

12. CLIFTON GROVE & STRATEGY AREA SA3 (WEEMELAH ESTATE/ WEEMILAH & STRATHNOOK LANES)

12.1. Location

The Clifton Grove Zone R5 Large Lot Residential (LLR) area is located to the north-east of the City of Orange & immediately east of Clifton Grove Estate in Orange LGA (see map below). It is ~6km to the Northern Distributor Rd & immediately adjacent to the Orange/ Cabonne (LGA) boundary. Primary access is from Lower Lewis Ponds Rd via Banjo Paterson Way off Ophir Rd. Other local roads include Strathnook Ln, Weemilah Pl, Lane's Ave, The Water Way, & Deervale Ln.

12.2. Existing Zone R5 Large Lot Residential Area

12.2.1. Key Facts

2020	Zone R5 Large Lot Residential (LLR) Area
Area	~200ha (including roads)
Lots	72 (51 Original R5 area / 21 in SA3 area) / Av. ~2.8ha/lot
Dwellings	~69 (~96% lots) / lots in separate ownership ~99%
2016 Pop.	Census districts not aligned to Zone R5 boundaries
Est. 2019 Pop.	~221 = 65 dwellings* 3.4 occupancy. <i>Note: Orange LGA Clifton Grove combined has ~878 people</i>
Growth Rate	~67 in 1990-2020 (30 years) = Av. ~2-3 dwellings/year
Dev. Potential	Vacant lots (as at Sept 2019) = 2 (~10%) but all sold or adjacent owner. Subdivision potential – Limited current MLS/changed MLS unlikely
Supply/ Demand	There is no supply of Zone R5 land to meet future growth & no identified land in the 2008 Subregional Strategy remaining.

12.2.2. History & Lot Size

The eastern section around Deervale Lane was known as 'Weemeelah Estate' (~52.8ha) & was subdivided for large lot residential use in around 1989/1990. In 1992, DCP No.3 – Weemeelah Rural Small Holdings was adopted, limiting Weemeelah Estate to seven (7) lots.

CLEP1991 had a Minimum Lot Size (MLS) of 0.4ha so the lot size in DCP No.3 was not enforced & lots increased to fourteen (14) by 2010 with the smallest lot sizes ranging from ~1.7ha up to ~6.9ha.

In CLEP2012, the MLS of Weemeelah Estate was increased to 5ha to prevent further subdivision due to the bushfire risk, low soil quality & risk of erosion, & access limitations.

The western section around Weemilah Pl & Lakes Ave (~86.4ha) was rezoned under Amendment 10 (1999) to CLEP1991 with an MLS of 2ha. DCP No.9 – Strathnook Lane Rural Small Holdings was adopted. It was subdivided in 1999 with around 37 lots averaging around 2ha/lot.

In CLEP2012, the western area adopted the MLS for subdivision of 2ha so there has been no further subdivision.

