



Hawkesbury City Council

attachment 1  
to  
item 230

Assessment against Council's Interim  
Policy 2015 - Kurmond-Kurrajong  
Development

date of meeting: 24 November 2020  
location: council chambers  
and by audio visual link  
time: 6:30.p.m



# Attachment 1

**Table 1: Council’s Interim Policy 2015 – Kurmond Kurrajong Investigation Area**

**Physical Environment**

Factor	Degree of Constraint to Development	Recommendation
<b>Terrestrial Biodiversity</b>		
<i>Impact of development on threatened or endangered flora and fauna</i>	<i>Fundamental - Major</i>	<p><i>Legislation applies to threatened and endangered species. OEH concurrence may be required.</i></p> <p><i>Removal of significant vegetation is to be avoided.</i></p> <p><i>Fragmentation of significant vegetation is to be minimised.</i></p>
<p><b>Comment:</b> The subject site is partly cleared, with areas of dense native vegetation that occupy the northern and north-western slopes and along the central natural watercourse. The proposed 4Ha minimum lot size for the subject site would be able to accommodate future dwellings, APZs and wastewater disposal areas with no adverse impacts on the existing vegetation.</p> <p>Given the presence of significant vegetation within the subject site, any future development applications would require the preparation of a flora and fauna report. This will provide Council with a further opportunity to determine the likely impacts of the future development of the subject site on the existing vegetation.</p>		
<b>Watercourses and Riparian Areas</b>		
<i>Impact of development on watercourses and riparian areas</i>	<i>Fundamental - Major</i>	<p><i>Legislation applies to threatened and endangered species. OEH concurrence may be required.</i></p> <p><i>Building envelopes, APZs, driveways and roads (not including roads for the purposes of crossing watercourses) are to be located outside of riparian corridors.</i></p> <p><i>Road crossings of watercourses are to be minimised.</i></p> <p><i>Fragmentation of riparian areas is to be minimised.</i></p>
<p><b>Comment:</b> A natural watercourse originates from the north-western slopes of the subject site and its riparian corridor, and a smaller watercourse running parallel to that watercourse. Any proposed lots with a minimum lot size of 4 Ha on the subject site would be able to accommodate building envelopes, APZs, driveways and any access roads outside the riparian corridors and minimise fragmentation of the riparian corridors. Also, the proposed 4 Ha minimum lot size is able to avoid road crossings of watercourses.</p>		

<b>Dams</b>		
<i>Impact of development on aquatic habitat. Proximity of dams to effluent disposal systems</i>	<i>Fundamental - Minor</i>	<p><i>Legislation applies to threatened and endangered species. OEH concurrence may be required.</i></p> <p><i>Removal of dams containing significant aquatic habitat is to be avoided. Minimum required buffer distances for effluent disposal systems is to be adhered to.</i></p>
<p><b>Comment:</b> The two existing farm dams located within the area proposed for a minimum lot size of 4 Ha shown in the exhibited proposed Lot Size Map are to be retained. The proposed lots not less than 4 Ha are able to provide the required minimum buffer distance for any future effluent disposal systems within the subject site. If this plan is made, Council is able to assess this matter further at the subdivision application stage.</p>		
<b>Bushfire threat</b>		
<i>Impact of the location and management of APZs and perimeter roads</i>	<i>Fundamental - Major</i>	<p><i>RFS concurrence may be required.</i></p> <p><i>Building construction and water supply is to comply with NSW Rural Fire Service's Planning for Bushfire Protection 2006, e.g. APZs and roads.</i></p>
<p><b>Comment:</b> It is considered this matter can be satisfactorily dealt with at Development Application stage by way of referral to the RFS and appropriate conditions of consent.</p>		
<b>Aboriginal Heritage</b>		
<i>Impact of development on Aboriginal heritage items</i>	<i>Fundamental - Moderate</i>	<p><i>National Parks and Wildlife Act 1974 applies</i></p> <p><i>Council and developers are also to consider relevant provisions of Heritage Act 1977 when preparing and considering development applications.</i></p>
<p><b>Comment:</b> No known aboriginal relics are located on the site. Further consideration can be given to this at the Development Application stage.</p>		
<b>Land Contamination</b>		
<i>Suitability of land to be developed given potential for land to be contaminated</i>	<i>Fundamental - Minor</i>	<p><i>Remediation action plans and validation may be required.</i></p> <p><i>Council and developers are to consider relevant provisions of State Environmental Planning Policy No 55 - Remediation of Land when preparing and considering development applications.</i></p>
<p><b>Comment:</b> There are no records to suggest that any activities have occurred on the subject site which would give rise to contamination or surface/groundwater pollution. If required, Council is able to deal with this matter further at the Development Application stage.</p>		

