

10. WINDERA & STRATEGY AREA SA6 (EAST WINDERA)

10.1. Location

The Windera Zone R5 Large Lot Residential (LLR) area is located to the north-west of the City of Orange adjacent to the Mitchell Highway. It is ~8km to the Northern Distributor Rd & ~2.5km from the Orange-Cabonne (LGA) boundary. Access to the Mitchell Highway is via Windera Drive that distributes to an internal road network.

In the 2008 Subregional Strategy Area SA6 was identified for future growth. SA6 is located to the south-east of Windera & extends along the Mitchell Highway frontage to Horspool Way which is nearly on the Orange-Cabonne (LGA) boundary.

10.2. Existing Zone R5 Large Lot Residential

10.2.1. Key Facts

2020	Zone R5 Large Lot Residential (LLR) Area
Area	~218ha (including internal roads)
Lots	~92 / average lot size of ~2.4ha/lot
Dwellings	~87 (~95%) / lots in separate ownership ~100%
2016 Pop.	~301 (85 dwellings)
Est. 2019 Pop.	~305 = 87 dwellings * 3.5 occupancy
Growth Rate	~87 over 2001-2020/ Average ~4.35 dwellings/year
Dev. Potential	Vacant lots (Sept 2019) ~5 but only 3 (3%) without dwelling approval. Subdivision potential limited (change to current MLS unlikely)
Supply/ Demand	Less than 1 year @ historic growth rate

10.2.2. History & Lot Size

Windera Estate (~218ha – see Figure.1) was first rezoned for lot residential use in around May 2000 based on the findings of *Cabonne Rural Settlement Strategy* (1999). It sits on the edge of the drinking water catchment for Molong Dam to the west (Zone RU2 Rural Landscape).

The majority of lots were created by approval in August 2000. In March 2003 there were an additional 16 lots approved for subdivision resulting in a total of ~92 lots, with no further subdivisions registered since 2012.

The majority of lots are 2ha or greater in area, with an average of ~2.4ha/lot. A handful of lots were subdivided down to 0.8ha prior to CLEP1991 Clause 16(1A) & then CLEP2012 Lot Size Map mandating a 2ha Minimum Lot Size (MLS).

10.2.3. Demand & Vacant Land Supply

In Windera, by December 2012, there were 86 lots registered & 6 additional lots approved (total 92 lots), ~67 dwellings built or under construction, & ~21 vacant lots, 5 of which had dwelling approvals.

In September 2019, the aerial photo (see Figure opposite) shows there were ~87 dwellings (~95% of lots), an increase of ~20 dwellings since end 2012. However, the historic dwelling construction rate (demand) from 2001-2020 (20 years) was 87 dwellings, an average of ~4.35 dwellings/year. ~50 dwellings were approved from 2009-2019 (10 years) which is a similar average of ~5 dwelling/year.

