


# STATEMENT OF ENVIRONMENTAL EFFECTS

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<b>PROJECT:</b>	Development Application for the approval of a Nine (9) Lot Torrens Title Rural Residential Subdivision including New Road at Lot 4 DP1248916 14 Euralie Road, GOOD HOPE.  pursuant to the provisions within the <i>Yass Valley Local Environmental Plan 2013 (YVLEP2013)</i> and the draft <i>Yass Valley Development Control Plan 2024 (YVDCP2024)</i> .
<b>APPLICANT:</b>	NICK TOGIAS
<b>OUR REFERENCE:</b>	3332_SEE1
<b>DATE:</b>	JUNE 2024
<b>AUTHOR:</b>	RACHEL DOBERER SENIOR TOWN PLANNER
<b>SIGNATURE:</b>	



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# 1. INTRODUCTION

This Statement of Environmental Effects (**SEE**) has been prepared for *Nick Toghias* (the **Applicant**) by DPS YASS Pty Ltd. This Statement is to accompany a development application to Yass Valley Council for the approval of a Nine (9) Lot Torrens Title Residential Subdivision including new road at Lot 4 DP1248916 14 Euralie Road, GOOD HOPE.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. This report aims to assess the potential impacts and environmental effects of the proposed development of the subject site under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended).

This SEE includes a comprehensive assessment of environmental impacts of the proposal. Where potential impacts and constraints are identified, measures are proposed to mitigate any harm to the natural environment as well as the amenity of existing and future development throughout the locality.

This site is zoned C4 Environmental Living pursuant to the *Yass Valley Local Environmental Plan 2013* (YVLEP2013). The proposed development is permissible with development consent within the C4 Environmental Living zone. The proposed development formulates contextual elements derived from the existing rural residential character with respect to the immediate vicinity and is consistent with the objectives and provisions within the YVLEP2013.

The proposal is classified as local development under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and therefore will be determined by Council.

This assessment concludes that the proposal is of an appropriate scale and mass and is consistent with the character of the area. It will have no unacceptable amenity impacts upon surrounding properties nor any adverse impacts upon the natural environment. The proposal will have numerous positive social and economic impacts, and is considered in the public interest, accordingly DPS YASS Pty Ltd is supportive of the development proposal.



## 1.1 PURPOSE OF THIS REPORT

This SEE has been prepared in accordance with Schedule 1 of the *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)* for the purposes of demonstrating:

- The proposal is consistent with the controls in the YVLEP2013 and the draft YVDCP2024.
- The supporting technical studies which accompany the DA establish that the environmental impacts of the proposed concept are generally positive and where appropriate, make recommendations for the detailed design phase of the project which will provide certainty and clarity to guide the development.
- The proposed development is in the public interest and will have a range of positive social and economic benefits, namely:
  - Facilitates ecologically sustainable development of rural residential land. This is explained in more detail later in this Statement.
  - The subject site is located within the C4 Environmental Living zone of Good Hope. The vision for the expansion of Yass LGA is to create high quality and ecologically sustainable environment integrated with good accessibility and open space. This DA meets the intent of this by providing a high-quality development which will support the other uses of the area.
  - Accommodates future rural residential living opportunities in the locality of Gundaroo, within close proximity to Murrumbateman, Goulburn and Canberra.
  - The site is zoned for development purposes, and the proposed development provides for a development (rural residential) including a Nine (9) Lot Torrens Title Subdivision including New Road that is consistent with the objectives and controls contained in the YVLEP2013 and the draft YVDCP2024.
- Demonstrating that the environmental impacts of the development have been considered; and
- Outlining the steps to be undertaken to protect the environment or to mitigate against any potential harm, if necessary

This SEE describes the proposal and its environment, including a detailed description of the site and its surrounds and an assessment of the proposal against the relevant planning controls.

The SEE demonstrates that the proposed development is acceptable under Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and concludes that the proposed development should be granted approval subject to conditions.



## 1.2 TYPE OF DEVELOPMENT APPLICATION

Section 1.5 of the EP&A Act defines what constitutes 'development'.

Development is defined as the following:

- a) *The use of land*
- b) *The subdivision of land***
- c) *The erection of a building*
- d) *The carrying out of work*
- e) *The demolition of a building or work*
- f) *Any other act, matter or thing that may be controlled by an environmental planning instrument.*

The scope of the proposal is considered to be 'development' in accordance with Section 1.5 of the EP&A Act. Therefore, pursuant to Section 4.5 of the EP&A Act development consent is sought from Yass Valley Council.



## 1.3 OWNER AND APPLICANT DETAILS

### **The Applicant**

*Nick Toggias*  
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PO Box 5  
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Email: [rachel@dpsyass.com.au](mailto:rachel@dpsyass.com.au)

### **The Owner(s)**

*Nicholas Toggias*  
*Sandra Toggias*

c/- DPS Pty Ltd  
PO Box 5  
YASS NSW 2582

Contact: Rachel Doberer  
Phone: (02) 6226 3322  
Mobile: 0409 880 034  
Email: [rachel@dpsyass.com.au](mailto:rachel@dpsyass.com.au)

### **Site Address**

The subject site for this application is legally identified as Lot 4 DP1248916 14 Euralie Road, GOOD HOPE and shown in **Figures 1.1 and 1.2** (Location Map) of this Statement.





## 1.4 SITE AND LOCATION

### Site Description

The subject site is located in Good Hope, approximately 10km to Yass CBD, roughly 30km to Murrumbateman Village and approximately 70km to Canberra CBD. The subject site is located on Euralie Road and connects to Yass, Murrumbateman, Canberra and Goulburn seamlessly via Yass Valley Way, the Barton Highway and the Hume Highway, which are some of the main connecting road corridors in the area.

The subject site is made up of one lot and is zoned C4 Environmental Living in the Yass Valley LEP 2013 (YVLEP2013). It is bounded by other similar rural residential lots to the North, East, South and West. It is noted Dog Trap Creek and Reedy Creek are located on the Northern and Eastern boundary respectively.

Legal and physical access to the subject site is gained off Euralie Road. Proposed Lots 2 to 9 will obtain access via a new road off Euralie Road as per the concept Engineering Plans prepared by Genium Civil Engineering (refer **Appendix L**). Proposed Lot 1 will retain the existing access of Euralie Road.

The site is an irregular shaped parcel of land with an area of 80.36ha (refer **Figures 1.1 & 1.2**). The land is currently utilised for rural residential purposes, following this subdivision, the use is intended to remain the same.



**Figure 1.1: Location Map** (Source: Google Earth, June 2024)







**Figure 2.2: Location Map in relation to Yass Town (Source: Google Earth, June 2024)**



## **Existing Easements, Restrictions on the Use of Land and Positive Covenants**

- There are no existing Easements, Restrictions on the Use of Land or Positive Covenants registered on the subject site.

## **Proposed Easements, Restrictions on the Use of Land and Positive Covenants**

- It is proposed to create a Restriction on the Use of Land in relation to the proposed Building Envelope located on proposed Lots 2 to 9 and referenced as 'BE' and on the Proposed Plan of Subdivision (refer **Appendix A**).
- It is proposed to create a Restriction on the Use of Land on proposed Lots 2 to 9 stating *'the lot(s) hereby burdened may not be connected to the electricity grid supply'*.
- It is proposed to create a Positive Covenant over Lots 1 to 9 in relation to the implementation and maintenance of the Asset Protection Zones (APZs) as reflected in the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer **Appendix K**).



## 1.5 PROPOSED DEVELOPMENT

This report has been prepared by DPS to accompany the Development Application submission and is lodged under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* for a proposed Nine (9) Lot Torrens Title Rural Residential Subdivision including new road that is permissible with Council consent.

This SEE is to be read in conjunction with the following Plans and Specialist Reports included in the Appendix's.

- ❖ Proposed Plan of Subdivision Prepared by DPS YASS P/L reference 3332\_PPS1 dated 16 April 2024 (refer **Figure 1.3 & Appendix A**).
- ❖ Pasture Assessment Report prepared by Roger Garnsey Agronomy dated 18 March 2024 (refer **Appendix B**).
- ❖ Site & Soil Assessments for On-site Effluent Disposal for Lots 2 to 9 prepared by Land Capability Services dated May 2024 (refer **Appendix's C to J**).
- ❖ Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer **Appendix K**).
- ❖ Concept Civil Engineering Plans prepared by Genium Civil Engineering dated 14 February 2019 (refer **Appendix L**).
- ❖ Identification Survey for the Existing Dwelling House on Proposed Lot 1 prepared by DPS dated 21 May 2020 (refer **Appendix M**).
- ❖ AHIMS Basic and Extensive Search Results and Due Diligence Procedure (refer **Appendix N**).
- ❖ Certificate of Title and Deposited Plan for Lot 4 DP1248916 (refer **Appendix O**).

The purpose of this report is to consider the site characteristics and the anticipated impacts of the proposed development providing an assessment in accordance with the matters for consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act). Specifically, the SEE includes the following information:

- Description of the site in its local context
- Identifies any proposed works
- Identifies and addresses relevant policies
- Assessment against relevant Council plans and policies
- Assess of potential environmental impacts and identification of mitigation measures

The subject site has a total area of 80.36ha of land with an existing Dwelling House and Ancillary Structures. The proposed development application has been prepared to take into consideration the future use of the site and aims to improve the functionality of the site.

The proposed subdivision and associated works are not anticipated to have any adverse impacts on the surrounding amenity of adjoining lots or the nearby waterways. It is expected that any associated subdivision works for the proposed development will have potentially a minor impact on the location whilst under construction.

However, it is understood as part of the development assessment process that correspondence with neighbours regarding the proposed development along with any potential impact on their visual amenity may be undertaken to Councils discretion.



This DA is considered 'Integrated Development' pursuant to Section 4.46 of the EP&A Act. It is noted the proposed development is situated on land mapped as bushfire prone land (**BFPL**). As such, the specific objectives required for the proposed development are detailed in Chapter 5 – Residential and Rural Residential Subdivision of Planning for Bushfire Protection 2019 (**PBP**) and include:

- Minimised perimeters of the subdivision exposed to the bushfire hazard;
- Minimise vegetated corridors that permit the passage of bushfire towards buildings;
- Provide for the siting of future dwellings away from ridge-tops and steep slopes, within saddles and narrow ridge crests;
- Ensure that APZs between a bushfire hazard and future dwellings are effectively designed to address the relevant bushfire attack mechanisms;
- Ensure the ongoing maintenance of APZs;
- Provide adequate access from all properties to the wider road network for residents and emergency services;
- Provide access to hazard vegetation to facilitate bushfire mitigation works and fire suppression; and
- Ensure the provision of an adequate supply of water and other services to facilitate effective firefighting.

To support the proposed subdivision, a Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer **Appendix K**) is included with this application and concludes the following recommendations demonstrate an acceptable performance-based solution that is consistent with the NSW RFS PBP (2019):

*The purposes of this report are to:*

- *Determine the bushfire threat to the proposed development,*
- *Demonstrate to the "Consent Authority" that the development proposal meets the specific objectives of PBP (2019) for subdivisions and*
- *Support the development application by showing that the site is suitable for development given the bushfire threat.*

*The proposed subdivision has been assessed and found capable of the following:*

- *APZs can provide sufficient space and reduced fuel loads to ensure radiant heat levels at the building will not exceed 29kW/m<sup>2</sup>.*
- *Landscaping can be managed to minimise flame contact, reduce radiant heat levels, minimise embers and reduce the effect of smoke on residents and firefighters.*
- *Safe operational access can be provided to structures and water supplies for emergency services, while providing for evacuating residents and suitable access is provided for fire management and APZ management purposes.*
- *Providing water for the protection of buildings during and after the passage of a bush fire, gas and electricity located so as not to contribute to the risk of fire to a building.*

*The scope of this report is defined by the specific objectives and performance requirements for residential and rural residential subdivisions set out in Chapter 5 of PBP (2019).*





*The following six bushfire protection measures will be assessed to determine the suitability of the development proposal:*

- 1. Asset Protection Zones (APZs),*
  - 2. Landscaping*
  - 3. Building Construction and Design,*
  - 4. Access,*
  - 5. Water supplies and utilities (Services) and*
  - 6. Emergency Management Arrangements*
- 
- ❖ This Report establishes the level of bushfire threat to the proposed development and examines the PBP (2019) six bushfire protection measures for the future dwellings on Lots 2-9.*
  - ❖ A performance-based design for access will satisfy the performance criteria and intent for access arrangements set out in PBP (2019).*
  - ❖ Asset protection zones (APZ) have been designed to fit within the building envelopes to reduce the impact on flora and fauna.*
  - ❖ Lots 2-9 will require their own firefighting water supply to serve the future dwelling at the development time.*
  - ❖ Based on the bushfire assessment and the recommendations contained in this report, the proposed development is deemed to comply with the specific and broad objectives of PBP (2019), the requirements of the Rural Fire regulations (2022) and, therefore, suitable for submission to the NSW RFS for the issuing of a bush fire safety authority.*

Further discussion regarding Integrated Development matters is provided later in this Statement.

This development application (DA) is not considered as 'Designated Development', 'Regionally Significant Development' or 'State Significant Development' pursuant to the EP&A Act or EP&A Regulation.

The subject site is mapped on the:

- Lot Size Map within the YVLEP2013
- Land Zoning Map within the YVLEP2013
- Biodiversity Values Map (Non-EPI) within the YVLEP2013
- Terrestrial Biodiversity within the YVLEP2013
- Dryland Salinity Map within the YVLEP2013
- Bushfire Prone Land (Non-EPI) within the YVLEP2013
- Riparian Lands and Watercourses Map within the YVLEP2013
- Natural Resources – Groundwater Vulnerability Map within the YVLEP2013

However, as a result of this investigation it has been determined that any minor environmental impacts associated with the future operation of the subject site can be mitigated. It is concluded that the proposed development of the site is appropriate and permissible with development consent. Further discussion regarding this mapping is provided later in this Statement.



The proposed subdivision has been designed to take into consideration the specific site characteristics, the existing access and fencing, The proposal retains the character of the existing and surrounding properties, in turn maximising the potential use of the site whilst also being mindful of any existing constraints.

This report concludes that the proposed development indicates a positive contribution to the Good Hope locality, is consistent with the strategic planning for the area and the relevant planning legislation and policies. It is expected that any minor environmental impacts associated with the future operation of the development can be mitigated. As a result of this investigation, it is concluded that the proposed development of the site is permissible with conditional consent.



## 1.6 PROPOSED WORKS

This DA seeks to facilitate the development of the subject site for the purpose of domestic rural residential use, specifically the application seeks development consent for a subdivision creating nine (9) Torrens Title Rural Residential Lots as indicated on the Proposed Plan of Subdivision (refer **Figure 1.3 & Appendix A**).

During construction and on-going use of the site, the appropriate sediment and erosion control measures will be implemented and maintained by the applicant's contractors. The proposed works will generally consist of site re-grading to establish the desired levels for the proposed civil works.

In detail, this development application seeks approval for:

- The subdivision of the subject site into nine (9) Torrens Title Rural Residential Lots (refer **Appendix A**),
- The construction of the new internal access road (refer **Appendix L**).
- Internal Fencing

on Lot 4 DP1248916 as per the Proposed Plan of Subdivision. Each of these components of the proposed development is described in more detail below.

The proposed development has been designed to tie in with adjoining existing and future land uses, existing lot boundary and visual amenity. It is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have minimal adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.

### **Civil Works**

As part of the delivery of the proposed development, an element of bulk earthworks will be required in order to establish the right levels for the proposed new road. The extent of cut and fill on the subject lot has been minimised as much as practicable through careful design of the vertical and horizontal geometry of the lot. This strategy has been proposed to minimise the impact on surrounding neighbours and the public road network.

It is anticipated that given the purpose, nature and extent of excavation, that conventional methods of ancillary earthworks are able to be employed and that subject to the design of the works there will be minimal adverse impacts to the drainage, flooding or to adjoining properties.

During construction and ongoing use of the site, the appropriate sediment and erosion control measures will be implemented and maintained by the applicant's awarded contractors. These measures are intended to be a minimum treatment only as the contractor will be required to modify and stage the erosion and sediment control measures to suit the construction program, sequencing and techniques/ These measures are detailed further in this Statement.

The proposed subdivision has been prepared to meet the specific criteria that allows it to be classified as Ecologically Sustainability Development, this is explained in more detail below.





## **Ecological Sustainable Development**

The original concept of sustainable development articulated in *Our Common Future* is of ‘development that meets the needs of the present without compromising the ability of future generations to meet their own needs’.

In Australia, the adjective ‘sustainable’ is qualified by the word ‘ecologically’ to emphasise the necessary integration of economy and environment.

Ecologically Sustainable Development (ESD) involves a cluster of elements or principles. The following six (6) are worth highlighting:

1. Principle of sustainable use
2. Principle of integration
3. Precautionary principle
4. Inter-generational and inter-generational equity
5. Conservation of biodiversity diversity and ecological integrity
6. Internalisation of external environmental costs.

The concept of sustainability applies not merely to development but to the environment.

The Australian National Strategy for Ecologically Sustainable Development defines ESD as ‘development that improves the total quality of life both now and in the future, in a way that maintains the ecological processes on which life depends’.

ESD requires the effective integration of economic and environmental considerations in the decision-making process.

