


# STATEMENT OF ENVIRONMENTAL EFFECTS

**PREPARED BY:**

**DPS YASS PTY LTD  
ABN 31 602 010 006**

**7 ADELE STREET  
YASS NSW 2582**

**PO BOX 5  
YASS NSW 2582**

<b>PROJECT:</b>	Development Application for the approval of a Two (2) Lot Torrens Title Residential Subdivision including a Clause 4.6 Variation Request to the Minimum Lot Size at Lot 1 DP779030 29 Orion Street, YASS  pursuant to the provisions within the <i>Yass Valley Local Environmental Plan 2013 (YVLEP2013)</i> and the <i>Yass Valley Development Control Plan 2024 (YVDCP2024)</i> .
<b>APPLICANT:</b>	JOSH BARKER
<b>OUR REFERENCE:</b>	4394_SEE1
<b>DATE:</b>	SEPTEMBER 2024
<b>AUTHOR:</b>	RACHEL DOBERER SENIOR TOWN PLANNER
<b>SIGNATURE:</b>	

## Revision Status

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# 1. INTRODUCTION

This Statement of Environmental Effects (**SEE**) has been prepared for *Josh Barker* (the **Applicant**) by DPS YASS Pty Ltd. This Statement is to accompany a development application to Yass Valley Council for the approval of a Two (2) Lot Torrens Title Residential Subdivision including a Clause 4.6 Variation to the Minimum Lot Size at Lot 1 DP779030 29 Orion Street, YASS.

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 R1 General Residential pursuant to the *Yass Valley Local Environmental Plan 2013* (YVLEP2013). The proposed development is permissible with development consent within the R1 General Residential zone. The proposed development formulates contextual elements derived from the existing 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 nearby residential development, 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 within the YVLEP2013.
- 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 residential land. This is explained in more detail later in this Statement.
  - The subject site is located within the R1 General Residential zone of Yass. 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 residential living opportunities in the town of Yass, within close proximity to Murrumbateman and Canberra.
  - The site is zoned for development purposes, and the proposed development provides for infill development (residential) including a Two (2) Lot Torrens Title Referral Subdivision that is consistent with the objectives and controls contained in the YVLEP2013 and the 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

### 1.3.1 The Applicant

*Josh Barker*  
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)

### 1.3.2 The Owner(s)

*Joshua Arnold Barker*  
*Meg Elizabeth Perceval*  
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)

### 1.3.3 Site Address

The subject site for this application is legally identified as Lot 1 DP779030 29 Orion Street, YASS and shown in **Figures 1.1 and 1.2** (Location Map) of this Statement.



## 1.4 SITE AND LOCATION

### 1.4.1 Site Description

The subject site is located in Yass Town, on the northern side of town (refer **Figure 1.1**), roughly 25km to Murrumbateman Village and approximately 60km to Canberra CBD. The subject site is located on Orion Street and connects to Murrumbateman, Canberra and Goulburn seamlessly via Comur Street, 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 R1 General Residential in the Yass Valley LEP 2013 (YVLEP2013). It is bounded by other similar residential lots to the North, East, South and West (refer **Figure 1.2**).

Legal and physical access to the subject site is gained off Orion Street. The site is a regular shaped parcel of land with a total area of 2027m<sup>2</sup>. The land is currently utilised for residential purposes, following this subdivision, the use is intended to remain the same.



**Figure 1.1: Location Map in relation to Yass Town Centre** (Source: Google Earth, September 2024)



Figure 1.2: Location Map (Source: Google Earth Aerial Imagery, September 2024)

## **1.4.2 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 listed on the subject site.

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

- It is proposed to create a Right of Carriageway 5.25 Wide over Proposed Lot 2 denoted as R1 on the Proposed Plan of Subdivision (refer **Appendix A**).

The Civil Engineering Design notes the following in relation to the sewer tie for proposed Lot 2:

The sewer tie for proposed Lot 2 may not be capable of servicing the entirety of the Lot as a gravity system. To ensure any future development on proposed Lot 2 is appropriately serviced, the following wording shall be included on the 88B Instrument for this subdivision:

*“To ensure that the sanitary drainage on Lot 2 operates effectively, the finished floor level (FFL) of any dwelling shall be no lower than 507.2m AHD. Alternatively, the following shall apply:*

- 1. The sanitary drainage shall be designed by a suitably qualified and experienced engineer and shall demonstrate that the proposed dwelling can be appropriately serviced by the existing sewer tie; or*
- 2. The proposed dwelling is to be serviced by a privately owned and maintained sewer pump system (SPS). The SPS shall comply with Councils requirements and be installed at no cost to Council.”*

## 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 Two (2) Lot Torrens Title Subdivision including a Clause 4.6 Variation Request to the Minimum Lot Size, 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 dated September 2024 (refer **Figure 1.3 & Appendix A**).
- Clause 4.6 Variation Request prepared by DPS YASS P/L dated September 2024 (refer **Appendix B**).
- Civil Engineering Design prepared by Genium Civil Engineering dated 13 September 2024 (refer **Appendix C**).
- Estimated Cost of Works prepared by Genium Civil Engineering dated 18 September 2024 (refer **Appendix D**).
- Detail Survey Plan prepared by DPS YASS P/L dated March 2023 (refer **Appendix E**).
- Certificate of Title and Deposited Plan for Lot 1 DP779030 (refer **Appendix F**).

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 2027m<sup>2</sup> of land with an existing dwelling house and ancillary structures that are intended to remain on proposed Lot 1. 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 development consists of a subdivision creating two (2) Torrens Title residential lots. There will be minimal effect to the visual amenity of the surrounding properties as there is significant planting of vegetation that have been undertaken over the years on the boundary of the subject property and surrounding properties creating a significant visual amenity buffer between neighbouring lots. 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 not considered 'Integrated Development' under Section 4.46 of the EP&A Act. 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
- Height of Buildings Map within the YVLEP2013
- Floor Space Ratio Map within the YVLEP2013
- Land Zoning 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 complement surrounding existing structures. The layout of the subdivision has been prepared 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 Yass Town, 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 residential use, specifically the application seeks development consent for a subdivision creating two (2) Torrens Title Residential Lots as specified on the Proposed Plan of Subdivision (refer **Figure 1.2 & 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 lot into two (2) Torrens Title Residential Lots,
- Reconstruction of the vehicular kerb crossing to suit driveway width of 4.5m
- Install new water service from Council main to proposed water meter
- Construct new 4.5m wide reinforced concrete driveway
- Construction of a new retaining wall approximately 200-400mm high
- Installation of a new Sewer Tie and Sewer Rising Main,
- Installation of a new stormwater tie, boundary riser and trafficable I/O cover

on Lot 1 DP779030 as per the Proposed Plan of Subdivision (refer **Appendix A**) and the Civil Engineering Design (refer **Appendix C**). 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**

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 works will generally consist of re-grading the eastern side of the site to establish the desired levels for the upgraded access way and driveway (Right of Carriageway). These levels have been designed to optimise the utilisation of cut and fill across the site, where possible maintaining the fall to the road and to maintain surrounding boundary levels.

The delivery of stormwater drainage infrastructure and utility services will be contained to the subject site. The connection to Councils reticulated water and sewer services will be made by the appropriate and qualified tradesperson(s).

## **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 Two (2) Lot Torrens Title 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.

