



Planning &  
Development

## STATEMENT OF ENVIRONMENTAL EFFECTS

Lot 3 DP1056285  
156 Sibley Road, GUNDAROO

Proposed Two (2) Lot Torrens Title Subdivision

Submitted to Yass Valley Council  
On behalf of David Corbett

AUGUST 2025 | Reference 1001

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# 1. INTRODUCTION

This Statement of Environmental Effects (**SEE**) has been prepared for *David Corbett* (the **Applicant**) by RD Planning & Development Pty Ltd. This Statement is to accompany a development application to Yass Valley Council for the approval of a Two (2) Lot Torrens Title Subdivision at Lot 3 DP1056285 156 Sibley Road, GUNDAROO pursuant to the *Yass Valley Local Environmental Plan 2013* (YVLEP2013) and the *Yass Valley Council Development Control Plan 2024* (YVCDCP2024).

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

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

This site is zoned RU1 Primary Production pursuant to the YVLEP2013. The proposed development is permissible with development consent within the RU1 Primary Production zone. The proposed development formulates contextual elements derived from the existing rural residential character with respect to the immediate vicinity and is consistent with the objectives and provisions within the YVLEP2013 and the YVCDCP2024.

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

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

## 1.1 PURPOSE OF THIS REPORT

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

- The proposal is consistent with the controls within the YVLEP2013.
- The supporting technical studies which accompany the DA establish that the environmental impacts of the proposed concept are generally positive and where appropriate, make recommendations for the detailed design phase of the project which will provide certainty and clarity to guide the development.
- The proposed development is in the public interest and will have a range of positive social and economic benefits, namely:
  - Facilitates ecologically sustainable development of large lot low residential land. This is explained in more detail later in this Statement.
  - The subject site is located within the RU1 Primary Production zone of Gundaroo. 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 a rural residential development opportunity (subdivision) in Gundaroo, within close proximity to, Murrumbateman, Yass, Canberra and Goulburn.
  - The site is zoned for development purposes, and the proposed development provides for infill development (rural residential) including a subdivision creating two (2) Rural Residential Torrens Title Lots that is consistent with the objectives and controls contained within the YVLEP2013 and the YVCDP2024.
  - It is expected the construction works associated with the proposed development will contribute in varying degrees to the local economy and Yass Valley more generally.
- Demonstrating that the environmental impacts of the development have been considered; and
- Outlining the steps to be undertaken to protect the environment or to mitigate against any potential harm, if necessary

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

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

## 1.2 TYPE OF DEVELOPMENT APPLICATION

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

Development is defined as the following:

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

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





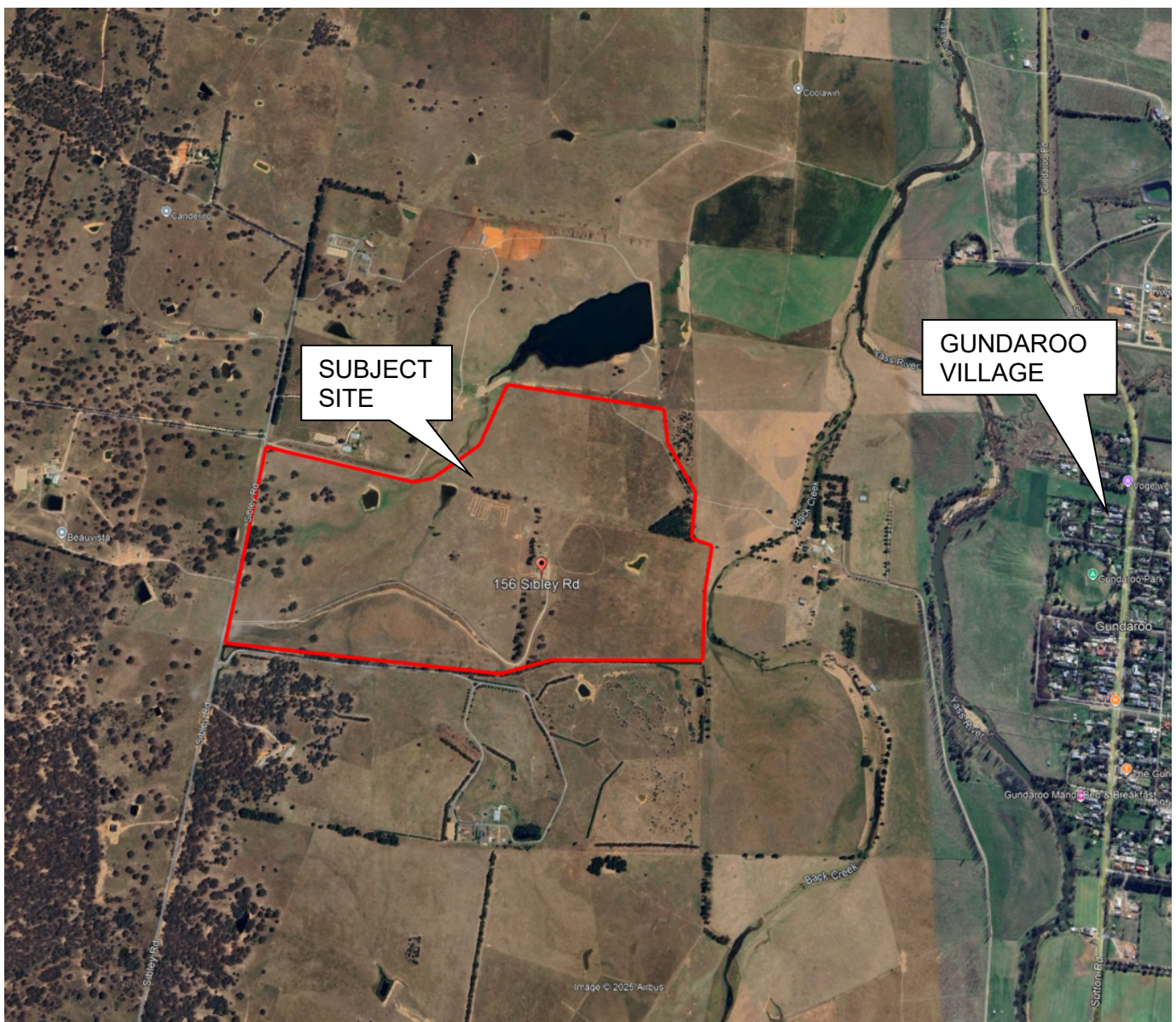


### **1.3.2 Site Description**

The subject site is located in Gundaroo on the western side of Yass River and Gundaroo Village (refer **Figure 1.2**), roughly 50km to Yass CBD, approximately 30km to Murrumbateman Village and around 40km to Canberra CBD. The subject site is located on Sibley Road and connects to Yass, Murrumbateman and Canberra seamlessly via Sutton Road, Murrumbateman Road, the Barton Highway, and the Federal Highway which are some of the main connecting road corridors in the area.

The subject site is made up of one lot and is zone RU1 Primary Production in the YVLEP2013. It is bounded by other Large Rural Residential Lots to the North, East, South and West, as well as Yass River and Gundaroo village to the West (refer **Figures 1.1 and 1.2**).

Legal and physical access to the subject site is gained off Sibley Road. The site is an irregular shaped parcel of land with a total area of 83.85ha. The site has an existing shed with part residential use located on it and is currently utilised for residential and domestic storage purposes, following this development, the use is intended to remain the same albeit whilst obtaining the correct approvals (refer **Figure 1.2**).



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

### **1.3.3 Surrounding Locality**

- North – Rural Residential Lots.
- East –Rural Residential Lots ass River and Gundaroo Village.
- South –Rural Residential Lots.
- West –Rural Residential Lots.

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

- Easement for Electricity Purposes Variable Width Affecting the part(s) shown so burdened in the Title Diagram (DP1056285).
- Restriction on the Use of Land referred to and numbered (3) in the S88B Instrument (DP1056285).
- Restriction on the Use of Land referred to and numbered (5) in the S88B Instrument (DP1056285).

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

- It is proposed to create a Restriction on the Use of Land in relation to the proposed Building Envelope located on proposed Lot 1 and referenced as 'BE' on the Proposed Plan of Subdivision (refer **Figure 1.3** and **Appendix A**).
- It is proposed to create two Positive Covenants in relation to the maintenance of the Asset Protection Zones (APZ's) as reflected in the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer **Appendix C**).

### **1.3.6 Proposed Wording for Restriction on the Use of Land and Positive Covenants**

#### **Proposed Restriction for the Building Envelope for proposed Lot 1**

- i. No part of a permanent and/ or temporary dwelling and/ or outbuilding(s) (excluding farm buildings) and associated infrastructure may be constructed or allowed to remain on the lot(s) hereby burdened unless it is contained wholly within the designated building envelope (BE).

*The name of the entity empowered to release, vary or modify the abovementioned item will be listed as Yass Valley Council or its Successors or Assigns.*

#### **Proposed APZ Positive Covenant for proposed Lot 1**

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

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

The asset protection zone (**APZ**) referred to have been determined at the subdivision stage based on a deemed-to-satisfy, or performance based solution and relates to a setback measured from the bushfire threat where the radiant heat flux is 12.5 kilowatts per square metre, or less, and there is no flame contact (setback greater than flame length in radiant heat modelling) as required by Australian Standard AS3959-2009 Construction of Buildings in Bushfire-Prone areas and Planning for Bushfire Protection 2019 (or equivalent where these documents are superseded).

*The name of the entity empowered to release, vary or modify the abovementioned item will be listed as Yass Valley Council or its Successors or Assigns.*

#### **Proposed APZ Positive Covenant for Lot 3**

- ii. The registered proprietor(s) of the lot hereby burdened will maintain at the sole expense of the registered proprietor(s) the whole of the asset protection zone measured from the outside walls of the existing structure/ dwelling house present at the time this plan was registered, for the distances defined in the following table, including but not limited to, the removal of vegetation in accordance with fuel load requirements and restricting the placement of combustible materials, buildings or improvements, complying with the requirements of the NSW Rural Fire Service.

Orientation	APZ Distance/ Depth
North	12m
East	13m
South	12m
West	13m

The asset protection zones (**APZs**) referred to have been determined at the subdivision stage based on a deemed-to-satisfy, or performance based solution and relates to a setback measured from the bushfire threat where the radiant heat flux is 29 kilowatts per square metre, or less, and there is no flame contact (setback greater than flame length in radiant heat modelling) as required by Australian Standard AS3959-2009 Construction of Buildings in Bushfire-Prone areas and Planning for Bushfire Protection 2019 (or equivalent where these documents are superseded).

*The name of the entity empowered to release, vary or modify the abovementioned item will be listed as Yass Valley Council or its Successors or Assigns.*



## 1.4 PROPOSED DEVELOPMENT

This report has been prepared by RD Planning & Development Pty Ltd to accompany this Development Application (**DA**) submission and is lodged under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) for a proposed Two (2) Lot Rural Residential Torrens Title Subdivision, that is permissible with Council consent.

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

- Proposed Plan of Subdivision prepared by RD Planning & Development Pty Ltd dated July 2025 (refer **Figure 1.3 & Appendix A**).
- Site & Soil Assessment for On-site Effluent Disposal prepared by Land Capability Services dated July 2025 (refer **Appendix B**).
- Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer **Appendix C**).
- Certificate of Title and Deposited Plan for Lot 3 DP1056285 (refer **Appendix D**).

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, this 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 83.85ha of land with an existing structure/ dwelling house that is intended to remain on the subject site. The proposed development application has been prepared to take into consideration the future use of the site and aims to improve the functionality of the site.

The proposed development consists of the subdivision of the subject site for domestic rural residential use. There will be minimal effect to the visual amenity of the surrounding properties as the proposed development is located in an area with similar uses.

It is expected that any associated construction works for the proposed development may have potentially a minor impact on the location whilst under construction, however all due diligence will be applied to minimise any nuisance impact on adjoining landowners.

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

This DA is considered 'Integrated Development' pursuant to Section 4.46 of the EP&A Act. It is noted the proposed development is situated on land mapped as bushfire prone land (**BFPL**). All development on BFPL must satisfy the aim and objectives of PBP 2019. The aim of PBP 2019 is to provide for the protection of human life and minimise impacts on property from the threat of bush fire, while having due regard to development potential, site characteristics and protection of the environment.

The objectives are to:

- *Afford buildings and their occupants protection from exposure to a bush fire.*
- *Provide for a defensible space to be located around buildings.*
- *Provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings.*
- *Ensure that appropriate operational access and egress for emergency service personnel and occupants is available.*
- *Provide for ongoing management and maintenance of BPMs; and*
- *Ensure that utility services are adequate to meet the needs of firefighters.*

As such, the specific objectives required for the proposed development are detailed in Chapter 5 – Residential and Rural Residential Subdivision PBP 2019 (**PBP**) and include:

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

To support the proposed subdivision a Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 10 March 2025 (refer **Appendix C**) is included with this application and concludes the proposal can demonstrate an acceptable performance-based solution that is consistent with the NSW RFS PBP (2019). This is expressed in more detail in Part 1.6 of this SoEE.

Based on the bushfire assessment and the recommendations contained in the report, the proposed development is deemed to comply with the specific and broad objectives of PBP 2019, the requirements of the Rural Fire Regulations 2022 and is, therefore, suitable for submission to the NSW RFS for the issuing of a bush fire safety authority.