The principle of integration ensures mutual respect and reciprocity between the economic and environmental considerations. Specifically, the following points need to be taken into consideration when assessing a development application:

- Environmental considerations are to be integrated into economic and other development plans, programs and projects, and
- Development needs are to be taken into account when applying environmental objectives.

ESD mandates that the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making including in the formulation, adoption and implementation of any economic and other development plan, program or project.

Although it could be argued ESD lacks a precise accepted definition, it is generally recognised as an important concept as it ensures environmental factors and future generations are considered in assessing current development applications.

The proposed development for a nine (9) Lot Torrens Title Rural Residential Subdivision can be categorized as an ESD as depicted in this Statement as it a development that meets the needs of the present generation whilst not compromising the ability of future generations to also meet their needs.





Figure 1.3: Proposed Plan of Subdivision (Source: DPS YASS P/L, June 2024)

## **2. ASSESSMENT**

The statutory process under the Environmental Planning and Assess Act 1979 requires an evaluation in accordance with the provisions of Section 4.15. The matters for consideration include:

The provisions of:

- ❖ Any environmental planning instrument,
- ❖ Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved),
- ❖ Any development control plan,
- ❖ Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4,
- ❖ The regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,
- ❖ The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality,
- ❖ The suitability of the site for the development,
- ❖ Any submission made in accordance with this Act or the regulations; and
- ❖ The public interest

This section of the SEE assesses the proposed development against the planning framework and planning controls applicable to the site and the development, including:

- Threatened Species and Biodiversity Impacts (Section 1.7 of the EP&A Act)
- Integrated Development Matters (Section 4.46 of the EP& A Act)
- Bushfire Prone Land (Section 4.14 of the EP&A Act), and
- Matters for consideration relating to Development Applications (Section 4.15 of the EP&A Act)



## 2.1 ENVIRONMENTAL PLANNING INSTRUMENTS

### Yass Valley Local Environmental Plan 2013

The Yass Valley Local Environmental Plan 2013 (YVLEP2013) is the statutory framework regulating land uses within the Yass Valley LGA and the development of the site. The site is zoned C4 Environmental Living (refer **Figure 2.2**).

This development involves the subdivision of the subject lot into Nine (9) Torrens Title Rural Residential Lots that is permissible with conditional consent pursuant to clause(s) 2.1 and 2.6 of the YVLEP2013 within the C4 Environmental Living zone. An assessment against the relevant Planning Legislation is tabulated below.

**TABLE 1 - AIMS OF THE YVLEP 2013**

AIMS OF THE YVLEP 2013	COMPLIANCE
<i>(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,</i>	Not applicable. The proposed development is for the subdivision of land only.
<i>(a) to establish planning controls that promote sustainable development,</i>	<p>Consistent. The proposed development has been prepared in accordance with the relevant legislation and has consciously been prepared to promote ecological sustainable development, as indicated earlier in this Statement.</p> <p>The proposed development is actively utilising the principles behind ESD as it is a development that meets the needs of the present generation whilst not compromising the ability of future generations to also meet their needs.</p>
<i>(b) to protect high quality agricultural land and encourage emerging agricultural industries,</i>	Not applicable. The subject site is not classified as high-quality agricultural land.
<i>(c) to encourage housing diversity,</i>	<p>Consistent. The proposed subdivision will provide for the opportunity for an appropriate variety of housing type(s) and densities.</p> <p>Housing diversity is defined as ‘a diversity of housing types to help cater to the housing needs of people at different stages of their lives’. By creating additional manageable rural lots, housing density will slightly increase without any adverse impacts on its context or overall desired outcome.</p>



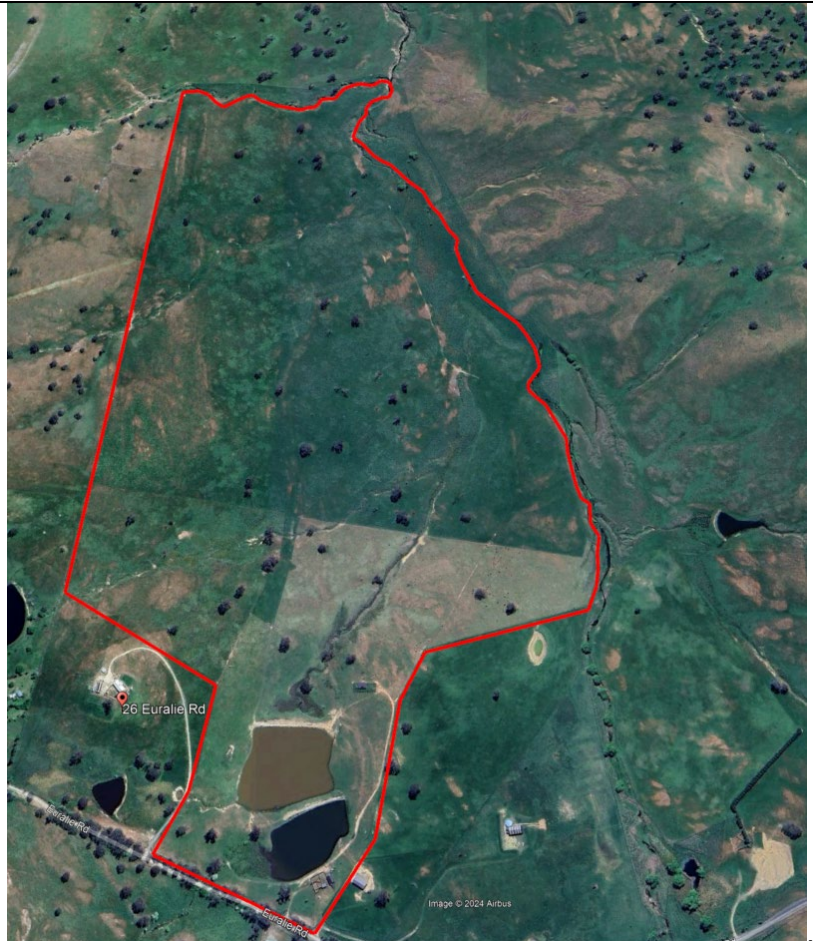


<i>(d) to promote employment-generating tourism,</i>	Not applicable. The proposed development is for the subdivision of rural residential land only.																				
<i>(e) to provide for commercial and industrial development,</i>	Not applicable. The proposed development is for the subdivision of rural residential land only.																				
<i>(f) to encourage the establishment of retail and professional services in urban locations,</i>	Not applicable. The proposed development is for the subdivision of rural residential land only.																				
<i>(g) to protect and enhance the character of each of the villages in Yass Valley,</i>	Not applicable. The proposed development is not located within one of the villages within Yass Valley LGA.																				
<i>(h) to enhance service provision in each of the villages in Yass Valley,</i>	Not applicable. The proposed development is not located within one of the villages within Yass Valley LGA.																				
<i>(i) to protect and conserve the cultural heritage and history of Yass Valley,</i>	<p>Consistent. The land is not identified as a heritage item in the YVLEP2013 to which this land relates. Within the LEP, a review of the heritage items reveals that adjoining allotments are not classed as items of heritage value.</p> <p>Therefore, it is considered that the proposal will not impact on any adjoining heritage items.</p> <p>According to the Office of Environment and Heritage website, there is no identified aboriginal relics or aboriginal heritage items located on the property. There are however three Potential Archaeological Deposits (PAD) to the north of the site on the adjoining lot.</p> <p>Further investigation of the potential PADs via an Extensive AHIMS Search revealed the following:</p> <table border="1" data-bbox="651 1462 1492 1935"> <thead> <tr> <th>SITE ID</th> <th>SITE NAME</th> <th>CONTEXT</th> <th>SITE STATUS</th> <th>SITE FEATURES</th> </tr> </thead> <tbody> <tr> <td>51-4-0262</td> <td>TP-PAD9</td> <td>Open Site</td> <td>Valid</td> <td>Potential Archaeological Deposit (PAD)</td> </tr> <tr> <td>51-4-0271</td> <td>TP-1F21</td> <td>Open Site</td> <td>Valid</td> <td>Artefact: 1, Potential Archaeological Deposit (PAD)</td> </tr> <tr> <td>51-4-0247</td> <td>TP-AS8</td> <td>Open Site</td> <td>Valid</td> <td>Artefact: 1, Potential Archaeological Deposit (PAD)</td> </tr> </tbody> </table>	SITE ID	SITE NAME	CONTEXT	SITE STATUS	SITE FEATURES	51-4-0262	TP-PAD9	Open Site	Valid	Potential Archaeological Deposit (PAD)	51-4-0271	TP-1F21	Open Site	Valid	Artefact: 1, Potential Archaeological Deposit (PAD)	51-4-0247	TP-AS8	Open Site	Valid	Artefact: 1, Potential Archaeological Deposit (PAD)
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	<p>It is noted these items are clearly marked on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>If any items are found during construction, construction works shall cease, and the Department shall be notified.</p> <p>As the development is not listed as a heritage item, no specific heritage study is required to be submitted as part off this development application.</p>
<p><i>(j) to protect and enhance the environmental and biodiversity values of Yass Valley,</i></p>	<p>Consistent. As indicated on Council's LEP Terrestrial Biodiversity Map there are no areas within the subject site that have been identified/ mapped as having biodiversity concerns.</p> <p>The proposed building envelopes will occupy cleared sections of the subject site which is relatively void of significant vegetation (refer <b>Figure 2.1</b>). The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land.</p> <p>Additionally, it is noted the biodiversity on the subject site is primarily exotic/ introduced species as indicated in the Pasture Assessment Report prepared by Roger Garnsey Agronomy (refer <b>Appendix B</b>) which states:</p> <p><i>I have conducted an assessment of the pasture species composition as follows in accordance with instructions from Diverse Project Solutions:</i></p> <ol style="list-style-type: none"> <li>1. <i>Prepare a Pasture Assessment Report to accompany a development application for a nine (9) lot subdivision at Euralie Road, YASS, noting the extent of your report will need to include each of the :</i> <ul style="list-style-type: none"> <li>• <i>Nine (9) subdivision lots;</i></li> <li>• <i>Eight (8) Building Envelopes (one existing building exists on Lot 1);</i></li> <li>• <i>Eight (8) Accompanying Access Tracks.</i></li> </ul> </li> </ol> <p><i>Each assessment involved recording the relative amount of exotic &amp; native species at 10 random samples across each of the blocks using a 40cm x 40cm quadrat. This has been tabulated overleaf and shows that each of these areas is dominated by exotic/ introduced pasture species, with a minor component of native perennial grasses/ legumes.</i></p>





**Figure 2.1: Current Aerial Imagery** (Source: Google Earth, June 2024)

Specifically, any potential exotic biodiversity removal is limited to:

- The proposed new road
- The proposed building envelopes. this includes the implementation and maintenance of the Asset Protection Zones (APZs) as per the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer **Appendix K**).
- The proposed/ future access tracks; and
- The new internal fencing.

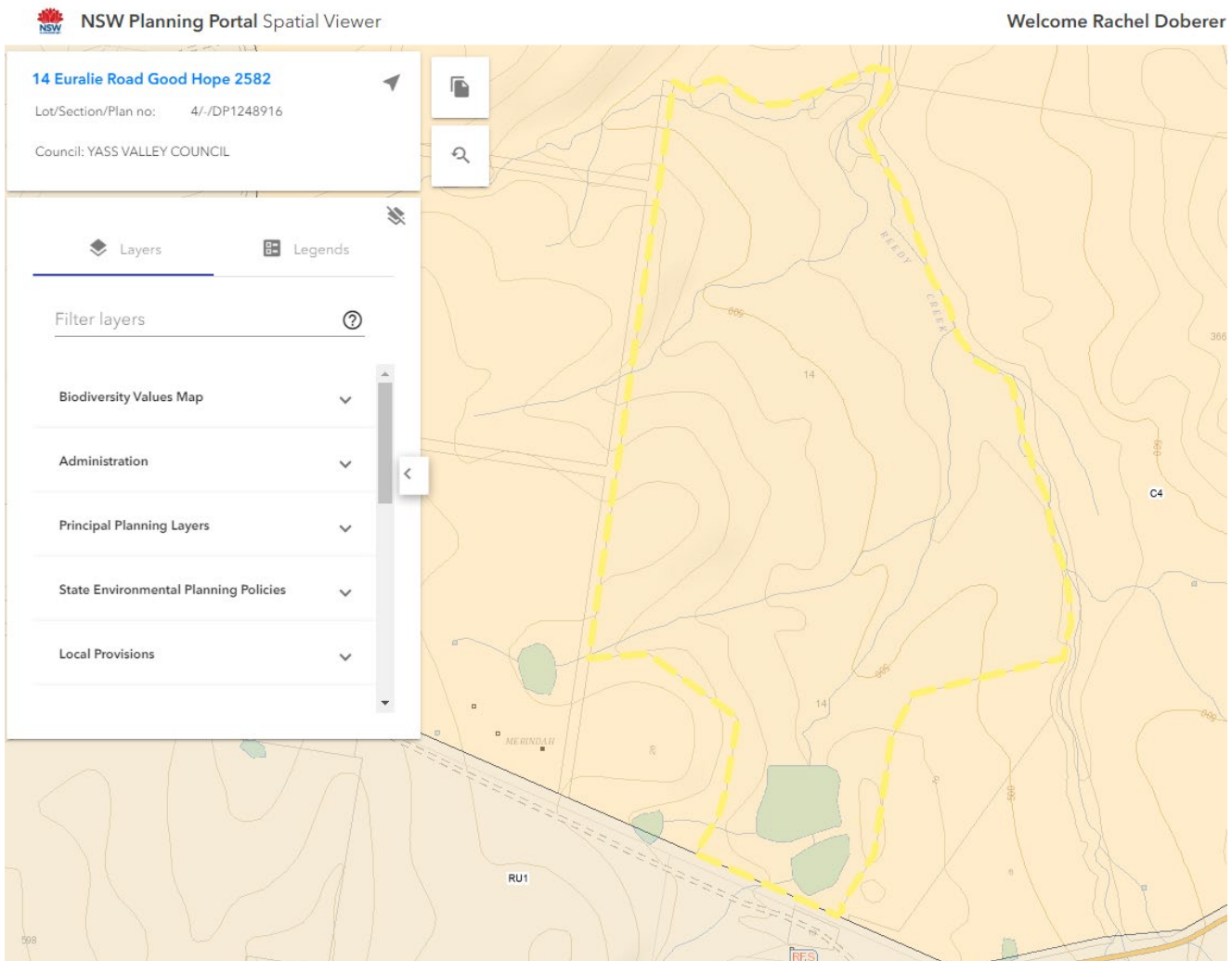
The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.

It is expected the proposed development will encourage the introduction of further vegetation to assist with privacy screening and to create a more appealing visual amenity.

Further to that and during the construction phase of the proposed development, to ensure there are no adverse environmental impacts, the installation of erosion and sediment



	<p>controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.</p> <p>It is noted there is no potential clearing of remnant trees within the areas listed above, therefore demonstrating the proposed development is actively protecting and enhancing the environmental and biodiversity values of Yass Valley.</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP and other Government agencies, has minor and manageable environmental impacts and is compatible with the existing and desired local area character.</p>
<p>(k) to minimise land use conflicts.</p>	<p>Consistent. The zoning of the proposed development is consistent with surrounding development, which in turn minimises the potential for land use conflicts.</p>



**Figure 2.2: Land Zoning Map** (Source: NSW Government Planning Portal Spatial Viewer, June 2024)





## TABLE 2 - OBJECTIVES OF THE C4 ENVIRONMENTAL ZONE

The subject site is zoned C4 Environmental Living (refer **Figure 2.2**). The following table demonstrates that the proposed nine (9) Lot Torrens Title Subdivision is consistent with the objectives of the zone.

OBJECTIVES OF C4 ENVIRONMENTAL LIVING ZONE – YVLEP2013	COMPLIANCE
<p><i>To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.</i></p>	<p>Consistent. The proposal is found to be consistent with the C4 Environmental Living land use objectives providing for a low-impact residential development and is permitted within the zone with conditional consent. The proposed development is sympathetic with the surrounding amenity of the area, considers the opportunities and constraints of the site including all relevant legislation and is therefore considered worthy of Councils support.</p> <p>The proposed development provides an appropriate planning outcome for the subject land that takes into consideration the ecological impacts, aesthetic value of the land and the surrounding land uses. The proposed development is situated on land free of any major constraints, other than being mapped as Bushfire Prone Land (<b>BFPL</b>), this is discussed in more detail later in this statement.</p> <p>It is considered the proposed development is consistent with the aims and objectives of the relevant planning instruments, is compatible with and responds positively to the site-specific conditions.</p> <p>No significant or threatened ecological species or vegetation exists on the subject site. The proposed DA has been prepared in respect to the biodiversity of the site, onsite wastewater reports, bushfire assessment, natural topography, vista's, amenities, buffer zones and accessibility.</p> <p>These factors have determined that there is sufficient land available on each proposed lot for the construction of a future dwelling house/ dual occupancy and associated infrastructure with no adverse effects to be felt on the biodiversity of the site</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP, has minor environmental impacts that are manageable and compatible with the existing and desired local area character.</p>



<p><i>To ensure that residential development does not have an adverse effect on those values.</i></p>	<p>Consistent. The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function and composition of the land.</p> <p>Further to that and during the construction phase of the proposed development to ensure there are no adverse environmental impacts, including the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.</p> <p>The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP and other Government agencies, has minor and manageable environmental impacts and is compatible with the existing and desired local area character.</p>
<p><i>To ensure that development is provided with an adequate water supply and the disposal of effluent.</i></p>	<p>Consistent. The proposed development will be serviced by rainwater tanks and onsite wastewater treatment systems upon the construction of a dwelling house.</p> <p>Site &amp; Soil Assessments for On-site Effluent Disposal for Lots 2 to 9 have been prepared by Land Capability Services dated May 2024 (refer <b>Appendix's C to J</b>) confirming each lot has adequate area within each proposed building envelope for effluent disposal.</p>



### TABLE 3 - OBJECTIVES OF CLAUSE 4.1 – MINIMUM SUBDIVISION LOT SIZE

The subject site has a minimum lot size of 8ha (refer **Figure 2.3**). The following table demonstrates that the proposed nine (9) Lot Torrens Title Subdivision is consistent with the objectives of Clause 4.1 – Minimum Subdivision Lot Size.

