

# Draft South East and Tablelands Regional Plan

August 2016



<p><i>Delivering the Plan:</i> <u>Implementation</u></p>	<p>What is the status of the ACT-NSW Memorandum of Understanding? In discussions regarding proposed cross border developments, Yass Valley Council understood that the MOU was being reviewed. Given that the Greater Capital sub region – which Yass Valley is part of, directly abuts the ACT border, matters which are covered in the plan such as transport, health, education and environmental connectivity must be underpinned by a robust MOU.</p> <p>Role of Co-ordination and Monitoring Committee? The draft states that the committee will co-ordinate and drive the delivery of actions, report and monitor on various aspects of the plan such as housing, employment, natural environment etc. It is unclear as to the purpose of the monitoring- there are no targets or measurable goals so it appears that the information that would be collected may either duplicate or be collected for the sake of collecting.</p> <p>State agency representation on the committee should not be limited to 'Transport for NSW' and 'Office of Environment and Heritage'. Agencies such as LLS/DPI/DEC/NSW Health are equally important to be at the table if issues surrounding Agriculture, Mining, Renewable Energy or likewise Education and Health have dedicated 'Directions' within the plan.</p>
<p><i>Delivering the Plan:</i> <u>Local planning initiatives</u></p>	<p>The draft refers to Council's leading and participating in strategic projects such as urban design and public domain improvements. This is a vague statement and most Council's already do this as resources permit, and as identified by their communities or within their Community Strategic Plans. Are these strategic projects in addition? Will there be funding opportunities available from NSW Planning and Environment to undertake these projects?</p>
<p>Goal 1</p>	<p>Yass Valley Council welcomes the strong emphasis that the draft places on the ACT as a driver of growth. It is long overdue – the areas surrounding Canberra are subject to significant pressure because of our proximity to the Nation's Capital.</p>
<p>Direction 1.1</p>	<p>In terms of providing well located and serviced land for housing, please note that a draft Yass Valley Settlement Strategy is currently being finalised, and will be forwarded to the Department accordingly.</p> <p>The draft identifies 'Parkwood' as a location for providing for new residential development, and while a Gateway Determination has been issued, the current wording of the plan implies that it has been approved and all cross border issues resolved. Inclusion of a 'proposed' prefix would be appropriate.</p> <p>Council welcomes the identification of the issue of pressures on cemeteries and crematoria associated with development around the ACT-NSW border. Council has already identified this, and is in the process of preparing an issues paper on burials and cremation in the LGA within a regional context.</p>
<p>Water Supply in the Greater Capital (break out box)</p>	<p>This needs to be revised, as the current wording intimates that water is supplied from the Yass Dam to the Palerang Council area – which is not the case. Furthermore the pipeline from Yass to Murrumbateman is not being <u>constructed</u>. While a pipeline is proposed, and partial funding has been secured from the federal government, no approvals or works have commenced.</p>
<p>Action 1.1.3</p>	<p>The proposed cross-border land monitoring program has merit, although the level of input of data from the ACT is questioned. ACT fundamentally differs</p>

	<p>from NSW in that it has a dedicated agency whose responsibility is to develop and sell land for the ACT government. As this agency has a commercial, profit making function for the ACT, any information that the ACT releases will be limited so as not to jeopardise its land development functions or commercial in confidence information.</p>
Action 1.1.4	<p>It is noted that the draft discusses housing release areas and that <i>"The focus will be on community development and settlement expansion, rather than isolated site land release."</i></p> <p>The issue with using this principle within the region is that the 'ACT' can be considered a settlement, and there are a number of locations where Canberra suburbs would either abut, or be in very close proximity to vacant land within NSW. This creates a dilemma for the 'Greater Capital' sub region, in that large expanses of vacant land are held by speculative landowners adjacent to the ACT border. While they are not isolated sites in a geographic sense, they are in relation to other development and infrastructure within NSW. The draft should make a distinction that until such time as greenfield land supply within the ACT is exhausted, land abutting and serviced from within the ACT should not be considered for any higher density housing release. The only exception to this may be pockets of land which cannot be accessed from within NSW and rely on access from the ACT (such as Parkwood).</p> <p>It is disappointing that the Sustainability Criteria that were contained within the Sydney Canberra Corridor Regional Strategy are no longer included. They were a useful assessment tool, and in their absence, how will the merits of a proposal be assessed against the SEAT plan.</p> <p>In addition, does the ACT/NSW Cross Border Settlement Agreement no longer apply? What is the status of the agreement?</p> <p>It is unclear how a proposal would be assessed within a regional context if the above are not included. The SEAT plan also does not contain any Urban Growth Area maps such as those contained within the draft North Coast Regional Plan. In the absence of any framework or criteria for growth within the region, we are at risk of significant, speculative, unplanned growth, and the responsibility will fall to individual local governments to manage.</p>
Actions 2.1.1 & 2.1.2	<p>There is discussion about the importance of avoiding, minimising or offsetting the environmental impacts of development, and that it is up to Council's how they can be managed. The reality is that some of the most significant impacts that Yass Valley has recently faced in the cross border setting, are those which relate to development which are considered either exempt or complying under the Codes SEPP 2008 – a NSW code, not local.</p> <p>The current provisions relating to fill (with a proposal to expand the amount permitted under complying) are having dire consequences on the rural and environmental values of the land, and the amount permitted under Complying Development/Inland Housing Code is proposed to be increased. Large areas of rural land within the Greater Capital Sub Region - combined with the proximity to Canberra's active construction industry results in large amounts of fill being placed over rural land.</p> <p>While revising current biodiversity layers to incorporate higher quality spatial data and biodiversity corridor mapping is supported, the requirement to <i>"allow land uses within regional biodiversity corridors that maintain and where possible enhance ecological connectivity"</i> is unclear. Is there an expectation that these corridors will be rezoned (Environment Protection Zone?) and different land uses applied?</p> <p>In addition, the value of 'Fig 4: Environmental Values' as a tool- even at a regional scale is questioned – for example it is difficult to distinguish between</p>