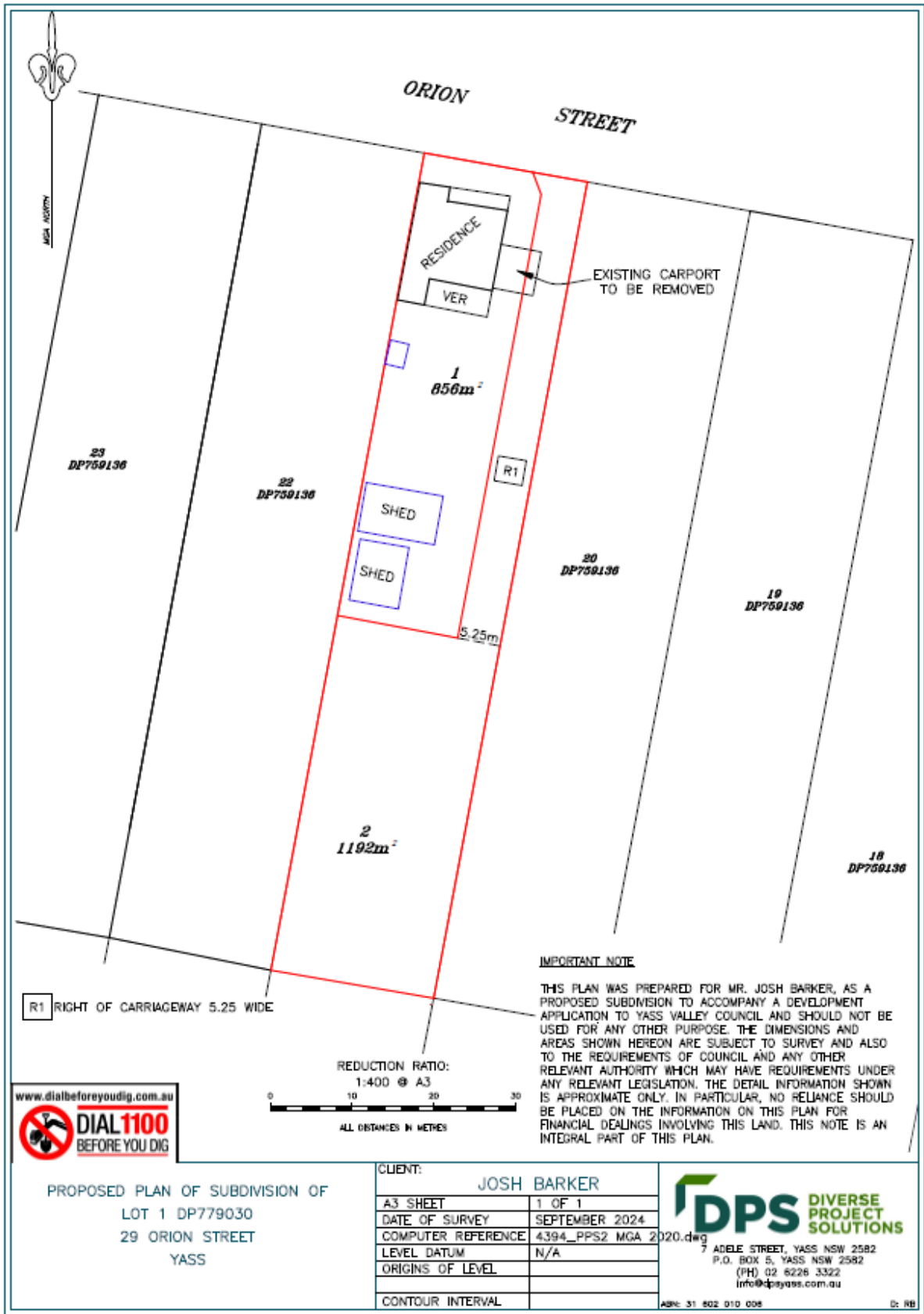


Figure 1.3: Proposed Plan of Subdivision (Source: DPS YASS P/L, September 2024)



## 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 R1 General Residential (refer **Figure 2.2**).


This development involves the construction of a dual occupancy and subdivision of the subject lot into Two (2) Torrens Title Residential Lots including a 4.6 Variation Request to the Minimum Lot Size that is permissible with conditional consent pursuant to clause(s) 2.1 and 2.6 of the YVLEP2013 within the R1 General Residential 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 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 reducing the minimum subdivision lot size, housing density will slightly increase without any adverse impacts on its context or overall desired outcome.</p>

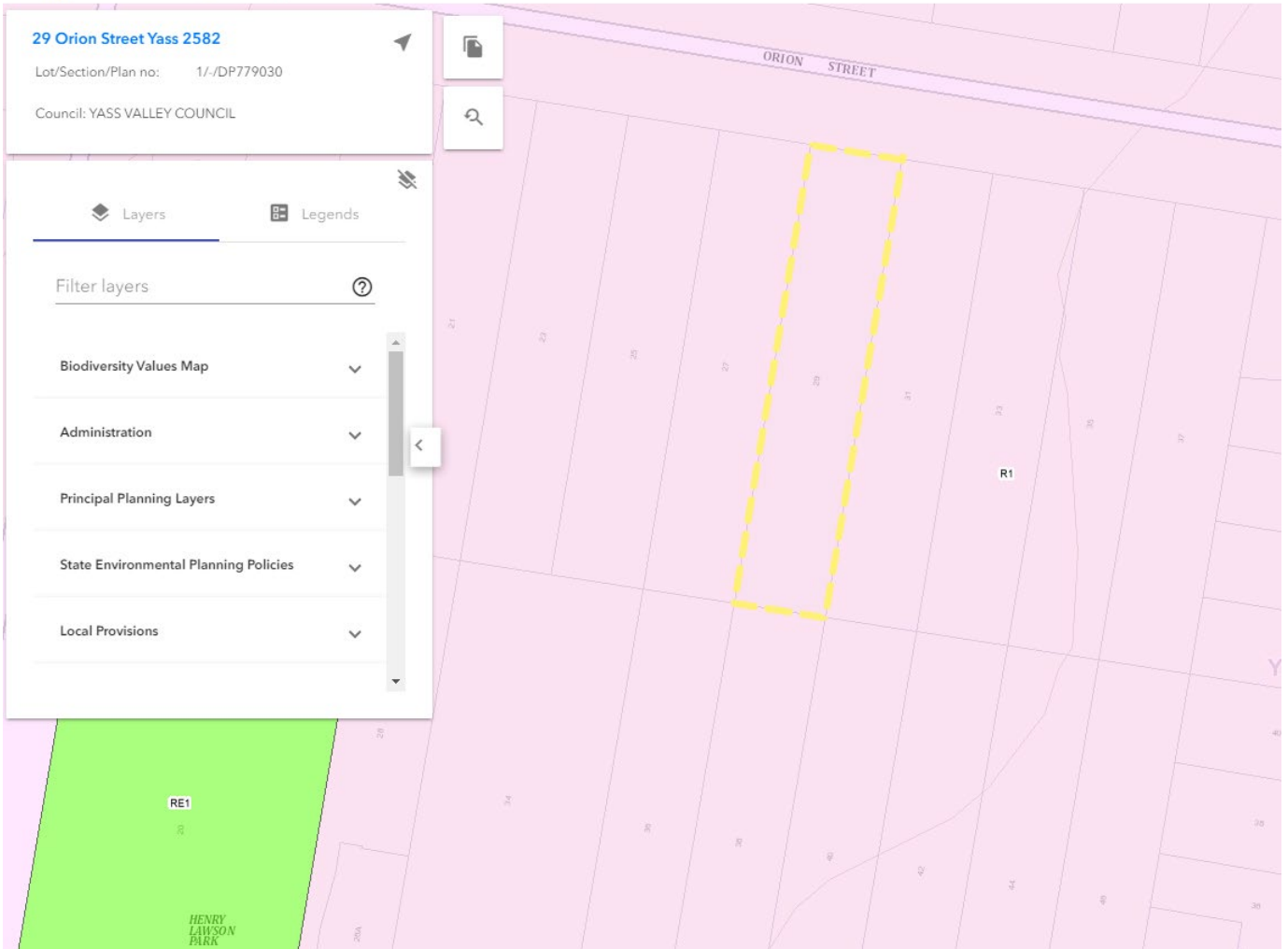
<i>(d) to promote employment-generating tourism,</i>	Not applicable. The proposed development is for the subdivision of residential land only.
<i>(e) to provide for commercial and industrial development,</i>	Not applicable. The proposed development is for the subdivision of residential land only.
<i>(f) to encourage the establishment of retail and professional services in urban locations,</i>	Not applicable. The proposed development is for the subdivision of residential land only.
<i>(g) to protect and enhance the character of each of the villages in Yass Valley,</i>	<p>Complies. Whilst the subject site is not within a designated village in Yass Valley, it is located in Yass Town where local character is embraced.</p> <p>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 Yass 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>
<i>(h) to enhance service provision in each of the villages in Yass Valley,</i>	<p>Complies. Service provision is regarded as essential for the mere functionality of a modern family life.</p> <p>Elementary commercial and public support for categories of small and medium sized business typically located in rural areas is also considered self-evident and essential for the economic viability outside bigger towns.</p> <p>A certain level of public service provision is crucial in order to reduce social deprivation and in order to increase social inclusion, and this objective is of chief importance for maintaining a strong public sector representation in rural areas.</p> <p>The level of services available in each village/ town is directly related to the size of the local population. Hence, the proposed subdivision development will enhance the service provision within Manton by increasing the population and in turn coordinating the need for increased service provisions.</p>



<p><i>(i) to protect and conserve the cultural heritage and history of Yass Valley,</i></p>	<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.</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 of 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 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><b>Figure 2.1: Current Aerial Imagery</b> (Source: Google Earth, September 2024)</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>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.</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>It is noted there is no potential clearing of remnant trees are required to achieve the proposed subdivision, 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><i>(k) to minimise land use conflicts.</i></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, September 2024)

## TABLE 2 - OBJECTIVES OF THE R1 GENERAL RESIDENTIAL ZONE

The subject site is zoned R1 General Residential. The following table demonstrates the proposed new shed is consistent with the objectives of the zone.

OBJECTIVES OF R1 GENERAL RESIDENTIAL ZONE – YVLEP2013	COMPLIANCE
<p><i>To provide for the housing needs of the community.</i></p>	<p>Consistent. The proposal is found to be consistent with the R1 General Residential land use objectives 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 Council's support.</p> <p>The proposed subdivision lot layout/ pattern demonstrates an appropriate residential yield for the site that will serve the needs of the current and future community.</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 uses.</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's conditions.</p> <p>The proposed vacant lot provides the opportunity for a variety of future residential accommodation that in turn provides for the housing needs of the community/ members of the public.</p> <p>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 Council's support.</p> <p>The proposed development provides an adequate useable area for a future residential building with suitable living and open space on the site, as well as satisfactory car parking, setbacks and spatial separation from adjoining dwellings.</p> <p>The proposed subdivision will continue to provide for the housing needs of the community. This is exhibited in the proposed subdivision creating separately titled lots for an existing dwelling and proposed vacant residential lot.</p> <p>There are other similar subdivisions in the vicinity of the proposal that have excised of the existing cottage and retained the remainder of the lot to construct a future dwelling house/</p>

	<p>family home.</p> <p>This in turn demonstrates the proposed residential subdivision is compatible with the character of Yass Town and the surrounding residential development.</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, it has minor environmental impacts that are manageable and compatible with the existing and desired local area character.</p>
<p><i>To provide for a variety of housing types and densities.</i></p>	<p>Consistent. The proposed subdivision has the potential to provide for a varied type of housing and density to the existing neighbourhood and Yass Town overall.</p> <p>It is of the expectation that the proposal whilst not specifically for housing affordability, will assist in providing housing stock within the market that will assist those members of the public that are looking for a product that is more affordable.</p> <p>The proposed subdivision has been prepared to assist Council in achieving its urban management objectives by improving the supply, diversity and affordability of housing within the Yass community and in turn assists in creating a more affordable and sustainable community.</p> <p>The proposed development has taken a holistic and sustainable approach with the intention of creating a product that delivers an ecologically and socially sustainable outcome for the existing and desired local area character.</p> <p>The proposed subdivision can be categorised as an ESD as depicted earlier in this Statement 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>
<p><i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></p>	<p>Not applicable. The proposed development is for a residential subdivision for domestic residential use only.</p>



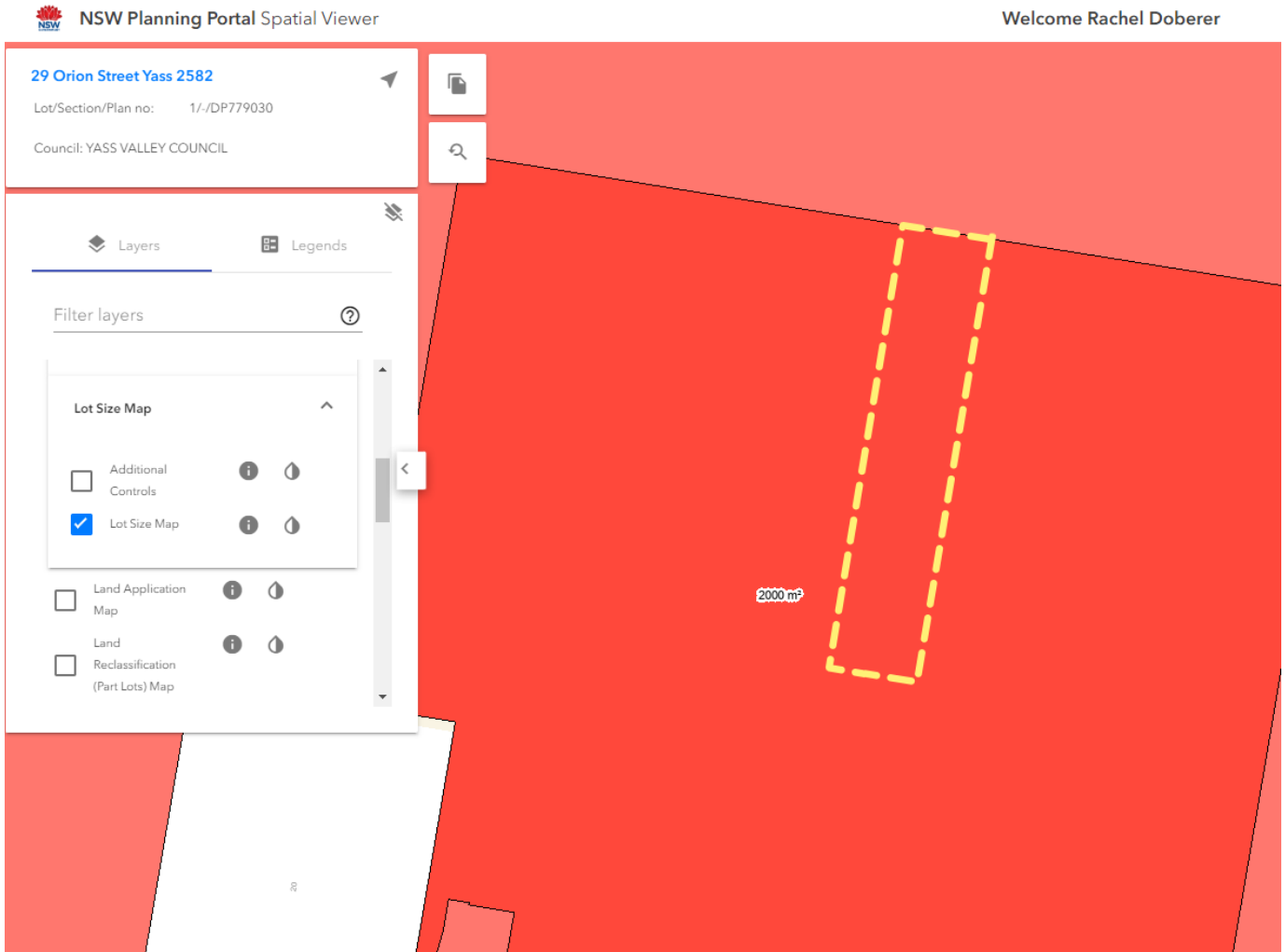
**TABLE 3 - OBJECTIVES OF CLAUSE 4.1 – MINIMUM SUBDIVISION LOT SIZE**

OBJECTIVES OF CLAUSE 4.1 – MINIMUM SUBDIVISION LOT SIZE	COMPLIANCE
<p><i>to minimise the likely impact of subdivision on the amenity of neighbouring properties,</i></p>	<p>Complies. The proposed two (2) lot Torrens Title residential subdivision minimises any likely impact on the amenity of neighbouring properties by containing the existing structures to the front of the lot, therefore retaining the existing streetscape. 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 within an already established area within Yass Town. The proposed subdivision layout responds to the characteristics of the site as demonstrated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>It is demonstrated the proposal will not:</p> <ul style="list-style-type: none"> <li>• Impact on the amenity of neighbouring properties as there will be no change to the existing streetscape therefore maintaining the existing visually amenity,</li> <li>• Result in any adverse environmental impacts notwithstanding the variation from the minimum lot size requirement.</li> </ul> <p>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 current and future sustainable residential development.</p> <p>The proposed two (2) lot subdivision has taken a holistic and sustainable approach to the development with the intention of creating a development that offers productive sized allotments delivering a better environmental planning outcome for the town of Yass and the 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. The position of a future dwelling has been taken into consideration and any issues such as overshadowing, noise and privacy will</li> </ul>

	<p>not directly impact on neighbouring properties. It is determined any future new dwelling will have good separation distances to adjoining dwellings.</p> <ul style="list-style-type: none"> <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>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 two (2) lot Torrens Title subdivision is seeking Council consent for the creation of two lots of 856m<sup>2</sup> and 1192m<sup>2</sup> respectively, resulting in two lots less than the prescriptive minimum lot size of 2000m<sup>2</sup>(refer <b>Figure 2.3</b>).</p> <p>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="667 920 1492 1167"> <thead> <tr> <th>LOT</th> <th>LOT SIZE</th> <th>PRIMARY ROAD FRONTAGE</th> <th>ACCESS TO SERVICES</th> <th>VARIATION (%)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>856</td> <td>Orion Street</td> <td>Yes</td> <td>57.2</td> </tr> <tr> <td>2</td> <td>1192</td> <td>Orion Street</td> <td>Yes</td> <td>40.4</td> </tr> </tbody> </table> <p>Conversely, we will be requesting a variation to Clause 4.1 pursuant to the provisions listed within Clause 4.6 of the YVLEP2013. This is discussed further in this Statement and separately as a formal written request (refer <b>Appendix B</b>).</p> <p>It is anticipated that this variation will have minimal impact on the surrounding landscape of the subject site. The lot layout has been determined by the location of existing structures and fencing and enables the future proofing of the existing dwelling house.</p> <p>The proposed subdivision is consistent with the aims and objectives of the YVLEP2013. The proposal will facilitate development generally 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>	LOT	LOT SIZE	PRIMARY ROAD FRONTAGE	ACCESS TO SERVICES	VARIATION (%)	1	856	Orion Street	Yes	57.2	2	1192	Orion Street	Yes	40.4
LOT	LOT SIZE	PRIMARY ROAD FRONTAGE	ACCESS TO SERVICES	VARIATION (%)												
1	856	Orion Street	Yes	57.2												
2	1192	Orion Street	Yes	40.4												
<p><i>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 (refer <b>Figure 2.4</b>).</p>															

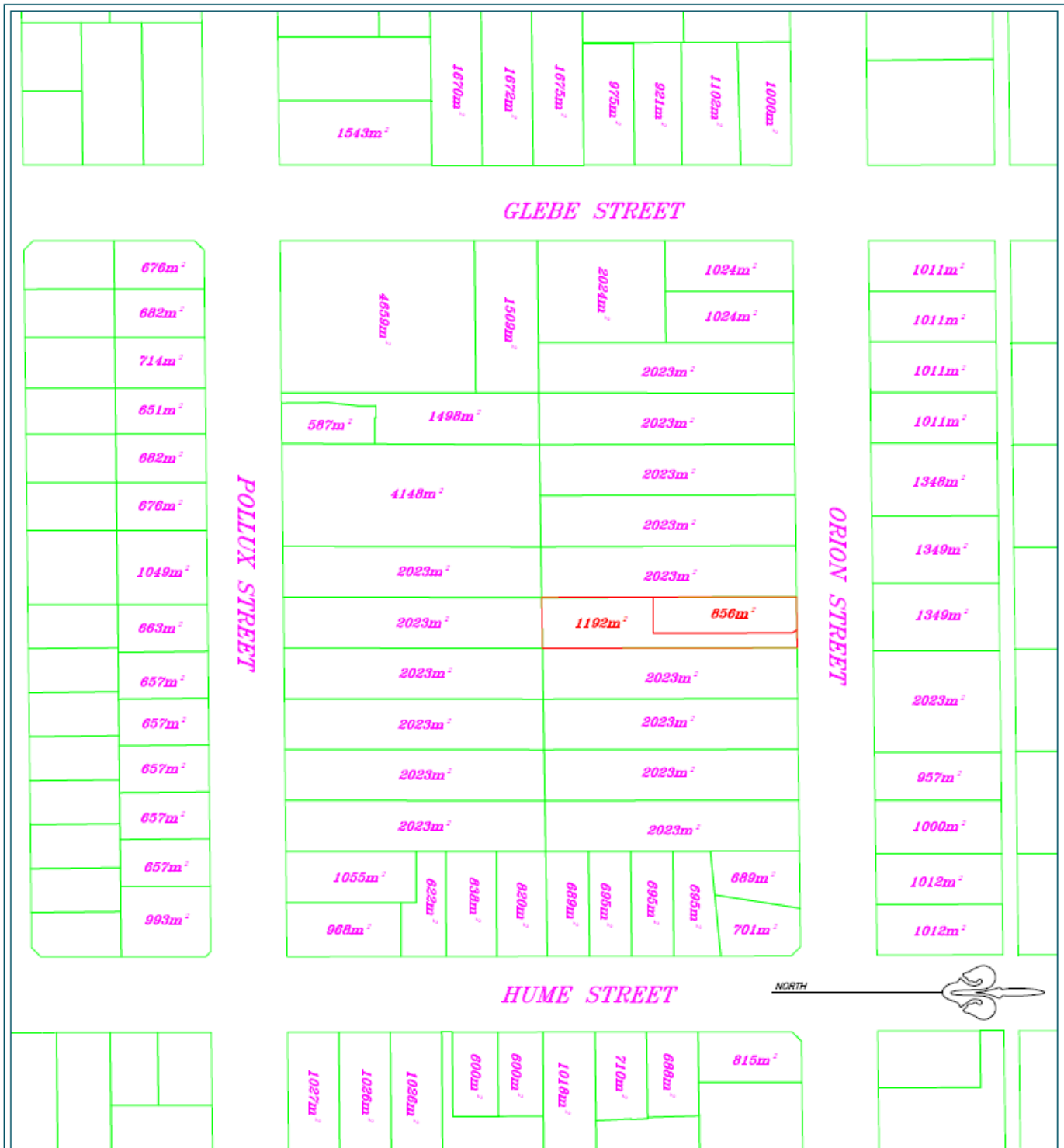
	<p>It is anticipated that the proposed two (2) lot Torrens Title Residential subdivision will have a positive impact on the surrounding landscape of the subject site.</p>
<p><i>to maintain the character of Yass Valley,</i></p>	<p>Complies. The proposal has been prepared to ensure the design reflects and reinforces the neighbouring subdivision patterns, preserving the character of Yass Valley.</p> <p>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 proposal responds to the character of Yass and is consistent with the aims and objectives of this development standard.</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 maintaining the character of Yass Valley.</p> <p>The proposed development has been prepared taking into consideration any potential socioeconomic and environmental concerns. It has been determined the development will not raise any matters of significance to inhibit the approval of the development application.</p>
<p><i>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, maintaining 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 a similar size to the proposed new Lots. Yass Town is subject to urban renewal through redevelopment and use of vacant land to assist with the number of available housing stock.</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>
<p><i>to ensure subdivision does not create unreasonable or uneconomic demands for the provision or extension of services,</i></p>	<p>Complies. The proposed two (2) lot subdivision will not create unreasonable or uneconomic demands for the provision of services.</p>

	<p>It is noted the provision of services to proposed Lot 1 are existing. Proposed Lot 2 will require the extension of Councils services as demonstrated in the Concept Civil Engineering Design prepared by Genium Civil Engineering (refer <b>Appendix C</b>).</p>
<p><i>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 urban area. The proposed subdivision will not negatively influence the layout of future urban areas.</p>



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





**Figure 2.4: Subject Site in context with Surrounding Neighborhood Lot Sizes** (Source: DPS YASS P/L, September 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 R1 General Residential. 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 within the R1 General Residential zone to which the subject land relates, with development consent.															
<i>Clause 4.1 Minimum Subdivision Lot Size</i>	<p>Complies. The proposed two (2) lot Torrens Title subdivision is seeking Council consent for the creation of two lots of 856m<sup>2</sup> and 1192m<sup>2</sup> respectively, resulting in two lots less than the prescriptive minimum lot size of 2000m<sup>2</sup>.</p> <p>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="536 1137 1362 1384"> <thead> <tr> <th>LOT</th> <th>LOT SIZE</th> <th>PRIMARY ROAD FRONTAGE</th> <th>ACCESS TO SERVICES</th> <th>VARIATION (%)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>856</td> <td>Orion Street</td> <td>Yes</td> <td>57.2</td> </tr> <tr> <td>2</td> <td>1192</td> <td>Orion Street</td> <td>Yes</td> <td>40.4</td> </tr> </tbody> </table> <p>Conversely, we will be requesting a variation to Clause 4.1 pursuant to the provisions listed within Clause 4.6 of the YVLEP2013. This is discussed further in this Statement and separately as a formal written request (refer <b>Appendix B</b>).</p> <p>It is anticipated that this variation will have minimal impact on the surrounding landscape of the subject site. The lot layout has been determined by the location of existing structures and fencing and enables the future proofing of the existing dwelling house.</p> <p>The proposed subdivision is consistent with the aims of the YVLEP2013. The proposal will facilitate development generally 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>	LOT	LOT SIZE	PRIMARY ROAD FRONTAGE	ACCESS TO SERVICES	VARIATION (%)	1	856	Orion Street	Yes	57.2	2	1192	Orion Street	Yes	40.4
LOT	LOT SIZE	PRIMARY ROAD FRONTAGE	ACCESS TO SERVICES	VARIATION (%)												
1	856	Orion Street	Yes	57.2												
2	1192	Orion Street	Yes	40.4												

It is important to note the proposed variation is consistent with the prescriptive minimum lot size for R1 General Residential within new developments which is 700m<sup>2</sup>. The proposed lot sizes are in line with and comparative to the surrounding neighbourhoods (refer **Figure 2.4**).

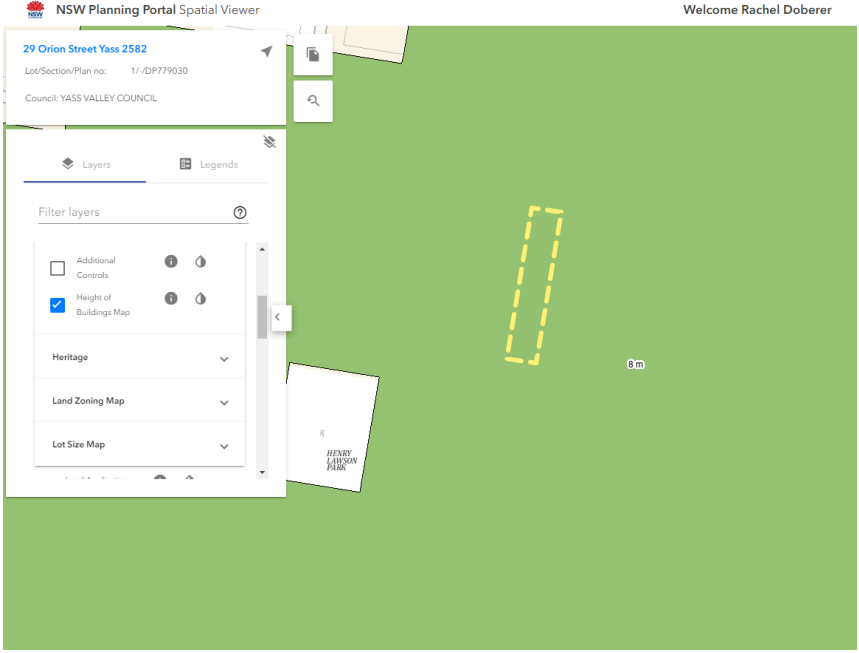
The subdivision has been designed to take into account the existing land uses and has been able to retain efficient and productive sized allotments, maintaining the opportunity for sustainable residential development.

The proposal has been prepared to ensure that the design reflects and reinforces the neighbouring subdivision patterns, preserving the character of Yass Valley

The proposed development demonstrates that the non-compliant lot size will provide a better planning outcome as opposed to strict compliance with the development standard or amending the application to reduce the extent of variation.

Not applicable. The proposed development is for the subdivision of land only. The subject site is however identified with a maximum prescriptive building height of 8 metres (refer **Figure 2.5**).

*Clause 4.3 Height of buildings*



**Figure 2.5: Height of Buildings Map** (Source: NSW Government Planning Portal Spatial View, September 2024)

For the purpose of demonstrating compliance in relation to the existing dwelling. **Figure 2.6** below confirms the existing dwelling also meets the minimum height requirements of this clause.

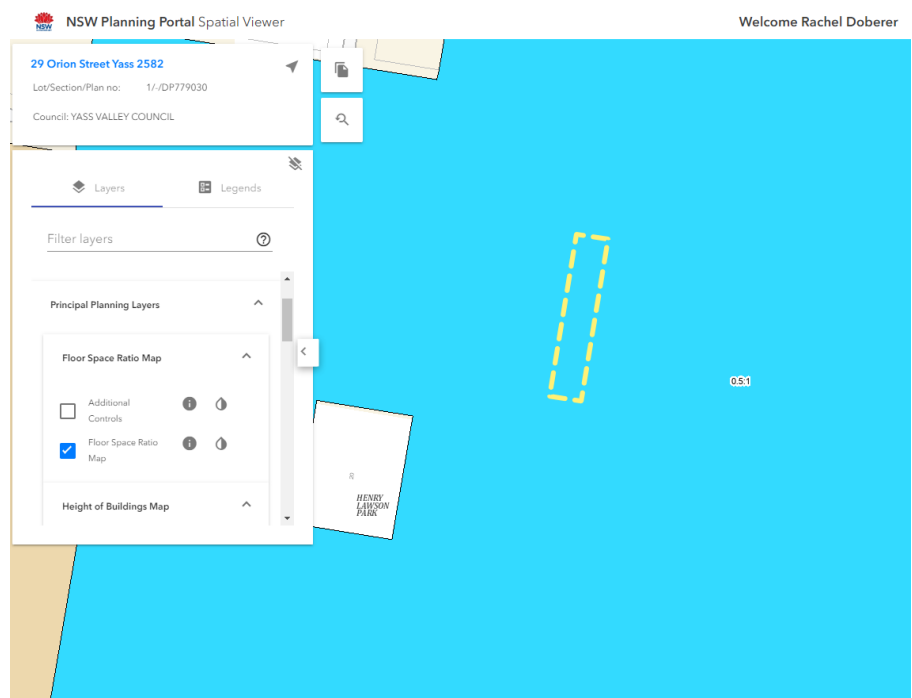
It is noted the height of the existing dwelling house is consistent with the existing streetscape/ character of immediate area.



**Figure 2.6: 29 Orion Street** (Source: Google Street View, September 2024)

Complies. The subject site is identified with a maximum prescriptive Floor Space Ratio (FSR) of 0.5:1 (refer **Figure 2.7**). The proposed development has been designed to ensure the compatibility with the bulk and scale of the existing and future character of the area.

*Clause 4.4 Floor space ratio*



**Figure 2.7: Floor Space Ratio Map** (Source: NSW Government Planning Portal Spatial View, September 2024)



For the purpose of demonstrating compliance: There is an existing single storey dwelling house on proposed Lot 1 that complies with the prescriptive floor space ratio of 0.5:1 as demonstrated in the table below.

LOT	GROSS FLOOR AREA (M <sup>2</sup> )	SITE AREA (M <sup>2</sup> )	FSR
1	126.439	1001	0.16:1

*Clause 4.6 Exceptions to development standards*

Complies. A development standard is defined in Clause 1.4 of the *Environmental Planning and Assessment Act 1979* as a provision of an environmental planning instrument (or a regulation) which relates to the carrying out of development and which specifies requirements or standards in respect of any aspect of that development. Minimum Lot Size is expressly identified as a development standard within Clause 1.4(1a).

Development standards are a means to achieving an environmental planning objective. Clause 4.6 recognises that some developments may achieve planning objectives despite not meeting a required development standard.

The planning system provides flexibility to allow these objectives to still be met by varying development standards in exceptional cases. The proposed development requires the request of a variation to Clause 4.1 – Minimum Subdivision Lot Size pursuant to the provisions of Clause 4.6, this is discussed in more detail in the formal written request (refer **Appendix B**).

Clause 4.6 of the YVLEP2013 provides the opportunity for Council to vary the controls based on the merits of the proposed development application. It is considered that this application satisfies the criteria listed within Clause 4.6 and is therefore considered a suitable application to receive Councils support.

This proposed layout including the non-compliant section subject to this variation request is compatible with the existing and surrounding lot patterns. Therefore, the degree of non-compliance with the development standard does not contravene from the existing and future character of the area and the proposal in its current form satisfies the objectives of *Clause 4.1 Minimum Lot Size*. Specifically, the proposed subdivision:

- Will not impact on the amenity of neighbouring properties.
- Ensures that the lot size and dimension is appropriate in regard to the characteristics of the subject land and the existing built form.
- The proposed subdivision reflects and reinforces the subdivision patterns of neighbouring properties and surrounds.
- Maintains the character of Yass Valley by retaining the existing dwelling/ cottage on the site.



- Ensures the subdivision occurs in a planned and sustainable way as the subject site is within an established residential area comprising a range of lot sizes, many of similar size to proposed Lot 1. Yass Town is subject to urban renewal through redevelopment and use of vacant land to assist with the number of available housing stock.
- Ensures there will not be an unreasonable or uneconomic demands for the provision of services. It is noted the provision of services to proposed Lot 1 is existing.

Nonetheless, the objectives of the standard have been achieved albeit in a different way envisioned under the YVCLEP2013. The minor variation to lot size as detailed earlier will not result in any detriment to the public, rather the public benefits arising from the additional lot/ dwelling entitlement, potential employment opportunities that would be delivered by the development, increased supply to the housing market, the development and maintenance of underutilised land to name a few can be classed as ‘sufficient environmental planning grounds’ to justify contravening the development standard.

