

ITEM 23 - PLANNING PROPOSAL - PROPOSED REZONING OF 51 WINTER LANE, SUMMER HILL CREEK, FROM RU1 PRIMARY PRODUCTION TO R5 LARGE LOT RESIDENTIAL**REPORT IN BRIEF**

Reason For Report	To seek council's determination of the planning proposal
Policy Implications	Nil
Budget Implications	Nil
IPR Linkage	4.5.3.a - Assess and determine planning and development applications to foster community growth within the shire
Annexures	Nil
File Number	\OFFICIAL RECORDS LIBRARY\LAND USE AND PLANNING\PLANNING\AMENDMENT 14 TO LEP 2012 - LOT 6 DP 703806, 51 WINTER LANE, SUMMER HILL CREEK - 1392397

RECOMMENDATION

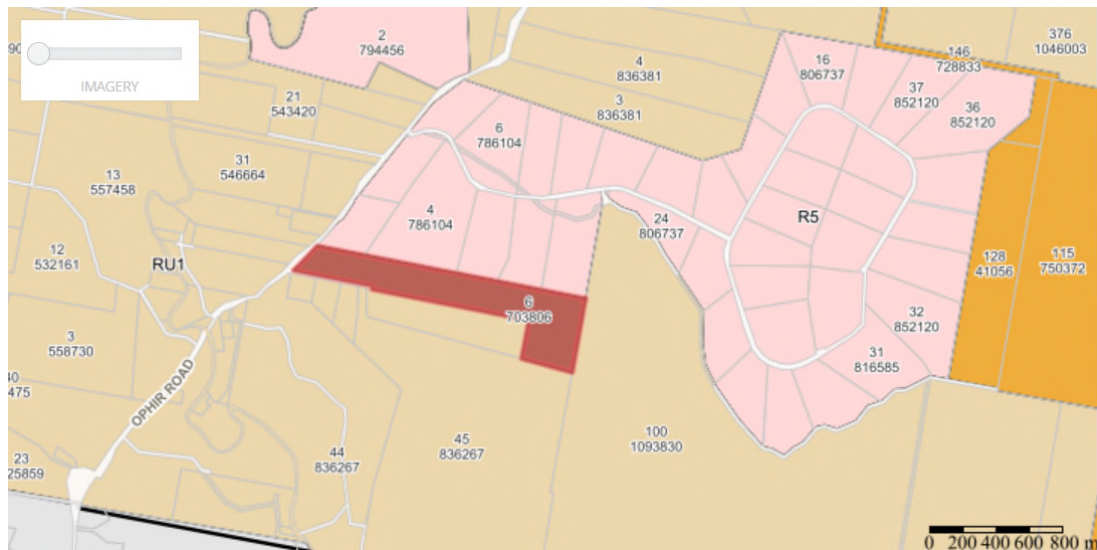
THAT Council:

1. Receive and note the Planning Proposal for the rezoning part of land identified as Lot 6 DP 703806, being 51 Winter Lane, Summer Hill Creek, and located within the Strategy Growth Area (SA 1) as described in the Blayney Cabonne Orange Sub Regional Rural and Industrial Land Use Strategy July 2008 and Cabonne Settlement Strategy 2021-2041, from RU1 Primary Production to R5 Large Lot Residential and to amend the Minimum Lot Size map for part of the subject land from 100ha to 2ha,
2. Forward the Planning Proposal to the Department of Planning and Environment for Gateway Determination in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979, and
3. Receive a further report, following the public exhibition phase, on any submissions received during the exhibition process.

DEPUTY GENERAL MANAGER - CABONNE SERVICES REPORT

Council has received a Planning Proposal from Peter Basha Planning & Development, prepared on behalf of Mr J Eyles, to amend the Cabonne Local Environmental Plan 2012. The Planning Proposal relates to land located northeast of Clifton Grove, Orange, being land described as Lot 6 DP 703806, 51 Winter Lane, Summer Hill Creek.

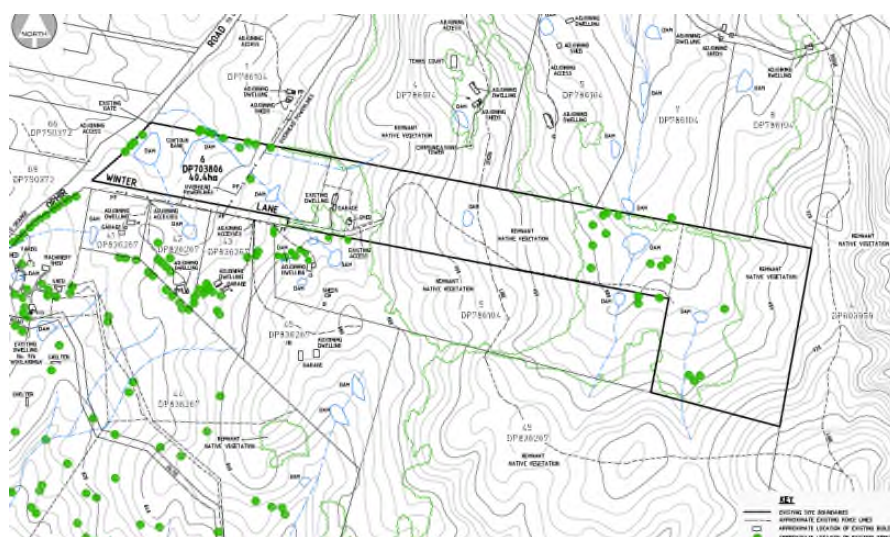
The subject land is identified in the Blayney, Cabonne and Orange City Sub Regional Rural and Industrial Land Use Strategy, 2008, as part of a future investigation area for the release area for large lot residential development. The area, identified in the sub regional strategy as Strategy Area (SA 1), is located adjoining the Spring Glen large lot residential estate.



