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5KZ Newsletter 1

Executive Summary

In this Newsletter we:

- Review what was discussed at the Landowner meeting on 24th February 2019
- 2. Explain the purpose and structure of the 5km NSW ACT Border Zone Planning Group Inc.
- 3. Review the problems we are facing
- 4. Explain our strategy
- 5. Identify the risks to our land
- Provide an explanation of how we hope to mitigate those risks
- 7. Provide a draft vision statement,
- 8. Provide a draft set of outcomes
- 9. Ask you to complete a survey
- 10. Invite you to the next Landowner Workshop/Meeting

The landowner workshop meeting on 31st March will be where we will decide on major issues such as future land use in the 5KZ and associated parameters such as subdivision minimum lot size and what we need to do to protect our land.

Please let us know if you are coming by sending an email to the Secretary

<u>5kzplanninggroup@gmail.com</u> so we can be sure to have a seat for you and anyone you bring to the meeting.

It is a member only event.

Instructions on how to join the Association are given at the end of the newsletter.

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ello and welcome to the first Newsletter from the 5km NSW ACT Border Zone Planning Group Inc. (the Association), a non-profit association of landowners who own land within the 5km NSW ACT Border area to the north of the ACT (5KZ).

In this Newsletter we report on the Landowner meeting held on 24 February 2019 and outline our plans to protect our land.

Summary of the landowner meeting held on 24th February 2019

This was our first public meeting where all landowners in the 5km zone (5KZ) were invited to hear a summary of information that our Strategy Team had collected over the past 18 months of investigation.

The meeting attracted over 100 people including the Yass Valley Council Mayor who offered some comments during the meeting.

The Strategy Team provided an overview of the official documents that provide the framework for future development of the 5KZ.

The key document is the Yass Valley Settlement Strategy 2036. This document's lack of any community agreed vision for the future of Yass Valley and non-compliance with the South East and Tablelands Regional Plan was discussed.

It was shown that the Yass Valley Settlement Strategy 2036 failed to provide any sound logical justification for the following three pillars of the strategy:

- Urban development of valuable farm land near Yass and Murrumbateman where there wasn't an adequate supply of the most basic requirement – water.
- Urban development of valuable farm land in a significant environmental sensitive area in Parkwood
- Creating a 5km pseudo green belt along the ACT NSW border and exempting Parkwood from the "no development" constraint that apply to the rest of the pseudo green belt

Jon Stanhope provided an informed overview of the political situation on the ACT side of the border. He said that the lack of proper process and inconsistencies was

evident in both the Council's and ACT Government's support for the Parkwood development.

He questioned the ACT Government's Joint Venture Agreement with a developer in the Ginninderry/Parkwood development that was entered into without a proper tendering process.

He suggested that while the joint venture agreement for developing Parkwood was potentially very profitable, it also exposed the ACT Government to a liability should the Parkwood development not succeed.

Trevor Fitzpatrick of Purdon Planning provided an independent planner's view of the best use of the land in the 5KZ.

Trevor pointed out the difference in the application of the South East and Tableland Regional Plan (Regional Plan) between Yass Valley Council and Queanbeyan-Palerang Regional Council.

Trevor produced a diagram that showed while Yass Valley Council was Yass "centric" in its approach to development, the reality was that all activity revolved around Canberra. The Regional Plan for the area states that "Canberra is the heart of the region".

Trevor explained that Queanbeyan-Palerang Regional Council's approach was to be compliant with the Regional Plan and maximize opportunities from its proximity to the ACT. The Yass Valley Council was taking the opposite approach by wanting a barrier between the ACT and the rest of the Yass Valley.

The issue of moving the NSW ACT border north was discussed at the meeting. Public documents and statements by Council indicated there is a real risk of the NSW ACT border being moved north, most likely by 5km as this was an area Yass Valley Council appeared to be preserving for that purpose.

Evidence for the border move is given in the ACT Government Greens-Labour MOU. It explicitly states that their policy is to move the NSW ACT border. Also, Yass Valley Council staff had been quoted in the media saying that if there were issues of supplying services across the border to Parkwood, then the logical move would be to move the border.

The meeting was told that while the likelihood of the border moving could be debated, the consequences for

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5KZ Strategy

Step 1

Determine our Current Situation

- As defined in the Yass Valley Settlement Strategy 2036
- Identify the problems

Step 2

Determine where we want to be

- An achievable state that we want to exist in 2030
- Defined in a vision statement
- Measurable by a set of outcomes

Step 3

Develop a Strategy to get us to where we want to be

- A. Involve all landowners
- B. Develop a vision for the area and set of outcomes
- C. Produce an alternative Settlement Strategy
- D. Minimize the risk of the ACT Border being moved
- E. Produce a Development Application for the 5KZ
- F. "Sell" our concept to Council, NSW and ACT Governments
- G. Collect data for legal challenge to the Council policy.

Figure 1: The Process

landowners was very clear and would most likely result in losing control of the land and the devaluing the land.

The meeting ended with general agreement among those present that Yass Valley Council had a "case to answer" with its Settlement Strategy and that it had not consulted with the people most affected by the Yass Valley Settlement Strategy.

There was also general agreement that Councillors had made an error of judgement when according to the Minutes of the Council meeting where they voted unanimously (less the Mayor) and without question to make the Yass Valley Settlement Strategy Council policy.

Copies of PowerPoint slides used during the landowner's meeting are available on the Association's website www.ccepl.com.au.

So, what is the problem?

You may be asking why we are holding meetings and producing newsletters.

We are doing this because we are concerned that the Yass Valley Settlement Strategy 2036 if implemented will result in landowners in the 5KZ losing control of their land and having their land devalued. We also feel that the only way to prevent this happening is for the 5KZ landowners to work together to find a means to protect our land.

Specifically, we believe that the Yass Valley Settlement Strategy 2036, now Council policy, is a flawed strategy that will prevent landowners achieving the best outcome for their land and result in the devaluing of our land. The Council's strategy should be amended or done again.

What does the Settlement Strategy define for the 5km zone?

The specific clauses in the Yass Valley Settlement Strategy start on page 89 of the YVSS for the peri urban area to the north of the NSW ACT border that presumably includes or is the 5km zone. The stated Future Role for the two parts of the 5km zone are:

- "For Wallaroo and Spring Range
 Land will remain rural with a minimum lot size of 40ha."
- "For north eastern border area

The area is to remain largely undeveloped as rural and rural residential properties."

The future role for Wallaroo and Spring Range is clear but the future for the rest of the area around to the Federal Highway is not clear. Does "remain largely undeveloped"

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mean no subdivision at all? Or does it mean the current 40 ha minimum lot size subdivision?

All we have been told so far is that Council will get around to considering the details in 2 to 3 years' time after Council has sorted out the problems with cross border services to Parkwood and developing urban areas around Yass and Murrumbateman where there is no identified source of water of water needed for urban development.

What is the answer to the problem?

In the landowner meeting on the 24th February we explained that our best option might be to seek rural residential development in the 5KZ as a means of:

- Establishing that our land is worth more than just the value based on its agricultural production return that ignores its proximity to a major city.
- Retaining control of our land and protecting the value of our land that would be severely affected if the 5KZ is turned into a pseudo green belt as stated in the Yass Valley Settlement Strategy
- Gaining the same opportunity to develop our land as Council has given to the developers of Parkwood.

There may be other means of achieving those aims and we hope to hear your views at the next landowner's meeting.

We are doing what Council should have done for us, that is consult with those most affected by the Yass Valley Settlement Strategy 2036.

The way forward

Council did a very poor job of consulting with the landowners in the 5KZ.

The 5km NSW ACT Border Zone Planning Group Inc. is a vehicle for landowners to work together and speak with one voice about the future of the 5KZ and the broader Yass Valley.

5km NSW ACT Border Zone Planning Group Inc.

The 5km NSW ACT Border Zone Planning Group Inc. is a non-profit incorporated association within the NSW Fair Trading rules. The Association was set up by a small group of landowners (initially 3) in the 5km zone to provide a

framework within which Landowners can meet in an organized and structured way to decide on a collective approach to protecting their property.

Regardless of your view of the situation, it is in every landowner's interest to at least monitor what is being decided about the future of your land.

As a member of the of the Association you get the benefit of attending meetings, learning from others who have done their homework as well as hear from guest speakers.

We also produce a newsletter to keep our members informed of the latest changes and actions that are taking place.

The Association executive consists of 3 elected positions, a President, Treasurer and Secretary who are assisted by a Strategy Team. Details of the individuals holding these positions are shown on the website ccepl.com.au.

The Association is always looking for people to assist with various tasks and to provide input to the decision-making process. Please let us know if you want to be part of the Strategy Team. The Strategy Team has direct input to all decisions, attends meetings and reviews all the documents before they are made public.

The Association is democratically run and is open to public scrutiny. We publish all our documents on the Associations website www.ccepl.com.au.

The Association's Goal

The Association's goal is to represent the interests of all the landowners in the 5KZ as well as the broader community at meetings with Council, NSW and ACT Government.

