of appropriate locations for rural residential development within the investigation area following consideration of all constraints, biodiversity, rural character and landscape and scenic values.</p> |

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| <p>Additional developments will put pressure on traffic movement and congestions, pollution, increased demand for services such as garbage collection, loss of habitat and wildlife loss, loss of trees due to clearance.</p> <p>Change the character of the area and the place will become less attractive to tourists.</p> | <p>Advice from the consultant undertaking the Hawkesbury LGA wide Traffic Study has indicated that the new Grose River Bridge will improve the operation of the network taking into account the projected development in the future base year (2027) and that the development option of 200 additional dwellings in the KKIA is not considered to have any notable impact.</p> <p>The structure plan is prepared in accordance with Objective 29 of the Sydney Region Plan which considers the objectives of the Metropolitan Rural Area.</p> <p>Based on the Structure Plan, development within the KKIA will ensure that the rural and local character of the scenic and landscape values are retained and protected.</p> |
| <p>Supports the Plan.</p> <p>Supports the minimum lot size proposal of 4,000m² and 1 hectare in the investigation area.</p> <p>Proposed rezoning will allow for lifestyle living in the area while close to the Blue Mountains.</p> <p>These allotment sizes moves away from the infill development and issues such as on street parking, rubbish collection, open space and canopy cover.</p> <p>The rezoning and added population of the investigation area will support local businesses as well as jobs in the building and construction sectors and other facets of the economy of the Hawkesbury.</p> | <p>Comments noted.</p> <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan.</p> <p>Whilst the existing population is sufficient to support the existing Kurmond and Kurrajong Centres, an additional population in the investigation area will support the local economy of the Kurmond and Kurrajong town centres and vice versa the town centre will provide job opportunities to the community.</p> |
| <p>Supports the KKIA Structure Plan.</p> <p>Requests that their property, Lot 102/DP 857072 be included in the investigation area and have a min lot size of 4,000m², without detriment to the environmental landscape, scenic and rural character of the area.</p> <p>Inclusion of the property in the investigation area will bring financial benefits to the owner.</p> <p>The property has Sydney Water connection and has a 13 million litre dam which is supplied by a spring that has never been dry.</p> | <p>Comments noted.</p> <p>It is not recommended to increase the area of the Investigation Area.</p> <p>Areas outside of the Investigation Area will be considered as part of the Draft Hawkesbury Rural Lands Strategy.</p> <p>Properties serviced by Sydney Water services will be re-considered for analysis as part of broader strategy work including the Draft Hawkesbury Rural Lands Study.</p> |
| <p>Objects to 4,000m² lots.</p> <p>Large lot subdivisions will substantially change</p> | <p>Comments noted with some significant points raised.</p> |

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| <p>the character of the area from rural to urban.</p> <p>The market demand needs to be confirmed based on the analysis of the current rural residential vacant lot supply and the demand for 4,000m² or 1 hectare lots.</p> <p>Lots below 1 hectare are slow to sell or are developed for sale. An example is the slow take up of land in kurrajong, and approved subdivision at 431 Greggs Road, Kurrajong.</p> <p>Allowing subdivision of land to 4,000sqm is an inefficient use of land near urban centres.</p> <p>Approving a min lot size of 4,000m² will only achieve an increase in the value of land increasing rates on similar –sized land outside the investigation area, rather than any goal of increasing supply for residential housing.</p> <p>Lots 2 hectares and above are more suitable for rural activities allowing for the harvesting of water for livestock and small scale horticulture production.</p> <p>The Plan is inconsistent with the Region Plan Strategies 29.1 and 29.2; which have the aim of enhancing the MRA and focussing residential development within the urban zones.</p> <p>Development in areas with no water connection will increase water tanker movements in the area.</p> <p>To manage effluent discharge on 4,000sqm lots risks the downstream water environment.</p> <p>To afford development in the west of North Richmond, reticulated portable water and sewerage should be included in planning to allow compact residential development.</p> <p>Rural residential / large lot residential meets housing demands for a small portion of the community and does not achieve objectives of providing a wide selection of affordable land for housing.</p> <p>An example of subdivision at Lily Place in Kurrajong has not provided much community benefit for example there is no footpath access to the Kurrajong town centre.</p> | <p>Consideration is given to the points raised, specifically relative to the minimum lot size of 4,000m² in the Structure Plan.</p> <p>HLEP 2012, Clause 4.1D (1)(b) states “ Despite Clauses 4.1, 4.1AA and 4.1A, development consent must not be granted for the subdivision of land that is identified as Area A and edged heavy blue on the Lot Size Map if the area of any lot created by the subdivision that contains or is to contain a dwelling house is less than 4,000m²”.</p> <p>Should Council decide to increase the minimum lot size of identified areas from 4,000m² to higher, the KKIA Structure Plan will be amended accordingly.</p> <p>The KKIA Structure Plan is consistent with objectives 29.1 and 29.2 of the Sydney Region Plan as the plan ensures to protect and enhance the rural character, landscape and scenic values of the area. The KKIA Structure Plan is not recommending any urban zones for the investigation area. The zones recommended ensure to be within the realm of objective 29 of the Sydney Region Plan.</p> <p>The KKIA Structure Plan considers the lack of water and sewer connection in the investigation area.</p> <p>Agree that Council will have to continue to advocate to Sydney Water for sewer and water connection in the investigation area.</p> <p>Agree that the development within the KKIA will not achieve an LGA wide community benefit, however, the KKIA Structure Plan demonstrates place-based planning to meet the local housing demand in the investigation area.</p> <p>Footpaths and kerb and channelling are typical of urban characteristics and require careful consideration in a rural/rural residential context.</p> |
| <p>Seeks access to Stage 2 Traffic Study of Hawkesbury City Area or traffic modelling of area between Kurrajong and Kurmond and Richmond.</p> | <p>Comments noted and officers have met directly with submitter to discuss the issues raised.</p> |

