

# PLANNING PROPOSAL

Lot 1 DP32236

2155 Sutton Road, Sutton NSW



*Alan Longhurst*

*BSurv(Hons) GradDip UrbRegPlan*

## Planning Proposal

Prepared for submission to Yass Valley Council

**2155 Sutton Road, Sutton NSW**

Prepared for:

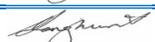
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### Version Control

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A	04/07/2018	Issued for submission to YVC	A. Longhurst	
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This Environmental Review has been prepared by:

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Signature

Date 30/10/2018

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# INTRODUCTION

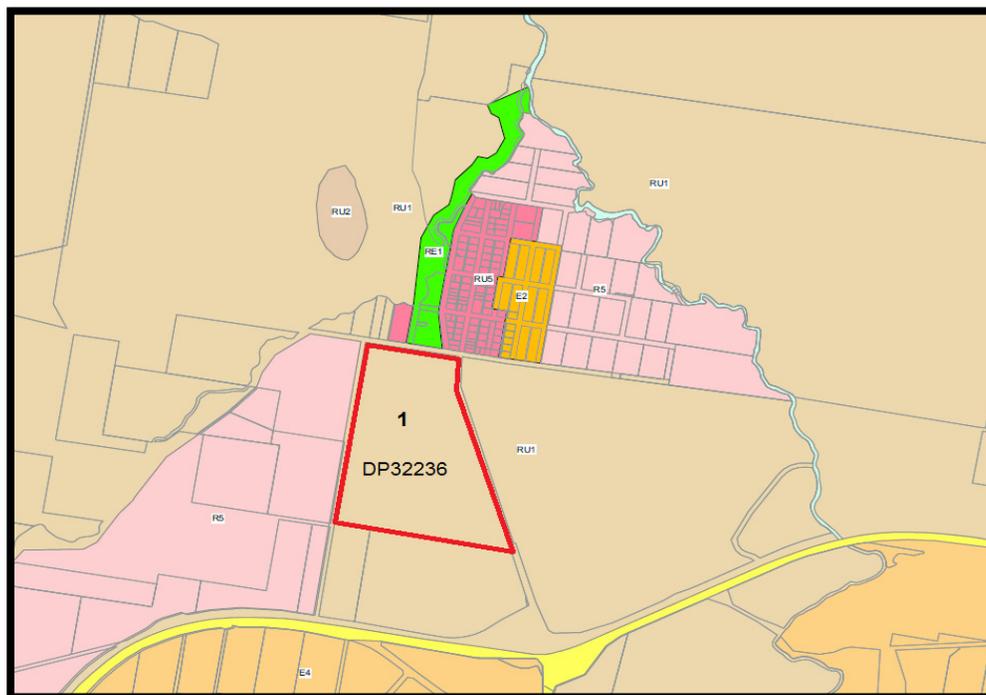
## Documentation Intention

This document is a Planning Proposal for a LEP amendment and rezoning and has been compiled to provide site specific concepts to support the Yass Valley Council (YVC) Masterplan for the village of Sutton and surrounds. Discussions with Council staff have indicated that Council was keen to have the owner of this subject land submit a proposal for consideration.

The subject land, Lot 1 DP32236, is a parcel of land of 73 hectares created in 1960 and largely undeveloped. The land is bounded to the north by Guise Street / Majura Lane and to the east by Sutton Road, the main southern entrance road to the Village of Sutton. The future development of this land will substantially impact on the southern approach to the village and this proposal has been developed in consideration of the rural and heritage aspects of Sutton.

YVC has prepared a Masterplan for the Sutton Village in which the consultants prepared draft plan, conducted workshops, received comments and finalised the document in late 2017. The Masterplan correctly identified the importance of this land as a gateway to the village, the potential dedication of land for a village bypass road and concluded with the nomination of an area at the north of the site for R2 residential development.

For clarity this concept has been prepared in accordance with the format required for a planning proposal as outlined by Planning NSW. The submission is supported by expert consultants' reporting, reproduced in full in the appendices.



**Figure 1: Present land zoning (YLEP) and site location**

## **Executive Summary**

This parcel of land provides the significant feature of the entrance to the Village of Sutton from the south, being the rural countryside. The picturesque outlook experienced by the cyclists and motorists entering the village is crucial to the enjoyment of the experience of Sutton. The owner, Paul Keir, a long-time resident of the area, has a vision and wishes to be pro-active in creating a special space for the future.

The Sutton Village Masterplan 2017 (Elton Consulting) has made some suggestions for rezoning part of this land to the R2 zone and this proposal is generally in keeping with this Plan. Expert consultants have been gathered to assess the constraints of development and allow his vision to be placed before the community.

