


STATEMENT OF ENVIRONMENTAL EFFECTS

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PROJECT:	Development Application for the approval of a Nine (9) Lot Torrens Title Industrial Subdivision (Warwick Farm Business Park) including Tree Removal at Lot 4 DP255064 2 Reddall Street, YASS pursuant to the provisions within the <i>Yass Valley Local Environmental Plan 2013 (YVLEP2013)</i> and the <i>Yass Valley Development Control Plan 2024 (YVDCP2024)</i> .
APPLICANT:	WARWICK FARM INVESTMENTS PTY LTD ACN 666 685 418 ANDREW TURNBULL DIRECTOR
OUR REFERENCE:	4900_SEE1
DATE:	APRIL 2025
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Revision Status

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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 Surrounding Locality.....	11
1.4.3 Existing Easements, Restrictions on the Use of Land and Positive Covenants.....	11
1.4.4 Proposed Easements, Restrictions on the Use of Land and Positive Covenants	11
1.5 PROPOSED DEVELOPMENT	13
1.6 DESCRIPTION OF DEVELOPMENT	18
1.6.1 Tree Removal.....	18
1.6.2 Civil Works	20
1.6.3 Transport Impact Assessment.....	22
1.6.4 Contamination	24
1.6.5 Ecological Constraints & Opportunities	26
1.6.6 Ecological Sustainable Development.....	27
1.6.7 Bushfire Prone Land	28
1.6.8 Aboriginal Cultural Heritage Due Diligence Assessment.....	34
2. ASSESSMENT	37
2.1 ENVIRONMENTAL PLANNING INSTRUMENTS	38
Yass Valley Local Environmental Plan 2013.....	38
TABLE 1 - AIMS OF THE YVLEP 2013	38
TABLE 2 - OBJECTIVES OF THE E3 PRODUCTIVITY SUPPORT ZONE.....	45
TABLE 3 – RELEVANT PLANNING CONTROLS.....	48
2.2 DEVELOPMENT CONTROL PLAN.....	60
Yass Valley Development Control Plan 2024 (YVDCP2024)	60
TABLE 4 – COMPLIANCE WITH THE YVDCP2024.....	60
2.3 INTEGRATED DEVELOPMENT.....	74
TABLE 5 – INTEGRATED DEVELOPMENT.....	74
2.4 STATE ENVIRONMENTAL PLANNING POLICIES	78
TABLE 6 – SEPPS	78
2.5 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT	81
TABLE 7 – SECTION 4.15 OF THE EP&A ACT	81

3. CONCLUSION.....	84
APPENDIX A	85
PROPOSED PLAN OF SUBDIVISION.....	85
APPENDIX B	86
DETAIL SURVEY PLAN.....	86
APPENDIX C	87
CONCEPT CIVIL ENGINEERING DESIGN	87
APPENDIX D	88
PRELIMINARY COST ESTIMATE	88
APPENDIX E.....	89
TRANSPORT IMPACT ASSESSMENT	89
APPENDIX F	90
BUSHFIRE ASSESSMENT REPORT	90
APPENDIX G	91
ECOLOGICAL CONSTRAINTS & OPPORTUNITIES REPORT.....	91
APPENDIX H	92
FLORA & FAUNA ASSESSMENT	92
APPENDIX I.....	93
TREE SURVEY REPORT	93
APPENDIX J	94
ABORIGINAL CULTURAL HERITAGE DUE DILIGENCE ASSESSMENT.....	94
APPENDIX K	95
DRAFT ABORIGINAL CULTURAL HERITAGE AND ARCHAEOLOGICAL REPORT	95
APPENDIX L.....	96
PRELIMINARY SITE INVESTIGATION.....	96
APPENDIX M	97
DETAILED SITE INVESTIGATION	97
APPENDIX N	98
COMPLYING DEVELOPMENT CERTIFICATE FOR DEMOLITION OF EXISTING STRUCTURES ...	98
APPENDIX O	99
CERTIFICATE OF TITLE, ASIC SEARCH RESULT AND DEPOSITED PLAN FOR LOT 4 DP255064 ..	99



1. INTRODUCTION

This Statement of Environmental Effects (**SEE**) has been prepared for *Warwick Farm Investments Pty Ltd* (the **Applicant**) by DPS YASS Pty Ltd. This Statement is to accompany a development application to Yass Valley Council for the approval of a Nine (9) Lot Torrens Title Industrial Subdivision including Tree Removal at Lot 4 DP255064 2 Reddall Street, YASS.

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

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

This site is zoned E3 Productivity Support pursuant to the *Yass Valley Local Environmental Plan 2013* (YVLEP2013). The proposed development is permissible with development consent within the E3 Productivity Support zone. The proposed development formulates contextual elements derived from the existing light industrial character with respect to the immediate vicinity and is consistent with the objectives and provisions within the YVLEP2013.

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

The development is designed to function as an employment destination hub, offering a range of employment and business opportunities to meet the needs of site users and the local community.

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

1.1 PURPOSE OF THIS REPORT

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

- The proposal is consistent with the controls within the YVLEP2013 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 residential land. This is explained in more detail later in this Statement.
 - The subject site is located within the E3 Productivity Support zone of Yass. The vision for the expansion of Yass LGA is to create high quality and ecologically sustainable environment integrated with good accessibility and open space. This DA meets the intent of this by providing a high-quality development which will support the other uses of the area.
 - Accommodates light industrial opportunities in Yass, within close proximity to Murrumbateman, Canberra and Goulburn.
 - The site is zoned for development purposes, and the proposed development provides for infill development (light industrial) including a Nine (9) Lot Torrens Title Industrial Subdivision that is consistent with the objectives and controls contained in the YVLEP2013 and the YVDCP2024.
 - The subject site in general benefits from good access to the Hume Highway and Barton Highway which are the main vehicular transportation routes between Canberra, Sydney and Melbourne.
 - It is expected the construction works associated with the proposed development and the future use of the proposed Lots will contribute in varying degrees to the local economy and Yass Valley more generally..
- Demonstrating that the environmental impacts of the development have been considered; and
- Outlining the steps to be undertaken to protect the environment or to mitigate against any potential harm, if necessary

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

The SEE demonstrates that the proposed development is acceptable pursuant to 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

Warwick Farm Investments Pty Ltd
ACN 666 685 418
Andrew Turnbull (Director)

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

Contact: Rachel Doberer
Phone: (02) 6226 3322
Mobile: 0409 880 034
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1.3.2 The Owner(s)

Warwick Farm Investments Pty Ltd
ACN 666 685 418
Andrew Turnbull (Director)
Shane Bellchambers (Director)

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

Contact: Rachel Doberer
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1.3.3 Site Address

The subject site for this application is legally identified as Lot 4 DP255064 4 Reddall Street, YASS and shown 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 on the periphery of North Yass (refer **Figure 1.1**), roughly 25km to Murrumbateman Village, approximately 60km to Canberra CBD and around 80km to Goulburn CBD. The subject site is located on Reddall Street and connects to Murrumbateman, Canberra and Goulburn seamlessly via Comur Street, Yass Valley Way, the Barton Highway and the Hume Highway, which are some of the main connecting road corridors in the area.

The subject site is made up of one lot and is zoned E3 Productivity Support in the Yass Valley LEP 2013 (YVLEP2013). It is bounded by other similar light industrial lots to the South East, South and South West, the Yass Wastewater Treatment Plant to the far North West and vacant farm land to the North/ North East (refer **Figure 1.2**).

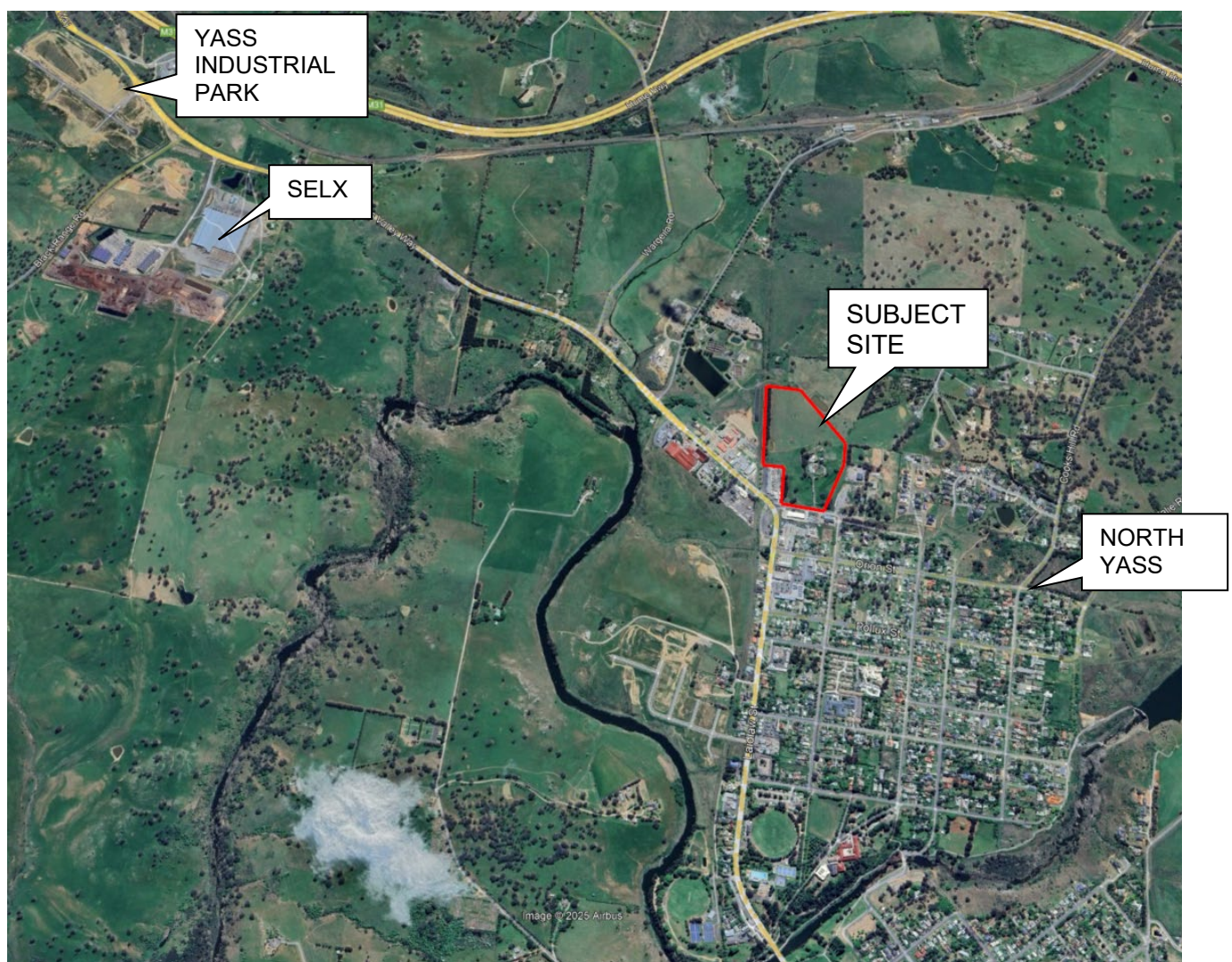


Figure 1.1: Location Map to Demonstrate the Site's Local Context (Source: Google Earth, January 2025)

Legal and physical access to the subject site is off Reddall Street. The site is an irregular shaped parcel of land with a total area of 10.92ha. The land was currently utilised for residential purposes, however separate demolition approval via the Complying Development pathway (refer **Appendix X**) will remove all existing structures on site. Following this subdivision, it is expected all lots will be utilised for industrial use, however this will be subject to separate site specific Development Applications.



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

1.4.2 Surrounding Locality

Existing development in the vicinity of the subject site is described below:

- North: Vacant farmland to the north, there are large lot residential lots to the north east of the subject site.
- East: A recently approved Open Storage Yard and Truck Depot including Construction of Onsite Stormwater Detention and Provision of Parking (refer DA210140B).
- South: Nutrien Ag Solutions Yass and Complete Fleet occupy two industrial warehouses, further south is MA Steel and a number of residential dwelling houses.
- West: An industrial block of units that are occupied by DeSigns by Joe, Yass Engineering and JB's Auto to name a few.

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

- Easement for access created by notification in Gov Gaz 22.12.1939 Fol 5897 affecting the Site designated (B) in the Title Diagram (DP255064).
- Easement for Water Pipeline Appurtenant to the part of the land above described formerly in Vol 6976 Fol 47 affecting the Site designated (C) in the Title Diagram (DP255064).
- Easement to Drain Sewage affecting the Site designated (D) in the Title Diagram (DP255064).
- Easement to Drain Sewage affecting the Site designated (E) in the Title Diagram (DP255064).
- Restriction on the Use of Land (DP255064)

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

- It is proposed to create an Easement to Drain Sewage 3 Wide over Lots 4, 6 and 9 labelled as E4 on the Proposed Plan of Subdivision (refer **Appendix A**).
- It is proposed to create an Easement to Drain Water 3 Wide over Lot 7 and labelled as E5 on the Proposed Plan of Subdivision (refer **Appendix A**).
- It is proposed to create an Easement to Drain Sewage 6 Wide over Lots 2 and 3 and labelled as E6 on the Proposed Plan of Subdivision (refer **Appendix A**).

The Concept Civil Engineering Design Drawings prepared by Genium Civil Engineering dated 28 March 2025 note the following in relation to Onsite Detention Basins for each lot:

Each lot to be provided with on-site detention system (OSD) (typical). OSD to be designed and constructed as part of subsequent developments on each lot. Unless otherwise noted the OSD shall discharge to ground via a 'level spreader' arrangement.

- Taking the above comments into consideration it is proposed to create a Restriction on the Use of Land and Positive Covenant (benefited by Council) on each lot with the following proposed wording:

For the Restriction on the Use of Land:

'The registered proprietor shall not erect or suffer the erection of any structure on the lot(s) hereby burdened unless the registered proprietor has first constructed or has made provision for the construction of an onsite stormwater detention system on the said lot(s), in accordance with the design, construction and provision requirements of Yass Valley Council.

The expression "onsite stormwater detention system" shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins, rainwater tanks (if an airspace "credit" is claimed against the storage volumes) and surfaces designed to temporarily detain stormwater as all surfaces graded to direct stormwater to the temporary storage.'

For the Positive Covenant:

1. *The registered proprietor of the lot(s) hereby burdened will in respect of the onsite stormwater detention system:*
 - (a) *Keep the onsite stormwater detention system clean and free from silt, rubbish and debris;*
 - (b) *Maintain and repair at the sole expense of the registered proprietors the whole of the onsite stormwater detention system so that it functions in a safe and efficient manner;*
 - (c) *Permit the Council or its authorised agents from time to time and upon giving reasonable notice (but at any time and without notice in the case of an emergency) to enter and inspect the land for the compliance with the requirements of this covenant; and*
 - (d) *Comply with the terms of any written notice issued by the Council in respect of the requirements of this covenant within the time stated in the notice.*
2. *Pursuant to Section 88F(3) of the Conveyancing Act 1919 the Council shall have the following additional powers:*
 - (a) *In the event that the registered proprietor fails to comply with the terms of any written notice issued by the Council as set out above, the Council or its authorised agents may enter the land with all necessary materials and equipment and carry out any work which the Council in its discretion considers reasonable to comply with the said notice referred to above; and*
 - (b) *The Council may recover from the registered proprietor in a Court of competent jurisdiction:*
 - i. *Any expense reasonably incurred by it in exercising its powers under sub-paragraph (a) hereof. Such expense shall include reasonable wages for the Council's employees engaged in effecting the work referred to in (a) above, supervising and administering the said work together with costs, reasonably estimated by the Council, for the use of materials, machinery, tools and equipment in conjunction with the said work.*
 - ii. *Legal costs on an indemnity basis for issue of the said notices and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to Section 88F of the Act or providing any certificate required pursuant to Section 88G of the Act or obtaining any injunction pursuant to Section 88H of the Act*

This covenant shall bind all persons who are of claim under the registered proprietor(s) as stipulated in Section 88E(5) of the Act.

1.5 PROPOSED DEVELOPMENT

This report has been prepared by DPS to accompany the Development Application submission and is lodged under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* for a proposed Nine (9) Lot Torrens Title Industrial Subdivision including Tree Removal, 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 4900_PPS6 dated February 2025 (refer **Figure 1.3 & Appendix A**).
- Detail Survey Plan prepared by DPS YASS P/L reference 4900_DT1 dated 30 August 2024 (refer **Appendix B**).
- Concept Civil Engineering Design prepared by Genium Civil Engineering reference 23020 dated 28 March 2025 (refer **Appendix C**).
- Preliminary Cost Estimate prepared by Genium Civil Engineering (refer **Appendix D**).
- Transport Impact Assessment prepared by Genium Civil Engineering dated 24 April 2025 (refer **Appendix E**).
- Bushfire Assessment Report prepared by Coolburn Fire & Ecology dated 01 October 2024 (refer **Appendix F**).
- Ecological Constraints & Opportunities Report prepared by Lodge Environmental dated 24 September 2024 (refer **Appendix G**).
- Flora & Faun Assessment prepared by Lodge Environmental dated 4 March 2025 (refer **Appendix H**).
- Tree Survey Report prepared by Beck Tree Consulting dated 16 June 2024 (refer **Appendix I**).
- Aboriginal Cultural Heritage Due Diligence Assessment prepared by Past Traces Heritage Consultants dated 22 October 2024 (refer **Appendix J**).
- Draft Aboriginal Cultural Heritage and Archaeological Report prepared by Past Traces Heritage Consultants dated 23 March 2025 (refer **Appendix K**).
- Preliminary Site Investigation prepared by D & N Geotechnical dated 20 February 2025 (refer **Appendix L**).
- Detailed Site Investigation prepared by D & N Geotechnical dated 20 February 2025 (refer **Appendix M**).
- Complying Development Certificate for Demolition of Existing Structures issued by McKenzie Group reference 240508/01 dated 16 September 2024 (refer **Appendix N**).
- Certificate of Title, ASIC Search Results and Deposited Plan for Lot 4 DP255064 (refer **Appendix O**).