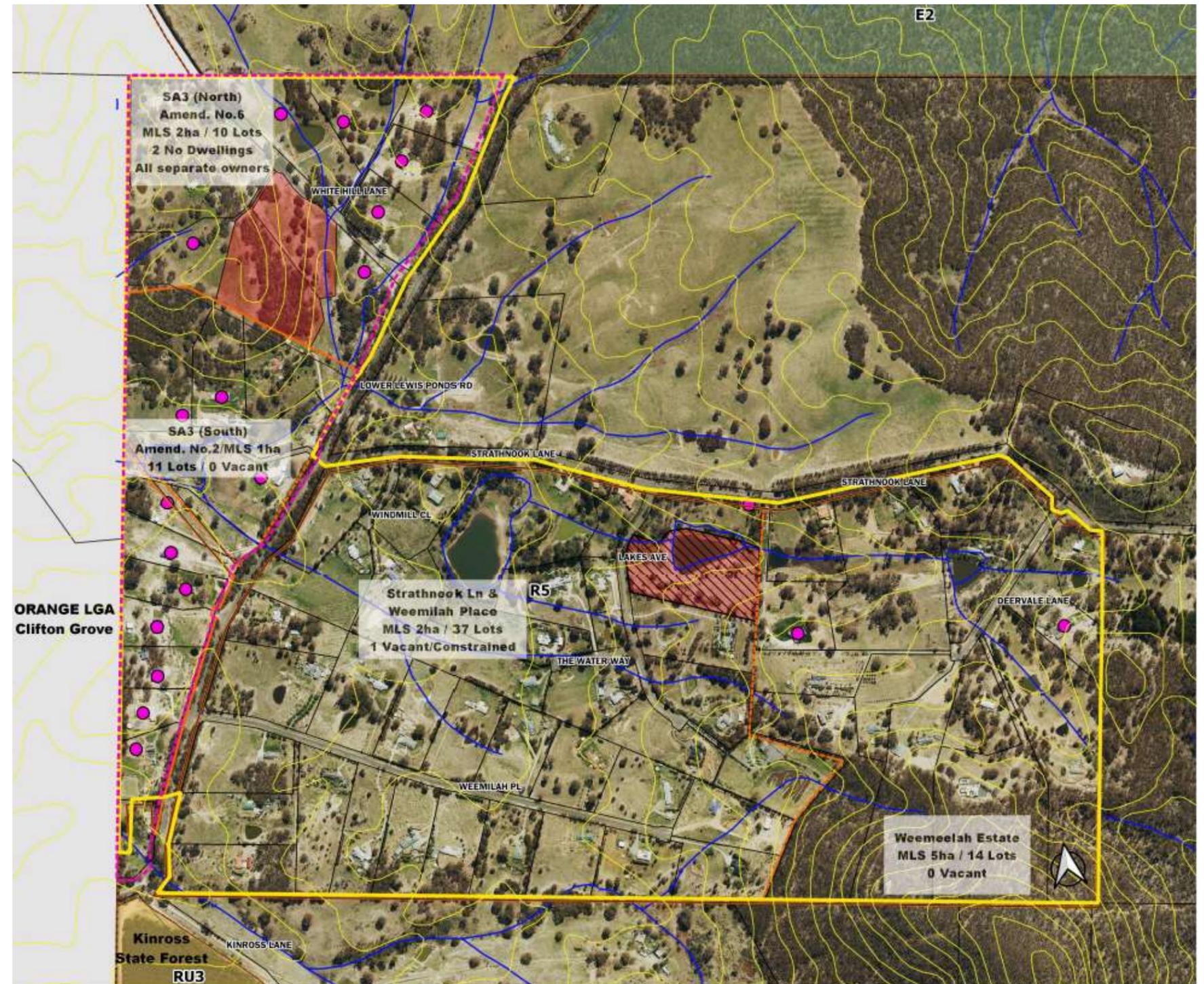
Therefore, when CLEP2012 commenced, Zone R5 Large Lot Residential (LLR) covered the areas brought over from CLEP1991 (~139.2ha) bounded by the area east of Lower Lewis Ponds Rd & south of Strathnook Lane (the 'Original R5 area').

12.2.3. 2008 Subregional Strategy Area SA3

The 2008 Subregional Strategy identified Strategy Area SA3 Weemilah to the west of Lower Lewis Ponds Rd (~55ha) as a potential growth area for large lot residential uses & natural extension of the Original R5 area.

Since 2012, Amendments No.2 (2015) & No.6 (2018) have rezoned the SA3 area progressively in accordance with the 2008 Subregional Strategy (see below) so that SA3 is now completed rezoned to Zone R5.

Figure 1: Existing Zone R5 Large Lot Residential area with vacant/constrained land & former 2008 Subregional Strategy Area (SA3).



CLIFTON GROVE

12.2.4. Demand & Vacant Land Supply

In the Original R5 area only, by December 2012, there were only four (4) lots vacant (without dwelling). Since 2012, three (3) of those lots have been developed, resulting in a total of 50 dwellings & only one (1) vacant lot (unlikely to be developed as part of a significant garden).

