

6.4 PLANNING PROPOSAL - KYEEMA, GUNDAROO

SUMMARY

To present a report on the draft Planning Proposal to amend the zone and lot size boundaries as they currently apply to land north of Gundaroo within the *Yass Valley LEP 2013*, so as to align with the subdivision layout approved by Development Consent DA 185092.

RECOMMENDATION

That:

1. *Planning Proposal for Kyeema Administrative Amendment (PP.2020.04) be endorsed and forwarded to the Minister for Planning and Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979.*
2. *Planning Proposal (PP.2020.04) be adopted if no significant objections are received after the public exhibition of the Planning Proposal pursuant to the conditions of Gateway determination in accordance with s3.34(2)(c) Environmental Planning & Assessment Act 1979.*

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Yass Valley LEP 2013*

REPORT

1. Background

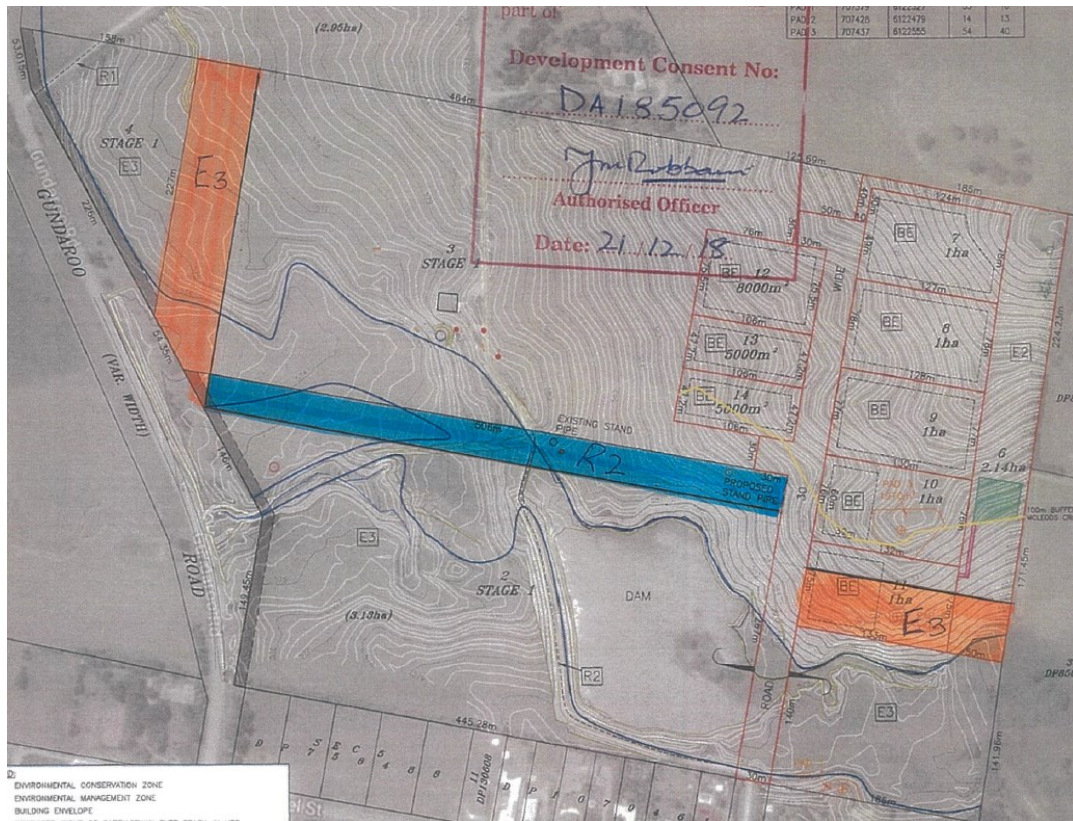
Amendment 2 to the *Yass Valley LEP 2013* was gazetted in 2 March 2018, which included the land to north of the Gundaroo Village known as 'Kyeema'.

An error occurred during the survey and design of the subdivision in the Development Application, where the lot layout did not align with the zone boundaries. This error was not identified and a Development Consent subsequently issued on 21 December 2018.

The draft Planning Proposal seeks to amend the *Yass Valley LEP 2013* to adjust the boundaries of the applicable zones to be consistent with Development Consent.