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



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

The subject site is mapped on the:

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

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

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

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

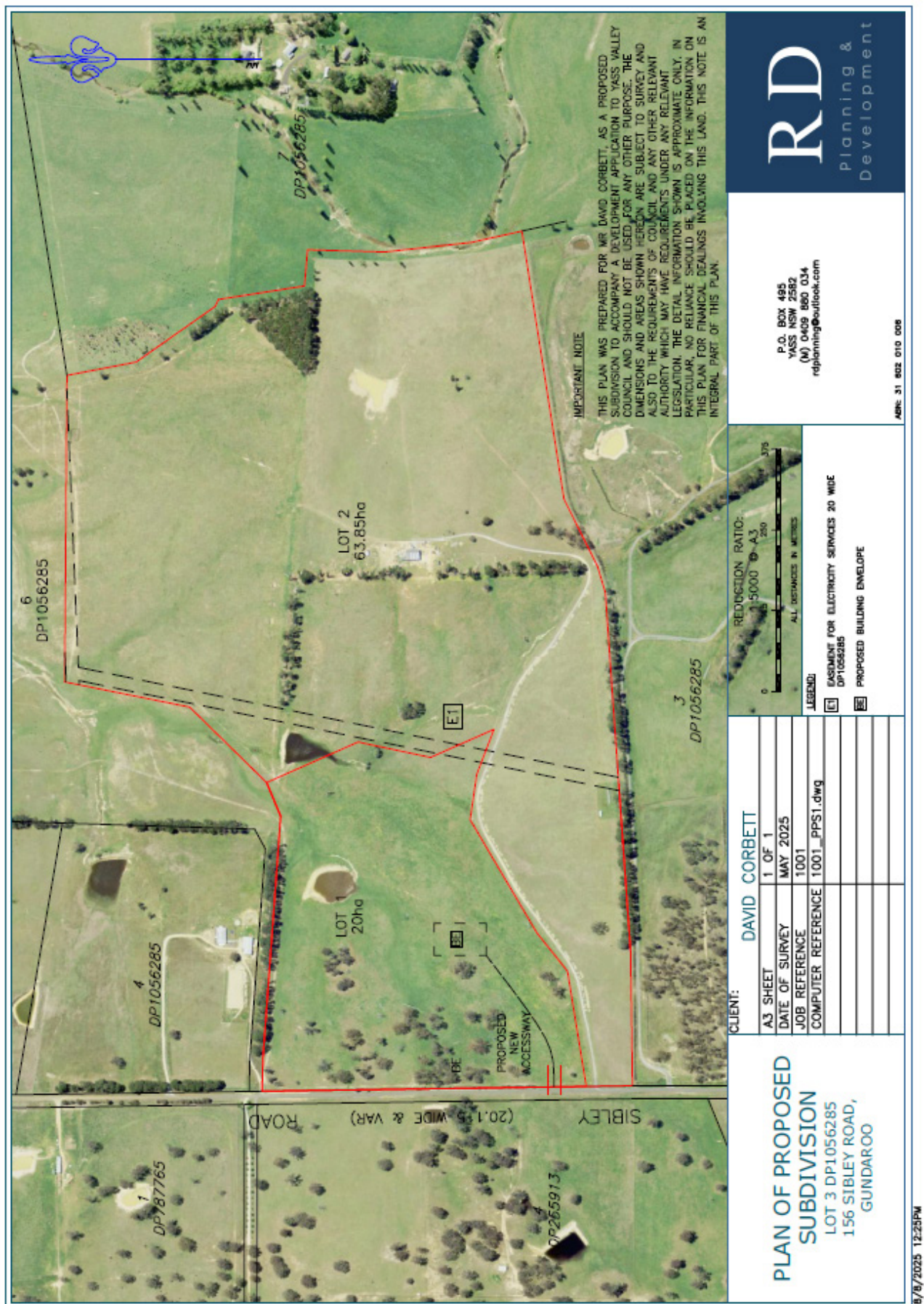


Figure 1.3: Proposed Plan of Subdivision (Source: RD Planning & Development Pty Ltd, August 2025)

## 1.5 DESCRIPTION OF DEVELOPMENT

This DA seeks to facilitate the development of the subject site for the of rural residential use, specifically the application seeks development consent for a subdivision creating four (4) Torrens Title Rural Residential Lots as indicated on the Proposed Plan of Subdivision (refer **Figure 1.3 & Appendix A**).

The design has taken this into consideration noting the intention is to create a pleasing streetscape that will create an attractive façade without deterring the existing visual amenity, providing uniformity to the streetscape.

During construction and on-going use of the site, the appropriate sediment and erosion control measures will be implemented and maintained by the applicant's 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:

- Land contouring to establish the desired level for the proposed new access, noting this will not exceed a cut and fill of 600mm.
- Construction of one (1) new access way off Sibley Road as marked on the Proposed Plan of Subdivision (refer **Appendix A**).

on Lot 3 DP1056285 as per the Proposed Plan of Subdivision (refer **Appendix A**) and the supporting consultant reports (refer **Appendix's B & C**). Each of these components of the proposed development are described in more detail below.

The proposed development has been designed to tie in with adjoining existing and future land uses, existing lot boundaries 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.

### **1.5.1 Proposed Civil Works**

Earthworks on the site can be designed to achieve no export and no importation of material that exceeds the permissible 100m<sup>3</sup>. This strategy has been proposed to minimise the impact on surrounding neighbours and the existing surrounding road network.

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 contractor(s). 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 minor grading to establish the desired levels for the proposed new access and upgrade of the existing access. These levels have been designed to optimise the utilisation of cut and fill across the site, where possible maintaining the fall to the road and to maintain surrounding boundary levels.

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

### **1.5.2 Existing Shed/ Dwelling Component**

This DA acknowledges there is an existing Shed that has a Dwelling Component under the existing roofline. It is noted this structure along with the associated Aerated Wastewater Treatment System has no DA approval from Council.

Following a meeting with Jeremy Knox from Yass Valley Council it is proposed to acknowledge this unapproved structure and associated ancillary structure separately to the proposed Subdivision DA. As discussed, the application is more than willing to bring the existing shed up to BCA compliance for that of a dwelling house.

It is requested that Council acknowledge this request and allow the Subdivision DA and the Compliance of the existing Shed and ancillary structure to be dealt with separately albeit in parallel with each other.

This request whilst not undue has come about due to unforeseen family circumstances in relation to the registered proprietor. He has suddenly had to house four children from a previous relationship and acknowledges that there will be a number of items required in order to bring the existing Shed up to compliance.

Having said that, the sale of proposed Lot 1 is required in order to enable the compliance of said structure.

It is requested Council provides some leniency and permit the subdivision to be determined separate to the compliance of the existing Shed, noting the applicant has been willing and transparent about the non-compliance Structure.

The building externally has been designed to present a quality appearance to the street and its neighbours. Contemporary durable materials, a variety of finished and articulated finishes are all proposed to present an aesthetically pleasing external presentation.

The proposed development has been designed to integrate with surrounding development providing uniformity to the streetscape.



### **1.5.3 Land Capability Assessment**

This DA seeks approval for the approval of a two (2) Lot Rural Residential Torrens Title Subdivision. It is recognised that the proposed Lots will rely on Onsite Wastewater Systems to support a Dwelling Housing and ancillary structures.

To provide supporting evidence that the proposed Lots are capable of taking the proposed effluent disposal load a Site & Soil Assessment Report has been prepared by Land Capability Services dated July 2025 (refer **Appendix B**) to accompany this DA.

The scope of information provided in this report states:

*‘This report provides site and soil assessment for on-site effluent disposal at the applicant’s proposed new subdivision. The report focuses on the land in proximity to the proposed building envelope.*

*Other areas within the proposed subdivision may also be suitable for on-site effluent disposal pending further investigation at building DA stage. A four-bedroom dwelling is assumed. An Aerated Wastewater Treatment System (AWTS) is proposed.*

*An AWTS coupled with surface or subsurface irrigation provides a suitable form of effluent treatment for the site and soil characteristics of the land in question.*

*The management prescriptions include the size and location of the proposed irrigation area.’*

The following management prescriptions are site specific and must be strictly adhered to, in order to maximise water and nutrient uptake, and thus minimise runoff and seepage:

*‘The AWTS must be accredited by NSW Health.*

*‘An irrigation area of 400 m<sup>2</sup> should be allocated and sown to improved pasture species, within the area shown as suitable in Figure 1*

*The treated effluent may be applied by surface irrigation. Surface sprays must be of the large droplet type that do not produce aerosols and are to be regularly rotated throughout the effluent application area to evenly spread hydraulic and nutrient loads.  
The treated effluent may also be applied by sub-surface irrigation.*

*Flush return lines to the AWTS to be installed to ensure flocculants in the lines are recycled back to the tank. Pressure compensating dripper heads to be used. Vacuum breakers or air release valves to be installed at highest point in irrigation field, to prevent migration of soil into irrigation lines. Irrigation laterals to be installed on the contour at 100mm depth and at nominal 1000mm spacing. A disc filter of 150mm x 400mm utilising the red coloured filter disks is to be installed upstream of irrigation system. Filters to be cleaned at minimum quarterly service intervals.*

*House area and rainwater tank runoff to be directed clear of the effluent application area.*

*The irrigation area must not be disturbed by any building activity such as stockpiles of excavated material or vehicle traffic. Livestock to be excluded from the site.*

*Detergents should be selected for low levels of phosphorus and sodium.  
(See appendix 3)’.*



### 1.5.4 Bushfire Prone Land

This development application (DA) is considered 'Integrated Development' pursuant to Section 4.46 of the EP&A Act. It is noted the proposed development is situated on land mapped as bushfire prone land (BFPL) (refer **Figure 1.4**).

To demonstrate all due diligence in relation to the preparation an assessment of the proposed development a Bushfire Assessment Report has been prepared by Ember Bushfire Consulting dated July 2025 (refer **Appendix C**).

Performance criteria and acceptable solutions for APZs provided in PBP 2019 for residential and rural residential subdivisions are:

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
The intent may be achieved where:		
ASSET PROTECTION ZONES	Potential building footprints must not be exposed to radiant heat levels exceeding 29kW/m <sup>2</sup> on each proposed lot.	APZs are provided in accordance with Tables A1.12.2 and A1.12.3 based on the FFDI.
	APZs are managed and maintained to prevent the spread of a fire towards the building.	APZs are managed in accordance with the requirements of Appendix 4.
	The APZs are provided in perpetuity.	APZs are wholly within the boundaries of the development site.
	APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimized.	APZs are located on lands with a slope less than 18 degrees.
LANDSCAPING	Landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.	Landscaping is in accordance with Appendix 4; and  Fencing is constructed in accordance with Section 7.6.

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

To support the proposed subdivision a Bushfire Assessment Report prepared by Ember Bushfire Consulting dated July 2025 (refer **Appendix C**) is included with this application and concludes the proposal can demonstrate an acceptable performance-based solution that is consistent with the NSW RFS PBP (2019).

Specifically, the recommended Bushfire Protection Measures listed within the report are:

### ASSET PROTECTION ZONES (APZ)

- Lots 1 and 2 APZ setback dimensions are to comply with the minimum dimensions provided in Table 5 below.
- Lot 1 APZ setback dimensions shall not be decreased during future development.
- Lot 1 APZ setback dimensions may be increased during future development to reduce the radiant heat exposure and therefore the corresponding BAL rating of any future works.
- At the commencement of building works and in perpetuity, all land within the area identified as APZ is to be managed as APZ Inner Protection Area in accordance with the requirements of Asset Protection Zone Standards - Appendix 4 of PBP (2019) (Attachment B).

Table 5- Lots 1 & 2 APZ setback and BAL requirements

Lot	Aspect	Vegetation Formation	Slope	APZ Setback	Max Radiant Heat	BAL Rating Adopted
1	N	Grassland	0° - <5° Downslope	26 m	12.5 kW/m <sup>2</sup>	BAL 19
1	E	Grassland	0° - <5° Downslope	26 m	12.5 kW/m <sup>2</sup>	
1	S	Grassy Woodland	Flat / upslope	26 m	12.5 kW/m <sup>2</sup>	
1	W	Grassy Woodland	Flat / upslope	26 m	12.5 kW/m <sup>2</sup>	
2	N	Grassland	0° - <5° Downslope	12 m	29 kW/m <sup>2</sup>	N/A
2	E	Grassland	>5° - <10° Downslope	13 m	29 kW/m <sup>2</sup>	
2	S	Grassland	0° - <5° Downslope	12 m	29 kW/m <sup>2</sup>	
2	W	Grassland	>5° - <10° Downslope	13 m	29 kW/m <sup>2</sup>	

### LANDSCAPING

- All landscape within the areas identified as APZ shall be managed in perpetuity and following the Asset Protection Zone Standards requirements – Appendix 4 of PBP (2019)(Attachment B)

### ACCESS

- Nil requirements for access to the existing residence on Lot 2.
- Access to the proposed Lot 1 per the requirements for Access – Table 5.3 b of PBP (2019) provided here in (Attachment A) except that the property access road for Lot 1 can be greater than 200 m without an alternative access route.

## **WATER SUPPLIES, ELECTRICITY AND GAS**

- Nil requirements for water supplies to the existing residence on Lot 2.
- Lot 1 future dwelling will be provided with a minimum of 40,000 L of static water supplies at the time of future development as part of the performance-based design and otherwise are as per the requirements for Water Supplies - Table 5.3 c of PBP (2019) provided herein (Attachment A).
- All fittings and specifications per Table 7.4a PBP 2019 for water supplies are detailed in Attachment A.

## **CONSTRUCTION**

- The construction of a future dwelling on Lot 1 must comply with Sections 3 and Section 6 (BAL-19) of Australian Standard AS3959- 2018 Amd 2 Construction of buildings in bushfire-prone areas as amended or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas - 2014 as appropriate; and
- A legally binding covenant (Section 88b instrument) stating that any future residence on Lot 1 must be constructed to no less than BAL-19 to ensure the level of future construction is complied with.