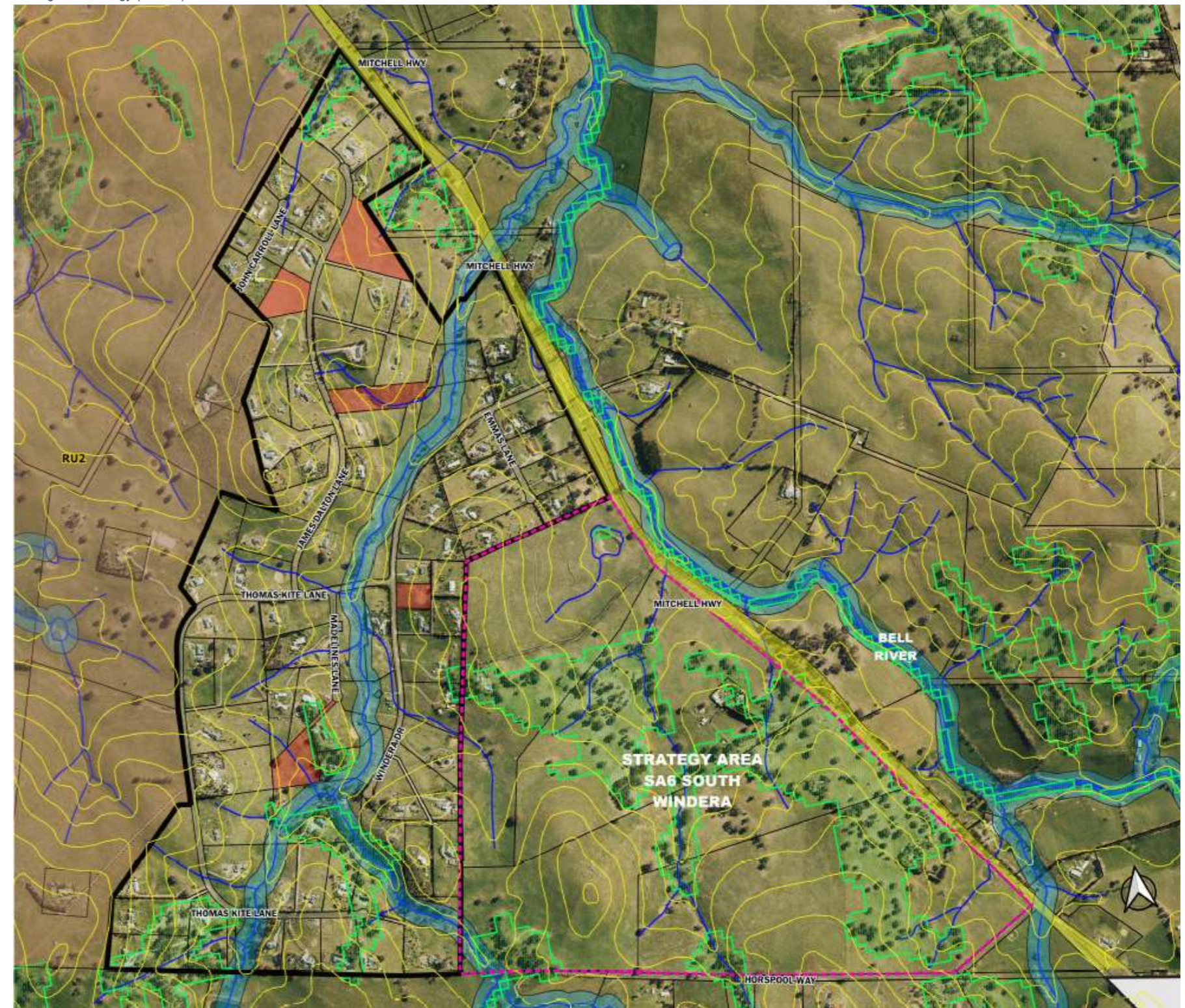
In 2019, only five (5) vacant lots (marked in red). Of these, two (2) have a current/ recent development approval for a dwelling. All of the vacant lots are held by different owners so it is assumed they are not available for new owners.

There are only a limited number of lots that exceed 4ha in lot size (i.e., are capable of subdivision in accordance with the 2ha Minimum Lot Size (MLS)) so there is very little additional subdivision potential. Therefore, Windera has effectively reached 100% development with no vacant land for purchase/development.

10.2.4. Constraints & Minimum Lot Size Review

We have not examined the opportunities & constraints of the existing Windera Estate in detail as it has achieved nearly full development. Further subdivision could only occur if a majority of land owners sought to reduce the Minimum Lot Size (MLS) for subdivision below 2ha (a low probability of success).

Figure 1: Existing Zone R5 Large Lot Residential area with vacant/constrained land & 2008 Subregional Strategy (Growth) Area SA6.



LEGEND

- Watercourse
- Riparian Watercourse
- Biodiversity (NRB)
- Bushfire Prone Land (2003)
- Veg. Cat. 1
- Veg. Cat. 2
- Buffer

Zoning (LZN)

- R5 Residential (Large Lot)
- SP2 Infrastructure
- E1 National Park/Reserve
- E2 Env. (Conservation)
- RU2 Rural (Landscape)
- RU3 Forestry
- 2008 Strategy Area (SA)

The land has a number of opportunities for large lot residential development as:

- There is close proximity to Orange with excellent access & high demand;
- It is outside (adjacent to) the drinking water catchment of Molong Dam;
- There is limited vegetation & no bushfire prone land (as at 2020);
- Historic subdivision to 0.8ha on some land suggests the geology is capable of supporting on-site effluent systems on lots below 2ha;
- It has a reticulated bore network/water scheme that supplements rainwater for garden use for improved water security;
- Level 1 & 2 (low) constraint levels in *2008 Subregional Strategy* (see Figure.3 & discussion below).