The SA3 area has been progressively rezoned & subdivided since 2015 by the following Development Applications:

- a) Amendment No.2 (2015) - southern section - 11 lots. As of late 2020, all of the southern section of SA3 has been developed;
- b) Amendment No.6 (2018) - northern section - 10 lots. As of late 2020, this has six (6) dwellings & two (2) under construction (total 8 dwellings). There were only two (2) vacant lots & both are in separate ownership.

Therefore, SA3 will be fully developed shortly. Since the first subdivision in 1990 (30 years) there have been ~67 dwellings constructed (excluding 2 historic dwellings) – an average of ~2.2 dwellings/year. Since ~2016 there have been ~18 new dwellings – an average of ~3.6 dwellings/year.

This Strategy adopts an estimated future dwelling growth rate of ~2.5 dwellings/year. Therefore, there is no current supply of land to meet future dwelling demand.

12.2.5. Opportunities & Constraints

See Figure.2 – Key Environmental Constraints map opposite.

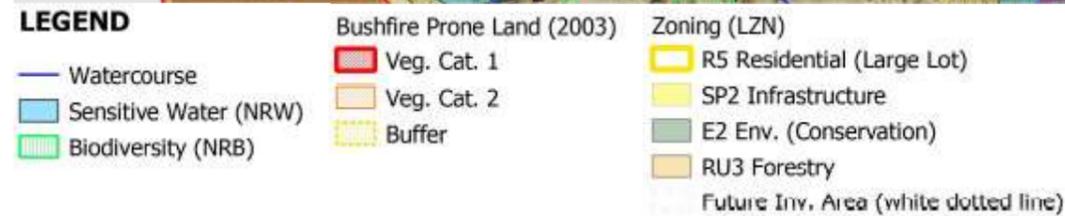
The existing Zone R5 area has the following key opportunities:

- a) Proximity to Orange (6km to Northern Distributor/8km to CBD) including its services, employment & recreational opportunities;
- b) Natural extension of Clifton Grove (Orange LGA);
- c) Proximity to Kinross State Forest & bike trails;
- d) Surrounding lands have limited agricultural capability with lower quality soils & less potential for land use conflict;
- e) Lifestyle qualities of sloping lands with views.

The existing Zone R5 area has the following key constraints:

- a) Significant vegetation, biodiversity & bushfire prone land restricts growth incl. Kinross State Forest (Zone RU3) to south; Mount Bulgas Reserve to east; Zone E2 Environmental Conservation to north;
- b) Land slope increases development costs & erosion risk;
- c) Significant number of 1st & 2nd order watercourses & dams extend through site resulting in some low-lying, drainage prone land & some identified sensitive water areas;
- d) Poorer soil qualities may limit on-site effluent management & increase soil erosion & waterway impacts.

Figure 2: Key environmental constraints.



12.2.6. Infrastructure & Environment

This settlement does not have connection to reticulated water or sewer. It is unlikely that this would be provided in the near future as the nearest connections are in Orange LGA. Orange Council provides reticulated water to the Clifton Grove area adjacent. However, to extend this would require some arrangement for payment of rates.

Therefore, the existing & proposed lots will need to rely on on-site effluent management & rainfall collection/bore water. There is no anecdotal evidence that on-site effluent systems are incompatible with the geology. Further research is needed to see if bore water is accessible & sustainable as an alternative water source in the area.

Low voltage electricity & telecommunications are present along most public roads. NBN currently provides fixed wireless technology to service this area.

12.2.7. Open Space, Recreation & Community Uses

As a large lot residential locality, it does not have any central public recreation areas, though it is adjacent to the Kinross State Forest & nearby reserves & there are high-level recreation facilities nearby in Orange.

Space for recreation is generally accommodated within the larger lot sizes as private open space & additional space is not expected to be a priority at this time. If any central community space were to be created it may occur in the Clifton Grove (Orange LGA) where the greatest number of people are present.

12.2.8. Commercial & Industrial Uses

As a large lot residential locality, it has not traditionally facilitated growth of retail or commercial uses (except as home businesses & industries). The proximity of this settlement to Orange (6-7km) & 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. None is required for the foreseeable future.

The settlement is also not identified for industrial growth in the 2008/2020 Subregional Strategy.