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| <p>Additional 200 dwellings in the investigation area will have significant impact on the current traffic congestion at North Richmond.</p> <p>Traffic generated from the Redbank subdivision and the related bridge over the Grose River is an issue of community concern.</p> <p>Wants to understand the impact of potential development from KKIA and Redbank on traffic plus any other development anticipated in the vicinity of KKIA.</p> | <p>The Traffic Study states that an additional 200 dwellings will have no notable traffic impact. Consultants have updated the Traffic Study to clarify the assumptions and the results.</p> <p>The Traffic Study includes assumptions in terms of the rate of development within sites that have already been rezoned for urban purposes, including, Redbank, Glossodia, Pitt Town and Vineyard.</p> |
| <p>Objects the proposed 4,000sqm min lot size. The lot size is insufficient for rural lifestyle housing given the constraints with the topography and biodiversity.</p> <p>Current housing trends are very large development footprint for houses and associated rural style sheds, with pools and driveways.</p> <p>4,000sqm lots are insufficient to provide on-site effluent disposal and pose risks leading to pollution of the local waterways and compliance problems for Council.</p> <p>Smaller lots also pose a threat to destroying remnant vegetation.</p> <p>4,000sqm lots become problematic in areas not on reticulated sewer services.</p> <p>Pump-out system should not be considered due to significant on-going costs and potential environmental threat.</p> <p>1 hectare lots are appropriate and should be adopted as the min lot size for the KKIA and Hawkesbury City LGA more broadly.</p> <p>1 hectare Min lot size will assist to reduce other impacts including rural views, traffic and road safety, from potential expansion of the villages of Kurmond and Kurrajong</p> | <p>Comments noted.</p> <p>HLEP 2012, Clause 4.1D (1)(b) states “ Despite Clauses 4.1, 4.1AA and 4.1A, development consent must not be granted for the subdivision of land that is identified as Area A and edged heavy blue on the Lot Size Map if the area of any lot created by the subdivision that contains or is to contain a dwelling house is less than 4,000sqm”.</p> <p>The proposed minimum lot size of 4,000sqm in identified areas of the Investigation Area is on the basis of addressing environmental constraints and assessment of views and vistas in accordance with the criteria outlined in the Draft Structure Plan.</p> <p>Should Council decide to increase the minimum lot size of identified areas from 4,000sqm to higher, the KKIA Structure Plan will be amended accordingly.</p> <p>Agree, that the current trends for lot sizes in the rural area are very large development footprint for houses and associated rural style sheds, with pools, driveways and perhaps an area to keep horses or other animals. The Structure Plan provides development principles to address these matters</p> <p>Council will continue to advocate to Sydney Water for sewer and water connection in the investigation area.</p> <p>Based on assessment of the constraints, the Structure Plan maintains a position of a minimum lot size of 1Ha across the Investigation Area with the exception of areas identified as 4,000sqm.</p> |

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| | This document will be the guiding document for future developments within the investigation area and the current live planning proposal will be altered and progressed as per the KKIA Structure Plan. |
| <p>Include walkways and cycle-ways in KKIA.</p> <p>Clear the vegetation back to the property fence lines to provide clear vision for on-coming vehicles from the corners/bends.</p> | <p>Footpaths and kerb and channelling are typical of urban characteristics and require careful consideration in a rural/rural residential context.</p> <p>Council has commenced construction of a cycleway between North Richmond and Kurrajong. A network of local roads connect into the cycleway.</p> |
| <p>Don't reduce car parking space in Kurrajong as it will impact businesses.</p> | <p>The Kurrajong town centre is outside the scope of the structure plan. However, the car parking space issue can be dealt within the Kurmond-Kurrajong Revitalisation Study in the future.</p> |
| <p>Supports the KKIA Structure Plan.</p> <p>The methodology and recommendations within the draft are appropriate in the circumstance of Kurmond-Kurrajong.</p> <p>Supports min lot size of 4,000sqm and 1 hectare.</p> | <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan.</p> |
| <p>Supports the KKIA Structure Plan.</p> <p>An improved and efficient process compared to the current system of dealing with the Planning Proposals.</p> <p>The KKIA Structure Plan demonstrates how the community wants to grow without external imposition of more of the suburban style developments.</p> <p>Commends Councils effort in making the KKIA Structure Plan.</p> | <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan.</p> |
| <p>Supports the KKIA Structure Plan.</p> <p>The area is predominantly serviced by overhead power lines. The highest voltage is 33,000 volts / 33 kilovolt (kV) high voltage (shown in black) associated with the supply of Endeavour Energy's Kurrajong Zone Substation located at 1144 Grose Vale Road Kurrajong (Lot 2 DP 715623, Lot 245 DP 1130987).</p> <p>Easements benefitting Endeavour Energy are indicated by red hatching.</p> <p>The Investigation Area is supplied from:</p> <p>Kurrajong Zone Substation located at 1144 Grose</p> | <p>Comments noted and have been incorporated in the KKIA Structure Plan where applicable.</p> |

