
6.2 PLANNING PROPOSAL - 34 ISABEL DRIVE, MURRUMBATEMAN

SUMMARY

To present a report on a draft Planning Proposal seeking an amendment *Yass Valley Local Environmental Plan 2013* to allow additional permitted uses at Shaw Vineyard, 34 Isabel Drive, Murrumbateman.

RECOMMENDATION

That:

1. *The draft Planning Proposal for 34 Isabel Drive, Murrumbateman (PP.2024-765) be endorsed.*
 2. *The draft Planning Proposal be forwarded to the Minister for Planning & Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979.*
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FINANCIAL IMPLICATIONS

The applicant has paid the appropriate fee as listed in Council's Fees and Charges for the assessment and progression of the planning proposal.

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Yass Valley Local Environmental Plan 2013*

REPORT

1. Background

Council has received a Planning Proposal seeking an amendment to the *Yass Valley Local Environmental Plan 2013 (Yass Valley LEP 2013)* by inserting an additional permitted use being 'serviced apartments' into Schedule 1 to allow the development of small-scale tourist and visitor accommodation, associated with the Shaw Winery, Cellar Door and Restaurant (including events) at 34 Isabel Drive, Murrumbateman.

2. Planning Proposal

The Planning Proposal applies to Lot 27 DP1301590, 34 Isabel Drive, Murrumbateman (refer **Attachment A**). This lot has an area of approximately 6.2ha and is the residual allotment in stage 3 of The Fields subdivision.

The site is located approximately 2.2km south west of the Murrumbateman town centre. Land immediately to the north of the site was the subject of stages 1 and 2 of The Fields subdivision.

The site is zoned R2 Low Density Residential with a minimum lot size of 6,500m². Uses permitted in this zone are as follows, with all other development prohibited:

Permitted Without Consent

Environmental Protection Works, Home-based Child Care, Home Businesses, Home Occupations

Permitted With Consent

Attached Dwellings, Bed and Breakfast Accommodation, Centre-based Child Care Facilities, Dual Occupancies, Dwelling Houses, Emergency Services Facilities, Environmental Facilities, Exhibition Homes, Group Homes, Home Industries, Oyster Aquaculture, Pond-based Aquaculture, Recreation Areas, Respite Day Care Centres, Roads, Signage, Tank-based aquaculture, Water Supply Systems.

The current use of the site (including the cellar door, winery and restaurant) was established under previous environmental planning controls where they were permissible. These uses are now

prohibited in the R2 zone. Serviced apartments are a subset of ‘tourist and visitor accommodation’ which are prohibited in the zone and under the *Yass Valley LEP 2013* is defined as ‘a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner’s or manager’s agents’.

The proposed amendment to *Yass Valley LEP 2013* will allow for the submission of a development application for serviced apartments on the site. The proposed development is described in the attached planning proposal.

3. Site Analysis

The proposed use would be consistent with the current use of the site subject to the lodgement of a development application. A preliminary site analysis has been completed indicating that there is sufficient electricity and water (drawn from tanks and existing onsite bores) available and effluent is currently disposed on site. The Land Capability Assessment prepared for The Fields subdivision indicated that the soil qualities were appropriate for onsite wastewater management. Prior to any future development of the site it would be necessary for a whole of development strategy for waste water, drainage and water supply to be developed.

A preliminary traffic impact assessment has been undertaken taking account of existing development and proposed accommodation, being 12 accommodation units. This assessment used industry standard 85th percentile occupancy rate which estimated that the afternoon peak hour traffic generation of the additional use would be approximately 4 vehicles per hour. The development overall, including existing uses, would generate 54 vehicles per hour during afternoon peak. It is anticipated that this number accounts for approximately 38% of the traffic on Isabel Drive.

4. Strategic Planning Assessment

The site contains the existing Shaw Winery and Cellar Door as well as a restaurant. The proposal is to add accommodation units increasing the attraction of the site as a destination in its own right and the Murrumbateman area overall as part of the Cool Climate Wine Region. The provision of accommodation supports the diversification of onsite offerings and supports the growth of local and regional tourism. On this basis, it is considered that the planning proposal is consistent with the following strategic documents:

- a. The *South East and Tablelands Regional Plan 2036* (Regional Plan) recognises the importance of cool climate wineries to Yass Valley, particularly as an economic driver along with the proximity to Canberra Airport offers opportunities to capitalise on tourist visitation. The proposal is consistent with Directions 5 and 9 of the Regional Plan being:

- Direction 5: Promote agricultural innovation, sustainability and value-add opportunities
- Actions: Promote commercial, tourism and recreational activities that support the agricultural sector.
- Direction 9: Grow tourism in the region

The directions recognise the value of tourism and agriculture in the economy of the region and seek to promote growth of the economy, including tourism.

- b. The *Yass Valley Local Strategic Planning Statement* recognises the importance of tourism and investment to the Yass economy in Planning Priority 6 which states “*maximise opportunities for tourism, industry and investment in the Yass Valley*”.
- c. Action EC2 2 of the *Yass Valley Community Strategic Plan 2042* states “*the local and regional tourism offering is expanded, increasing visitation opt the region*” again recognising the importance of wineries in expanding our visitation.
- d. The Murrumbateman Structure Plan recognises that wines from Murrumbateman enjoy a very high reputation and it is estimated that “*the Murrumbateman wine industry has a greater economic value and employs more persons than any other employment use in Murrumbateman. It is a key economic generator for the Village, particularly in terms of tourism*”. Despite the area

where the winery is located not being identified in the Structure Plan as future residential or rural residential, it was rezoned R2 Low Density Residential at the commencement of the YVLEP 2013. The proposal is not inconsistent with the Murrumbateman Structure Plan as it does not seek to alter the zone nor introduce tourist and visitor accommodation as a permitted use to the zone, rather the use as proposed relates only to the subject site and provides value add opportunity due to the scale and nature of the existing uses on site.

5. Conclusion

The draft Planning Proposal is consistent with the regional and local strategic planning directions for the future growth of tourism in the Yass Valley and region more widely. It is recommended that the draft Planning Proposal be endorsed and forwarded to the Minister for Planning & Public Spaces to request a Gateway determination. Council should seek delegations to make the amendment as the local plan making authority.

STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.1 - Develop sustainably, integrates environmental, social and economic factors which are in the best interests of the community and the region
Delivery Program Action	Commence review of the Local Strategic Planning Statement

- ATTACHMENTS:**
- A. Locality Plan
 - B. Draft Planning Proposal - 34 Isabel Drive, Murrumbateman