OBJECTIVES OF CLAUSE 4.1 – MINIMUM SUBDIVISION LOT SIZE	COMPLIANCE
<p>(1) <i>The objectives of this clause are to facilitate alternative subdivision controls that—</i></p> <p>(a) <i>to minimise the likely impact of subdivision on the amenity of neighbouring properties,</i></p>	<p>Complies. The proposed Nine (9) Lot Torrens Title Rural Residential Subdivision minimises any likely impact on the amenity of neighbouring properties by adopting the existing fencing, it will not generate any unacceptable adverse environmental impacts in respect of overshadowing, view loss or privacy impacts.</p> <p>It is noted the proposed development is located in a good location, not far from the periphery of Yass Town. The proposed subdivision layout responds to the characteristics of the site as demonstrate on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>It is demonstrated the proposal will not result in any adverse environmental impacts notwithstanding being located on BFPL. The proposed development has been designed to take into account the existing land uses and has been able to retain efficient and productive-sized allotments, maintaining the opportunity for sustainable rural residential development.</p> <p>The proposed nine (9) lot subdivision has taken a holistic and sustainable approach to the development with the intention of creating a development that offers productive sized lots delivering a better environmental planning outcome for Good Hope and Yass Valley LGA as a whole.</p> <p>The proposed subdivision will not impact on either the built or natural environment in any substantial way. In this regard:</p> <ul style="list-style-type: none"> <li>❖ It will not result in any substantial changes to the established streetscape qualities of the area;</li> <li>❖ The act of subdividing will not directly impact on neighbouring properties. It is determined a future dwelling house will have good separation distances to adjoining dwellings.</li> <li>❖ The act of subdividing will not result in any substantial changes to traffic volumes in the locality.</li> <li>❖ Subdividing the site will not necessitate the removal of any existing important vegetation.</li> </ul>



	<p>By integrating the relevant economic, environmental, and social considerations the proposed subdivision is actively promoting ecological sustainable development as specified earlier in this Statement.</p>																														
<p><i>(b) to ensure that lot sizes and dimensions have appropriate regard to the characteristics of the land, the rural environment, the protection of biodiversity, significant geological and natural resources, the heritage and the built form of Yass Valley,</i></p>	<p>Complies. The proposed nine (9) lot Torrens Title Rural Residential subdivision is seeking Council consent for the creation of nine lots, the detail of which is tabulated below and illustrated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <table border="1" data-bbox="667 584 1490 1182"> <thead> <tr> <th>LOT NUMBER</th> <th>LOT SIZE (ha)</th> <th>COMPLIES WITH MLS</th> </tr> </thead> <tbody> <tr> <td>Proposed Lot 1</td> <td>10.65</td> <td>Yes</td> </tr> <tr> <td>Proposed Lot 2</td> <td>8.0</td> <td>Yes</td> </tr> <tr> <td>Proposed Lot 3</td> <td>8.0</td> <td>Yes</td> </tr> <tr> <td>Proposed Lot 4</td> <td>8.0</td> <td>Yes</td> </tr> <tr> <td>Proposed Lot 5</td> <td>8.39</td> <td>Yes</td> </tr> <tr> <td>Proposed Lot 6</td> <td>8.31</td> <td>Yes</td> </tr> <tr> <td>Proposed Lot 7</td> <td>8.0</td> <td>Yes</td> </tr> <tr> <td>Proposed Lot 8</td> <td>8.0</td> <td>Yes</td> </tr> <tr> <td>Proposed Lot 9</td> <td>8.0</td> <td>Yes</td> </tr> </tbody> </table> <p>The proposed subdivision is consistent with the aims and objectives of the YVLEP2013. The proposal will facilitate development in accordance the plan and will deliver allotments that can facilitate a variety of housing products to provide variety in the market and attract buyers at different price points in the market.</p> <p>It is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have no adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.</p>	LOT NUMBER	LOT SIZE (ha)	COMPLIES WITH MLS	Proposed Lot 1	10.65	Yes	Proposed Lot 2	8.0	Yes	Proposed Lot 3	8.0	Yes	Proposed Lot 4	8.0	Yes	Proposed Lot 5	8.39	Yes	Proposed Lot 6	8.31	Yes	Proposed Lot 7	8.0	Yes	Proposed Lot 8	8.0	Yes	Proposed Lot 9	8.0	Yes
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Proposed Lot 9	8.0	Yes																													
<p><i>(c) to ensure that subdivision reflects and reinforces the predominant subdivision patterns of neighbouring properties and surrounds,</i></p>	<p>Complies. The proposal has been prepared to ensure that the design reflects and reinforces the neighbouring subdivision patterns, preserving the character of Yass Valley.</p> <p>It is anticipated that the proposed nine (9) lot Torrens Title subdivision will have a positive impact on the surrounding landscape of the subject site.</p>																														



<p><i>(d) to maintain the character of Yass Valley,</i></p>	<p>Complies. Local character is what makes a place or area distinctive or unique. Local character is the combination of multiple factors, which relate to the area’s history, built form, public and private spaces, community values and how they connect to a place.</p> <p>The proposed subdivision responds to the character of the area and is consistent with the relevant planning controls that are identified later in this Statement.</p> <p>The proposal has taken into consideration the location, type and intensity of development whilst also having regard to the characteristics of the land and the surrounding environment, in turn actively maintaining the character of Yass Valley.</p>
<p><i>(e) to ensure subdivision occurs in a planned and sustainable way,</i></p>	<p>Complies. The subdivision has been designed to have regard to the existing land uses and has been able to retain efficient and productive sized allotments, maintain the opportunity for sustainable residential development.</p> <p>The subject site is within an established residential area comprising a range of lot sizes, many of similar sizes to the proposed lots. The subject land is subject to development and use of vacant land to assist with the number of available housing stock.</p> <p>The proposal is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have minimal adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.</p>
<p><i>(f) to ensure subdivision does not create unreasonable or uneconomic demands for the provision or extension of services,</i></p>	<p>Complies. The proposed nine (9) lot Torrens Title subdivision will not create unreasonable or uneconomic demands for the provision of services.</p> <p>The proposed development will be serviced by rainwater tanks and onsite wastewater treatment systems upon the construction of a dwelling house.</p> <p>The proposed Lots will not be connected to the power grid supply, it is expected each lot will be serviced by individual off-site solar and battery systems, therefore creating no additional demand to the existing power grid supply.</p>
<p><i>(g) to prevent the subdivision of land on the fringe of urban areas into small lots that may negatively influence the layout of future urban areas.</i></p>	<p>Not applicable. The subject lot is located within an existing semi-rural area that is not in a position to negatively influence the layout of future urban areas within Yass Town.</p>





Figure 2.3: Lot Size Map (Source: NSW Government Planning Portal Spatial Viewer, June 2024)



## TABLE 4 – RELEVANT PLANNING CONTROLS

The following table demonstrates the proposed subdivision is compliant with the relevant planning considerations within the YVLEP2013.

PLANNING CONTROLS	COMPLIANCE																														
<i>Clause 2.1 Land Use zones</i>	Complies. The subject site is zoned C4 Environmental Living. The subdivision of land within this zone is permissible with development consent.																														
<i>Clause 2.6 Subdivision – consent requirements</i>	Complies. The subdivision of land is permissible with development consent within the C4 Environmental Living zone to which the subject land relates.																														
<i>Clause 4.1 Minimum Subdivision Lot Size</i>	<p>Complies. The proposed nine (9) lot Torrens Title Rural Residential subdivision is seeking Council consent for the creation of nine lots, the detail of which is tabulated below and illustrated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <table border="1" data-bbox="611 1037 1437 1637"> <thead> <tr> <th data-bbox="611 1037 887 1122">LOT NUMBER</th> <th data-bbox="887 1037 1161 1122">LOT SIZE (ha)</th> <th data-bbox="1161 1037 1437 1122">COMPLIES WITH MLS</th> </tr> </thead> <tbody> <tr> <td data-bbox="611 1122 887 1178">Proposed Lot 1</td> <td data-bbox="887 1122 1161 1178">10.65</td> <td data-bbox="1161 1122 1437 1178">Yes</td> </tr> <tr> <td data-bbox="611 1178 887 1234">Proposed Lot 2</td> <td data-bbox="887 1178 1161 1234">8.0</td> <td data-bbox="1161 1178 1437 1234">Yes</td> </tr> <tr> <td data-bbox="611 1234 887 1290">Proposed Lot 3</td> <td data-bbox="887 1234 1161 1290">8.0</td> <td data-bbox="1161 1234 1437 1290">Yes</td> </tr> <tr> <td data-bbox="611 1290 887 1346">Proposed Lot 4</td> <td data-bbox="887 1290 1161 1346">8.0</td> <td data-bbox="1161 1290 1437 1346">Yes</td> </tr> <tr> <td data-bbox="611 1346 887 1402">Proposed Lot 5</td> <td data-bbox="887 1346 1161 1402">8.39</td> <td data-bbox="1161 1346 1437 1402">Yes</td> </tr> <tr> <td data-bbox="611 1402 887 1458">Proposed Lot 6</td> <td data-bbox="887 1402 1161 1458">8.31</td> <td data-bbox="1161 1402 1437 1458">Yes</td> </tr> <tr> <td data-bbox="611 1458 887 1514">Proposed Lot 7</td> <td data-bbox="887 1458 1161 1514">8.0</td> <td data-bbox="1161 1458 1437 1514">Yes</td> </tr> <tr> <td data-bbox="611 1514 887 1570">Proposed Lot 8</td> <td data-bbox="887 1514 1161 1570">8.0</td> <td data-bbox="1161 1514 1437 1570">Yes</td> </tr> <tr> <td data-bbox="611 1570 887 1637">Proposed Lot 9</td> <td data-bbox="887 1570 1161 1637">8.0</td> <td data-bbox="1161 1570 1437 1637">Yes</td> </tr> </tbody> </table> <p>The subdivision has been designed to take into account the existing land uses and has been able to retain efficient and productive sized allotments, maintaining the opportunity for sustainable rural residential development.</p> <p>The proposal has been prepared to ensure that the design reflects and reinforces the neighbouring subdivision patterns, preserving the character of Yass Valley</p>	LOT NUMBER	LOT SIZE (ha)	COMPLIES WITH MLS	Proposed Lot 1	10.65	Yes	Proposed Lot 2	8.0	Yes	Proposed Lot 3	8.0	Yes	Proposed Lot 4	8.0	Yes	Proposed Lot 5	8.39	Yes	Proposed Lot 6	8.31	Yes	Proposed Lot 7	8.0	Yes	Proposed Lot 8	8.0	Yes	Proposed Lot 9	8.0	Yes
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<i>Clause 4.3 Height of buildings</i>	Not applicable. The subject site is not identified on the Height of Buildings Map within the YVLEP2013.																				
<i>Clause 4.4 Floor space ratio</i>	Not applicable. The subject site is not identified on the Floor Space Ratio Map within the YVLEP2013.																				
<i>Clause 4.6 Exceptions to development standards</i>	Not applicable. The proposed development is not proposing a variation to the YVLEP2013.																				
<i>Clause 5.10 Heritage conservation</i>	<p>Consistent. The land is not identified as a heritage item in the YVLEP2013 to which this land relates. Within the LEP, a review of the heritage items reveals that adjoining allotments are not classed as items of heritage value.</p> <p>Therefore, it is considered that the proposal will not impact on any adjoining heritage items.</p> <p>According to the Office of Environment and Heritage website, there is no identified aboriginal relics or aboriginal heritage items located on the property. There are however three Potential Archaeological Deposits (PAD) to the north of the site on the adjoining lot.</p> <p>Further investigation of the potential PADs via an Extensive AHIMS Search revealed the following (refer <b>Appendix N</b>):</p> <table border="1"> <thead> <tr> <th>SITE ID</th> <th>SITE NAME</th> <th>CONTEXT</th> <th>SITE STATUS</th> <th>SITE FEATURES</th> </tr> </thead> <tbody> <tr> <td>51-4-0262</td> <td>TP-PAD9</td> <td>Open Site</td> <td>Valid</td> <td>Potential Archaeological Deposit (PAD)</td> </tr> <tr> <td>51-4-0271</td> <td>TP-1F21</td> <td>Open Site</td> <td>Valid</td> <td>Artefact: 1, Potential Archaeological Deposit (PAD)</td> </tr> <tr> <td>51-4-0247</td> <td>TP-AS8</td> <td>Open Site</td> <td>Valid</td> <td>Artefact: 1, Potential Archaeological Deposit (PAD)</td> </tr> </tbody> </table> <p>It is noted these items are clearly marked on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p>	SITE ID	SITE NAME	CONTEXT	SITE STATUS	SITE FEATURES	51-4-0262	TP-PAD9	Open Site	Valid	Potential Archaeological Deposit (PAD)	51-4-0271	TP-1F21	Open Site	Valid	Artefact: 1, Potential Archaeological Deposit (PAD)	51-4-0247	TP-AS8	Open Site	Valid	Artefact: 1, Potential Archaeological Deposit (PAD)
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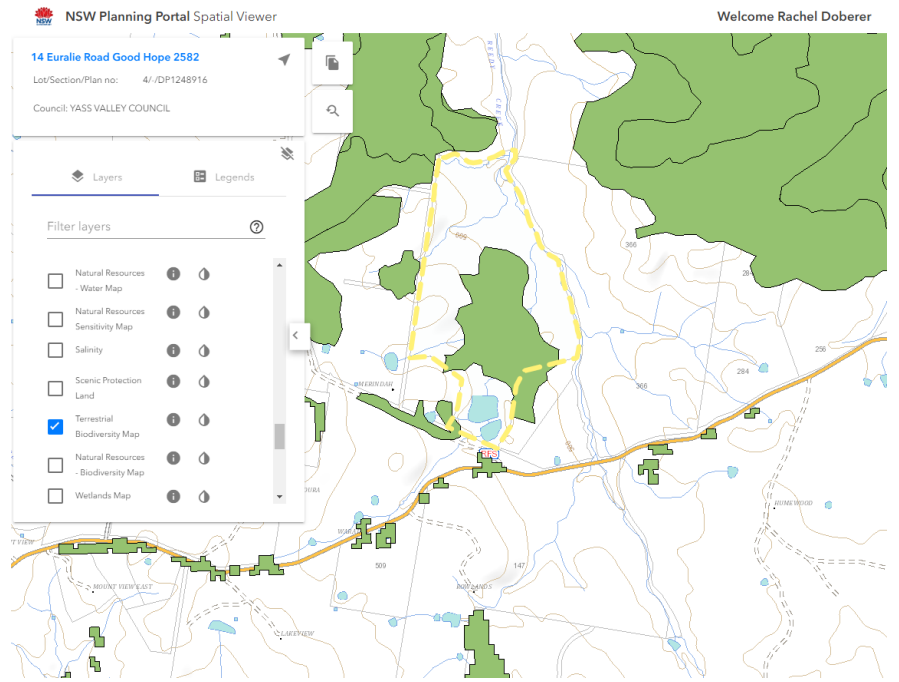


	<p>If any items are found during construction, construction works shall cease, and the Department shall be notified.</p> <p>As the development is not listed as a heritage item, no specific heritage study is required to be submitted as part off this development application.</p>
<p><i>Clause 5.21 Flood planning</i></p>	<p>Not applicable. The subject site is not identified on the Flood Planning Map within the YVLEP2013.</p>
<p><i>Clause 6.1 Earthworks</i></p>	<p>Complies. As part of the delivery of the proposed development, it is proposed to create a nine (9) Lot Torrens Title Subdivision including new road as indicated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>The objective of Clause 6.1 is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural of heritage items or features of the surrounding land.</p> <p>Before granting development consent for earthworks, the following issues must be considered:</p> <ul style="list-style-type: none"> <li>• The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development.</li> <li>• The effect of the development on the likely future use or redevelopment of the land.</li> <li>• The quality of the fill or the soil to be excavated, or both.</li> <li>• The effect of the development on any existing and likely amenity of adjoining properties.</li> <li>• The source of any fill material and the destination of any excavated material.</li> <li>• The likelihood of disturbing relics.</li> <li>• The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area.</li> <li>• Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</li> </ul> <p>The extent of bulk earthworks on the subject site has been minimised as much as practicable through careful design of the vertical and horizontal geometry of the lot.</p> <p>It is anticipated that given the purpose, nature and extent of excavation, that conventional methods of ancillary earthworks are able to be employed and that subject to the design of the works</p>



	<p>there will be minimal adverse impacts to the drainage, flooding or to adjoining properties.</p> <p>The proposed works will involve the installation of a number of sediment and erosion control measures to address any potential impacts associated with the development. These measures will be in place for the duration of the construction phase to avoid, minimise and mitigate any impacts that could potentially occur.</p> <p>These measures may include:</p> <ul style="list-style-type: none"> <li>• A temporary site security/ safety fence to be constructed around the site;</li> <li>• Sediment fencing provided downstream of disturbed areas, including any topsoil stockpiles;</li> <li>• Dust control measures including covering stockpiles, installing fence hessian and watering exposed areas;</li> <li>• Placement of hay bales or mesh and gravel inlet filters around and along proposed catch drains and around stormwater inlet pits.</li> </ul>
<p><i>Clause 6.3 Terrestrial biodiversity</i></p>	<p>Complies. As indicated on Council’s LEP Terrestrial Biodiversity Map there are areas within the subject site that have been identified/ mapped as having biodiversity concerns (refer <b>Figure 2.4</b>).</p> <p>The proposed development will occupy a cleared section of the subject site which is relatively void of significant vegetation (refer <b>Figure 2.1</b>).</p> <p>The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land.</p> <p>The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.</p> <p>Further to that and during the construction phase of the proposed development to ensure there are no adverse environmental impacts, the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council’s LEP and other Government agencies, has minor and manageable environmental impacts and is compatible with the existing and desired local area character.</p>





**Figure 2.4: Terrestrial Biodiversity Map** (Source: NSW Government Planning Portal Spatial Viewer, June 2024)

**Clause 6.4 Groundwater vulnerability**

Complies. As indicated on Council’s LEP Groundwater Vulnerability Map (refer **Figure 2.5**), the subject land has been highlighted as having groundwater vulnerability. The proposed key management measures to minimise the potential for any adverse groundwater impacts include the implementation of erosion and sediment control measures and stabilization of all drainage lines.