The purpose of this report is to consider the site characteristics and the anticipated impacts of the proposed development providing an assessment in accordance with the matters for consideration in

Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act). Specifically, the SEE includes the following information:

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

The subject site has a total area of 10.92ha of vacant land awaiting development. The proposed development application has been prepared to take into consideration the future use of the site and aims to improve the functionality of the site.

Vehicular access to the site is proposed by a new road to be constructed and dedicated to Council upon completion. Enhancement landscaping is proposed throughout the site via street trees including a revegetated corridor along the western boundary. It is noted the existing pine trees along the western boundary will be removed as part of the subdivision works.

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 development application (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 detailed in Section 46 of the *Rural Fire Regulations 2022 – Development excluded from requirements for bush fire safety authority – the Rural Fire Act 1997 s 100B* is:

- (1) *For the purposes of the Act, section 100B(5)(a1), the following development is excluded from the operation of the Act, section 100B*
- (a) *Development for the purposes of licensed premises that do not provide overnight accommodation, other than for the owner or manager of the premises and the owner's or managers family,*
 - (b) *Strata subdivision of a building, but only if development consent for the erection of the building was granted in accordance with the Environmental Planning and Assessment Act 1979, section 4.14,*
 - (c) *Strata subdivision of a class 2 building erected before 1 August 2002, but only if the building complies with the requirements of Level 1 construction under AS3959-1999, Construction of buildings in bushfire-prone areas,*
 - (d) *Subdivision of land for the purpose of converting an existing dwelling to a dual occupancy, but only if development consent for the dwelling was granted in accordance with the Environmental Planning and Assessment Act 1979, section 4.14,*
 - (e) *Subdivision of, or a boundary adjustment in relation to, land that is leased under a Western lands lease, within the meaning of the Crown Land Management Act 2016, Schedule 3,*
 - (f) *Subdivision for the purposes of consolidation of lots or boundary adjustment on land where the number of lots is reduced, but only if an existing dwelling on the land complies with the requirements of Planning for Bush Fire Protection,*

- (g) *Development for the purposes of bed and breakfast accommodation using an existing building, but only if the building is more than 30 metres from land that is not managed land within the meaning of Planning for Bush Fire Protection,*
- (h) **Subdivision of land used or proposed to be used for industrial purposes on which the erection of a dwelling related to the industrial use of the land, for example, a managers residence, is permitted.**
- (i) *Subdivision of land for residential purpose in a Western New South Wales district, but only if –*
 - i. *Each lot created by the subdivision is greater than 10 hectares, and*
 - ii. *The bush fire prone land that is Category 1 or vegetation is less than 10% of the lot, and*
 - iii. *Each lot has direct access to an existing public road,*
- (j) *Construction or installation of a flagpole, aerial, antenna or satellite dish,*
- (k) *Construction or installation of a driveway, pathway or other paved area,*
- (l) *The carrying out of earthworks or drainage works,*
- (m) *Construction of a class 10a building that is at least 6 metres from a dwelling,*
- (n) *Minor external non-structural building alterations carried out in accordance with Planning for Bush Fire Protection,*
- (o) *Development of a minor nature that relates to an existing building that is for a special fire protection purpose*

Taking the above into consideration, the proposed development application does not warrant referral to the NSW Rural Fire Service to obtain their *General Terms of Approval* as it is determined to be classified as development excluded from requirements for bush fire safety authority pursuant to *Clause 100B (5)(a1)* of the EP&A Act.

It is however considered 'Integrated Development' pursuant to Section 4.46 of the EP&A Act as the application will need to be referred to the following government agencies:

- ❖ The Heritage Council of NSW (Heritage Act 1977 [s58])
- ❖ National Parks and Wildlife Services (National Parks and Wildlife Act 1974 [s90])
- ❖ NSW Roads and Maritime Services (Roads Act 1993 [s138])

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:

- Land Zoning Map within the YVLEP2013.
- Terrestrial Biodiversity Map within the YVLEP2013.
- Natural Resource – Groundwater Vulnerability Map within the YVLEP2013.

- Additional Permitted Uses Map within the YVLEP2013.
- Bushfire Prone Land (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 complement surrounding existing structures and character. The layout of the subdivision has been prepared to take into consideration the specific site characteristics, the existing access and fencing, The proposal retains the character of the existing and surrounding properties, in turn maximising the potential use of the site whilst also being mindful of any existing constraints.

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

1.6 DESCRIPTION OF DEVELOPMENT

This DA seeks to facilitate the development of the subject site for the purpose of light industrial use, specifically the application seeks development consent for a subdivision creating nine (9) Torrens Title Industrial Lots as specified on the Proposed Plan of Subdivision (refer **Figure 1.5 & Appendix A**).

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

In detail, this development application seeks approval for:

- The subdivision of the subject lot into nine (9) Torrens Title Industrial Lots,
- Construction of new internal road and intersection onto Reddall Street,
- Upgrade of the existing intersection of Reddall Street and Yass Valley Way
- Installation of new Water, Stormwater and Sewer infrastructure, to connect into Councils reticulated systems.

On Lot 4 DP255064 as per the Proposed Plan of Subdivision (refer **Appendix A**) and the Civil Engineering Design (refer **Appendix C**). Each of these components of the proposed development is described in more detail below.

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

1.6.1 Tree Removal

Two hundred and sixty-three trees are proposed to be removed due to their species (*Pinus radiata*'s) and retention value. Following a tree survey report prepared by Beck Tree Consulting dated 16 June 2024, it was concluded

'The trees are located on the western boundary in two separate groupings. Tree group 1 has 58 trees growing along a 106m span consisting of heavy growth areas of blackberry. Both tree lines are 15m wide and are planted up to 4 trees in wide in areas but most commonly 3 trees wide.

Tree group 2 consists of 205 trees growing over a 305m span. At the Southern end of group 2 there are multiple dead trees with the tree line ending as goes below the dam. North of the dam are 181 trees that currently display relatively good health. There is some blackberry growing within this tree line specifically near the dam.

*Throughout both group 1 and 2 (refer **Figure 1.4**) in the middle of the tree lines are dead trees that have been outgrown by surrounding trees, there is approximately 60 dead trees.*

It is noted this report states NSW DPI lists the species as a weed specimen.

It is expected any further tree planting will be subject to future DA applications for the future built form and their potential uses.

Site plan



Orange lines represents the 2 tree lines in the boundary.

Figure 1.4: Site Plan for Tree Groups 1 and 2 (Source: Beck Tree Consulting, April 2025)

1.6.2 Civil Works

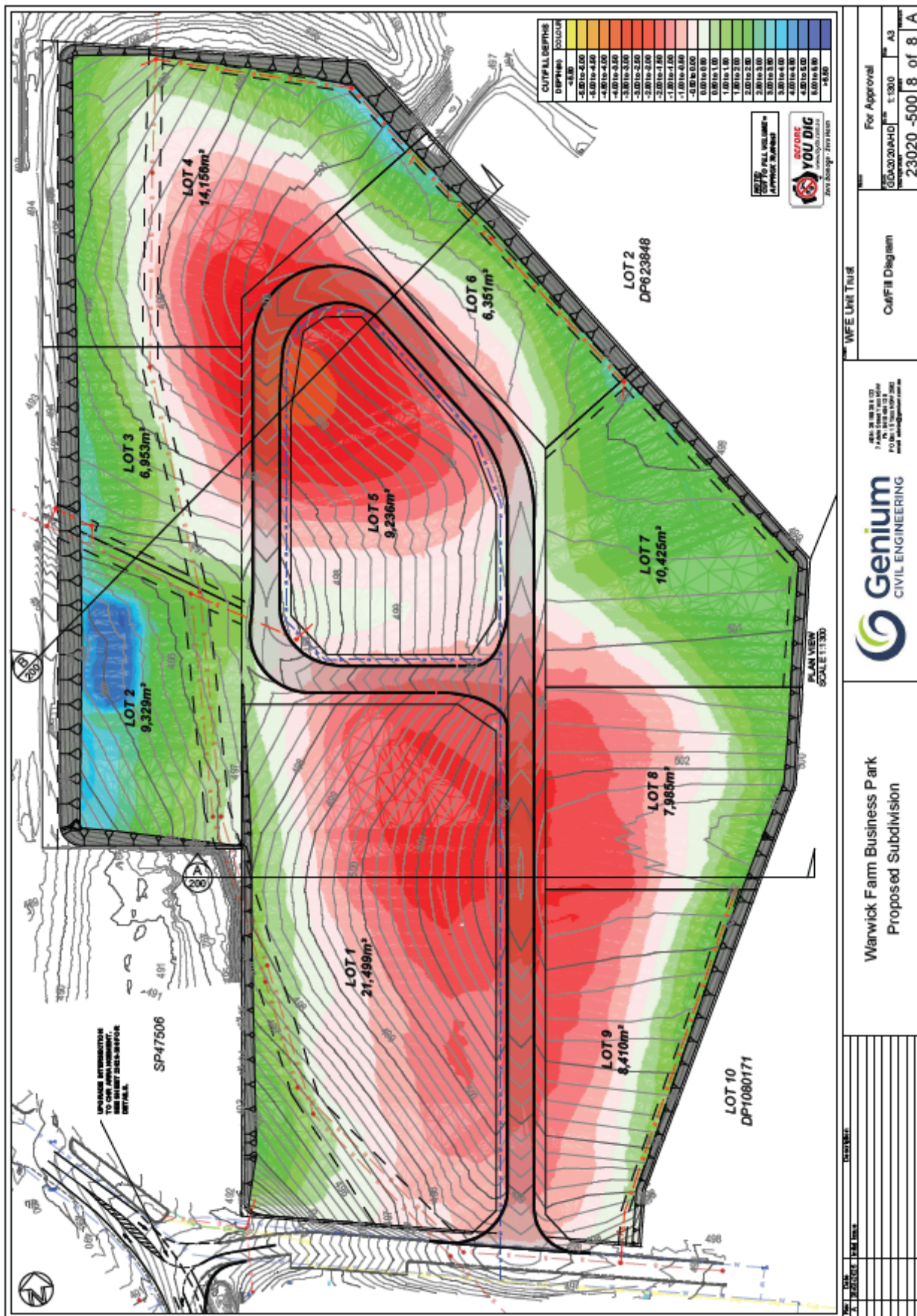
During construction and ongoing use of the site, the appropriate sediment and erosion control measures will be implemented and maintained by the applicant's awarded contractors. These measures are intended to be a minimum treatment only as the contractor will be required to modify and stage the erosion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

The proposed works will generally consist of re-grading the site of the site as per the Cut/ Fill Diagram included with the Concept Civil Engineering Plans to establish the desired levels for the entire subdivision. These levels have been designed to optimise the utilisation of cut and fill across the site, where possible maintaining the fall to the road and to maintain surrounding boundary levels (refer **Figure 1.5 & Appendix C**). Whilst contained within the site the approximate cut to fill measures will be roughly 70,000m³.

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

It is noted the upgrade of the Laidlaw Street and Reddall Street intersection is required in order to service the proposed subdivision. Specifically the following upgrades are required (refer Sheet 7 of **Appendix C**):

- Intersection sized to cater for 26m B-double swept path movements.
- Extend culvert as required on the southern side of Reddall Street and regrade verge to allow for construction of new kerb.
- Extend Kerb and Gutter on Laidlaw Street past power pole to provide grade separation, road formation widening required.
- Remove existing line marking, provide new line marking to create CHR right turn treatment into Reddall Street.
- Widen pavement and relocate watermain on Laidlaw Street as required.
- Existing kerb on the northern side of Reddall Street to remain.



1.6.3 Transport Impact Assessment

A Transport Impact Assessment prepared by Genium Civil Engineering dated 24 April 2025 (refer **Appendix E**) has been prepared to provide supporting evidence to accompany this Development Application. Specifically, the objectives of this report are to:

- Identify existing transport operation and facilities around the site;
- Estimate trip generation as a result of the development and mode share for these trips;
- Analyse the impact of trip generation on safety and operational efficiency of the transport network;
- Provide recommendations to address issues and manage impacts of trips generated by the proposed development on the surrounding transport network.

The assessment focuses on immediate access and egress to/ from the site onto Reddall and Laidlaw Streets and does not consider broader impacts on the overall road network.

The following Impact Mitigation and Recommendations are listed within the report

- *All internal roads should be designed in accordance with Austroads and Yass Valley Council standards to cater for vehicles up to and including B-Doubles.*
- *The intersection of Laidlaw Street/ Reddall Street is to be upgraded to provide for a CHR/ BAL type intersection in accordance with Austroad standards. Design vehicles should be a semi-trailer to/ from the south (right turn into Reddall Street), and a B-Double to/ from the north-west (left turn into Reddall Street).*
- *That Council consider the need for footpaths in the context of the adopted Pedestrian Access and Mobility Plan (PAMP) noting that the development is not expected to generate significant numbers of pedestrians.*

Following the Impact Mitigation and Recommendations the Conclusion states:

It is proposed to subdivide Lot 4 DP255064 (2 Reddall Street, YASS) into nine large commercial lots varying in size from 6,351m² to 21, 499m². The proposed lots will provide for a range of facilities and services, including light industry, warehouses and offices that align with the objectives of the Yass Valley LEP. The development is expected to occur over approximately a five year period and is expected to be completed by 2030.

A targeted intersection count was undertaken in November 2024 to identify existing vehicle movements at the Laidlaw/ Reddall Street intersection which will be the main access point for the development. The study was done for AM & PM peaks on a Thursday as well as for the AM peak on a Saturday. This study showed that the weekday PM peak period is the overall peak period at this intersection.

SIDRA modelling of the Laidlaw/ Reddall Street intersection indicates that the intersection currently operates at a LoS A and will continue to operate at this LoS without the proposed development, allowing for traffic growth through to 2030.

The proposed development is expected to generate an additional 258 vehicle trips in the PM peak hour. Of these 11% are expected to be commercial vehicles. Traffic volumes using Reddall Street in the PM peak hour are expected to increase to a total of 270 vehicles, and traffic volumes on Laidlaw Street in the vicinity of the development during the PM peak are expected to increase to around 686 total vehicles to the south of the Laidlaw/ Reddall Street intersection. This includes projected traffic growth of 1.54% p/a to 2030. These roads are expected to continue to operate well within their design capacity.

SIDRA modelling for the intersection in 2030 including the fully developed site, indicates that the intersection will continue to operate at a LoS A even with the additional traffic from the development and the intersection is expected to continue to function well within its designed capacity and have spare capacity to accommodate for future traffic growth without impacting overall intersection performance.

Subject to implementation of the proposed mitigation measures, the proposed development is not expected to have a significant impact on road safety or road network efficiency and the road network is expected to continue to operate effectively and within its design capacity.

1.6.4 Contamination

A Preliminary Site Investigation (**PSI**) was undertaken by D & N Geotechnical dated 20 February 2025 (refer **Appendix L**). The conclusion to this initial investigation resulted in the recommendation for Detailed Site Investigation (**DSI**).

Following the recommendations within the PSI a DSI was commissioned and prepared by D & N Geotechnical dated 20 February 2025 (refer **Appendix M**).

The objectives of the DSI are to qualify plausible risks of potential contamination (to the extent practicable) with respect to the sensitive human and environmental receptors relevant to the Site. To meet this objective of the DSI included the completion of the following:

- Assess the presence (or absence) of Chemicals of Potential Concern (COPC) associated with the identified AEC and, where COPC are present, delineate the lateral and vertical extent (to the extent practical) of potential contamination.
- Qualify the plausible risks identified with respect to the sensitive human and ecological receptors relevant to the Site; and
- Identify the need for site management and/ or site remediation, or if deemed necessary, the need for further investigation.

The conclusion following this detailed investigation resulted in the following recommendations:

D&N's detailed site investigation has identified risks to human and ecological receptors associated with past land uses, namely concentrations of petroleum hydrocarbons that exceed the relevant adopted site assessment criteria in AEC3 (Waste Dumping) and AEC 4 (Historical Set Down and Storage Areas).

In addition, demolition and associated asbestos removal works, conducted under a separate CEC were incomplete at the time of reporting and additional asbestos clearance works are required.

The detailed investigation testing effort (which is consistent with the testing frequency recommended in NSW EPA {2020} as outlined in Table 5 above) suggest the elevated concentrations of hydrocarbons notably PAH detected in AEC 3 (i.e, TP01 and TP04) and AEC 4 (i.e, TP17), are limited in their extent. However, the exact lateral and vertical extent of these isolated impacts is unconfirmed.