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| <p>Vale Road Kurrajong (Lot 2 DP 715623, Lot 245 DP 1130987) (feeders 8801, 8802 and 8798). The latest load forecast for the substation is: 14.4 megavolt amperes (MVA) / 15 MVA of firm capacity.</p> <p>North Richmond Zone Substation located at 92 Pecks Road North Richmond (Lot 7 DP 786671) (feeders 10290 and 10289). The latest load forecast for the substation is 17 MVA / 25 MVA of firm capacity.</p> <p><i>Glossodia Zone Substation located at 368 Creek Ridge Road Glossodia (Lot 1 DP 714062) (feeder L941). The latest load forecast for the substation is 19 MVA / 25 MVA of firm capacity.</i></p> <p>Endeavour Energy's preference is to have continuity of its easements over the most direct and practicable route affecting the least number of lots as possible. Therefore, except in special circumstances such as a staged or facilitating subdivision, it generally does not support the subdivision of easements (even in part) and their incorporation into to multiple / privately owned lots. The incorporation of electricity easements into privately owned lots is generally problematic for both Endeavour Energy and the landowner and requires additional easement management to ensure no uncontrolled activities / encroachments occur within the easement.</p> <p>Dissecting the easement along its route results in restriction of access eg. every lot being potentially fenced on both sides, multiple gates / openings would be required to ensure contiguous / ready access (please also refer to the below point 'Network Access'). This is particularly important where there are poles or structures and changes in direction to a line route. In the event of fallen conductors or faults in underground cables, access to the poles or cable pits to restring or pull cables is essential for restoring electricity supply.</p> <p>If there is no reasonable alternative option, in subdividing an easement consideration must be given to minimising the impact on the easement rights.</p> <p>The construction of any building or structure (including fencing, signage, flag poles etc.) whether temporary or permanent must comply with the minimum safe distances / clearances for voltages up to and including 132,000 volts (132kV) as specified in:</p> <p>Australian/New Zealand Standard AS/NZS 7000</p> | |

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| <p>– 2016: ‘Overhead line design’ as updated from time to time.</p> <p>‘Service and Installation Rules of NSW’ which can be accessed via the following link to the Energy NSW website:</p> <p>Landscaping that interferes with electricity infrastructure may become a potential safety risk, cause of bush fire, restrict access, reduce light levels from streetlights or result in the interruption of supply. Such landscaping may be subject to Endeavour Energy’s Vegetation Management program and/or the provisions of the <u>Electricity Supply Act 1995</u> (NSW) Section 48 ‘Interference with electricity works by trees’ by which under certain circumstances the cost of carrying out such work may be recovered.</p> <p>Before commencing any underground activity the applicant is required to obtain advice from the <i>Dial Before You Dig</i> 1100 service in accordance with the requirements of the <u>Electricity Supply Act 1995</u> (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.</p> <p>The applicant should be advised of the following object of Section 49A ‘Excavation work affecting electricity works’ of the of <u>Electricity Supply Act 1995</u> (NSW) covering the carrying out or proposed carrying out of excavation work in, on or near Endeavour Energy’s electrical infrastructure.</p> | |
| <p>Supports the KKIA Structure Plan.</p> <p>Proposed inclusion of 108 -114 Comleroy Road, (Lot 4 DP778094) Kurrajong in the KKIA Structure Plan.</p> <p>Total of four property area is 19.674 hectares.</p> <p>No sewer and water connection to the sites.</p> <p>No intensive or extensive agricultural activities have been carried out on the subject sites; hence the site is not contaminated.</p> <p>The site is less constraint in the composite analysis map of the structure plan.</p> <p>Landscape character is pastoral valley.</p> <p>The inclusion of the subject site in the Structure</p> | <p>It is not recommended to increase the area of the Investigation Area.</p> <p>Areas outside of the Investigation Area will be considered as part of the Draft Hawkesbury Rural Lands Study.</p> |

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| <p>Plan provides an opportunity for council to meet the house target and provide rural lifestyle properties.</p> <p>Properties within the investigation area are highly fragmented, should these subject sites be included. The properties can be consolidated; the provision of the established private road provides an opportunity for consistent subdivision and lot sizes.</p> <p>Kurrajong house- item number I456 is located on 114 Comleroy Road.</p> | <p>Heritage significant properties within and adjacent to the investigation area will be assessed within the planning controls of the HLEP 2012 and DCP, when applications for subdivision are received by Council.</p> |
| <p>Changes are proposed to the extremely limited parking availability in Kurrajong town centre.</p> <p>Installation of large planter boxes are not keeping in with the vibe or look and feel of the village.</p> <p>Provide additional parking and a visitor information centre would enhance the viability of the village and encourage more people to visit and support local business.</p> <p>Supports min lot size of 1 hectare and opposes min lot size of 4,000sqm.</p> | <p>Comments noted.</p> <p>The Kurrajong town centre is outside the scope of the structure plan. However, the car parking space issue can be dealt within the Kurmond-Kurrajong Revitalisation Study in the future.</p> <p>Comments noted.</p> <p>HLEP 2012, Clause 4.1D (1)(b) states “ Despite Clauses 4.1, 4.1AA and 4.1A, development consent must not be granted for the subdivision of land that is identified as Area A and edged heavy blue on the Lot Size Map if the area of any lot created by the subdivision that contains or is to contain a dwelling house is less than 4,000sqm”.</p> <p>Should Council decide to increase the minimum lot size of identified areas from 4,000sqm to higher, the KKIA Structure Plan will be amended accordingly.</p> |
| <p>Comments are based on the Kurrajong Town Centre. Concerns raised are:</p> <ul style="list-style-type: none"> - Reduced parking spaces - No reference to NSW police crime prevention through environmental design - No consultation with shop keepers - No preliminary traffic management plan or works programme - Public seating appears to be very close to the road - Parallel kerb signage sandwich boards provide little to no effect to moving vehicles - Current adjoining paths provide clear | <p>Comments are noted.</p> <p>The Kurrajong town centre is outside the scope of the structure plan. However, the car parking space issue can be dealt within the Kurmond-Kurrajong Revitalisation Study in the near future.</p> |