Location map



Site map



Topography map

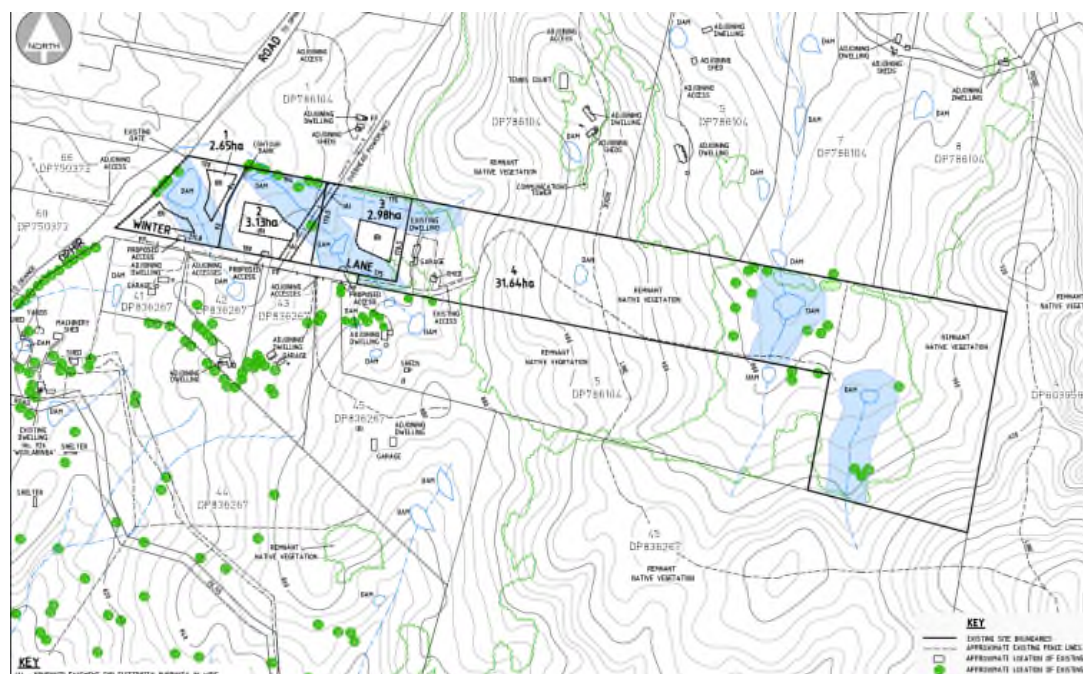
The proposal seeks to rezone a 40.4 ha rural holding currently zoned RU1 Primary Production, to part RU1 Primary Production and part R5 Large Lot Residential, and to amend the Cabonne LEP 2012 Minimum Lot Size (MLS) map to permit the western section of that holding to have a minimum lot size of 2ha. The property contains an existing dwelling and the area surrounding that structure will remain as RU1 with a MLS of 100ha (noting however by the rezoning proceeding the intent will be the creation of a rural allotment with a dwelling having an area below the MLS area.

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

- Four Torrens title lots (3 vacant residential lots, and 1 rural lot excising the existing dwelling)
- Identification of building envelopes on each of the 3 proposed vacant residential lots
- Fencing of all lots
- On site effluent disposal
- Water supply via rain water tanks.

A concept subdivision plan has been provided as an indication of the future development of the subject land. The proposed development of the holding is as follows:

Lot	Area	Proposed use
1	2.55ha	Vacant land intended for R5 large lot residential zone permissible uses
2	3.23ha	Vacant land intended for R5 large lot residential zone permissible uses
3	2.98ha	Vacant land intended for R5 large lot residential zone permissible uses
4	31.64ha	Existing dwelling and associated infrastructure – intended for RU1 Primary Production permissible uses. The creation of this lot, containing an existing dwelling, would establish a rural allotment having an area of less than the MLS of 100ha as permitted under the current provisions of the CLEP 2012.



Concept plan

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, traffic and access, site contamination, bushfire risk and heritage assessment. The detailed support documentation indicates that the land can accommodate the proposed development. A review of the Planning Proposal documentation by council officers supports the study findings in principle, noting that proposed Lot 1 is currently constrained in landform by a water flow path and farm dam.

The proposed rezoning will release an additional 3 development lots in the Spring Glen area (noting the existing dwelling located upon the property will be contained within a subdivided allotment and that further development of that lot is significantly constrained by the existing landform).

It is recommended that council submit the proposal to Department of Planning, Industry and Environment seeking Gateway Determination as 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.

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

- the rezoning of part of Lot 6 DP 703806, being 51 Winter Lane, Summer Hill Creek, from RU1 Primary Production to R5 Large Lot Residential by amending the Cabonne Local Environmental Plan 2012 Lot Zone Map,
- amending the Cabonne Local Environmental Plan 2012 Minimum Lot Size map to apply a 2ha MLS to the western part of the subject land (proposed Lots 1 to 3) while retaining the existing 100ha MLS for the eastern part of the holding (proposed Lot 4)