12.3. Population & Dwellings

ABS Census District (Mesh Block 11205810700) covers the land that was in Zone R5 when CLEP2012 commenced. At this level only a population & dwelling estimate is made. At the 2016 Census, Clifton Grove (Cabonne LGA) was estimated to have 153 people & 45 dwellings (an average household occupancy of 3.4 people/ dwelling).

A review of the September 2019 aerial photograph suggests there are actually fifty (50) dwellings in the original Zone R5 (pre-2015) area. The rezoning of Strategy Area SA3 has added another nineteen (19) dwellings up to September 2019 for a total of 69 dwellings.

At an average household occupation rate of 3.4 people/dwelling, an estimated population in the Clifton Grove Zone R5 area (Cabonne LGA) could be as high as 235 people. Therefore, the population of Clifton Grove (Cabonne LGA) is heading towards the population of the smallest village (Cumnock 227 people estimated in 2016).

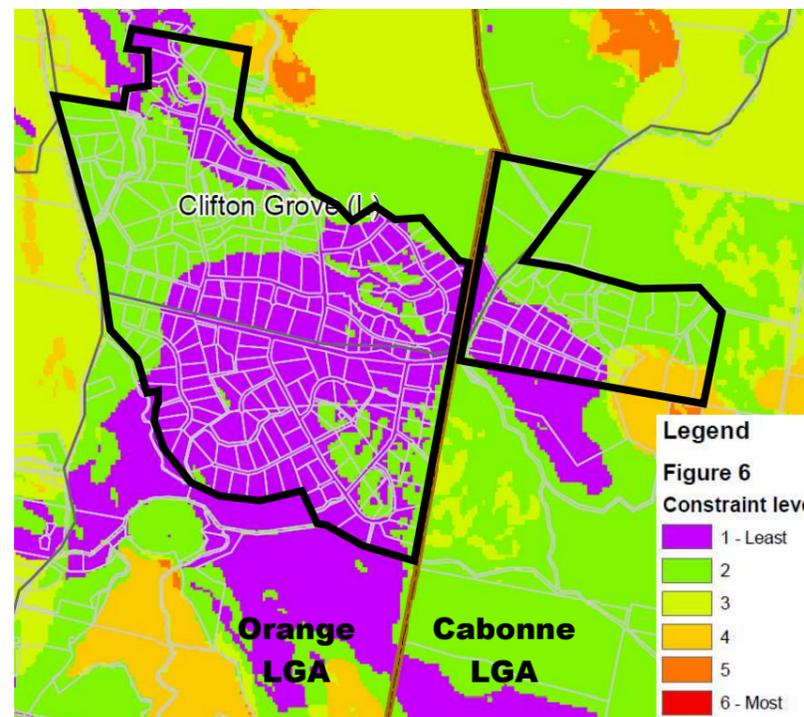
At the 2016 Census the Clifton Grove (Orange LGA) area had a population of 657 people & 237 private dwellings. Once Clifton Grove (Cabonne LGA) is added to this it is estimated there are ~878 people & ~300 dwellings. This suggests the broader Clifton Grove area is larger (in population) than all the settlements in Cabonne except for Molong & Canowindra.

12.4. Constraints to Growth

12.4.1. Opportunities & Constraints

The 2008 Subregional Strategy provided a weighted Soft Constraints Analysis & represented them as levels from 1 (least) to 6 (most) constrained (see Figure.3 below). Generally, the LLR land in Cabonne's Clifton Grove area ranges from Level 1 (least constrained) along Weemilah Place to Level 2 (slight constrained) for SA3 & Strathnook Lane to Level 3-4 (moderately constrained) in the south-east (Weemeelah Estate).