The *Guide to Varying Development Standards* sets out the following in relation to consideration of environmental planning grounds:

*The term ‘environmental planning grounds’, while not defined in the EP&A Act or the Standard Instrument – Principle Local Environmental Plan, refer to grounds that relate to the subject matter, scope and purpose of the EP&A Act, including the objects in section 1.3 of the EP&A Act. The scope of environmental planning grounds is wide as exemplified by the court decisions in this area.*

*Sufficient environmental planning grounds need to be established by the facts of the request. The request must justify the contravention of the development standard, not simply promote the benefits of the development. The grounds must:*

- ❖ *Be sufficient to justify the contravention*
- ❖ *Focus on the aspect of the development that contravenes the development standard, not the development as a whole.*

*Environmental planning grounds may not be sufficient to justify the contravention of a development standard if the variation results in unsatisfactory planning outcomes.*

*Avoiding adverse impacts may constitute sufficient environmental planning grounds as it promotes ‘good design and amenity of the built environment – one of the objects of the EP&A Act. However, the lack of impact must be specific to the non-compliance to justify the breach.*

*Other examples of environmental planning grounds and specifically for this variation request include:*

- Achieving consistency with the streetscape and existing built form.
- Responding to topography
- Improving public benefit
- Achieving equal or better amenity outcomes (solar access, privacy, views/ outlook)
- Being consistent with the prevailing subdivision pattern
- Conserving built and cultural heritage values

Further supporting justification for the proposed variation is listed below:

- a. The proposed subdivision will not physically change the appearance of the surrounding environment or character of the existing neighbourhood due to the existing house closest to the street being retained with the development.
- b. The proposed lot size variation will not generate any unacceptable adverse environmental impacts in respect of overshadowing, view loss or privacy impacts.
- c. The land is not steep.
- d. Each lot will have direct frontage to a public road.
- e. The proposed lots are located in a high amenity area with good access to services and public reserves.
- f. The proposal, if approved, will not result in any inconsistencies with other environmental planning instruments.
- g. The site is within an established residential area comprising a range of lot sizes. The locality is one subject to urban renewal through redevelopment and use of vacant land as well as replacement of existing housing stock.
- h. The proposed subdivision will not impact on either the built or natural environment in any substantial way. In this regard:
  - i. It will not result in any substantial changes to the established streetscape amenity of the area;
  - ii. The act of subdividing will not directly impact on neighbouring properties. The new building site has good separation distances to adjoining dwellings;
  - iii. The act of subdividing the site will not result in any substantial changes to traffic volumes in the locality;
  - iv. Subdividing the site will not necessitate removal of any existing important vegetation.
- i. As stated in the *Yass Valley Settlement Strategy 2036* the Yass Valley LGA is forecasted to grow in population size quite significantly. The report noted:

*'The majority of this future growth in the short to medium term (to 2036) will be focused in the existing settlements of Yass and Murrumbateman. It is recommended Yass strengthen its role in the region and aim to grow into a Regional Centre of 20,000 people. Murrumbateman, recognizing the primacy of Yass, would aim to grow into a major town/ large district town of 10,000 people'.*

- j. The Draft South-East and Tablelands Regional Plan 2041 records a current population for Yass of 17,442 with an expected growth to 20,684 by 2041. Further supporting comments in relation to the strategic location and growth of the area state:

❖ *Yass is strategically located off the Hume Highway and is a 45-minute drive from the northern suburbs of Canberra. Residents can access an established commercial core, hospital, medical and emergency services, primary and high schools, as well as a TAFE. Many people travel to the ACT for work, higher order services, health and tertiary education.*

❖ *While proximity to the ACT could constrain Yass's commercial core and local service industry in the short term, the continued desire for housing and lifestyle opportunities outside the ACT could see Yass become a strategic centre in the long term. Consideration of the direction for Yass should also consider the role of Murrumbateman, and opportunities to enable residential and economic growth.*

- k. A recognised opportunity for growth and the future character of Yass specifically stated *'Sensitive urban infill and intensification especially around Comur Street and North Yass. Intensification of undeveloped or unsubdivided land zoned for residential. There are some areas that have been zoned for residential. This land has yet to fully realise its potential; and could allow a greater intensity of development.'*

- l. The proposed subdivision, located in North Yass will be providing a two (2) Lot Torrens Title residential similar in size to accommodate a range of different housing needs for the current and future community, boosting the supply, diversity and affordability of housing for the community and future residents.

- m. The Yass Valley Settlement Strategy 2036 recognizes the need for greater diversity of housing types and additional dwelling houses that will be in close proximity to facilities and services in Yass and suggests:

*'Providing well designed housing for residents who are aging or have a disability could be achieved through a mechanism such as the application of the R3 Medium Density Residential zone, with a reduction in the minimum lot size possibly to 300 sqm'.*

The proposed development will be allowing for lots close to services especially retail and medical, will be reasonable flat with an already established footpath network and will be seen as

	<p>providing an improvement of supply and diversity of housing stock for members of the public.</p> <p>The <i>Yass Valley Settlement Strategy 2036</i> recognises the subject parcel of land as being located in the North Yass Precinct. The character of the North Yass precinct is primarily single storey, detached, residential character. Streets are a grid pattern and are generally wide, long and landscaped. Built form is generally brick veneer and weatherboard. The opportunities taken from this report for this precinct are:</p> <ul style="list-style-type: none"> <li>❖ <i>There is no significant change to the character of this precinct.</i></li> <li>❖ <i>The existing character will be retained and enhanced through general renovation and redevelopment of the existing houses.</i></li> </ul> <p>n. It is noted, the proposed development, whilst proposing a variation to the minimum lot size, proposes to retain/ enhance the existing character and is a redevelopment of the existing house on the subject property. It is purposefully maximising the use of the subject lot whilst acknowledging the severe housing shortage that is being felt Australia wide.</p> <p>o. There are a number of other lots on Orion Street, surrounding streets and within Yass Town that are less than 2000m<sup>2</sup> (refer <b>Figure 2.3</b>). Whilst potentially created via an older LEP, they assist in demonstrating that this proposal will not look out of place in comparison to the surrounding lots.</p> <p>p. The proposed subdivision will not result in any impact to the immediate and surrounding visual amenity as the streetscape will remain as it is.</p> <p>q. Under a separate legislative mechanism (Clause 4.1D of the YVLEP2013), the existing lots could be subdivided to an average of 400m<sup>2</sup> via a community title plan, but as there is no requirements for common or community property, it is not appropriate to utilise this clause.</p> <p>r. Sewer and stormwater disposal and infrastructure will not be impacted as they are existing for proposed Lot 1. Proposed Lot 2 provisions have been designed and demonstrated on the Civil Engineering Plan prepared by Genium Civil Engineering dated 21 March 2024.</p> <p>s. The requirements for principal open space and lot size ratios are satisfied i.e. the proposed reduced lot size would satisfy the open space and landscaping requirements.</p> <p>t. The proposed subdivision promotes orderly and economic use of the land. The proposed Lot sizes are not unreasonable nor will the subdivision look out of place. By adopting the existing dwelling/ structures and fencing, we are demonstrating that the proposed lot sizes are already in practice and the layout works.</p> <p>u. The proposed subdivision makes good use of a long narrow block of land that in turn promotes good design and amenity of the built environment.</p>
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	<p>The above justification has outlined the environmental planning grounds for the departure. It is recommended that the consent authority can form the positive opinion that the applicant's written request has satisfied clause 4.6(3)(b).</p> <p>There are sufficient environmental planning grounds to justify a flexible approach to the application of the minimum subdivision lot size control as it applies to the site.</p>
<i>Clause 5.10 Heritage conservation</i>	Not Applicable. The subject site is not identified on the Heritage Conservation Map within the YVLEP2013, nor is it located near a heritage mapped item of interest.
<i>Clause 5.21 Flood planning</i>	Not applicable. The subject site is not identified on the Flood Planning Map within the YVLEP2013.
<i>Clause 6.1 Earthworks</i>	<p>Complies. As part of the delivery of the proposed development, minor re-grading of the eastern side of the site is required to establish the desired levels for the upgraded access way and driveway (Right of Carriageway and the installation of water, sewer and stormwater infrastructure as per the Civil Engineering Plans (refer <b>Appendix C</b>).</p> <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 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>

Clause 6.3 Terrestrial biodiversity

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 (refer **Figure 2.8**).

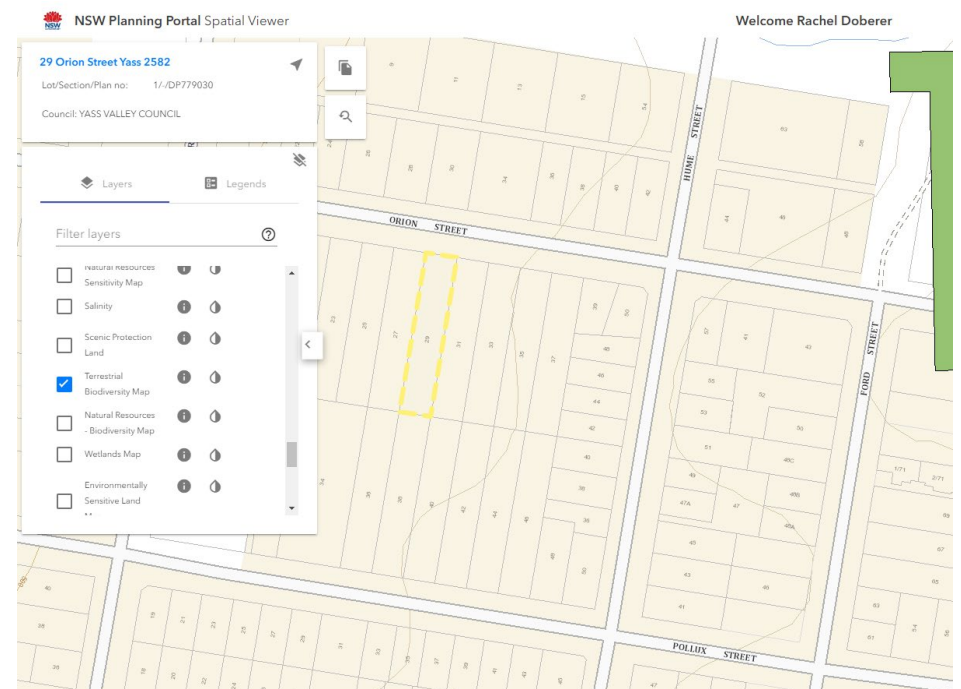
The proposed development will occupy a cleared section of the subject site which is relatively void of significant vegetation (refer **Figure 2.1**). The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land.