The vision is for an equestrian themed development in the northern part of the site that will provide a supplement to such activities that are occurring in Sutton. Large lot residential land (5000m<sup>2</sup>) will adjoin a large community lot that will feature a training centre, stables and an arena for the community to use. Easy pedestrian and riding access will be available from Guise Street in 2 locations.

There are a number of intermittent watercourses through this land, these have been identified and influence the proposed layout. The major watercourse will be set aside as an environmental corridor to allow rehabilitation, maintenance and use as a pedestrian route. A buffer of 40 metres will be applicable from all waterways prohibiting any development in this area, including effluent disposal.

The eight large residential (R2) lots to be created along Sutton Road will be very deep to allow houses to be set back from the road and each to have adequate sewage disposal areas. Vehicular access to these lots will be along a Right of Carriageway from one point only on Sutton Road. The owner intends to develop each lot by constructing heritage style buildings reflecting the original theme of the village.

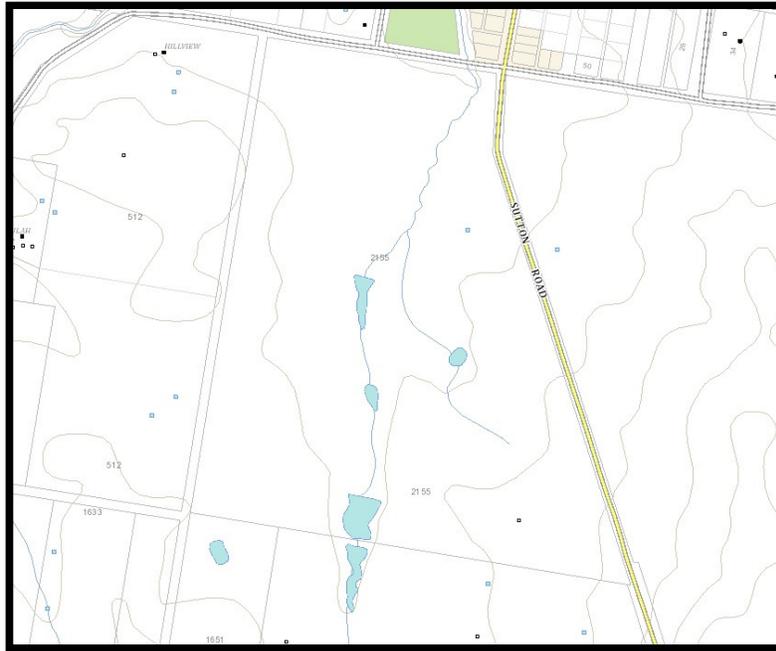
Land for a future village by pass will be set aside in a location that is clear of the existing cottage and potential archaeological deposits identified in the studies. The nominal route is south west of the alignment proposed in the Masterplan, however, it is considered to be a better route in consideration of the constraints of the land, the location of the Sutton Hall and oval, a better route for crossing Yass River and would link with the road proposed in the Sutton Village Estate proposal. RMS has indicated (20/03/17) that an appropriate study of all route options is required.

