

ITEM 22 - PLANNING PROPOSAL - PROPOSED REZONING TO LARGE LOT RESIDENTIAL NEAR CLIFTON GROVE

REPORT IN BRIEF

Reason For Report	To seek Council support for the Planning Proposal.
Policy Implications	Proposal is in accordance with the subregional industrial and rural strategy
Budget Implications	Nil
IPR Linkage	4.1.1.a - Prepare new Local Environment Plan (LEP) & associated documents
Annexures	Nil
File Number	\\OFFICIAL RECORDS LIBRARY\\LAND USE AND PLANNING\\ZONING\\REZONING APPLICATIONS - 573295

RECOMMENDATION

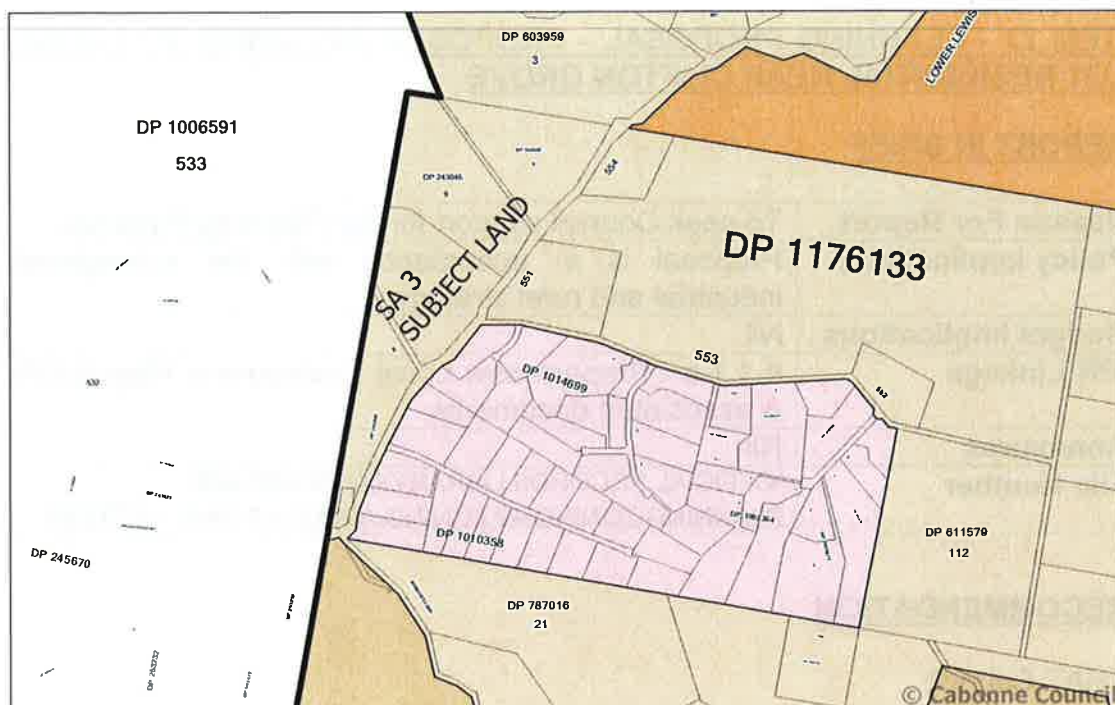
THAT Council:

1. Receive and note the Planning Proposal for the rezoning of land identified as Lot 10 DP 243046 and located within the Strategy Area 3 (SA3) as described in the Blayney Cabonne Orange Sub Regional Rural and Industrial Land Use Strategy July 2008.
2. Forward the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.
3. A further report be presented to Council following the public exhibition period to provide details of any submissions received during the exhibition process.

DIRECTOR OF ENVIRONMENTAL SERVICES' REPORT

Council has received a Planning Proposal from Land Orange Partnership on behalf of Mr P Veenstra to amend Cabonne Local Environmental Plan 2012. The Planning Proposal relates to land located approximately 5km north east of the city of Orange and described as Lot 10 DP 243046 Lower Lewis Ponds Road, Clifton Grove. The proponent has engaged Fenlor Group Pty Ltd to manage the development proposal. A copy of the Planning Proposal will be provided to all councillors under separate cover.

The land is identified in the Sub Regional Rural and Industrial Land Use Strategy as a future release area for life style development. The area, identified in the sub regional strategy as Strategy Area 3 (SA3), is located to the immediate east of the existing Clifton Grove large lot residential precinct and to the west of the Weemilah and Strathnook Lakes Estates large lot residential precinct. Lower Lewis Ponds Road forms the eastern boundary of the area.



Aerial view of SA3 subject area

The SA3 area consists of three allotments:

- Lot 71 DP 750372 having an area of 0.74ha, containing a dwelling,
- Lot 10 DP 243046 having an area of 24.45 ha containing a dwelling, and
- Lot 9 DP 243046 having an area of 29.96 ha containing a dwelling.

The Planning Proposal relates to Lot 10 DP 243046.



Location plan - Lot 10 DP 243046

The proposal seeks to rezone a 24.45ha rural holding currently zoned RU1 Primary Production to RU5 Large Lot Residential, and to amend the Cabonne LEP 2012 Lot Size Map (Sheet LSZ-005B) to permit a minimum lot size of 1ha.