However, aspects that would need to be addressed to support smaller lot size may include, but are not limited to:

- 2ha is the average & dominant lot size present. There may be expectations of current land owners that 2ha provides a suitable level of rural residential amenity & privacy;
- The area drains to the Bell River & then the Macquarie River (important ecological watercourses);
- Watercourses, slope, dwelling locations/driveway accesses & other site constraints are likely to limit further subdivision/yield;
- The NSW Government has historically required substantial justification to support subdivision below 2ha for new release areas.

On this basis, it is NOT the recommendation of this Strategy that a reduction in MLS is investigated for the existing Windera Zone R5 area unless it provides the additional benefit of providing a new access point to Strategy Area SA6 (see discussion below). This doesn't preclude a majority or cluster of land owners making a submission to Council to consider this but is subject to NSW Government approval.

10.2.5. Population & Dwellings

ABS Census Districts 2016 - Mesh Block 11205219000 (North Windera) & Mesh Block 11205721100 (East Windera) covers all of the existing Zone R5 Windera Estate plus some adjacent rural lots (3 dwellings). At this level only a population & dwelling estimate is made.

At the 2016 Census, Windera had a population of 301 people & 85 dwellings with an average household occupancy of 3.5 people/ dwelling (suggesting a dominance of family households).

This correlates well with the estimated dwellings on the September 2019 aerial photograph. Therefore, Windera has a settlement population that is similar to (& slightly larger) than Yeoval & Cumnock in 2016.

In 2011 there was just one Mesh Block for Windera (10148990000) & the population was 195 with 63 dwellings. Therefore, the population has grown by 106 people over five (5) years – an average rate of ~21.2 people (10-11%) per year – a very high rate compared to growth in the rest of Cabonne.

The adjacent ABS Census District – Mesh Block 10149332000 to the south-east that extends to the Orange LGA boundary & includes Griffin Rd had a 2016 count of 128 people & 45 dwellings suggesting a fairly high level of development/fragmentation.

10.2.6. Infrastructure & Environment

Windera does not have connection to reticulated sewer. It is unlikely that this would be provided in the near future as the nearest connections are in Orange LGA (~8km) though Orange is growing towards Windera. There is no anecdotal evidence that on-site effluent systems are failing, even on lots down to 0.8ha.

Windera has a common bore & reticulated bore network for those land holders that join the scheme. This is intended only to be used for gardens & non-potable uses & households are still reliant on rainwater for potable uses. This Strategy has not examined if there is additional capacity in this bore for additional connections or the costs. It is assumed that a new scheme would need to be set up for SA6 or WS1 (if required).

Therefore, the existing & proposed lots will likely need to rely on on-site effluent management & rainfall collection/bore water.

Low voltage electricity & telecommunications are present along most public roads. High voltage electricity through Strategy Area SA6 would need suitable buffers. NBN currently provides fixed wireless technology to service this area.

10.2.7. Open Space, Recreation & Community Uses

As a large lot residential locality, Windera does not have any central public recreation areas though there are high-level recreation facilities nearby in Orange. Space for recreation is generally accommodated with the larger lot sizes as private open space & additional space is not expected to be a priority at this time.

The Crown lot (Travelling Stock Reserve) fronting the Mitchell Highway has significant vegetation & is not proposed for additional development though if pedestrian access could be provided from James Dalton Lane it could become a communal open space to service Windera.

10.2.8. Commercial & Industrial Uses

As a large lot residential locality, it has not traditionally facilitated growth of retail or commercial uses (except as home businesses & home industries). The proximity of this settlement to Orange (~8km) & North Orange shopping centre suggests that stand-alone retail is unlikely to be viable in this location & is unnecessary for people who have access to private vehicles. No changes are required at this time.

10.3. 2008 Subregional Strategy Area SA6

10.3.1. Strategy Area SA6 Windera

The *2008 Subregional Strategy* identified Strategy Area SA6 (East) Windera (~164ha) as a potential growth area for large lot residential uses to the south-east of the existing Windera Estate.

