

**ITEM 25 - PLANNING PROPOSAL - REZONE LOT 650 DP 788871, 75 BELGRAVIA ROAD, MULLION CREEK**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To obtain council resolution to support the Planning Proposal to rezone land at Mullion Creek.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.3.a - Assess and determine planning and development applications to foster community growth within the shire
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\LAND USE AND PLANNING\\PLANNING\\AMENDMENT 9 TO LEP 2012 - Lot 650 DP 788871 - 75 Belgravia Road Mullion Creek - 965101

**RECOMMENDATION**

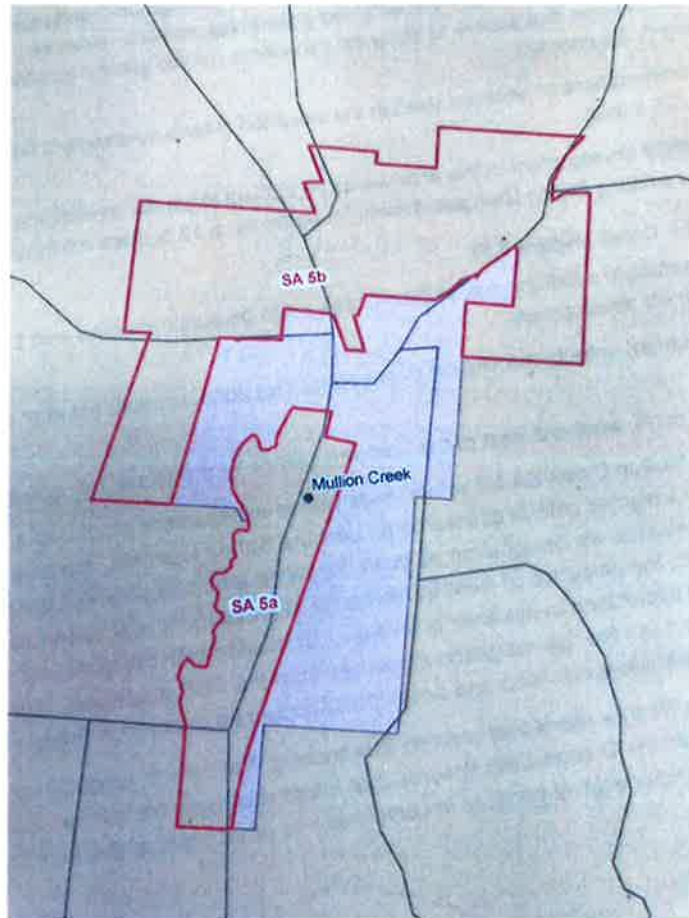
THAT Council:

1. Receive and note the Planning Proposal for the rezoning of land identified as Lot 650 DP 788871, being 75 Belgravia Road, Mullion Creek, and located within the Strategy Area 5 (SA 5b) 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 3.33 of the Environmental Planning and Assessment Act 1979.
3. Receive a further report following the public exhibition period to provide details of any submissions received during the exhibition process.

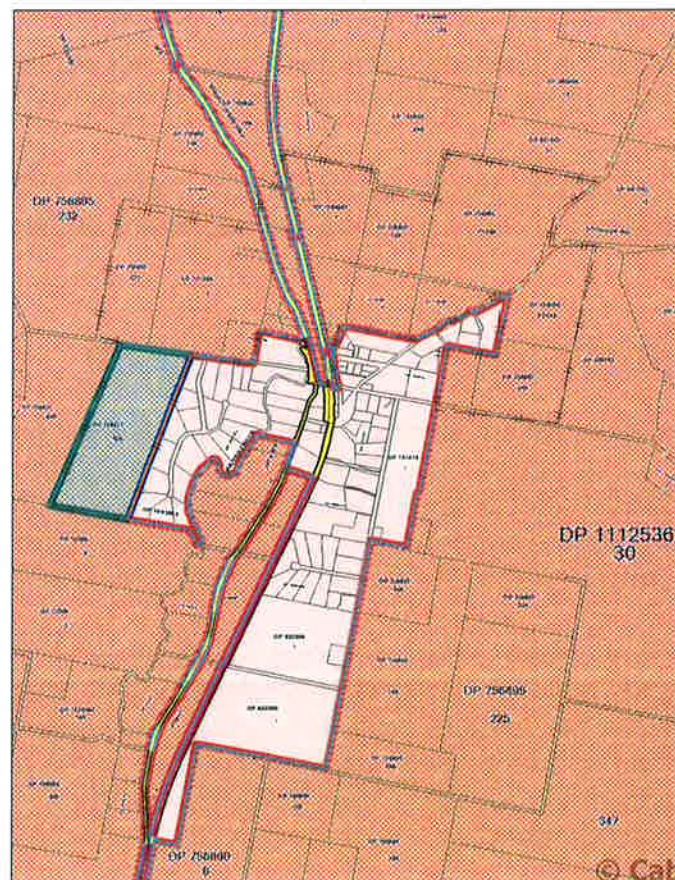
**DIRECTOR OF ENVIRONMENTAL SERVICES' REPORT**