<b>Acid Sulfate Soils</b>		
<i>Impact of disturbance of acid sulfate soils on the environment and development</i>	<i>Fundamental to Minor</i>	<i>Development proposals and land class are to be assessed with respect to Clause 6.1 Acid Sulfate Soils of LEP 2012. Acid sulfate soils management plans required.</i>
<p><b>Comment:</b> The subject site is within the Acid Sulfate Soils Class 5 categorisation which is the least restrictive of the five classifications. Further consideration can be given to this matter at the Development Application stage.</p>		

### **Infrastructure and Services**

<b>Factor</b>	<b>Degree of Constraint to Development</b>	<b>Recommendation</b>
<b>Road network</b>		
Capacity and safety of existing road network	Fundamental - Major	<p><i>Roads and Maritime Services' concurrence may be required.</i></p> <p><i>Development contributions are to be levied for road improvements.</i></p> <p><i>Council and developers are to consider relevant provisions of State Environmental Planning Policy (Infrastructure) 2007 when preparing and considering development applications.</i></p>
<p><b>Comment:</b> Roads and Maritime Services did not request a development contribution for road improvements. Council officers are continuing discussions with Roads and Maritime Services (now Transport for NSW) regarding the road network in the area.</p> <p>There is no current plan/mechanism currently in place to require developer contributions for development within the Kurrajong and Kurmond Investigation Area that create increased demand on the existing infrastructure.</p> <p>In accordance with Council resolution of 8 September 2015, a draft Voluntary Planning Agreement has been prepared. The draft Voluntary Planning Agreement is included as an attachment to the report on the revised Planning Proposal with a recommendation to exhibit the plan.</p>		

<b>Wastewater</b>		
Capacity of land to cater for on-site effluent disposal	Fundamental	<p><i>Sydney Water concurrence may be required. Developers are to demonstrate that waste water can be disposed of on site in an environmentally sensitive manner. Alternatively developers may provide reticulated sewer service to new lots in accordance with relevant licences and/or authority requirements.</i></p> <p><i>Clause 6.7 - Essential Services under LEP 2012 applies.</i></p>
<p><b>Comment:</b> A preliminary Effluent Disposal Report received in support of the planning proposal demonstrated that waste water can be disposed of on-site in an environmentally sensitive manner.</p>		
<b>Public Transport Services</b>		
Provision of bus service to cater for the needs of incoming population	Fundamental - Moderate	<p><i>Transport NSW and RMS concurrence may be required.</i></p> <p><i>Possible levying of development contributions for bus services.</i></p> <p><i>Clause 6.7 - Essential Services under LEP 2012 applies.</i></p>
<p><b>Comment:</b> Transport for NSW have not requested a development contribution for bus services. Council Officers are continuing discussions with Transport for NSW regarding possible improvements to the existing public transport services within the area.</p>		
<b>Stormwater drainage</b>		
Quantity and quality of stormwater run-off entering watercourses	Fundamental - Moderate	<p><i>Developers are to demonstrate that stormwater can be captured, treated and released in an environmentally sensitive manner.</i></p> <p><i>Possible levying of development contributions for stormwater purposes.</i></p> <p><i>Clause 6.7 - Essential Services under LEP 2012 applies.</i></p>
<p><b>Comment:</b> It is considered this can be satisfactorily dealt with at the Development Application stage by way of the assessment of drainage designs and conditions of consent.</p>		
<b>Water supply</b>		
Provision of reticulated water supply to new lots	Fundamental - Moderate	<p><i>Sydney Water concurrence may be required. A reticulated water service is to be provided to new lots by developers in accordance with relevant authority requirements.</i></p> <p><i>Clause 6.7 - Essential Services under LEP 2012 applies.</i></p>
<p><b>Comment:</b> It is considered this can be satisfactorily dealt with at the Development Application stage by way of conditions of consent.</p>		

**Electricity**

Provision of electricity service to new lots

Fundamental

*Electricity provider concurrence may be required.*

*Electricity services are to be provided to new lots by developers in accordance with relevant authority requirements.*

*Clause 6.7 - Essential Services under LEP 2012 applies.*

**Comment:** It is considered this can be satisfactorily dealt with at the Development Application stage by way of conditions of consent.

**Table 2: An Assessment of the Planning Proposal Against the Recommendations of the Kurmond Kurrajong Investigation Area Landscape Character Study**

Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Public Transport</b>	Encourage bus use between neighbourhoods and major transit nodes (Richmond/Windsor).	Weather sheltered/ well-lit bus stops (<400m walk) <ul style="list-style-type: none"> <li>• Access to real time travel information</li> <li>• Peak services to reflect realistic demand / requirements of residents.</li> </ul>	Kurrajong and Kurmond Neighbourhood centres and major roads through Investigation Area.	The planning proposal seeking future development of the subject site for rural residential purposes will help to improve the viability of the existing bus service in the area.  A Voluntary Planning Agreement or development contributions will need to be considered to assist in funding the provision of services and amenities. The scope of these will need to be identified.
<b>Private Vehicle (including parking)</b>	Coordinate approach to traffic flow and management to streamline roadways / infrastructure.	Avoid multiple, isolated intersections, particularly from new development directly onto main roads <ul style="list-style-type: none"> <li>• Keep parking clear of all documented district or regional views.</li> </ul>	Roads and on road parking in proposed developments <ul style="list-style-type: none"> <li>• Main road upgrades (e.g. Bells Line of Road).</li> </ul>	Private car parking will be provided within the proposed lots.  With appropriate siting of new development on lots with a minimum lot size not less than 4 Ha unlikely to impact view and vistas.



Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Cycling and Walking</b>	Promote walk / cycle as means of accessing shops, bus routes and schools within neighbourhoods.	Establish cycle lane/path between Kurrajong and Kurmond <ul style="list-style-type: none"> <li>• Create a safe and comfortable pedestrian environment within neighbourhood centres/villages, especially along ridges</li> <li>• Focus on 800m walking catchment within villages.</li> </ul>	Cycle infrastructure (bike lockers etc) at Kurrajong and Kurmond centres <ul style="list-style-type: none"> <li>• Dedicated cycle lane to follow ridge line road</li> <li>• Walkability action plan within Kurmond and Kurrajong.</li> </ul>	A Voluntary Planning Agreement or development contributions will need to be considered to assist in funding the provision of services and amenities. The scope of these will need to be identified.  Where considered necessary, a condition of consent for the subdivision of the subject site might need be considered requiring the construction of part of a public footpath linking to the Kurrajong Neighbourhood Centre.
<b>Universal Access</b>	Maximise universal access as far as natural gradients permit.	Define, audit and update most walkable routes within neighbourhoods <ul style="list-style-type: none"> <li>• Ensure bus routes including community buses link valleys to ridgetops in villages to encourage walking within village and reduced car dependency for short trips.</li> </ul>	Ridgeline streets in Kurmond and Kurrajong	Given the subject site is located within 800m walking distance from the Kurrajong Neighbourhood Centre. Therefore, there will be an opportunity for future residents on the subject site to walk to the Kurrajong Neighbourhood Centre.

Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Residential</b>	Maintain clear distinction in residential types related to location and geography.	<p>Focus principal residential population in and around compact neighbourhood centres</p> <ul style="list-style-type: none"> <li>• Prevent development and subdivision from sprawling and create a buffer between residential and active rural land uses</li> <li>• Ensure rural lot sizes maintain low density, optimise ecological corridors and open views.</li> <li>• Potential R5 Large Lot Residential Zone (4,000m<sup>2</sup>)</li> <li>• Use built form that responds to the steep terrain - a small footprint that steps down with the contours.</li> </ul>	Principal residential population in and around Kurmond and Kurrajong.	<p>The subject site is located within the Kurmond Kurrajong Investigation Area. The subject site is within walking distance of the Kurrajong Neighbourhood Centre.</p> <p>The proposed minimum residential lot size of generally consistent low density character locality.</p> <p>A minimum lot size of 4 Ha is proposed for the subject site containing vegetation. Therefore any future dwellings are able to locate on lots with no adverse impacts on the existing vegetation.</p> <p>Future development can be accommodated on land free of significant vegetation, riparian vegetation, watercourses or slopes greater than 15%.</p>
<b>Retail Commercial</b>	Maintain clear distinction between retail/ commercial and rural land uses.	<p>Retail and commercial within neighbourhood cores.</p> <ul style="list-style-type: none"> <li>• Road front restaurants/hotels on main roads only</li> <li>• Encourage farm gate providers.</li> </ul>	<p>Neighbourhood centres</p> <ul style="list-style-type: none"> <li>• Bells Line of Road</li> <li>• Farm gate properties.</li> </ul>	<p>The planning proposal seeks to change the minimum lot sizes provision applying to the subject site to enable future development of the subject site for rural residential purposes.</p> <p>Therefore, this is not a relevant matter for the planning proposal.</p>

Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Transport</b>	Promote ease of access and movement around neighbourhood centres.	<p>Slow vehicle travel speeds, clearly legible environments (signage, cues, wayfinding)</p> <ul style="list-style-type: none"> <li>• Integrated pedestrian/cycle/public transport information</li> <li>• Adequate car parking consolidated wherever possible in centres to avoid continuous line of cars on streets</li> <li>• Simple pull-offs on main roads near major views.</li> </ul>	<p>On/off street parking in neighbourhood centres</p> <ul style="list-style-type: none"> <li>• Formalised pull-offs on Bells Line of Road near views.</li> </ul>	<p>A Voluntary Planning Agreement in support of the planning is to provide funding to meet the required services, improved access to the Neighbourhood Centre and amenities locality. However, there is no vehicular access to the subject site from Bells Line of Road.</p> <p>The planning proposal is not located within the Kurmond Neighborhood Centre</p>
<b>Public Domain</b>	Promote safe, pleasant public domain reflecting neighbourhood status.	<p>Vegetation, shade, shelter, quality pedestrian surfaces, social seating, lighting in critical locations and interpretation</p> <ul style="list-style-type: none"> <li>• Formalised lookouts with wide district/regional views</li> <li>• Avoid conflict between pedestrians, cycles and vehicles.</li> </ul>	<p>Specifically, in the village and Neighbourhood Centres</p> <ul style="list-style-type: none"> <li>• Social gathering space at Kurrajong for locals shopping.</li> </ul>	<p>A Voluntary Planning Agreement or development contributions will need to be considered to assist in funding the provision of services and amenities. The scope of these will need to be identified.</p>
<b>Topography</b>	Ensure that the area's natural topography is conserved.	<p>Controls on cut and fill in all built form including roads</p> <ul style="list-style-type: none"> <li>• Maintenance of natural stream form.</li> </ul>	<p>Across the Investigation Area</p>	<p>Future development can be accommodated on land free of significant vegetation, riparian vegetation, watercourses or slopes &lt;15%.</p> <p>Any proposed earth works on the subject site to accommodate future dwellings can be assessed at the development application stage.</p>

Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Vegetation</b>	<p>Protect land identified as high and very high priority habitat (Ecological, 2018) from impact of residential development.</p> <ul style="list-style-type: none"> <li>• Conserve and enhance natural habitat corridors.</li> </ul>	<p>Retain, protect and regenerate vegetation corridors identified in mapping</p> <ul style="list-style-type: none"> <li>• Do not permit small lot (&lt;0.5ha) development of land identified as high, very high priority</li> <li>• Include riparian corridor restoration (planting) in development obligations.</li> </ul>	Any applicable land in Investigation Area.	Given the proposed 4 Ha minimum lot size. future dwellings can be sited on 4 Ha lots with no adverse impacts on the existing vegetation and associated riparian corridor.
<b>Bushfire</b>	Maintain bushfire protection.	<p>APZ</p> <ul style="list-style-type: none"> <li>• Suitable access including for fire fighting vehicles.</li> </ul>	Across the Investigation Area	<p>Future residential development on the subject site will be able to comply with the relevant provisions of Planning for Bushfire Protection 2006.</p> <p>In response to relevant government agency consultation, the NSW Rural Fire Service advised that the planning proposal must have regard to <i>Planning for Bushfire Protection 2006</i>.</p> <p>Any future Development Applications for the subject site will be referred to NSW Rural Fire Service for comments.</p>
<b>Climate Change</b>	Mitigate temperature change.	<p>Tree canopy cover</p> <ul style="list-style-type: none"> <li>• Riparian corridor ecology.</li> </ul>	Tree canopy especially on roads and in village centres.	Future development can be accommodated on the subject site with no adverse impacts native vegetation, riparian vegetation, or watercourses.

Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Physical Heritage</b>	Conserve heritage items (including trees).	Monitor condition of heritage items • Consider extent of curtilage and integration of items.	Throughout the Investigation Area.	Not applicable – the subject site is not heritage listed or in close proximity to a heritage item.
<b>Heritage Interpretation</b>	Make the story of the locality accessible and engaging.	Maintain views that assist in interpretation • Promote heritage trails.	Throughout the Investigation Area.	Large rural residential lots of 4 Ha are able to accommodate future dwellings with no adverse impacts on the existing views/vistas.
<b>Urban Character</b>	Maintain and enhance compact character of existing villages and neighbourhoods.	Respect existing scale and form: 1-2 storey limit • Retain existing subdivision pattern - avoid lot amalgamation. • Low FSR per lot. Focus on high street as location for services rather than outside of neighbourhoods • Ridge line profile and view corridors to inform decisions in relation to scale and form of buildings (e.g. extensions or granny flats).	Kurrajong and Kurmond neighbourhood centres.	Future dwellings with appropriate scale, size and built form will be able to maintain and enhance the existing rural character of the locality in the areas surrounding the Kurrajong Village and Neighbourhood Centre.  Appropriate scale, size, built forms and site coverage matters can be dealt at the development application stage.
<b>Rural Character</b>	Retain and protect pastoral/ rural character • Maintain clear distinction between urban rural interfaces.	Prevent rezoning of critical land parcels that provide significant view corridors • Permit rezoning and subdivision of land deemed appropriate / lower order in terms of views. Prevent creation of small lot sizes • Control on road signage and promotions.	Lands within Investigation Area.	As previously highlighted, large rural residential lots with a lot size of 4 Ha will be able to accommodate future dwellings with no adverse impacts on the existing rural character views and vistas.  A detailed assessment of these matters can be undertaken at the development application stage.

Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Views and Vistas</b>	Conserve 'pastoral' views, particularly from ridge line major roads <ul style="list-style-type: none"> <li>• Protect regional vistas from neighbourhoods.</li> </ul>	Document and maintain key regional and district views (see maps) <ul style="list-style-type: none"> <li>• Interpret views at key locations</li> <li>• Prevent loss of views from roads through controls on private boundary fences and hedges heights and designs.</li> </ul>	Lands within Investigation Area.	The subject site is located within a low-medium view / vista corridor. proposed lot sizes not less than be able to accommodate future dwellings with adverse impacts on the existing views/vistas.
<b>Microclimate</b>	Optimise sun in winter and shade in summer <ul style="list-style-type: none"> <li>• Maximise cooling breezes in summer</li> <li>• Provide ample outdoor seating.</li> </ul>	Carefully considered application of evergreen and deciduous trees, with primary focus on native species <ul style="list-style-type: none"> <li>• Careful selection of non-invasive exotic species on streets in Centres.</li> </ul>	Shade and sun (and seating) particularly important in Centres and on roadsides.	Matters governing the micro-climate such as natural lighting, and ventilation and any need to plant deciduous trees need to be taken into consideration at the development application stage.
<b>Passive Surveillance</b>	Ensure a sense of personal safety for the public and residents.	Design with CPTED principles	Investigation Area.	This is a matter for consideration at the Development Application stage.
<b>Urban (in town or village)</b>	Retain existing scale and form. Prevent urban sprawl into currently non-urban areas or areas with significant view/ vistas.	1-2 storeys. Consider impact of parapet and roof form on backdrop perspective. Protect existing incidental/occasional views (along streets, between buildings, pedestrian experience) <ul style="list-style-type: none"> <li>• Typical lot sizes (TBC)</li> <li>• Maximum site coverage controls for built form and minimum landscape controls.</li> </ul>	Kurmond and Kurrajong neighbourhood centres.	Built form and site coverage matters can be determined at the development application stage. The subject site will only be developed for low density rural residential development consistent with the existing rural residential lots in the investigation area.

Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Periphery (edge of town or village)</b>	Consolidate urban form around neighbourhoods.	<p>Establish limit to neighbourhood fringe (exclusion zone/rural character zone)</p> <p>Focus commercial and retail within neighbourhoods.</p> <p>Large lot rural residential which does not interrupt views and vistas.</p>	Consider visual impact of development proposals from carriageway and impact on views and vistas, including whilst travelling.	<p>Matters to be included within a development control plan for the KKIA or to be considered at the development application stage.</p> <p>The subject site will only be developed for low density rural residential development consistent with the existing rural residential lots in the investigation area. It may be visible from the village area but only as a rural residential environment.</p>
<b>Rural (out of town or village)</b>	Maintain significant sweeping pastoral views by avoiding development of critical view paths.	<p>Land with supporting building on lot as dominant built form</p> <ul style="list-style-type: none"> <li>• Consolidate built form footprint and access driveways (including outbuildings, pools, courts etc)</li> <li>• (Not less than 4000m<sup>2</sup>) with prescribed building envelopes for all lots</li> <li>• Maximum site coverage controls for built form and minimum landscape controls.</li> </ul>	Rural zoned land within the Investigation Area.	<p>Minimum lot sizes consistent with habitat priority rating and in maintaining low density character.</p> <p>Matters such as built form, building footprints, lot amalgamation and site access to be included within a development control plan for the Kurmond Kurrajong Investigation Area or to be considered at the development application stage.</p>
<b>Power lines</b>	Minimise visual impacts of power lines.	<p>Selection of vegetation species under power lines</p> <ul style="list-style-type: none"> <li>• Direction of easement across topography and especially over ridge lines</li> <li>• Level of co-operation with power suppliers.</li> </ul>	Investigation Area.	<p>This is a matter for consideration at the Development Application stage.</p> <p>There are no power lines within the subject site.</p>

Theme/Item	Objective	Guideline	Application	LEP006/14 631 Bells Line of Road, Kurrajong
<b>Transport</b>	Maximise opportunity to access transport and promote walking.	Bus routes maximise catchment <ul style="list-style-type: none"> <li>• Community buses link valleys to ridge lines in village centres.</li> </ul>	Throughout but especially around village centres.	The subject site is located within 1 km walking distance from the Kurrajong Neighbourhood Centre. Future residents will be able to walk to the Neighbourhood Centre.