The isolated areas of soils impacted by hydrocarbons in AEC3 and 4 will require remediation, preferably conducted as part of the proposed subdivision works. The remedial works are to be guided by a remedial action plan prepared by a suitably qualified and experienced environmental consultant.

The remedial action plan will provide procedures and guidance for the delineation and excavation of impacted soil(s), inform soil disposal requirements and confirm residual hydrocarbon risks have been suitably remediated.

Following the recommendations of the PSI an Asbestos Clearance Certificate was issued by L & D Consulting dated 03 October 2024. The findings within this Clearance Certificate confirm the following:

'Lancaster & Dickenson Consulting Pty Ltd was engaged as independent asbestos assessor to undertake a visual clearance inspection following the removal of the abovementioned materials at 2 Reddall Street, Yass.

The visual inspection completed on Thursday 3 October 2024, found no visible asbestos residue associated with the asbestos removal works within the inspected area and the assessor is satisfied that the removal works have been satisfactorily completed. Restrictions associated with the asbestos removal work can now be lifted and the area safely reoccupied.

Photographs showing the removal area at the time of the inspection are presented in Appendix A of the report.

1.6.5 Ecological Constraints & Opportunities

A Preliminary Ecological Report was commissioned and undertaken by Lodge Environmental dated 24 September 2024 (refer **Appendix G**). The conclusion following the initial investigation resulted in the following recommendations:

Lodge Environmental has conducted a preliminary assessment of biodiversity values present at 2 Reddall Street, Yass to identify notable constraints in the context of future development opportunities.

Vegetation within the Study Area is predominately exotic pasture that has been heavily modified due to historical and current land use practices, with planted native and exotic trees surrounding the dwelling and driveway. Ecological constraints are only considered low to medium.

Targeted surveys were not conducted for threatened species, however, there is limited suitable habitat present. Native canopy presents some foraging habitat suitable for highly mobile threatened avifauna.

The Biodiversity Offset Scheme (BOS) will not be triggered by vegetation clearance and the proposal is unlikely to constitute a significant impact to matters listed under the BC Act. Therefore, a Flora and Fauna Assessment (FFA) will be sufficient to accompany the DA.

Following the recommendations within the initial ecological assessment a Flora and Fauna Assessment was commissioned and undertaken by Lodge Environmental dated 04 March 2025 (refer **Appendix H**). The conclusion following this detailed investigation resulted in the following recommendations:

Through the completion of the surveys conducted as part of this report, no threatened flora or fauna were recorded within the Study Area that will be significantly impacted by the development.

A range of suitable recommendations have been made to improve the environmental outcome of the proposal. These include use of native landscaping, felling supervision, a dam watering protocol and weed control.

Assessments of Significance were undertaken where necessary. It was determined that the proposal will not constitute a significant impact on the listed entities.

This Flora and Fauna Assessment has adequately considered threatened species and communities in the context of the proposed development in the Study Area by:

- *Conducting a field survey and targeted flora surveys.*
- *Adopting the precautionary principle in the assessment of threatened species; and*
- *Designating appropriate recommendations to minimise potential impacts to threatened species that may transiently occur on the site as well as any other fauna.*

The assessments contained within this report have determined that the proposed development is unlikely to have a significant effect on any listed communities or species or their habitat in accordance with the EP&A Act, BC Act and EPBC Act provided the recommendations contained in this report are adhered to. There will not be an impact on any active and mapped areas of Biodiversity value, nor will there be an impact on native vegetation above the relevant impact threshold.

Therefore, the preparation and submission of a BDAR or referral to the Commonwealth is not required.

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

1.6.7 Bushfire Prone Land

This development application (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 1.6**).

However, pursuant to Section 46 of the *Rural Fire Regulations 2022 – Development excluded from requirements for bush fire safety authority – the Rural Fire Act 1997 s 100B(1)(h)* the proposed development application does not warrant referral to the NSW Rural Fire Service to obtain their *General Terms of Approval* as it is determined to be classified as development excluded from requirements for bush fire safety authority pursuant to *Clause 100B (5)(a1)* of the EP&A Act.

Nevertheless, to demonstrate all due diligence in relation to the preparation and assessment of the proposed development a Bushfire Assessment Report has been prepared by Cool Burn Fire & Ecology dated 01 October 2024 (refer **Appendix F**).

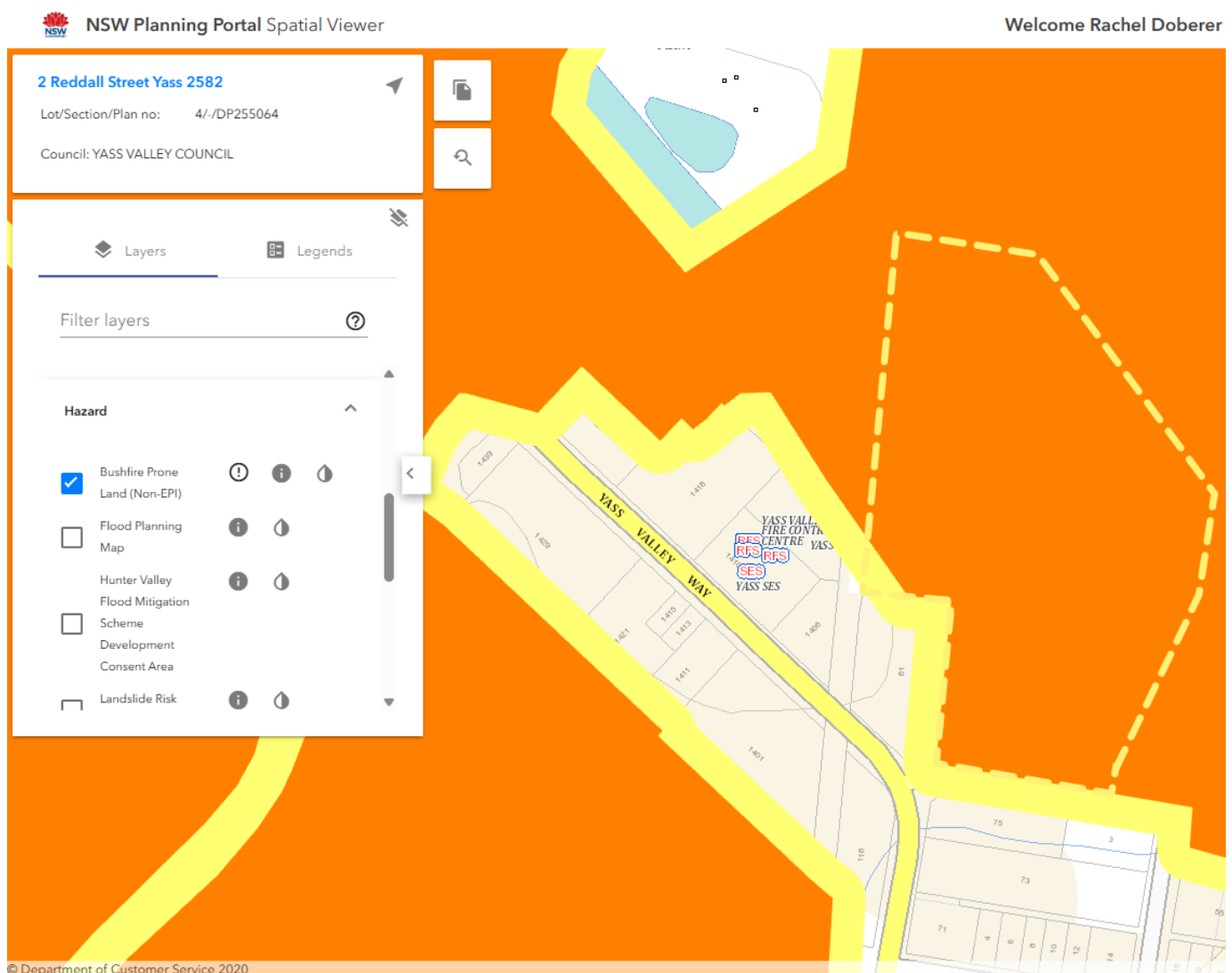


Figure 1.6: Bushfire Prone Land Mapping (Source: NSW Government Planning Portal Spatial Viewer, April 2025)

The recommended Bushfire Protection Measures listed in the Bushfire Assessment Report state:

Asset Protection Zones (APZ)

An Asset Protection Zone (APZ) is a fuel-reduced buffer that provides protection between a development and bushfire hazards by:

- *Creating a buffer between bushfire hazards and assets.*
- *Reducing bushfire fuel, allowing for fire suppression activities.*
- *Providing space for backburning or hazard reduction efforts.*
- *Allowing emergency service access and a safer area for firefighters and occupants to defend the property.*

This bushfire assessment recommends that:

- *All newly created lots be managed as an APZ until they are developed for industrial or commercial purposes through an approved Development Application (DA).*

Each new lot within the proposed subdivision is deemed to have the capacity to establish site-specific APZs and defensible spaces when developed, ensuring that appropriate Bushfire Protection Measures (BPMs) are applied to each lot during future development.

With the implementation of the recommended APZ measures, the proposed industrial subdivision will meet the aims and objectives of PBP by maintaining defensible spaces and ensuring continued management and safety across the development site.

APZ Management/ Landscaping

This bushfire assessment recommends that from the commencement of the subdivision and in perpetuity (or until future development of each new lot occurs that:

- *All 9 lots within the subdivision be managed to the prescribed standards for an Inner Protection Area (IPA).*

The IPA standards are outlined in Appendix 4 of PBP and the NSW Rural Fire Service's Standards for Asset Protection Zones document and summarised below:

- **Trees**
 - *Tree canopy cover should be less than 15% at maturity;*
 - *Trees at maturity should not touch or overhang the building;*
 - *Lower limbs should be removed up to a height of 2m above the ground;*
 - *Tree canopies should be separated by 2 to 5m; and*
 - *Preference should be given to smooth barked and evergreen trees.*
- **Shrubs**
 - *Create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided;*
 - *Shrubs should not be located under trees;*
 - *Shrubs should not form more than 10% ground cover; and*

- Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- Grass
 - Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
 - Leaves and vegetation debris should be removed.

The recommended APZ management measures meet the objectives of PBP by minimising on-site impacts from bushfire threats and ensuring ongoing management maintenance i.e. to IPA standards and wholly within the development site and until future industrial development takes place

Construction

This assessment does not provide any construction-related recommendations, as no buildings are proposed as part of this industrial subdivision development. Any future applications for building construction within the newly created industrial lots will require a separate Development Application (DA) and a separate development specific Bushfire Assessment Report.

Access

The industrial subdivision will be serviced by new road access in accordance with the Yass Valley Development Control Plan. The proposed road layout has been designed to allow for heavy vehicle access and manoeuvrability (for the proposed industrial use of lots) and is deemed consistent with the performance requirements for roads as detailed in PBP C5.3.2 (Table 5.3b).

To ensure that new roads provides operational access and egress for bushfire related emergency service, it is recommended that new road design comply with the following PBP requirements:

- Roads are two-wheel drive, all weather roads;
- A minimum 5.5m carriageway width (parking is to be provided outside of the carriageway);
- All roads are through roads. Dead end roads are not recommended, but if unavoidable, are not greater than 200m long, incorporate a minimum 12m outer radius turning circle, and are clearly sign posted as a dead end;
- Curved carriageways should be constructed using the minimum swept path as outlined in Appendix 3 of PBP.
- The capacity of the road is to be sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes);
- All kerbs constructed around access roads should be no higher than 250mm and free of vertical obstructions at least 300mm back from the kerb face to allow clearance for front and rear body overhang.
- Hydrant services should be located outside the carriageway and parking bays to permit traffic flow and access;
- Hydrant services shall be located on the side of the road away from the bush fire threat where possible;
- Hydrants are to be provided in accordance with AS 2419.1:2021 – Fire Hydrant installations System, design, installation and commissioning;
- Traffic management devices (locked gates) are constructed to not prohibit access by emergency services vehicles;
- An unobstructed clearance height of 4 metres should be maintained above all access ways including clearance from building construction, archways, gateways and overhanging structures

(e.g. ducts, pipes, sprinklers, walkways, signs and beams). This also applies to vegetation overhanging roads.

- Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress and the minimum distance between inner and outer curves is 6m;
- The crossfall is not more than 10 degrees;
- Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient.

With the full implementation of the above recommended road design measures, the proposed industrial subdivision development can meet the PBP objective of ensuring operational access and egress for both emergency services and future occupants.

Water Supplies

The site is located within a reticulated water supply area. To ensure an adequate water supply for firefighting purposes, a reticulated water supply and fire hydrant system must be provided for the development.

This bushfire assessment recommends that a reticulated water supply to the industrial subdivision be provided in accordance with PBP C7.4 (Table 7.4a a) as follows:

- Fire hydrant spacing, design, flow rates, pressure and sizing must comply with the relevant clauses of AS 2419.1:2021;
- Hydrants must not be located within any road carriageway;
- Hydrant services shall be located on the side of the road away from the bush fire threat where possible; and
- All above-ground water service pipes must be metal, including those leading to taps.

With the implementation of these measures the industrial subdivision development can achieve the PBP objective of ensuring that an adequate and accessible water supply is provided for firefighting purposes.

Electricity Services

This assessment recommends that electricity services be provided in accordance with the following PBP specifications:

- Where practical, all electrical transmission lines are to be installed underground to reduce the risk of fire ignition.
- Where above-ground lines are unavoidable, they should be positioned and maintained to minimise the risks as follows:
 - Lines are installed with short pole spacing of 30m, unless crossing gullies, gorges, or riparian areas 'and
 - No part of a tree is closer to a power line than the distance set out in ISSC3 Guideline for Managing Vegetation Near Power Lines.

These measures are intended to prevent potential ignition sources and ensure the safe operation of electricity services in a bushfire-prone environment. With the implementation of these measures the industrial subdivision can achieve PBP objective of ensuring that utility services meet the needs of firefighters.

Gas Services

The industrial subdivision must ensure that the location and design of gas services will not lead to ignition of surrounding bushland or the fabric of future buildings. To achieve this, the assessment recommends that electricity services be provided in accordance with the following PBP specifications:

- *Reticulated or bottled gas is installed and maintained in accordance with AS/ NZS 1596:2014 – The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;*
- *All fixed gas cylinders are kept clear of all flammable materials to 10m and shielded on the hazard side;*
- *Connections to and from gas cylinders are metal;'*
- *Polymer-sheathed flexible gas supply lines are not used; and*
- *Above-ground gas service pipes are metal, including and up to any outlets.*

With the implementation of these measures the industrial subdivision development can achieve the PBP objective of ensuring that utility services meet the needs of firefighters.

Emergency Management

Emergency management planning is required prior to construction and will be relevant during construction and operations stages. A bushfire related emergency affecting people on the site could arise during construction and operations due to:

- *A Total Fire Ban;*
- *A bushfire near to or approaching the site;*
- *A bushfire originating within the site or travelling through the site.*

It is recommended that bushfire awareness and response be included in any site Emergency or Fire Management Plan for this proposed development. The Plan should include:

- *Property Incident Plan (PIP);*
- *24-hour emergency contact details including alternative telephone contact;*
- *Site infrastructure plan;*
- *Firefighting water supply plan;*
- *Site access and internal road plan;*
- *Preparation and continued maintenance of defensible spaces;*
- *Detail the location of hazards (Physical, Chemical and Electrical) that will impact on firefighting operations.*
- *Storage of hazardous materials away from the hazard wherever possible;*
- *Procedures to manage identified hazards during firefighting operations; and*
- *Such additional matter as required by the NSW RFS or Fire and Rescue NSW.*

The recommendations and Conclusion of this report state:

This Bushfire Assessment Report has assessed the proposed 9-lot industrial subdivision of Lot 4 DP255064, No. 2 Reddall Street, Yass, in accordance with the requirements of Planning for Bush Fire Protection 2019 (PBP) and the environmental Planning and Assessment Act 1979 (EP&A Act). The

assessment has identified bushfire risks associated with the site (grassland hazards), provided a combination of appropriate bushfire protection measures (BPMs), and confirmed the development's ability to achieve compliance with the aims and objectives of PBP.

The recommendations BPMs for the development (Section 5) include management of all new lots to Inner Protection Area (IPA) standards, ensuring new road design provides safe operational access and egress for emergency services, and by providing adequate water supply for firefighting purposes via hydrants, and ensuring the appropriate installation of electricity and gas services to limit the risk of fire ignition.

No buildings are proposed as part of this industrial subdivision proposal. Any future development on the newly created industrial allotments will require a separate Development Application (DA) and specific bushfire assessment to meet further PBP standards.

It is considered that the proposed industrial subdivision development adequately considers bushfire risk and conforms to the aims and objectives of PBP, providing a suitable outcome commensurate with the assessed bushfire risk.

1.6.8 Aboriginal Cultural Heritage Due Diligence Assessment

A Due Diligence Assessment was commissioned and undertaken by Past Traces Heritage Consultants dated 25 January 2025 (refer **Appendix J**). A summary of the site visit is detailed below:

As a result of the site visit, field survey of impact areas and background research, it is considered that the project has low potential to impact on unrecorded Aboriginal or Historical Heritage site. No Aboriginal heritage sites were recorded or identified as a result of the assessment.