## Locality and Current Land Parcel Information

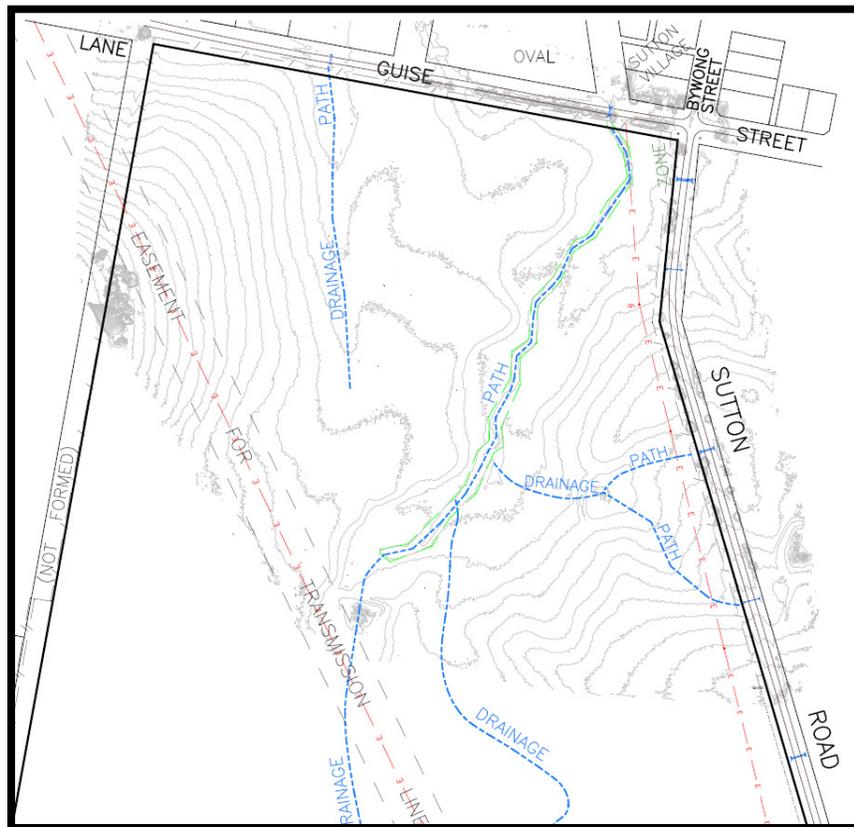


**Figure 2: Location Plan (SIX)**

- Lot 1 DP 32236
- Certificate of Title 1/32236
- Owner – P.S. Keir
- Improvements – House, shed, riding arena, fencing, access road
- Topography-the land falls from the eastern and western sides towards a significant drainage path that bisects the property flowing in a south to north direction. There are also a number of other drainage paths identified in the topographical survey undertaken (see Figures 3 & 4)
- The land is generally cleared and pasture improved grazing land for horses and cattle



**Figure 3: Topographical Plan-Overall Site (SIX)**



**Figure 4: Topographical Plan-Northern Part of Site (PHL) Contour interval 1 metre**

## 1. OBJECTIVES OR INTENDED OUTCOMES (PART 1)

The main objective of this planning concept is to seek Councils support to rezone the land for sustainable Village expansion.

This planning concept has aims and objectives to:

- Re zone the land to allow submission of a development application to construct an equestrian themed development to cater for this demand in the Sutton area
- Limit access to Sutton Road
- Provide a corridor for a village bypass road
- Link new development to the village centre
- Maintain and improve riparian corridors
- Provide an attractive entrance to the village along Sutton Road
- Establish a building theme in keeping with the history of the area
- Establish planning controls reflecting the land capability

Specific outcomes and benefits for the community and the environment include;

- Appropriate scale of development reflecting the environmental constraints of topography, natural drainage paths, archaeological findings, bushfire hazard and soil effluent dispersal potential
- Enhancement of the equestrian component of the village lifestyle
- Pedestrian and equestrian linkages
- Village themed entry along Sutton Road
- Bypass corridor for the increasing traffic along Sutton Road located to avoid West Street serving Sutton Hall and the oval