As of late 2020, this area is yet to be rezoned so it is not capable of further subdivision at this time. SA6 has five (5) land owners (four (4) larger lots & one (1) small dwelling lot & four (4) dwellings). SA6 continues to be recommended in this Strategy as a logical growth area for large lot residential for the following reasons.

10.3.2. Opportunities & Constraints

The *2008 Subregional Strategy* included Constraints Mapping for the entire Shire that is unlikely to have changed significantly in 2020. The Soft Constraints Analysis provided a weighting to various constraints & represented them as levels from 1 (least) to 6 (most) constrained.

The Constraints Mapping around Windera (see Figure.3 below) shows the majority of SA6 falls into low level constraint areas (Levels 1 & 2) with small pockets in the southern & eastern sections affected by mid-level constraints (Level 3). As the *2008 Subregional Strategy* states, the primary contributory constraints to SA6 are the presence of Class 3 soils, combining with remnant vegetation on limited portions.

This area is located away from the Molong Dam drinking water catchment & whilst it has some limited constraints from 1st & 2nd order watercourses (that flow to the Bell River) & some significant vegetation/biodiversity sensitivity – impacts can be minimised with appropriate lot size/subdivision pattern & buffers. Like Windera, the entire area is groundwater sensitive & should minimise new bores.

SA6 has two road frontages, however, primary access to this area (when fully developed) should ideally be from Horspool Way to protect the safety of the Mitchell Highway & minimise the cost of constructing new/upgraded road access to the highway. The upgrade costs for the Horspool Way intersection & road are a challenge to development of this land, however, at a suitable land value & yield this is likely to be overcome.

Unfortunately, there is no current or nominated road connection from SA6 to Windera Estate unless an adjacent landowner in Emma's Lane or off Windera drive could be convinced to sell part of their land for access.

Ideally, there should be co-ordination of all 4 larger land owners to support the rezoning & a co-ordinated access/subdivision pattern (subject to agreement on land value). However, there may need to be interim measures for alternative access for the two (2) larger lots without access to Horspool Way.

There are no listed heritage items on SA6 or in close proximity that are likely to be affected by this development. There are no conflicts with known mineral potential areas at this time.

A 132kV electricity easement runs through SA6 that will restrict dwelling placement but not likely to significantly affect yield with appropriate design.

10.3.3. Agricultural Land

Figure.2 below shows that the existing Windera Zone R5 area & Strategy Area SA6 are mostly in Class 3 & 4 agricultural land capability areas with Class 3 having a lower potential for agricultural productivity. There are very limited areas of Cabonne with higher land capability, suggesting that Class 1 & 2 lands should be protected from encroachment where possible / consistent with other development factors.

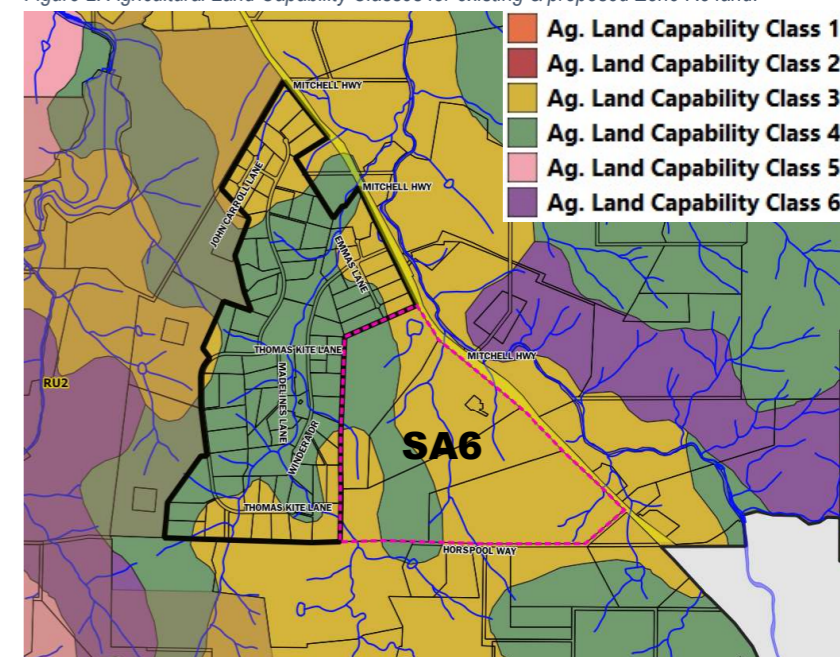
It is noted that Strategy Area SA6 is one of the few 2008 recommended areas for large lot residential expansion on Class 3 soils & that the NSW Government (DPI Agriculture) previously challenged. However, it is now an endorsed area for growth & without other better areas in the vicinity to replace it, it is proposed for retention in this Strategy.