	<p>Corridor and High Environmental Value land.</p> <p>A critical corridor between the Yass Valley and the ACT is Greater Goorooyaroo, and it is unclear whether it is included.</p>
Direction 2.3	<p>Reference is made to Flood Studies being undertaken by Bega and Eurobodalla Shire Councils, and this should also include a reference to Yass Valley. Council secured funding from the Office of Environment and Heritage and accordingly Flood Studies have been prepared and adopted for Gundaroo, Sutton and Yass. Floodplain Risk Management Plans have also been drafted for Gundaroo and Sutton, and Council is currently seeking funding to undertake the same for Yass.</p>
Direction 2.4	<p>The draft Plan identifies Yass Valley as having water security issues, but does not provide an 'Action' on how this will be addressed. Specifically, significant work has been carried out to date on the provision of water into 'Parkwood' from the ACT which is not reflected.</p> <p>Of particular relevance to the Greater Capital sub region is the 2006 Memorandum of Understanding on Cross Border Water Resources between the Commonwealth, ACT and NSW. Although this MOU has never been acted upon – in part because the ACT/NSW Cross Border Settlement Strategy referred to in the MOU was never completed, it does set out a framework for water to be supplied to NSW. It is suggested that an 'Action' be included that this MOU be revised to provide an option for addressing longer term water security issues within the sub region.</p> <p>Although the plan refers to the finalisation of groundwater water sharing plans, it is silent on the issue of groundwater quality. When one authority (NSW DPI) is responsible for issuing licenses for groundwater extraction in the absence of, or without referring to the local Council approved effluent disposal locations (septic, aerated systems etc) it has the potential to create a significant contamination, environmental and public health issue. It is suggested that an 'Action' be included which requires the NSW Government to review and improve information sharing and licensing processes for groundwater extraction – particularly in areas not serviced by reticulated sewerage.</p> <p>The emphasis on the Sydney Drinking Water Catchment is noted. While it is acknowledged that there is an existing SEPP in place - together with a local planning direction for Sydney, not enough emphasis is placed on regional catchments – particularly the Murrumbidgee – and the drinking water supplies that are sourced directly from Yass and Burrinjuck Dams. It is suggested that an 'Action' be included '<i>The NSW Government will support the Goals and deliver the Management Actions within the Murrumbidgee Catchment Action Plan (2013)</i>'.</p>
Action 2.4.2	<p>The plan refers to Council's preparing Integrated Water Cycle Management (IWCM) Strategies. Yass Valley Council prepared an IWCM in 2007 and a Strategic Business Plan for Water and Sewer in 2014, which is an alternative to an IWCM, and it is not anticipated that any review or new plan would be prepared until 2018. This 'Action' should instead make reference to supporting Councils to review existing IWCM/Business Plans or prepare new plans as required.</p>
Goal 3	<p>The six priority growth areas for the region are identified, and while five of the sector groupings have synergies, primary industries and renewable energy are two distinctly different groupings and should be separated.</p>
Action 3.2.1	<p>The plan includes an 'Action' to map land that is highly suitable for agriculture, however it is unclear how this will be done – is the intent similar to that of the NSW DPI Pilot Mapping Project?</p>
Action 3.2.2	<p>The 'Action' that Council's will be required to review zones in local plans to minimise biosecurity risks is unclear. What land use zones are currently causing an issue? The NSW Biosecurity Strategy makes no mention of land use zones. What is meant by the application of buffers – is it intended that these buffers</p>

