



Planning & Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2013_YASSV_003_00)

I, Marcus Ray, Deputy Secretary at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 25 October 2013 (as since altered) for the proposed amendment to the Yass Valley Local Environmental Plan 2013 as follows:

1. Insert:

New condition 8. The planning proposal is to be revised to include a specific clause in Yass Valley Local Environmental Plan 2013 that Council is not to approve a rural subdivision in the RU1 Primary Production Zone or RU2 Rural Landscape Zone unless it is satisfied that the proposed lots will protect and consolidate high value agricultural land, minimise loss of environmental values from clearing and have appropriate access to water.

Dated 1st day of December 2015

Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning



Planning & Environment

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

Our ref: 15/16293

Dear Mr Rowe

Planning Proposal PP_2013_YASSV_003_00 – Gateway determination Alteration

I refer to your request on 25 September 2014 seeking advice in respect of the rural lands Planning Proposal PP_2013_YASSV_003_00 to reduce the average lot size in the RU1 Primary Production Zone and RU2 Rural Landscape Zone from 80 hectares to 40 hectares, amend the lot averaging clause to allow a minimum lot size of 20 hectares and maximum lot size of 70 hectares in the RU1 Primary Production Zone and RU2 Rural Landscape Zone and to permit 'dual occupancies, in certain rural and environmental protection zones, where a dwelling is permitted.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway determination dated 25 October 2013 (as amended) for PP_2013_YASSV_003_00.

The Gateway determination for the planning proposal is altered so that the Yass Valley Local Environmental Plan 2013 is to be amended to include a specific clause that Council is not to approve a rural subdivision in the RU1 Primary Production Zone or RU2 Rural Landscape Zone unless it is satisfied that the proposed lots will protect and consolidate high value agricultural land, minimise loss of environmental values from clearing and have appropriate access to water.

I have made this alteration to the Gateway determination in response to issues raised by the Office of Environment and Heritage and Department of Primary Industries.

I have also determined that the exhibition of the revised Planning Proposal is not required.

I have authorised Council to use its delegation for plan making for the draft Local Environmental Plan provided the draft plan is consistent with the altered Gateway determination and revised planning proposal.

The Alteration of the Gateway Determination and amended Written Authorisation to Exercise Delegation are enclosed.

I have also agreed the altered planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 5.1 Implementation of Regional Strategies are of minor significance. No further approval is required in relation to these Directions.

If you have any questions in relation to this matter, please contact Brett Whitworth, Acting Executive Director, Regions, of the Department of Planning and Environment on 02 9228 6249.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

01/12/2015

Encl

Alteration to Gateway Determination
Written Authorisation to Exercise Delegation



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Yass Valley Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_YASSV_003_00	Planning proposal to; 1. reduce the average lot size in the RU1 Primary Production Zone and RU2 Rural Landscape Zone from 80 hectares to 40 hectares, 2. amend the lot averaging clause 4.1B to allow a minimum lot size of 20 hectares and maximum lot size of 70 hectares in the RU1 Primary Production Zone and RU2 Rural Landscape Zone, 3. insert a new clause to ensure potential impacts on agriculture and biodiversity are considered in the assessment of subdivision in the RU1 and RU2 Zones, and 4. to permit 'dual occupancies, in certain rural and environmental protection zones, where a dwelling is permitted.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*" as well as the altered Gateway determination addressing the objections of the Office of Environment and Heritage (condition 8).

Dated 1st day of December 2015

Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning