


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

PROJECT:	Development Application for the approval of a Six (6) Lot Torrens Title Rural Subdivision at Lot 2 DP1250187 & Lot 4 DP1168601 Hughstonia Road, BINALONG. 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> .
APPLICANT:	ANNE & PAUL GLOVER
OUR REFERENCE:	5590_SEE1
DATE:	APRIL 2025
AUTHOR:	RACHEL DOBERER SENIOR TOWN PLANNER
SIGNATURE:	

Revision Status

Rev No	Date	Report Title	Author	Reviewed by
1	07 April 2024	SEE – Proposed Six (6) Lot Torrens Title Subdivision – Hughstonia Road, BINALONG (Draft)	Rachel Doberer	Rachel Doberer
1	11 April 2025	SEE – Proposed Six (6) Lot Torrens Title Subdivision –Hughstonia Road, BINALONG (Final)	Rachel Doberer	Rachel Doberer

© Copyright, DPS YASS Pty Ltd (2025).

The purpose for which this report may be used and relied upon is limited for that which it was commissioned. Copyright in the whole and every part of this document belongs to DYS YASS and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person without the prior written consent of DPS YASS.



CONTENTS

STATEMENT OF ENVIRONMENTAL EFFECTS	1
1. INTRODUCTION	5
1.1 PURPOSE OF THIS REPORT	6
1.2 TYPE OF DEVELOPMENT APPLICATION	7
1.3 OWNER AND APPLICANT DETAILS	8
1.3.1 The Applicant	8
1.3.2 The Owner(s)	8
1.3.3 Site Address	8
1.4 SITE AND LOCATION	9
1.4.1 Site Description	9
1.4.2 Existing Easements, Restrictions on the Use of Land and Positive Covenants	11
1.4.3 Proposed Restrictions on the Use of Land to be Extinguished from Lot 2 DP1250187	11
1.4.4 Proposed Easements, Restrictions on the Use of Land and Positive Covenants	11
1.5 PROPOSED DEVELOPMENT	12
1.6 ECOLOGICAL SUSTAINABLE DEVELOPMENT	14
2. ASSESSMENT	17
2.1 ENVIRONMENTAL PLANNING INSTRUMENTS	18
Yass Valley Local Environmental Plan 2013	18
TABLE 1 - AIMS OF THE YVLEP 2013	18
TABLE 2 - OBJECTIVES OF THE RU1 PRIMARY PRODUCTION ZONE	22
TABLE 3 - OBJECTIVES OF CLAUSE 4.1 – MINIMUM LOT SIZE	25
TABLE 4 - OBJECTIVES OF CLAUSE 4.2 – RURAL SUBDIVISION	29
TABLE 5 – RELEVANT PLANNING CONTROLS	31
2.2 POTENTIAL NATIVE VEGETATION IMPACT PURSUANT TO THE BIODIVERSITY CONSERVATION ACT 2016 AND THE BIODIVERSITY CONSERVATION REGULATION 2017	37
2.3 DEVELOPMENT CONTROL PLAN	38
Yass Valley Development Control Plan 2024 (YVDCP2024)	38
TABLE 6 – COMPLIANCE WITH THE YVDCP2024	38
2.4 INTEGRATED DEVELOPMENT	46
TABLE 7 – INTEGRATED DEVELOPMENT	46
2.5 STATE ENVIRONMENTAL PLANNING POLICIES	49
TABLE 8 – SEPPS	49
2.6 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT	53
TABLE 9 – SECTION 4.15 OF THE EP&A ACT	53
3. CONCLUSION	55
APPENDIX A	56
PROPOSED PLAN OF SUBDIVISION	56



APPENDIX B.....	57
DRAFT DEPOSITED PLAN SHOWING BOUNDARY FENCING ON LOT 200	57
APPENDIX C.....	58
CONTRACT OF SALE FOR PROPOSED LOTS 201 TO 205	58
APPENDIX D.....	59
EMAIL FROM YVC CONFIRMING THE PROCESS TO EXTINGUISH AND RE-CREATE EXISTING RESTRICTIONS ON THE USE OF LAND.....	59
APPENDIX E.....	60
DRAFT LRS DEALING AND DEED OF RELEASE TO EXTINGUISH THE EXISTING RESTRICTIONS ON THE USE OF LAND.....	60
APPENDIX F.....	61
NSW GOVERNMENT AHIMS SEARCH RESULTS AND DUE DILIGENCE PROCEDURE.....	61
APPENDIX G	62
CERTIFICATES OF TITLE, DEPOSITED PLANS AND 88B INSTRUMENT FOR LOT 2 DP1250187 & LOT 4 DP1168601	62



1. INTRODUCTION

This Statement of Environmental Effects (**SEE**) has been prepared for *Anne and Paul Glover* (the **Applicant**) by DPS YASS Pty Ltd. This Statement is to accompany a development application to Yass Valley Council for the approval of a Six (6) Lot Torrens Title Rural Subdivision at Lot 2 DP1250187 and Lot 4 DP1168601 Hughstonia Road, BINALONG.

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 RU1 Primary Production pursuant to the *Yass Valley Local Environmental Plan 2013* (YVLEP2013). The proposed development is permissible with development consent within the RU1 Primary Production zone. The proposed development formulates contextual elements derived from the existing rural character with respect to the immediate vicinity and is consistent with the objectives and provisions within the YVLEP2013 and the YVDCP2024.

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

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



1.1 PURPOSE OF THIS REPORT

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

- The proposal is consistent with the controls in the YVLEP2013 and the YVDCP2024.
- The supporting technical studies which accompany the DA establish that the environmental impacts of the proposed concept are generally positive and where appropriate, make recommendations for the detailed design phase of the project which will provide certainty and clarity to guide the development.
- The proposed development is in the public interest and will have a range of positive social and economic benefits, namely:
 - Facilitates ecologically sustainable development of rural residential land. This is explained in more detail later in this Statement.
 - The subject site is located within the RU1 Primary Production zone of Yass River. The vision for the expansion of Yass LGA is to create high quality and ecologically sustainable environment integrated with good accessibility and open space. This DA meets the intent of this by providing a high-quality development which will support the other uses of the area.
 - Accommodates future rural farming opportunities in the locality of Binalong, within close proximity to Murrumbateman, Yass, Canberra and Goulburn.
 - The site is zoned for development purposes, and the proposed development provides for a development (rural) including a six (6) Lot Torrens Title Rural 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.

This 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

Anne and Paul Glover

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

1.3.2 The Owner(s)

*Anne-Marie Glover
Paul Robert Glover*

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

1.3.3 Site Address

The subject site for this application is legally identified as Lot 2 DP1250187 and Lot 4 DP1168601 Hughstonia Road, BINALONG and demonstrated in **Figures 1.1 and 1.2** (Location Maps) of this Statement.



1.4 SITE AND LOCATION

1.4.1 Site Description

The subject site is located within the Binalong locality (refer **Figure 1.1**), approximately 60km to Yass CBD, roughly 85km to Murrumbateman Village, 120km to Canberra CBD and approximately 140km to Goulburn CBD. The site is located on Hughstonia Road and connects to Yass, Murrumbateman, Canberra and Goulburn seamlessly via Hughstonia Road, the Hume Highway and the Barton 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 RU1 Primary Production in the Yass Valley LEP 2013 (**YVLEP2013**). It is bounded by other similar rural residential lots to the North, South, East and West (refer **Figure 1.2**).

Legal and physical access to the subject site is gained off Highstonia Road. The site is an irregular shaped parcel of land with a total area of land of 413.72ha. The land is currently utilised for rural farming purposes, following this subdivision, the use of all lots is intended to remain the same.



Figure 1.1: Subject Site in relation to Murrumbateman Village (Source: Google Earth Aerial Imagery, April 2025)



Figure 1.2: Location Map (Source: Google Earth Aerial Imagery, April 2025)



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

- Right of Access 20 (metres(s) wide appurtenant to the part(s) of the land shown so benefited in the title diagram (DP1051753).
- Easement for Electricity Purposes 20 metre(s) Wide affecting the part(s) shown so burdened in the title diagram (DP1051753).
- Right of Access Variable Width Appurtenant to the part(s) of the land shown so benefited in the Title Diagram (DP1203680).
- Restriction on the Use of Land numbered (1) in the S88B Instrument (DP1250187)
- Restriction on the Use of Land numbered (2) in the S88B Instrument (DP1250187).
- Restriction on the Use of Land numbered (4) in the S88B Instrument (DP1250187).
- Restriction on the Use of Land numbered (5) in the S88B Instrument (DP1250187).