One area of PAD (RS Yass PAD1, an area of moderate to high sensitivity is present in the project area on a hill crest location which was identified based on previous research, modelling and the field survey assessment of disturbance and soils. This area of PAD must be avoided or progression to subsurface testing will be required.

Based on the assessment the impacts from the project are as follows:

- ❖ *No known Aboriginal objects or places will be impacted by the proposed works.*
- ❖ *One area of high potential (RS Yass PAD1) to contain unrecorded Aboriginal objects is present in the project area.*

The Aboriginal Due Diligence Code provides a flowchart of six questions to identify the presence of and the potential harm to Aboriginal heritage. These questions and their applicability to the project are shown in Figure 5. The responses to these questions determine if further heritage investigations are required.

Based on the summary of the site visit above the following recommendations were included in this initial report:

Based on this due diligence assessment the following actions are recommended for the project.

- ❖ *No heritage sites and one area of Potential Archaeological Deposit (PAD) (RS Yass PAD1) were identified within the project area based on a review of previous reports and the pedestrian field survey of the project area.*
- ❖ *If the areas of PAD are to be impacted, then further investigation consisting of subsurface testing will be required. To allow testing progression to an Aboriginal Cultural Heritage Assessment Report (ACHAR) and full consideration with the Aboriginal community will be required. The ACHAR must meet the requirements of the following legislation:*
 - *Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH 2010).*
 - *Code of Practice for Archaeological Investigations of Objects in NSW (OEH 2010)*
 - *Guide to investigating, assessing and reporting on aboriginal cultural heritage in NSW (OEH)*
- ❖ *All Aboriginal objects are protected under the NSW National Parks and Wildlife Act 1974. It is an offence to disturb an Aboriginal site without a consent permit issued by NSW Heritage. Should any Aboriginal objects be encountered during works then works must cease and the find should be moved until assess by a qualified archaeologist.*
- ❖ *Further archaeological assessment would be required if the proposal activity extend beyond the area of the current investigation.*

Taking the above findings and recommendations into consideration, we have engaged Past Traces Heritage Consultants to continue with their recommendation for an ACHAR as the PAD will be impacted as part of the subdivision construction works.

The draft ACHAR prepared by Past Traces Heritage Consultants dated 23 March 2025 (refer **Appendix K**) is currently under review by Registered Aboriginal Parties (RAPs) – Aboriginal representatives for the project. However, upon the receipt of the final approved report, this will be submitted to Council under separate cover.

Taking the above into consideration the management recommendations within the draft ACHAR are as follows:

Based on results of the desktop research, field survey, subsurface testing and consultation with the Registered Aboriginal Parties, the following recommendations have been developed in regards to Aboriginal Cultural Heritage values within the project area. Following the implementation of these heritage recommendations development of the area should be able to proceed.

The management recommendations for the project are:

- ❖ *Within the project area one heritage site (RSYASSPAD) is present. No impacts can occur to the heritage site prior to the approval of an AHIP by NSW Heritage*
- ❖ *As site RSYASSPAD1 (AHIMS Pending) cannot be reasonably avoided and works will impact this site, then an Aboriginal Heritage Impact Permit (AHIP) is required to allow works to proceed. No impacts can occur to the heritage sites prior to the approval of an AHIP by NSW Heritage, and if any works are to occur in the vicinity, then barrier fencing will be required to be installed at the site boundary with a buffer of 10m to prevent impacts, prior to any works commencing. On granting of an AHIP this fencing may be removed and the site impacted. The AHIP area is shown on Figure 12.*
- ❖ *The recovered artifacts from the test pitting program will be returned to country or curated by the Onerwal LALC under a care and control permit.*
- ❖ *Following granting of AHIP and completion of mitigation works, an AHIP Compliance works report will be submitted to NSW Heritage at completion of works.*
 - *Site impact card with updated details will be submitted to AHIMS for inclusion into the database at completion of works.*
- ❖ *It is an offence to disturb an Aboriginal site without an AHIP as all Aboriginal objects are protected under the NSW National Parks and Wildlife Act 1974. Should any Aboriginal objects be encountered during works outside of the AHIP area, then works must cease and a heritage professional contacted to assess the find. Works may not recommence until cleared by NSW Heritage.*
- ❖ *In the unlikely event that human remains are discovered during the construction, all work must cease. The police must immediately be notified and their directions followed in the management of the area. Further assessment would be undertaken to determine if the remains are Aboriginal or non-Aboriginal.*
- ❖ *Continued consultation with the RAPs for the project should be undertaken. RAPs should be informed of any major changes in project design or scope, further investigations or finds.*
- ❖ *No further heritage investigations are required, other than those listed, should the AHIP be approved, except in the event that unanticipated Aboriginal Objects and/ or human remains are unearthed during any phase of the Project.*

It is noted Item 1.2 Restricted and Confidential Information of the ACHAR states:

Information in this report is restricted due to cultural sensitivities. Appendix 1 contains site locational information which is confidential and not to be made public.

Any figures within the report which show the location of heritage sites are restricted and not to be made available to the general public. If required to be displayed, this information should be redacted.

It is requested Council respect this statement when the Development Application is put on public notification.

2. ASSESSMENT

The statutory process under the Environmental Planning and Assessment 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 E3 Productivity Support (refer **Figure 2.1**).

This development involves the subdivision of the subject lot into Nine (9) Torrens Title Industrial Lots that is permissible with conditional consent pursuant to clause(s) 2.1 and 2.6 of the YVLEP2013 within the E3 Productivity Support 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 for industrial purposes only.
<i>(a) to establish planning controls that promote sustainable development,</i>	<p>Consistent. The proposed development has been prepared in accordance with the relevant legislation and has consciously been prepared to promote ecological sustainable development, as indicated earlier in this Statement.</p> <p>The proposed development is actively utilising the principles behind ESD as it is a development that meets the needs of the present generation whilst not compromising the ability of future generations to also meet their needs.</p>
<i>(b) to protect high quality agricultural land and encourage emerging agricultural industries,</i>	Not applicable. The subject site is not classified as high-quality agricultural land.
<i>(c) to encourage housing diversity,</i>	Not applicable. The proposed development is for the subdivision of land for industrial purposes only.
<i>(d) to promote employment-generating tourism,</i>	Not applicable. The proposed development is for the subdivision of land for industrial purposes only.
<i>(e) to provide for commercial and industrial development,</i>	Not applicable. The proposed development is for the subdivision of land for industrial purposes only.

<p><i>(f) to encourage the establishment of retail and professional services in urban locations,</i></p>	<p>Consistent. The social and economic welfare of the community is promoted through the creation of a future employment and services hub in an accessible location close to existing light industrial and residential areas.</p> <p>The proposed subdivision has the opportunity to create employment opportunities during the construction and future operational phase of the individual lots.</p> <p>It will result in the orderly and economic use and development of land as the site is of an appropriate size, location and land use zoning to enable the development, and the proposal involves and appropriate use of a vacant site within a light industrial precinct and nearby residential area.</p>
<p><i>(g) to protect and enhance the character of each of the villages in Yass Valley,</i></p>	<p>Consistent. Whilst the subject site is not within a designated village in Yass Valley, it is located on the periphery of Yass Town where local character is embraced.</p> <p>Local character is what makes a place or area distinctive or unique. Local character is the combination of multiple factors, which relate to the area's history, built form, public and private spaces, community values and how they connect to a place.</p> <p>The proposed subdivision responds to the character of Yass and is consistent with the relevant planning controls that are identified later in this Statement.</p> <p>The proposal has taken into consideration the location, type and intensity of development whilst also having regard to the characteristics of the land and the surrounding environment, in turn actively maintaining the character of Yass Valley.</p>
<p><i>(h) to enhance service provision in each of the villages in Yass Valley,</i></p>	<p>Consistent. Service provision is regarded as essential for the mere functionality of a modern family life.</p> <p>Elementary commercial and public support for categories of small and medium sized business typically located in rural areas is also considered self-evident and essential for the economic viability outside bigger towns.</p> <p>A certain level of public service provision is crucial in order to reduce social deprivation and in order to increase social inclusion, and this objective is of chief importance for maintaining a strong public sector representation in rural areas.</p> <p>The level of services available in each village/ town is directly related to the size of the local population. Hence, the proposed subdivision development will enhance the service provision within Yass Town by creating a future employment and services hub, in turn coordinating the need for increased service provisions.</p>

<p>(i) to protect and conserve the cultural heritage and history of Yass Valley,</p>	<p>Consistent. A Due Diligence Assessment was commissioned and undertaken by Past Traces Heritage Consultants dated 25 January 2025 (refer Appendix J). A summary of the site visit is detailed below:</p> <p><i>As a result of the site visit, field survey of impact areas and background research, it is considered that the project has low potential to impact on unrecorded Aboriginal or Historical Heritage site. No Aboriginal heritage sites were recorded or identified as a result of the assessment.</i></p> <p><i>One area of PAD (RS Yass PAD1, an area of moderate to high sensitivity is present in the project area on a hill crest location which was identified based on previous research, modelling and the field survey assessment of disturbance and soils. This area of PAD must be avoided or progression to subsurface testing will be required.</i></p> <p><i>Based on the assessment the impacts from the project are as follows:</i></p> <ul style="list-style-type: none"> ❖ <i>No known Aboriginal objects or places will be impacted by the proposed works.</i> ❖ <i>One area of high potential (RS Yass PAD1) to contain unrecorded Aboriginal objects is present in the project area.</i> <p><i>The Aboriginal Due Diligence Code provides a flowchart of six questions to identify the presence of and the potential harm to Aboriginal heritage. These questions and their applicability to the project are shown in Figure 5. The responses to these questions determine if further heritage investigations are required.</i></p> <p>Based on the summary of the site visit above the following recommendations were included in this initial report:</p> <p><i>Based on this due diligence assessment the following actions are recommended for the project.</i></p> <ul style="list-style-type: none"> ❖ <i>No heritage sites and one area of Potential Archaeological Deposit (PAD) (RS Yass PAD1) were identified within the project area based on a review of previous reports and the pedestrian field survey of the project area.</i> ❖ <i>If the areas of PAD are to be impacted, then further investigation consisting of subsurface testing will be required. To allow testing progression to an Aboriginal Cultural Heritage Assessment Report (ACHAR) and full consideration with the Aboriginal community will be required. The ACHAR must meet the requirements of the following legislation:</i>
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	<ul style="list-style-type: none"> • <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH 2010).</i> • <i>Code of Practice for Archaeological Investigations of Objects in NSW (OEH 2010)</i> • <i>Guide to investigating, assessing and reporting on aboriginal cultural heritage in NSW (OEH)</i> <p>❖ <i>All Aboriginal objects are protected under the NSW National Parks and Wildlife Act 1974. It is an offence to disturb an Aboriginal site without a consent permit issued by NSW Heritage. Should any Aboriginal objects be encountered during works then works must cease and the find should be moved until assess by a qualified archaeologist.</i></p> <p>❖ <i>Further archaeological assessment would be required if the proposal activity extend beyond the area of the current investigation.</i></p> <p>Taking the above findings and recommendations into consideration, we have engaged Past Traces Heritage Consultants to continue with their recommendation for an ACHAR as the PAD will be impacted as part of the subdivision construction works.</p> <p>The draft ACHAR prepared by Past Traces Heritage Consultants dated 23 March 2025 (refer Appendix K) is currently under review by Registered Aboriginal Parties (RAPS) – Aboriginal representatives for the project. However, upon the receipt of the final approved report, this will be submitted to Council under separate cover.</p> <p>Taking the above into consideration the management recommendations within the draft ACHAR are as follows:</p> <p><i>Based on results of the desktop research, field survey, subsurface testing and consultation with the Registered Aboriginal Parties, the following recommendations have been developed in regards to Aboriginal Cultural Heritage values within the project area. Following the implementation of these heritage recommendations development of the area should be able to proceed.</i></p> <p>The recommendations listed earlier in this Statement have been taken into consideration and upon the receipt of the ACHAR a AHIP will be applied for.</p> <p>Further information regarding the results of the AHIP will be provided to Council under separate cover.</p>
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<p>(j) to protect and enhance the environmental and biodiversity values of Yass Valley,</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>A Preliminary Ecological Report was commissioned and undertaken by Lodge Environmental dated 24 September 2024 (refer Appendix G). The conclusion following the initial investigation resulted in the following recommendations:</p> <p><i>Lodge Environmental has conducted a preliminary assessment of biodiversity values present at 2 Reddall Street, Yass to identify notable constraints in the context of future development opportunities.</i></p> <p><i>Vegetation within the Study Area is predominately exotic pasture that has been heavily modified due to historical and current land use practices, with planted native and exotic trees surrounding the dwelling and driveway. Ecological constraints are only considered low to medium.</i></p> <p><i>Targeted surveys were not conducted for threatened species, however, there is limited suitable habitat present. Native canopy presents some foraging habitat suitable for highly mobile threatened avifauna.</i></p> <p><i>The Biodiversity Offset Scheme (BOS) will not be triggered by vegetation clearance and the proposal is unlikely to constitute a significant impact to matters listed under the BC Act. Therefore, a Flora and Fauna Assessment (FFA) will be sufficient to accompany the DA.</i></p> <p>Following the recommendations within the initial ecological assessment a Flora and Fauna Assessment was commissioned and undertaken by Lodge Environmental dated 04 March 2025 (refer Appendix H). The conclusion following this detailed investigation resulted in the following recommendations:</p> <p><i>Through the completion of the surveys conducted as part of this report, no threatened flora or fauna were recorded within the Study Area that will be significantly impacted by the development.</i></p> <p><i>A range of suitable recommendations have been made to improve the environmental outcome of the proposal. These include use of native landscaping, felling supervision, a dam watering protocol and weed control.</i></p> <p><i>Assessments of Significance were undertaken where necessary. It was determined that the proposal will not constitute a significant impact on the listed entities.</i></p>
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	<p><i>This Flora and Fauna Assessment has adequately considered threatened species and communities in the context of the proposed development in the Study Area by:</i></p> <ul style="list-style-type: none"> • <i>Conducting a field survey and targeted flora surveys.</i> • <i>Adopting the precautionary principle in the assessment of threatened species; and</i> • <i>Designating appropriate recommendations to minimise potential impacts to threatened species that may transiently occur on the site as well as any other fauna.</i> <p><i>The assessments contained within this report have determined that the proposed development is unlikely to have a significant effect on any listed communities or species or their habitat in accordance with the EP&A Act, BC Act and EPBC Act provided the recommendations contained in this report are adhered to. There will not be an impact on any active and mapped areas of Biodiversity value, nor will there be an impact on native vegetation above the relevant impact threshold.</i></p> <p><i>Therefore, the preparation and submission of a BDAR or referral to the Commonwealth is not required.</i></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>(k) to minimise land use conflicts.</i>	<p>Consistent. The zoning of the proposed development is consistent with surrounding development, which in turn minimises the potential for land use conflicts.</p>

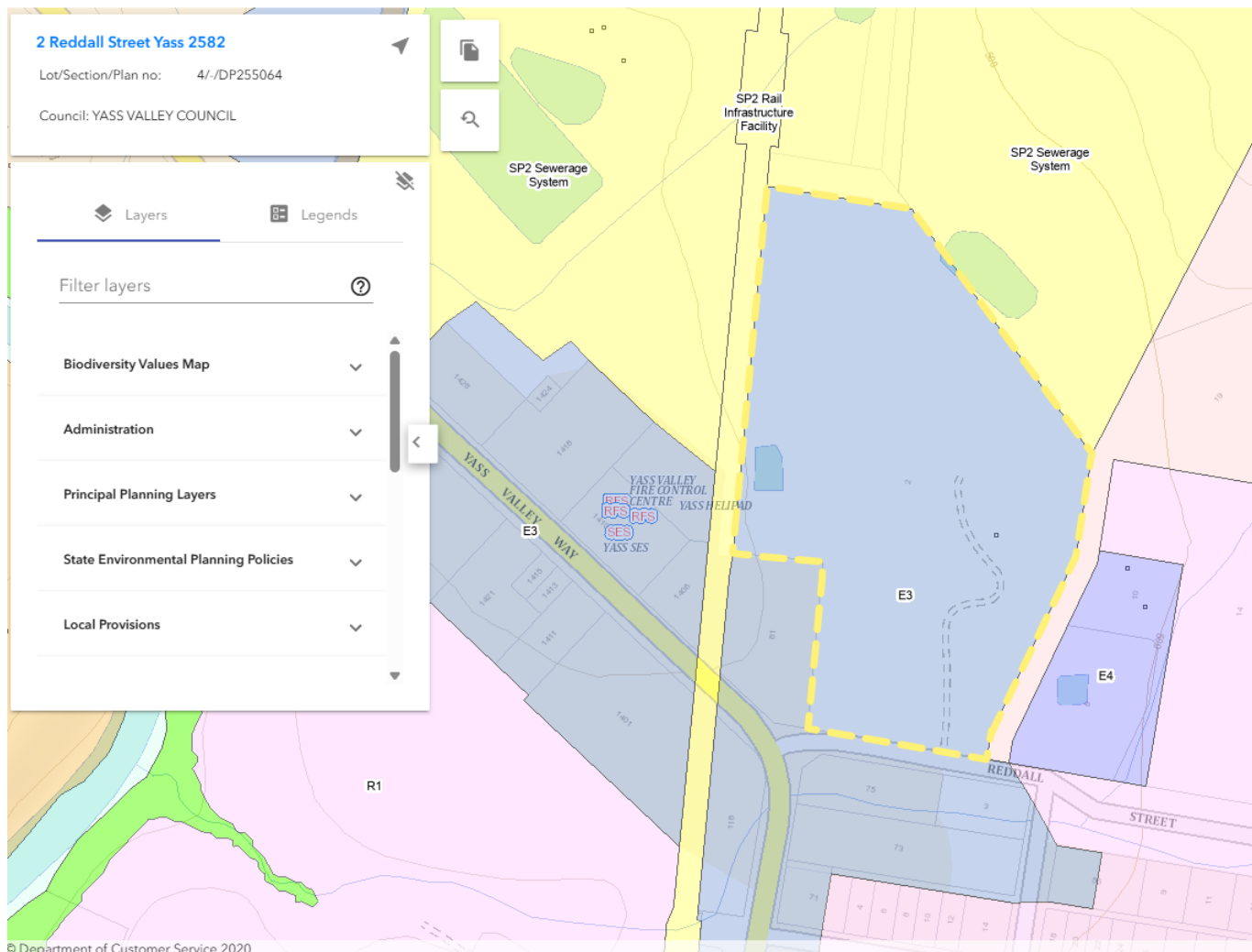


Figure 2.1: Land Zoning Map (Source: NSW Government Planning Portal Spatial Viewer, April 2025)

TABLE 2 - OBJECTIVES OF THE E3 PRODUCTIVITY SUPPORT ZONE

The subject site is zoned E3 Productivity Support. The following table demonstrates the proposed Nine (9) Lot Torrens Title Industrial Subdivision is consistent with the objectives of the zone.