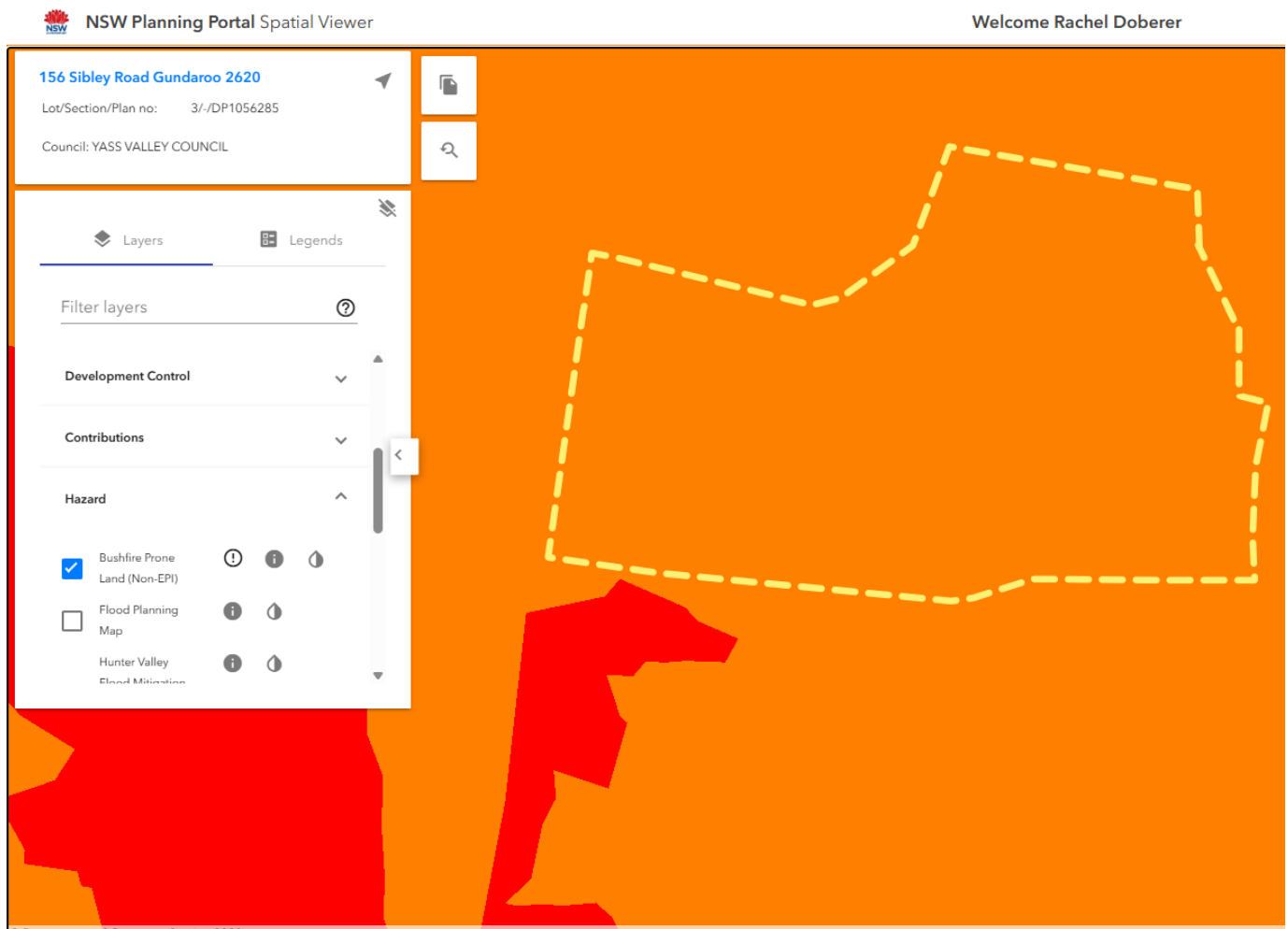
To improve ember protection of the existing residence on Lot 2 (where currently not available: several enhancements are recommended as per NSW RFS Upgrading of Existing Buildings, 2014<sup>1</sup> including:

- Enclose all openings, including subfloor areas, openable windows, vents, weep holes and eaves;
- Cover openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm;
- Fit external doors with draft excluders; and
- Install non-combustible gutter and valley leaf guard as required.

## **EMERGENCY MANAGEMENT PLANNING**

### **Recommendation**

- Before occupying any new dwelling, residents should develop an NSW RFS Bushfire Survival Plan.
- **EMBER** Bushfire Consulting strongly recommends a "leave early" approach, specifically when fire conditions reach a Fire Danger Rating of Extreme



**Figure 1.4: Bushfire Prone Land Mapping** (Source: NSW Government Planning Portal Spatial Viewer, August 2025)

It is considered that the proposed rural residential 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.

### **1.5.5 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 proposed Two (2) Lot Rural Residential Torrens Title 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.

## **2. ASSESSMENT**

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

The provisions of:

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

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

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



## 2.1 ENVIRONMENTAL PLANNING INSTRUMENTS

### Yass Valley Local Environmental Plan 2013

The Yass Valley Local Environmental Plan 2013 (YVLEP2013) is the statutory framework regulating land uses within the Yass Valley Council LGA and the development of the site. The site is zoned RU1 Primary Production (refer **Figure 2.2**).

This development involves the proposal for a two (2) Lot Rural Residential Torrens Title Subdivision that is permissible with conditional consent pursuant to clauses 2.1 and 2.6 of the YVLEP2013 within the RU1 Primary Production zone. An assessment against the relevant Planning Legislation is tabulated below.

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

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

<i>(d) to promote employment-generating tourism,</i>	Not applicable. The proposed development is for the subdivision of rural residential land only.
<i>(e) to provide for commercial and industrial development,</i>	Not applicable. The proposed development is for the subdivision of rural residential land only.
<i>(f) to encourage the establishment of retail and professional services in urban locations,</i>	Not applicable. The proposed development is for the subdivision of rural residential land only.
<i>(g) to protect and enhance the character of each of the villages in Yass Valley,</i>	<p>Complies. Whilst the subject site is not within the village of Gundaroo, it is located nearby in an area where local character is embraced.</p> <p>Local character is what makes a place or area distinctive or unique. Local character is the combination of multiple factors, which relate to the area's history, built form, public and private spaces, community values and how they connect to a place.</p> <p>The proposed subdivision responds to the character of Gundaroo Village and is consistent with the relevant planning controls that are identified later in this Statement.</p> <p>The proposal has taken into consideration the location, type and intensity of development whilst also having regard to the characteristics of the land and the surrounding environment, in turn actively maintaining the character of Yass Valley.</p>
<i>(h) to enhance service provision in each of the villages in Yass Valley,</i>	Not applicable. The proposed development is for the subdivision of rural residential land only.
<i>(i) to protect and conserve the cultural heritage and history of Yass Valley,</i>	<p>Consistent. The land is not identified as a heritage item in the YVLEP2013 to which this land relates. Within the LEP, a review of the heritage items reveals that adjoining allotments are not classed as items of heritage value.</p> <p>Therefore, it is considered that the proposal will not impact on any adjoining heritage items.</p> <p>According to the Office of Environment and Heritage website, there are no identified aboriginal relics or aboriginal heritage items located on the property.</p> <p>If any items are found during construction, construction works shall cease, and the Department shall be notified. As the development is not listed as a heritage item, no specific heritage study is required to be submitted as part of this development application.</p>

<p><i>(j) to protect and enhance the environmental and biodiversity values of Yass Valley,</i></p>	<p>Consistent. As indicated on Council's LEP Terrestrial Biodiversity Map there are areas within the subject site that have been identified/ mapped as having biodiversity concerns.</p> <p>The proposed building envelope and access ways will occupy cleared sections of the subject site which is relatively void of significant vegetation (refer <b>Figure 2.1</b>).</p> <p>The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land.</p> <p>Specifically, any potential biodiversity removal is limited to:</p> <ul style="list-style-type: none"> <li>• The construction of the new accessway to give legal and physical access to proposed Lot 1 as per the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</li> <li>• The future building envelope on proposed Lot 1, this includes the implementation and maintenance of the Asset Protection Zones (APZs) as per the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer <b>Appendix C</b>),</li> </ul> <p>It is noted there is no potential clearing of remnant trees within the areas listed above, therefore demonstrating the proposed development is actively protecting and enhancing the environmental and biodiversity values of Yass Valley.</p> <p>Further to that and during the construction phase of the proposed development, to ensure there are no adverse environmental impacts, the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.</p> <p>The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.</p> <p>It is expected the proposed development will encourage the introduction of further vegetation to assist with privacy screening and to create a more appealing visual amenity.</p> <p>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>
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**Figure 2.1: Current Aerial Imagery of Proposed Building Envelope Area** (Source: Google Earth Aerial Imagery, August 2025)

*(k) to minimise land use conflicts.*

Consistent. The zoning of the proposed development is consistent with surrounding development, which in turn minimises the potential for land use conflicts.

## TABLE 2 - OBJECTIVES OF THE RU1 PRIMARY PRODUCTION ZONE

The subject site is zoned RU1 Primary Production. The following table demonstrates the proposed Two 92) Lot Rural Residential Torrens Title Subdivision is consistent with the objectives of the zone.

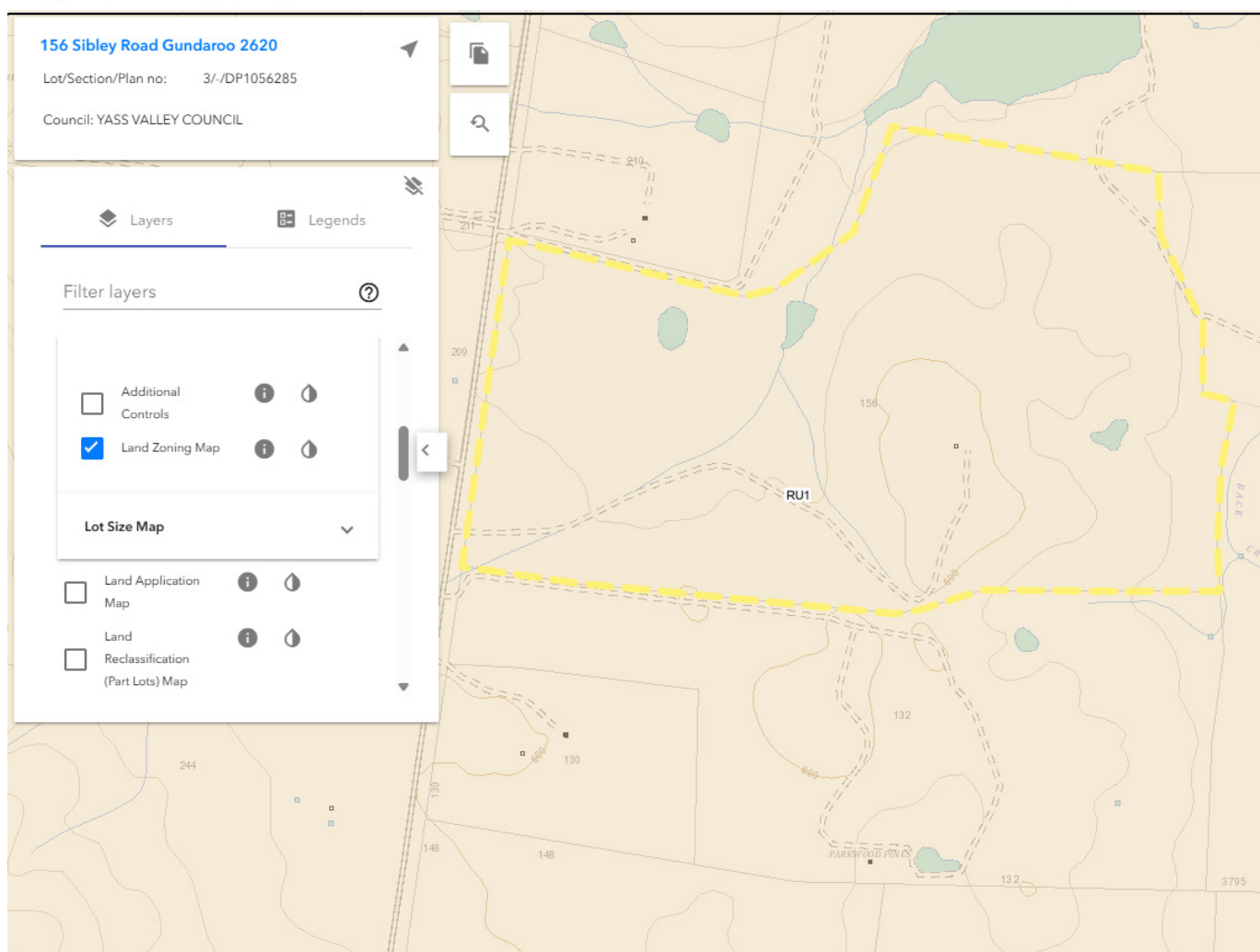
OBJECTIVES OF RU1 PRIMARY PRODUCTION ZONE – YVLEP2013	COMPLIANCE
<p><i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i></p>	<p>Consistent. The proposal is found to be consistent with the RU1 Primary Production land use objectives providing for a low-impact ancillary development that is permitted within the zone with conditional consent.</p> <p>The proposed development is sympathetic with the surrounding amenity of the area, considers the opportunities and constraints of the site including all relevant legislation and is therefore considered worthy of Councils support.</p> <p>The proposed development provides an appropriate planning outcome for the subject land that takes into consideration the ecological impacts, aesthetic value of the land and the surrounding land uses. The proposed development is situated on land free of any major constraints, other than being mapped as Bushfire Prone Land (<b>BFPL</b>), this is discussed in more detail earlier and later in this statement.</p> <p>It is considered the proposed development is consistent with the aims and objectives of the relevant planning instruments, is compatible with and responds positively to the site-specific conditions.</p> <p>No significant or threatened ecological species or vegetation exists on the subject site. The proposed DA has been prepared in respect to the biodiversity of the site, onsite wastewater reports, bushfire assessment, natural topography, vista's, amenities, buffer zones and accessibility.</p> <p>These factors have determined that there is sufficient land available on each proposed lot for the construction of a future dwelling house/ dual occupancy and associated infrastructure with no adverse effects to be felt on the biodiversity of the site</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP, has minor environmental impacts that are manageable and compatible with the existing and desired local area character.</p>

