

yass valley council

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Mr Martin Brown
Proposed Planning Policy – Canberra Airport
Department of Planning & Infrastructure
PO Box 5474
WOLLONGONG NSW 2520

Dear Martin

Proposed s117 Direction – Development near Canberra Airport

I refer to the abovementioned proposed s117 Direction and wish to make the following submission on behalf of Yass Valley Council.

Council is currently awaiting finalisation of the draft Yass Valley LEP 2013, prior to seeking a Gateway Determination for a 'Rural Lands' Planning Proposal. This Planning Proposal seeks a reduction in the minimum subdivision lot size across the RU1 Primary Production Zone and RU2 Rural Landscape Zone, from 80 hectares to 40 hectares with lot averaging. Council is concerned that the proposed Draft Ministerial section 117 Direction will remove a potential entitlement for a small number of landholders in the affected area to subdivide land and create additional dwelling entitlements.

The affected area is not identified in any of the Department's Regional or Council's Local Strategic Planning studies as an area of investigation for future residential expansion. Nevertheless, Council does not consider a dwelling house or dual occupancy development on the proposed reduced rural lot size provisions (40 ha with averaging) to represent a substantial increase in residential density. As indicated, only a small number of landholders would be able to subdivide their land and potentially create additional dwelling entitlements in the affected area. Council does not believe that this type of development will impede the commercial expansion of Canberra Airport.

Council also understands that the proposed s117 Direction is inconsistent with Australian Standard AS 2021 'Acoustics – Aircraft noise intrusion – Building siting and construction' as AS 2021 does not prohibit residential accommodation in areas where the ANEF contour does not exceed 25.

For these reasons Council believes the proposed s117 Direction should not proceed as drafted.

Council believes that rather than prohibit all residential accommodation in the affected area, the intent of the proposed s117 Direction should be to prohibit the rezoning of land to higher density land use zones. Relevant planning authorities should also continue to seek guidance from AS 2021 in the assessment of development applications for land within the ANEF 20 contour.

Thank you for the opportunity to comment of the proposed s117 Direction, please contact Will Mayes on (02) 6226 1477 should you require additional information.

Yours sincerely



Liz Makin
Strategic Planning Manager