1.4.3 Proposed Restrictions on the Use of Land to be Extinguished from Lot 2 DP1250187

- It is proposed to extinguish the Restriction on the Use of Land numbered (1) in the S88B created via DP1250187. *It is noted there is no requirement to re-create this restriction due to:*
 - ❖ *Power is no longer required to be constructed on land zoned within the RU1 Primary Production zone.*
 - ❖ *NBN being the only Statutory Infrastructure Provider service the subject lot via satellite connection only*
- It is proposed to extinguish the Restriction on the Use of Land numbered (2) in the S88B created via DP1250187. *It is noted this restriction will be recreated over Lot 200 only.*
- It is proposed to extinguish the Restriction on the Use of Land numbered (4) in the S88B created via DP1250187. *It is noted there is no requirement to re-create this restriction due to the implementation of the Yass Valley Development Contributions Plan 2018.*
- It is proposed to extinguish the Restriction on the Use of Land numbered (5) in the S88B created via DP1250187. *It is noted there is no requirement to re-create this restriction due to the boundary fencing for Lot 2 already being constructed (refer **Appendix B**). This is identified/ demonstrated on the Proposed Plan of Subdivision reference 5590_PPS2.*

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

- It is proposed to create a Restriction on the Use of Land over proposed Lots 200 to 205 that states:
The lot(s) hereby burdened are not connected to the electricity grid supply'
- It is proposed to create a Restriction on the Use of Land over proposed Lot 200 that states:
No further development which requires Development Consent shall be carried out on the lot hereby burdened until such time that the vehicular access to the lot burdened is upgraded/ constructed to the standard specified by Councils Road Standard Policy relevant at the time.



1.5 PROPOSED DEVELOPMENT

This report has been prepared by DPS to accompany the Development Application (**DA**) submission and is lodged under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* for a proposed Six (6) Lot Torrens Title Rural Subdivision that is permissible with Council consent.

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

- ❖ Proposed Plan of Subdivision prepared by DPS YASS P/L reference 5590_PPS2 dated April 2025 (refer **Figure 1.3 and Appendix A**).
- ❖ Draft Deposited Plan showing Boundary Fencing on Lot 200 (refer **Figure 1.4 and Appendix B**).
- ❖ Contract of Sale for proposed Lots 201 to 205 prepared by Canberra Business Lawyers dated March 2025 (refer **Appendix C**).
- ❖ Email from YVC confirming the Process to Extinguish and re-create existing Restrictions on the Use of Land as required (refer **Appendix D**).
- ❖ LRS Dealing and Deed of Release to extinguish the existing Restrictions on the Use of Land as described in Section 1.4.3 of this Statement (refer **Appendix E**).
- ❖ NSW Government AHIMS Web Services Search Result and Site-Specific Due Diligence Procedure dated April 2025 (refer **Appendix F**).
- ❖ Certificates of Title and Deposited Plans for Lot 2 DP1250187 and Lot 4 DP1168601 (refer **Appendix G**).

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 413.72ha of vacant farmland. The proposed DA has been prepared to take into consideration the future use of the site and aims to improve the overall functionality of the site and the neighbouring lot to the south.

There are no proposed works required to achieve this subdivision as such there will be no effect on any neighbouring properties.

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' pursuant to Section 4.46 of the EP&A Act. It is noted the proposed development is situated on land mapped as bushfire prone land (**BFPL**). However, as the proposed development is purely for the creation of rural lots, it is expected that the proposed development is exempt from being considered 'Integrated Development'.

It is noted any future development on Lot 200 will be subject to a site-specific Bushfire Assessment, it has been determined that due to the land being mapped as BFPL there is no need to create a restriction on the use of land that states this.

Following this assessment, it is concluded the proposed development is not classified nor is it proposed to lodge the application as Integrated Development pursuant to Section 4.46 & 4.47 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
- Terrestrial Biodiversity Map within the YVLEP2013
- Bushfire Prone Land (Non-EPI) within the YVLEP2013
- Biodiversity Values Map (Non-EPI) within the YVLEP2013

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

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

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



1.6 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 six (6) Lot Torrens Title Rural Subdivision can be categorized as an ESD as depicted 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.





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 RU1 Primary Production (refer **Figure 2.2**).

This development involves the subdivision of the subject lot into six (6) Torrens Title Rural Lots that is permissible with conditional consent pursuant to clause(s) 2.1 and 2.6 of the YVLEP2013 within the RU1 Primary Production 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>	<p>Consistent. The proposed development is due to the result of an exchange of land with the neighbour to the south (refer to Appendix B) due to the declining health of one of the registered proprietors.</p> <p>This in turn will protect the agricultural land demonstrated on the Proposed Plan of Subdivision as Lots 201 to 205, as they will ultimately be amalgamated with Lot 23 DP1203680 to the south.</p>
<i>(c) to encourage housing diversity,</i>	Not applicable. The proposed development is for the subdivision of rural land only.



<i>(d) to promote employment-generating tourism,</i>	Not applicable. The proposed development is for the subdivision of rural land only.
<i>(e) to provide for commercial and industrial development,</i>	Not applicable. The proposed development is for the subdivision of rural land only.
<i>(f) to encourage the establishment of retail and professional services in urban locations,</i>	Not applicable. The proposed development is for the subdivision of rural 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 village in Yass Valley, it is located in an area 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 the Binalong locality 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>	Not applicable. The proposed development is for the subdivision of rural land only.
<i>(i) to protect and conserve the cultural heritage and history of Yass Valley,</i>	<p>Consistent. The land is not identified as a heritage item in the YVLEP2013 to which this land relates. Within the LEP, a review of the heritage items reveals that adjoining allotments are not classed as items of heritage value.</p> <p>Therefore, it is considered that the proposal will not impact on any adjoining heritage items.</p> <p>According to the Office of Environment and Heritage website, there are 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 areas within the subject site that have been identified/ mapped as having biodiversity concerns.</p> <p>It is noted however, there are no proposed subdivision construction works required to finalise this subdivision, in turn there will be no impact on any biodiversity.</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>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>



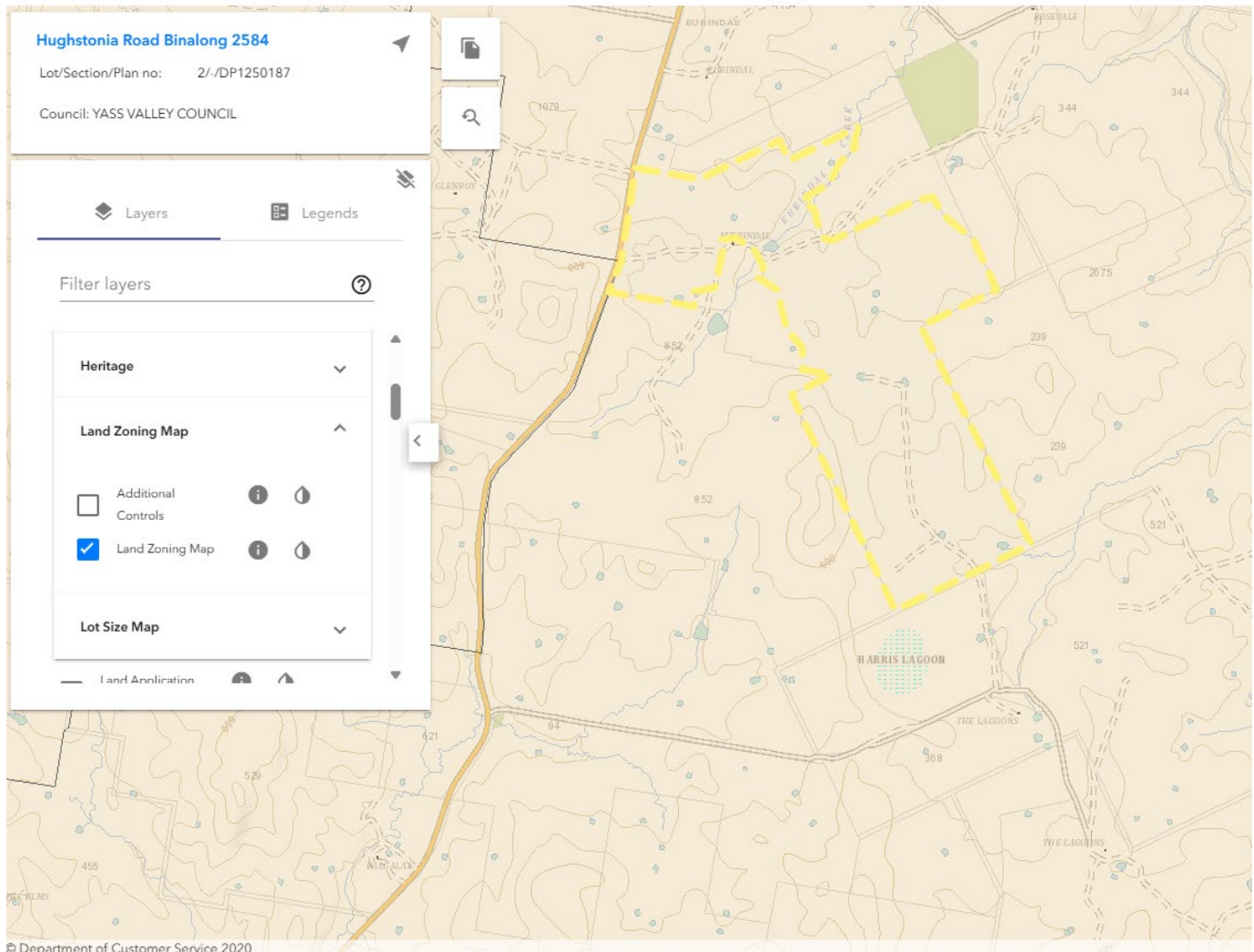


Figure 2.1: Land Zoning Map (Source: NSW Government Planning Portal Spatial Viewer, April 2025)

TABLE 2 - OBJECTIVES OF THE RU1 PRIMARY PRODUCTION ZONE

The subject site is zoned RU1 Primary Production (refer **Figure 2.1**). The following table demonstrates that the proposed six (6) Lot Torrens Title Rural Subdivision is consistent with the objectives of the zone.

OBJECTIVES OF RU1 PRIMARY PRODUCTION ZONE – YVLEP2013	COMPLIANCE
<p><i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i></p>	<p>Consistent. The proposal is found to be consistent with the RU1 Primary Production land use objectives providing for a low-impact rural residential development that is permitted within the zone with conditional consent.</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 Councils support.</p> <p>The proposed development provides an appropriate planning outcome for the subject land that takes into consideration the ecological impacts, aesthetic value of the land and the surrounding land uses. The proposed development is situated on land free of any major constraints, other than being mapped as Bushfire Prone Land (BFPL), this is discussed in more detail later in this statement.</p> <p>It is considered the proposed development is consistent with the aims and objectives of the relevant planning instruments, is compatible with and responds positively to the site-specific conditions.</p> <p>No significant or threatened ecological species or vegetation exists on the subject site. The proposed DA has been prepared in respect to the biodiversity of the site, onsite wastewater reports, bushfire assessment, natural topography, vista's, amenities, buffer zones and accessibility.</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP, has minor environmental impacts that are manageable and compatible with the existing and desired local area character.</p>
<p><i>To encourage diversity in primary industry enterprises and systems appropriate for the area.</i></p>	<p>Consistent. It is intended that the proposed lots will encourage diversity in primary industry enterprises and systems appropriate for the area and the size of the lots.</p>



<i>To minimise the fragmentation and alienation of resource lands.</i>	Consistent. The zoning of the proposed development is consistent with surrounding development, which in turn minimises the fragmentation and alienation of resource lands.
<i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i>	Consistent. The surrounding lots are also zoned RU1 Primary Production and are therefore surrounded by similar rural development, which in turn minimises conflict between land uses within this zone and adjoining zones.
<i>To protect and enhance the biodiversity of Yass Valley.</i>	<p>Consistent. As indicated on Council's LEP Terrestrial Biodiversity Map there are areas within the subject site that have been identified/ mapped as having biodiversity concerns.</p> <p>It is noted however, there are no proposed subdivision construction works required to finalise this subdivision, in turn there will be no impact on any biodiversity.</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>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>To protect the geologically significant areas of Yass Valley.</i>	Not Applicable. The subject land is not listed as a geographically significant area of Yass Valley.
<i>To maintain the rural character of Yass Valley.</i>	<p>Complies. Whilst the subject site is not within a village in Yass Valley, it is located in an area 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 the Binalong locality 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>To encourage the use of rural land for agriculture and other forms of development that are associated with rural industry or that require an isolated or rural location.</i>	Consistent. The proposed subdivision is creating rural lots that are already and will encourage the use of rural land for agriculture and other forms of development that are associated with rural industry or that require an isolated or rural location.
<i>To ensure that the location, type and intensity of development is appropriate, having regard to the characteristics of the land, the rural environment and the need to protect significant natural resources, including prime crop and pasture land.</i>	<p>Consistent. 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 rural environment.</p> <p>The proposed outcome (subdivision) creates six (6) lots that are 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>
<i>To prevent the subdivision of land on the fringe of urban areas into small lots that may prejudice the proper layout of future urban areas.</i>	Not applicable. The proposed subdivision is not located on the fringe of an urban area.



TABLE 3 - OBJECTIVES OF CLAUSE 4.1 – MINIMUM LOT SIZE

The subject site has a minimum lot size of 40ha (refer **Figure 2.2**).

The following table demonstrates that the proposed six (6) Lot Torrens Title Rural Subdivision is consistent with the objectives and controls of Clause 4.1 – Minimum Subdivision Lot Size. It is noted this assessment is in relation to proposed Lot 200 only.

OBJECTIVES OF CLAUSE 4.1 – MINIMUM SUBDIVISION LOT SIZE	COMPLIANCE
<p>(1) <i>The objectives of this clause are as follows—</i></p> <p>(a) <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 Rural Residential Subdivision minimises any likely impact on the amenity of neighbouring properties, 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 situated in the locality of Binalong. The proposed subdivision layout responds to the characteristics of the site and the surrounding environment as illustrated on the Proposed Plan of Subdivision (refer Appendix A).</p> <p>It is demonstrated the proposal will not result in any adverse environmental impacts notwithstanding being located on BFPL. The proposed development has been designed to take into account the existing land uses and has been able to retain efficient and productive-sized allotments, maintaining the opportunity for sustainable rural residential development.</p> <p>The proposed subdivision has taken a holistic and sustainable approach to the development with the intention of creating a development that offers productive sized lots delivering a better environmental planning outcome for Binalong and Yass Valley LGA as a whole.</p> <p>The proposed subdivision will not impact on either the built or natural environment in any substantial way. In this regard:</p> <ul style="list-style-type: none"> ❖ It will not result in any substantial changes to the established streetscape qualities of the area; ❖ The act of subdividing will not directly impact on neighbouring properties. It is determined a future dwelling house will have good separation distances to adjoining dwellings. ❖ The act of subdividing will not result in any substantial changes to traffic volumes in the locality. ❖ Subdividing the site will not necessitate the removal of any existing important vegetation.



	<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>The proposal has taken into consideration the location, type and intensity of development whilst also having regard to the characteristics of the land and the surrounding environment, in turn actively maintaining the character of Yass Valley.</p>						
<p><i>(b) to ensure that lot sizes and dimensions have appropriate regard to the characteristics of the land, the rural environment, the protection of biodiversity, significant geological and natural resources, the heritage and the built form of Yass Valley,</i></p>	<p>Complies. The proposed subdivision development is seeking Council consent for the creation of six (6) lots (noting this assessment against Clause 4.1 of the YVLEP2013 is reserved for Lot 200 only), the detail of which is tabulated below and illustrated on the Proposed Plan of Subdivision (refer Appendix A).</p> <table><tr><th>LOT NUMBER</th><th>LOT SIZE (HA)</th><th>COMPLIES WITH MLS CONTROLS</th></tr><tr><td>Proposed Lot 200</td><td>233.6</td><td>Yes</td></tr></table> <p>The proposed subdivision is consistent with the aims and objectives of the YVLEP2013. The proposal will facilitate development in accordance the YVLEP2013.</p> <p>It is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have no adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.</p>	LOT NUMBER	LOT SIZE (HA)	COMPLIES WITH MLS CONTROLS	Proposed Lot 200	233.6	Yes
LOT NUMBER	LOT SIZE (HA)	COMPLIES WITH MLS CONTROLS					
Proposed Lot 200	233.6	Yes					
<p><i>(c) to ensure that subdivision reflects and reinforces the predominant subdivision patterns of neighbouring properties and surrounds,</i></p>	<p>Complies. The proposal has been prepared to ensure that the design reflects and reinforces the neighbouring subdivision patters, preserving the character of Yass Valley.</p> <p>It is anticipated that the proposed six (6) lot Torrens Title subdivision will have a positive impact on the surrounding landscape of the subject site.</p>						
<p><i>(d) to maintain the character of Yass Valley,</i></p>	<p>Complies. Whilst the subject site is not within a village in Yass Valley, it is located in an area 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 the Binalong locality and is consistent with the relevant planning controls that are identified later in this Statement.</p> <p>The proposal has taken into consideration the location, type and intensity of development whilst also having regard to the characteristics of the land and the surrounding environment, in turn actively maintaining the character of Yass Valley.</p>
<p><i>(e) to ensure subdivision occurs in a planned and sustainable way,</i></p>	<p>Complies. The subdivision has been designed to have regard to the existing land uses and has been able to retain efficient and productive sized allotments, maintaining the opportunity for sustainable rural residential development.</p> <p>The proposed development 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 and surrounding land, or any adjoining development where managed with the appropriate conditions.</p>
<p><i>(f) to ensure subdivision does not create unreasonable or uneconomic demands for the provision or extension of services,</i></p>	<p>Complies. The proposed six (6) Lot subdivision will not create unreasonable or uneconomic demands for the provision or extension of services.</p>
<p><i>(g) to prevent the subdivision of land on the fringe of urban areas into small lots that may negatively influence the layout of future urban areas.</i></p>	<p>Not applicable. The subject lot is located within an established rural setting that has no influence on the layout of existing or future urban areas.</p>



