

**ITEM 20 - PLANNING PROPOSAL - PROPOSED REZONING OF 1583 BURRENDONG WAY, MULLION CREEK, FROM RU1 PRIMARY PRODUCTION TO R5 LARGE LOT RESIDENTIAL.****REPORT IN BRIEF**

<b>Reason For Report</b>	To obtain council endorsement of the Planning Proposal
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a - Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	1. PP - SFB21033_PP-2022-847
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\LAND USE AND PLANNING\\PLANNING\\AMENDMENT 13 TO LEP 2012 - LOT D AND E DP 33623, 1583 BURRENDONG WAY, MULLION CREEK - 1379631

**RECOMMENDATION**

THAT Council:

1. Receive and note the Planning Proposal for the rezoning of land identified as Lots D and E DP 33623, being 1583 Burrendong Way, Mullion Creek, and located within the Strategy Area (SA 5A) as described in the Blayney Cabonne Orange Sub Regional Rural and Industrial Land Use Strategy July 2008 and Cabonne Settlement Strategy 2021-2041
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.

**DEPUTY GENERAL MANAGER - CABONNE SERVICES REPORT**

Council has received a Planning Proposal from Planning Potential to amend the Cabonne Local Environmental Plan 2012. The Planning Proposal relates to land located approximately 1.5km to the south of Mullion Creek, being land described as Lots D and E in DP 33623, 1583 Burrendong Way, 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 lifestyle development. The area, identified in the sub regional strategy as Strategy Area (SA 5A), is located to the immediate south of the Mullion Creek settlement area.



### Location map



## Site map

The proposal seeks to rezone a 8.994 ha rural holding currently zoned RU1 Primary Production to R5 Large Lot Residential, and to amend the Cabonne LEP 2012 Lot Size Map to permit a minimum lot size of 1ha. The property contains an existing dwelling situated upon Lot D.

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

- Two Torrens lots
- Five community title lots and community property created under the Community Land Development Act 2021
- Construction of a private access road
- Identification of building envelopes
- Fencing of all lots
- On site effluent disposal
- Water supply via rain water tanks.

The development would proceed in two stages with Stage 1 being the Torrens title lots and stage 2 being the community title subdivision.

- Lots available for large lot residential development will range ranging from 1.1ha to 3ha and are proposed as follows:

#### Stage 1

Lot	Area	Proposed use
100	3.065ha	Existing dwelling
101	5.879 ha	Residual lot – future development lot

#### Stage 2

Lot	Area	Proposed use
1	5055m <sup>2</sup>	Community property
2	1.417ha	R5 large lot residential zone permissible uses
3	1.102 ha	R5 large lot residential zone permissible uses
4	1.264 ha	R5 large lot residential zone permissible uses
5	1.585 ha	R5 large lot residential zone permissible uses

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 two stages.



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 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.

The proposed rezoning will release an additional 4 development lots in the Mullion Creek area (noting the existing dwelling located upon the property will be contained within a subdivided allotment).

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 Lots D and E in DP 33623, being 1583 Burrendong Way, Mullion 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 Lot Size Map as it applies to Lots D and E DP 33623 to reflect a minimum lot size of 1ha.

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**MOTION** (Nash/Pull)

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22/04/20      Carried