<p><i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></p>	<p>Consistent. The proposed subdivision development has the potential to provide for a supportive land use that will meet the day-to-day needs of the current and future residents.</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>It is intended that the proposed lots will encourage diversity in primary industry enterprises and systems appropriate for the area.</p>
<p><i>To minimise the fragmentation and alienation of resource lands.</i></p>	<p>Consistent. The proposed geotechnical investigations do not constitute a significant scope of physical works for Site, do not include any built form works and would not require any subdivision works to be undertaken.</p> <p>It is therefore considered that these geotechnical investigations would not lead to land fragmentation within the Site or the broader locality.</p>
<p><i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i></p>	<p>Consistent. The surrounding lots are also zoned RU1 Primary Production and are therefore surrounded by similar rural residential development, which in turn minimises conflict between land uses within this zone and adjoining zones.</p>
<p><i>To protect and enhance the biodiversity of Yass Valley.</i></p>	<p>Consistent. As indicated on Council's LEP Terrestrial Biodiversity Map there are areas within the subject site that have been identified/ mapped as having biodiversity concerns.</p> <p>The proposed building envelope and access ways will occupy cleared sections of the subject site which is relatively void of significant vegetation (refer <b>Figure 2.1</b>).</p> <p>The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land.</p> <p>Specifically, any potential biodiversity removal is limited to:</p> <ul style="list-style-type: none"> <li>• The construction of the new accessway to give legal and physical access to proposed Lot 1 as per the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</li> <li>• The future building envelope on proposed Lot 1, this includes the implementation and maintenance of the Asset Protection Zones (APZs) as per the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer <b>Appendix C</b>),</li> </ul>



	<p>It is noted there is no potential clearing of remnant trees within the areas listed above, therefore demonstrating the proposed development is actively protecting and enhancing the environmental and biodiversity values of Yass Valley.</p> <p>Further to that and during the construction phase of the proposed development, to ensure there are no adverse environmental impacts, the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.</p> <p>The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.</p> <p>It is expected the proposed development will encourage the introduction of further vegetation to assist with privacy screening and to create a more appealing visual amenity.</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP and other Government agencies, has minor and manageable environmental impacts and is compatible with the existing and desired local area character.</p>
<i>To protect the geologically significant areas of Yass Valley.</i>	Not Applicable. The subject land is not listed as a geographically significant area of Yass Valley.
<i>To maintain the rural character of Yass Valley.</i>	<p>Complies. Whilst the subject site is not within the village of Gundaroo, it is located nearby in an area where local character is embraced.</p> <p>Local character is what makes a place or area distinctive or unique. Local character is the combination of multiple factors, which relate to the area's history, built form, public and private spaces, community values and how they connect to a place.</p> <p>The proposed subdivision responds to the character of Gundaroo Village 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>To encourage the use of rural land for agriculture and other forms of development that are associated with rural industry or that require an isolated or rural location.</i></p>	<p>Consistent. The proposed subdivision is creating rural residential lots that will encourage the use of rural land for agriculture and other forms of development that are associated with rural industry or that require an isolated or rural location.</p>
<p><i>To ensure that the location, type and intensity of development is appropriate, having regard to the characteristics of the land, the rural environment and the need to protect significant natural resources, including prime crop and pasture land.</i></p>	<p>Consistent. The proposed development has taken into consideration the location, type and intensity of development whilst also having regard to the characteristics of the land and the rural environment.</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>It is intended that the proposed lots will encourage diversity in primary industry enterprises and systems appropriate for the area.</p>
<p><i>To prevent the subdivision of land on the fringe of urban areas into small lots that may prejudice the proper layout of future urban areas.</i></p>	<p>Consistent. The proposed subdivision, whilst nearby to Gundaroo Village will not produce small lots that may prejudice the proper layout of future urban areas.</p>



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**Figure 2.2: Land Zoning Map** (Source: NSW Government Planning Portal Spatial Viewer, August 2025)

## TABLE 3 - OBJECTIVES OF CLAUSE 4.1B – SUBDIVISION USING AVERAGE LOT SIZES

The subject site has a minimum lot size of 40ha (refer **Figure 2.3**).

The following table demonstrates that the proposed two (2) Lot Torrens Title Rural Residential Subdivision is consistent with the objectives and controls of Clause 4.1B – Subdivision using Average Lot Sizes.

OBJECTIVES OF CLAUSE 4.1B – SUBDIVISION USING AVERAGE LOT SIZES	COMPLIANCE
<p>(1) <i>The objectives of this clause are to facilitate alternative subdivision controls that—</i></p> <p><i>(a) maintain the rural character of the Yass Valley, and</i></p>	<p>Complies. The proposed two (2) Lot Torrens Title Rural Residential Subdivision minimises any likely impact on the amenity of neighbouring properties, it will not generate any unacceptable adverse environmental impacts in respect of overshadowing, view loss or privacy impacts.</p> <p>It is noted the proposed development is situated in the locality of Gundaroo. The proposed subdivision layout responds to the characteristics of the site and the surrounding environment as illustrated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>It is demonstrated the proposal will not result in any adverse environmental impacts notwithstanding being located on BFPL. The proposed development has been designed to take into account the existing land uses and has been able to retain efficient and productive-sized allotments, maintaining the opportunity for sustainable rural residential development.</p> <p>The proposed subdivision has taken a holistic and sustainable approach to the development with the intention of creating a development that offers productive sized lots delivering a better environmental planning outcome for Gundaroo and Yass Valley LGA as a whole.</p> <p>The proposed subdivision will not impact on either the built or natural environment in any substantial way. In this regard:</p> <ul style="list-style-type: none"> <li>❖ It will not result in any substantial changes to the established streetscape qualities of the area;</li> <li>❖ The act of subdividing will not directly impact on neighbouring properties. It is determined a future dwelling house will have good separation distances to adjoining dwellings.</li> <li>❖ The act of subdividing will not result in any substantial changes to traffic volumes in the locality.</li> </ul>

- ❖ Subdividing the site will not necessitate the removal of any existing important vegetation.

Whilst the subject site is not within a village in Yass Valley, it is located in an area where local character is embraced.

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.

The proposed subdivision responds to the character of the Gundaroo locality and is consistent with the relevant planning controls that are identified later in this Statement.

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.

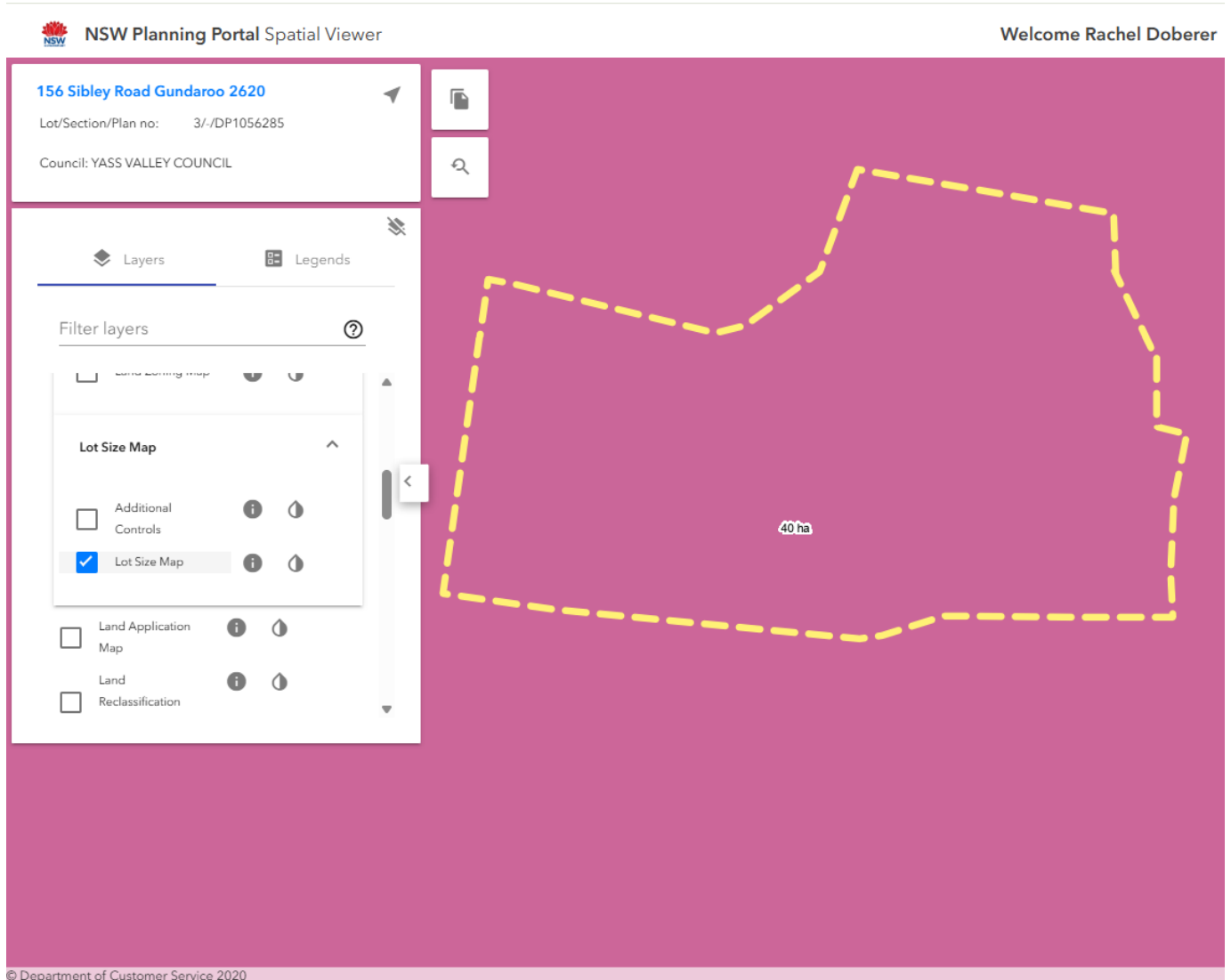
*(b) facilitate a subdivision design that takes into consideration the environmental and agricultural values of the land and best protects those values*

Complies. The proposed subdivision development is seeking Council consent for the creation of two lots with an average minimum lot size of 41.93, the detail of which is tabulated below and illustrated on the Proposed Plan of Subdivision (refer **Appendix A**).

LOT NUMBER	LOT SIZE (HA)	COMPLIES WITH AVERAGE MLS CONTROLS
Proposed Lot 1	20	Yes
Proposed Lot 2	63.85	Yes

The proposed subdivision is consistent with the aims and objectives of the YVLEP2013. The proposal will facilitate development in accordance with the YVLEP2013 and will deliver allotments that can facilitate a variety of housing products to provide variety and attract buyers at different price points in the market.

It is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have no adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.



**Figure 2.3: Lot Size Map** (Source: NSW Government Planning Portal Spatial Viewer, August 2025)



## TABLE 4 – RELEVANT PLANNING CONTROLS

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

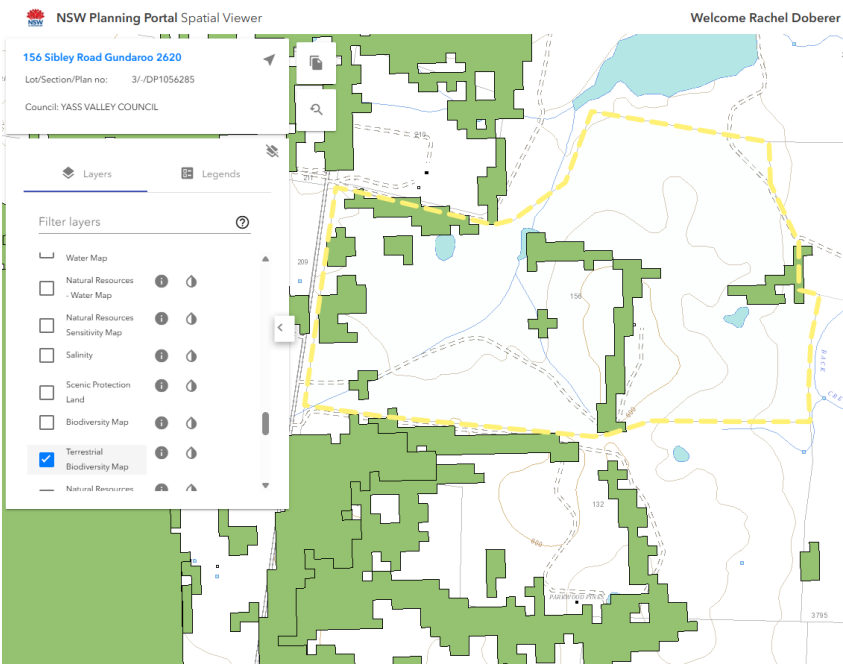
PLANNING CONTROLS	COMPLIANCE									
Clause 2.1 Land Use zones	Complies. The subject site is zoned RU1 Primary Production. The subdivision of land within this zone is permissible with development consent.									
Clause 2.6 Subdivision – consent requirements	Complies. The subject site is zoned RU1 Primary Production. The subdivision of land within this zone is permissible with development consent.									
Clause 4.1 Minimum Subdivision Lot Size	<p>Complies. The proposed subdivision development is seeking Council consent for the creation of two lots with an average minimum lot size of 41.93, the detail of which is tabulated below and illustrated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>Each of the proposed lots are compliant with the minimum lot size controls as prescribed by the YVLEP2013. Proposed Lot 1 comprises a suitably dimensioned building zone within which a dwelling, APZs and all ancillary infrastructure can be contained.</p> <table><tr><th>LOT NUMBER</th><th>LOT SIZE (HA)</th><th>COMPLIES WITH AVERAGE MLS CONTROLS</th></tr><tr><td>Proposed Lot 1</td><td>20</td><td>Yes</td></tr><tr><td>Proposed Lot 2</td><td>63.85</td><td>Yes</td></tr></table> <p>The proposed subdivision is consistent with the aims and objectives of the YVLEP2013. The proposal will facilitate development in accordance with the YVLEP2013 and will deliver allotments that can facilitate a variety of housing products to provide variety and attract buyers at different price points in the market.</p> <p>It is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have no adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.</p>	LOT NUMBER	LOT SIZE (HA)	COMPLIES WITH AVERAGE MLS CONTROLS	Proposed Lot 1	20	Yes	Proposed Lot 2	63.85	Yes
LOT NUMBER	LOT SIZE (HA)	COMPLIES WITH AVERAGE MLS CONTROLS								
Proposed Lot 1	20	Yes								
Proposed Lot 2	63.85	Yes								