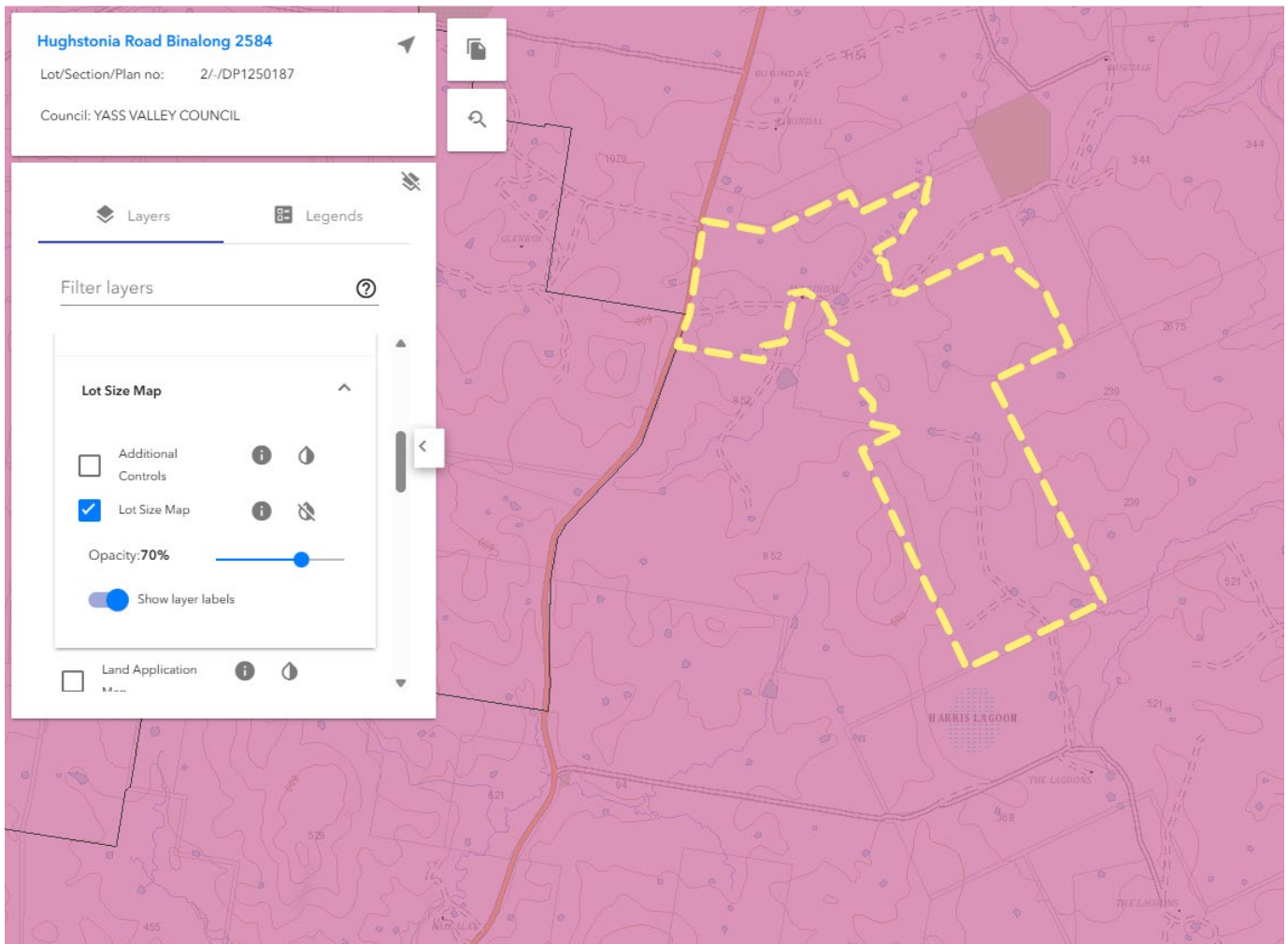


Figure 2.2: Lot Size Map (Source: NSW Government Planning Portal Spatial Viewer, April 2025)

TABLE 4 - OBJECTIVES OF CLAUSE 4.2 – RURAL SUBDIVISION

The following table demonstrates that the proposed six (6) Lot Torrens Title Rural Subdivision is consistent with the objectives and controls of Clause 4.2 – Rural Subdivision. It is noted this assessment is against proposed Lots 201 to 205 only.

OBJECTIVES OF CLAUSE 4.2 – RURAL SUBDIVISION	COMPLIANCE
<p>(1) <i>The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.</i></p>	<p>Complies. The proposed six (6) Lot Torrens Title Rural Subdivision minimises any likely impact on the amenity of neighbouring properties, 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 situated in the locality of Yass River. The proposed subdivision layout responds to the characteristics of the site and the surrounding environment as illustrated on the Proposed Plan of Subdivision (refer Appendix A).</p> <p>It is noted the proposed subdivision has been prepared taking into consideration the purpose of this subdivision will result in an exchange of land with the neighbour to the south (refer Appendix C) due to the declining health of one of the registered proprietors of the subject land.</p> <p>The proposed subdivision has taken a holistic and sustainable approach to the development with the intention of creating a development that offers productive sized lots delivering a better environmental planning outcome for Binalong and Yass Valley LGA as a whole.</p> <p>The proposed subdivision will not impact on either the built or natural environment in any substantial way. In this regard:</p> <ul style="list-style-type: none"> ❖ It will not result in any substantial changes to the established streetscape qualities of the area; ❖ The act of subdividing will not directly impact on neighbouring properties. It is determined a future dwelling house will have good separation distances to adjoining dwellings. ❖ The act of subdividing will not result in any substantial changes to traffic volumes in the locality. ❖ Subdividing the site will not necessitate the removal of any existing important vegetation.



	<p>Whilst the subject site is not within a village in Yass Valley, it is located in an area 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 the Binalong locality 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>
--	---



TABLE 5 – RELEVANT PLANNING CONTROLS

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

PLANNING CONTROLS	COMPLIANCE						
Clause 2.1 Land Use zones	Complies. The subject site is zoned RU1 Primary Production. The subdivision of land within this zone is permissible with development consent.						
Clause 2.6 Subdivision – consent requirements	Complies. The subject site is zoned RU1 Primary Production. The subdivision of land within this zone is permissible with development consent.						
Clause 4.1 Minimum Subdivision Lot Sizes	<p>Complies. The proposed subdivision development is seeking Council consent for the creation of six (6) lots (noting this assessment against Clause 4.1 of the YVLEP2013 is reserved for Lot 200 only), the detail of which is tabulated below and illustrated on the Proposed Plan of Subdivision (refer Appendix A).</p> <table><tr><th>LOT NUMBER</th><th>LOT SIZE (HA)</th><th>COMPLIES WITH MLS CONTROLS</th></tr><tr><td>Proposed Lot 200</td><td>233.6</td><td>Yes</td></tr></table> <p>The proposed subdivision is consistent with the aims and objectives of the YVLEP2013. The proposal will facilitate development in accordance the YVLEP2013.</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>It is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have no adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.</p>	LOT NUMBER	LOT SIZE (HA)	COMPLIES WITH MLS CONTROLS	Proposed Lot 200	233.6	Yes
LOT NUMBER	LOT SIZE (HA)	COMPLIES WITH MLS CONTROLS					
Proposed Lot 200	233.6	Yes					
Clause 4.1C Additional requirements for subdivision in certain rural zones	Complies. The proposed development application has been prepared in respect to the biodiversity of the site, onsite wastewater reports, bushfire assessment, natural topography, vista’s amenities, buffer zones and accessibility.						