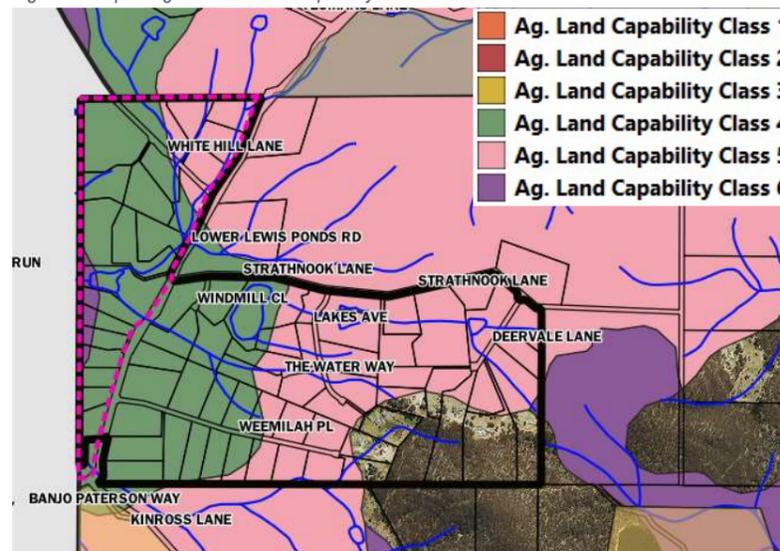
Figure 3: Weighted Constraint Mapping (2008 Subregional Strategy – Figure.6).



12.4.2. Agricultural Land Capability Class

Figure.4 below shows that the areas surrounding Clifton Grove (in Cabonne LGA) are mostly in Agricultural Land Capability Class 4, 5 or 6 that are restricted in their agricultural use so growth in these areas is likely to have limited impact on agricultural productivity.

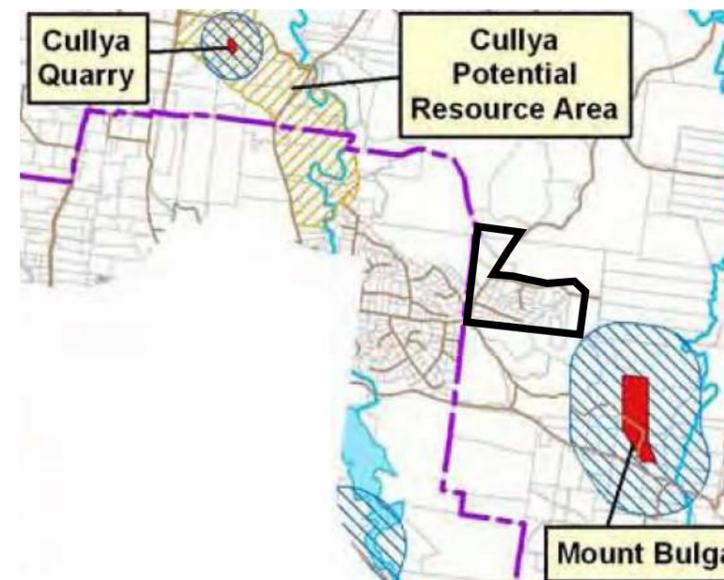
Figure 4: Map of Agricultural Land Capability Classes around Clifton Grove.



12.4.3. Mineral Potential

The 2012 Mineral Resource Audit (see Figure.5 below) shows that the closest existing quarry/mine to Clifton Grove is Mount Bulga Mine (copper, silver, gold, zinc, & lead) located to the south-east of the Zone R5. However, the 1km buffer does not extend into the Zone R5 area. Good planning policy requires protection of exiting or known likely mineral resources. Expansion should occur away from the existing mineral potential area (preferably to the north).

Figure 5: Excerpt from Mineral Resource Audit Map (2012) (NSW Government).



REFERRAL AREA

- Identified Resource Area – containing active mineral, petroleum and/or extractive operations and/or identified resources.**
 Development within these areas could adversely affect or be affected by **current** or **future** resource development operations. Any proposed zoning changes or developments that may prohibit or restrict **current** or potential **future** operations in these areas should be referred to Resources & Energy Division of NSW Trade & Investment.
- Potential Resource Area – containing potential mineral, petroleum and/or extractive resources.**
 Development within these areas could adversely affect or be affected by **future** resource development operations. Any proposed zoning changes or developments that may prohibit or restrict potential **future** operations in these areas should be referred to Resources & Energy Division of NSW Trade & Investment.
- Transition Area – areas adjacent to identified resource areas.**
 Development within these areas could adversely affect or be affected by **current** or **future** resource development operations in the adjacent resource areas. Any proposed zoning changes or developments that may prohibit or restrict **current** or potential **future** operations in the adjacent resource areas should be referred to Resources & Energy Division of NSW Trade & Investment.