	<p>The proposed subdivision is consistent with the aims and objectives of the YVLEP2013. The proposal will facilitate development in accordance with the YVLEP2013 and will deliver allotments that can facilitate a variety of housing products to provide variety and attract buyers at different price points in the market.</p> <p>It is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have no adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.</p>
<p><i>Clause 4.1C Additional requirements for subdivision in certain rural zones</i></p>	<p>Complies. The proposed development application has been prepared in respect to the biodiversity of the site, onsite wastewater reports, bushfire assessment, natural topography, vista's amenities, buffer zones and accessibility.</p> <p>These factors have determined that there is sufficient land available for the construction of a future new dwelling and associated infrastructure on the proposed lots, with no adverse effects to be felt on the biodiversity of the site. As a result, there will be minimal native vegetation removal required to achieve this subdivision.</p> <p>There are areas within the subject lot that have been highlighted as having biodiversity sensitivities as discussed further below, however, with sufficient land free of constraints on proposed Lots 1 &amp; 2, there will be minimal to no effect on the existing biodiversity as a result of this subdivision.</p> <p>If any of the future lot owners wish to utilise the dual occupancy entitlement, there is sufficient land on each lot to accommodate an additional residence and associated infrastructure without affecting the biodiversity of the site, noting this would be subject to a future development application.</p> <p>The subject land does not have an agricultural land classification of either Class 1 or 2 as identified on the mapping prepared by NSW Department of Primary Industries. The land is currently being utilised as a rural lot and it is intended that the land use will remain the same after the subdivision. Subdividing the land into two separate holdings will not limit the land with respect to its current agricultural potential.</p>
<p><i>Clause 4.3 Height of buildings</i></p>	<p>Not applicable. The subject site is not identified on the Height of Buildings Map within the YVLEP2013.</p>
<p><i>Clause 4.4 Floor space ratio</i></p>	<p>Not applicable. The subject site is not identified on the Floor Space Ratio Map within the YVLEP2013.</p>

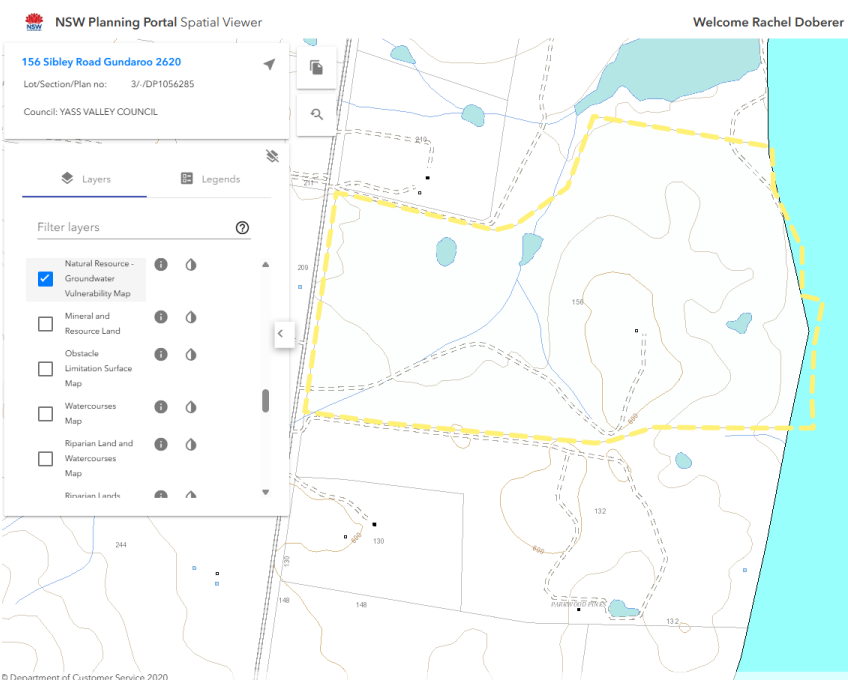
<p><i>Clause 5.10 Heritage conservation</i></p>	<p>Consistent. The subject land is not identified as a heritage item in the YVLEP2013 to which this land relates. Within the LEP, a review of the heritage items reveals that adjoining allotments are also not classed as items of heritage value.</p> <p>Therefore, it is considered that the proposal will not impact on any adjoining heritage items.</p> <p>According to the Office of Environment and Heritage website, there are no identified aboriginal relics or aboriginal heritage items located on the property.</p> <p>The farming techniques carried out on this property for generations, included grazing and cropping have altered the landscape, making it difficult to believe any objects of significance would exist in situ.</p> <p>However, if any items are found during construction, construction works shall cease, and the Department shall be notified.</p> <p>The proposed development is considered to have a neutral relationship to the streetscape of Sibley Road which will not impact upon the setting of the existing buildings along Sibley Road and the neighbouring streets.</p> <p>It is considered the proposal is consistent with the surrounding development in terms of compatibility with the Yass Local Environmental Plan 2013, as outlined in CL5.10.</p> <p>Accordingly, the subject development application warrants approval from a heritage perspective.</p>
<p><i>Clause 5.21 Flood planning</i></p>	<p>Not applicable. The subject site is not identified on the Flood Planning Map within the YVLEP2013.</p>
<p><i>Clause 6.1 Earthworks</i></p>	<p>Complies. As part of the delivery of the proposed development, it is proposed to create a two (2) Lot Rural Residential Torrens Title Subdivision as indicated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>The objective of Clause 6.1 is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural 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"> <li>• The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the</li> </ul>

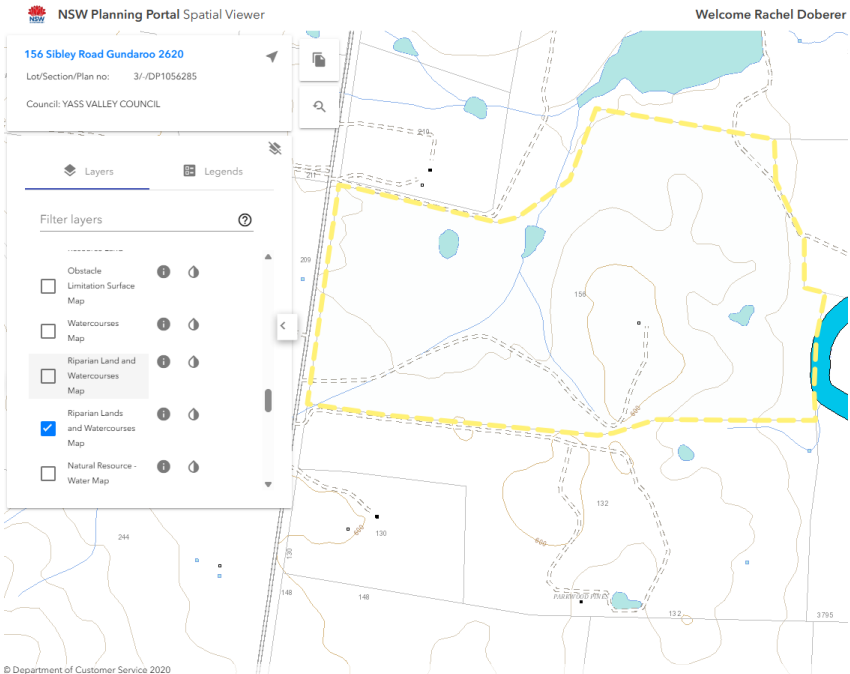
	<p>development.</p> <ul style="list-style-type: none"> <li>• The effect of the development on the likely future use or redevelopment of the land.</li> <li>• The quality of the fill or the soil to be excavated, or both.</li> <li>• The effect of the development on any existing and likely amenity of adjoining properties.</li> <li>• The source of any fill material and the destination of any excavated material.</li> <li>• The likelihood of disturbing relics.</li> <li>• The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area.</li> <li>• Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</li> </ul> <p>The extent of bulk earthworks on the subject site has been minimised as much as practicable through careful design of the vertical and horizontal geometry of the lot.</p> <p>It is anticipated that given the purpose, nature and extent of excavation, that conventional methods of ancillary earthworks are able to be employed and that subject to the design of the works there will be minimal adverse impacts to the drainage, flooding or to adjoining properties.</p> <p>The proposed works will involve the installation of a number of sediment and erosion control measures to address any potential impacts associated with the development. These measures will be in place for the duration of the construction phase to avoid, minimise and mitigate any impacts that could potentially occur.</p> <p>These measures may include:</p> <ul style="list-style-type: none"> <li>• A temporary site security/ safety fence to be constructed around the site;</li> <li>• Sediment fencing provided downstream of disturbed areas, including any topsoil stockpiles;</li> <li>• Dust control measures including covering stockpiles, installing fence hessian and watering exposed areas;</li> <li>• Placement of hay bales or mesh and gravel inlet filters around and along proposed catch drains and around stormwater inlet pits.</li> </ul> <p>Due to the existing condition of the land and the overall outcome of the proposal, it is expected that the proposed development will not cause any disruption or have any detrimental effect on the drainage patterns or the soil stability of the site. On this basis, the objectives of Clause 6.1 would not be compromised.</p>
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<p><i>Clause 6.3 Terrestrial biodiversity</i></p>	<p>Consistent. As indicated on Council's LEP Terrestrial Biodiversity Map there are areas within the subject site that have been identified/ mapped as having biodiversity concerns (refer <b>Figure 2.4</b>).</p> <p>The proposed building envelope and access ways will occupy cleared sections of the subject site which is relatively void of significant vegetation (refer <b>Figure 2.1</b>).</p> <p>The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land.</p> <p>Specifically, any potential biodiversity removal is limited to:</p> <ul style="list-style-type: none"> <li>• The construction of the new accessway to give legal and physical access to proposed Lot 1 as per the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</li> <li>• The future building envelope on proposed Lot 1, this includes the implementation and maintenance of the Asset Protection Zones (APZs) as per the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer <b>Appendix C</b>),</li> </ul> <p>It is noted there is no potential clearing of remnant trees within the areas listed above, therefore demonstrating the proposed development is actively protecting and enhancing the environmental and biodiversity values of Yass Valley.</p> <p>Further to that and during the construction phase of the proposed development, to ensure there are no adverse environmental impacts, the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.</p> <p>The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.</p> <p>It is expected the proposed development will encourage the introduction of further vegetation to assist with privacy screening and to create a more appealing visual amenity.</p> <p>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>
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	 <p><b>Figure 2.4: Terrestrial Biodiversity Map</b> (Source: NSW Government Planning Portal Spatial Viewer, August 2025)</p>
<p><i>Clause 6.4 Groundwater vulnerability</i></p>	<p>Complies. As indicated on Council’s LEP Groundwater Vulnerability Map (refer <b>Figure 2.5</b>), the subject land has not been highlighted as having groundwater vulnerability.</p> <p>However, as we are proposing to subdivide the subject lot, creating two individual Lots, A Site &amp; Soil Assessments for On-site Effluent Disposal have been prepared by Land Capability Services dated July 2025 (refer <b>Appendix B</b>).</p> <p>This report confirms there is adequate available space for effluent disposal within the proposed building envelope for proposed Lot 1.</p> <p>The conclusion and following recommendations within the consultant reports are detailed in Part 1.5.3 of this Statement. A brief of the overall recommendation is:</p> <p><i>‘This report provides site and soil assessment for on-site effluent disposal at the applicant’s proposed new subdivision. The report focuses on the land in proximity to the proposed building envelope.</i></p> <p><i>Other areas within the proposed subdivision may also be suitable for on-site effluent disposal pending further investigation at building DA stage. A four-bedroom dwelling is assumed. An Aerated Wastewater Treatment System (AWTS) is proposed.</i></p> <p><i>An AWTS coupled with surface or subsurface irrigation provides a suitable form of effluent treatment for the site and soil characteristics of the land in question.’</i></p>



	 <p><b>Figure 2.5: Natural Resource Groundwater Vulnerability Map</b> (Source: NSW Government Planning Portal Spatial Viewer, August 2025)</p> <p>It is to be noted, the recommended irrigation area for proposed Lot 2 is 400m<sup>2</sup>. This area can be contained to the proposed building envelope.</p> <p>Further, the proposed key management measures to minimise the potential for any adverse groundwater impacts include the implementation of erosion and sediment control measures and stabilization of all drainage lines.</p>
<p><i>Clause 6.5 Riparian land and watercourses</i></p>	<p>Complies. The subject site is mapped on the Riparian Land and Watercourses map within the YVLEP2013 (refer <b>Figure 2.6</b>).</p> <p>The proposed development does not involve any earthworks within the vicinity of watercourses drainage depressions or their environs.</p> <p>The proposed building envelope is not located within the buffers required from the 1<sup>st</sup> and 2<sup>nd</sup> order Streams which intersect the property, or the minor drainage depressions and dams which would require buffers from effluent disposal practices and presents a constraint to dwelling construction.</p> <p>It is noted the development will not have any adverse impact on the following:</p> <ul style="list-style-type: none"> <li>• Water quality and flows within the watercourse;</li> <li>• Aquatic and riparian species, habitats and ecosystems of the watercourse;</li> </ul>

	<ul style="list-style-type: none"> <li>• The stability of the bed and banks of the watercourse;</li> <li>• The free passage of fish and other aquatic organisms within or along the watercourse</li> <li>• Any future rehabilitation of the watercourse and riparian areas.</li> </ul>  <p><b>Figure 2.6: Riparian Lands and Watercourses Map</b> (Source: NSW Government Planning Portal Spatial Viewer, June 2025)</p> <p>It is anticipated, that this development, with the correct controls in place, will not have any detrimental effects to the Riparian Land and Watercourse.</p>
Clause 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 Soils Map within the YVLEP2013.
Clause 6.8 Essential services	<p><i>the supply of water,</i></p> <p>Proposed Lot 2 has existing rainwater tanks plumbed to the existing Shed/ Dwelling House. Lot 1 also has existing dams to supply water for farm use, bushfire protection and irrigation.</p> <p>It is expected proposed Lot 1 will install rainwater tank(s) at construction stage for a dwelling house. Lot 2 also has an existing dam to supply water for farm use, bushfire protection and irrigation.</p>

*the supply of electricity,*

Proposed Lot 1 has an existing power supply servicing the existing shed/ dwelling house coming of EE Power Pole CE92651 (refer **Figure 2.7**).

Proposed Lot 1 has access to EE Power Pole CE217460 (refer **Figure 2.8**). It is noted this supply is high voltage and additional works will be required to supply low voltage at the construction stage for a dwelling house.



**Figure 2.7: Existing Essential Energy Infrastructure Servicing Proposed Lot 2** (Source: Essential Energy Network Information Portal, August 2025).