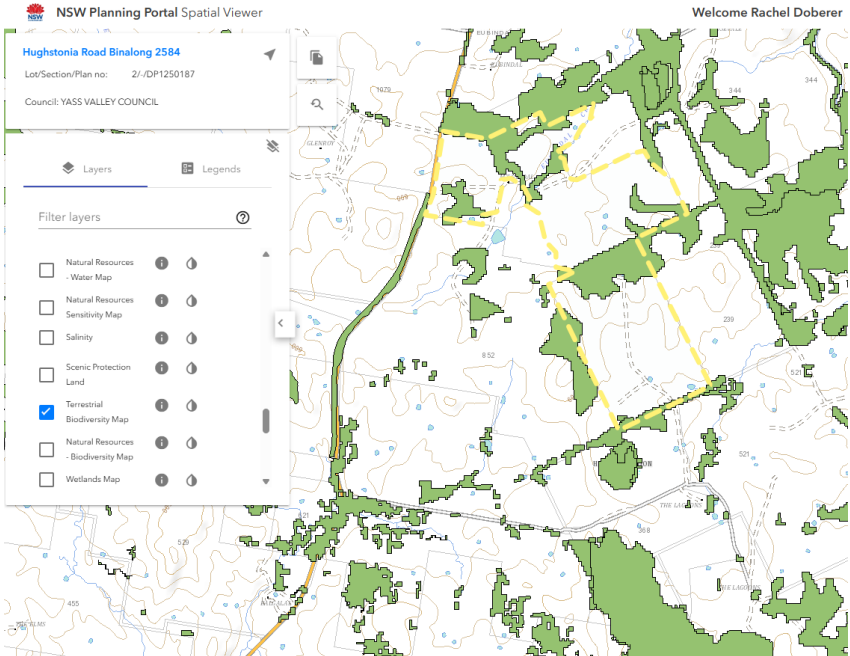


	<p>There are areas within the subject lot that have been highlighted as having biodiversity sensitivities as discussed further below, however, with sufficient land free of constraints on proposed Lots 200 to 205, there will be minimal to no effect on the existing biodiversity as a result of this subdivision.</p> <p>The subject land does not have an agricultural land classification of either Class 1 or 2 as identified on the mapping prepared by NSW Department of Primary Industries. The land is currently being utilised as a rural lot and it is intended that the land use will remain the same after the subdivision. Subdividing the land into two separate holdings will not limit the land with respect to its current agricultural potential.</p>
<p><i>Clause 4.2 Rural Subdivision</i></p>	<p>Complies. The proposed six (6) Lot Torrens Title Rural Subdivision minimises any likely impact on the amenity of neighbouring properties, 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 situated in the locality of Yass River. The proposed subdivision layout responds to the characteristics of the site and the surrounding environment as illustrated on the Proposed Plan of Subdivision (refer Appendix A).</p> <p>It is noted the proposed subdivision has been prepared taking into consideration the purpose of this subdivision will result in an exchange of land with the neighbour to the south (refer Appendix C) due to the declining health of one of the registered proprietors of the subject land.</p> <p>The proposed subdivision has taken a holistic and sustainable approach to the development with the intention of creating a development that offers productive sized lots delivering a better environmental planning outcome for Binalong and Yass Valley LGA as a whole.</p> <p>The proposed subdivision will not impact on either the built or natural environment in any substantial way. In this regard:</p> <ul style="list-style-type: none"> ❖ It will not result in any substantial changes to the established streetscape qualities of the area; ❖ The act of subdividing will not directly impact on neighbouring properties. It is determined a future dwelling house will have good separation distances to adjoining dwellings. ❖ The act of subdividing will not result in any substantial changes to traffic volumes in the locality. ❖ Subdividing the site will not necessitate the removal of any existing important vegetation.



	<p>Whilst the subject site is not within a village in Yass Valley, it is located in an area 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 the Binalong locality 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>Clause 4.3 Height of buildings</i>	Not applicable. The subject site is not identified on the Height of Buildings Map within the YVLEP2013 nor is the proposed development for a built form.
<i>Clause 4.4 Floor space ratio</i>	Not applicable. The subject site is not identified on the Floor Space Ratio Map within the YVLEP2013 nor is the proposed development for a built form.
<i>Clause 4.6 Exceptions to development standards</i>	Not applicable. The proposed development is not proposing a variation to the YVLEP2013.
<i>Clause 5.10 Heritage conservation</i>	<p>Consistent. The land is not identified as a heritage item in the YVLEP2013 to which this land relates. Within the LEP, a review of the heritage items reveals that adjoining allotments are not classed as items of heritage value.</p> <p>Therefore, it is considered that the proposal will not impact on any adjoining heritage items.</p> <p>According to the Office of Environment and Heritage website, there are no identified aboriginal relics or aboriginal heritage items located on the property.</p> <p>The farming techniques carried out on this property for generations, included grazing and cropping have altered the landscape, making it difficult to believe any objects of significance would exist in situ.</p> <p>However as identified in the Due Diligence Procedure for the Protection of Aboriginal Objects supplied in Appendix E, 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>
Clause 5.21 Flood planning	<p>Not applicable. The subject site is not identified as Flood Prone Land (FPL).</p>
Clause 6.1 Earthworks	<p>Not applicable. The proposed development whilst for the subdivision of land, does not include any physical construction works.</p>
Clause 6.3 Terrestrial biodiversity	<p>Complies. As indicated on Council's LEP Terrestrial Biodiversity Map there are areas within the subject site that have been identified/ mapped as having biodiversity concerns (refer Figure 2.3).</p> <p>It is noted however, there are no proposed subdivision construction works are required to complete this subdivision, in turn there will be no impact on any biodiversity.</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>Figure 2.3: Terrestrial Biodiversity Map (Source: NSW Government Planning Portal Spatial Viewer, April 2025)</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>
<i>Clause 6.4 Groundwater vulnerability</i>	<p>Not applicable. The subject site is not identified on the Groundwater Vulnerability Map within the YVLEP2013. Further to that the proposed development whilst for the subdivision of land, does not include any physical construction works.</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. It is however mapped on the Biodiversity Values Map (Non-EPI).</p> <p>However as mentioned throughout this Statement the proposed development, whilst for the subdivision of land, does not include any physical construction works.</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 Soils Map within the YVLEP2013.</p>
<i>Clause 6.8 Essential services</i>	<p><i>the supply of water,</i></p> <p>It is expected proposed Lot 200 will install rainwater tank(s) at construction stage for a dwelling house. Lot 200 also has an existing dam to supply water for farm use, bushfire protection and irrigation.</p> <p>Proposed Lots 201 to 205 are being created as rural lots only.</p> <p><i>the supply of electricity,</i></p> <p>For the purpose of this subdivision a restriction on the title of proposed Lots 200 to 205 will be added to state they are not connected to the power grid supply.</p> <p><i>the disposal and management of sewage,</i></p> <p>Not applicable. The proposed subdivision is for the creation of rural lots only.</p> <p><i>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.</p> <p>All appropriate stormwater drainage techniques are existing and are intended to remain in place.</p> <p><i>suitable vehicular access,</i></p> <p>Proposed Lot 200 will have a Restriction on the Use of Land created stating:</p> <p><i>No further development which requires Development Consent shall be carried out on the lot hereby burdened until such time that the vehicular access to the lot burdened is upgraded/ constructed to the standard specified by Councils Road Standard Policy relevant at the time.</i></p> <p>It is noted the subject lot currently has access via two Rights of Carriageways created via DP1203680 and DP1051753 (refer Appendix G). Further to that and as demonstrated in the Contract of Sale for Proposed Lots 201 to 205, once consolidated with Lot 23 DP1203680, these rights will carry over to the new title(s).</p> <p><i>connection to a communications network with voice or data capability (or both).</i></p> <p>It is expected proposed Lots 200 to 205 will utilise the existing available infrastructure being the NBN Satellite Mobile Telecommunications Network.</p>
<i>Clause 6.9 Development within a designated buffer area</i>	Not applicable. The subject site is not identified on the Water, Waste and Sewage Buffer Map within the YVLEP2013.
<i>Clause 6.10 Development on land intended to be acquired for Barton Highway Duplication</i>	Not applicable. The subject site is not identified on the Barton Highway Duplication Map within the YVLEP2013.



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

The NSW *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017, the purpose of which is *'to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development'*.

The BC Act outlines the NSW framework for addressing impacts on biodiversity from development and clearing. Supported by the NSW *Biodiversity Conservation Regulation 2017* (BC Regulation), the BC Act establishes a framework to avoid, minimize and offset impacts on biodiversity from development through the Biodiversity Offsets Scheme (BOS).

Under the BC Act, the BOS is triggered, and a Biodiversity Development Assessment Report (BDAR) required if a proposed development:

1. Will involve clearance of native vegetation (including trees, understory plants, groundcover plants, and wetland plants) or a prescribed impact (as set out in Clause 6.1 of the BC Regulation on land identified on the Biodiversity Values Map; and'/ or
2. Will exceed the native vegetation clearance threshold for the smallest minimum lot size associated with the development area; and/or
3. May significantly impact one or more BC Act listed entities (i.e threatened species or ecological communities)

As demonstrated in this Statement, It is noted there are no subdivision construction works required to achieve/ register this subdivision, as such, the proposed development of the subject land will not clear greater than the threshold level of native vegetation, being 1ha (10000m²), and as such does not trigger the requirement for a BDAR.