	<p>be mapped within LEP's? Will funding be made available to support Council's to undertake this work?</p> <p>The effectiveness of changing land use zones in managing biosecurity risks is questionable. The more critical issue is one of agency responsibilities for biosecurity. Weeds pose a significant threat within this region – however who and how they are managed within the SEAT region varies. Until the recent amalgamations, Yass Valley Council, in conjunction with Harden, Young and Boorowa Shire Councils, had conferred weed management responsibilities to the Southern Slopes Noxious Plants Authority (SSNPA) since 1992. The sustained concern by the Yass Valley community about weed management would suggest that a review of the current arrangements and funding is required, and Yass Valley and Hilltops are currently seeking to dissolve the SSNPA.</p> <p>A more effective 'Action' would be for the NSW Government to adopt the recommendations of the Natural Resources Commission (NRC) following its 2014 review of weed management in NSW, and to support Councils in taking a regional approach to biosecurity through Local Land Services and/or Joint Organisations.</p>
Direction 3.3	<p>The draft highlights the potential for land use conflict surrounding mineral and energy development, yet also confirms the commitment to the Renewable Energy Action Plan. One of the ways to manage the land use conflict and establish a clearer process surrounding wind farms would be to finalise the "draft" guidelines. Likewise, guidelines could be established for other renewable energy development such as solar farms.</p> <p>Given the commitment to the NSW Renewable Energy Action Plan, it is unclear as to why a renewable energy resource map is not included. This map could include areas with potential for renewable energy as well as existing power infrastructure such as transmission lines. Although this may be considered too sensitive to include with the plan, this information is already available and used by renewable energy companies in determining development locations. Longer term it would also provide greater certainty for communities knowing where energy developments could be located.</p>
Direction 3.4	<p>The draft lacks clear commitments and deliverables, and it fluctuates between being vague and precise. Action 3.4.1 <i>'Deliver the breakwater wharf extension at the Port of Eden'</i> is very precise. Yass Valley Council expects a similar 'Action' to be included for the Barton Highway: <i>'The NSW Government will continue to work with stakeholders to deliver the Barton Highway duplication between the ACT and Yass.'</i></p> <p>The break out box on Freight Networks mentions the Princes Highway draft corridor strategy as making freight improvements a priority. The Barton Highway is a major route for Syd-Can-Melb freight and is identified as such within the draft Barton Highway Improvement Strategy, and should therefore be referred to in the same way.</p>
Action 4.1.1	<p>NSW Government will provide guidelines for local housing strategies – why? Surely if the regional plan sets a robust framework for where new housing should be directed, 'guidelines' are not required? The output of a local housing strategy will vary depending upon on a particular Council's needs.</p> <p>Working with Councils to deliver local planning controls for range of housing types is vague. The draft could be aspirational and set an 'Action' to encourage Council's to adopt something similar to the <i>Livable Housing Guidelines</i> <a href="http://www.livablehousingaustralia.org.au/">http://www.livablehousingaustralia.org.au/</a></p>
Action 4.2.1	<p>What are the details of <i>"planning controls that facilitate the growth of complementary health uses around the region's hospitals"</i>? The Infrastructure SEPP (2007) already provides for public and private <i>Health Services Facilities</i> in sixteen of the standard instrument zones. Unfortunately when Standard</p>

	<p>Instrument LEP's were prepared, they were not permitted to 'duplicate' a land use within a zone if it was permitted under a SEPP. In the case of a <i>medical centre</i> for instance, it appears that the use is not permitted in a particular zone – when in fact it is.</p> <p>At present, an applicant needs to look through all the relevant SEPPs as well as the LEP to determine if they can undertake a use which is cumbersome and unnecessary. An 'Action' should be to ensure that standard instrument LEP's are revised to include '<i>health services facilities</i>' as permitted with or without consent (in the zones specified in the ISEPP).</p>
Action 4.2.2	<p>While Yass Valley Council supports the recommendations of the plan to undertake school asset planning - the measures listed as used by the NSW Government to understand the demand for schooling are some of the arguments that the Yass Valley Community have been using for a school at Murrumbateman – which to date have been set aside by the Department of Education.</p> <p>Planning for future schools seems to have a reactionary approach, and is not keeping pace with current and projected development. Yass Valley Council is also frustrated by the continued reliance on the ACT as education providers for NSW students from Murrumbateman, as well as the cross border education issues that Parkwood may create. Council would like to see an 'Action' within the plan for the ACT and NSW to enter into a Memorandum of Understanding for the provision of Cross Border Education Facilities. It could encompass issues such as preferences/priority enrolment areas, cross border travel subsidies, curriculum variations, and location selections for new schools.</p>
Action 4.2.3	<p>Planning for Cemeteries/Crematoria refers specifically to Queanbeyan. Yass Valley is also assessing whether it may need to provide for additional land in the long term– particularly if 'Parkwood' is approved with an estimated population of 13,000.</p>
Neighbourhood Planning Principles (break out box)	<p>The 'Action' to review and update the neighbourhood planning principles is not substantial enough given that many of the 'Goals' and 'Directions' of the plans are tied to these. If an WSUD principle is important, it needs to be given effect by reviewing and updating BASIX. If adaptable housing is important, include the requirement into the Housing SEPP. If conservation of biodiversity is important in and around development sites, why are there revisions to the SEPP which are increasing the amount of fill - particularly on rural land? High level strategic principles for the region are irrelevant, if they continue to be set aside when other Environmental Planning Instruments are prepared.</p>