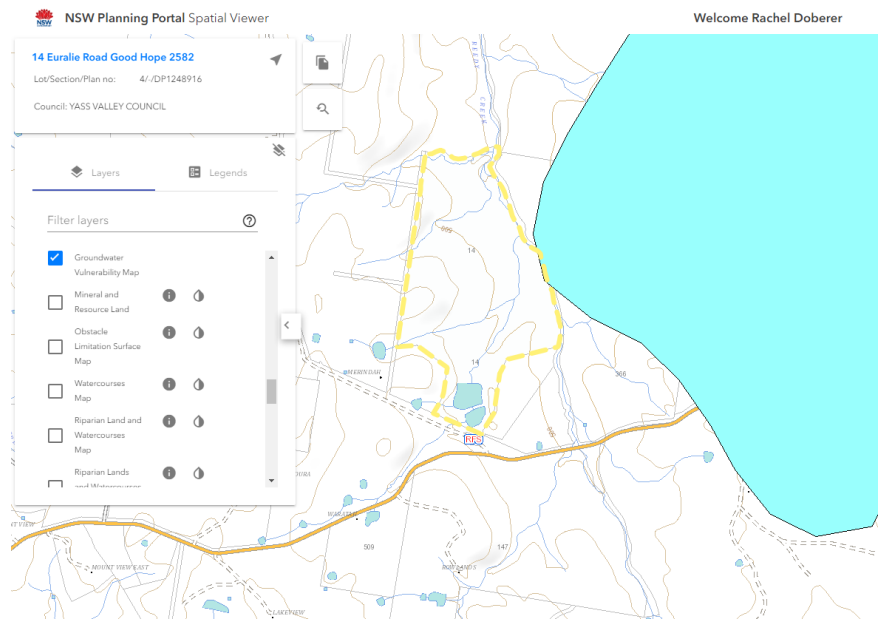
However, as we are proposing to subdivide the subject lot, creating eight additional dwelling entitlements, Site & Soil Assessments for On-site Effluent Disposal have been prepared by Land Capability Services dated May 2024 (refer **Appendix’s C to J**) confirming there is adequate available space for effluent disposal on each of the proposed Lots.

The conclusion and following recommendation within the consultant report states:

*‘This report provides site and soil assessment for on-site effluent disposal at the applicant’s proposed new subdivision. The report focuses on the land in proximity to the proposed building envelope. Other areas within the proposed subdivision may also be suitable for on-site effluent disposal pending further investigation at building DA stage. A five-bedroom dwelling is assumed. An Aerated Wastewater Treatment System (AWTS) is proposed.*

*An AWTS coupled with surface or subsurface irrigation provides a suitable form of effluent treatment for the site and soil characteristics of the land in question. The management recommendations include the size and location of the proposed irrigation area.*

It is to be noted, the recommended irrigation area for proposed Lots 2 to 9 of 400m<sup>2</sup> can be contained to the proposed building envelopes.



**Figure 2.5: Groundwater Vulnerability Map** (Source: NSW Government Planning Portal Spatial Viewer, June 2024)

*Clause 6.5 Riparian land and watercourses*

Complies. The subject land has been highlighted on the Riparian Land and Watercourses Map within the YVLEP2013 (refer **Figure 2.6**).

The proposed subdivision does not involve any proposed subdivision construction works within the vicinity of Dog Trap Creek to the North of the site and Reedy Creek to the east of the subject site.

The proposed development has been designed, sited and will be managed to avoid any potential significant adverse environmental impact.

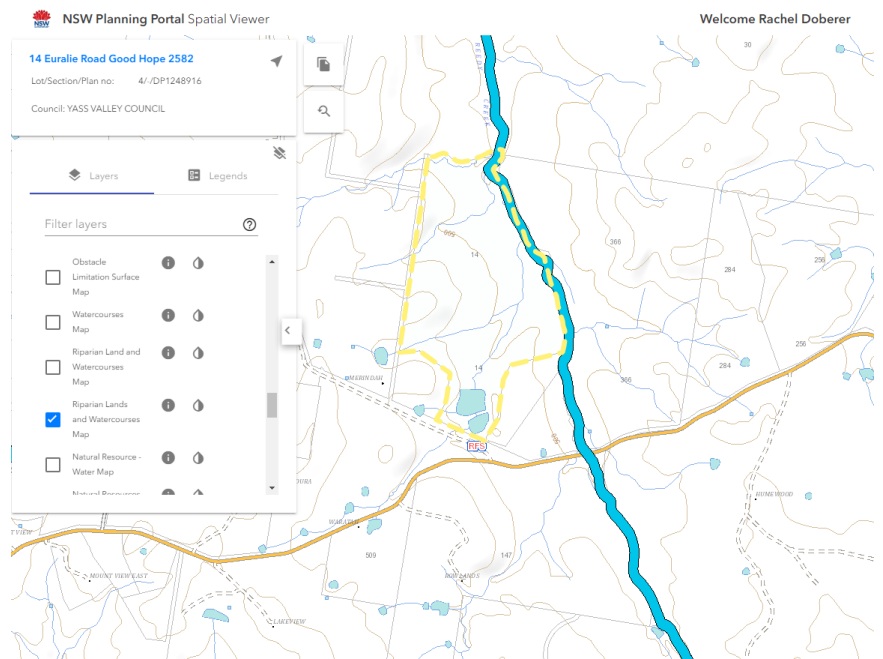
It is noted the development will not have any adverse impact on the following:

- Water quality and flows within the watercourse;
- Aquatic and riparian species, habitats and ecosystems of the watercourse;
- The stability of the bed and banks of the watercourse;
- The free passage of fish and other aquatic organisms within or along the watercourse;
- Any future rehabilitation of the watercourse and riparian areas.



We have also taken into consideration the existing drainage channels seen throughout the site condition. As a result, there will be no adverse effects felt upon the groundwater vulnerability potential of the subject lot.

It is anticipated that this development with the correct controls in, will not have any detrimental effects to the groundwater or riparian land.



**Figure 2.6: Riparian Land and Watercourses Map** (Source: NSW Government Planning Portal Spatial Viewer, June 2024)

*Clause 6.6 Salinity*

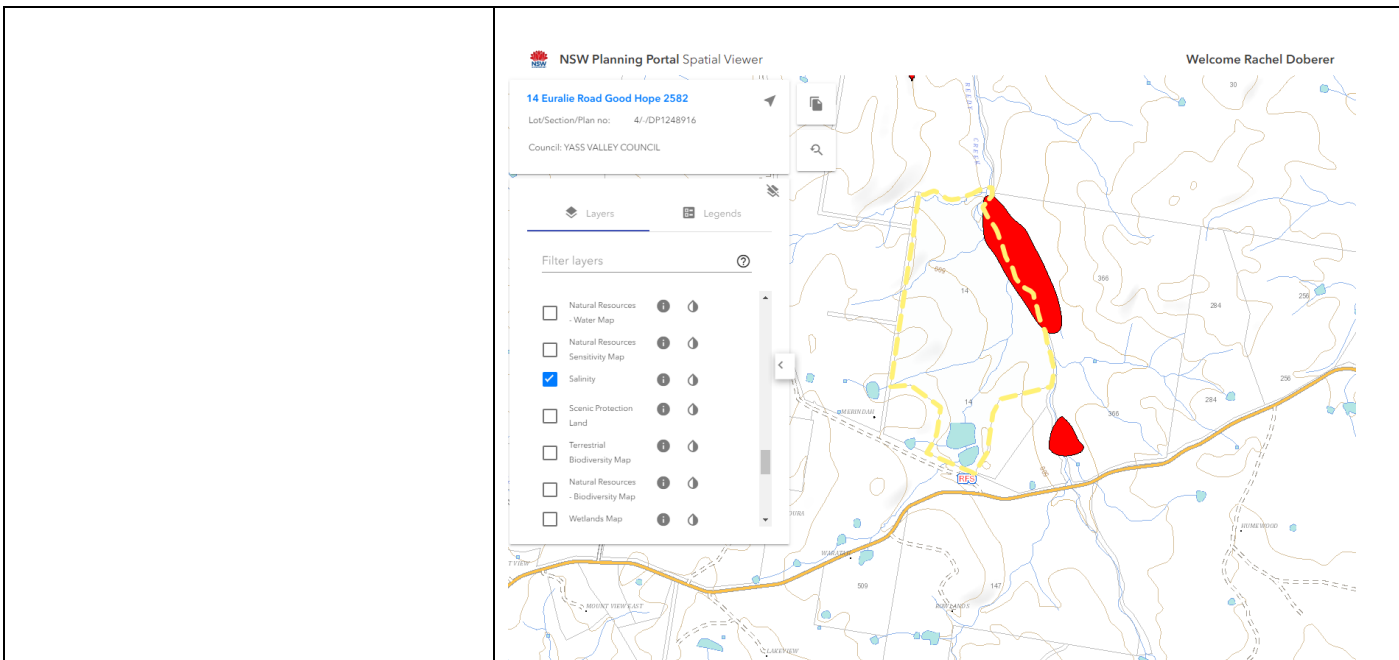
Complies. The subject lot has been highlighted on the Dryland Salinity Map within the YVLEP2013 (refer **Figure 2.7**). It is noted there are areas within the proposed building envelopes that are mapped as Dryland Salinity.

It is anticipated the proposed development will not have an adverse impact on the salinity processes on the land. All appropriate measures and mitigations will be in place for the duration of the proposed subdivision works, avoiding any environmental impacts.

The proposed new road will be constructed by a relevant and qualified contractor who are aware of the sensitivities of such works. All care will be taken to avoid any significant environmental impact.

Soil quality on the subject lot and surrounding land will not be affected by this development as the relevant and required controls will be in place prior to any works commencing.





**Figure 2.7: Dryland Salinity Map** (Source: NSW Government Planning Portal Spatial Viewer, June 2024)

<p><i>Clause 6.7 Highly erodible soils</i></p>	<p>Not applicable. The subject site is not identified on the Highly erodible soils Map within the YVLEP2013.</p>
<p><i>Clause 6.8 Essential services</i></p>	<p style="text-align: center;"><i>(a) the supply of water,</i></p> <p>Proposed Lot 1 has an existing rainwater tank to the existing dwelling house. Lot 1 also has existing dams to supply water for farm use, bushfire protection and irrigation.</p> <p>It is expected proposed Lots 2 to 9 will install rainwater tanks at construction stage for a dwelling house. Each lot has the maximum harvestable right to construct a dam 0.56ML in size for the supply of water for farm use, bushfire protection and irrigation.</p> <p style="text-align: center;"><i>(a) the supply of electricity,</i></p> <p>Proposed Lot 1 has an existing power supply that is intended to remain.</p> <p>Proposed Lots 2 to 9 will have a Restriction on the Use of Land created on their respective titles stating they are not connected to the power grid supply. It is expected each lot will be serviced by individual off-site solar and battery systems.</p> <p style="text-align: center;"><i>(a) the disposal and management of sewage,</i></p> <p>Proposed Lot 1 has an existing system servicing the existing dwelling that is running efficiently.</p>





Proposed Lots 2 to 9 will require the installation of an on-site wastewater treatment system as recommended in the Site & Soil Assessments for On-site Effluent Disposal prepared by Land Capability Services (refer **Appendix C to J**), at construction stage for dwelling house(s).

*(b) stormwater drainage or on-site conservation,*

The proposed subdivision development will have minimal effect on the existing natural overland flow path for stormwater runoff. All appropriate stormwater drainage techniques are existing and intend to remain in place.

*(c) suitable vehicular access,*

Proposed Lots 1 has an existing access of Euralie Road that have been well maintained (refer **Figure 2.8**).



**Figure 2.8: Existing Access to Proposed Lot 1** (Source: Google Earth, June 2024)

Proposed Lots 2 to 9 gain access to Euralie Road via the new internal road to be constructed and dedicated to Council as part of the subdivision.

*(f) connection to a communications network with voice or data capability (or both).*

Proposed Lot 1 has an existing mobile NBN Fixed Wireless telecommunications connection that will remain in place.

Proposed Lots 2 to 9 will also connect to the existing mobile NBN Fixed Wireless telecommunications network upon the construction of a dwelling house.

<p><i>Clause 6.9 Development within a designated buffer area</i></p>	<p>Not applicable. The subject is not identified on the Water, Waste and Sewage Buffer Map within the YVLEP2013.</p>
<p><i>Clause 6.10 Development on land intended to be acquired for Barton Highway Duplication</i></p>	<p>Not applicable. The subject site is not identified on the Barton Highway Duplication Map within the YVLEP2013.</p>





## 2.2 POTENTIAL NATIVE VEGETATION IMPACT PURSUANT TO THE BIODIVERSITY CONSERVATION ACT 2016 AND THE BIODIVERSITY CONSERVATION REGULATION 2017

### Access Tracks

The future access tracks to proposed Lots 2 to 9 cover primarily open grasslands, which will involve no clearing of large remnant vegetation. Having said that, the area in question has been classified as predominately exotic pastures with minimal vegetation present, as indicated in the Pasture Assessment Report (refer **Appendix B**) prepared by Roger Garnsey Agronomy dated 18 March 2024 which concludes:

*'I have conducted an assessment of the pasture species composition as follows in accordance with instructions from Diverse Project Solutions:*

1. *Prepare a Pasture Assessment Report to accompany a development application for a nine (9) lot subdivision at 14 Euralie Road, YASS, noting that the extent of your report will need to include each of the:*
  - *Nine (9) subdivision lots;*
  - *Eight (8) Building Envelopes (one existing building exists on Lot 1);*
  - *Eight (8) Accompanying Access Tracks*

*Each assessment involved recording the relative amount of exotic & native species at 10 random samples across each of the blocks using a 40cm x 40cm quadrant. This has been tabulated overleaf and shows that each of these areas is dominated by exotic/ introduced pasture species, with a minor component of native perennial grasses/ legumes.'*

As a result of the findings within the abovementioned Pasture Assessment Report the access tracks for proposed Lots 2 to 9 have not been included in the calculation of potential native vegetation removal.

The total potential native vegetation clearing for the access tracks to the proposed building envelopes for proposed Lots 2 to 9 is **0m<sup>2</sup>**.

### Fencing

The proposed fence lines to create the individual lots primarily covers open grasslands, which will involve no clearing of large remnant vegetation.

However, as this area has been classified/ identified as being '*dominated by exotic/ introduced pasture species*' (refer **Appendix B**) it has not been included in the calculation of potential native vegetation removal.

The total potential native vegetation clearing for the construction of the internal fencing is **0m<sup>2</sup>**.

### Access Entrances/ New Road

Proposed Lot 1 has an existing access off Euralie Road that does not require any upgrade works/ meets Councils requirements/ specifications.



Proposed Lots 2 to 9 will need to construct new accesses off a new public road that will need to be constructed to Councils requirements/ specifications. This will be subject to an inspection and conditions of consent by Councils Engineer. The works will occur over land that has been that has been classified as being '*dominated by exotic/ introduced pasture species*' (refer **Appendix B**) and as such has not been included in the calculation of potential native vegetation removal.

The total potential native vegetation clearing required for the new access entrances and the new public road is **0m<sup>2</sup>**.