In addition, it is not identified as Biophysical Strategic Agricultural Land (BSAL) on the NSW Government mapping (though this mapping is for the purpose of preventing land use conflict with extractive industries, not urban growth).

Fragmented land ownership, small rural holding sizes (~40ha each), & the topography suggest that high-productivity agriculture is unlikely to be viable.

SA6 forms a natural extension of Windera Estate. It doesn't significantly increase interface or impact on surrounding agricultural land because it is buffered by Windera to the west & north-west, Mitchell Highway to the north-east, & a number of smaller 'lifestyle' lots south of Horspool Way.

Figure 2: Agricultural Land Capability Classes for existing & proposed Zone R5 land.



10.4. Nearby Orange Growth Areas

It is important to note that Orange LGA has large lot residential areas located to the north-west (e.g., Ammerdown/ Murphys Lane) with MLS 2ha that could also meet some of the dwelling demand to the west of Orange. However, it is likely Orange LGA will supply smaller serviced lots that do not compete directly with SA6. Orange City Council are currently preparing their housing strategy to review growth areas.

It is also important to note that growth of LLR areas closer to Orange may impact on the growth of existing or proposed LLR areas surrounding villages in Cabonne including include Molong, Cargo, Cudal & Manildra.

10.5. Strategy (Growth Investigation) Area(s)

10.5.1. Existing Strategy Growth Area SA6

This Strategy recommends Strategy Area SA6 (East Windera) remains an identified future growth area for large lot residential uses in this area. Not all submissions supported this position but the majority of land owners do not oppose it.

This Strategy has reviewed other adjacent areas for growth but at this time they are not supported by Council. If Strategy Area SA6 (East Windera) does not proceed within a reasonable time (say 5 years / 2026) then alternative areas may need further investigation and this Strategy Area removed.

10.5.2. Preferred Lot Size

It is important to note that the NSW Government has historically preferred new large lot residential at 2ha lot size to reduce conflict between on-site effluent management & bore(s) but this is a 'rule-of-thumb' only.

We agree that larger lots may be required where land is heavily constrained but 2ha is a large lot size to maintain for the average 'lifestyle' residence, it is a less efficient use of land & it is too small to support extensive agriculture.

It is interesting to note that parts of Windera Estate were subdivided down to 0.8ha prior to the introduction of a Minimum Lot Size (MLS) of 2ha under CLEP1991 Clause 16(1A) (Amendment No.19 – 2002). This suggests the soils may be capable of supporting on-site effluent systems on smaller lots. However, the dominant pattern is of 2ha lots & this is the current MLS under CLEP2012. As stated above, for the existing Zone R5 areas it is not proposed to change the lot size at this time.

However, very preliminary testing of Strategy Area SA6 suggests there may be some limited areas capable of subdivision down to 1ha on flatter land, with the majority of lots at 2ha, subject to geotechnical (effluent) studies, watercourse setbacks, protection of significant vegetation, possible reticulated bore networks, & NSW Government support.

The additional benefit of a smaller lot size is a higher yield that may offset the cost of road works & improve the viability of the road upgrades & subdivision costs.

10.5.3. Potential Yield

Based on a 2ha MLS – an indicative lot yield for SA6 is 60-70 lots across the ~161ha area (an average of 2.3-2.7ha/lot). However, if some limited areas have a reduced 1ha MLS this may increase yield to 75-85 lots (an average of 1.9 to 2.2ha/lot) & could improve the subdivision viability.

These larger lots sizes are consistent with the historical position that Orange LGA provides smaller residential lots (<1ha) whilst Cabonne & Blayney provide larger residential lots (>1ha).