It is clear that the Yass Valley Council is not representing the best interests of the people in the south of Yass Valley.

Steps to achieve our goal

We have been following a simple 3 step process as shown in Figure 1.

The first step is to determine where we are now, the second step is to work out where we want to be, and the third step is to work out how to get to where we want to be.

We now have a good idea of our current situation based on a careful analysis of the Yass Valley Settlement Strategy

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2036, the South East and Tablelands Regional Plan as well as discussions with Council, ACT and NSW Governments.

Also, through discussions with landowners in the 5KZ, Council, NSW and ACT Government we have a good idea of what is achievable and what the current small group of landowners involved so far wish to achieve.

The meeting on 24th February 2019 was our first attempt to involve all the landowners in the 5kZ. At that meeting we explained the situation as we have determined it from the documents mentioned above.

At the 31st March 2019 meeting all landowners in the 5KZ will have the opportunity to refine the vision statement and set of outcomes. That vision won't exactly meet everyone's expectations, but it will be an acceptable and achievable outcome supported by all landowners.

The third step in the process is to work out how we can get from where we are to where we want to be. That is the most difficult step in the process.

Step 3 The Strategy

We are still working on our strategy. So far, we have decided that our strategy is to

- A. Involve all landowners in the 5KZ. That is essential if we are to be able to speak as a group. We are doing that now, but more will have to be done to involve all the landowners.
- **B.** Develop a vision for the area and a set of outcomes. (see below for details of the vison).
- C. Produce an alternative settlement strategy for Yass Valley with emphasis on the 5KZ. We can't do this ourselves. It will require the services of a suitably qualified town planner.
- D. Minimize the risk of the ACT border moving north. The best way to do that might be to seek rural residential development for the 5KZ.
- E. Produce a Development Application for the whole of the 5KZ. The DA will take a holistic approach to the Yass Valley and the neighbouring ACT, with emphasis on the 5KZ. This will also require the assistance of a suitably qualified town planner.

- F. Sell the concept to the community, Council, NSW and ACT Government. We have a draft communications strategy and have been active in promoting our vision for the 5KZ. More will need to be done and we could benefit from assistance from a suitably qualified media manager.
- G. Collect data for legal challenge to the Council policy. This is our last resort, but we might have to engage a legal team to mount a class action against the Council if the Councillors are unwilling to negotiate a compromise outcome for the 5KZ. Some free informed legal advice on this issue will be most appreciated.

To do this properly we will need to pay professionals for their services. We can't do a scope of work for professional services to get quotes until we have an agreed vision for the 5KZ that is supported by all the landowners.

Is it possible to achieve our vision?

By now you are probably wondering if this is at all feasible considering the complexity and potential costs involved.

So far we have been able to get considerable publicity in the local media and we have the attention of some key stakeholders, including Council, ACT and NSW Government.

A key to getting media support is being able to speak for a large group of landowners. That is where your support comes in. We have a clear message and are working to expand our membership to include everyone in the 5KZ.

One thing is clear, we can't change the current situation by ourselves. It is going to take money and expertise that our Association does not have and is unlikely to be able to raise

However, there is another way to get the resources we need. We could consider using the partnership model used for the Parkwood development.

That model is based on the prime developer (joint venture agreement between the ACT Government and Corkhill Bros.) doing all the planning work and inviting landowners to join in the development.

The terms and conditions of the Parkwood joint development agreement and the agreement with the other landowners have not been made public, but we may be able to get enough information that we could use to fund our plans.

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What is the timescale of any development in the 5KZ?

The timing of any change to the current RU1 and 40ha minimum lot size with averaging for the 5KZ depends on a number of factors such as the demand for land created by any subdivision that might take place.

Based on the 2035 date for the Parkwood development to begin, significant demand for any further urban land in the 5KZ for example is unlikely until well after 2035.

A significant demand for rural residential land is likely to exist now, but it would take time to prepare a proper overall plan for the 5KZ and get the LEP changed to support rural residential development.

One indication of the demand for rural residential land is in the South East and Tablelands Regional Plan. The Regional Plan states that there is a demand for rural residential development close to Canberra.

Also the Queanbeyan-Palerang Regional Council recognizes this demand and has decided that land near the NSW ACT border should be used for rural residential purposes.

Rural Residential development approval could be obtained within a couple of years. The obstacle is the Yass Valley Council's "Yass centric" view of the world.

Part of our strategy for achieving our vision is to seek a change in Council attitude. We believe we have the logical arguments needed to achieve that change.

We also need a clear message. That message should state what we are trying to achieve and how we propose to do it.