2.3 DEVELOPMENT CONTROL PLAN

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

Yass Valley Development Control Plan 2024 (YVDCP2024)

The YVDCP 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 C2 – Large Lot Residential, Rural and Environmental Subdivision Controls
- Part H – Development in Hazard Affected Areas
- Part K – Natural Resources

TABLE 6 – COMPLIANCE WITH THE YVDCP2024

PART B – PRINCIPLES FOR ALL DEVELOPMENT	
CONTROLS	COMPLIANCE
<p>B1 Sustainability</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>B2 Site Suitability</p> <p><i>All development applications are assessed on their individual merits and take account of, amongst other</i></p>	<p>Complies. The proposed development represents a coordinated approach to rural development, through the efficient use of land.</p> <p>The site is considered to be well positioned to cater for the existing and intended rural use.</p>



<p><i>things, the suitability of the site for the proposed development.</i></p>	<p>The suitability of the site for the proposed development is considered to be found consistent with Councils standards for development of rural land, specifically being respectful to the topography and neighbourhood to which the proposed development relates.</p>
<p>B3 Site Analysis Plan</p> <p><i>All applications must be accompanied by a site analysis plan.</i></p>	<p>Complies. The proposed Plan of Subdivision demonstrates the location of the subject site in relation to neighbouring properties noting it has taken into consideration any site constraints as mentioned in B1 above (refer Appendix A).</p> <p>The scale of the development has been derived from planning controls and desires a high degree of amenity for surrounding properties.</p>
<p>B4 Crime Prevention and Safety</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>Not applicable. The proposed development is for the subdivision of rural land only. This aspect will be considered upon the preparation of a DA for a future built form.</p>
<p>B4 Neighbourhood Character</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 take into consideration the specific site characteristics, and the specific design controls within the YVDCP2024.</p> <p>The proposed subdivision responds to the surrounding character of the Binalong locality and is consistent with the relevant planning controls that are identified in this Statement.</p> <p>The proposed development has taken into consideration the location, type and intensity of development whilst also having regard to the characteristics of the land and surrounding environment, in turn actively maintaining the existing neighbourhood character.</p>



PART C – SUBDIVISION CONTROLS

CONTROLS	COMPLIANCE
<p>C1 Layout</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 has been designed to reflect the adjacent settlement patterns, land uses and character also taking into account the topography of the land to minimise the potential for extensive earthworks and vegetation removal.</p>
<p>C2 Staging</p> <p><i>To ensure that each stage in 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 of the development.</p>

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

CONTROLS	COMPLIANCE
<p>C2.1 Buffers</p> <p><i>To minimise potential land use conflict and protect the right to farm and enjoyment of individual properties.</i></p>	<p>Complies. The proposed Lot Layout allows for the appropriate distance to minimise any potential land use conflicts.</p> <p>It is noted this development application is for the creation of six (6) rural lots only.</p>
<p>C2.2 Fences</p> <p><i>To ensure that fences are provided in accordance with the existing landscape and suitable for the location in which they are located.</i></p>	<p>Complies. Proposed Lot 200 adopts existing fencing that fits with the existing landscape and is suitable for the location in which it is located (refer Appendix B).</p> <p>Proposed Lots 201 to 205 will ultimately be consolidated with Lot 23 DP1203680 to the south, it makes sense for these lots to remain unfenced.</p>
<p>C2.3 Access</p> <p><i>To ensure that each allotment is provided with a legal, adequately designed and located access.</i></p>	<p>Proposed Lot 200 will have a Restriction on the Use of Land created stating:</p> <p><i>No further development which requires Development Consent shall be carried out on the lot hereby burdened until such time that the vehicular access to the lot burdened is upgraded/ constructed to the standard specified by Councils Road Standard Policy relevant at the time.</i></p>



	<p>It is noted the subject lot currently has access via two Rights of Carriageways created via DP1203680 and DP1051753 (refer Appendix F). Further to that and as demonstrated in the Contract of Sale for Proposed Lots 201 to 205, once consolidated with Lot 23 DP1203680, these rights will carry over to the new title(s).</p>
<p>C2.4 Road Design</p> <p><i>To ensure that the design and placement of roads minimises environmental impact and is suitable for the landscape and topography.</i></p>	<p>Not applicable. The proposed subdivision does not include the construction/ dedication of new road.</p>
<p>C2.5 Stormwater</p> <p><i>To ensure that subdivisions in non-urban areas are provided with adequate drainage in an appropriate manner.</i></p>	<p>The proposed subdivision development will have minimal effect on the existing natural overland flow path for stormwater runoff.</p> <p>All appropriate stormwater drainage techniques are existing and are intended to remain in place.</p>
<p>C2.6 Essential Services</p> <p><i>To ensure that non-urban subdivisions are provided with adequate essential services having regard to their location and intended use.</i></p>	<p>Complies. Please see response to Clause 6.8 in Table 4 of this Statement.</p>
<p>C2.7 Bushfire prone land</p> <p><i>To protect life and property in the event of a bushfire by appropriate design of non-urban subdivisions.</i></p>	<p>Not applicable. This DA is not considered 'Integrated Development' pursuant to Section 4.46 of the EP&A Act. It is noted the proposed development is situated on land mapped as bushfire prone land (BFPL). However, as the proposed development is purely for the creation of rural lots, it is expected that that the proposed development is exempt from being considered 'Integrated Development'.</p> <p>It is noted any future development on Lot 200 will be subject to a site-specific Bushfire Assessment, it has been determined that due to the land being mapped as BFPL there is no need to create a restriction on the use of land that states this.</p> <p>Following this assessment, it is concluded the proposed development is not classified nor is it proposed to lodge the application as Integrated Development pursuant to Section 4.46 & 4.47 of the EP&A Act.</p>



PART H – DEVELOPMENT IN HAZARD AFFECTED AREAS

CONTROLS	COMPLIANCE
<p>H1 Flooding</p> <p><i>To ensure that development is appropriately located and constructed having account of the risk of flood impact.</i></p>	<p>Not applicable. The subject site is not identified as Flood Prone Land (FPL).</p>
<p>H2 Bushfire Prone</p> <p><i>The objectives are:</i></p> <ul style="list-style-type: none"> a) <i>Prevent the loss of life and property by providing development that is compatible with the identified bushfire hazard.</i> b) <i>Ensure that the risks associated with bushfire are appropriately and effectively managed.</i> c) <i>Ensure that bushfire risk is managed in conjunction with the ecological values of the site and neighbouring lands.</i> 	<p>Not applicable. This DA is not considered 'Integrated Development' pursuant to Section 4.46 of the EP&A Act. It is noted the proposed development is situated on land mapped as bushfire prone land (BFPL). However, as the proposed development is purely for the creation of rural lots, it is expected that the proposed development is exempt from being considered 'Integrated Development'.</p> <p>It is noted any future development on Lot 200 will be subject to a site-specific Bushfire Assessment, it has been determined that due to the land being mapped as BFPL there is no need to create a restriction on the use of land that states this.</p> <p>Following this assessment, it is concluded the proposed development is not classified nor is it proposed to lodge the application as Integrated Development pursuant to Section 4.46 & 4.47 of the EP&A Act.</p>
<p>H3 Contaminated Land</p> <p><i>To ensure that potentially contaminated land is suitable for the proposed development.</i></p>	<p>Complies. The consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.</p> <p>It is noted the proposed development is not located on 'Contaminated Land'. '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>



PART I – CARPARKING AND ACCESS

CONTROLS	COMPLIANCE
<p>I1 Carpark Design</p> <p><i>To ensure that carpark design facilitates the safe and efficient movement of pedestrian and vehicles.</i></p>	Not applicable. This DA is for the subdivision of rural and only.
<p>I2 Loading Docks</p> <p><i>To ensure that loading docks are located and designed in a manner that facilitates ease of truck usage and does not increase crime opportunities.</i></p>	Not applicable. This DA is for the subdivision of rural land only.
<p>I3 Carpark Construction</p> <p><i>To ensure that carpark construction is suitable for the type and number of vehicles likely to visit the site.</i></p>	Not applicable. This DA is for the subdivision of rural land only.
<p>I4 Carparking Credits and Contributions</p> <p><i>Developments involving a change of use or additions/ alterations may attract parking credits. Parking credits will be determined by length of street frontage, type of existing parking (parallel or angled), the existing use and the number of existing carparking spaces on site and the demand for on site parking from the proposed development</i></p>	Not applicable. This DA is for the subdivision of rural land only.
<p>I5 Carparking Ratios</p> <p><i>Carparking ratios by Development Type.</i></p> <p><i>Car Parking requirements should be rounded up to the nearest number where necessary.</i></p>	Not applicable. This DA is for the subdivision of land only.