10.5.4. Demand/Supply

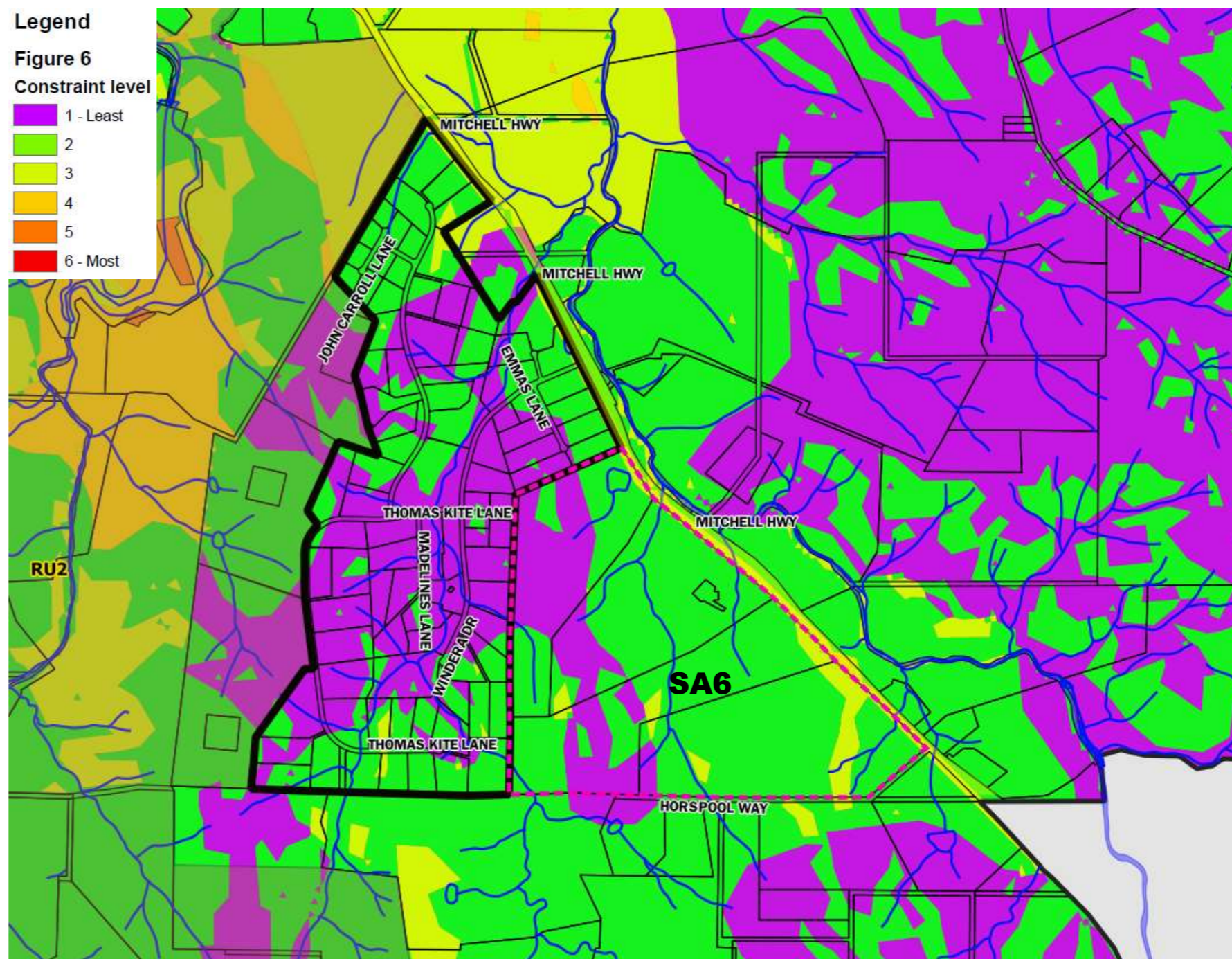
As stated above, Windera Estate has a historical dwelling growth rate average of 4.35 dwellings/year. Assuming SA6 provided an indicative yield of 60-80 lots, the same historic take-up rate could provide between 13.8-18.4 (say 10-20) years of supply in this specific area.