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| <p>and accessible access to the buildings</p> <ul style="list-style-type: none"> - Distant views to surrounding rural areas which are to be a contributing aspect would be compromised by incorporating tree island obstructing views. - Insufficient space for semi-trailer pump out trucks. | |
| <p>Supports the KKIA Structure Plan.</p> <p>Biodiversity maps are inaccurate and flawed. They will need ground truthing as they are based on out dated satellite imagery. The evidence of incorrect imagery being present was proved recently at Kurrajong Heights where a hazard reduction certificate was rejected on the basis of the current satellite imagery, this was questioned and ground truthed, and then corrected by 2 qualified individual reports, one professional being accompanied by a relevant member of Macquarie University. The proven vegetation was not as depicted by the satellite imagery. My observation of the vegetation present on my property appears inconsistent with the maps used in the draft plan, and will need to be proved.</p> <p>Suggested Lot sizes - this draft only mentions 4,000sqm lots for consideration, this is quite restrictive and not inclusive of the intent. There are many blocks (other than the suggested) that are subdividable into lots of 20,000sqm, and some are even capable of 10,000sqm, and will be still able to comply with the suggested design guidelines. It is also wise for the council to encourage this approach to maintain the rural feel. The rationale behind this is simple but effective! Once a 20 acre block is divided into 4 x 5 acre lots, the future developer now has to buy out 4 people, rather than one.</p> | <p>Comments are noted.</p> <p>Council is undertaking a Study to update its data and align it with legislative Changes.</p> <p>Based on consideration of constraints and assessment of Views and Vistas, the KKIA Structure Plan provides two min lot size options:</p> <p>4,000m² 1 hectare (10,000m²)</p> |
| <p>Maps within the KKIA Structure Plan are illegible.</p> <p>Flawed biodiversity map as the submitters property was identified as having high and very high biodiversity values where as it was cleared pasture, improved grazing land with a patch of native grass on its north.</p> <p>Maps show that the property has 2 water courses whereas the property has only one water course.</p> <p>Area in the south-west of the kurrajong village and at the top of Greggs Road is an inappropriate area for 4,000sqm residential subdivision as the road encounters substantial traffic from residents of Bowen Mountain at peak hours.</p> | <p>Comment Noted, and maps have been prepared to be as legible as possible.</p> <p>Council is undertaking a Study to update its data and align it with legislative Changes. Council's GIS layer for water course will be checked to identify the issue and correction will be made where applicable.</p> <p>Assessment of constraints has identified areas considered suitable for minimum lot sizes of 4,000sqm and 1 Ha respectively.</p> <p>The Traffic Study states that an additional 200 dwellings will have no notable traffic impact. Consultants have updated the Traffic Study to</p> |

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| <p>Supports the KKIA Structure Plan</p> <p>These investigations would give us all the chance and seek opportunities of what is needed to be done in enriching the lives and lifestyle of our people living in our own community and for our future generations while at the same time preserving the value of our environment and the wide-life.</p> | <p>clarify the assumptions and the results.</p> <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan.</p> |
| <p>Objects to KKIA Structure Plan.</p> <p>Parking issues at Kurrajong town centre.</p> <p>Further to the reference to the historic property on the land, the total inconsideration afforded it and the rural surrounds should subdivision be approved for this acreage, will be disrespected and treated with total disregard.</p> | <p>The Kurrajong town centre is outside the scope of the structure plan. However, the car parking space issue can be dealt within the Kurmond-Kurrajong Revitalisation Study in the near future.</p> <p>Council acknowledges the significance of Heritage listed properties within the LGA and within the investigation area. Any future applications to subdivide a lot which includes a heritage item will be dealt within the guidelines of HLEP 2012 Heritage Conservation Clauses.</p> |
| <p>Objects the KKIA Structure Plan</p> <p>164 Old Bells Line of Road is a heritage listed property within the investigation area.</p> <p>The lack of services such as medical, educational and transport are a major issue for the current residents and will not improve without major political and financial input.</p> <p>Traffic issues - As Pitt Town and Vineyard are well east of the Hawkesbury River and these dwellings will have zero impact on the day to day traffic in the Investigation Area they can be discounted.</p> <p>Therefore 200 dwellings in the Investigation Area becomes an increase of almost double the impact assumed.</p> <p>While the Grose River Bridge is proposed it is by no means certain it will be operational within the 2027 time frame and at this stage it cannot be assumed to be a flood free bridge. In addition without a major upgrade to Springwood Road particularly on the narrow steep bends towards Castlereagh Road it is unlikely that most commuters will choose this route.</p> <p>The replacement Windsor Bridge will not improve this situation.</p> <p>In addition the Study ignores the various developments which have been approved in or near the investigation area since 2016.</p> | <p>Council acknowledges the significance of Heritage listed properties within the LGA and within the investigation area. Any future applications to subdivide a lot which includes a heritage item will be dealt within the guidelines of HLEP 2012 Heritage Conservation Clauses.</p> <p>The Traffic Study states that an additional 200 dwellings will have no notable traffic impact. Consultants have updated the Traffic Study to clarify the assumptions and the results.</p> <p>Council has advocated for higher flood immunity for new bridge crossings of the Hawkesbury River.</p> <p>At Council's Ordinary Meeting on 18 February 2020, Council considered a report with respect the Redbank Voluntary Planning Agreement and the Grose River Crossing, and resolved for staff to initiate discussion with Roads and Maritime Services and other relevant state agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level.</p> |