### **Asset Protection Zones (APZ's)**

The Asset Protection Zone (APZ) setbacks required for proposed Lots 1 to 9 (refer **Figures 2.9 to 2.19**) within the proposed subdivision have been calculated using the recommendations in the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer **Appendix K**) as indicated in the images below which confirms the following:

#### **Construction Standard & APZ:**

##### **Lots 2-5 & 7-9**

- *The fixed BAL-19 construction standard within the presumed 15m x 15m dwelling sites, with BAL 12.5 sized APZ will increase the future dwellings bushfire resilience. This may allow occupants and firefighters (if they choose) to pretreat the APZ, then shelter in place, and then defend in place.*

##### **Lot 6**

- *The fixed BAL-29 construction standard within the presumed 15m s 15m dwelling sites, with BAL 19 sized APZ will increase the future dwellings bushfire resilience. This may allow occupants and firefighters (if they choose) to pretreat the APZ, then shelter in place, and then defend in place.*

#### **Increased static water supplies:**

##### **Lots 2-9**

- *Increased from 20,000L to 30,000L.*
- *These increased static water supplies will enable fire crews and occupants, if they choose, to undertake active fire protection for a longer period.*

*The proposed access provisions and additional recommendations offer:*

- *Firefighter access to structures and water supplies,*
- *Evacuation routes for both residents and firefighters,*
- *Access to APZ for ongoing maintenance, and*
- *Access to areas of bushfire hazard for firefighting and hazard mitigation purposes.*

*The APZs will be located within the building envelope to reduce the impact on flora and fauna.*

*Therefore, the proposed performance-based assessment demonstrates that the existing PAR satisfies the performance criteria of Access 5.3.2 and the intent of 3.4 Access arrangements PBP (2019). Attachment – C.*



### Lot 1 Assessment Conclusion

The existing dwelling has been assessed and found to be capable of providing any of the applicable ember protection measures.

The existing dwelling is provided with the following static water supplies:

- A plastic water tank at the existing dwelling.
- Access to two large dams.

Recommendations:

- If possible, a 65mm Storz coupling and shut-off valve should be installed at the outlet of the existing water tank.
- Install a static water supply sign at the entrance to the property.
- The private access road (PAR) is existing, and no additional recommendations are made.
- Continue to maintain the grassland surrounding the existing dwelling (APZ).
- It is recommended that future maintenance and design of the gardens consider Appendix 4 – Asset Protection Zone Requirements, Inner Protection Areas recommendations.

#### 14.1 EXISTING DWELLING



Figure 91 – East facia of the existing dwelling. (McGregor, 2024)



Figure 93 – If possible fit a Storz coupling to the outlet of the existing water tank



Figure 92 –South facia of the existing dwelling. (McGregor, 2024)



Figure 94 – North facia of the existing dwelling. (McGregor, 2024)

Figure 2.9: Proposed Lot 1 – Existing Dwelling (Source: Ember Bushfire Consulting, June 2024)

### 6.3 LOT 2- APZ DETAIL

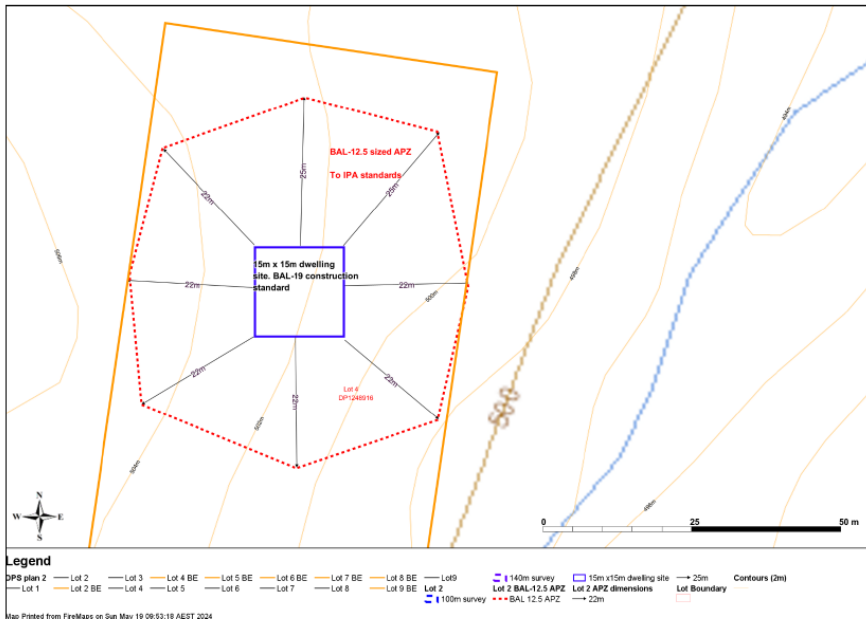


Figure 23 – APZ detail. FPA (2024) (McGregor, 2024)

Figure 2.10: Proposed Lot 2 APZ Requirements (Source: Ember Bushfire Consulting, June 2024)

### 7.3 LOT 3- APZ DETAIL

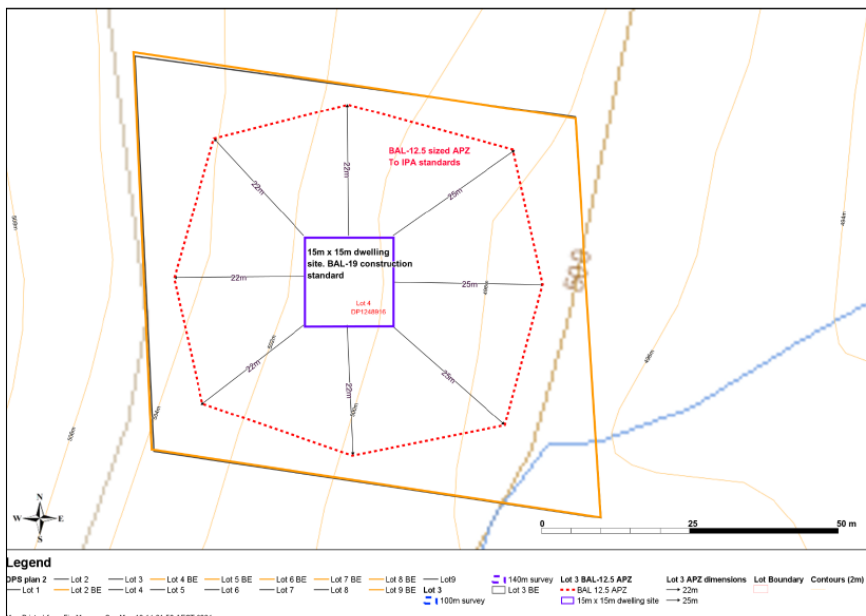


Figure 31 – APZ detail. FPA (2024) (McGregor, 2024)

Figure 2.11: Proposed Lot 3 APZ Requirements (Source: Ember Bushfire Consulting, June 2024)

### 8.3 LOT 4- APZ DETAIL

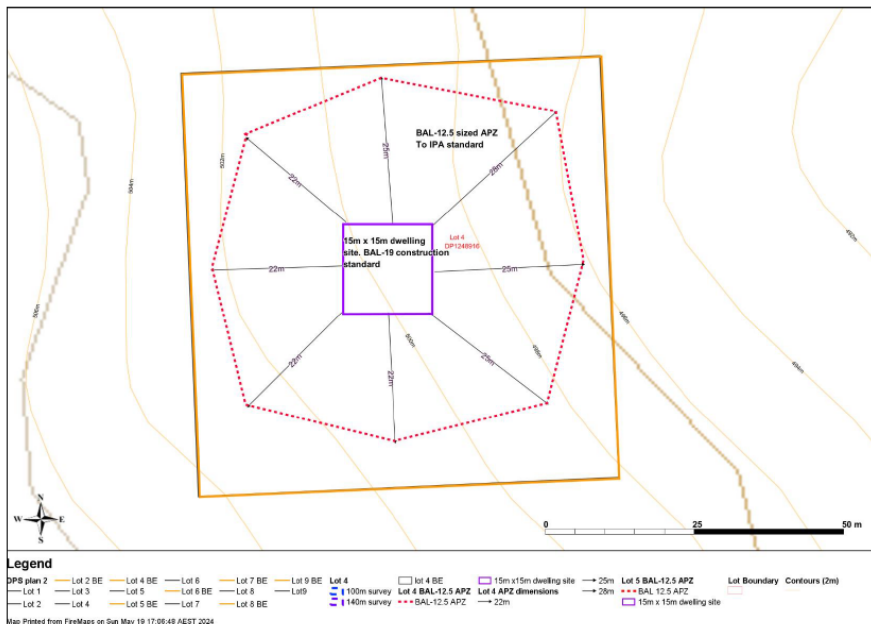


Figure 39 – APZ detail. FPAA (2024) (McGregor, 2024)

## Figure 2.12: Proposed Lot 4 APZ Requirements (Source: Ember Bushfire Consulting, June 2024)

### 9.3 LOT 5- APZ DETAIL

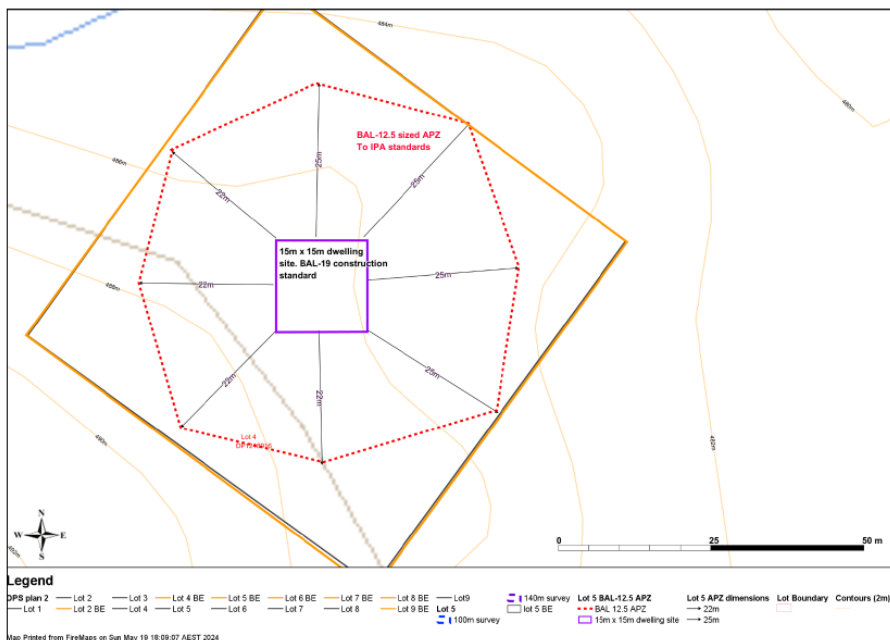


Figure 47 – APZ detail. FPAA (2024) (McGregor, 2024)

## Figure 2.13: Proposed Lot 5 APZ Requirements (Source: Ember Bushfire Consulting, June 2024)



10.3 LOT 6- APZ DETAIL

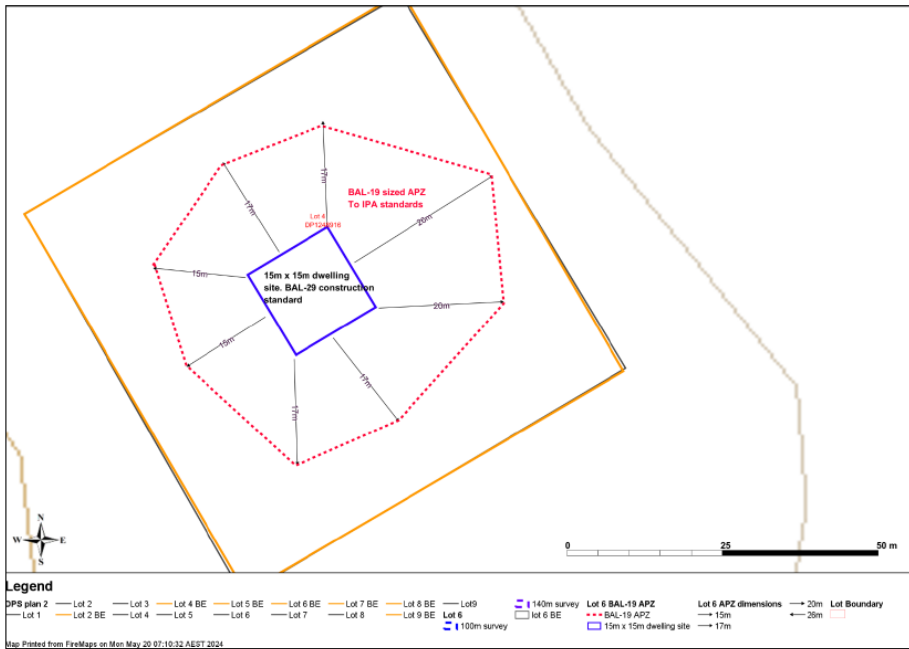


Figure 55 – APZ detail. FPAA (2024) (McGregor, 2024)

Figure 2.14: Proposed Lot 6 APZ Requirements (Source: Ember Bushfire Consulting, June 2024)

11.3 LOT 7- APZ DETAIL

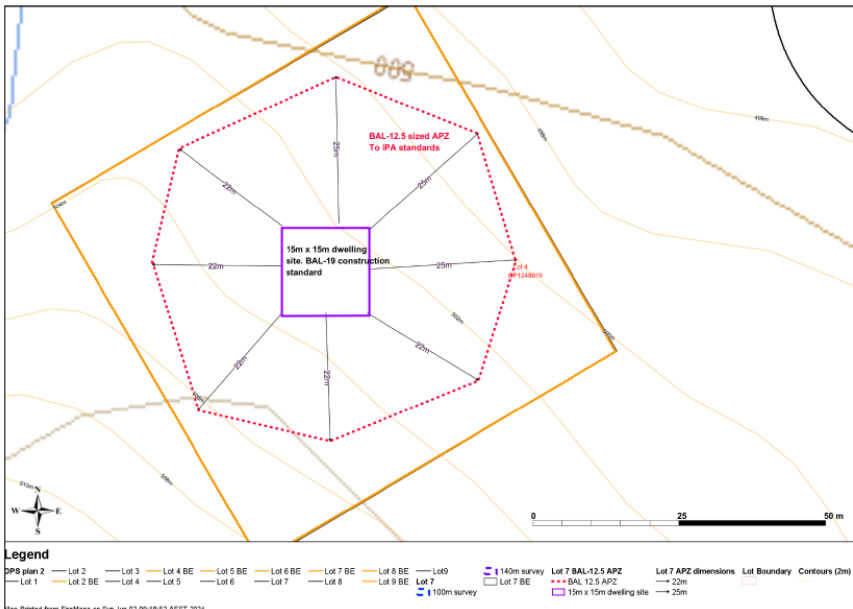


Figure 63 – APZ detail. FPAA (2024) (McGregor, 2024)

Figure 2.15: Proposed Lot 7 APZ Requirements (Source: Ember Bushfire Consulting, June 2024)



12.3 LOT 8- APZ DETAIL

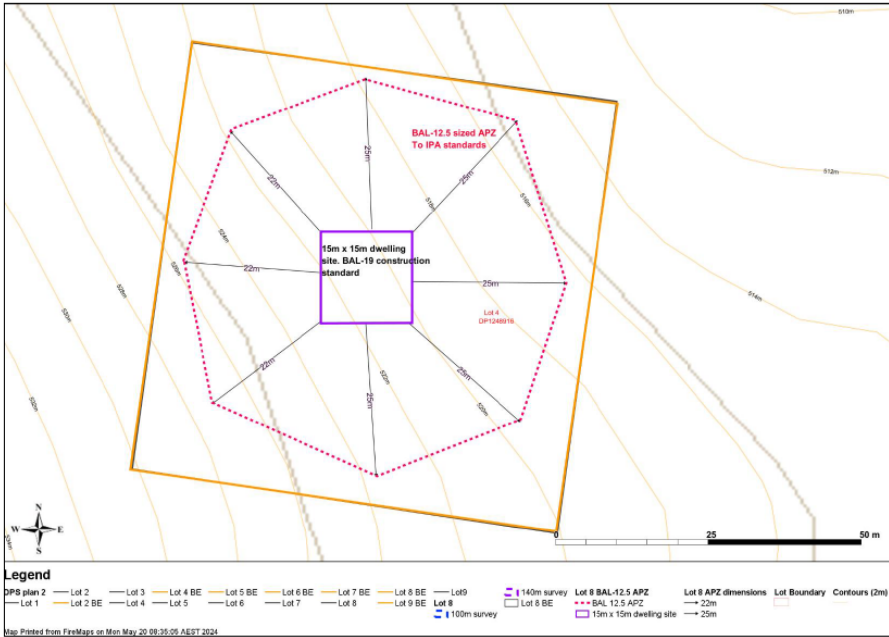


Figure 71 – APZ detail. FPAA (2024) (McGregor, 2024)

Figure 2.16: Proposed Lot 8 APZ Requirements (Source: Ember Bushfire Consulting, June 2024)

13.3 LOT 9- APZ DETAIL

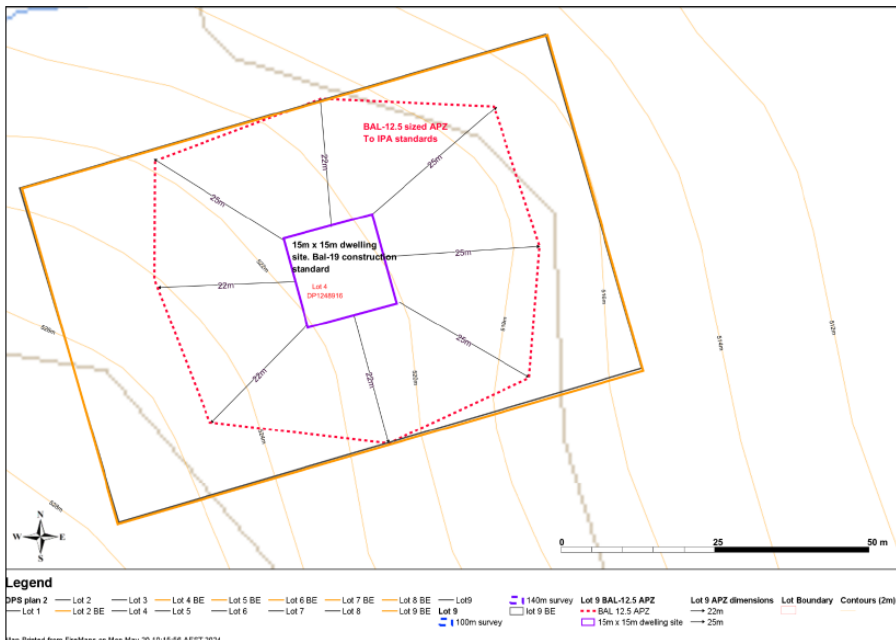


Figure 85 – APZ detail. FPAA (2024) (McGregor, 2024)

Figure 2.17: Proposed Lot 9 APZ Requirements (Source: Ember Bushfire Consulting, June 2024)

## 18 RECOMMENDATIONS

### 18.1 ASSET PROTECTION ZONES

Table 8 - Required BAL 12.5 sized APZ dimensions for the proposed Lot 2 dwelling site.