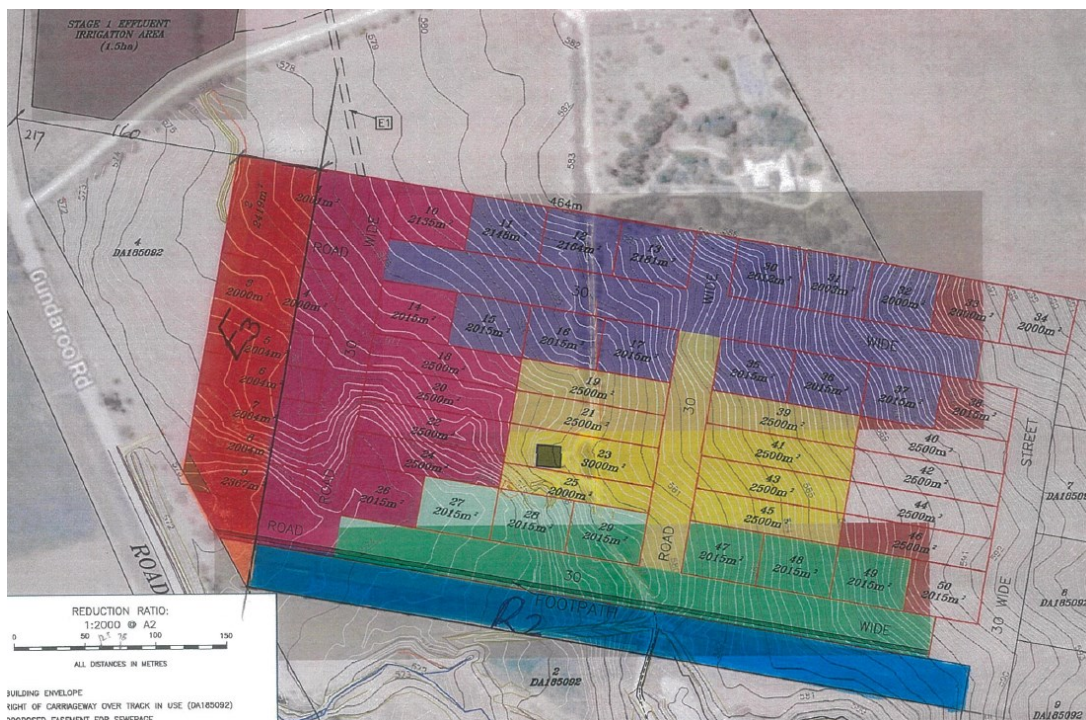
2. Need for Planning Proposal

The discrepancies between the *Yass Valley LEP 2013* and the approved Development Consent layout are shown below. These only became apparent following the registration of the plan of subdivision and Council's receipt of the updated cadastre from NSW Spatial Services.



Stage 1 of Development Consent

(Areas of land where there are discrepancies are highlighted blue and orange)



Stage 2 of Development Consent

(Areas of land where there are discrepancies are highlighted blue and orange)

In summary, the draft Planning Proposal seeks to:

- Amend the Yass Valley LEP 2013 zone boundaries between the R2 Low Density Residential, E3 Environmental Management and E4 Environmental Living zones
- Amend the Lot Size Map in the Yass Valley LEP 2013 to align with the adjusted zone boundaries

- Amend the extent of the land edged blue on the Lot Size Map relating to the provision of reticulated sewerage (i.e. Clause 6.12 *Yass Valley LEP 2013*)

3. Conclusion

The draft Planning Proposal is substantially administrative in nature, however the proposed amendment will still need to address the usual requirements of consistency with local and regional strategies as well as the physical features of the site including flood affected areas.

It is recommended that the draft Planning Proposal be endorsed and be forwarded to the Minister for Planning & Public Spaces to request a Gateway determination. The Minister's Delegation to make the amendment as local plan-making authority should also be sought.

STRATEGIC DIRECTION

Key Pillar	1. Our Environment
CSP Strategy	EN4 - Maintain a balance between growth, development and environmental protection through sensible planning
Delivery Program Action	EN4.1 - Ensure Council's statutory planning instruments are up to date and reflective of the community needs
Operational Plan Activity	EN4.1.1 – Undertake ongoing strategic land use planning and reviews of existing instruments

ATTACHMENTS: Nil