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| Summary of issues raised | Response |
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| <p>Some of these approved and/or currently underway are:</p> <ul style="list-style-type: none"> - Kurrajong Road, Kurrajong – 35 dwellings - Old Bells Line of Rd, Kurrajong – 23 dwellings - 396 Bells Line of Rd, Kurmond – 33 dwellings - 1420 Kurmond Rd, Kurmond – 10 dwellings <p>The investigation area lacks bus services and the buses are predominantly for school access.</p> <p>Bus routes are somewhat circuitous further reducing the desirability of public transport.</p> <p>Difficult to commute to Windsor or Penrith within reasonable time from the investigation area.</p> <p>The Draft plan does not address the impact of added population on local school capacity to enrol additional pupils.</p> <p>There is insufficient consideration of the lack of health services west of the river.</p> <p>Sufficient open spaces are required as a result of additional population in the investigation area. The two existing parks at Kurmond and Kurrajong will not cater the additional demand.</p> <p>If it is assumed that the shaded area in the KKIA Structure Plan map is serviced by Sydney Water, this map is completely incorrect. Having lived in the area shown shaded for 45 years the submitter states that they have never ever been considered for connection to Sydney Water. In fact connection has been specifically denied. Water pressure in Kurrajong Village has always been problematic.</p> <p>Equally there is the issue of sewerage disposal. The document refers to the necessity for on-site sewerage disposal which in the case of Environmental Disposal Units requires substantial land for irrigation that is unavailable for general use including as a play area for children. Personal experience has indicated that lot sizes of 4,000 square metres are not suitable for this type of sewerage disposal particularly given the expected style of housing and the soil quality in the development area.</p> <p>It is noted that the document refers to the drainage from the development as flowing North into Howes Creek and South into Redbank Creek.</p> | <p>School capacity is the responsibility of the NSW State Government and ongoing consultation in this respect will be required.</p> <p>All constraints including health services, traffic and transport services, lack of utilities were considered during the preparation of the KKIA Structure Plan.</p> <p>Development impact within the investigation area on Wheeny Creek has been considered as part of preparation of the KKIA Structure Plan.</p> <p>The proposed E4 Environmental Living zone has been recommended in order to meet the objectives of the Metropolitan Rural Area which is to protect and enhance the rural and local character, landscape and scenic views.</p> <p>Council will continue to advocate for water and sewerage connections in the Investigation Area.</p> <p>The proposed minimum lot size of 4,000sqm in identified areas of the Investigation Area is on the basis of addressing environmental constraints and assessment of views and vistas in accordance with the criteria outlined in the Draft Structure Plan.</p> |

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| Summary of issues raised | Response |
|---|--|
| <p>The document as published showing Direction of Drainage Figure 15, does not mention Little Wheeny Creek.</p> <p>The impact on of further development on LITTLE WHEENY Creek which is arguably the most important creek in the vicinity will be extremely detrimental.</p> <p>At this point there is still evidence of platypus, Eels and the endangered Macquarie Perch in Little Wheeny Creek all of which would be adversely affected by future development nearby.</p> <p>Both Howes Creek and Redbank Creek are suffering from reduced flow rates at the moment which may be partly the result of current prolonged dry weather. However climate change indicates that this may be a more common or permanent situation.</p> <p>There are 4 not 3 heritage listed properties in the investigation area, the 4th being “Arthona” I351 on the Council Heritage list. “Goldfinders” 164 Old Bells Line of Road, Kurrajong is listed on the State Heritage List.</p> <p>The standard of this Document is sufficiently deficient as to make it difficult to comment on a number of the issues. There are errors of fact and a number of the figures either have no key or descriptor making them it almost impossible to accurately comment.</p> <p>The rezoning suggested does not in any way address the current issue of piecemeal subdivision throughout the area west of the Hawkesbury River. This subdivision is generally regarded as unimportant as it may be only a few lots but as previously mentioned the cumulative effect is a major issue.</p> | |
| <p>Supports the KKIA Structure Plan.</p> <p>The methodology, conclusions and recommendations within the draft are seen to be appropriate in the circumstances of the Kurmond-Kurrajong locality and would also support in general terms the owner’s land and its subdivision into lots with minimum area of 4,000sqm.</p> | <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan.</p> |

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Hawkesbury Traffic Study

Council has undertaken the preparation of a comprehensive traffic study to:

- Identify the current and future traffic and transport patterns
- Assist Council in planning for the current and future traffic and transport needs of the Hawkesbury Community.

The study assesses the likely traffic impacts stemming from the future growth in the Hawkesbury Local Government Area in order to determine any required improvements or capacity needs to minimise any adverse traffic impacts of proposed development.

The Study was undertaken in two Stages, with Stage 1 having been completed and reported to Council in September 2018. Stage 1 of the Traffic Study concluded that:

“To estimate future traffic flows with the addition of a new bridge near Navua Reserve, the Roads and Maritime STFM strategic model was coded to include the new bridge. This showed that the new bridge in the vicinity of Navua Reserve would result in the redistribution of traffic, which would result in a reduction in traffic at the Bells Line of Road/Gross Vale Road signalised intersection, at the Kurrajong Road/Old Kurrajong Road priority intersection, as well as Richmond Bridge.

Assessment indicates that a new bridge at Navua Reserve in 2027 would provide positive impact relating to the operation of the Bells Line of Road/ Gross Vale Road intersection and the Kurrajong Road/Old Kurrajong Road priority intersection would also operate satisfactorily during peak periods”.

The Stage 1 assessment identified the likely problem locations and issues for assessment in further detail as part of Stage 2 of this Study.

Stage 2 of the Study involved the following elements:

- Undertake strategic assessment of proposed road projects and associated road alignments
- Determine the current and future based road network and demands based on incremental traffic growth
- Identify critical road network locations and assess such those locations in detail
- Test future road network demand scenarios, including a new bridge in the vicinity of Navua Reserve and other road infrastructure scenarios, as required
- Develop a strategic traffic model for Council to use now and in the future to assess the implications of background traffic growth, potential new roads infrastructure, as well as the impacts of other influencing factors, such as new developments.
- Prepare Stage 2 traffic report following completion of the required traffic modelling to identify critical road network elements that require to be upgraded to support future traffic growth, consider the impacts of proposed developments, strategic road projects and associated infrastructure as required.