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 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.

It is noted there is no potential clearing of remnant trees are required to achieve the proposed subdivision, therefore demonstrating the proposed development is actively protecting and enhancing the environmental and biodiversity values of Yass Valley.



**Figure 2.8: Terrestrial Biodiversity Map** (Source: NSW Government Planning Portal Spatial View, September 2024)

	<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>
<i>Clause 6.4 Groundwater vulnerability</i>	<p>Not applicable. The subject site is not identified on the Groundwater Vulnerability Map within the YVLEP2013.</p>
<i>Clause 6.5 Riparian land and watercourses</i>	<p>Not applicable. The subject site is not identified on the Riparian Land and Watercourses Map within the YVLEP2013.</p>
<i>Clause 6.6 Salinity</i>	<p>Not Applicable. The subject site is not identified on the Salinity Map within the YVLEP2013.</p>
<i>Clause 6.7 Highly erodible soils</i>	<p>Not Applicable. The subject site is not identified on the Highly erodible Map within the YVLEP2013</p>
<i>Clause 6.8 Essential services</i>	<p style="text-align: center;"><i>(a) the supply of water,</i></p> <p>Proposed Lot 1 has an existing dwelling located on the respective lot that has an existing connection to Councils reticulated water supply.</p> <p>Proposed Lot 2 will install a new water service connection as indicated on the Civil Engineering Design prepared by Genium Civil Design (refer <b>Appendix C</b>).</p> <p style="text-align: center;"><i>(a) the supply of electricity,</i></p> <p>Proposed Lot 1 has an existing dwelling located on the respective lot that has an existing connection to the available power supply network.</p> <p>It is expected a design to extend the existing network will need to be submitted to Essential Energy for proposed Lot 2</p> <p style="text-align: center;"><i>(b) the disposal and management of sewage,</i></p> <p>Proposed Lot 1 has an existing dwelling located on the respective lot that has an existing connection to Councils sewer network.</p> <p>Proposed Lot 2 will require the installation of a new sewer tie and rising main as indicated on the Civil Engineering Design prepared by Genium Civil Design (refer <b>Appendix C</b>).</p> <p style="text-align: center;"><i>(c) stormwater drainage or on-site conservation,</i></p> <p>The proposed subdivision development will have minimal effect on the existing natural overland flow path for stormwater runoff. All appropriate</p>



stormwater drainage techniques are existing and intend to remain in place.

Additional stormwater infrastructure will be installed to proposed Lot 2 to capture roof runoff from a future dwelling house.

*(d) suitable vehicular access,*

Proposed Lot 1 has an existing access off Orion Street that that will be required to be upgraded to meet Council's specifications/ requirements (refer **Figure 2.9**).

The proposed Right of Carriageway being an extension of the existing access way will need to be upgraded to service proposed Lot 2 as per the Civil Engineering Drawings prepared by Genium Civil Engineering (refer **Appendix C**)



**Figure 2.9: Proposed Lot 1 Existing Access** (Source: Google Maps Street View, September 2024)

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

Proposed Lot 1 is connected to an existing telecommunications fixed line infrastructure that is intended to remain in place.

Proposed Lot 2 will connect into the existing telecommunications pit that services the existing 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 DEVELOPMENT CONTROL PLAN

The following section discusses the relevant non-statutory planning controls pursuant to the YVDCP2024.

### Yass Valley Development Control Plan 2024 (YVDCP2024)

The 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 D - Residential Development Control
- Part I – Carparking and Access

**TABLE 5 – COMPLIANCE WITH THE DRAFT YVDCP2024**

PART B – PRINCIPLES FOR ALL DEVELOPMENT	
CONTROLS	COMPLIANCE
<p><b>B1 Sustainability</b></p> <p>a. <i>Increase tree retention and provision at development stage to increase and enhance tree cover, for visual, social, environmental, economic and ecological values.</i></p> <p>b. <i>Discourage the use of heat producing surfaces in preference of natural materials, surfaces and finishes.</i></p> <p>c. <i>Encourage the use of sustainable building materials.</i></p> <p>d. <i>Avoid excessive resource consumption and minimise waste.</i></p>	<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>

<p><b>B1 Site Suitability</b></p> <p><i>All development applications are assessed on their individual merits and take account of, amongst other things, the suitability of the site for the proposed development.</i></p>	<p>Complies. The proposed development represents a coordinated approach to infill residential development within Yass, through the efficient use of land for urban development and the enabling of housing choice which support 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 living.</p> <p>The availability of access, electricity, reticulated water and sewer are existing onsite and to be constructed with the subdivision as indicated on the Civil Engineering Plan prepared by Genium Civil Engineering (refer <b>Appendix C</b>).</p> <p>The suitability of the site for the proposed development is considered to be found consistent with Councils standards for infill development of residential land, specifically being respectful to the topography and neighbourhood to which the proposed development relates.</p>
<p><b>B2 Site Analysis Plan</b></p> <p><i>All applications must be accompanied by a site analysis plan.</i></p>	<p>Complies. The detailed site survey plan prepared by DPS YASS P/L dated March 2023 (refer <b>Appendix E</b>) illustrates the sites topography and location of all existing services.</p> <p>The proposed development has been designed with consideration of a number of factors including providing a residential development appropriate for the site's location within Yass.</p> <p>The scale of the development has been derived from planning controls and desires a high degree of amenity for future residents.</p>
<p><b>B3 Crime Prevention and Safety</b></p> <p><i>Good design optimises safety in development which can lead to a reduction in crime and improve overall safety and liveability. The principles of crime prevention through design seek to minimise preventable crime by considering crime opportunities in the development design phase. Design that encourages effective surveillance, controls access and maintains a high standard in the public realm has positive cumulative effect in crime prevention and reduction.</i></p>	<p>Complies. The design and nature of the proposed development of the site will ensure that the proposed development will not increase the opportunities for crime occurrences.</p> <p>The proposed development has been designed to facilitate the development of a future dwelling to be oriented to the street to provide surveillance of public areas and pedestrian footpaths. This will assist in achieving a sense of community ownership over this land with future occupants more likely to report any maintenance issues to ensure this space is well looked after.</p> <p>The activity and guests/ contractors onsite will also ensure internal passive surveillance along with the existing Street Lighting.</p>

<p><b>B4 Neighbourhood Character</b></p> <p><i>Each neighbourhood is unique and its characteristics assist people in finding their way and contributes to a sense of community and belonging. It is important that development is respectful of, and responsive to, the individual character of each neighbourhood.</i></p>	<p>Complies. The proposed development has been designed to allow the topography of the Site to convey stormwater and also to retain existing vegetation where possible.</p> <p>It is noted the proposed development is recognised as infill residential development that is sympathetic to the existing streetscape and neighbourhood character.</p>
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## PART C – SUBDIVISION CONTROLS

CONTROLS	COMPLIANCE
<p><b>C.1 Layout</b></p> <p><i>To ensure that the layout of subdivisions considers landform, topography with all necessary services considered at design stage.</i></p>	<p>Complies. The proposed subdivision layout takes into consideration the existing landform, topography and all necessary existing and future services.</p> <p>The concept Engineering Design prepared by Genium Civil Design demonstrates the proposed subdivision and the extension of the relevant services will result in the overall efficient use of the land for urban development.</p>
<p><b>C.2 Staging</b></p> <p><i>To ensure that each stage ins a progressive subdivision takes account of subsequent stages and development potential of adjoining land.</i></p>	<p>Not applicable. The proposed subdivision does not include staging.</p>
<p><b>C.6 Earthworks</b></p> <p><i>To ensure that industrial subdivisions are designed to suit the topography of the site and minimise the use of cut and fill.</i></p>	<p>Not Applicable. The proposed development is a residential subdivision, not industrial.</p>
<p><b>C1 Residential Subdivision Controls</b></p> <p><b>C1.1 Crime Prevention and safety</b></p> <p><i>To ensure that residential subdivision considers opportunities for passive surveillance of open areas and public spaces.</i></p>	<p>Complies. The design and nature of the proposed development of the site will ensure that the proposed development will not increase the opportunities for crime occurrences.</p> <p>The proposed development has been designed to facilitate the development of the new dwelling to be oriented to the street to provide surveillance of public areas and pedestrian footpaths. This will assist in achieving a sense of community ownership over this land with future occupants more likely to report any</p>