Aspect	Predominate Vegetation Formation	Effective Slope	APZ to be developed (IPA)	OPA Available
North	Grasslands	0° - 5° downslope	25m	N/A
NE	Grasslands	0° - 5° downslope	25m	N/A
East	Grasslands	Upslope	22m	N/A
SE	Grasslands	Upslope	22m	N/A
South	Grasslands	Upslope	22m	N/A
SW	Grasslands	Upslope	22m	N/A
West	Grasslands	Upslope	22m	N/A
NW	Grasslands	Upslope	22m	N/A

Table 10 - Required BAL 12.5 sized APZ dimensions for the proposed Lot 3 dwelling site.

Aspect	Predominate Vegetation Formation	Effective Slope	APZ to be developed (IPA)	OPA Available
North	Grasslands	upslope	22m	N/A
NE	Grasslands	0° - 5° downslope	25m	N/A
East	Grasslands	0° - 5° downslope	25m	N/A
SE	Grasslands	0° - 5° downslope	25m	N/A
South	Grasslands	Upslope	22m	N/A
SW	Grasslands	Upslope	22m	N/A
West	Grasslands	Upslope	22m	N/A
NW	Grasslands	Upslope	22m	N/A

Table 12 - Required BAL 12.5 sized APZ dimensions for the proposed Lot 4 dwelling site.

Aspect	Predominate Vegetation Formation	Effective Slope	APZ to be developed (IPA)	OPA Available
North	Grasslands	0° - 5° downslope	25m	N/A
NE	Grasslands	5° - 10° downslope	28m	N/A
East	Grasslands	0° - 5° downslope	25m	N/A
SE	Grasslands	0° - 5° downslope	25m	N/A
South	Grasslands	Upslope	22m	N/A
SW	Grasslands	Upslope	22m	N/A
West	Grasslands	Upslope	22m	N/A
NW	Grasslands	Upslope	22m	N/A

Table 14 - Required BAL 12.5 sized APZ dimensions for the proposed Lot 5 dwelling site.

Aspect	Predominate Vegetation Formation	Effective Slope	APZ to be developed (IPA)	OPA Available
North	Grasslands	0° - 5° downslope	25m	N/A
NE	Grasslands	0° - 5° downslope	25m	N/A
East	Grasslands	0° - 5° downslope	25m	N/A
SE	Grasslands	0° - 5° downslope	25m	N/A
South	Grasslands	Upslope	22m	N/A
SW	Grasslands	Upslope	22m	N/A
West	Grasslands	Upslope	22m	N/A
NW	Grasslands	Upslope	22m	N/A

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**Figure 2.18: Required APZ Dimensions for Lots 2 to 5 (Source: Ember Bushfire Consulting, June 2024)**

Table 16 - Required BAL-19 sized APZ dimensions for the proposed Lot 6 dwelling site.

Aspect	Predominate Vegetation Formation	Effective Slope	APZ to be developed (IPA)	OPA Available
North	Grasslands	0° - 5° downslope	17m	N/A
NE	Remnant vegetation	5° - 10° downslope	26m	N/A
East	Grasslands	5° - 10° downslope	20m	N/A
SE	Grasslands	0° - 5° downslope	17m	N/A
South	Grasslands	0° - 5° downslope	17m	N/A
SW	Grasslands	Upslope	15m	N/A
West	Grasslands	Upslope	15m	N/A
NW	Grasslands	0° - 5° downslope	17m	N/A

Table 18 - Required BAL 12.5 sized APZ dimensions for the proposed Lot 7 dwelling site.

Aspect	Predominate Vegetation Formation	Effective Slope	APZ to be developed (IPA)	OPA Available
North	Grasslands	0° - 5° downslope	25m	N/A
NE	Woodlands	0° - 5° downslope	25m	N/A
East	Grasslands	0° - 5° downslope	25m	N/A
SE	Grasslands	Upslope	22m	N/A
South	Grasslands	Upslope	22m	N/A
SW	Grasslands	Upslope	22m	N/A
West	Grasslands	Upslope	22m	N/A
NW	Grasslands	Upslope	22m	N/A

Table 20 - Required BAL 12.5 sized APZ dimensions for the proposed Lot 8 dwelling site.

Aspect	Predominate Vegetation Formation	Effective Slope	APZ to be developed (IPA)	OPA Available
North	Grasslands	0° - 5° downslope	25m	N/A
NE	Woodlands	0° - 5° downslope	25m	N/A
East	Grasslands	0° - 5° downslope	25m	N/A
SE	Grasslands	0° - 5° downslope	25m	N/A
South	Grasslands	0° - 5° downslope	25m	N/A
SW	Grasslands	Upslope	22m	N/A
West	Grasslands	Upslope	22m	N/A
NW	Grasslands	Upslope	22m	N/A

Table 22 - Required BAL 12.5 sized APZ dimensions for the proposed Lot 9 dwelling site.

Aspect	Predominate Vegetation Formation	Effective Slope	APZ to be developed (IPA)	OPA Available
North	Grasslands	Upslope	22m	N/A
NE	Grasslands	0° - 5° downslope	25m	N/A
East	Grasslands	0° - 5° downslope	25m	N/A
SE	Grasslands	0° - 5° downslope	25m	N/A
South	Grasslands	Upslope	22m	N/A
SW	Grasslands	Upslope	22m	N/A
West	Grasslands	Upslope	22m	N/A
NW	Grasslands	0° - 5° downslope	25m	N/A

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**Figure 2.19: Required APZ Dimensions for Lots 6 to 9 (Source: Ember Bushfire Consulting, June 2024)**

Based on the comments within the Bushfire Assessment Report (refer **Appendix C**) it has been determined that the required APZs for proposed Lots 2 to 9 can be contained within the existing and proposed building envelopes. Further, as this area has been classified/ identified as being '*dominated by exotic/ introduced pasture species*' (refer **Appendix B**) it has not been included in the calculation of potential native vegetation removal.

It is noted the APZ for proposed Lot 1 is existing/ established.

The total potential native vegetation clearing required for the APZs is **0m<sup>2</sup>**.

### **Building Envelopes**

The proposed building envelopes on proposed Lots 2 to 9 has been placed in the most appropriate way to reduce the impact to large vegetation, the groundwater and surrounding watercourses. There is minimal established vegetation existing within this area and no large remnant vegetation.

It is anticipated that the proposed building envelope will house an onsite wastewater facility and ancillary structures in addition to a dwelling/ house and the APZ. However, as this area has been classified/ identified as being '*dominated by exotic/ introduced pasture species*' (refer **Appendix B**) it has not been included in the calculation of potential native vegetation removal.

The total potential native vegetation clearing required to be implemented for the proposed building envelopes will be **0m<sup>2</sup>**.

### **Electricity/ Telecommunications**

Proposed Lot 1 has an existing power and telecommunications supply that is intended to remain in place.

Proposed Lots 2 to 9 will not be connected to the power grid supply. A restriction on the use of land will be created on the title of these lots stating '*the lot(s) hereby burdened may not be connected to the electricity grid supply*'. It is expected this future infrastructure will be contained to the proposed building envelope.

The planned technology for the subject site by the Statutory Infrastructure Provider (SIP) is via NBN Satellite. It is expected this technology will be installed at the stage of the construction of a dwelling house on a case-by-case basis.

The total potential native vegetation clearing to implement the future electricity/ telecommunications infrastructure will be **0m<sup>2</sup>**.

### **Onsite Effluent Disposal**

As per the Site & Soil Assessments for On-site Effluent Disposal (refer **Appendix's C to J**), the area specified for effluent treatment for proposed Lots 2 to 9 is 400m<sup>2</sup>. There are large areas within the proposed building envelope to accommodate the future onsite wastewater system and effluent disposal area. Therefore, this area has been included within the building envelope calculation above.

The total potential native vegetation clearing required to implement the onsite effluent disposal for proposed Lot 3 will be **0m<sup>2</sup>**.



**Total Vegetation Clearing of the Proposed Development:**

Taking the above into consideration and the supporting Pasture Assessment Report, a total area of native vegetation clearing for the proposed development has been calculated at **0m<sup>2</sup>**.

This calculation has included potential native vegetation clearing that has been deemed appropriate for the proposed development and the future use/ maintenance of the land. These findings and calculations are tabulated below in Table 5 for ease of reference.



**TABLE 5 - POTENTIAL NATIVE VEGETATION CLEARING FOR THE PROPOSED DEVELOPMENT:**

ITEM OF WORKS	LOT(S)	NOTES	AREA OF NATIVE VEGETATION REMOVAL
Access Track	1	Existing	0m <sup>2</sup>
	2	Exotic/ Introduced Species	0m <sup>2</sup>
	3	Exotic/ Introduced Species	0m <sup>2</sup>
	4	Exotic/ Introduced Species	0m <sup>2</sup>
	5	Exotic/ Introduced Species	0m <sup>2</sup>
	6	Exotic/ Introduced Species	0m <sup>2</sup>
	7	Exotic/ Introduced Species	0m <sup>2</sup>
	8	Exotic/ Introduced Species	0m <sup>2</sup>
	9	Exotic/ Introduced Species	0m <sup>2</sup>
Fencing	1	Existing	0m <sup>2</sup>
	2	Exotic/ Introduced Species	0m <sup>2</sup>
	3	Exotic/ Introduced Species	0m <sup>2</sup>
	4	Exotic/ Introduced Species	0m <sup>2</sup>
	5	Exotic/ Introduced Species	0m <sup>2</sup>
	6	Exotic/ Introduced Species	0m <sup>2</sup>
	7	Exotic/ Introduced Species	0m <sup>2</sup>
	8	Exotic/ Introduced Species	0m <sup>2</sup>
	9	Exotic/ Introduced Species	0m <sup>2</sup>
Access Entrance	1	Existing	0m <sup>2</sup>
	2	Exotic/ Introduced Species	0m <sup>2</sup>
	3	Exotic/ Introduced Species	0m <sup>2</sup>
	4	Exotic/ Introduced Species	0m <sup>2</sup>
	5	Exotic/ Introduced Species	0m <sup>2</sup>
	6	Exotic/ Introduced Species	0m <sup>2</sup>
	7	Exotic/ Introduced Species	0m <sup>2</sup>
	8	Exotic/ Introduced Species	0m <sup>2</sup>
	9	Exotic/ Introduced Species	0m <sup>2</sup>
Asset Protection Zones (APZ's)	1	Existing	0m <sup>2</sup>
	2	(2874m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	3	(2931m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	4	(3038m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	5	(3011m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	6	(2124m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	7	(2825m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	8	(3059m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	9	(2983m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>



Building Envelope (BE)	1	Existing (DP1274539)	0m <sup>2</sup>
	2	5000m <sup>2</sup> - Exotic/ Introduced Species	0m <sup>2</sup>
	3	5000m <sup>2</sup> - Exotic/ Introduced Species	0m <sup>2</sup>
	4	5000m <sup>2</sup> - Exotic/ Introduced Species	0m <sup>2</sup>
	5	5000m <sup>2</sup> – Exotic/ Introduced Species	0m <sup>2</sup>
	6	5000m <sup>2</sup> – Exotic/ Introduced Species	0m <sup>2</sup>
	7	5000m <sup>2</sup> – Exotic/ Introduced Species	0m <sup>2</sup>
	8	5000m <sup>2</sup> – Exotic/ Introduced Species	0m <sup>2</sup>
	9	5000m <sup>2</sup> – Exotic/ Introduced Species	0m <sup>2</sup>
Electricity/ Telecommunications	1	Existing/ Existing Mobile NBN Coverage	0m <sup>2</sup>
	2	Alternative Source/ Existing Mobile NBN Coverage	0m <sup>2</sup>
	3	Alternative Source/ Existing Mobile NBN Coverage	0m <sup>2</sup>
	4	Alternative Source/ Existing Mobile NBN Coverage	0m <sup>2</sup>
	5	Alternative Source/ Existing Mobile NBN Coverage	0m <sup>2</sup>
	6	Alternative Source/ Existing Mobile NBN Coverage	0m <sup>2</sup>
	7	Alternative Source/ Existing Mobile NBN Coverage	0m <sup>2</sup>
	8	Alternative Source/ Existing Mobile NBN Coverage	0m <sup>2</sup>
	9	Alternative Source/ Existing Mobile NBN Coverage	0m <sup>2</sup>
Onsite Wastewater Disposal	1	Existing	0m <sup>2</sup>
	2	(400m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	3	(400m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	4	(400m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	5	(400m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	6	(400m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	7	(400m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	8	(400m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
	9	(400m <sup>2</sup> ) Contained within the BE	0m <sup>2</sup>
<b>TOTAL AREA OF POTENTIAL CLEARING</b>			<b>0m<sup>2</sup></b>





## 2.3 DEVELOPMENT CONTROL PLAN

The following section discusses the relevant planning controls under the draft DCP.

### Draft Yass Valley Development Control Plan 2024

The draft DCP provides the non-statutory planning, design and environmental objectives and controls to ensure orderly, efficient and sensitive development within the LGA is achieved. The relevant sections of the DCP considered to apply to the proposed development include:

- Part B - Principles for all Development
- Part C - Subdivision Controls
- Part E – Rural, Large Lot and Environmental Zone Development
- Part I – Carparking and Access
- Part K – Natural Resources

**TABLE 6 – COMPLIANCE WITH THE DRAFT YVDCP2024**

PART B – PRINCIPLES FOR ALL DEVELOPMENT	
CONTROLS	COMPLIANCE
<b><i>B1 Site Suitability</i></b>	<p>Complies. The proposed development represents a coordinated approach to rural infill development, through the efficient use of land and the enabling of housing choice which supports higher levels of amenity and accessibility.</p> <p>The site is considered to be well positioned to cater for a mixed demographic of groups likely to be attracted to regional rural living.</p> <p>The proposed building envelopes have been positioned to be clear of any constraints primarily bushfire, salinity, drainage, effluent disposal and large remnant vegetation/ trees.</p> <p>The suitability of the site for the proposed development is considered to be found consistent with Councils standards for infill development of rural residential land, specifically being respectful to the topography and neighbourhood to which the proposed development relates.</p>
<b><i>B2 Site Analysis Plan</i></b>	<p>Complies. The proposed Plan of Subdivision demonstrates the location of the proposed building envelope noting these have taken into consideration any site constraints as mentioned in B1 above (refer <b>Appendix A</b>).</p>



	The scale of the development has been derived from planning controls and desires a high degree of amenity for future residents.
<b>B3 Crime Prevention and Safety</b>	Not applicable. The proposed development is for the subdivision of land only. This aspect will be considered upon the preparation of a DA for the future built form.
<b>B4 Neighbourhood Character</b>	<p>Not applicable. The proposed development is for the subdivision of land only. This aspect will be considered upon the preparation of a DA for the future built form.</p> <p>It is noted the new road, internal fencing and access ways will be designed to respond to the topography of the site.</p>

### PART C – SUBDIVISION CONTROLS

CONTROLS	COMPLIANCE
<b>C1 Layout</b>	<p>The proposed subdivision has been designed to reflect the adjacent settlement patterns, land uses and character also taking into account the topography of the land to minimise the potential for extensive earthworks and vegetation removal.</p> <p>The proposed subdivision proposes building envelope(s) that take into consideration all constraints and provide for a sufficient sized area (5000m<sup>2</sup>) that will contain any future dwelling house, ancillary structures and the calculated Asset Protection Zones (APZs).</p>
<b>C2 Staging</b>	Not applicable. The proposed subdivision does not include staging of the development.