It is proposed to create 11 large lot residential allotments ranging in area from 1.10ha to 4.48 ha. The variation of allotment sizes reflects the constraints and opportunities of the site i.e. slope and vegetation cover. Sealed recessed vehicular entrances from Lower Lewis Ponds Road will provide access to most of the lots, with a gravel access road proposed for construction to service the two northern lots. Building envelopes will be nominated for each lot to minimise removal of vegetation, optimise on-site waste water disposal options and ensure adequate bushfire protection is provided. Water supply for residential purposes would be from rain water tanks supplemented by on-site farm storages and provision of several bores. Electricity and telephone connections are to be provided to the site by extension of existing infrastructure.

It is proposed to release the area in stages based upon demand. A conceptual development plan has been prepared as part of the Planning Proposal. Final lot layout may vary based upon final assessment and design criteria.

Preliminary investigation has been undertaken as part of the Planning Proposal to assess environmental impacts including water quality, flora and fauna assessment, groundwater, on-site effluent disposal, soil erosion, stormwater management, flooding and bushfire hazard, traffic and access, site contamination and heritage assessment. The support documentation indicates the land as being capable of accommodating the proposed development.

It is noted that the Strathnook Lakes Estate (14 lots) and the Weemilah Estate (20 lots) have been fully developed since that area was subdivided over 13 years ago. The proposed rezoning will release an additional 10 development lots in the area (noting the existing dwelling located upon the property will be contained within a subdivided allotment).

The Planning Proposal to rezone land from RU1 Primary Production to RU5 Large Lot Residential is supported. It is considered that the relevant requirements under section 55 of the Environmental Planning and Assessment Act 1979 and the matters identified in the Department of Planning's 'A guide to preparing Planning Proposals' have been adequately addressed in the Planning Proposal.

It is recommended that council support the Planning Proposal and the matter by submission of the proposal to Gateway Determination.

unspecified costs involved in the proposed changes.

MOTION (Hayes/Wilcox)

THAT:

1. A Planning Proposal be prepared to rezone or rename the following land:
 - (a) The area of land located east and west of Nanima Street, Eugowra zoned IN2 Light Industry by Cabonne Local Environmental Plan 2012 to be rezoned RU5 Village;
 - (b) Lot 164 DP 750159 off Dripping Rock Road, Eugowra, zoned RU1 Primary Production by Cabonne Local Environmental Plan 2012 to be rezoned E1 National Parks and Nature Reserve;
 - (c) Correct a mapping anomaly on numbered sheets 002 and 002A to replace reference to MR 61 from Federation Way to its current title of Henry Parkes Way.
2. The Planning Proposal be forwarded to the Department of Planning and Infrastructure for Gateway Determination in accordance with section 56 of the Environmental Planning and Assessment Act.
3. A further report be provided to Council following the public exhibition period to provide details of any submissions received throughout that process upon completion of the Planning Proposal.
4. A report be provided to Council with full costs from commencement to conclusion for a) to c) above, including staff time costs.

14/08/19

Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion (noting the absence of Clrs Treavors and Walker – apologies) as follows:

For: Clrs Gosper, Dean, MacSmith, Hayes, Wilcox, Smith and Davison.

Against: Nash (abstained), Durkin, Culverson (abstained).

It was noted Clr Durkin was absent from the Chambers during voting on the following item.

**ITEM - 22 PLANNING PROPOSAL - PROPOSED REZONING TO LARGE
LOT RESIDENTIAL NEAR CLIFTON GROVE**

MOTION (Wilcox/Davison)

THAT Council:

1. Receive and note the Planning Proposal for the rezoning of land identified as Lot 10 DP 243046 and located within the Strategy Area

3 (SA3) as described in the Blayney Cabonne Orange Sub Regional Rural and Industrial Land Use Strategy July 2008.

2. Forward the Planning Proposal to the Department of Planning and Infrastructure for Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979.
3. A further report be presented to Council following the public exhibition period to provide details of any submissions received during the exhibition process.

14/08/20 Carried

The Chair called for a Division of Council as required under Section 375A (3) of the Local Government Act which resulted in a vote for the motion (noting the absence of Clrs Treavors and Walker – apologies, Clr Durkin temporarily absent) as follows:

For: Clrs Gosper, Dean, Nash, MacSmith, Hayes, Wilcox, Smith, Davison and Culverson.

Against: Nil.

**ITEM - 23 CREATE EASEMENT FOR POWER SUPPLY TO COUNCIL
OWNED LAND AND APPLY COUNCIL SEAL ON LOT 8 SECTION
1 IN DP 5907 AND LOT 2 IN DP 112234,**

MOTION (Culverson/Hayes)

THAT:

1. Council approve the compensation amount of \$1.00 and create easement for power supply benefiting Council land known as Lot 8 Section 1 in DP 5907 and Lot 2 in DP 112234.
2. The Common Seal of Cabonne Council be applied to the registration of the power easement.

14/08/21 Carried

ITEM - 24 QUESTIONS FOR NEXT MEETING

MOTION (Wilcox/Hayes)

THAT Council:

1. Receive a report at the next Council meeting in relation to the proposed truck parking at Manildra.
2. All councillors wishing to attend be authorised to attend Dubbo for a LGNSW course - "Effective and Fair Meeting Procedures" on September 10th.

14/08/22 Carried