10.5.5. Preliminary Rezoning/Subdivision Principles

The following principles should guide any future rezoning/subdivision of Strategy Area SA6 (East Windera):

- Agreement between owners and/or Structure Plan/DCP to promote connections between lots & payment for infrastructure with suitable staging;
- Upgrade of intersection of Horspool Way & Mitchell Highway in accordance with TfNSW requirements;
- Upgrade of Horspool Way with widened seal to the access points of the subdivision (in accordance with Council Engineering policy);
- Provision of at least two (2) access points to the subdivision area in case of emergency egress or blockage;
- Attempt to negotiate road (or possibly just pedestrian) connection to Windera for improved connectivity;

Figure 3: Weighted Constraint Mapping (2008 Subregional Strategy – Figure.6).



- f) An internal road network that maximises ease-of-navigation & connectivity & minimises cul-de-sacs & battle-axe lots;
- g) Limit the number of lots that do not have a public road frontage (i.e., battle-axe lots) to less than 10% of all lots for improved connectivity & reduced conflicts between lots;
- h) Larger lots towards the Mitchell Highway with 80-100m buffers to dwelling envelopes to reduce noise/visibility & cut/fill;
- i) Road layout, lot sizes & dwelling envelopes designed to provide suitable buffers to watercourses & retain significant vegetation whilst minimising bushfire risk & minimise the need for cut/fill to create suitable dwelling envelopes;
- j) Buffers to overhead high-voltage electricity lines as required;
- k) Provision of some stormwater detention & on-site water quality management before discharge to the Bell River;
- l) Provide a range of lot sizes that respond to the site constraints with potential to investigate lots down to 1ha on less constrained land (unlikely to be more than 30% of all lots) with NSW Government support where on-site effluent & bores conflicts can be managed to reduce land consumption & improve yield;
- m) Protect the visual & landscape amenity of the existing & proposed LLR areas & maintain the landscape features that make this area desirable including retaining significant vegetation;
- n) Likely retain the existing five (5) dwellings in the proposed subdivision pattern;
- o) Minimise dwellings on sensitive visible areas (e.g., ridge-lines).

10.6. Recommendations

10.6.1. Summary of Recommendations

In summary, this Strategy finds that the existing Windera Estate is nearly at 100% take-up & recommends that Strategy Area SA6 (East Windera) continues to be identified as the ideal location for future large lot residential expansion with a potential yield of 60-80 lots (10-20 years supply in this location).

However, if SA6 does not proceed in the next five (5) years (by 2026) then additional Strategy Area(s) may need to be investigated (not specifically mapped at this time) and SA6 may be removed from the Strategy (at the discretion of Council).

10.6.2. Minimum Lot Size

Minimum Lot Size (MLS) for the existing Zone R5 area is addressed in Section 10.2.4 & new Strategy Areas is reviewed in Section 10.5.2 above.

10.6.3. Planning Controls

There is currently no site-specific DCP for Windera or SA6 but DCP No.6 Rural Small Holdings would currently apply.

The original subdivision plan for Windera Estate put forward with the Local Environmental Study (whilst not binding) proposed a total of 51 lots ranging from 2-8ha in lot size, significantly less than the 92 lots achieved today.

Other suggestions that were not achieved included 50m dwelling setbacks from the Mitchell Highway, a road pattern more attuned to the topography, reduced battle-axe allotments, future road connections for SA6 & possible open space provision.

This is not a criticism of Council or the developer but shows how development can change when implemented. A key reason these matters may not have been required is there was no site-specific DCP to agree & enforce outcomes.

A new comprehensive DCP covering large lot residential development should be prepared. In addition, for any Strategy (Growth) Area, there should ideally be DCP site-specific controls, potentially including a structure plan guiding access & connections & responses to site constraints to deliver the best outcomes.

10.6.4. Additional Studies

It is important to note that this Strategy is NOT a comprehensive investigation of the suitability of any Strategy (Growth) Areas for future development. The land owners or Applicants will need to prepare a Planning (Rezoning) Proposal, potentially

supported by a number of environmental & other studies to justify any rezoning and/or development.

Figure 4: Strategy (Growth Investigation) Area(s) with indicative timing.