Where a development contains more than one land use the total parking requirement will be calculated by adding together the number of spaces required for each separate use.	
I6 Residential Carparking <i>To ensure that adequate carparking facilities are provided for residential development.</i>	Not applicable. This DA is for the subdivision of land only.
I7 Property Access Crossings <i>To ensure that access to site is provided in a location and manner that facilitates safety, efficient traffic movement and minimise negative environmental impact.</i>	<p>Proposed Lot 200 will have a Restriction on the Use of Land created stating:</p> <p><i>No further development which requires Development Consent shall be carried out on the lot hereby burdened until such time that the vehicular access to the lot burdened is upgraded/ constructed to the standard specified by Councils Road Standard Policy relevant at the time.</i></p> <p>It is noted the subject lot currently has access via two Rights of Carriageways created via DP1203680 and DP1051753 (refer Appendix G). Further to that and as demonstrated in the Contract of Sale for Proposed Lots 201 to 205, once consolidated with Lot 23 DP1203680, these rights will carry over to the new title(s).</p>

PART K – NATURAL RESOURCES

CONTROLS	COMPLIANCE
K1 Vulnerable Land K1.1 Salinity <i>To ensure that any development does not exacerbate salinity on site or offsite or negatively impact upon buildings.</i>	Not applicable. The subject site is not identified on the Salinity Map within the YVLEP2013.
K1.2 Erodible Soils <i>To ensure that any development does not exacerbate erosion on site or sedimentation offsite.</i>	Not applicable. The subject site is not identified on the Erodible Soils Map within the YVLEP2013.



<p>K2 Terrestrial Biodiversity</p> <p><i>To ensure that any development does not negatively impact upon the biodiversity of the site or the region overall.</i></p>	<p>Complies. As indicated on Council's LEP Terrestrial Biodiversity Map there are areas within the subject site that have been identified/ mapped as having biodiversity concerns (refer Figure 2.3).</p> <p>It is noted however, there are no proposed subdivision construction works are required to complete this subdivision, in turn there will be no impact on any biodiversity.</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>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>K3 Groundwater Vulnerability, Riparian Lands and Watercourses</p> <p>K3.1 Groundwater</p> <p><i>To ensure that any development does not negatively impact upon groundwater quality, quantity, or ecosystem dependent species.</i></p>	<p>Not applicable. The subject site is not identified on the Groundwater Vulnerability Map within the YVLEP2013. Further to that the proposed development whilst for the subdivision of land, does not include any physical construction works.</p>
<p>K3.2 Riparian Land and Waterways</p> <p><i>To ensure that any development does not exacerbate streambank erosion, water pollution or ecosystem function.</i></p>	<p>Not applicable. The subject site is not identified on the Riparian Land and Watercourses Map within the YVLEP2013. It is however mapped on the Biodiversity Values Map (Non-EPI).</p> <p>However as mentioned throughout this Statement the proposed development, whilst for the subdivision of land, does not include any physical construction works.</p>



2.4 INTEGRATED DEVELOPMENT

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

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

TABLE 7 – INTEGRATED DEVELOPMENT

ACT	COMMENT
<i>Coal Mine Subsidence Compensation Act 2017</i>	The site is not located within a mine subsidence district.
<i>Fisheries Management Act 1994</i>	The subject site does not contain any permanent water bodies, nor is it located within Key Fish Habitat. It is considered the proposed development will not harm marine vegetation, nor will it require dredging of the bed and land reclamation of a Key Fish Habitat Creek.
<i>Heritage Act 1977</i>	No works are proposed that are referred to pursuant to section 57 of <i>Heritage Act 1977</i> .
<i>Mining Act 1992</i>	No mining lease is being sought as part of this DA, noting this DA is for a proposed Six (6) Lot Torrens Title Rural Subdivision.
<i>National Parks and Wildlife Act 1974</i>	The subject site has not been identified as containing any archaeological sites and is primarily of 'low' archaeological potential.
<i>Petroleum (Onshore Act) 1991</i>	No production lease is being sought as a part of this DA, noting this DA is for a proposed Six (6) Lot Torrens Title Rural Subdivision.
<i>Protection of the Environment Operations Act 1997</i>	The implementation of appropriate environmental protection works will ensure that no licence will be required.
<i>Roads Act 1993</i>	Section 138 of the Roads Act 1993 requires an approval from the Roads Authority (either Council or TfNSW) for certain



	<p>works in, on or over a public road, or to connect to a classified road.</p> <p>Minor upgrade works may be required to connect the Site to a Council road (Hughstonia Road), however this will form part of a future application. TfNSW is not likely to be the referral agency for the subject application pursuant to Section 4.46 of the EP&A Act. The basis for this is any potential road works adjacent to and within Hughstonia Road.</p> <p>Under this legislation, the proposed development, therefore, does not trigger the application as requiring integrated approval from TfNSW.</p>
<i>Rural Fires Act 1997</i>	<p>This DA is not considered 'Integrated Development' pursuant to Section 4.46 of the EP&A Act. It is noted the proposed development is situated on land mapped as bushfire prone land (BFPL) (refer Figure 2.4). However, as the proposed development is purely for the creation of rural lots, it is expected that that the proposed development is exempt from being considered 'Integrated Development'.</p> <p>It is noted any future development on Lot 200 will be subject to a site-specific Bushfire Assessment, it has been determined that due to the land being mapped as BFPL there is no need to create a restriction on the use of land that states this.</p> <p>Following this assessment, it is concluded the proposed development is not classified nor is it proposed to lodge the application as Integrated Development pursuant to Section 4.46 & 4.47 of the EP&A Act.</p>
<i>Water Management Act 2000</i>	<p>There are no watercourses that traverse the site or nearby. It is noted there are drainage depressions throughout and around the site, however the location of the proposed building envelope has taken this into consideration and there will be no affect to these areas.</p> <p>As such the development does not warrant approval pursuant to section 91(2) of the <i>Water Management Act 2000</i> for a Controlled Activity Approval.</p>



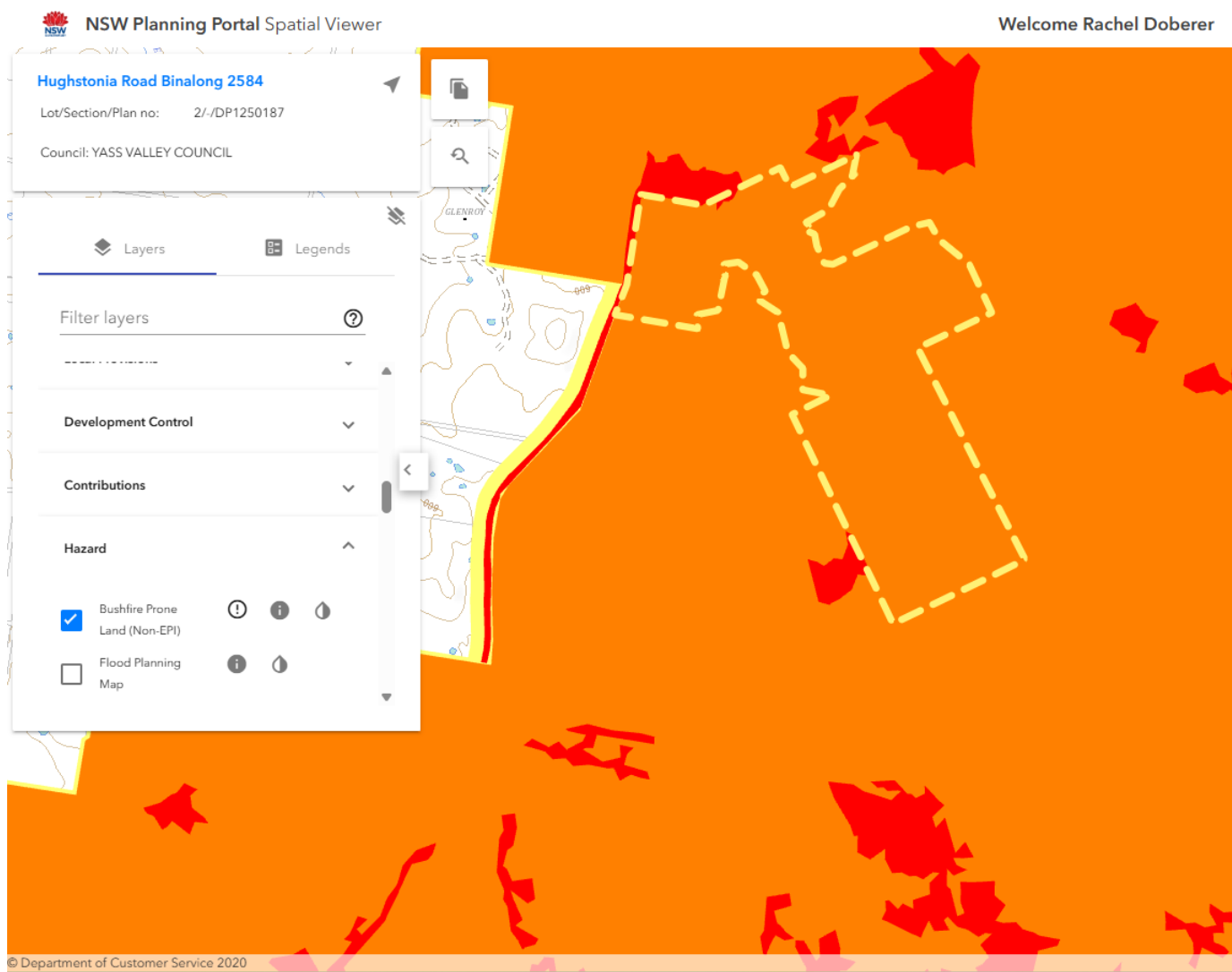


Figure 2.4: Bushfire Prone Land Mapping (Source: NSW Government Planning Portal Spatial Viewer, April 2025).