In terms of Stage 2 of the traffic modelling for the Kurmond Kurrajong area, the Hawkesbury Traffic Study has modelled a future base year 2027 with the following parameters, in order to assess impacts of any further development:

- The proposed new Grose River Bridge is operational
- Takes into account the remaining Redbank development (1,250 dwellings and 80 retirement village dwellings), Glossodia (250 dwellings), Pitt Town (150 dwellings) and Vineyard (900 dwellings).

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- Includes the RMS upgrades along Bells Line of Road at Grose Vale Road, Yarramundi Lane and Bosworth Street/ March Street as well as the new Windsor Bridge.

In addition to modelling the future base year of 2027, the following Scenarios were tested (relative to the future base year):

- Scenario 1 - Future year base without the Grose River Bridge
- Scenario 2 - Future year base plus 200 dwellings within the Kurmond/Kurrajong investigation area
- Scenario 3 - Future year base plus an additional 5% growth at Richmond and Windsor/South Windsor areas.

The modelling concluded that a new Grose River Bridge will improve the operation of the network taking into account the projected development in the future base year (2027) that includes development sites such as Redbank. The scenario modelling of the proposed 200 dwellings within the Kurmond-Kurrajong Investigation Area indicates that this development option is not considered to have any significant impact, whilst noting that intersection performance of the key intersection of Grose Vale Rd and Bells Line of Road would continue to decline due to incremental traffic growth.

Similarly the traffic assessment indicated that duplication of the Richmond bridge would be required to accommodate further development even with the new Grose River Bridge in place in order to maintain network performance at a satisfactory level.

As part of the exhibition of the KKIA Structure Plan, submissions were received querying aspects of the modelling and the parameters used. In response Council's consultants undertook a sensitivity analysis to test the impacts of higher traffic generation rates from future development and also carried out intersection analysis based on a conservative approach with no redistribution of any traffic growth from possible development in the KKIA. That is, all traffic was assumed to be utilizing the Bells Line of Road through North Richmond and was not rerouted based on travel delays that might impact driver behaviour and travel patterns.

The outcome of this modelling concluded that there would be limited impact under those scenarios, although again noting the continuing decline in intersection performance over time. The AM peak hour is the critical period for traffic impacts and performance of the Grose Vale Rd intersection with Bells Line of Road will be dependent on the construction of a bridge across the Grose River.

Further Consultation with Affected Property Owners of the Kurmond-Kurrajong Investigation Area - May 2020

Based on Councillor feedback, further consultation was undertaken with affected property owners within the Kurmond Kurrajong Investigation Area in order to seek their views on the proposed rezoning of the subject land. A letter (Attachment 2) was prepared outlining the proposed change to E4 Environmental Living, and proposed **minimum** lot size from 4 or 10 hectares to 1 hectare or 4,000m² as detailed in the Draft Kurmond Kurrajong Investigation Area Structure Plan.

A total of 457 letters were sent out to property owners within the Investigation Area seeking their input and feedback. As part of this further consultation, Council received a total of ten submissions, of which:

- Five submitters objected to the proposed changes
- Two supported the Draft Structure Plan, and
- Three were seeking an extension of the study area boundary to include their properties.

The key issues raised through these additional submissions included:

- E4 Environmental Living zone with minimum lot area of 4,000m² and 1 hectare lots that ensures that there is no adverse effect on the ecological, scientific and visual aesthetic values for the study area is implausible;
- Minimum lot size of 4,000m² near developed settlements is not feasible;

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- Mixed opinions on the proposal to amend the zone to E4 Environmental Living, and proposed minimum lot sizes
- No in-depth traffic consideration of Greggs Road; and
- Extension of the study area boundary to include other surrounding larger lots.

The key issues raised in submissions received are summarised below and copies of these additional submissions are provided in Attachment 3.

Table 3 Summary of Submissions – Further Consultation (May/June 2020)

| Summary of issues raised | Response |
|---|---|
| Support for the Structure Plan and E4 Environmental Living zone. | Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan, including a Council led planning proposal. |
| <p>Objects to the Structure Plan.</p> <p>No value in providing 1 hectare lots as it does not provide any benefits for retaining or managing ecological environmental values or providing for the proposed uses that require large lots such as extensive agriculture.</p> <p>Lot sizes of 4,000m² is an inefficient use of land near urban centres. It is a risk to the downstream water environment due to water tanks and effluent discharges.</p> <p>The plan is inconsistent with NSW Planning Strategies 29.1 and 29.2 – Metropolitan Rural Area values.</p> <p>Any more residential development should be avoided until the North Richmond road infrastructure is improved for access to and from Richmond. This is particularly important for emergency services that may need to travel during peak traffic hours.</p> <p>Residential development will change the character of the KKIA from rural to urban.</p> | <p>Objection is noted.</p> <p>All constraints and opportunities including environmental, topographical, health services, traffic and transport services, and utilities were considered during the preparation of the KKIA Structure Plan.</p> <p>The proposed E4 Environmental Living Zone was identified in order to ensure that this meets the objectives of the Metropolitan Rural Area which is to protect and enhance the rural and local character, landscape and scenic views.</p> <p>An LGA wide Traffic Study has been undertaken which has considered the KKIA Structure Plan area.</p> <p>The Draft Structure Plan has identified areas where a proposed minimum lot size of 4,000m² could be appropriate based on assessment of environmental constraints and assessment of views and vistas in accordance with the criteria outlined in the Draft Structure Plan.</p> |
| Objects to the Structure Plan. Does not support smaller lot subdivisions. | Objection is noted. Preparation of the KKIA Structure Plan has considered opportunities and constraints. |