**Figure 2.8: Existing Essential Energy Infrastructure Servicing Proposed** (Source: Essential Energy Network Information Portal, August 2025).

*the disposal and management of sewage,*

Proposed Lot 2 has an existing on-site wastewater treatment system servicing the existing Shed/ dwelling house that is working efficiently.

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

*stormwater drainage or on-site conservation,*

The proposed subdivision development will have minimal effect on the existing natural overland flow path for stormwater runoff.

All appropriate stormwater drainage techniques are existing and are intended to remain in place.

*suitable vehicular access,*

Proposed Lot 2 has an existing legal and physical access of Sibley Road that is in good condition, however may need upgrade works to meet Councils Specifications (refer **Figure 2.9**).


Proposed Lot 1 will require the construction as per Councils Controls/ Specifications of a new property access as indicated on the Proposed Plan of Subdivision (refer **Appendix A**).

It is noted Sibley Road is a well-formed Council maintained sealed no through road (refer **Figure 2.10**).



**Figure 2.9: Existing Access to Proposed Lot 2** (Source Google Maps Street View, August 2025)



	 <p><b>Figure 2.10: Well-formed Public no through Sibley Road</b> (Source: Google Maps Street View, August 2025)</p> <p><i>connection to a communications network with voice or data capability (or both).</i></p> <p>Proposed Lot 2 has an existing connection to the NBN Satellite mobile telecommunications network servicing the existing shed/ dwelling house.</p> <p>Proposed Lot 1 will connect to the existing available infrastructure being, NBN Satellite mobile telecommunications network upon the construction of a dwelling house.</p>
<p><b>6.9 Development within a designated buffer area</b></p>	<p>Not Applicable. The subject site is not identified on development within a designated buffer area Map within the YVLEP2013.</p>
<p><b>6.10 Development on land intended to be acquired for Barton Highway duplication</b></p>	<p>Not Applicable. The subject site is not identified on the Barton Highway duplication Map within the YVLEP2013.</p>

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

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

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

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

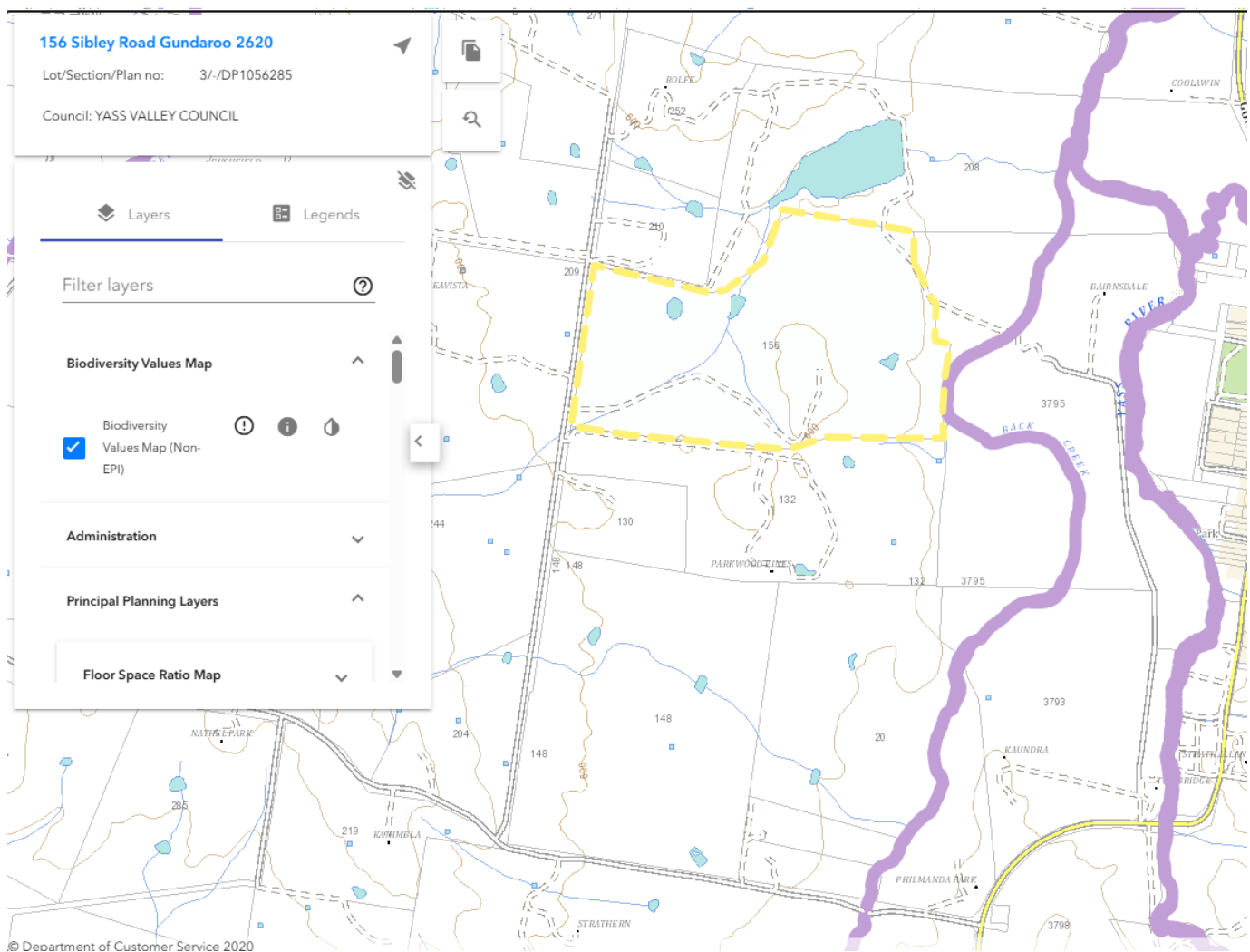
1. Will involve clearance of native vegetation (including trees, understory plants, groundcover plants, and wetland plants) or a prescribed impact (as set out in Clause 6.1 of the BC Regulation on land identified on the Biodiversity Values Map; and'/ or
2. Will exceed the native vegetation clearance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

The subject lot is mapped on the Biodiversity Values Map (refer **Figure 2.11**), however it is important to note, any potential areas of native vegetation disturbance are not located in this area. This area is contained to Back Creek which runs along a portion of the eastern boundary of the subject lot.

As demonstrated below, the proposed development of the subject land will not clear greater than the threshold level of native vegetation, being 1ha (10000m<sup>2</sup>), and as such does not trigger the requirement for a BDAR.

A detailed assessment of the potential native vegetation clearing is listed/ demonstrated and tabulated below.





**Figure 2.11: Biodiversity Values Map** (Source: NSW Government Planning Portal Spatial Viewer, August 2025)

### 2.2.1 Access Tracks

Proposed Lot 2 has an existing access track in place traversing open grasslands servicing the existing shed/ dwelling house that requires no further works/ upgrading to remain trafficable (refer **Figure 2.12**).



**Figure 2.12: Existing Access Track on Proposed Lot 1** (Source: Google Earth Aerial Imagery, August 2025)

The future access track to proposed Lot 1 covers primarily open grasslands which involves no clearing of large remnant vegetation. The length of the new internal track is 250m with an expected pavement width of 4m, the total area of impact has been calculated to be 1000m<sup>2</sup>.

The total potential native vegetation clearing for the access track to the future building envelope for proposed Lot 1 is **1000m<sup>2</sup>**.

### 2.2.2 Fencing

The proposed subdivision adopts existing fencing that is in an acceptable condition and considered stock proof/ meets Council's standards.

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

### 2.2.3 Access Entrances/ New Road

Proposed Lot 2 has an existing access off Sibley Road that may require some upgrade works to meet Councils requirements/ specifications, however the formation is already established (refer **Figure 2.9**). It is noted that whilst upgrade works may be required, the extent of formation of the access is in place and there will be no impact to any existing vegetation.

Proposed Lot 1 will require the construction of a new accessway to provide legal and physical access. The general allowable area of works for this works is 20m x 20m, therefore the total area of potential impact has been calculated to be 400m<sup>2</sup>.

The total potential native vegetation clearing required for the existing access entrances is **400m<sup>2</sup>**.

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

The Asset Protection Zone (APZ) setbacks required for proposed Lots 1 and 2 (refer **Figures 2.13 to 2.15**) within the proposed subdivision have been calculated using the recommendations in the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer **Appendix C**). This report concludes the following:

*Table 5 details the BAL-12.5 APZ dimensions required as a component of the performance-based design for access and isolated subdivision, as per Table A1.12.2 PBP (2019)*

**Table 5- Lots 1 and 2 APZ setback and BAL requirements**

Lot	Aspect	Vegetation Formation	Slope	APZ Setback	Max Radiant Heat
1	N	Grassland	0° - <5° Downslope	26 m	12.5 kW/m <sup>2</sup>
1	E	Grassland	0° - <5° Downslope	26 m	12.5 kW/m <sup>2</sup>
1	S	Grassy Woodland	Flat / upslope	26 m	12.5 kW/m <sup>2</sup>
1	W	Grassy Woodland	Flat / upslope	26 m	12.5 kW/m <sup>2</sup>
2	N	Grassland	0° - <5° Downslope	12 m	29 kW/m <sup>2</sup>
2	E	Grassland	>5° - <10° Downslope	13 m	29 kW/m <sup>2</sup>
2	S	Grassland	0° - <5° Downslope	12 m	29 kW/m <sup>2</sup>
2	W	Grassland	>5° - <10° Downslope	13 m	29 kW/m <sup>2</sup>

**Figure 2.13: Required BAL-12.5 APZ Dimensions for Proposed Lots 1 and 2 2** (Source: Ember Bushfire Consulting, August 2025)



## 2.6 LOT 1 BUSHFIRE HAZARD ANALYSIS

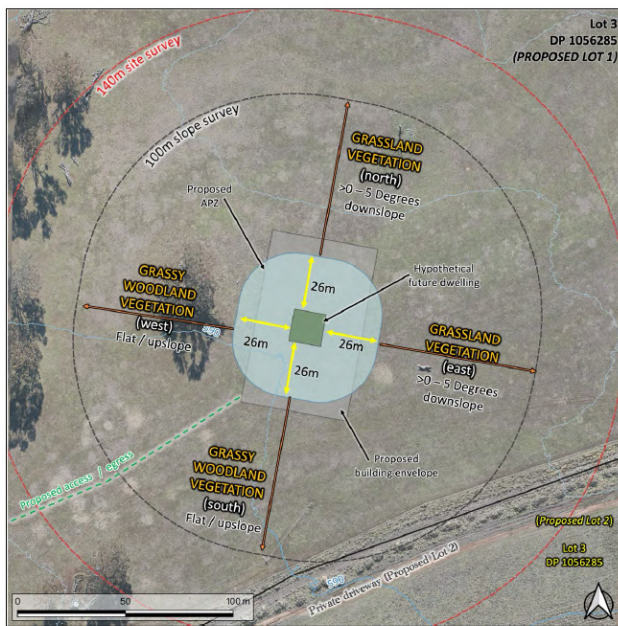


Figure 7 – Showing proposed 12.5 kW/m² APZ setback distances, vegetation classification and slope for Lot 1. Indicative only, not to scale (TANX Environmental, 2025)

### HAZARD and APZ ASSESSMENT:

#### Vegetation Classification

Grassy Woodland (South and West) and Grassland (North and East).

#### Distances required for the creation of APZ setbacks.

The distances below are the minimum setbacks required for a BAL-12.5 APZ, measured from the future dwelling (assumed 15m x 15m) to surrounding unmanaged vegetation to ensure a maximum radiant heat flux of no greater than 12.5 kW/m².

North – 26 m

East – 26 m

South – 26 m

West – 26 m

July 28, 2025

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S100b Rural Residential Sub 4.24

**Figure 2.14: Proposed Lot 1 APZ Setbacks** (Source: Ember Bushfire Assessment Report, August 2025)

## 2.7 LOT 2 EXISTING RESIDENCE BUSHFIRE HAZARD ANALYSIS

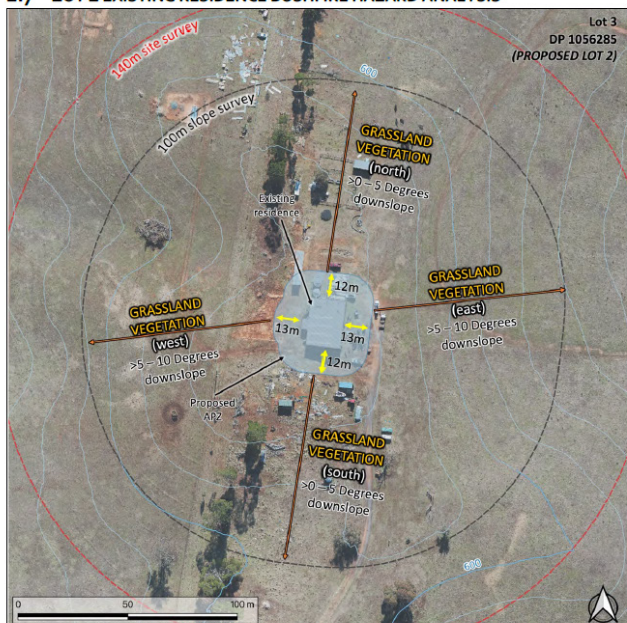


Figure 11 – Showing proposed 29 kW/m² APZ setback distances, vegetation classification and slope for the existing residence on proposed Lot 2. Indicative only. Not to scale. (TANX Environmental, 2025)

### HAZARD and APZ ASSESSMENT:

#### Vegetation Classification

Grassland (North, East, South and West)

#### Distances required for the creation of APZ setbacks.

The distances below are the minimum setbacks required for a BAL-29 APZ, measured from the existing dwelling to hazard vegetation to ensure a maximum radiant heat flux of no greater than 29 kW/m².

North – 12 m

East – 13 m

South – 12 m

West – 13 m

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S100b Rural Residential Sub 4.24

**Figure 2.15: Proposed Lot 2 APZ Setbacks** (Source: Ember Bushfire Assessment Report, August 2025)

Based on the comments within the Bushfire Assessment Report (refer **Appendix C**) it has been determined that the required APZs for proposed Lots 1 and 2 are existing/ can be contained within the proposed building envelope/ area.