Just starting the discussion on rural residential style development should have an immediate and significant improvement in the value of our land because it shows the potential of the land due to its proximity to Canberra.

A Draft 5KZ Vision

We are proposing a different future from the one stated in the Yass Valley Settlement Strategy 2036.

We need to first agree on the future we want for the 5KZ before we try and work out how to achieve it. In other words, we need a vision for the future.

After 18 months of detailed analysis and discussion among the current members of the Association we have come up

with the following vision. The structure of this vision statement and the associated outcomes discussed below is based on the vision and outcomes used in other planning documents. Unfortunately for us the Yass Valley Settlement Strategy does not mention a vision or outcomes. We aim to rectify that deficiency by basing our future on a vision statement such as the following:

By 2030:

- The 5km Transition Zone along the northern NSW ACT Border will be recognized throughout the world as a leading example of a sustainable residential peri urban area around a modern capital city.
- It will be a vibrant social and prosperous economic community in an environmentally friendly setting with easy access to the facilities of a modern dynamic city.
- It will have its own special sense of community as well as being part of its dynamic sister city.
- People will view the 5km Transition Zone as the most desirable place to live in the region.

This vision statement can be used as a starting point for the discussion of a vision at the workshop on 31st March.

Draft 5KZ Outcomes

Our vision statement outlines the end result, or what we are aiming to achieve. We also need milestones or outcomes that can be used to measure progress towards achieving that vision.

The outcomes identified so far include:

- In 2030 the 5KM ZONE will be a rural environment that provides alternative sustainable living choices and the people living there will have the resourcefulness and capacity to manage change.
- In 2030 the 5KM ZONE will be a rural residential area where everyone can take advantage of its natural beauty, open spaces, access to employment and enjoy a sense of wellbeing and participate in a vibrant community and cultural life.
- In 2030 the 5KM ZONE will be at the centre of a prosperous region that is largely self-sustainable in terms of supply of essential services (water, power,

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waste disposal) and be a desirable residential area and attractive to corporate head offices and clean industry.

- In 2030 the 5KM ZONE will be a world standard in peri urban development due to its quality of public spaces, care of the environment, sustainable self-sufficiency, its unique climate, character and identity.
- In 2030 the 5KM ZONE will be at the centre of a rural region that demonstrates what can be achieved through good stewardship of the land, its resources and the beauty of the landscape.
- In 2030 the 5KM ZONE will be a milestone in Australia's progress towards integrating residential development with the natural environment. The area will provide links and enhance the Nature Park development in the ACT.
- In 2030 the 5KM ZONE will be the most desirable place to live in the region due to its unique character built upon the quality of its social, environmental and economic benefits.

As for the vision statement, the outcomes above need to be reviewed by the landowners attending the meeting on 31st March 2019.

Constraints

Based on the vision and set of outcomes, we also identified the following constraints on any plan for the 5KZ:

- 1. Compliance with the Regional Plan
- Recognizing the importance of Canberra to the people in the 5km zone
- Planning for the whole 5KZ and integrating it with the neighbouring areas
- 4. Preserving the existing landscape
- 5. Providing extensive wildlife reserves
- 6. Making the best use of the land
- 7. Recognizing that the 5KZ is now largely rural residential
- Protecting and perhaps enhancing the opportunity for future urban outcomes
- 9. Preventing undesirable land use
- 10. Allowing landowners to sell part of their land for retirement or other purposes

11. Increasing the environmental, social and economic benefits of the area to the landowners and the broader community.

What is the best way to achieve our vision?

Based on the vision, outcomes and constraints, the group of landowners involved in the Association have concluded that the best way to achieve our vision is to seek a change to the zoning from RU1 to RU4 and reduce the minimum lot size.

RU4 rural residential zone is defined in the Yass Valley Local Environmental Plan and exists in many parts of the local government area.

Rezoning to RU4 and a reduced minimum lot size would help retain the rural landscape while improving the amenity of the area.

If planned carefully, it would not preclude future urban development, but would discourage a movement of the ACT NSW border to include the 5KZ.

To be effective and appeal to the wider community, any rural residential development would be part of an overall plan for the whole of the 5km zone and overlay a future urban development plan (as suggested by town planner Trevor Fitzpatrick).

This is not the only option, but it is the one that most agree will meet the expectations of the landowners and the broader community and be achievable.

We look forward to hearing your views about how we can achieve our vision.

The process for achieving change

We could use the process used by Parkwood developers to achieve the change of zoning and minimum lot size in the 5KZ. The process would involve two key steps

- Seeking NSW Government Gateway assessment of the proposed rural residential development
- Submitting a development application to Council to amend the Yass Valley Local Environmental Plan (LEP).