Council has received a Planning Proposal from Geolyse on behalf of RM Mullion Creek Pty Ltd to amend the Cabonne Local Environmental Plan 2012. The Planning Proposal relates to land located to the west of the settlement of Mullion Creek, and approximately 15km north east of Orange, being land described as Lot 650 DP 788871, 75 Belgravia Road, Mullion Creek.

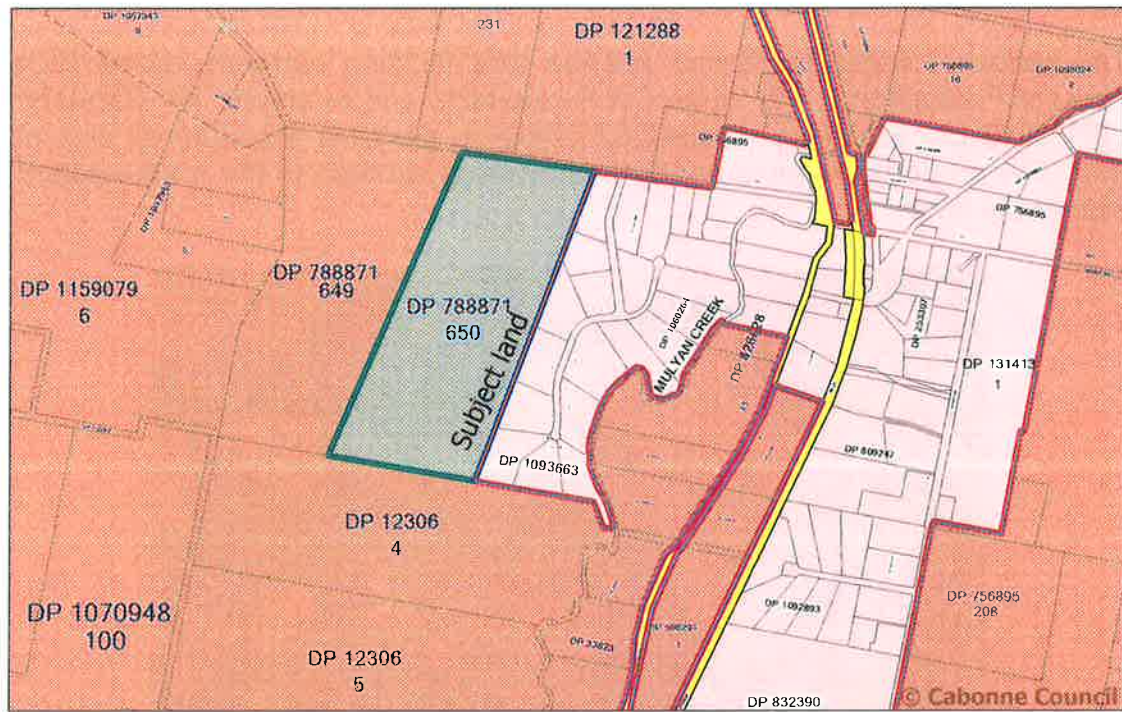
The subject land is identified in the Blayney, Cabonne and Orange City Sub Regional Rural and Industrial Land Use Strategy, 2008, as part of a future investigation area for the release area for life style development. The area, identified in the sub regional strategy as Strategy Area 5 (SA 5b), is located to the immediate north of the Mullion Creek settlement and extends to the west to include the subject property.