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

### **2.2.5 Building Envelope**

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

It is anticipated that the proposed building envelope will house an onsite wastewater facility and ancillary structures in addition to a dwelling/ house and the APZ. As a result, the entire area within the proposed building envelope has been considered within the calculation.

The total potential native vegetation clearing required to be implemented for the proposed building envelope is 4000m<sup>2</sup>.

### **2.2.6 Electricity/ Telecommunications**

Proposed Lot 1 has an existing power supply servicing the existing shed/ dwelling house coming of EE Power Pole CE92651 (refer **Figure 2.7**).

Proposed Lot 1 has access to EE Power Pole CE217460 (refer **Figure 2.8**). It is noted this supply is high voltage and additional works will be required to supply low voltage at the construction stage for a dwelling house.

The planned technology for the subject site by the Statutory Infrastructure Provider (SIP) is via NBN Satellite. Proposed Lot 1 is currently connected to this infrastructure. It is expected this technology will be installed for proposed 2 at the stage of the construction of a dwelling house.

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

### **2.2.7 Onsite Effluent Disposal**

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

The total potential native vegetation clearing required to implement the onsite effluent disposal for proposed Lot 1 will be 0m<sup>2</sup>.

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

Taking the above into consideration, a total area of native vegetation clearing for the proposed development has been calculated at **5400m<sup>2</sup>**.

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



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

ITEM OF WORKS	LOT(S)	NOTES	AREA OF POTENTIAL NATIVE VEGETATION REMOVAL
Access Track	1 2	250m x 43 Existing	250m <sup>2</sup> 0m <sup>2</sup>
Fencing	1 2	Existing Existing	0m <sup>2</sup> 0m <sup>2</sup>
Access Entrance	1 2	20m x 20m Existing	400m <sup>2</sup> 0m <sup>2</sup>
Asset Protection Zones (APZ's)	1 2	Contained within the BE Existing	0m <sup>2</sup> 0m <sup>2</sup>
Building Envelope (BE)	1 2	4000m <sup>2</sup> 0m <sup>2</sup>	4000m <sup>2</sup> 0m <sup>2</sup>
Electricity/ Telecommunications	1 2	Existing/ Existing Mobile NBN Satellite Coverage Existing/ Mobile NBN Satellite Coverage	0m <sup>2</sup> 0m <sup>2</sup>
Onsite Wastewater Disposal	1 2	(400m <sup>2</sup> ) Contained within the BE Existing	0m <sup>2</sup> 0m <sup>2</sup>
<b>TOTAL AREA OF POTENTIAL CLEARING</b>			<b>5400m<sup>2</sup></b>

## 2.3 DEVELOPMENT CONTROL PLAN

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

### Yass Valley Development Control Plan 2013 (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 C2 – Large Lot Residential, Rural and Environmental Subdivision Controls
- Part E – Rural, Large Lot and Environmental Zone Development
- Part H – Development in Hazard Affected Areas
- Part I – Carparking and Access
- Part K – Natural Resources

**TABLE 6 – COMPLIANCE WITH THE YVDCP2024**

PART B – PRINCIPLES FOR ALL DEVELOPMENT	
CONTROLS	COMPLIANCE
<b>B1 Sustainability</b> <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>Complies. 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 development 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 proposed development.</p>

<p><b>B2 Site Suitability</b></p> <p><i>All development applications are assessed on their individual merits and take account of, amongst other things, the suitability of the site for the proposed development.</i></p>	<p>Complies. The proposed development represents a coordinated approach to rural infill development, through the efficient use of land and the enabling of housing choice which supports higher levels of amenity and accessibility.</p> <p>The site is considered to be well positioned to cater for a mixed demographic of groups likely to be attracted to regional rural living.</p> <p>The proposed building envelopes have been positioned to be clear of any constraints primarily bushfire, salinity, drainage, effluent disposal and large remnant vegetation/ trees.</p> <p>The suitability of the site for the proposed development is considered to be found consistent with Councils standards for infill development of rural residential land, specifically being respectful to the topography and neighbourhood to which the proposed development relates.</p>
<p><b>B3 Site Analysis Plan</b></p> <p><i>All applications must be accompanied by a site analysis plan.</i></p>	<p>Complies. The proposed Plan of Subdivision demonstrates the location of the proposed building envelopes noting it has taken into consideration any site constraints as mentioned in B1 above (refer <b>Appendix A</b>).</p> <p>The scale of the development has been derived from planning controls and desires a high degree of amenity for future residents.</p>
<p><b>B4 Crime Prevention and Safety</b></p> <p><i>Good design optimises safety in development which can lead to a reduction in crime and improve overall safety and liveability. The principles of crime prevention through design seek to minimise preventable crime by considering crime opportunities in the development design phase. Design that encourages effective surveillance, controls access and maintains a high standard in the public realm has positive cumulative effect in crime prevention and reduction.</i></p>	<p>Not applicable. The proposed development is for the subdivision of land only. This aspect will be considered upon the preparation of a DA for the future built form.</p>

<p><b>B5 Neighbourhood Character</b></p> <p><i>Each neighbourhood is unique and its characteristics assist people in finding their way and contributes to a sense of community and belonging. It is important that development is respectful of, and responsive to, the individual character of each neighbourhood.</i></p>	<p>Complies. The proposed development is recognised as infill residential development that is sympathetic to the existing streetscape and neighbourhood character.</p> <p>The proposed development responds to the neighbourhood character of the Gundaroo locality and is consistent with the relevant planning controls that are identified 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 neighbourhood character to which the subject land relates.</p>
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## PART C – SUBDIVISION CONTROLS

CONTROLS	COMPLIANCE
<p><b>C1 Layout</b></p> <p><i>To ensure that the layout of subdivisions considers landform, topography with all necessary services considered at design stage.</i></p>	<p>Complies. The proposed subdivision has been designed to reflect the adjacent settlement patterns, land uses and character also taking into account the topography of the land and existing fencing to minimise the potential for extensive earthworks and vegetation removal.</p> <p>The proposed subdivision recommends a building envelope that takes into consideration all constraints and provides for a sufficient sized area (4000m<sup>2</sup>) that will contain any future dwelling house, ancillary structures and the calculated Asset Protection Zones (<b>APZs</b>).</p>
<p><b>C2 Staging</b></p> <p><i>To ensure that each stage in a progressive subdivision takes account of subsequent stages and development potential of adjoining land.</i></p>	<p>Not applicable. The proposed subdivision does not include staging of the development.</p>

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

CONTROLS	COMPLIANCE
<p><b>C2.1 Buffers</b></p> <p><i>To minimise potential land use conflict and protect the right to farm and enjoyment of individual properties.</i></p>	<p>Complies. The proposed Lot Layout and proposed Building Envelope allows for the appropriate distance to minimise any potential land use conflicts.</p> <p>The proposed building envelope enables the appropriate separation of more than 100m to another existing/ future</p>

	dwelling house on an adjoining lot.
<b>C2.2 Fences</b>  <i>To ensure that fences are provided in accordance with the existing landscape and suitable for the location in which they are located.</i>	<p>Complies. The proposed subdivision development adopts existing fencing that fits with the existing landscape and is suitable for the location in which it is located.</p>
<b>C2.3 Access</b>  <i>To ensure that each allotment is provided with a legal, adequately designed and located access.</i>	<p>Proposed Lot 2 has an existing legal and physical access of Sibley Road that is in good condition, however, may need upgrade works to meet Councils Specifications (refer <b>Figure 2.9</b>).</p> <p>Proposed Lot 1 will require the construction as per Councils Controls/ Specifications of a new property access as indicated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>It is noted Sibley Road is a well-formed Council maintained sealed no through road (refer <b>Figure 2.10</b>).</p>
<b>C2.4 Road Design</b>  <i>To ensure that the design and placement of roads minimises environmental impact and is suitable for the landscape and topography.</i>	<p>Not applicable. The proposed subdivision does not include the construction/ dedication of new road.</p>
<b>C2.5 Stormwater</b>  <i>To ensure that subdivisions in non-urban areas are provided with adequate drainage in an appropriate manner.</i>	<p>The proposed subdivision development will have minimal effect on the existing natural overland flow path for stormwater runoff.</p> <p>All appropriate stormwater drainage techniques are existing and are intended to remain in place.</p>
<b>C2.6 Essential Services</b>  <i>To ensure that non-urban subdivisions are provided with adequate essential services having regard to their location and intended use.</i>	<p>Complies. Please see response to Clause 6.8 in Table 4 of this Statement.</p>
<b>C2.7 Bushfire prone land</b>  <i>To protect life and property in the event of a bushfire by appropriate design of non-urban subdivisions.</i>	<p>Complies. The Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer <b>Appendix C</b>) confirms the proposed development meets the requirements of PBP 2019.</p> <p>This is detailed throughout this Statement and more specifically within Part 1.5.4 and Table 7 – Integrated Development.</p>

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

CONTROLS	COMPLIANCE
<p><b>E1 Siting of Buildings</b></p> <p><i>To ensure that developments are sited in a manner to not dominate the rural landscape and minimise landuse conflict potential.</i></p>	<p>Complies. Whilst this DA is not for the construction of a dwelling house, the proposed building envelope has been positioned accordingly to take into consideration all constraints.</p> <p>The specific position of a dwelling house will be determined upon the preparation of a future DA for a dwelling house.</p>
<p><b>E2 Access</b></p> <p><i>To ensure that all developments are provided with safe and legal access that does not impede traffic movement.</i></p>	<p>Proposed Lot 2 has an existing legal and physical access of Sibley Road that is in good condition, however, may need upgrade works to meet Councils Specifications (refer <b>Figure 2.9</b>).</p> <p>Proposed Lot 1 will require the construction as per Councils Controls/ Specifications of a new property access as indicated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>It is noted Sibley Road is a well-formed Council maintained sealed no through road (refer <b>Figure 2.10</b>).</p>
<p><b>E1 Dwellings</b></p> <p><i>This section applies to new dwellings, ancillary development, as well as alterations and additions to existing dwellings.</i></p>	<p>Not applicable. This DA is for the subdivision of land only.</p>
<p><b>E2 Farm Buildings and Outbuildings</b></p> <p><i>To provide guidance on the placement of rural buildings.</i></p>	<p>Not applicable. This DA is for the subdivision of land only.</p>
<p><b>E3 Rural Based Activities</b></p> <p><i>This section applies to common rural based activities likely to occur in the applicable zones and provides guidelines on acceptable development design, siting and operation.</i></p>	<p>Not applicable. This DA is for the subdivision of land only.</p>



## PART H – DEVELOPMENT IN HAZARD AFFECTED AREAS

CONTROLS	COMPLIANCE
<p><b>H1 Flooding</b></p> <p><i>To ensure that development is appropriately located and constructed having account of the risk of flood impact.</i></p>	<p>Not applicable. The subject site is not identified as Flood Prone Land (<b>FPL</b>).</p>
<p><b>H2 Bushfire Prone</b></p> <p><i>The objectives are:</i></p> <ul style="list-style-type: none"> <li>a) <i>Prevent the loss of life and property by providing development that is compatible with the identified bushfire hazard.</i></li> <li>b) <i>Ensure that the risks associated with bushfire are appropriately and effectively managed.</i></li> <li>c) <i>Ensure that bushfire risk is managed in conjunction with the ecological values of the site and neighbouring lands.</i></li> </ul>	<p>Complies. The Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer <b>Appendix C</b>) confirms the proposed development meets the requirements of PBP 2019.</p> <p>This is detailed throughout this Statement and more specifically within Part 1.5.4 and Table 7 – Integrated Development.</p>
<p><b>H3 Contaminated Land</b></p> <p><i>To ensure that potentially contaminated land is suitable for the proposed development.</i></p>	<p>Complies. The consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.</p> <p>It is noted the proposed development is not located on 'Contaminated Land'.</p> <p>'Contaminated Land' means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.</p> <p>Taking into consideration the historic use of the site Council can be satisfied that the land is not contaminated and is not land specified in subsection (4) of clause 4.6 of the SEPP (such that there is no requirement for a preliminary site investigation report).</p>

## PART I – CARPARKING AND ACCESS

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

<p>than one land use the total parking requirement will be calculated by adding together the number of spaces required for each separate use.</p>	
<p><b>I6 Residential Carparking</b></p> <p><i>To ensure that adequate carparking facilities are provided for residential development.</i></p>	<p>Not applicable. This DA is for the subdivision of land only.</p>
<p><b>I7 Property Access Crossings</b></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>Proposed Lot 2 has an existing legal and physical access of Sibley Road that is in good condition, however, may need upgrade works to meet Councils Specifications (refer <b>Figure 2.9</b>).</p> <p>Proposed Lot 1 will require the construction as per Councils Controls/ Specifications of a new property access as indicated on the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</p> <p>It is noted Sibley Road is a well-formed Council maintained sealed no through road (refer <b>Figure 2.10</b>).</p>

## PART K – NATURAL RESOURCES

CONTROLS	COMPLIANCE
<p><b>K1 Vulnerable Land</b></p> <p><b>K1.1 Salinity</b></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 Dryland Salinity Map within the YVLEP2013.</p>
<p><b>K1.2 Erodeable Soils</b></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 Highly Erodeable Soils Map within the YVLEP2013.</p>
<p><b>K2 Terrestrial Biodiversity</b></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>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 (refer <b>Figure 2.4</b>).</p> <p>The proposed building envelope and access ways will occupy cleared sections of the subject site which is relatively void of</p>