OBJECTIVES OF E3 PRODUCTIVITY SUPPORT ZONE – YVLEP2013	COMPLIANCE
<p><i>To provide a range of facilities and services, light industries, warehouses and offices.</i></p>	<p>Consistent. The proposal is found to be consistent with the E3 Productivity Support zone land use objectives and is permitted within the zone with conditional consent. The proposed development is sympathetic with the surrounding amenity of the area, considers the opportunities and constraints of the site including all relevant legislation and is therefore considered worthy of Councils support.</p> <p>The proposed subdivision lot layout/ pattern demonstrates an appropriate industrial yield for the site that will serve the needs of the current and future community/ economy. The proposed development provides an appropriate planning outcome for the subject land that takes into consideration the ecological impacts, aesthetic value of the land and the surrounding uses.</p> <p>It is considered the proposed development is consistent with the aims and objectives of the relevant planning instruments, is compatible with and responds positively to the site's conditions.</p> <p>The proposed vacant lot provides the opportunity for a range of future light industrial and warehouse land uses on a currently under-utilised site, that will be compatible with adjoining industrial land uses.</p> <p>The proposed development of the subject lot provides employment opportunities during the construction and operation phases, in proximity to public transport and established residential areas.</p> <p>It has the potential to provide ancillary retail, commercial and service land uses to meet employee needs (both on-site employees and those of nearby sites).</p> <p>The proposed development is sympathetic with the surrounding amenity of the area, considers the opportunities and constraints of the site including all relevant legislation and is therefore considered worthy of Council's support.</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP, it has minor environmental impacts that are manageable and compatible with the existing and desired local area character.</p>

<p><i>To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.</i></p>	<p>Consistent. The proposed subdivision has the potential to provide for a varied type of light industrial and commercial land uses.</p> <p>It is of the expectation that the proposal will provide employment opportunities during the construction and operation phases</p> <p>Local contractors will be sourced for the construction of the internal driveway and the placement of hardstand material. The supply of materials will be sourced locally when available to ensure that economic stimulus is provided directly to the local economy.</p> <p>Further economic discussion, in summary:</p> <ul style="list-style-type: none"> i. The employment of locals promotes both a positive image for the township and allows funds to be retained within Yass. ii. The imposition of this type of development, reinforces that businesses are optimistic in outlaying substantial investments in small communities located within the Yass shire. iii. Investments such as these within the shire instigate a positive ‘flow-on-effect’ in both construction costs and on-going employment of staff and sourcing local materials. iv. The proposal will instigate the use of subsidiary employment upon a contractual arrangement of local business to cover any localised demands and corporate business contracts for materials. <p>The proposed subdivision has been prepared to assist Council in achieving its urban management objectives by improving the supply and diversity of industrial/ commercial land within the Yass community and in turn assists in creating a more economic and sustainable community.</p> <p>The proposed development has taken a holistic and sustainable approach with the intention of creating a product that delivers an ecologically and socially sustainable outcome for the existing and desired local area character.</p> <p>The proposed subdivision can be categorised as an ESD as depicted earlier in this Statement as it is a development that meets the needs of the present generation whilst not compromising the ability of future generations to also meet their needs.</p>
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<p><i>To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.</i></p>	<p>Not applicable. Whilst this subdivision is creating Nine (9) industrial lots, it does not dictate the use of each individual lot.</p> <p>This will be dependent on the submission of a future DA for each lot, that will feature the proposed built form including the use of the site.</p>
<p><i>To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.</i></p>	<p>Consistent. The proposed subdivision is intended to provide for land uses that meet the needs of the community, businesses and industries that may not be suited to locations in other employment zones.</p> <p>This is due to the location in relation to other nearby light industry businesses and the separation between Yass CBD, although still within close enough proximity to other nearby services such as Irvine Square.</p> <p>The proposal provides employment generating land uses and opportunities for new businesses within an established industrial area in proximity to a large employment base. It will contribute to reducing the percentage of employed persons who travel outside the region for work each day.</p>
<p><i>To provide opportunities for new and emerging light industries.</i></p>	<p>Consistent. The proposed development will provide opportunities for new and emerging light industries.</p> <p>The proposed subdivision will assist Council in achieving its urban management objectives by improving the supply and diversity of industrial/ commercial land within the Yass community and in turn assists in creating a more economic and sustainable community.</p>
<p><i>To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.</i></p>	<p>Consistent. The proposed subdivision will enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell a range of products that vary in size, weight and quantity that are either externally sourced or manufactured on-site on a currently under-utilised site.</p>



TABLE 3 – RELEVANT PLANNING CONTROLS

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

PLANNING CONTROLS	COMPLIANCE
<i>Clause 2.1 Land Use zones</i>	Complies. The subject site is zoned E3 Productivity Support. The subdivision of land within this zone is permissible with development consent.
<i>Clause 2.6 Subdivision – consent requirements</i>	Complies. The subdivision of land is permissible with development consent within the E3 Productivity Support zone to which the subject land relates.
<i>Clause 4.1 Minimum Subdivision Lot Size</i>	Not applicable. The subject site is not identified on the Minimum Lot Size Map within the YVLEP2013, therefore it is not subject to a minimum lot size requirement.
<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. Further to that the proposed development is for the subdivision of land only not 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. Further to that the proposed development is for the subdivision of land only not a built form.
<i>Clause 4.6 Exceptions to development standards</i>	Not applicable. The proposed development does not include a variation to the YVLEP2013 development controls.
<i>Clause 5.10 Heritage conservation</i>	<p>Complies. A Due Diligence Assessment was commissioned and undertaken by Past Traces Heritage Consultants dated 25 January 2025 (refer Appendix J). A summary of the site visit is detailed below:</p> <p><i>As a result of the site visit, field survey of impact areas and background research, it is considered that the project has low potential to impact on unrecorded Aboriginal or Historical Heritage site. No Aboriginal heritage sites were recorded or identified as a result of the assessment.</i></p> <p><i>One area of PAD (RS Yass PAD1, an area of moderate to high sensitivity is present in the project area on a hill crest location which was identified based on previous research, modelling and the field survey assessment of disturbance and soils. This area of PAD must be avoided or progression to subsurface testing will be required.</i></p>

Based on the assessment the impacts from the project are as follows:

- ❖ *No known Aboriginal objects or places will be impacted by the proposed works.*
- ❖ *One area of high potential (RS Yass PAD1) to contain unrecorded Aboriginal objects is present in the project area.*


The Aboriginal Due Diligence Code provides a flowchart of six questions to identify the presence of and the potential harm to Aboriginal heritage. These questions and their applicability to the project are shown in Figure 5. The responses to these questions determine if further heritage investigations are required.

Based on the summary of the site visit above the following recommendations were included in this initial report:

Based on this due diligence assessment the following actions are recommended for the project.

- ❖ *No heritage sites and one area of Potential Archaeological Deposit (PAD) (RS Yass PAD1) were identified within the project area based on a review of previous reports and the pedestrian field survey of the project area.*
- ❖ *If the areas of PAD are to be impacted, then further investigation consisting of subsurface testing will be required. To allow testing progression to an Aboriginal Cultural Heritage Assessment Report (ACHAR) and full consideration with the Aboriginal community will be required. The ACHAR must meet the requirements of the following legislation:*
 - *Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH 2010).*
 - *Code of Practice for Archaeological Investigations of Objects in NSW (OEH 2010)*
 - *Guide to investigating, assessing and reporting on aboriginal cultural heritage in NSW (OEH)*
- ❖ *All Aboriginal objects are protected under the NSW National Parks and Wildlife Act 1974. It is an offence to disturb an Aboriginal site without a consent permit issued by NSW Heritage. Should any Aboriginal objects be encountered during works then works must cease and the find should be moved until assess by a qualified archaeologist.*
- ❖ *Further archaeological assessment would be required if the proposal activity extend beyond the area of the current investigation.*

Taking the above findings and recommendations into consideration, we have engaged Past Traces Heritage Consultants to continue with their recommendation for an ACHAR as the PAD will be impacted as part of the subdivision construction works.

	<p>The draft ACHAR prepared by Past Traces Heritage Consultants dated 23 March 2025 (refer Appendix K) is currently under review by Registered Aboriginal Parties (RAPs) – Aboriginal representatives for the project. However, upon the receipt of the final approved report, this will be submitted to Council under separate cover.</p> <p>Taking the above into consideration the management recommendations within the draft ACHAR are as follows:</p> <p><i>Based on results of the desktop research, field survey, subsurface testing and consultation with the Registered Aboriginal Parties, the following recommendations have been developed in regards to Aboriginal Cultural Heritage values within the project area. Following the implementation of these heritage recommendations development of the area should be able to proceed.</i></p> <p>The recommendations listed earlier in this Statement have been taken into consideration and upon the receipt of the ACHAR a AHIP will be applied for. Further information regarding the results of the AHIP will be provided to Council under separate cover.</p>
<p>Clause 5.21 Flood planning</p>	<p>Complies. The subject site is mapped on the 1% AEP within the Yass Floodplain Risk Management Study and Plan (YFRMS) (refer Figure 2.2). It is noted however that when the site is assessed against the PMF mapping within the YFRMS, majority of the site falls outside of the ‘Special Flood Consideration Zone’ (refer Figure 2.3).</p>  <p>Figure 2.2: Figure 2.12 Sheet 3 of 4 (Source: YFRMS, April 2025)</p>

When assessed against Schedule 2A – Prescriptive Flood Related Development Controls for Subdivision all of the Planning Considerations are either ‘*Not Relevant*’ or ‘*the control only applies to development that is proposed on land within the extent of the “Special Flood Considerations Zone” as defined on the Flood Planning and Flood Planning Constraint Category Maps*’.

The one Planning Consideration that needs to be assessed is stormwater. This has been addressed via the Concept Civil Engineering Design (refer **Appendix C**) that lists the following stormwater management notes:

- Site regrading to be undertaken such that existing ground levels at perimeter of the site remain unchanged.
- Discharge locations from post development catchments are designed to closely match those of the existing site, as shown on sheet 23020-200 (refer **Appendix C**).
- Individual on-site detention (OSD) systems are to be provided for each new lot. All surface run-off from the lots are to be captured and diverted to the OSD systems. The OSD systems are to be designed and constructed as part of subsequent developments on each lot.
- Stormwater that is discharged from the development site is to be done so in a controlled manner by way of “level spreader” and/ or flow dissipation arrangements.

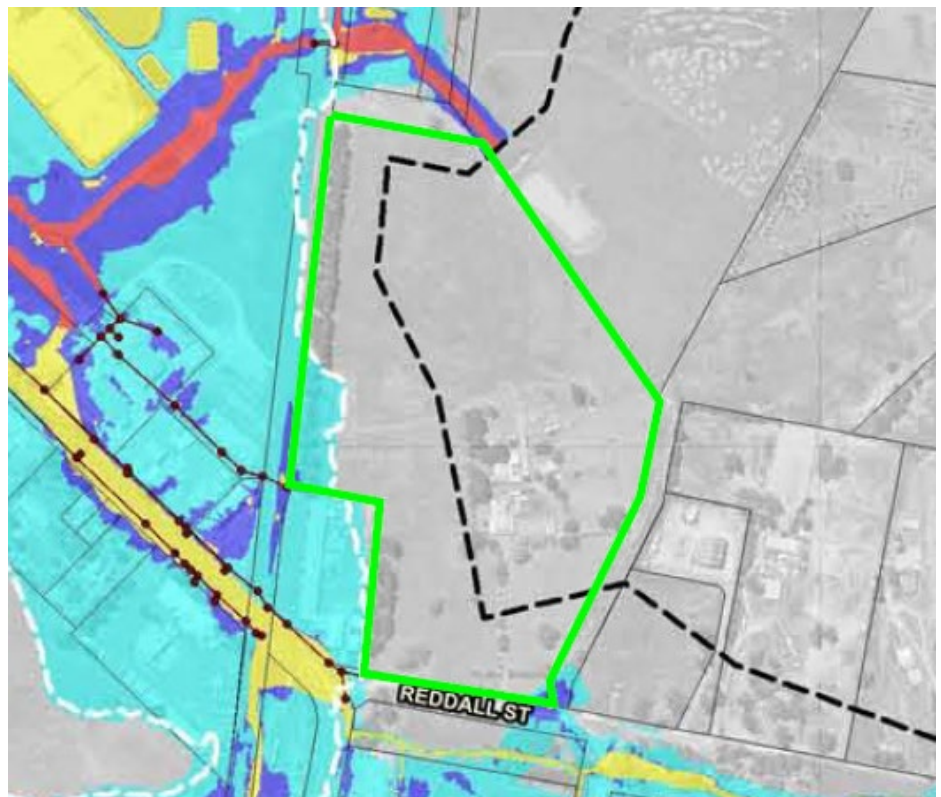


Figure 2.3: Figure E1.2 Sheet 3 of 4 (Source: YFRMS, April 2025)

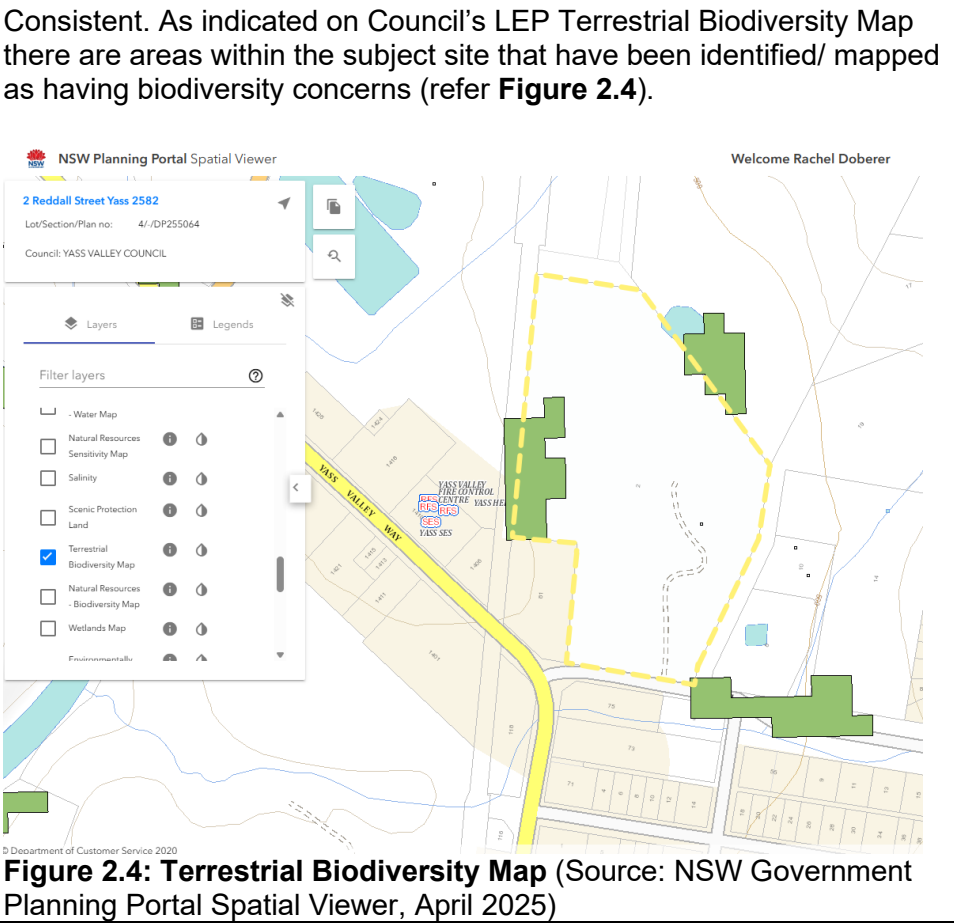
<p>Clause 6.1 Earthworks</p>	<p>Complies. As part of the delivery of the proposed development, bulk earthworks are required to ready the Site for industrial development and to ensure suitable grades for drainage, roads, services and building pads in accordance with Council's and service providers standards. The extent of cut to fill onsite is approximately 70,000m³ as demonstrated on sheet 8 of the Concept Civil Engineering Drawings (refer Appendix C).</p> <p>The objective of Clause 6.1 is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>Before granting development consent for earthworks, the following issues must be considered:</p> <ul style="list-style-type: none"> • The likely disruption of, or any detrimental effect on drainage patterns and soil stability in the locality of the development. • The effect of the development on the likely future use or redevelopment of the land. • The quality of the fill or the soil to be excavated, or both. • The effect of the development on any existing and likely amenity of adjoining properties. • The source of any fill material and the destination of any excavated material. • The likelihood of disturbing relics. • The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area. • Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. <p>The proposed works will involve the installation of a number of sediment and erosion control measures to address any potential impacts associated with the development. These measures will be in place for the duration of the construction phase to avoid, minimise and mitigate any impacts that could potentially occur.</p> <p>These measures may include:</p> <ul style="list-style-type: none"> • A temporary site security/ safety fence to be constructed around the site; • Sediment fencing provided downstream of disturbed areas, including any topsoil stockpiles; • Dust control measures including covering stockpiles, installing hessian fencing and watering exposed areas; • Placement of hay bales or mesh and gravel inlet filters around and along proposed catch drains and around stormwater inlet pits.
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The following stormwater management notes are included on the Concept Civil Engineering Plans and expected to be adhered to for the duration of the project:

- Site regrading to be undertaken such that existing ground levels at perimeter of the site remain unchanged.
- Discharge locations from post development catchments are designed to closely match those of the existing site, as shown on sheet 23020-200 (refer **Appendix C**).
- Individual on-site detention (OSD) systems are to be provided for each new lot. All surface run-off from the lots are to be captured and diverted to the OSD systems. The OSD systems are to be designed and constructed as part of subsequent developments on each lot.
- Stormwater that is discharged from the development site is to be done so in a controlled manner by way of “level spreader” and/ or flow dissipation arrangements.