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| Summary of issues raised | Response |
|--|--|
| <p>Submitters seeking to include their property and some further adjoining properties within the investigation area by expanding the investigation area boundary.</p> | <p>It is not recommended to increase the area of the Investigation Area. Areas outside of the Investigation Area will be considered as part of additional strategic planning work, including the Draft Hawkesbury Rural Lands Study.</p> |
| <p>Supports the Kurmond Kurrajong Investigation Area Structure Plan, including E4 Environmental Living Zone and proposed minimum lot sizes.</p> | <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan, including a Council led planning proposal.</p> |
| <p>The Structure Plan does not indicate an analysis of the traffic flow impact on the Greggs Road.</p> <p>There is no community benefit from the satellite residential developments.</p> <p>The structure plan has no analysis and recommendation for traffic flows, kerb and guttering, and lighting to make the community a safer place to live.</p> <p>No input from RTA now Transport for NSW.</p> <p>There is no depiction or precise indication on a map showing what land in the investigation area is proposed for environmental living zone and which land will be minimum lot size of 1 hectare and 4000m².</p> <p>The biodiversity priority ranks in the maps are confusing and to an extent not correct. There are inconsistencies of data on the ground in comparison to what has been captured in the maps.</p> | <p>All constraints and opportunities including environmental, topographical, health services, traffic and transport services, and utilities were considered during the preparation of the KKIA Structure Plan.</p> <p>The proposed E4 Environmental Living Zone was identified in order to ensure that this meets the objectives of the Metropolitan Rural Area which is to protect and enhance the rural and local character, landscape and scenic views.</p> <p>An LGA wide Traffic Study has been undertaken which considers the KKIA Structure Plan area as well.</p> <p>The Draft Structure Plan has identified areas where a proposed minimum lot size of 4,000m² could be appropriate based on assessment of environmental constraints and assessment of views and vistas in accordance with the criteria outlined in the Draft Structure Plan.</p> <p>The whole of the investigation area is proposed to be rezoned to E4 Environmental Living in line with the values of the Metropolitan Rural Area objectives.</p> |
| <p>Seeks to have an additional property included within the Investigation Area and provides photos to demonstrate the suitability of the property for inclusion.</p> | <p>It is not recommended to increase the area of the Investigation Area. Areas outside of the Investigation Area will be considered as part of additional strategic planning work, including the Draft Hawkesbury Rural Lands Study.</p> |
| <p>Supports the Kurmond Kurrajong Investigation Area Structure Plan, including amendment of the zone to E4 Environmental Living and proposed minimum lot sizes.</p> | <p>Once the Draft KKIA Structure Plan is finalised and adopted by Council, any current and future planning proposals will be guided by the Plan, including a Council led planning proposal.</p> |
| <p>Objects to the Kurmond Kurrajong Investigation Area Structure Plan and believes the area should be developed for low impact residential development.</p> | <p>The proposed E4 Environmental Living Zone was identified in order to ensure that this meets the objectives of the Metropolitan Rural Area which is to protect and enhance the rural and local character, landscape and scenic views.</p> |

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| Summary of issues raised | Response |
|---|---|
| Objects to the Kurmond Kurrajong Investigation Area Structure Plan, and questions why so many resources have been applied to a small area compared to the overall Local Government Area of 2,793km ² . | The proposed E4 Environmental Living Zone was identified in order to ensure that this meets the objectives of the Metropolitan Rural Area which is to protect and enhance the rural and local character, landscape and scenic views. |
| The Hawkesbury Residential Land Strategy has identified areas capable of expanding the villages. | The Draft Structure Plan has identified areas where a proposed minimum lot size of 4,000m ² could be appropriate based on assessment of environmental constraints and assessment of views and vistas in accordance with the criteria outlined in the Draft Structure Plan. |
| Council Officers actively canvassed property owners within the Investigation Area and encouraged applications. | No evidence to this effect has been provided. At the start of the structure planning process a survey was conducted with property owners within the investigation area, but this in no way actively encouraged property owners to submit individual planning proposals. |

Changes to the Draft Kurmond-Kurrajong Investigation Area Structure Plan

The Draft Kurmond Kurrajong Investigation Area Structure Plan is included as Attachment 4. It is considered that the most appropriate zone for the investigation area is E4 Environmental Living as this zone's objectives are in alignment with the Metropolitan Rural Area objectives. The E4 Environmental Living zone allows low-impact residential development whilst ensuring protection of special ecological, scientific or aesthetic and environmental values.

There has been interest from adjacent owners to have their properties included in the Investigation Area for development. It is not recommended to include additional properties within the Investigation Area, particularly given that Council is undertaking further background studies including the Hawkesbury Rural Lands Strategy.

Implementation and Review of Kurmond Kurrajong Investigation Area Structure Plan

In order to implement the Kurmond Kurrajong Investigation Area Structure Plan, it is crucial for Council to decide whether a blanket rezoning of the Investigation Area will be undertaken as part of the LEP update or a piece meal applicant based planning proposal to rezone the investigation area will be considered.

Should Council decide to undertake a blanket rezoning approach, Council will prepare a planning proposal to amend the Hawkesbury LEP 2012 to include the new zoning and Minimum Lot Size of the investigation area in the LEP.

Should Council decide to an undertake applicant based approach to rezone the land within the investigation area; individual piece meal planning proposals will be assessed over a longer time period as interest arises. However, the KKIA Structure Plan will guide the zone and minimum lot size of land subdivisions.