2.5 STATE ENVIRONMENTAL PLANNING POLICIES

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

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

TABLE 8 – SEPPS

SEPP	COMMENT
<i>SEPP (Biodiversity and Conservation) 2021</i>	<p>This SEPP aims to protect the biodiversity values of trees and vegetation in non-rural areas of the State and preserve the amenity of non-rural areas of the State through the preservation of tree and other vegetation. Provisions protecting bushland, trees, heritage items, waterways, wetlands, and koalas are included in the SEPP.</p> <p>Clearing of vegetation requires consent and has been assessed under the provisions of the Biodiversity Conservation Act. No additional permits from Council for the clearing of vegetation is anticipated.</p> <p>There are no recent records of Koalas in the locality and the species is generally not known to occur in the lowland agricultural lands of the Yass Valley Council LGA. The subject land does not constitute Koala habitat, and therefore Council can be satisfied that the proposed development is unlikely to have any impact on Koalas or Koala habitat and may grant consent to the development application.</p>
<i>SEPP (Transport and Infrastructure) 2021</i>	<p>There are provisions contained within the SEPP which are triggers for the referral of the DA to certain authorities prior to Council being able to grant consent. The potential triggers for referral are summarised as follows:</p> <p><u>Development Likely to affect an electricity transmission or distribution network</u></p> <p>Clause 2.48 of the SEPP requires Council to give written notice to the electricity supply authority (and consider any response received within 21 days) when a DA involves development that comprises or involves:</p> <ul style="list-style-type: none"> • The penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of electricity tower. • Development carried out within or immediately adjacent to an easement for electricity purposes or substation, or



	<p>within 5 metres of an exposed overhead electricity power line.</p> <ul style="list-style-type: none"> • Development involving the installation of a swimming pool within 30m of a structure supporting an overhead transmission line, or within 5m of an overhead electricity power line. • Development involving or requiring the placement of power lines underground. <p>Based on a review of the plans and documents submitted with the DA, the proposed DA is unlikely to trigger referral to the electrical supply authority, as the nearest overhead pole location is further than 5 metres of any anticipated future construction site.</p> <p><u>Development in or adjacent to road corridors and road reservations</u></p> <p>Clause 2.122 of the SEPP requires Council to give written notice to Transport for NSW (and consider any response received within 21 days) when a DA involves traffic generating development of a kind specified in Column 1 of Schedule 3 of the SEPP.</p> <p>The nature and scale of the proposed development does not trigger referral of the application to TfNSW.</p>
<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 a six (6) lot Torrens Title Rural 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 (Resilience and Hazards) 2021</i>	<p>This SEPP requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.</p> <p>It is noted the proposed development is not located on 'Contaminated Land'.</p> <p>'Contaminated Land' means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.</p>



	<p>Taking into consideration the historic use of the site Council can be satisfied that the land is not contaminated and is not land specified in subsection (4) of clause 4.6 of the SEPP (such that there is no requirement for a preliminary site investigation report).</p>
<p><i>SEPP (Building Sustainability Index: BASIX) 2004</i></p>	<p>The proposed development is for the subdivision of six (6) Torrens Title Rural 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 six (6) lot Torrens Title Rural Subdivision does not qualify to be assessed against this code.</p> <p>As such this SEPP is not applicable to the assessment of this application.</p>
<p><i>SEPP (Planning Systems) 2021</i></p>	<p>This SEPP contains planning rules that allow for a strategic and inclusive planning system for the community and the environment for State Significant Development.</p> <p>The proposed development is not classified as State Significant Development and therefore this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Resources and Energy) 2021</i></p>	<p>This SEPP contains planning rules that promote the sustainable use of NSW's resources and transitioning to renewable energy. Specifically for the assessment and development of mining, petroleum production and extractive material resource proposals.</p> <p>The proposed development does not relate to the developments listed above and as such this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Housing) 2021</i></p>	<p>This SEPP facilitates development of affordable and diverse housing including boarding houses, build-to-rent housing, seniors housing, caravan parks/ manufactured home estates, group home, secondary dwellings, social and affordable housing and short-term rental accommodation.</p> <p>The proposed development does not relate to the delivery of development listed above. As such this SEPP is not applicable to this development application.</p>



<p><i>SEPP (Industry and Employment) 2021</i></p>	<p>This SEPP contains planning rules that applies to employment land in western Sydney and for advertising and signage in NSW.</p> <p>The proposed development does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>
---	--



2.6 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

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

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

TABLE 9 – SECTION 4.15 OF THE EP&A ACT

OBJECT	COMMENT
<p>(a) <i>the provisions of—</i></p> <p><i>(i) any environmental planning instrument, and</i></p> <p><i>(ii) 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></p> <p><i>(iii) any development control plan, and</i></p> <p><i>(iiia) 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></p> <p><i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i></p> <p><i>(v) (Repealed)</i></p> <p><i>that apply to the land to which the development application relates,</i></p>	<p>The proposed development has been prepared taking into consideration any potential socioeconomic and environmental concerns.</p> <p>It has been determined the proposed development will not raise any matters of significance to inhibit the approval of the development application.</p> <p>The proposal has been assessed against the relevant provision of the Environmental Planning and Assessment Act 1979, the relevant Local Environmental Plan specifically the YVLEP2013 and the Yass Valley Development Control Plan 2024 (YVDCP2024).</p> <p>The proposal is permissible with Councils consent within the zone and meets the relevant objectives of the RU1 Primary Production zone confirming the proposed development meets the relevant objectives.</p> <p>Careful consideration has been given to the design of the proposed development to ensure that a high-quality outcome is achieved whilst also attaining an environmentally sustainable development that is compatible with and sympathetic to surrounding and neighbouring properties.</p>
<p>(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i></p>	<p>The proposed development has been prepared to facilitate an ecologically sustainable development that represents rational, orderly, economic and sustainable use of the land.</p> <p>The proposed six (6) Lot Torrens Title Rural Subdivision has been designed to take into consideration the subject site and surrounds.</p>



	<p>The proposed development has been prepared by integrating the relevant economic, environmental and social considerations to result in an achievable planning outcome.</p> <p>It has been determined that any minor impacts of the development will have little to no effect on the surrounding environment. The proposed development of the subject lot is expected to lay the foundation for more efficient utilization of the land, and it is expected to contribute in varying degrees to the local economy.</p>
<i>(c) the suitability of the site for the development,</i>	<p>The proposed subdivision is consistent with, and compatible with the surrounding land uses of Binalong.</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>
<i>(d) any submissions made in accordance with this Act or the regulations,</i>	<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&A Act.</p>
<i>(e) the public interest.</i>	<p>This development application seeks approval for a proposed six (6) lot Torrens Title Rural Subdivision. The proposal is considered in the public interest for the following reasons:</p> <ul style="list-style-type: none"> • The site is located within the RU1 Primary Production zone of Binalong. 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. • The site is zoned for development purposes, and the proposed development provides for a subdivision that is consistent with the objectives and controls contained in the YVLEP2013 and the YVDCP2024.



3. CONCLUSION

This application seeks approval for a Six (6) Lot Torrens Title Rural Subdivision. It is concluded, the approval of the Development Application at Lot 2 DP1250187 and Lot 4 DP1168601 Hughstonia Road, BINALONG 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 RU1 Primary Production 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 rural subdivision development within the locality of Binalong. The application is supported by the appropriate documents that satisfy Council's requirements and demonstrate that the subject site is suitable for the proposed development.

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

The assessment concludes the subdivision is permissible within the RU1 Primary Production zone, is consistent with the specific provisions contained in the YVLEP2013 and the YVDCP2024. It is recommended that sufficient information has been submitted with the Development Application to allow Yass Council to make an informed decision on the proposal. It is the findings of this Statement of Environmental Effects that the proposed development should be supported.