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

Clause 6.3 Terrestrial biodiversity



	<p>A Preliminary Ecological Report was commissioned and undertaken by Lodge Environmental dated 24 September 2024 (refer Appendix G). The conclusion following the initial investigation resulted in the following recommendations:</p> <p><i>Lodge Environmental has conducted a preliminary assessment of biodiversity values present at 2 Reddall Street, Yass to identify notable constraints in the context of future development opportunities.</i></p> <p><i>Vegetation within the Study Area is predominately exotic pasture that has been heavily modified due to historical and current land use practices, with planted native and exotic trees surrounding the dwelling and driveway. Ecological constraints are only considered low to medium.</i></p> <p><i>Targeted surveys were not conducted for threatened species, however, there is limited suitable habitat present. Native canopy presents some foraging habitat suitable for highly mobile threatened avifauna.</i></p> <p><i>The Biodiversity Offset Scheme (BOS) will not be triggered by vegetation clearance and the proposal is unlikely to constitute a significant impact to matters listed under the BC Act. Therefore, a Flora and Fauna Assessment (FFA) will be sufficient to accompany the DA.</i></p> <p>Following the recommendations within the initial ecological assessment a Flora and Fauna Assessment was commissioned and undertaken by Lodge Environmental dated 04 March 2025 (refer Appendix H). The conclusion following this detailed investigation resulted in the following recommendations:</p> <p><i>Through the completion of the surveys conducted as part of this report, no threatened flora or fauna were recorded within the Study Area that will be significantly impacted by the development.</i></p> <p><i>A range of suitable recommendations have been made to improve the environmental outcome of the proposal. These include use of native landscaping, felling supervision, a dam watering protocol and weed control.</i></p> <p><i>Assessments of Significance were undertaken where necessary. It was determined that the proposal will not constitute a significant impact on the listed entities.</i></p> <p><i>This Flora and Fauna Assessment has adequately considered threatened species and communities in the context of the proposed development in the Study Area by:</i></p> <ul style="list-style-type: none"> • <i>Conducting a field survey and targeted flora surveys.</i> • <i>Adopting the precautionary principle in the assessment of threatened species; and</i> • <i>Designating appropriate recommendations to minimise potential impacts to threatened species that may transiently occur on the</i>
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	<p><i>site as well as any other fauna.</i></p> <p><i>The assessments contained within this report have determined that the proposed development is unlikely to have a significant effect on any listed communities or species or their habitat in accordance with the EP&A Act, BC Act and EPBC Act provided the recommendations contained in this report are adhered to. There will not be an impact on any active and mapped areas of Biodiversity value, nor will there be an impact on native vegetation above the relevant impact threshold.</i></p> <p><i>Therefore, the preparation and submission of a BDAR or referral to the Commonwealth is not required.</i></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>Clause 6.4 Groundwater vulnerability</i></p>	<p>Complies. As indicated on Council's LEP Groundwater Vulnerability Map (refer Figure 2.5), the subject land has been highlighted as having groundwater vulnerability</p> <p>The land and the additional development being undertaken are well setback from Yass River and its significant environs. It is recognised that the land where the development is proposed is highly modified through its long standing non-riverine use.</p> <p>The main potential impact on the river relates to the stormwater leaving the site and its quality. Stormwater is currently filtered naturally onsite and directed to Council's piped infrastructure that requires upgrading as part of this development. It is noted the proposed design is intended to support future development of the site.</p> <p>As demonstrated on the Concept Engineering Plans prepared by Genium Civil Engineering reference 23020 dated 28 March 2025 (refer Appendix C), the following post-development stormwater catchments and Overland flow paths for each lot have been proposed as part of the civil design component:</p> <ul style="list-style-type: none"> i. Lot 1 – Flows from this catchment to be discharged to existing stormwater system on Reddall Street via an On-site Detention System. ii. Lot 2 – Flows from this catchment to be discharged to existing overland flow path via an On-site Detention system with a 'level spreader' arrangement. iii. Lots 3 and 5 – Flows from Lots 3 and 5 to be directed to individual On-site Detention Systems before being discharged to existing overland flow path via a 'level spreader' arrangement. Remainder of the catchment to be connected to new underground stormwater system and discharged via the same 'level spreader'.

- iv. Lot 4 – Flows from this catchment to be discharged to existing overland flow path via On-site Detention System with a ‘level spreader’ arrangement.
- v. Lots 6, 7 and 8 – to be directed to individual On-Site Detention systems before being discharged to existing overland flow path via a ‘level spreader’ arrangement. Remainder of the catchment to be connected to new underground stormwater system and discharged via the same ‘level spreader’.
- vi. Lot 9 – Flows from Lot 9 to be directed to On-site Detention System before being discharged to existing stormwater system on Reddall Street. Remainder of catchment to be connected to new underground stormwater system and discharged to existing system on Reddall Street.

Note: a ‘level spreader’ is a device that distributes stormwater flow evenly across a wider area, typically onto a vegetated surface. It aims to diffuse concentrated stormwater runoff into a more dispersed sheet flow, promoting infiltration and reducing erosion potential.

The proposed key management measures to minimise the potential for any adverse groundwater impacts include the implementation of erosion and sediment control measures and stabilisation of all drainage lines.

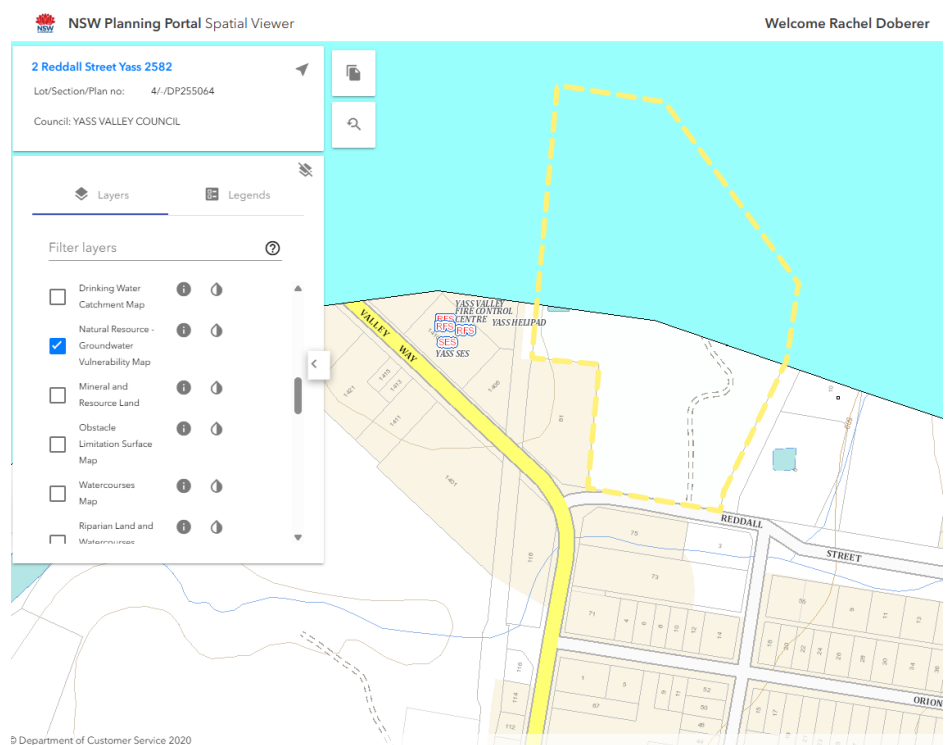
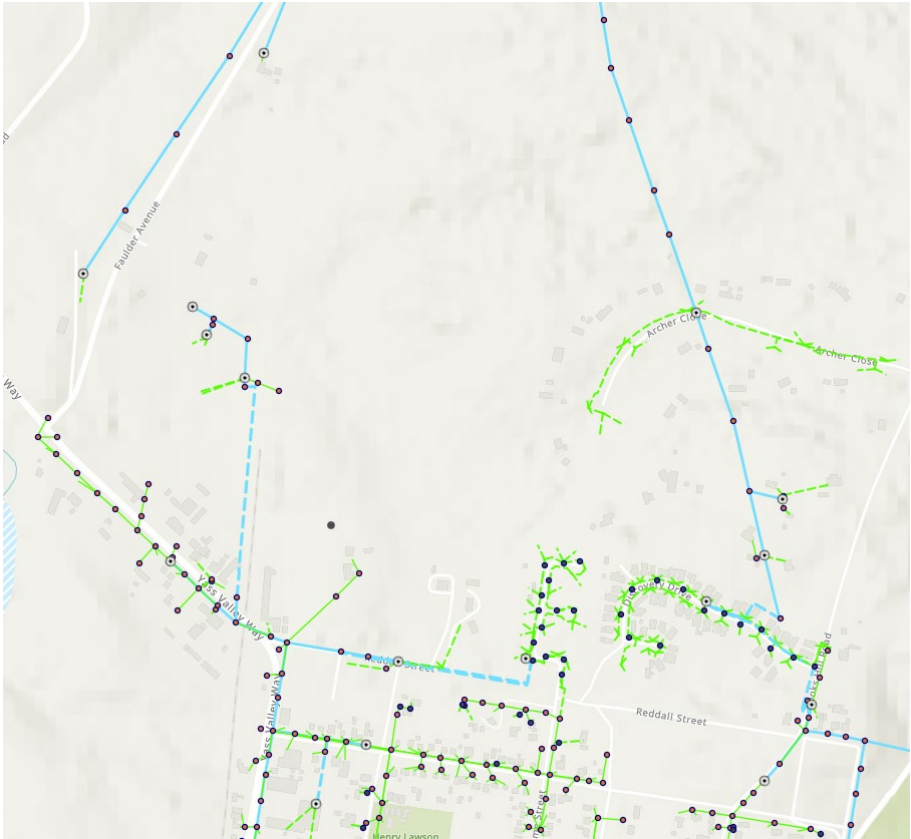


Figure 2.5: Groundwater Vulnerability Map (Source: NSW Government Planning Portal Spatial Viewer, April 2025)

We have also taken into consideration the existing drainage channels seen throughout the site condition. As a result, there will be no adverse effects felt upon the groundwater vulnerability potential of the subject site. It is anticipated that this development with the correct controls in place will not have any detrimental effects to the groundwater or riparian land.

Clause 6.5 Riparian land and watercourses	Not applicable. The subject site is not identified on the Riparian Land and Watercourses Map within the YVLEP2013.
Clause 6.6 Salinity	Not Applicable. The subject site is not identified on the Salinity Map within the YVLEP2013.
Clause 6.7 Highly erodible soils	Not Applicable. The subject site is not identified on the Highly erodible Map within the YVLEP2013
Clause 6.8 Essential services	<p>(a) the supply of water,</p> <p>As part of the delivery of the civil works a new watermain will be constructed to provide individual water services to each allotment as per the Concept Civil Engineering Design prepared by Genium Civil Design reference 23020 dated 28 March 2025 (refer Appendix C).</p> <p>(a) the supply of electricity,</p> <p>There is existing Essential Energy infrastructure located on the site (refer Figure 2.6). It is expected a site-specific design by a Level 3 Designer will be prepared and certified upon the receipt of a Development Consent.</p>  <p>Figure 2.6: Existing Essential Energy Infrastructure (Source: Essential Energy Network Information Portal, April 2025)</p>

	<p><i>(b) the disposal and management of sewage,</i></p> <p>As part of the delivery of the civil works a new sewer main will be constructed to provide individual sewer services to each allotment as per the Concept Civil Engineering Design prepare by Genium Civil Design reference 23020 dated 28 March 2025 (refer Appendix B).</p> <p><i>(c) stormwater drainage or on-site conservation,</i></p> <p>The land and the additional development being undertaken are well setback from Yass River and its significant environs. It is recognised that the land where the development is proposed is highly modified through its long standing non-riverine use.</p> <p>The main potential impact on the river relates to the stormwater leaving the site and its quality. Stormwater is currently filtered naturally onsite and directed to Councils piped infrastructure that requires upgrading as part of this development. It is noted the proposed design is intended to support future development of the site.</p> <p>As demonstrated on the Concept Engineering Plans prepared by Genium Civil Engineering reference 23020 dated 28 March 2025 (refer Appendix C), the following post-development stormwater catchments and Overland flow paths for each lot have been proposed as part of the civil design component:</p> <ul style="list-style-type: none"> i. Lot 1 – Flows from this catchment to be discharged to existing stormwater system on Reddall Street via an On-site Detention System. ii. Lot 2 – Flows from this catchment to be discharged to existing overland flow path via an On-site Detention system with a ‘level spreader’ arrangement. iii. Lots 3 and 5 – Flows from Lots 3 and 5 to be directed to individual On-site Detention Systems before being discharged to existing overland flow path via a ‘level spreader’ arrangement. Remainder of the catchment to be connected to new underground stormwater system and discharged via the same ‘level spreader’. iv. Lot 4 – Flows from this catchment to be discharged to existing overland flow path via On-site Detention System with a ‘level spreader’ arrangement. v. Lots 6, 7 and 8 – to be directed to individual On-Site Detention systems before being discharged to existing overland flow path via a ‘level spreader’ arrangement. Remainder of the catchment to be connected to new underground stormwater system and discharged via the same ‘level spreader’. vi. Lot 9 – Flows from Lot 9 to be directed to On-site Detention System before being discharged to existing stormwater system on Reddall Street. Remainder of catchment to be connected to new underground stormwater system and discharged to existing
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	<p>system on Reddall Street.</p> <p><u>Note:</u> a 'level spreader' is a device that distributes stormwater flow evenly across a wider area, typically onto a vegetated surface. It aims to diffuse concentrated stormwater runoff into a more dispersed sheet flow, promoting infiltration and reducing erosion potential.</p> <p>The proposed key management measures to minimise the potential for any adverse groundwater impacts include the implementation of erosion and sediment control measures and stabilisation of all drainage lines.</p> <p><i>(d) suitable vehicular access,</i></p> <p>As part of the delivery of the civil works a new road network will be constructed to provide each lot with suitable individual vehicular access as per the Concept Civil Engineering Design prepared by Genium Civil Design reference 23020 dated 28 March 2025 (refer Appendix C).</p> <p><i>(f) connection to a communications network with voice or data capability (or both).</i></p> <p>There is existing Telecommunications infrastructure located on the site and nearby. It is expected a site-specific design by a Level 3 Designer will be prepared and certified upon the receipt of a Development Consent.</p>
<i>Clause 6.9 Development within a designated buffer area</i>	Not applicable. The subject 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 DEVELOPMENT CONTROL PLAN

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

Yass Valley Development Control Plan 2024 (YVDCP2024)

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

- Part B - Principles for all Development
- Part C – Subdivision Controls
- Part F – Industrial and Commercial Development
- Part H – Development in Hazard Affected Areas
- Part I – Carparking and Access
- Part K – Natural Resources