12.5. Nearby Orange Growth Areas

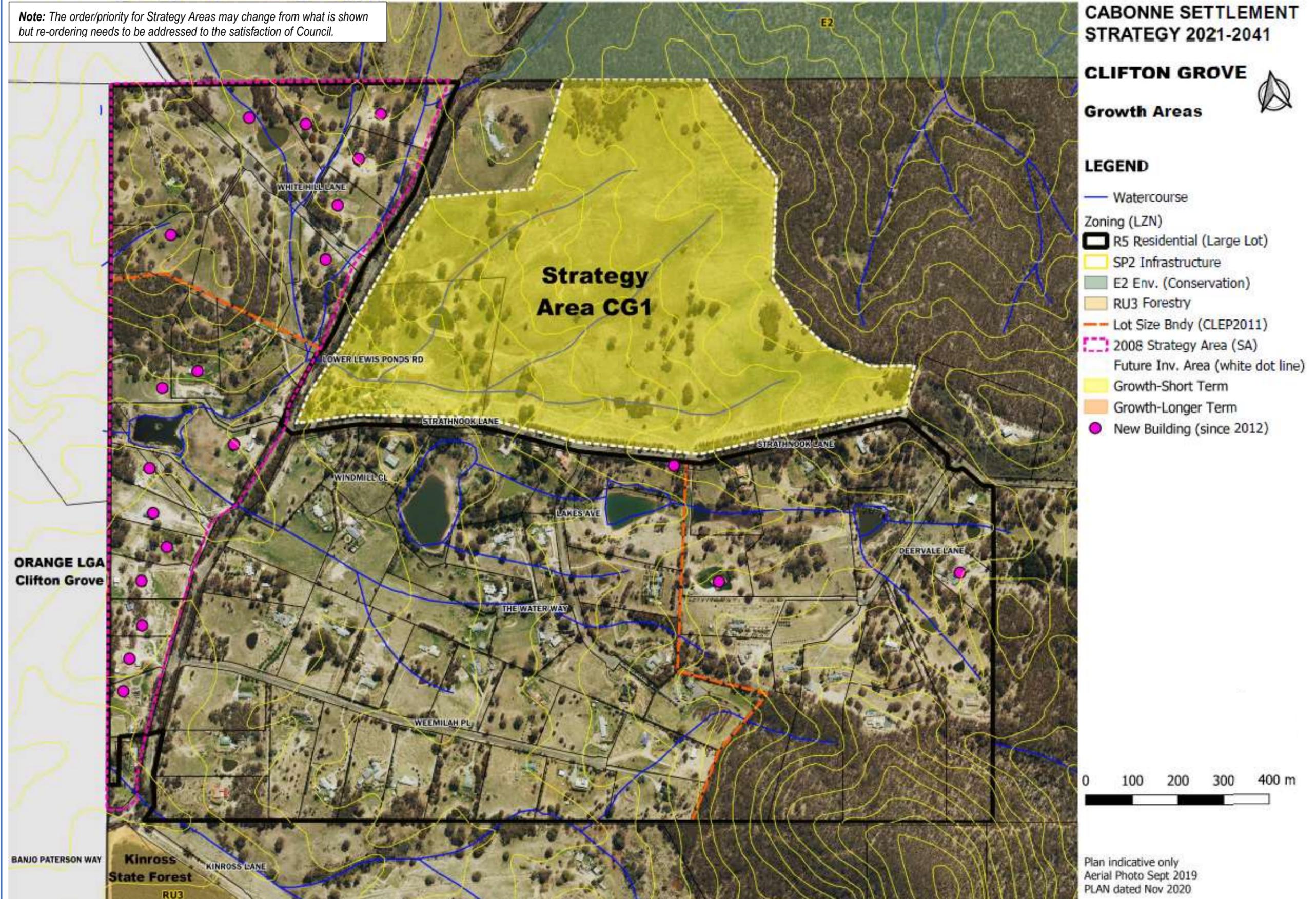
It is important to note that Orange LGA has large lot residential areas in & around Clifton Grove & out near the University that could also meet some of the demand. Clifton Grove is expected to be nearing capacity.