### PART C2 – LARGE LOT RESIDENTIAL, RURAL AND ENVIRONMENTAL SUBDIVISION CONTROLS

CONTROLS	COMPLIANCE
<b>C2.1 Buffers</b>	<p>Complies. The proposed Lot Layout and proposed Building Envelopes allow for the appropriate distance to minimise any potential land use conflicts.</p> <p>The proposed building envelope enables the appropriate separation of more than 100m to another existing/ future dwelling on an adjoining lot.</p>



<b>C2.2 Fences</b>	Complies. It is expected the Notice of Determination will include a condition that requires the fencing of all lots to be in accordance with Council requirements.
<b>C2.3 Access</b>	<p>Complies. Proposed Lot 1 has an existing access off Euralie Road that will remain in place.</p> <p>Proposed Lots 2 to 9 will gain individual access of the new public road that will be constructed as part of the subdivision works as indicated on the concept Engineering Plans prepared by Genium Civil Design dated 14 February 2019 (refer <b>Appendix L</b>).</p>
<b>C2.4 Road design</b>	<p>Complies. The proposed road design and placement has taken into consideration the landscape and topography of the subject site and will result in minimal environmental impact.</p> <p>Concept Engineering Plans prepared by Genium Civil Design dated 14 February 2024 are included in <b>Appendix L</b> of this Statement.</p>
<b>C2.4.1 Construction – Right of Carriageway</b>	Not applicable. The proposed subdivision does not require the creation of a Right of Carriageway to enable access to all proposed Lots.
<b>C2.5 Stormwater</b>	<p>The proposed subdivision development will have minimal effect on the existing natural overland flow path for stormwater runoff.</p> <p>All appropriate stormwater drainage techniques will be implemented and maintained for the duration of Subdivision works.</p> <p>It is noted a more detailed stormwater design will be commissioned to a qualified Civil Engineer to be designed in accordance with Councils Engineering Standards and included with a future Subdivision Works Certificate Application to Council.</p>
<b>C2.6 Essential Services</b>	Complies. Please see response to Clause 6.8 in Table 4 of this Statement.
<b>C2.7 Bushfire prone land</b>	<p>Complies. The Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer <b>Appendix K</b>) confirms the proposed development meets the requirements of PBP 2019.</p> <p>This is detailed throughout this Statement and more specifically within Table 7 – Integrated Development.</p>



## PART E – RURAL, LARGE LOT AND ENVIRONMENTAL ZONE DEVELOPMENT

CONTROLS	COMPLIANCE
<b><i>E1 Siting of Buildings</i></b>	<p>Complies. Whilst this DA is not for the construction of a dwelling house, the proposed building envelope has been positioned accordingly to take into consideration all constraints.</p> <p>The specific position of a dwelling house will be determined upon the preparation of a separate DA for a dwelling house.</p>
<b><i>E2 Access</i></b>	<p>Complies. Proposed Lot 1 has an existing access off Euralie Road.</p> <p>Proposed Lots 2 to 9 will gain individual access of the new public road that will be constructed as part of the subdivision works as indicated on the concept Engineering Plans prepared by Genium Civil Design dated 14 February 2019 (refer <b>Appendix L</b>).</p>
<b><i>E1 Dwellings</i></b>	Not applicable. This DA is for the subdivision of land only.
<b><i>E2 Farm Buildings and Outbuildings</i></b>	Not applicable. This DA is for the subdivision of land only.
<b><i>E3 Rural Based Activities</i></b>	Not applicable. This DA is for the subdivision of land only.

## PART H – DEVELOPMENT IN HAZARD AFFECTED AREAS

CONTROLS	COMPLIANCE
<b><i>H1 Flooding</i></b>	<p>Complies. The subject land is not mapped as flood prone land, it is noted Dog Trap Creek and Reedy Creek run along the northern and eastern boundary of the site.</p> <p>However, the proposed development will not increase the risk of flooding to the existing or surrounding properties.</p>
<b><i>H2 Bushfire Prone</i></b>	<p>Complies. The Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer <b>Appendix K</b>) confirms the proposed development meets the requirements of PBP 2019.</p> <p>This is detailed throughout this Statement and more specifically within Table 7 – Integrated Development.</p>



<b>H3 Contaminated Land</b>	<p>Complies. The subject land is not situated on land classified as 'Contaminated Land'.</p> <p>Contaminated Land' means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.</p> <p>Taking into consideration the historic use of the site Council can be satisfied that the land is not contaminated and is not land specified in subsection (4) of clause 4.6 of the SEPP (such that there is no requirement for a preliminary site investigation report).</p>
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## PART I – CARPARKING AND ACCESS

<b>CONTROLS</b>	<b>COMPLIANCE</b>
<b><i>11 Carpark Design</i></b>	Not applicable. This DA is for the subdivision of land only.
<b><i>12 Loading Docks</i></b>	Not applicable. This DA is for the subdivision of land only.
<b><i>13 Carpark Construction</i></b>	Not applicable. This DA is for the subdivision of land only.
<b><i>14 Carparking Credits and Contributions</i></b>	Not applicable. This DA is for the subdivision of land only.
<b><i>15 Carparking Ratios</i></b>	Not applicable. This DA is for the subdivision of land only.
<b><i>16 Residential Carparking</i></b>	Not applicable. This DA is for the subdivision of land only.
<b><i>17 Property Access Crossings</i></b>	<p>Complies. Proposed Lot 1 has an existing access off Euralie Road.</p> <p>Proposed Lots 2 to 9 will gain individual access of the new public road that will be constructed as part of the subdivision works as indicated on the concept Engineering Plans prepared by Genium Civil Design dated 14 February 2019 (refer <b>Appendix L</b>).</p>



## 2.4 INTEGRATED DEVELOPMENT

Sections 4.46 and 4.47 of the EP&A Act requires a review of whether the proposed development on the subject site would trigger an approval under other environmental or related legislation. Such development is categorised as 'Integrated Development'.

The following provides brief commentary on whether any aspect of the development triggers a need for the consent authority to obtain General Terms of Approval from the relevant approval bodies.

**TABLE 7 – INTEGRATED DEVELOPMENT**

ACT	COMMENT
<i>Coal Mine Subsidence Compensation Act 2017</i>	The site is not located within a mine subsidence district.
<i>Fisheries Management Act 1994</i>	The subject site does not contain any permanent water bodies, nor is it located within Key Fish Habitat. It is considered the proposed development will not harm marine vegetation, nor will it require dredging of the bed and land reclamation of a Key Fish Habitat Creek.
<i>Heritage Act 1977</i>	No works are proposed that are referred to pursuant to section 57 of <i>Heritage Act 1977</i> .
<i>Mining Act 1992</i>	No mining lease is being sought as part of this DA, noting this DA is for a proposed Nine (9) Lot Torrens Title Subdivision.
<i>National Parks and Wildlife Act 1974</i>	The subject site has not been identified as containing any archaeological sites and is primarily of 'low' archaeological potential.
<i>Petroleum (Onshore Act) 1991</i>	No production lease is being sought as a part of this DA, noting this DA is for a proposed Nine (9) Lot Torrens Title Subdivision.
<i>Protection of the Environment Operations Act 1997</i>	The implementation of appropriate environmental protection works will ensure that no licence will be required.
<i>Roads Act 1993</i>	No works are required on or to connect the Site to a classified road. Works are proposed within Euralie Road and Council is the managing authority for this road.





	<p>Section 4.46(3) of the EP&amp;A Act operates to the effect that proposed development seeks consent and subsequent approval to the <i>Roads Act 1993</i> from Council.</p> <p>Under this legislation, the proposed development, therefore, does not trigger the application as requiring integrated approval.</p>
<p><i>Rural Fires Act 1997</i></p>	<p>The subject land is identified as being bushfire prone land (<b>BFPL</b>) pursuant to the mapping within the YVLEP2013 (refer <b>Figure 2.20</b>).</p> <p>The proposed development includes the subdivision of the subject lot into nine (9) Torrens Title Lots that has established the necessary bushfire protection measures including access to services and relevant access considerations.</p> <p>The proposed Torrens Title subdivision development is categorised as Integrated Development under Section 4.46 of the EP&amp;A Act. Integrated development requires development consent from Council and General Terms of Approval from NSW Rural Fire Service (<b>RFS</b>). Any development applications for such a purpose must obtain a bush fire safety authority (<b>BFSA</b>) from the Commissioner of NSW RFS in accordance with Section 100B of the RF Act.</p> <p>A BFSA authorises development to the extent that it complies with PBP 2019 including standards regarding setbacks, provision of water supply and other measures in combination considered by the Commissioner necessary to protect persons, property or the environment from danger that may arise from a bushfire.</p> <p>As a proposed residential development, the application needs to be able to justify that the proposal can achieve radiant heat levels of not greater than 29kW/m<sup>2</sup> (or Bushfire Attack Level 29) to all proposed dwellings and have adequate access and water supply provisions.</p> <p>To support the proposed subdivision a Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer <b>Appendix K</b>) is included with this application and concludes the following recommendations demonstrate an acceptable performance-based solution that is consistent with the NSW RFS PBP (2019).</p> <p><i>The purposes of this report are to:</i></p> <ul style="list-style-type: none"> <li>• <i>Determine the bushfire threat to the proposed development,</i></li> <li>• <i>Demonstrate to the “Consent Authority” that the development proposal meets the specific objectives of PBP (2019) for subdivisions and</i></li> </ul>



- *Support the development application by showing that the site is suitable for development given the bushfire threat.*

*The proposed subdivision has been assessed and found capable of the following:*

- *APZs can provide sufficient space and reduced fuel loads to ensure radiant heat levels at the building will not exceed 29kW/m<sup>2</sup>.*
- *Landscaping can be managed to minimise flame contact, reduce radiant heat levels, minimise embers and reduce the effect of smoke on residents and firefighters.*
- *Safe operational access can be provided to structures and water supplies for emergency services, while providing for evacuating residents and suitable access is provided for fire management and APZ management purposes.*
- *Providing water for the protection of buildings during and after the passage of a bush fire, gas and electricity located so as not to contribute to the risk of fire to a building.*

*The scope of this report is defined by the specific objectives and performance requirements for residential and rural residential subdivisions set out in Chapter 5 of PBP (2019).*

*The following six bushfire protection measures will be assessed to determine the suitability of the development proposal:*

1. *Asset Protection Zones (APZs),*
2. *Landscaping*
3. *Building Construction and Design,*
4. *Access,*
5. *Water supplies and utilities (Services) and*
6. *Emergency Management Arrangements*

- ❖ *This Report establishes the level of bushfire threat to the proposed development and examines the PBP (2019) six bushfire protection measures for the future dwellings on Lots 2-9.*
- ❖ *A performance-based design for access will satisfy the performance criteria and intent for access arrangements set out in PBP (2019).*
- ❖ *Asset protection zones (APZ) have been designed to fit within the building envelopes to reduce the impact on flora and fauna.*
- ❖ *Lots 2-9 will require their own firefighting water supply to serve the future dwelling at the development time.*



	<p>Based on the bushfire assessment and the recommendations contained in this report, the proposed development is deemed to comply with the specific and broad objectives of PBP (2019), the requirements of the Rural Fire regulations (2013) and, therefore, suitable for submission to the NSWRFSA for the issuing of a bush fire safety authority.</p>
<p><i>Water Management Act 2000</i></p>	<p>Dog Trap Creek and Reedy Creek hug the northern and eastern boundary of the subject site. It is noted however, there are no proposed works within the listed watercourses.</p> <p>As such, the development does not warrant approval pursuant to section 91(2) of the <i>Water Management Act 2000</i> for a controlled activity approval.</p>



## **Bushfire Prone Land**

Section 4.14 of the EP&A Act provides for the general consideration of bushfire hazard on land mapped as bushfire prone as shown in **Figure 2.20**. Section 4.47 of the EP&A Act provides for the consent authority to obtain from each relevant approval body the *General Terms of Approval* to be granted by the approval body in accordance with the regulations.

The proposed development is categorised by the RFS as being a residential development and this requires a qualified bushfire consultant to issue a Bushfire Assessment Report in accordance with *Planning for Bushfire Protection 2019 (PBP 2019)* and the *Rural Fires Regulation 2022*.

To support the proposed subdivision a Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer **Appendix K**) is included with this application and concludes the following recommendations demonstrate an acceptable performance-based solution that is consistent with the NSW RFS PBP (2019).

*The purposes of this report are to:*

- *Determine the bushfire threat to the proposed development,*
- *Demonstrate to the “Consent Authority” that the development proposal meets the specific objectives of PBP (2019) for subdivisions and*
- *Support the development application by showing that the site is suitable for development given the bushfire threat.*

*The proposed subdivision has been assessed and found capable of the following:*

- *APZs can provide sufficient space and reduced fuel loads to ensure radiant heat levels at the building will not exceed 29kW/m<sup>2</sup>.*
- *Landscaping can be managed to minimise flame contact, reduce radiant heat levels, minimise embers and reduce the effect of smoke on residents and firefighters.*
- *Safe operational access can be provided to structures and water supplies for emergency services, while providing for evacuating residents and suitable access is provided for fire management and APZ management purposes.*
- *Providing water for the protection of buildings during and after the passage of a bush fire, gas and electricity located so as not to contribute to the risk of fire to a building.*

*The scope of this report is defined by the specific objectives and performance requirements for residential and rural residential subdivisions set out in Chapter 5 of PBP (2019).*

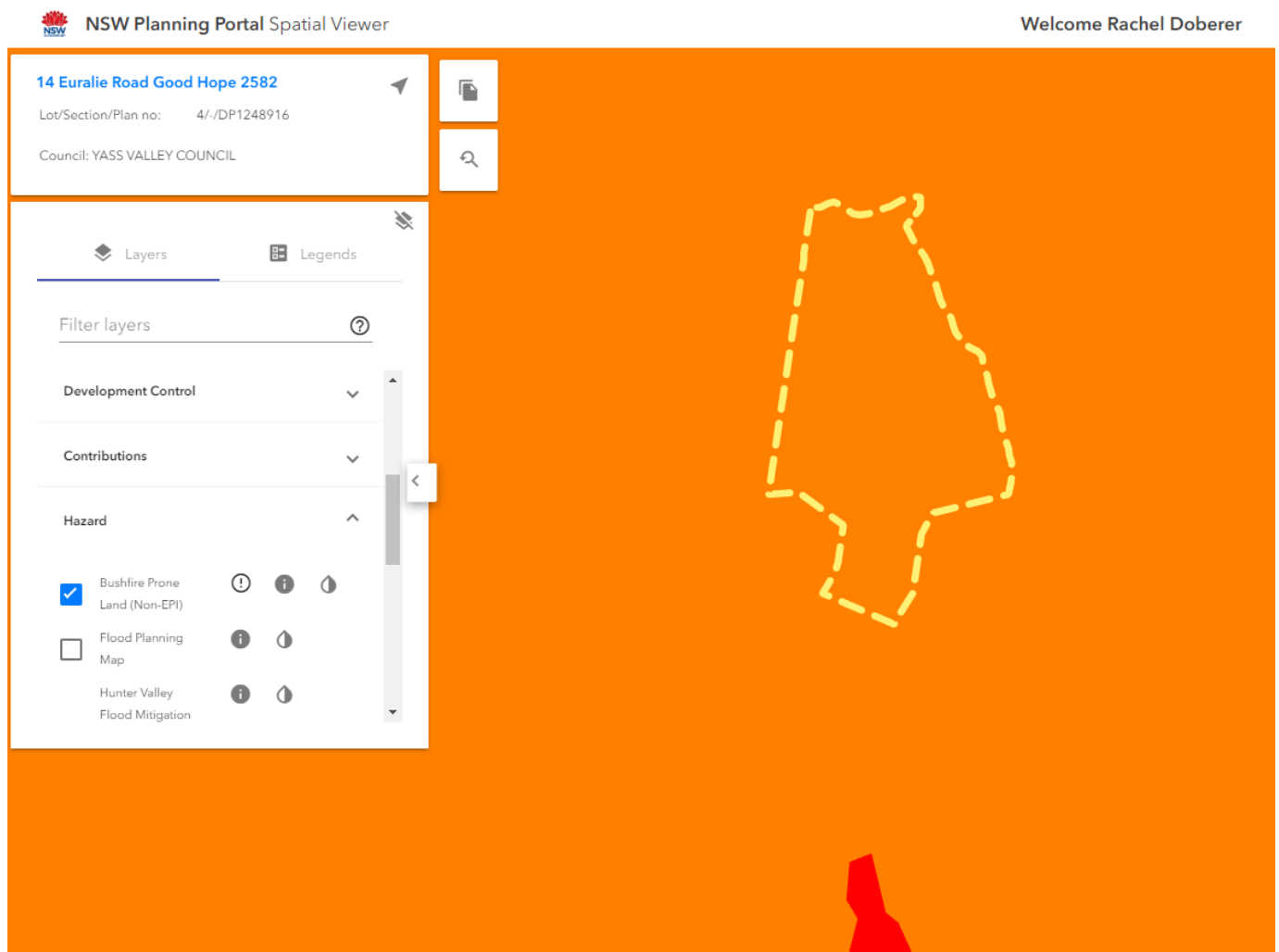
*The following six bushfire protection measures will be assessed to determine the suitability of the development proposal:*

7. *Asset Protection Zones (APZs),*
8. *Landscaping*
9. *Building Construction and Design,*
10. *Access,*
11. *Water supplies and utilities (Services) and*
12. *Emergency Management Arrangements*



- ❖ *This Report establishes the level of bushfire threat to the proposed development and examines the PBP (2019) six bushfire protection measures for the future dwellings on Lots 2-9.*
- ❖ *A performance-based design for access will satisfy the performance criteria and intent for access arrangements set out in PBP (2019).*
- ❖ *Asset protection zones (APZ) have been designed to fit within the building envelopes to reduce the impact on flora and fauna.*
- ❖ *Lots 2-9 will require their own firefighting water supply to serve the future dwelling at the development time.*
- ❖ *Based on the bushfire assessment and the recommendations contained in this report, the proposed development is deemed to comply with the specific and broad objectives of PBP (2019), the requirements of the Rural Fire regulations (2022) and, therefore, suitable for submission to the NSW RFS for the issuing of a bush fire safety authority.*

Based on the bushfire assessment and the recommendations contained in this report, the proposed development is deemed to comply with the specific and broad objectives of PBP (2019), the requirements of the Rural Fire regulations (2013) and, therefore, suitable for submission to the NSW RFS for the issuing of a bush fire safety authority.