TABLE 4 – COMPLIANCE WITH THE YVDCP2024

PART B – PRINCIPLES FOR ALL DEVELOPMENT	
CONTROLS	COMPLIANCE
B1 Sustainability <i>a. Increase tree retention and provision at development stage to increase and enhance tree cover, for visual, social, environmental, economic and ecological values.</i> <i>b. Discourage the use of heat producing surfaces in preference of natural materials, surfaces and finishes.</i> <i>c. Encourage the use of sustainable building materials.</i> <i>d. Avoid excessive resource consumption and minimise waste.</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> <p>The proposed subdivision will result in the orderly and economic use and development of land as the site is site of an appropriate size, location and land use zoning to enable the development, and the proposal involves an appropriate use of a vacant site with a light industrial/ commercial precinct.</p>

<p>B1 Site Suitability</p> <p><i>All development applications are assessed on their individual merits and take account of, amongst other things, the suitability of the site for the proposed development.</i></p>	<p>Complies. The proposed development represents a coordinated approach to infill light industrial/ commercial development within Yass, through the efficient use of land for light industrial/ commercial development and the enabling of the creation of an employment and services hub in an accessible location close to land currently being utilised for similar uses.</p> <p>The site is considered to be well positioned to cater for a mixed demographic of businesses during both the construction and future operational phases</p> <p>The availability of access, reticulated water and sewer are existing onsite and to be constructed with the subdivision as indicated on the Concept Civil Engineering Design prepared by Genium Civil Engineering reference 23020 dated 28 March 2025 (refer Appendix C).</p> <p>Whilst power and telecommunications infrastructure are readily available onsite (refer Appendix B), the design and construction of these services will be awarded to the relevant consultant/ contractor upon the receipt of Notice of Determination/ Development Consent.</p> <p>The suitability of the site for the proposed development is considered to be found consistent with Councils standards for infill development of light industrial/ commercial land, specifically being respectful to the topography and neighbourhood to which the proposed development relates.</p>
<p>B2 Site Analysis Plan</p> <p><i>All applications must be accompanied by a site analysis plan.</i></p>	<p>Complies. The detail survey plan prepared by DPS YASS P/L dated 30 August 2024 (refer Appendix B) illustrates the sites topography and location of all existing services.</p> <p>The proposed development has been designed with consideration of a number of factors including providing a light industrial/ commercial development appropriate for the site's location within Yass.</p> <p>The scale of the development has been derived from planning controls and desires a high degree of amenity for future businesses.</p>
<p>B3 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</i></p>	<p>Complies. The design and nature of the proposed development of the site will ensure that the proposed development will not increase the opportunities for crime occurrences.</p> <p>The proposed development has been designed to facilitate the development of the future built form to be oriented to the street to provide surveillance of public areas and pedestrian footpaths.</p>

<p><i>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>This will assist in achieving a sense of community ownership over this land with future occupants more likely to report any maintenance issues to ensure this space is well looked after.</p> <p>The activity and staff/ contractors onsite will also ensure internal passive surveillance along with the future Street Lighting.</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 is recognised as infill light industrial/ commercial development that is sympathetic to the existing streetscape and neighbourhood character.</p> <p>The proposed subdivision responds to the neighbourhood character and will contribute to a sense of community and belonging once completed and registered.</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 neighbourhood character to which the subject land relates.</p>
PART C – SUBDIVISION CONTROLS	
CONTROLS	COMPLIANCE
<p>C.1 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 layout takes into consideration the existing landform, topography and all necessary existing and future services.</p> <p>The Concept Engineering Design prepared by Genium Civil Design reference 23020 dated 28 March 2025 (refer Appendix C) demonstrates the proposed subdivision and the extension of the relevant services will result in the overall efficient use of the land for light industrial/ commercial development.</p>
<p>C.2 Staging</p> <p><i>To ensure that each stage ins a progressive subdivision takes account of subsequent stages and development potential of adjoining land.</i></p>	<p>Not applicable. The proposed subdivision does not include staging.</p>
<p>C.3 Earthworks</p> <p><i>To ensure that industrial subdivisions are designed to suit the topography of the site and minimise the use of cut and fill.</i></p>	<p>Complies. As part of the delivery of the proposed development, bulk earthworks are required to ready the Site for industrial development and to ensure suitable grades for drainage, roads, services and building pads in accordance with Council's and service providers standards. The extent of cut to fill onsite is approximately 70,000m³ as demonstrated on sheet 8 of the</p>

	<p>Concept Civil Engineering Drawings (refer Appendix C).</p> <p>The objective of Clause 6.1 is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>Before granting development consent for earthworks, the following issues must be considered:</p> <ul style="list-style-type: none"> • The likely disruption of, or any detrimental effect on drainage patterns and soil stability in the locality of the development. • The effect of the development on the likely future use or redevelopment of the land. • The quality of the fill or the soil to be excavated, or both. • The effect of the development on any existing and likely amenity of adjoining properties. • The source of any fill material and the destination of any excavated material. • The likelihood of disturbing relics. • The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area. • Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. <p>The proposed works will involve the installation of a number of sediment and erosion control measures to address any potential impacts associated with the development. These measures will be in place for the duration of the construction phase to avoid, minimise and mitigate any impacts that could potentially occur.</p> <p>These measures may include:</p> <ul style="list-style-type: none"> • A temporary site security/ safety fence to be constructed around the site; • Sediment fencing provided downstream of disturbed areas, including any topsoil stockpiles; • Dust control measures including covering stockpiles, installing hessian fencing and watering exposed areas; • Placement of hay bales or mesh and gravel inlet filters around and along proposed catch drains and around stormwater inlet pits. <p>The following stormwater management notes are included on the Concept Civil Engineering Plans and expected to be adhered to</p>
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	<p>for the duration of the project:</p> <ul style="list-style-type: none"> • Site regrading to be undertaken such that existing ground levels at perimeter of the site remain unchanged. • Discharge locations from post development catchments are designed to closely match those of the existing site, as shown on sheet 23020-200 (refer Appendix C). • Individual on-site detention (OSD) systems are to be provided for each new lot. All surface run-off from the lots are to be captured and diverted to the OSD systems. The OSD systems are to be designed and constructed as part of subsequent developments on each lot. • Stormwater that is discharged from the development site is to be done so in a controlled manner by way of “level spreader” and/ or flow dissipation arrangements. <p>It is anticipated that given the purpose, nature and extent of excavation, that conventional methods of ancillary earthworks are able to be employed and that subject to the design of the works there will be minimal adverse impacts to the drainage, flooding or to adjoining properties.</p>
<p>C3 Industrial and Commercial Subdivision Controls</p> <p>C3.1 Lot design</p> <p><i>To ensure that the design of industrial subdivision is consistent with their intended use and minimise traffic and landuse conflict.</i></p>	<p>Complies. The proposed subdivision has been designed to ensure the industrial subdivision is consistent with the intended use.</p> <p>The Transport Impact Assessment (TIM) (refer Appendix E) confirms there will be no adverse impacts with respect to traffic generated by the proposal. It is noted that each lot will have a more detailed study of the proposed access and parking arrangements upon the lodgement of a site-specific built form DA.</p>
<p>C13.2 Road design</p> <p><i>To ensure that the provision of road in industrial subdivisions are suitable for the intended use of the allotments and have suitable width and design for the vehicles likely to visit.</i></p>	<p>Complies. As per the Concept Civil Engineering Drawings prepared by Genium Civil Engineering reference 23020 dated 28 March 2025 (refer Appendix C), the proposed industrial subdivision intends for:</p> <ul style="list-style-type: none"> • All internal roads to be designed in accordance with Austroads and Yass Valley Council standards to cater for vehicles up to and including B-Doubles. • The intersection of Laidlaw Street/ Reddall Street is to be upgraded to provide for a CHR/ BAL type intersection in accordance with Austroads standards. Design vehicles are a semi-trailer to/ from the south (right turn into Reddall Street), and a B-Double to/ from the north-west (left turn into Reddall Street).

<p>C3.3 Landscaping</p> <p><i>To ensure that landscaping is provided for shade and visual amenity.</i></p>	<p>Complies. It is expected the Notice of Determination will include a Condition that requires the planting of street trees prior to the issue of a subdivision certificate.</p> <p>Further to that, each future built form DA is expected to be conditioned to have site-specific landscaping plan to provide further shade and visual amenity to each lot.</p>
<p>C3.5 Essential Services</p> <p><i>To ensure that adequate open space is provided in suitable locations for the benefits of residents.</i></p>	<p>Complies</p> <p><i>(b) the supply of water,</i></p> <p>As part of the delivery of the civil works a new watermain will be constructed to provide individual water services to each allotment as per the Concept Civil Engineering Design prepared by Genium Civil Design reference 23020 dated 28 March 2025 (refer Appendix C).</p> <p><i>(e) the supply of electricity,</i></p> <p>There is existing Essential Energy infrastructure located on the site (refer Figure 2.4). It is expected a site-specific design by a Level 3 Designer will be prepared and certified upon the receipt of a Development Consent.</p> <p><i>(f) the disposal and management of sewage,</i></p> <p>As part of the delivery of the civil works a new sewer main will be constructed to provide individual sewer services to each allotment as per the Concept Civil Engineering Design prepared by Genium Civil Design reference 23020 dated 28 March 2025 (refer Appendix C).</p> <p><i>(g) stormwater drainage or on-site conservation,</i></p> <p>The land and the additional development being undertaken are well setback from Yass River and its significant environs. It is recognised that the land where the development is proposed is highly modified through its long standing non-riverine use.</p> <p>The main potential impact on the river relates to the stormwater leaving the site and its quality. Stormwater is currently filtered naturally onsite and directed to Councils piped infrastructure that requires upgrading as part of this development. It is noted the proposed design is intended to support future development of the site.</p> <p>As demonstrated on the Concept Engineering Plans prepared by Genium Civil Engineering reference 23020 dated 28 March 2025 (refer Appendix C), the following post-development stormwater catchments and Overland flow paths for each lot have been proposed as part of the civil design component:</p>

	<ul style="list-style-type: none"> i. Lot 1 – Flows from this catchment to be discharged to existing stormwater system on Reddall Street via an On-site Detention System. ii. Lot 2 – Flows from this catchment to be discharged to existing overland flow path via an On-site Detention system with a 'level spreader' arrangement. iii. Lots 3 and 5 – Flows from Lots 3 and 5 to be directed to individual On-site Detention Systems before being discharged to existing overland flow path via a 'level spreader' arrangement. Remainder of the catchment to be connected to new underground stormwater system and discharged via the same 'level spreader'. iv. Lot 4 – Flows from this catchment to be discharged to existing overland flow path via On-site Detention System with a 'level spreader' arrangement. v. Lots 6, 7 and 8 – to be directed to individual On-Site Detention systems before being discharged to existing overland flow path via a 'level spreader' arrangement. Remainder of the catchment to be connected to new underground stormwater system and discharged via the same 'level spreader'. vi. Lot 9 – Flows from Lot 9 to be directed to On-site Detention System before being discharged to existing stormwater system on Reddall Street. Remainder of catchment to be connected to new underground stormwater system and discharged to existing system on Reddall Street. <p><u>Note:</u> a 'level spreader' is a device that distributes stormwater flow evenly across a wider area, typically onto a vegetated surface. It aims to diffuse concentrated stormwater runoff into a more dispersed sheet flow, promoting infiltration and reducing erosion potential.</p> <p>The proposed key management measures to minimise the potential for any adverse groundwater impacts include the implementation of erosion and sediment control measures and stabilisation of all drainage lines.</p> <p style="text-align: center;"><i>(h) suitable vehicular access,</i></p> <p>As part of the delivery of the civil works a new road network will be constructed to provide each lot with suitable individual vehicular access as per the Concept Civil Engineering Design prepared by Genium Civil Design reference 23020 dated 28 March 2025 (refer Appendix C).</p> <p><i>(f) connection to a communications network with voice or data capability (or both).</i></p>
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	<p>There is existing Telecommunications infrastructure located on the site and nearby. It is expected a site-specific design by a Level 3 Designer will be prepared and certified upon the receipt of a Development Consent.</p>
PART H – DEVELOPMENT IN HAZARD AFFECTED AREAS	
<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>Complies. The subject site is mapped on the 1% AEP within the Yass Floodplain Risk Management Study and Plan (YFRMS) (refer Figure 2.2). It is noted however that when the site is assessed against the PMF mapping within the YFRMS, majority of the site falls outside of the ‘<i>Special Flood Consideration Zone</i>’ (refer Figure 2.3).</p> <p>When assessed against Schedule 2A – Prescriptive Flood Related Development Controls for Subdivision all of the Planning Considerations are either ‘<i>Not Relevant</i>’ or ‘<i>the control only applies to development that is proposed on land within the extent of the “Special Flood Considerations Zone” as defined on the Flood Planning and Flood Planning Constraint Category Maps</i>’.</p> <p>The one Planning Consideration that needs to be assessed is stormwater. This has been addressed via the Concept Civil Engineering Design (refer Appendix C) that lists the following stormwater management notes:</p> <ul style="list-style-type: none"> • Site regrading to be undertaken such that existing ground levels at perimeter of the site remain unchanged. • Discharge locations from post development catchments are designed to closely match those of the existing site, as shown on sheet 23020-200 (refer Appendix C). • Individual on-site detention (OSD) systems are to be provided for each new lot. All surface run-off from the lots are to be captured and diverted to the OSD systems. The OSD systems are to be designed and constructed as part of subsequent developments on each lot. • Stormwater that is discharged from the development site is to be done so in a controlled manner by way of “level spreader” and/ or flow dissipation arrangements.
<p>H2 Bushfire Prone</p> <p><i>The objectives are:</i></p> <p>a) <i>Prevent the loss of life and property by providing development that is compatible with the identified bushfire</i></p>	<p>Complies. The Bushfire Assessment Report prepared by Coolburn Fire & Ecology dated 01 October 2024 (refer Appendix F) confirms the proposed development adequately considers bushfire risk and conforms to the aims and objectives of PBP, providing a suitable outcome commensurate with the assessed bushfire risk.</p>

<p>hazard.</p> <p>b) <i>Ensure that the risks associated with bushfire are appropriately and effectively managed.</i></p> <p>c) <i>Ensure that bushfire risk is managed in conjunction with the ecological values of the site and neighbouring lands.</i></p>	<p>This is detailed throughout this Statement and more specifically within <u>Section 1.6.7 – Bushfire Prone Land</u>.</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>‘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 a PSI & DSI were prepared by D & N Geotechnical dated 20 February 2025 (refer Appendix’s L & M), the findings of these reports is detailed within <u>Section 1.6.4 - Contamination</u> of this Statement.</p>
<p>PART I – CARPARKING AND ACCESS</p>	
<p>I1 Carpark Design</p> <p><i>To ensure that carpark design facilitates the safe and efficient movement of pedestrian and vehicles.</i></p>	<p>Not Applicable. The proposed development application is for a nine (9) Lot Torrens Title Industrial subdivision only.</p>
<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>	<p>Not Applicable. The proposed development application is for a nine (9) Lot Torrens Title Industrial subdivision only.</p>
<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>	<p>Not Applicable. The proposed development application is for a nine (9) Lot Torrens Title Industrial subdivision only.</p>

<p>14 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>	<p>Not Applicable. The proposed development application is for a nine (9) Lot Torrens Title Industrial subdivision only.</p>
<p>15 Carparking Ratios</p> <p><i>Areas subject to on street carparking credits in Figure 25.</i></p>	<p>Not Applicable. The proposed development application is for a nine (9) Lot Torrens Title Industrial subdivision only.</p>
<p>16 Residential Carparking</p> <p><i>To ensure that carparking facilities are provided for residential development in a manner that caters to the needs of all residents and future residents.</i></p>	<p>Not Applicable. The proposed development application is for a nine (9) Lot Torrens Title Industrial subdivision only.</p>
<p>17 Property Access Crossings</p> <p><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>	<p>As part of the delivery of the civil works a new road network will be constructed to provide each lot with suitable individual vehicular access as per the Concept Civil Engineering Design prepared by Genium Civil Design reference 23020 dated 28 March 2025 (refer Appendix C).</p>
<p>PART K – NATURAL RESOURCES</p>	
<p>CONTROLS</p>	<p>COMPLIANCE</p>
<p>K1 Vulnerable Land</p> <p>K1.1 Salinity</p> <p><i>To ensure that any development does not exacerbate salinity on site or offsite or negatively impact upon buildings.</i></p>	<p>Not applicable. The subject site is not identified on the Salinity Map within the YVLEP2013.</p>

<p>K1.2 Erodible Soils</p> <p><i>To ensure that any development does not exacerbate erosion on site or sedimentation offsite.</i></p>	<p>Not applicable. The subject site is not identified on the Erodible Soils Map within the YVLEP2013.</p>
<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 2.2).</p> <p>A Preliminary Ecological Report was commissioned and undertaken by Lodge Environmental dated 24 September 2024 (refer Appendix G). The conclusion following the initial investigation resulted in the following recommendations:</p> <p><i>Lodge Environmental has conducted a preliminary assessment of biodiversity values present at 2 Reddall Street, Yass to identify notable constraints in the context of future development opportunities.</i></p> <p><i>Vegetation within the Study Area is predominately exotic pasture that has been heavily modified due to historical and current land use practices, with planted native and exotic trees surrounding the dwelling and driveway. Ecological constraints are only considered low to medium.</i></p> <p><i>Targeted surveys were not conducted for threatened species, however, there is limited suitable habitat present. Native canopy presents some foraging habitat suitable for highly mobile threatened avifauna.</i></p> <p><i>The Biodiversity Offset Scheme (BOS) will not be triggered by vegetation clearance and the proposal is unlikely to constitute a significant impact to matters listed under the BC Act. Therefore, a Flora and Fauna Assessment (FFA) will be sufficient to accompany the DA.</i></p> <p>Following the recommendations within the initial ecological assessment a Flora and Fauna Assessment was commissioned and undertaken by Lodge Environmental dated 04 March 2025 (refer Appendix H). The conclusion following this detailed investigation resulted in the following recommendations:</p> <p><i>Through the completion of the surveys conducted as part of this report, no threatened flora or fauna were recorded within the Study Area that will be significantly impacted by the development.</i></p> <p><i>A range of suitable recommendations have been made to improve the environmental outcome of the proposal. These include use of native landscaping, felling supervision, a dam watering protocol and weed control.</i></p>