Orange City Council have recently rezoned the former abattoir site (Mr Bob Healy) with potential for around 400-450 lots down to 0.4ha in lot area. It is important to note these smaller (serviced) lots are a different market to the larger 1-2ha lots proposed in Clifton Grove. Therefore, they are not a direct competitor & growth for larger lots in Cabonne LGA is likely to continue at a similar pace.

12.6. Strategy (Growth Investigation) Area(s)

Figure 6: Strategy (Growth Investigation) Area(s) within indicative timing.

Note: The order/priority for Strategy Areas may change from what is shown but re-ordering needs to be addressed to the satisfaction of Council.



12.6.1. Strategy (Growth) Area CG1

One direction for this Large Lot Residential (LLR) Area to grow is to the north onto the immediately adjacent rural land marked as Strategy Area CG1 on Figure.6 above.

Strategy Area CG1 has an address of 11 Strathnook Lane with one (1) owner. It consists of two (2) lots including Lots 551 & 553 DP1176133 with an area of ~63.2ha that is likely to have limited agricultural viability. It has significant frontage to both Lower Lewis Ponds Rd & Strathnook Lane for ease of access, though an internal road (with alternatives for emergency egress) is likely to be needed to maximise yield.

By filling in the gap between the existing LLR areas it does not substantially increase the perimeter (potential for land use conflict) with agriculture and most land to the north and east is in Zone E2 for conservation.

There is limited vegetation on CG1 so whilst it has RFS Bushfire Category 2 - deeper lots towards the Category 1 bushfire area could accommodate an appropriate Asset Protection Zone (APZ). The only pockets of mapped sensitive biodiversity are in the south-west corner.

There are limited 1st & 2nd order watercourses & no groundwater sensitivity. There are no heritage items likely to be impacted.

On the 2008 Subregional Strategy Soft Constraints Mapping (Figure.3 above), Strategy Area CG1 has a Constraint Level of 2 that is the same as much of the existing Clifton Grove Large Lot Residential area & avoids the Constraint Level 3 area.

12.6.2. Preferred Lot Size

For the Strategy Area CG1 it is suggested that an average of 2ha should be achieved that could support some larger lot sizes up to 5ha around the perimeter for bushfire protection, possibly with 1-2ha lots closer to Strathnook Lane (average 2ha lot size). Subject to geo-technical studies for on-site effluent management, some smaller lot sizes down to 1ha may be appropriate on flatter lands but would require significant justification & NSW Government approval.

12.6.3. Potential Yield/Supply/Demand

Assuming a minimum buffer of ~100-150m to the Category 1 bushfire land is provided for all dwellings, then the land has a preliminary estimated yield of 25-30 lots/dwellings (subject to detailed studies & Minimum Lot Size). As it has one (1) owner it can be more easily amalgamated & developed (assuming there is owner support).

Based on the historical average construction of 2.5 dwellings/year in this area (see above), Strategy Area CG1 could potentially meet 10-12 years supply for this area alone.

12.6.4. Preliminary Rezoning/Subdivision Principles

The following principles should guide any future rezoning/subdivision of Strategy Area:

- Manage the bushfire risk in accordance with NSW Government bushfire policy providing an adequate asset protection zone (APZ) for all dwellings that minimises impacts on existing vegetation & provide multiple emergency egress points;
- Have a range of lot sizes that respond to the site constraints. Ideally, locate larger lots towards the higher Category bushfire prone land with asset protection zones/buffers of ~100-150m. Consider smaller lot sizes (possibly down to 1-2ha) on less constrained land (with NSW Government support) where on-site effluent & bores conflicts can be managed to reduce land consumption & improve yield;
- 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. Minimise cul-de-sacs & promote through roads for emergency egress/safety;

- Protect the visual & landscape amenity of the existing & proposed LLR areas & maintain the landscape features that make this area desirable including retaining significant vegetation;
- Provide suitable setbacks (30-50m) from higher traffic roads (e.g., Lower Lewis Ponds Rd) to minimise noise & conflict with future dwellings.