**Figure 2.20: Bushfire Prone Land Mapping** (Source: NSW Government Planning Portal Spatial Viewer, June 2024)



The APZ setback recommendations prescribed for proposed Lot 3 have been calculated by a qualified bushfire consultant and have been specified to ensure that future dwellings are not exposed to radiant heat levels exceeding 29kW/m<sup>2</sup> and, therefore, surpass the minimum requirements.

This intended design feature will provide a higher level of safety and resilience to the existing dwelling on proposed Lot 1 and the future dwellings on proposed Lots 2 to 9. This design feature forms part of a performance-based design to address extended access/ egress. The recommendations in the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024 (refer **Appendix K**) confirms the following:

### **Construction Standard & APZ:**

#### **Lots 2-5 & 7-9**

- *The fixed BAL-19 construction standard within the presumed 15m x 15m dwelling sites, with BAL 12.5 sized APZ will increase the future dwellings bushfire resilience. This may allow occupants and firefighters (if they choose) to pretreat the APZ, then shelter in place, and then defend in place.*

#### **Lot 6**

- *The fixed BAL-29 construction standard within the presumed 15m s 15m dwelling sites, with BAL 19 sized APZ will increase the future dwellings bushfire resilience. This may allow occupants and firefighters (if they choose) to pretreat the APZ, then shelter in place, and then defend in place.*

### **Increased static water supplies:**

#### **Lots 2-9**

- *Increased from 20,000L to 30,000L.*
- *These increased static water supplies will enable fire crews and occupants, if they choose, to undertake active fire protection for a longer period.*

*The proposed access provisions and additional recommendations offer:*

- *Firefighter access to structures and water supplies,*
- *Evacuation routes for both residents and firefighters,*
- *Access to APZ for ongoing maintenance, and*
- *Access to areas of bushfire hazard for firefighting and hazard mitigation purposes.*

*The APZs will be located within the building envelope to reduce the impact on flora and fauna.*

*Therefore, the proposed performance-based assessment demonstrates that the existing PAR satisfies the performance criteria of Access 5.3.2 and the intent of 3.4 Access arrangements PBP (2019). Attachment – C.*

### **Lot 1 Assessment Conclusion**

*The existing dwelling has been assessed and found to capable of providing any of the applicable ember protection measures.*

*The existing dwelling is provided with the following static water supplies:*

- *A plastic water tank at the existing dwelling.*
- *Access to two large dams.*





*Recommendations:*

- *If possible, a 65mm Storz coupling and shut-off valve should be installed at the outlet of the existing water tank.*
- *Install a static water supply sign at the entrance to the property.*
- *The private access road (PAR) is existing, and no additional recommendations are made.*
- *Continue to maintain the grassland surrounding the existing dwelling (APZ).*
- *It is recommended that future maintenance and design of the gardens consider Appendix 4 – Asset Protection Zone Requirements, Inner Protection Areas recommendations.*

Following the recommendations within the Bushfire Assessment Report, it is proposed to implement the following Positive Covenant over proposed Lot 3 via an 88B Instrument that will accompany the Final Plan of Subdivision (Deposited Plan) upon registration at Land Registry Services (**LRS**). The following proposed wording is recommended:

**Proposed Positive Covenant for Lot 1:**

*The registered proprietor of the lot(s) hereby burdened will maintain at the sole expense of the registered proprietor the whole of their lot as an asset protection zone, including, but not limited to, the removal of vegetation in accordance with fuel load requirements and restricting the placement of combustible materials, buildings or improvements, complying with the NSW Rural Fire Service relevant and applicable at the time.*

**Proposed Positive Covenant for Lots 2 to 9:**

*The registered proprietor of the lot(s) hereby burdened will maintain at the sole expense of the registered proprietor the whole of the asset protection zone measured from the outside walls of a future dwelling, for the distances defined in the following table, including, but not limited to, the removal of vegetation in accordance with fuel load requirements and restricting the placement of combustible materials, buildings or improvements, complying with the requirements of the NSW Rural Fire Service relevant and applicable at the time.*

LOT 2 – BAL12.5

<b>Orientation</b>	<b>APZ Distance/ Depth</b>
<i>North</i>	<i>25m</i>
<i>North East</i>	<i>25m</i>
<i>East</i>	<i>22m</i>
<i>South East</i>	<i>22m</i>
<i>South</i>	<i>22m</i>
<i>South West</i>	<i>22m</i>
<i>West</i>	<i>22m</i>
<i>North West</i>	<i>22m</i>



LOT 3 – BAL12.5

<b>Orientation</b>	<b>APZ Distance/ Depth</b>
North	22m
North East	25m
East	25m
South East	25m
South	22m
South West	22m
West	22m
North West	22m

LOT 4 – BAL12.5

<b>Orientation</b>	<b>APZ Distance/ Depth</b>
North	25m
North East	28m
East	25m
South East	25m
South	22m
South West	22m
West	22m
North West	22m

LOT 5 – BAL12.5

<b>Orientation</b>	<b>APZ Distance/ Depth</b>
North	25m
North East	25m
East	25m
South East	25m
South	22m
South West	22m
West	22m
North West	22m

LOT 6 – BAL19

<b>Orientation</b>	<b>APZ Distance/ Depth</b>
North	17m
North East	26m
East	20m
South East	17m
South	17m
South West	15m
West	15m
North West	17m



LOT 7 – BAL12.5

<b>Orientation</b>	<b>APZ Distance/ Depth</b>
North	25m
North East	25m
East	25m
South East	22m
South	22m
South West	22m
West	22m
North West	22m

LOT 8 – BAL12.5

<b>Orientation</b>	<b>APZ Distance/ Depth</b>
North	25m
North East	25m
East	25m
South East	25m
South	25m
South West	22m
West	22m
North West	22m

LOT 9 – BAL12.5

<b>Orientation</b>	<b>APZ Distance/ Depth</b>
North	22m
North East	25m
East	25m
South East	25m
South	22m
South West	22m
West	22m
North West	25m

*The asset protection zone referred to has been determined at the subdivision stage based on a deemed-to-satisfy, or performance based, solution and relates to a setback measured from the bush fire threat where the radiant heat flux is 29 kilowatts per square metre, or less and there is no flame contact (setback greater than flame length in radiant heat modelling) as required by the Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas and Planning for Bushfire Protection 2019 (or equivalent where these documents are superseded).*

*The Bushfire Attack Level (BAL) for building has been determined at the subdivision stage and ranges from BAL 12.5 through to BAL 19 based on the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 02 June 2024.*



## 2.5 STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policies (SEPPs) are environmental planning instruments that deal with matters of State or Regional environmental planning significance.

The following provides a brief commentary on whether the key SEPPs are relevant to this proposal.

**TABLE 8 – SEPPS**

SEPP	COMMENT
<p><i>SEPP (Biodiversity and Conservation) 2021</i></p>	<p>This SEPP aims to protect the biodiversity values of trees and vegetation in non-rural areas of the State and preserve the amenity of non-rural areas of the State through the preservation of tree and other vegetation. Provisions protecting bushland, trees, heritage items, waterways, wetlands, and koalas are included in the SEPP.</p> <p>The provisions within this SEPP do not apply to the subject land. It is noted there will be no effect on the existing biodiversity of the site to complete the proposed development.</p>
<p><i>SEPP (Transport and Infrastructure) 2021</i></p>	<p>There are provisions contained within the SEPP which are triggers for the referral of the DA to certain authorities prior to Council being able to grant consent. The potential triggers for referral are summarised as follows:</p> <p><u>Development Likely to affect an electricity transmission or distribution network</u></p> <p>Clause 2.48 of the SEPP requires Council to give written notice to the electricity supply authority (and consider any response received within 21 days) when a DA involves development that comprises or involves:</p> <ul style="list-style-type: none"> <li>• The penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of electricity tower.</li> <li>• Development carried out within or immediately adjacent to an easement for electricity purposes or substation, or within 5 metres of an exposed overhead electricity power line.</li> <li>• Development involving the installation of a swimming pool within 30m of a structure supporting an overhead transmission line, or within 5m of an overhead electricity power line.</li> <li>• Development involving or requiring the placement of power lines underground.</li> </ul>



	<p>Based in a review of the plans and documents submitted with the DA, the proposed DA is unlikely to trigger referral to the electrical supply authority, as the nearest overhead pole location is further than 5 metres of any anticipated future construction site.</p> <p><u>Development in or adjacent to road corridors and road reservations</u></p> <p>Clause 2.122 of the SEPP requires Council to give written notice to Transport for NSW (and consider any response received within 21 days) when a DA involves traffic generating development of a kind specified in Column 1 of Schedule 3 of the SEPP.</p> <p>The nature and scale of the proposed development does not trigger referral of the application to TfNSW.</p>
<p><i>SEPP (Primary Production)2021</i></p>	<p>This SEPP contains planning provisions to protect and support agricultural lands and opportunities for Primary Production.</p> <p>The proposed development for a nine (9) lot Torrens Title subdivision, does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Resilience and Hazards) 2021</i></p>	<p>This SEPP requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.</p> <p>It is noted the proposed development is not located on 'Contaminated Land'.</p> <p>'Contaminated Land' means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.</p> <p>Taking into consideration the historic use of the site Council can be satisfied that the land is not contaminated and is not land specified in subsection (4) of clause 4.6 of the SEPP (such that there is no requirement for a preliminary site investigation report).</p>



<p><i>SEPP (Building Sustainability Index: BASIX) 2004</i></p>	<p>The proposed development is for the subdivision of nine (9) Rural Residential Torrens Title Lots which does not require a BASIX Certificate.</p> <p>As such this SEPP is not applicable to the assessment of this application.</p>
<p><i>SEPP (Exempt and Complying Codes) 2008</i></p>	<p>The proposed three (3) lot Torrens Title subdivision does not qualify to be assessed against this code.</p> <p>As such this SEPP is not applicable to the assessment of this application.</p>
<p><i>SEPP (Planning Systems) 2021</i></p>	<p>This SEPP contains planning rules that allow for a strategic and inclusive planning system for the community and the environment for State Significant Development.</p> <p>The proposed development is not classified as State Significant Development and therefore this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Resources and Energy) 2021</i></p>	<p>This SEPP contains planning rules that promote the sustainable use of NSW's resources and transitioning to renewable energy. Specifically for the assessment and development of mining, petroleum production and extractive material resource proposals.</p> <p>The proposed development does not relate to the developments listed above and as such this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Housing) 2021</i></p>	<p>This SEPP facilitates development of affordable and diverse housing including boarding houses, build-to-rent housing, seniors housing, caravan parks/ manufactured home estates, group home, secondary dwellings, social and affordable housing and short-term rental accommodation.</p> <p>The proposed development does not relate to the delivery of development listed above. As such this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Industry and Employment) 2021</i></p>	<p>This SEPP contains planning rules that applies to employment land in western Sydney and for advertising and signage in NSW.</p> <p>The proposed development does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>





## 2.6 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the subject application as per Clause 4.15 of the EP&A Act

The following table summarises the key findings in the context of Section 4.15 of the Act under which the application must be assessed.

**TABLE 9 – SECTION 4.15 OF THE EP&A ACT**

OBJECT	COMMENT
<p>(a) <i>the provisions of—</i></p> <ul style="list-style-type: none"> <li>(i) <i>any environmental planning instrument, and</i></li> <li>(ii) <i>any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i></li> <li>(iii) <i>any development control plan, and</i></li> <li>(iiia) <i>any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i></li> <li>(iv) <i>the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i></li> <li>(v) <i>(Repealed)</i></li> </ul> <p><i>that apply to the land to which the development application relates,</i></p>	<p>The proposed development has been prepared taking into consideration any potential socioeconomic and environmental concerns.</p> <p>It has been determined the proposed development will not raise any matters of significance to inhibit the approval of the development application.</p> <p>The proposal has been assessed against the relevant provision of the Environmental Planning and Assessment Act 1979, the relevant Local Environmental Plan specifically the YVLEP2013 and the Draft Yass Valley Development Control Plan 2024 (YVDCP2024).</p> <p>The proposal is permissible with Councils consent within the zone and meets the relevant objectives of the C4 Environmental Living zone confirming the proposed development meets the relevant objectives.</p> <p>Careful consideration has been given to the design of the proposed development to ensure that a high-quality outcome is achieved whilst also attaining an environmentally sustainable development that is compatible with and sympathetic to surrounding and neighbouring properties.</p>
<p>(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i></p>	<p>The proposed development has been prepared to facilitate an ecologically sustainable development that represents rational, orderly, economic and sustainable use of the land.</p> <p>The nine (9) Lot Torrens Title Rural Residential Subdivision has been designed to take into consideration the subject site and surrounds.</p>



	<p>The proposed development has been prepared by integrating the relevant economic, environmental and social considerations to result in an achievable planning outcome.</p> <p>It has been determined that any minor impacts of the development will have little to no effect on the surrounding environment. The proposed development of the subject lot is expected to lay the foundation for more efficient utilization of the land, and it is expected to contribute in varying degrees to the local economy.</p>
<p>(c) <i>the suitability of the site for the development,</i></p>	<p>The proposed subdivision is consistent with, and compatible with the surrounding land uses of Good Hope. The proposal fits in with the existing and future land uses and will be maintained with this development.</p> <p>The proposed development has been designed to have regard for the existing land uses and will not adversely affect the amenity of the surrounding area, environment, or adjoining neighbours, maintaining the opportunity for sustainable residential development. Therefore, the site is considered suitable for the proposed development.</p>
<p>(d) <i>any submissions made in accordance with this Act or the regulations,</i></p>	<p>Council is required to take into consideration any submission made in accordance with Council's notification policy and the notification provisions of the EP&amp;A Act.</p>
<p>(e) <i>the public interest.</i></p>	<p>This development application seeks approval for a proposed nine (9) lot Torrens Title Subdivision including New Road. The proposal is considered in the public interest for the following reasons:</p> <ul style="list-style-type: none"> <li>• The site is located within the C4 Environmental Living zone of Good Hope. The vision for the expansion of Yass LGA is to create a high quality and ecologically sustainable environment integrated with good accessibility and open space. This DA meets the intent of this by providing a high-quality development which will support the other uses of the area.</li> <li>• The site is zoned for development purposes, and the proposed development provides for a subdivision that is consistent with the objectives and controls contained in the YVLEP2013.</li> <li>• The proposal accommodates rural residential living opportunities, within close proximity to Yass, Murrumbateman Goulburn and Canberra.</li> <li>• It is expected the construction works associated with the proposed and future development will contribute in varying degrees to the local economy and Yass Valley more generally.</li> </ul>



### **3. CONCLUSION**

This application seeks approval for a Nine (9) Lot Torrens Title Rural Residential Subdivision including New Road. It is concluded, the approval of the Development Application at Lot 4 DP1248916 14 Euralie Road, GOOD HOPE is an appropriate, orderly and compatible form of development when assessed under Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The environmental assessment of the proposed development has demonstrated that it will have minimal adverse environmental impacts. The proposal is permissible with Council's consent within the zone and meets the relevant objectives of the C4 Environmental Living zone.

Careful consideration has been given to the design of the proposed development to ensure that a high-quality outcome is achieved whilst also achieving an environmentally sustainable development that is compatible with and sympathetic to surrounding properties.

The proposal has been prepared with respect to create an appealing residential subdivision development within the locality of Good Hope. The application is supported by the appropriate documents that satisfy Council's requirements and demonstrate that the subject site is suitable for the proposed development.

The assessment of the proposed development has been documented in this Statement of Environmental Effects to visualise all aspects of the relevant matters for consideration under the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*.

The assessment concludes the subdivision is permissible within the C4 Environmental Living zone, is consistent with the specific provisions contained in the YVLEP2013 and the draft YVDCP2024. It is recommended that sufficient information has been submitted with the Development Application to allow Yass Council to make an informed decision on the proposal. It is the findings of this Statement of Environmental Effects that the proposed development should be supported.