Investigation Area 5 – SA 5a & SA 5b







Aerial view of subject area

The SA 5b area consisted of approximately twenty three allotments, generally to the north of Mullion Creek. The subject lot is bounded to its north by Belgravia Road and is a discrete allotment, separated from the remainder of the investigation area by its location and the presence of Belgravia Road, enabling consideration to its development separate to the remainder of the SA 5b area.

The land described SA 5a also contains a number of separate allotment and land owners, separate to the current Planning Proposal.



The proposal seeks to rezone a 41ha rural holding currently zoned RU1 Primary Production to R5 Large Lot Residential, and to amend the Cabonne LEP 2012 Lot Size Map (Sheet LSZ-004C) to permit a minimum lot size of 2ha. The property contains an existing dwelling situated to the north eastern side of the land.



Concept subdivision plan

The applicant states that the proposed rural residential development of the subject land would comprise the following:

- Lots averaging 2ha in area, with a concept plan provided for the development of 19 allotments
- Construction of a sealed cul de sac road to service the proposed estate development that would connect to Belgravia Road. The existing dwelling would retain its access direct onto Belgravia Road.
- Building envelopes nominated for each proposed lot to minimise removal of vegetation, optimise on-site wastewater disposal options and ensure adequate bushfire protection is provided

- Water supply for residential purposes to be provided by rainwater tanks supplemented with on-site farm storage and / or the provision of bores where required
- Each lot to be supplied with an on-site effluent management system
- Biodiversity offset will need to be determined as a requirement of this proposal proceeding (subdivision determination phase)
- Electricity and telecommunication services to be provided via the extension of existing infrastructure.

A conceptual development plan has been prepared as part of the Planning Proposal, however the final lot layout may vary based upon the requirements of the development assessment process and relevant design criteria. It is proposed that the development be released in one stage, with all lots developed at the same time.

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 detailed support documentation indicates that the land is capable of accommodating the proposed development. A review of the Planning Proposal documentation by council officers supports the study findings.

It is noted that the adjacent large lot residential subdivision serviced by Shepherds Lane is nearing its development potential with 19 lots, the majority either approved for, or containing residences.

The proposed rezoning will release an additional 19 development lots in the Mullion Creek 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 R5 Large Lot Residential is supported. It is considered that the relevant requirements under section 3.33 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.

The intended outcomes of the Planning Proposal are identified as being:

- the rezoning of Lot 650 DP 788871 from RU1 Primary Production to R5 Large Lot Residential by amending the Cabonne Local Environmental Plan 2012 Lot Zone Map (sheet LZN\_004C)
- amending the Cabonne Local Environmental Plan 2012 Lot Size Map (Sheet LSZ\_004C) as it applies to Lot 650 DP 788871 to reflect a minimum lot size of 2ha.



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BELGRAVIA ROAD, MULLION CREEK**

**Proceedings in Brief**

Clr Davison queried if this has to go for Gateway determination. The Acting General Manager advised that Gateway determination is the formal process for planning proposals.

**MOTION** (Batten/Jones)

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18/09/25      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 as follows:

For: Ctrs K Beatty, J Jones, M Nash, P Mullins, G Treavors, C Newsom, A Durkin, L Oldham, P Batten, K Walker, J Weaver, and I Davison.

Against: Nil

**ITEM - 26 AFFIXING OF COUNCIL SEAL TO AIR SPACE LEASE  
AGREEMENT**

**MOTION** (Newsom/Durkin)

THAT the council seal be affixed to the air space lease legal documents associated with the construction of a gantry over part of Derowie Street, Manildra, to service land owned by MSM Milling described as Lot 270 DP 821835 and Lot 1085601.

18/09/26      Carried

**ITEM - 27 PURCHASE OF LAND FROM TRANSPORT NSW IN WATSON**