	<p>maintenance issues to ensure this space is well looked after.</p> <p>The activity and contractors onsite will also ensure internal passive surveillance along with the existing Street Lighting.</p>
<p><b>C1.2 Drainage</b></p> <p><i>To ensure that residential subdivisions are provided with appropriate drainage in the design phase.</i></p>	<p>Complies. The proposed new driveway will be constructed to provide a typical 1.5% cross fall to the centre of the driveway to divert overland flows to the proposed new grated inlet pit and/ or Orion Street.</p> <p>All new stormwater infrastructure to support the proposed development is demonstrated on the Civil Engineering Plan prepared by Genium Civil Engineering dated 13 September 2024 (refer <b>Appendix C</b>).</p> <p>As part of the delivery of the proposed development, minor re-grading of the eastern side of the site is required to establish the desired levels for the upgraded access way and driveway (Right of Carriageway and the installation of water, sewer and stormwater infrastructure as per the Civil Engineering Plans (refer <b>Appendix C</b>).</p> <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 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.</p> <p>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> </ul> <p>Placement of hay bales or mesh and gravel inlet filters around and along proposed catch drains and around stormwater inlet pits.</p>

<p><b>C1.3 Essential Services</b></p> <p><i>To ensure that residential subdivisions are provided with appropriate services suitable for residents to commence building and occupation.</i></p>	<p>Complies. See comment in Table 4 against Clause 6.8 of the YVLEP2013.</p>
<p><b>C1.4 Public open space</b></p> <p><i>To ensure that adequate open space is provided in suitable locations for the benefits of residents.</i></p>	<p>Not applicable. The proposed development does not qualify for the provision of additional public open space nor is the subject property listed in the adopted Yass Valley Open Space Strategy.</p>
<p><b>C1.5 Street trees</b></p> <p><i>To ensure that appropriate street trees are planted to assist with visual appeal and shade provision.</i></p>	<p>Complies. Historical Imagery shows the lack of any street trees on the subject site. Should council require the planting of a street tree, the notice of determination will include a condition that specifies this.</p>
<p><b>1.6 Pedestrian and cycle connections</b></p> <p><i>To ensure that connective accessible pathways are provided in suitable locations for residential subdivisions.</i></p>	<p>Not applicable. The proposed subdivision is infill development that will not result in the need for the construction of new road or pedestrian and cycle connections.</p>
<p><b>C1.7 Road design</b></p> <p><i>To ensure that streets in residential subdivision are adequate with design parameters that meet their intended use.</i></p>	<p>Not applicable. The proposed subdivision is infill development that does not include the creation of new road.</p>
<p><b>C1.8 Road naming</b></p> <p><i>To provide guidelines for the consistent naming of new streets within Yass Valley LGA.</i></p>	<p>Not applicable. The proposed subdivision is infill development that does not include the creation of new road, therefore no road naming is required.</p>

## PART I – CARPARKING AND ACCESS

<b>11 Carpark Design</b>	Not Applicable. The proposed development application is for a two (2) Lot Torrens Title subdivision only.
<b>12 Loading Docks</b>	Not Applicable. The proposed development application is for a two (2) Lot Torrens Title subdivision only.
<b>13 Carpark Construction</b>	Not Applicable. The proposed development application is for a two (2) Lot Torrens Title subdivision only.
<b>14 Carparking Credits and Contributions</b>	Not Applicable. The proposed development application is for a two (2) Lot Torrens Title subdivision only.
<b>15 Carparking Ratios</b>	Not Applicable. The proposed development application is for a two (2) Lot Torrens Title subdivision only.
<b>16 Residential Carparking</b>	<p>Complies. The existing dwelling house on proposed Lot 1 has a double carport which can accommodate 2 vehicles as indicated in the Carparking Ratios listed in the I5 component of the DCP.</p> <p>A future dwelling house on proposed Lot 2 will address these provisions during the design phase for a new dwelling house.</p>
<b>17 Property Access Crossings</b>	<p>Complies. Proposed Lot 1 has an existing access off Orion Street that will be required to be upgraded to meet Council's specifications/ requirements (refer <b>Figure 2.8</b>).</p> <p>The proposed Right of Carriageway being an extension of the existing access way will need to be upgraded to service proposed Lot 2 as per the Civil Engineering Drawings prepared by Genium Civil Engineering (refer <b>Appendix C</b>)</p>



## 2.3 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 6 – 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 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 Two (2) Lot Torrens Title Residential 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 Two (2) Lot Torrens Title Residential 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.

<p><i>Roads Act 1993</i></p>	<p>No works are required on or to connect the Site to a classified road. Works will be required within Orion Street and Council is the managing authority for this road.</p> <p>Section 4.46(3) of the EP&amp;A Act operates to the effect that the proposed development seeks consent and subsequent approval to the <i>Roads Act 1993</i> from Council. 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 not identified as being bushfire prone land (<b>BFPL</b>) pursuant to the mapping within the YVLEP2013.</p> <p>As such, the development does not warrant referral to The New South Wales Rural Fire Service (<b>NSW RFS</b>) for their General Terms of Approval (<b>GTAs</b>).</p>
<p><i>Water Management Act 2000</i></p>	<p>There are no watercourses that traverse the site or nearby. 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.</p>

## 2.4 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 7 – SEPPS**

SEPP	COMMENT
<i>SEPP (Biodiversity and Conservation) 2021</i>	<p>This SEPP contains planning rules and controls for preserving, conserving, and managing NSW's natural environment and heritage.</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>
<i>SEPP (Transport and Infrastructure) 2021</i>	<p>This SEPP contains planning provisions to provide well-designed and located transport and infrastructure integrated with land use/</p> <p>The proposed development for a two (2) 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>
<i>SEPP (Primary Production)2021</i>	<p>This SEPP contains planning provisions to protect and support agricultural lands and opportunities for Primary Production.</p> <p>The proposed development for Two (2) Lot Torrens Title subdivision including a Clause 4.6 variation request, does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>
<i>SEPP (Resilience and Hazards) 2021</i>	<p>This SEPP contains provisions to manage risks and build resilience in the face of hazards.</p> <p>It is noted the existing dwelling is not located on 'Contaminated Land'. '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 a subdivision creating two (2) 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 two (2) Lot Torrens Title subdivision including a Clause 4.6 variation request that 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 contains planning rules that allow for the delivery and sufficient supply of safe, diverse and affordable housing.</p> <p>The proposed development does not relate to the delivery of boarding houses or affordable housing. 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>
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## 2.5 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

In determining a development application, a consent authority is to take into consideration the following matters that 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 by the Consent Authority.

**TABLE 8 – 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. 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 proposed subdivision pattern is consistent and sympathetic to the surrounding lot sizes and will result in a good planning outcome. The proposed subdivision has taken into consideration the surrounding streetscape including the aesthetic visual amenity of the immediate vicinity, and will result in a planning outcome that is compassionate to the surrounding neighbourhood(s).</p> <p>The proposal has been assessed against the relevant provisions of the Environmental Planning and Assessment Act 1979 and the relevant Local Environmental Plan specifically the YVLEP2013.</p> <p>The proposal is permissible with Councils consent within the zone and meets the relevant objectives of the R1 General Residential zone.</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 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 proposed Two (2) Lot Torrens Title 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.</p> <p>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 Two (2) Lot Torrens Title Subdivision is consistent with and compatible with the surrounding land uses of Yass Town. The proposal fits in with the existing and new 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 Two (2) lot Torrens Title Subdivision. 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 R1 General Residential zone of Yass Town. 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 within the YVLEP2013.</li> <li>• The proposal accommodates residential living opportunities in the town of Yass, within close proximity to Murrumbateman and Canberra.</li> </ul>

	<ul style="list-style-type: none"><li>• The proposed development will contribute to addressing the existing housing supply shortage, whilst being mindful of the existing and future visual amenity.</li><li>• It is expected the construction works associated with the proposed development will contribute in varying degrees to the local economy and Yass Valley more generally.</li></ul> <p>The application is therefore considered to be within the public interest and should be supported by the consent authority.</p>
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### **3. CONCLUSION**

This application seeks approval for a Two (2) Lot Torrens Title Subdivision including a Clause 4.6 Variation Request to the minimum lot size. It is concluded, the approval of the Development Application on Lot 1 DP779030 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 R1 General Residential 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 town of Yass. The application is supported by the appropriate documents that satisfy Council's requirements and demonstrate that the site is suitable for the proposed development.

It has been considered that the proposal will not have a detrimental effect to the environment, and the proposal represents rational, orderly, economic and sustainable use of the land. It complies with all relevant legislation, will result in a good planning outcome, and it is recommended that conditional development consent for the proposed development on Lot 1 DP779030 29 Orion Street, YASS be granted by Council.