	<p>significant vegetation (refer <b>Figure 2.1</b>).</p> <p>The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land.</p> <p>Specifically, any potential biodiversity removal is limited to:</p> <ul style="list-style-type: none"> <li>• The construction of the new accessway to give legal and physical access to proposed Lot 1 as per the Proposed Plan of Subdivision (refer <b>Appendix A</b>).</li> <li>• The future building envelope on proposed Lot 1, this includes the implementation and maintenance of the Asset Protection Zones (APZs) as per the Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer <b>Appendix C</b>),</li> </ul> <p>It is noted there is no potential clearing of remnant trees within the areas listed above, therefore demonstrating the proposed development is actively protecting and enhancing the environmental and biodiversity values of Yass Valley.</p> <p>Further to that and during the construction phase of the proposed development, to ensure there are no adverse environmental impacts, the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.</p> <p>The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.</p> <p>It is expected the proposed development will encourage the introduction of further vegetation to assist with privacy screening and to create a more appealing visual amenity.</p> <p>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><b>K3 Groundwater Vulnerability, Riparian Lands and Watercourses</b></p> <p><b>K3.1 Groundwater</b></p> <p><i>To ensure that any development does not negatively impact upon groundwater quality, quantity, or</i></p>	<p>Complies. As indicated on Council's LEP Groundwater Vulnerability Map (refer <b>Figure 2.5</b>), the subject land has not been highlighted as having groundwater vulnerability.</p> <p>However, as we are proposing to subdivide the subject lot, creating two individual Lots, A Site &amp; Soil Assessments for On-site Effluent Disposal have been prepared by Land Capability Services dated July 2025 (refer <b>Appendix B</b>).</p>

<p><i>ecosystem dependent species.</i></p>	<p>This report confirms there is adequate available space for effluent disposal within the proposed building envelope for proposed Lot 1.</p> <p>The conclusion and following recommendations within the consultant reports are detailed in Part 1.5.3 of this Statement. A brief of the overall recommendation is:</p> <p><i>'This report provides site and soil assessment for on-site effluent disposal at the applicant's proposed new subdivision. The report focuses on the land in proximity to the proposed building envelope.</i></p> <p><i>Other areas within the proposed subdivision may also be suitable for on-site effluent disposal pending further investigation at building DA stage. A four-bedroom dwelling is assumed. An Aerated Wastewater Treatment System (AWTS) is proposed.</i></p> <p><i>An AWTS coupled with surface or subsurface irrigation provides a suitable form of effluent treatment for the site and soil characteristics of the land in question.'</i></p> <p>It is to be noted, the recommended irrigation area for proposed Lot 2 is 400m<sup>2</sup>. This area can be contained to the proposed building envelope.</p> <p>Further, the proposed key management measures to minimise the potential for any adverse groundwater impacts include the implementation of erosion and sediment control measures and stabilization of all drainage lines.</p>
<p><b>K3.2 Riparian Land and Waterways</b></p> <p><i>To ensure that any development does not exacerbate streambank erosion, water pollution or ecosystem function.</i></p>	<p>Complies. The subject site is mapped on the Riparian Land and Watercourses map within the YVLEP2013 (refer <b>Figure 2.6</b>).</p> <p>The proposed development does not involve any earthworks within the vicinity of watercourses drainage depressions or their environs.</p> <p>The proposed building envelope is not located within the buffers required from the 1<sup>st</sup> and 2<sup>nd</sup> order Streams which intersect the property, or the minor drainage depressions and dams which would require buffers from effluent disposal practices and presents a constraint to dwelling construction.</p> <p>It is noted the development will not have any adverse impact on the following:</p> <ul style="list-style-type: none"> <li>• Water quality and flows within the watercourse;</li> <li>• Aquatic and riparian species, habitats and ecosystems of the watercourse;</li> </ul>

	<ul style="list-style-type: none"><li>• The stability of the bed and banks of the watercourse;</li><li>• The free passage of fish and other aquatic organisms within or along the watercourse</li><li>• Any future rehabilitation of the watercourse and riparian areas.</li></ul> <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 lot.</p> <p>It is anticipated, that this development, with the correct controls in place, will not have any detrimental effects to the Riparian Land and Watercourse.</p>
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## 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 7 – INTEGRATED DEVELOPMENT**

ACT	COMMENT
<i>Coal Mine Subsidence Compensation Act 2017</i>	The site is not located within a mine subsidence district.
<i>Fisheries Management Act 1994</i>	The site does not contain any permanent water bodies, nor is it located within Key Fish Habitat. It is considered the proposed development will not harm marine vegetation, nor will it require dredging of the bed and land reclamation of a Key Fish Habitat Creek.
<i>Heritage Act 1977</i>	No works are proposed that are referred to pursuant to section 57 of <i>Heritage Act 1977</i> .
<i>Mining Act 1992</i>	No mining lease is being sought as part of this DA, noting this DA is for a proposed Two (2) Lot Torrens Title Subdivision.
<i>National Parks and Wildlife Act 1974</i>	The subject site has not been identified as containing any archaeological sites and is primarily of 'low' archaeological potential.
<i>Petroleum (Onshore Act) 1991</i>	No production lease is being sought as a part of this DA, noting this DA is for a proposed Two (2) Lot Torrens Title Subdivision.
<i>Protection of the Environment Operations Act 1997</i>	The implementation of appropriate environmental protection works will ensure that no licence will be required.
<i>Roads Act 1993</i>	Section 138 of the Roads Act 1993 requires an approval from the Roads Authority (either Council or TfNSW) for certain works in, on or over a public road, or to connect to a classified road.

	<p>Minor works may be required to connect the Site to a Council road (Sibley Road). TfNSW is not likely to be the referral agency for the subject application pursuant to Section 4.46 of the EP&amp;A Act. The basis for this is any potential road works adjacent to and within Sibley Road.</p> <p>Under this legislation, the proposed development, therefore, does not trigger the application as requiring integrated approval from TfNSW.</p>
Rural Fires Act 1997	<p>The subject land is identified as being bushfire prone land (<b>BFPL</b>) pursuant to the mapping within the YVLEP2013 (refer <b>Figure 2.17</b>).</p> <p>The proposed development includes the subdivision of the subject lot into Two (2) Torrens Title Rural Residential Lots that has established the necessary bushfire protection measures including access to services and relevant access considerations.</p> <p>The proposed Torrens Title subdivision development is categorised as Integrated Development under Section 4.46 of the EP&amp;A Act. Integrated development requires development consent from Council and General Terms of Approval from NSW Rural Fire Service (<b>RFS</b>). Any development applications for such a purpose must obtain a bush fire safety authority (<b>BFSA</b>) from the Commissioner of NSW RFS in accordance with Section 100B of the RF Act.</p> <p>A BFSA authorises development to the extent that it complies with PBP 2019 including standards regarding setbacks, provision of water supply and other measures in combination considered by the Commissioner necessary to protect persons, property or the environment from danger that may arise from a bushfire.</p> <p>As a proposed residential development, the application needs to be able to justify that the proposal can achieve radiant heat levels of not greater than 29kW/m<sup>2</sup> (or Bushfire Attack Level 29) to all proposed dwellings and have adequate access and water supply provisions.</p> <p>To support the proposed subdivision, a Bushfire Assessment Report prepared by Ember Bushfire Consulting dated 28 July 2025 (refer <b>Appendix C</b>) is included with this application and concludes the following recommendations demonstrate an acceptable performance-based solution that is consistent with the NSW RFS PBP (2019):</p> <p><i>'This report documents the findings from a bush firer assessment conducted for a proposed two (2) lot rural residential subdivision at Lot 3 DP1056285. 156 Sibley Road, Gundaroo.</i></p>

	<p><i>APZ setback dimensions with the proposed Lots 1 and 2 will ensure that the existing and future dwellings are not exposed to radiant heat levels exceeding <u>29kW/m<sup>2</sup></u> and will comply with Table A1.12.2 of PBP 2019.</i></p> <p><i>Access to Lots 1 and 2 of the proposed subdivision is well provided for and will generally comply with the acceptable solutions set out in PBP (2019). Where the acceptable solutions cannot be met, a performance-based assessment of the proposal is undertaken, which considers the compliant APZ dimensions, higher levels of construction and increased water supplies, all of which improve the level of safety, resilience and dependability of the future structures while placing less reliance on access as a safety measure.</i></p> <p><i>As part of the Performance-Based Design to address extended egress, however, any future dwelling on Lot 1 is required to be constructed to BAL-19 per the relevant sections of Australian Standard 3959-2018 Construction of buildings in bushfire-prone areas.</i></p> <p><i>Electricity, water and gas supplies will be provided during future development and must comply with the general specifications provided here.</i></p> <p><i>At the time of this report, the development is not known to have any significant environmental or cultural values within the subdivision areas requiring consideration as part of this assessment.</i></p> <p><i>Based on the bushfire assessment and the recommendations contained in this report, the proposed development is deemed to comply with the specific and broad objectives of PBP (2019), the requirements of the Rural Fire Regulations 2022 and, therefore, suitable for submission to the NSW RFS for the issuing of a bush fire safety authority.</i></p>
<i>Water Management Act 2000</i>	<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>

## 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 8 – SEPPS**

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

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



	<p>Taking into consideration the current and historic use of the site Council can be satisfied that the land is not contaminated and is not land specified in subsection (4) of clause 4.6 of the SEPP (such that there is no requirement for a preliminary site investigation report).</p>
<p><i>SEPP (Building Sustainability Index: BASIX) 2004</i></p>	<p>The proposed development is for the subdivision of two (2) Rural Residential Torrens Title Lots which does not require a BASIX Certificate.</p> <p>As such this SEPP is not applicable to the assessment of this application.</p>
<p><i>SEPP (Exempt and Complying Codes) 2008</i></p>	<p>The proposed development for a two (2) lot Rural Residential Torrens Title subdivision does not qualify to be assessed against this code.</p> <p>As such this SEPP is not applicable to the assessment of this application.</p>
<p><i>SEPP (Planning Systems) 2021</i></p>	<p>This SEPP contains planning rules that allow for a strategic and inclusive planning system for the community and the environment for State Significant Development.</p> <p>The proposed development is not classified as State Significant Development and therefore this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Resources and Energy) 2021</i></p>	<p>This SEPP contains planning rules that promote the sustainable use of NSW's resources and transitioning to renewable energy. Specifically for the assessment and development of mining, petroleum production and extractive material resource proposals.</p> <p>The proposed development does not relate to the developments listed above and as such this SEPP is not applicable to this development application.</p>
<p><i>SEPP (Housing) 2021</i></p>	<p>This SEPP facilitates development of affordable and diverse housing including boarding houses, build-to-rent housing, seniors housing, caravan parks/ manufactured home estates, group home, secondary dwellings, social and affordable housing and short-term rental accommodation.</p> <p>The proposed development does not relate to the delivery of development listed above. As such this SEPP is not applicable to this development application.</p>

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

In determining a development application, a consent authority is to take into consideration the following matters that are of relevance to the subject application as per Clause 4.15 of the EP&A Act 1979 (as amended).

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 9 – SECTION 4.15 OF THE EP&A ACT**

OBJECT	COMMENT
<p>(a) <i>the provisions of—</i></p> <p><i>(i) any environmental planning instrument, and</i></p> <p><i>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i></p> <p><i>(iii) any development control plan, and</i></p> <p><i>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i></p> <p><i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i></p> <p><i>(v) (Repealed)</i></p> <p><i>that apply to the land to which the development application relates,</i></p>	<p>The proposed development has been prepared taking into consideration any potential socioeconomic and environmental concerns. 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 development being a Two (2) Lot Rural Residential Torrens Title subdivision is consistent and sympathetic to the surrounding neighbourhood and will result in a good planning outcome.</p> <p>The proposed development 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 existing and surrounding neighbourhood(s).</p> <p>The proposal has been assessed against the relevant provisions of the Environmental Planning and Assessment Act 1979, the State Environmental Planning Policies and the relevant Local Environmental Plan and Development Control Plan specifically the YVLEP2013 and the YVDCP2024.</p> <p>The proposal is permissible with Councils consent within the zone and meets the relevant objectives of the RU1 Primary Production 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,</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><i>and social and economic impacts in the locality,</i></p>	<p>The proposed development has been sited to take into consideration the specific site characteristics, the existing accesses, access ways and fencing.</p> <p>No major change in the aesthetics of the land is proposed to occur as part of this development.</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 proposed shed is expected to lay the foundation for more efficient utilization of the land, and it is expected to contribute in varying degrees to the local economy.</p>
<p><i>(c) the suitability of the site for the development,</i></p>	<p>The proposed development represents a coordinated approach to subdivision of the subject land that is consistent with, and compatible with the surrounding land uses of Gundaroo.</p> <p>The proposed development has been designed to have regard for the existing land uses and will not adversely affect the amenity of the surrounding area, environment, or adjoining neighbours, maintaining the opportunity for sustainable Large Lot residential development. Therefore, the site is considered suitable for the proposed development.</p>
<p><i>(d) any submissions made in accordance with this Act or the regulations,</i></p>	<p>Council is required to take into consideration any submission made in accordance with Council's notification policy and the notification provisions of the EP&amp;A Act 1979 (as amended).</p>
<p><i>(e) the public interest.</i></p>	<p>This development application seeks approval for a proposed Two (2) lot Torrens Title Rural Residential Subdivision. The proposal is considered in the public interest for the following reasons:</p> <ul style="list-style-type: none"> <li>• Facilitates ecologically sustainable development of large lot low residential land. This is explained in more detail earlier in this Statement.</li> <li>• The site is located within the RU1 Primary Production zone of Gundaroo. 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.</li> </ul>

	<p>This DA meets the intent of this by providing a high-quality development which will support the other uses of the area.</p> <ul style="list-style-type: none"><li>• The site is zoned for development purposes, and the proposed development provides for infill development (residential) including the construction of a shed that is consistent with the objectives and controls contained in the YVLEP2013 and the YVCDCP2024.</li><li>• The proposal accommodates rural residential living opportunities, within close proximity to Yass, Murrumbateman, Canberra and Goulburn.</li><li>• It is expected any construction works associated with the future development of the site will contribute in varying degrees to the local economy and Yass Valley more generally.</li></ul> <p>The application is therefore considered to be within the public interest and should be supported by the consent authority.</p>
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### **3. CONCLUSION**

This application seeks approval for a Two (2) Lot Rural Residential Torrens Title Subdivision. It is concluded, the approval of the Development Application on Lot 3 DP1056285, is an appropriate, orderly and compatible form of development when assessed against Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) (as amended).

This SEE has undertaken an environmental assessment of the proposed development and has concluded that the proposal provides a development that will have minimal environmental impacts that meets the relevant objectives of the RU1 Primary Production zone.

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

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
- 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 3 DP1056285 156 Sibley Road, GUNDAROO be granted by Council.