12.6.5. Other Alternative Long-Term Growth Areas

It is noted that the area to the south of the existing Clifton Grove LLR area (Lot 21 DP787016 ~43ha) has a 2008 Subregional Strategy Constraint Level of 1-2. However, this simple analysis likely fails to take into account the closer proximity to Kinross State Forest & associated bushfire risk & potential land use conflicts with forestry operations/logging (particularly for Lot 22 DP787016).

In addition, Kinross Lane is not a sealed road & would need to be upgraded. It only provides a single emergency egress road in case of bushfire so it is less likely to be supported by the NSW Government. It has limited yield potential due to lot shape/constraints.

It is also noted that land to the north of the existing Clifton Grove LLR area (previous SA3 area) & west of Lewis Ponds Rd is also in Constraint Level 2. However, this land has a limited frontage to Lewis Ponds Rd, poor access, & would have limited emergency egress options & require significant internal roads for an efficient yield. It is also surrounded by bushfire prone land to the west, north & east & would have a larger interface/land use conflict potential with agricultural land.

Therefore, alternative areas to the north and south of the existing Zone R5 LLR area are NOT recommended at this time but could be further investigated in the future once Strategy Area CG1 reaches 60% take-up OR if CG1 does not proceed in the next five (5) years (by 2026).

12.7. Recommendations

12.7.1. Summary of Recommendations

In summary, this Strategy recommends that there is an opportunity for further investigation of growth at the Clifton Grove (Cabonne LGA) Large Lot Residential area.

It has experienced significant 'take-up' for dwellings at the 1-2ha lot size with all the entire Strategy Area SA3 (2008 Subregional Strategy) rezoned since 2015 (creating 21 lots).

The Preferred Strategy (Growth) Area CG1 (~63ha) is located to the north-east of the existing Zone R5 area & forms a logical extension that is likely to be able to manage most environmental hazards (particularly bushfire) & minimise land use conflicts with agriculture. Strategy Area CG1 should be pursued in the first instance & could deliver 25-30 lots at 1-4ha in lot size (average lot size of 2ha).

If CG1 is unsuitable then Council may wish to review the potential of alternative areas to the north and south of the existing Zone R5 LLR area but these are more heavily constrained & less desirable.

12.7.2. Minimum Lot Size Review

The NSW Government has historically only supported new large lot residential at a minimum 2ha lot size to minimise conflicts between on-site effluent management & a bore 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. However, it is likely that people have purchased these lots with an expectation around privacy & amenity that may cause issues if there is significant additional subdivision.

It is interesting to note that the southern area of SA3 was rezoned with a lot size of 1ha, possibly due to limited depth of land to achieve a viable yield. However, the majority of lots in the area have an MLS of 2ha including Clifton Grove (Orange LGA) so this is the dominant pattern.

There are less constraints along Weemilah Place that suggest it could use battle-axe lots to create additional yield at 1ha/lot but the yield is only 6-10 additional lots due to limited

access. Therefore, without the majority of landowners agreeing a changed MLS is not supported at this time.

Due to the constraints listed above, we suggest there is no significant additional subdivision potential in the existing Zone R5 areas that have significant bushfire risk (e.g., Weemeelah Estate; parts of Strathnook Lane & SA3 area).

Minimum Lot Size (MLS) for Strategy Areas identified in this Strategy is reviewed in Section 12.6.2 above.

12.7.3. Planning Controls

DCP No.3 – Weemeelah Rural Small Holdings & DCP No.9 – Strathnook Lane Rural Small Holdings are both significantly out-of-date & irrelevant to the assessment process, particularly as these areas are nearly fully developed.

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.

12.7.4. 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.