	<p><i>Assessments of Significance were undertaken where necessary. It was determined that the proposal will not constitute a significant impact on the listed entities.</i></p> <p><i>This Flora and Fauna Assessment has adequately considered threatened species and communities in the context of the proposed development in the Study Area by:</i></p> <ul style="list-style-type: none"> • <i>Conducting a field survey and targeted flora surveys.</i> • <i>Adopting the precautionary principle in the assessment of threatened species; and</i> • <i>Designating appropriate recommendations to minimise potential impacts to threatened species that may transiently occur on the site as well as any other fauna.</i> <p><i>The assessments contained within this report have determined that the proposed development is unlikely to have a significant effect on any listed communities or species or their habitat in accordance with the EP&A Act, BC Act and EPBC Act provided the recommendations contained in this report are adhered to.</i></p> <p><i>There will not be an impact on any active and mapped areas of Biodiversity value, nor will there be an impact on native vegetation above the relevant impact threshold.</i></p> <p><i>Therefore, the preparation and submission of a BDAR or referral to the Commonwealth is not required.</i></p> <p><i>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.</i></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>Complies. As indicated on Council's LEP Groundwater Vulnerability Map (refer Figure 2.3), the subject land has been highlighted as having groundwater vulnerability</p> <p>The land and the additional development being undertaken are well setback from Yass River and its significant environs. It is recognised that the land where the development is proposed is highly modified through its long standing non-riverine use.</p> <p>The main potential impact on the river relates to the stormwater leaving the site and its quality. Stormwater is currently filtered naturally onsite and directed to Council's piped infrastructure that requires upgrading as part of this development. It is noted the proposed design is intended to support future development of the site.</p>

	<p>As demonstrated on the Concept Engineering Plans prepared by Genium Civil Engineering reference 23020 dated 28 March 2025 (refer Appendix C), the following post-development stormwater catchments and Overland flow paths for each lot have been proposed as part of the civil design component:</p> <ul style="list-style-type: none">i. Lot 1 – Flows from this catchment to be discharged to existing stormwater system on Reddall Street via an On-site Detention System.ii. Lot 2 – Flows from this catchment to be discharged to existing overland flow path via an On-site Detention system with a 'level spreader' arrangement.iii. Lots 3 and 5 – Flows from Lots 3 and 5 to be directed to individual On-site Detention Systems before being discharged to existing overland flow path via a 'level spreader' arrangement. Remainder of the catchment to be connected to new underground stormwater system and discharged via the same 'level spreader'.iv. Lot 4 – Flows from this catchment to be discharged to existing overland flow path via On-site Detention System with a 'level spreader' arrangement.v. Lots 6, 7 and 8 – to be directed to individual On-Site Detention systems before being discharged to existing overland flow path via a 'level spreader' arrangement. Remainder of the catchment to be connected to new underground stormwater system and discharged via the same 'level spreader'.vi. Lot 9 – Flows from Lot 9 to be directed to On-site Detention System before being discharged to existing stormwater system on Reddall Street. Remainder of catchment to be connected to new underground stormwater system and discharged to existing system on Reddall Street. <p><u>Note:</u> a 'level spreader' is a device that distributes stormwater flow evenly across a wider area, typically onto a vegetated surface. It aims to diffuse concentrated stormwater runoff into a more dispersed sheet flow, promoting infiltration and reducing erosion potential.</p> <p>The proposed key management measures to minimise the potential for any adverse groundwater impacts include the implementation of erosion and sediment control measures and stabilisation of all drainage lines.</p>
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	<p>We have also taken into consideration the existing drainage channels seen throughout the site condition. As a result, there will be no adverse effects felt upon the groundwater vulnerability potential of the subject site. It is anticipated that this development with the correct controls in place will not have any detrimental effects to the groundwater or riparian land.</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.</p>

2.3 INTEGRATED DEVELOPMENT

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

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

TABLE 5 – INTEGRATED DEVELOPMENT

ACT	COMMENT
<i>Coal Mine Subsidence Compensation Act 2017</i>	The site is not located within a mine subsidence district.
<i>Fisheries Management Act 1994</i>	The site does not contain any permanent water bodies, nor is it located within Key Fish Habitat. It is considered the proposed development will not harm marine vegetation, nor will it require dredging of the bed and land reclamation of a Key Fish Habitat Creek.
<i>Heritage Act 1977</i>	Works are proposed that are referred to pursuant to section 57(1) of the <i>Heritage Act 1977</i> . Under this legislation subsequent approval therefore triggers the proposed development as requiring <u>integrated approval</u> .
<i>Mining Act 1992</i>	No mining lease is being sought as part of this DA, noting this DA is for a proposed Nine (9) Lot Torrens Title Industrial Subdivision.
<i>National Parks and Wildlife Act 1974</i>	As per the findings within the draft ACHAR (refer Appendix K) an Aboriginal Heritage Impact Permit (AHIP) is required to allow works to proceed. As works are proposed that are referred to pursuant to section 90 of the <i>National Parks and Wildlife Act 1974</i> , under this legislation subsequent approval therefore triggers the proposed development as requiring <u>integrated approval</u> .
<i>Petroleum (Onshore Act) 1991</i>	No production lease is being sought as a part of this DA, noting this DA is for a Nine (9) Lot Torrens Title Industrial Subdivision.

<p><i>Protection of the Environment Operations Act 1997</i></p>	<p>The implementation of appropriate environmental protection works will ensure that no licence will be required.</p>
<p><i>Roads Act 1993</i></p>	<p>Works are required on or to connect the Site to a classified road (Laidlaw Street/ Yass Valley Way). Works will be required within Reddall Street and Laidlaw Street to connect the site to connect the site to a Classified Road and Council road.</p> <p>Section 4.46(3) of the EP&A Act operates to the effect that the proposed development seeks consent and subsequent approval to the <i>Roads Act 1993</i> from TfNSW. Under this legislation, the proposed development, therefore triggers the application as requiring <u>integrated approval</u>.</p> <p>As Council is the managing authority for Reddall Street, Section 138 of the <i>Roads Act 1993</i> requires an approval by the road authority (Council) for these works.</p>
<p><i>Rural Fires Act 1997</i></p>	<p>This development application (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 detailed in Section 46 of the <i>Rural Fire Regulations 2022</i> – <i>Development excluded from requirements for bush fire safety authority – the Rural Fire Act 1997 s 100B</i> is:</p> <p>(1) <i>For the purposes of the Act, section 100B(5)(a1), the following development is excluded from the operation of the Act, section 100B</i></p> <ul style="list-style-type: none"> (a) <i>Development for the purposes of licensed premises that do not provide overnight accommodation, other than for the owner or manager of the premises and the owner's or managers family,</i> (b) <i>Strata subdivision of a building, but only if development consent for the erection of the building was granted in accordance with the Environmental Planning and Assessment Act 1979, section 4.14,</i> (c) <i>Strata subdivision of a class 2 building erected before 1 August 2002, but only if the building complies with the requirements of Level 1 construction under AS3959-1999, Construction of buildings in bushfire-prone areas,</i> (d) <i>Subdivision of land for the purpose of converting an existing dwelling to a dual occupancy, but only if development consent for the dwelling was granted in accordance with the Environmental Planning and Assessment Act 1979, section 4.14,</i>

	<p>(e) <i>Subdivision of, or a boundary adjustment in relation to, land that is leased under a Western lands lease, within the meaning of the Crown Land Management Act 2016, Schedule 3,</i></p> <p>(f) <i>Subdivision for the purposes of consolidation of lots or boundary adjustment on land where the number of lots is reduced, but only if an existing dwelling on the land complies with the requirements of Planning for Bush Fire Protection,</i></p> <p>(g) <i>Development for the purposes of bed and breakfast accommodation using an existing building, but only if the building is more than 30 metres from land that is not managed land within the meaning of Planning for Bush Fire Protection,</i></p> <p>(h) <u>Subdivision of land used or proposed to be used for industrial purposes on which the erection of a dwelling related to the industrial use of the land, for example, a managers residence, is permitted.</u></p> <p>(i) <i>Subdivision of land for residential purpose in a Western New South Wales district, but only if –</i></p> <ul style="list-style-type: none"> iv. <i>Each lot created by the subdivision is greater than 10 hectares, and</i> v. <i>The bush fire prone land that is Category 1 or vegetation is less than 10% of the lot, and</i> vi. <i>Each lot has direct access to an existing public road,</i> <p>(j) <i>Construction or installation of a flagpole, aerial, antenna or satellite dish,</i></p> <p>(k) <i>Construction or installation of a driveway, pathway or other paved area,</i></p> <p>(l) <i>The carrying out of earthworks or drainage works,</i></p> <p>(m) <i>Construction of a class 10a building that is at least 6 metres from a dwelling,</i></p> <p>(n) <i>Minor external non-structural building alterations carried out in accordance with Planning for Bush Fire Protection,</i></p> <p>(o) <i>Development of a minor nature that relates to an existing building that is for a special fire protection purpose</i></p> <p>Taking the above into consideration, the proposed development application does not warrant referral to the NSW Rural Fire Service to obtain their <i>General Terms of Approval</i> as it is determined to be classified as development excluded from requirements for bush fire safety authority pursuant to <i>Clause 100B (5)(a1)</i> of the EP&A Act.</p>
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<p><i>Water Management Act 2000</i></p>	<p>There are no watercourses that traverse the site or nearby.</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.</p>
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2.4 STATE ENVIRONMENTAL PLANNING POLICIES

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

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

TABLE 6 – SEPPS

SEPP	COMMENT
<i>SEPP (Biodiversity and Conservation) 2021</i>	<p>This SEPP contains planning rules and controls for preserving, conserving, and managing NSW's natural environment and heritage.</p> <p>Following the recommendations within the initial ecological assessment a Flora and Fauna Assessment was commissioned and undertaken by Lodge Environmental dated 04 March 2025 (refer Appendix H).</p> <p><i>The assessments contained within this report have determined that the proposed development is unlikely to have a significant effect on any listed communities or species or their habitat in accordance with the EP&A Act, BC Act and EPBC Act provided the recommendations contained in this report are adhered to. There will not be an impact on any active and mapped areas of Biodiversity value, nor will there be an impact on native vegetation above the relevant impact threshold.</i></p> <p><i>Therefore, the preparation and submission of a BDAR or referral to the Commonwealth is not required</i></p>
<i>SEPP (Transport and Infrastructure) 2021</i>	<p>This SEPP contains planning provisions to provide well-designed and located transport and infrastructure integrated with land use/</p> <p>The proposed development for a Nine (9) Lot Torrens Title Industrial Subdivision, does not relate to any of the planning rules listed within the SEPP and as such this SEPP is not applicable to this development application.</p>
<i>SEPP (Primary Production) 2021</i>	<p>This SEPP contains planning provisions to protect and support agricultural lands and opportunities for Primary Production.</p> <p>The proposed development for Nine () Lot Torrens Title Industrial Subdivision, does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>

<p><i>SEPP (Resilience and Hazards) 2021</i></p>	<p>This SEPP contains provisions to manage risks and build resilience in the face of hazards.</p> <p>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>‘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 a PSI & DSI were prepared by D & N Geotechnical dated 20 February 2025 (refer Appendix’s L & M), the findings of these reports is detailed within <u>Section 1.6.4 - Contamination</u> of this Statement.</p>
<p><i>SEPP (Building Sustainability Index: BASIX) 2004</i></p>	<p>The proposed development is for a subdivision creating Nine (9) Industrial 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 Nine (9) Lot Torrens Title Industrial 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 contains planning rules that allow for the delivery and sufficient supply of safe, diverse and affordable housing.</p> <p>The proposed development does not relate to the delivery of boarding houses or affordable housing. As such this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Industry and Employment) 2021</i></p>	<p>This SEPP contains planning rules that applies to employment land in western Sydney and for advertising and signage in NSW.</p> <p>The proposed development does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>

2.5 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

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

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

TABLE 7 – 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. It has been determined the proposed development will not raise any matters of significance to inhibit the approval of the development application.</p> <p>The proposed subdivision pattern is consistent and sympathetic to the surrounding lot sizes and will result in a good planning outcome. The proposed subdivision has taken into consideration the surrounding streetscape including the aesthetic visual amenity of the immediate vicinity and will result in a planning outcome that is compassionate to the surrounding neighbourhood(s).</p> <p>The proposal has been assessed against the relevant provisions of the Environmental Planning and Assessment Act 1979 and the relevant Local Environmental Plan specifically the YVLEP2013.</p> <p>The proposal is permissible with Councils consent within the zone and meets the relevant objectives of the E3 Productivity Support zone.</p> <p>Careful consideration has been given to the design of the proposed development to ensure that a high-quality outcome is achieved whilst also attaining an environmentally sustainable development that is compatible with and sympathetic to surrounding properties.</p>
<p>(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i></p>	<p>The proposed development has been prepared to facilitate an ecologically sustainable development that represents rational, orderly, economic and sustainable use of the land.</p> <p>The proposed Nine (9) Lot Torrens Title Industrial Subdivision has been designed to take into consideration the subject site and surrounds.</p>

	<p>The proposed development has been prepared by integrating the relevant economic, environmental and social considerations to result in an achievable planning outcome.</p> <p>It has been determined that any minor impacts of the development will have little to no effect on the surrounding environment.</p> <p>The proposed development of the subject lot is expected to lay the foundation for more efficient utilization of the land, and it is expected to contribute in varying degrees to the local economy.</p>
<i>(c) the suitability of the site for the development,</i>	<p>Complies. The proposed development represents a coordinated approach to infill light industrial/ commercial development within Yass, through the efficient use of land for light industrial/ commercial development and the enabling of the creation of an employment and services hub in an accessible location close to land currently being utilised for similar uses.</p> <p>The site is considered to be well positioned to cater for a mixed demographic of businesses during both the construction and future operational phases</p> <p>The availability of access, reticulated water and sewer are existing onsite and to be constructed with the subdivision as indicated on the Concept Civil Engineering Design prepared by Genium Civil Engineering reference 23020 dated 28 March 2025 (refer Appendix C).</p> <p>Whilst power and telecommunications infrastructure are readily available onsite (refer Appendix B), the design and construction of these services will be awarded to the relevant consultant/ contractor upon the receipt of Notice of Determination/ Development Consent.</p> <p>The suitability of the site for the proposed development is considered to be found consistent with Councils standards for infill development of light industrial/ commercial land, specifically being respectful to the topography and neighbourhood to which the proposed development relates.</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 Nine (9) lot Torrens Title Industrial 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 E3 Productivity Support zone of Yass Town. The vision for the expansion of Yass LGA is to create a high quality and ecologically sustainable environment integrated with good accessibility and open space. This DA meets the intent of this by providing a high-quality development which will support the other uses of the area. • The site is zoned for development purposes, and the proposed development provides for a subdivision that is consistent with the objectives and controls contained within the YVLEP2013 and the YVDCP2024. • The proposal accommodates light industrial/ commercial opportunities in Yass, within close proximity to Murrumbateman, Canberra and Goulburn. • The subject site in general benefits from good access to the Hume Highway and Barton Highway, which are the main vehicular transportation routes between Canberra, Sydney and Melbourne. • It is expected the construction works associated with the proposed development and the future use of the proposed Lots will contribute in varying degrees to the local economy and Yass Valley more generally. <p>The application is therefore considered to be within the public interest and should be supported by the consent authority.</p>
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3. CONCLUSION

This application seeks approval for a Nine (9) Lot Torrens Title Industrial Subdivision including Tree Removal. It is concluded, the approval of the Development Application on Lot 4 DP255064 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)*.

This SEE has undertaken an environmental assessment of the proposed development and has concluded that the proposal provides a development that will encourage a variety of employment-related activities. The proposal is permissible with Council's consent within the zone and meets the relevant objectives of the E3 Productivity Support 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.

In summary, the proposal is considered to:

- be an appropriate response to the context, setting, planning instruments and development guidelines and other considerations outlined in Section 4.15(1) of the *Environmental Planning & Assessment Act 1979*,
- provide a development that is consistent with and appropriate to the existing and desired future character of the site.
- align with State and Local Government strategic objectives for the area, providing a range of employment generating land uses in a well serviced location.
- have no adverse impacts upon nearby residential development and public recreational space, and
- have no adverse impacts on the environment, traffic, parking, drainage or other external features or services.

It has been considered that the proposal will not have a detrimental effect to the environment, and the proposal represents rational, orderly, economic and sustainable use of the land. It complies with all relevant legislation, will result in a good planning outcome, and it is recommended that conditional development consent for the proposed development on Lot 4 DP255064 2 Reddall, YASS be granted by Council.