NSW GOVERNMENT | Planning & Infrastructure

Office of the Director General

Mr David Rowe
General Manager
Yass Valley Council
PO Box 6
Yass NSW 2582

11/06002

Attention: Paul De Szell

Dear Mr Rowe

I refer to Council's letter of 21 March 2011 seeking the Director-General's endorsement of the Yass Valley Council Town and Villages Study.

I am pleased to advise that I have endorsed the subject Study subject to the conditions and amendments in the attachment to this letter.

In considering whether to endorse the study, the Department has considered Council's recommendations for its town and villages. I am pleased that the Department agrees with the majority of Council's recommended zonings and landuses. However, I note that we have not been able to support three distinct proposals at Sutton and Yass. These proposed rezonings appear to be entirely rural residential in nature and have been put forward without a supporting Shire-wide rural residential strategy which is the justification that would be required for this form of development as set out in the Sydney Canberra Corridor Regional Strategy.

Finally, I would like to take this opportunity to congratulate Council and its staff on the excellent work it has done in the preparation of the Town and Villages Study. The Department looks forward to continuing to work closely with Council during the preparation of its comprehensive LEP over the next 12 months.

Should you have any further enquiries regarding the Study, I have arranged for Martin Brown, Environmental Planning of the Department of Planning and Infrastructure to assist you. He can be contacted on telephone number (02) 6229 7913.

Yours sincerely

SHaddad

Sam Haddad
Director General

28/6/2011

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website planning.nsw.gov.au

ATTACHMENT A – Conditions and Amendments – Yass Council Town & Villages Study

Binalong

- Generally the proposed zoning arrangements for Binalong are supported.
- Council has proposed under the Study that an area in the township be zoned E3 Environmental Management (Section 4). Given this area has already been subdivided and has some dwelling houses, it is considered the E4 Environmental Living Zone would be more appropriate in these circumstance. This can be discussed in more detail with the Department as Council drafts its new comprehensive local environmental plan (LEP).

Bookham

- Generally the proposed zonings for Bookham are supported.
- Council has proposed a SP2 Infrastructure zone for the Bookham cemetery. This should instead be zoned SP1 Special Activities when the new LEP is prepared.

Bowning

- The proposed zonings for Bookham are generally supported.
- Similar to the previous point, the cemetery should be zoned SP1 Special Activities rather than SP2 Infrastructure.
- Council should note that whilst the proposed R5 Large Lot Residential zone to the south of the Hume Highway (Section 2) is supported in recognition of the existing development on the site, the Department would not support any future proposals to increase the development potential of this land or its surrounds given its separation from the village by the Hume Highway. Any additional dwellings in this area will also need to use existing access arrangements and not create any new access points to the Highway

Gundaroo

- The proposed rezonings for Gundaroo are generally supported.
- Similar to the previous points, the cemetery should be zoned SP1 Special Activities rather than SP2 Infrastructure.
- The proposed E2 Environmental Conservation land to the east of the village (Section 8) should instead be zoned E1 National Parks and Nature Reserves given its status as a nature reserve owned by the Office of Environment & Heritage.
- The proposed RU4 Primary Production Small Lots (Section 3) is supported however Council is reminded the intention of this zone is to provide for small scale primary production, not for rural living and to ensure its development control policies reflect this difference in terms of landuse conflict etc.

Murrumbateman

- The proposed rezonings for Murrumbateman are generally supported. It is noted Council has indicated it is intending to provide reticulated services to the village in the near future.
- The Department notes the inclusion of the land identified as Section 16 that has been identified as RU4 Primary Production Small Lots and 'future investigation area'. The Department has no objections to this proposal. However, the Department would reinforce to Council the potential strategic importance of this site given its location to the existing village and as entry to the village from Murrumbateman Road. Future development should be managed carefully to take full advantage of the future development potential of the site, particularly when reticulated services become available.

Sutton

- The proposed rezonings for Sutton village are generally supported with the exception of the two sites below.

- Council has proposed an E4 Environmental Living zone for an isolated area to the west of the township where it is understood there is some existing development (3 lots). Given this land sits outside the identified study area under the Study, and is isolated from the village surrounds, it should be zoned consistent with surrounding broadacre rural area. There is the potential that placing an E4 over this land may be interpreted by other landowners as suggesting the broader area is suitable for environmental living or rural residential development. This is yet to be determined by an appropriate strategy. In the meantime the site should remain zoned similar to its surrounds, and be zoned such under the new LEP. This will essentially maintain the status quo as it applies to the land.
- Council has also proposed the inclusion of isolated land to the west of the township and outside of the identified study area for inclusion as 'future investigation area' under the Study. This is not supported. The Department has previously and consistently advised Yass Valley Council and the former Yarrowlumla Shire Council that development of this land will only be considered in the context of an endorsed shire wide rural residential strategy. More recently the Sydney-Canberra Corridor Regional Strategy has reaffirmed that any proposals for rural residential development must be justified by an appropriate strategy. It would not be appropriate to give any strategic support to the identification of this site in the absence of an endorsed rural residential development strategy.

Wee Jasper

- The proposed zonings for Wee Jasper are supported.
- Further discussion may need to be had with the Department in regards to the most appropriate zoning of the Goodradigbee River. However, the policy intention of the proposed zones are supported.

Yass Township

- The proposed zonings for Yass township and surrounds are generally supported.
- Council have proposed two large E4 Environmental Living Zones (identified as sections 1 & 12 in the Study) to replace existing rural residential zones in these areas. This is supported although the concept of having no minimum lot size apply to these lands is not supported. To ensure development of these lands is undertaken in an environmental sustainable manner, Council must include an appropriate minimum lot size when it drafts the new LEP.
- Yass Cemetery should be zoned SP1 Special Activities rather than SP2 Infrastructure.
- Council have proposed lands to the immediate north of the township be zoned E4 Environmental Living (identified as sections 1 & 29 in the study). It is understood this land is currently zoned as broadacre rural land with a 80ha average subdivision provision. As such, this represents a significant uplift in the zoning of the land in terms of its development potential, particularly as no minimum lot size has been proposed. Whilst the site may have some strategic merit for this use given its location and significant environmental values, no studies or similar have been carried out that justify or support this significant change in development potential. Accordingly, it is recommended that Council be advised that as an interim measure, this land be identified as 'future investigation' subject to either the owner of the land undertaking the necessary studies to support any future rezoning of the site or reflection in a shire-wide endorsed rural residential strategy.