We could use that model to achieve a rural residential development.

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Is your property in the 5KZ?

The best map to find if your land is within the 5km zone is to use the distance measuring tool on the NSW Government website to measure how far it is from the border to your property. The mapping tool can be found at the following website:

https://maps.six.nsw.gov.au/

You can measure distances, land area and view overlays of terrain and boundaries on this website.

Next Meeting

The next meeting is scheduled for 2 to 5pm on Sunday 31st March at the Sutton Community Hall. The meeting will be run as a workshop and will be an opportunity for landowners in the 5km zone to review the situation and determine a course of action.

Those attending will then be asked to participate in making decisions about what we expect in the 5km zone. This will include creating small group discussions and presenting the small group's findings to the rest of the meeting.

The Workshop will be held at the Sutton Community Hall. An agenda will be published separately.

It is a member only event. See below for joining instructions.

Landowner Survey

The website contains a survey that is designed to help identify what landowners think should be done to achieve the best interests of their land. Please take the time to complete the survey. It takes about 3 minutes to answer the 10 simple questions.

The survey can be found under the heading NEWS and SURVEYS or at the address:

ccepl.com.au/surveys

We will discuss the results of the survey at the landowner meeting on 31st March 2019.

Website

More information about our Association is on our website **ccepl.com.au**. The website also contains a copy of our correspondence as well as links to newspaper articles and

documents received in communications with Council, the NSW and ACT Governments.

Please let us know if you have or see any other news reports about the 5kz that we can put on our website.

The website is designed to be a repository of relevant information for landowners in the 5KZ.

Joining the Association

Unfortunately, the Association needs money to pay for insurance and hall hire so we have to charge a small membership fee to cover costs.

We offer two types of membership, a non-voting Associate member for \$30 pa and an Ordinary or voting membership. The Ordinary or voting membership involves a joining fee of \$100 plus an annual membership fee of \$30, total \$130 in the first year.

You can join the association by filling in the attached membership application form (also on the website) and paying the fee into the Association's bank account:

Westpac

BSB 012-719

Account 622990

Don't forget to add your surname and initial in the deposit details and send an email with your name, address and class of membership to:

5kzplanninggroup@gmail.com.

Please either email, mail or bring the application form to the meeting

Summary

This is a long newsletter. However, we did want to give you as much information as we could to help you prepare for the next Landowner meeting on 31st March.

The founding members of the 5km NSW ACT Border Zone Planning Group Inc. have done the hard work to get this organization set up. It is now up to you to decide if there is a threat to your land and whether you need to join with other landowner members of the Association to find a common goal and the method of achieving that goal.

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In this Newsletter we have:

- 1. Reviewed the landowner meeting on 24th February 2019
- 2. Explained the purpose and structure of the 5km NSW ACT Border Zone Planning Group Inc.
- 3. Explained our strategy
- 4. Identified the risks to our land
- Provided an explanation of how we hope to mitigate those risks
- 6. Provided a draft vision statement,
- 7. Provided a set of outcomes
- 8. Asked you to complete a survey

9. Invited you to the next Landowner Workshop/Meeting

The workshop meeting on 31st March will be your opportunity to be involved in shaping the future of the 5km zone (including the surrounding area).

It is a member only event.

Please send an email to the Secretary to let us know if you are coming so we can make sure there is a seat for you and those who come with you.

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Membership Application Form

Please complete this form, scan and email it to the Secretary at 5kzplanninggroup@gmail.com or post it to

5KZ Secretary PO Box 7526 Sutton NSW 2620.

Please do not send cash in the mail. Please pay the membership fees into the bank account as given below and send an email telling us your name, date of deposit and amount.

Your Name		
Your email address		
Your land address in the		
5km zone		
Your mobile or home		
telephone number		
DI		
Please pay the fee into the following Westpac	Associate Membership	Ordinary Member
bank account:	No joining fee	\$100 joining fee plus
builk account.	• \$30 pa	• \$30 pa
BSB 032-719	Attend meetings	Attend meetings
Account No. 622990	No voting rights at association	
	meetings	Newsletter
Please add your last	Newsletter	
name and initial		
Would you please answer		Answer
	cerns about the Council's plan for	
your land in the 5km zone?	?	
Would you like to have the option to subdivide your land		
into small rural residential lots?		
If so, what do you think should be the minimum lot size?		

The 5km NSW ACT Border Zone Planning Group Inc. is a non-profit incorporated association registered in NSW.

The next meeting of members will be on 31st March 2019. The next Annual General Meeting will be shortly after 30 June 2019.