Upon adoption of Kurmond Kurrajong Investigation Area Structure Plan, Council can consider the existing current Pre and Post Gateway planning proposals.

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This report recommends that the key recommendations detailed in Table 4 be implemented.

Table 4: Key Recommendations of KKIA Structure Plan

| Draft KKIA Structure Plan | Recommendation | Alignment with Sydney Region Plan – MRA Objectives | Implications |
|----------------------------------|---|--|---|
| Land Zone | <p>Rezone the investigation area to E4 Environmental Living.</p> <p>The zone protects the biodiversity and ecological values.</p> <p>The zone minimises land use conflicts.</p> <p>The zone protects water catchments and waterways.</p> <p>Development within this zone does not create an unreasonable demand for the provision or extension of public amenities and services.</p> | <p>Action 78 – maintain or enhance the values of the MRA using place-based planning to deliver targeted environmental, social and economic outcomes;</p> <p>Action 79 – limit urban development to within the urban areas, except for the investigation areas at Horsley Park, Orchard Hills and east of The Northern Road. Luddenham.</p> | Hawkesbury LEP 2012 be amended to rezone the Investigation Area from RU1- Primary Production and RU4- Primary Production Small Lots to E4 – Environmental Living zone. |
| Draft KKIA Structure Plan | Recommendation | Alignment with Sydney Region Plan – MRA Objectives | Implications |
| Minimum Lot Size | <p>Amend the Minimum Lot Size of the investigation area to 1 hectare (10,000m²).</p> <p>Amend the Minimum Lot Size of areas identified within the KKIA Structure Plan which can afford 4,000m² lots subject to meeting the provisions stipulated within the Hawkesbury LEP 2012, with a frontage of 40m.</p> | Action 78 – maintain or enhance the values of the MRA using place-based planning to deliver targeted environmental, social and economic outcomes. | <p>Amend Hawkesbury LEP 2012 to update the Minimum Lot Size Map of the Kurmond-Kurrajong Investigation Area to allow 1 hectare and 4,000m² lots.</p> <p>Consequently, the DCP provisions are to be updated with appropriate planning controls to ensure that the landscape, scenic and rural character objectives are protected.</p> |

It is considered appropriate that Council review the Kurmond Kurrajong Structure Plan following the completion of the LEP Review process, or following the finalisation of relevant strategic planning studies either by Council or the NSW State Government. A recommendation has been made in that respect.

Relevant Legislation

Hawkesbury Local Environmental Plan 2012.

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DISCUSSION

The Draft Kurmond Kurrajong Investigation Area Structure Plan has been prepared to provide guidance for future rural residential development within the investigation area. The Structure Plan has been prepared in accordance with the NSW Planning Framework including the Sydney Region Plan and Western City District Plan. Specifically, the Structure Plan has considered Objective 29 - environmental, social and economic values in rural areas are protected and enhanced of the Sydney Region Plan – 'Metropolitan Rural Area'.

However, a final consensus is required from the Department of Planning, Industry and Environment to ensure that Council can progress with the intended rezoning and amendment of the minimum lot size provisions to enable further residential development within the investigation area.

The Draft Kurmond Kurrajong Investigation Area Structure Plan will be a guiding document to ensure that future development within the investigation area protects and enhances the biodiversity, landscape, scenic and rural characters and values of the area.

Once the Draft Kurmond Kurrajong Investigation Area Structure Plan is adopted, it will provide the framework to consider current Pre or Post Gateway planning proposals.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2017-2036

The report is consistent with the following Focus Areas, Directions and Strategies within the CSP:-

Our Leadership

1.5 Regulation and Compliance:

- 1.5.1 Undertake Council initiatives within a clear and fair framework of strategic planning policies, procedures and service standards as required under all regulatory frameworks.
- 1.5.2 Best practise sustainability principles, accountability and good governance are incorporated in all activities undertaken by Council.

Our Environment

- 3.1 The natural environment is protected and enhanced - Value, protect and enhance our unique natural environment
 - 3.1.1 Encourage effective management and protection of our rivers, waterways, riparian land, surface and ground waters, and natural eco-systems through local action and regional partnerships.
 - 3.1.2 Act to protect and improve the natural environment including working with key agency partners.
 - 3.1.3 Minimise our community's impacts on habitat and biodiversity and protect areas of conservation value.
 - 3.1.4 Use a range of compliance measures to protect the natural environment.

Our Future

5.1 Strategic Planning Governance

- 5.1.1 Council's planning is integrated and long term.
- 5.1.2 Council's decision making on all matters is transparent, accessible and accountable.
- 5.1.3 Council will continually review its service provision to ensure best possible outcomes for the community.

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- 5.1.4 Encourage increased community participation in planning and policy development.
- 5.1.5 The needs of our community will be reflected in Local, State and Regional Plans.

FINANCIAL IMPACT

There are no financial implications in terms of this report.

FIT FOR THE FUTURE STRATEGY CONSIDERATIONS

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal has no resourcing implications, outside of Council's adopted Long Term Financial Plan.

PLANNING DECISION

As this matter is covered by the definition of a "planning decision" under Section 375A of the *Local Government Act 1993*, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

ATTACHMENTS:

- AT - 1** Copies of Submissions Received - Public Exhibition September – November 2019 – *(Distributed under separate cover)*.
- AT - 2** Correspondence Provided to Property Owners May 2020 – *(Distributed under separate cover)*.
- AT - 3** Copies of Further Submissions - May 2020 Consultation – *(Distributed under separate cover)*.
- AT - 4** Draft Kurmond-Kurrajong Investigation Area Structure Plan 2019 – *(Distributed under separate cover)*.

oooO END OF REPORT Oooo