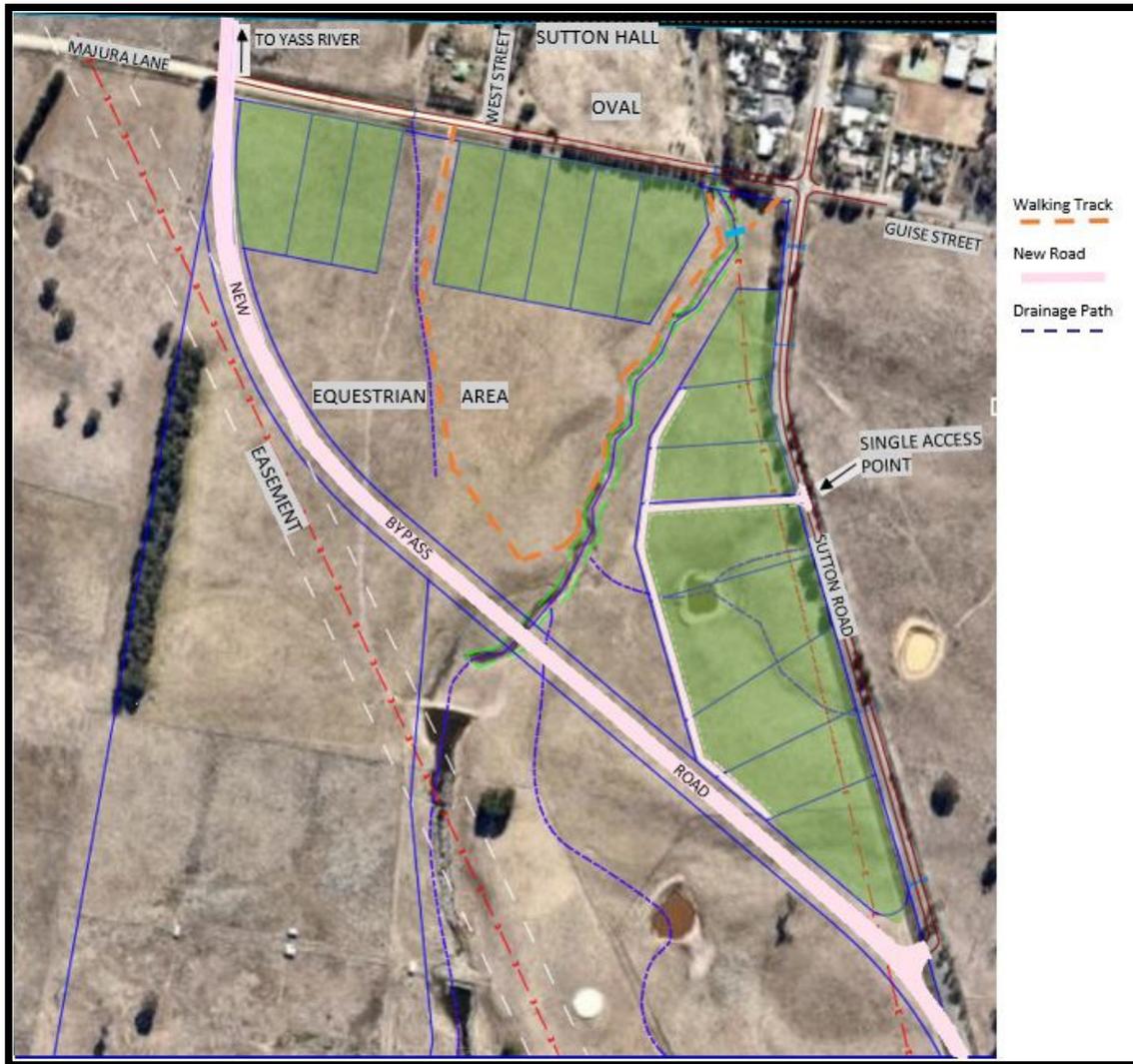


Figure 5: Concept Layout (PHL)

## 1.1 SUMMARY OF CONSULTANT REPORTS

### 1.1.1 Aboriginal Cultural Heritage due diligence – Past Traces

A desktop assessment and field survey was undertaken in June 2017. Three areas of potential archaeological deposit were identified which resulted in the change in the bypass road alignment. It was noted that the potential of impacting other unrecorded sites was extremely low. (Past Traces, 2017)

### 1.1.2 Land Capability – Soil & Water

The field assessment of June 2017 concluded that the proposed development would not impact groundwater, surface water or dryland salinity provided the recommended measure were implemented. Given the lot sizes proposed & scale of development the potential to change local hydrology is low. (Soil + Water, 2017)

“The proximity of the proposed lots to existing bores located on adjacent properties limits the ability to impose the 250 metre buffer stipulated in the [Environment & Health Protection Guidelines](#). The buffer distance between effluent dispersal practices and dwelling required by Australian/New Zealand

Standard On-site domestic AS 1547-2012 ranges from 15 to 50 metres and is dependent on site and soil conditions (refer Tables R1 & R2 AS 1547-2012), particularly:

- Microbial quality of effluent – report has recommended secondary treatment systems including disinfection which are at the lower end of the constraint scale
- Permeability of soils – low permeability and deep light clay subsoils as exist on the site are at the lower end of constraint scale (see Table R2)
- Permeability of aquifer – fractured rock aquifer systems underlay the area and have lower transmissivity than gravel aquifers and are therefore at the lower end of the constraint scale
- Rainfall – average annual rainfall of 650mm with pan evaporation of 1200mm per year leading to less potential for saturated soil profiles therefore lower potential for linkage between surface effluent irrigation areas and groundwater aquifer at depths of 9-15m.
- Depth of surrounding bores- range between 32-54m deep with water bearing zones (and permeable screen portion of casings) between 9-42m therefore less potential for effluent transmission between surface application area and water bearing zones (when coupled with deep low permeability soils and lower transmissivity aquifers)
- Flood potential – some of the lot boundaries are intersected by the 1 in 20 year flood level (refer Council Sutton Flood Study) which is at the higher end of the constraint scale
- Existing quality and resource value of receiving waters – value of the receiving waters are considered to be moderate as they are an important non-potable resource for dwellings in Sutton village however are not used for potable supply or reticulated system supply.

Based on the consideration of the factors listed above the adoption of the most conservative (largest) bore buffer distance recommended in Table R1 (AS 1547-2012) was considered appropriate.” (Soil & Water-email 08.10.18)

### 1.1.3 **Flora & Fauna Assessment – Soil & Water**

Extensive data searches and a field survey was undertaken on 8 June 2017. In summary there are no endangered populations or threatened flora species within the study area. The vegetation is predominantly exotic pasture with low conservation value. (Soil & Water, 2017)

### 1.1.4 **Bushfire Hazard Assessment – Ember Bushfire Consulting**

The Bush Fire Prone Map prepared by the NSW Rural Fire Service does not identify the land as bushfire prone land. The proposed subdivision is deemed to pose a very low bushfire risk, the proposed lots have ample room for asset protection zones and access is clear and unimpeded. Despite not being bushfire prone land, a report has been provided showing compliance with the objectives of PBP (2006). (Ember, 2017)

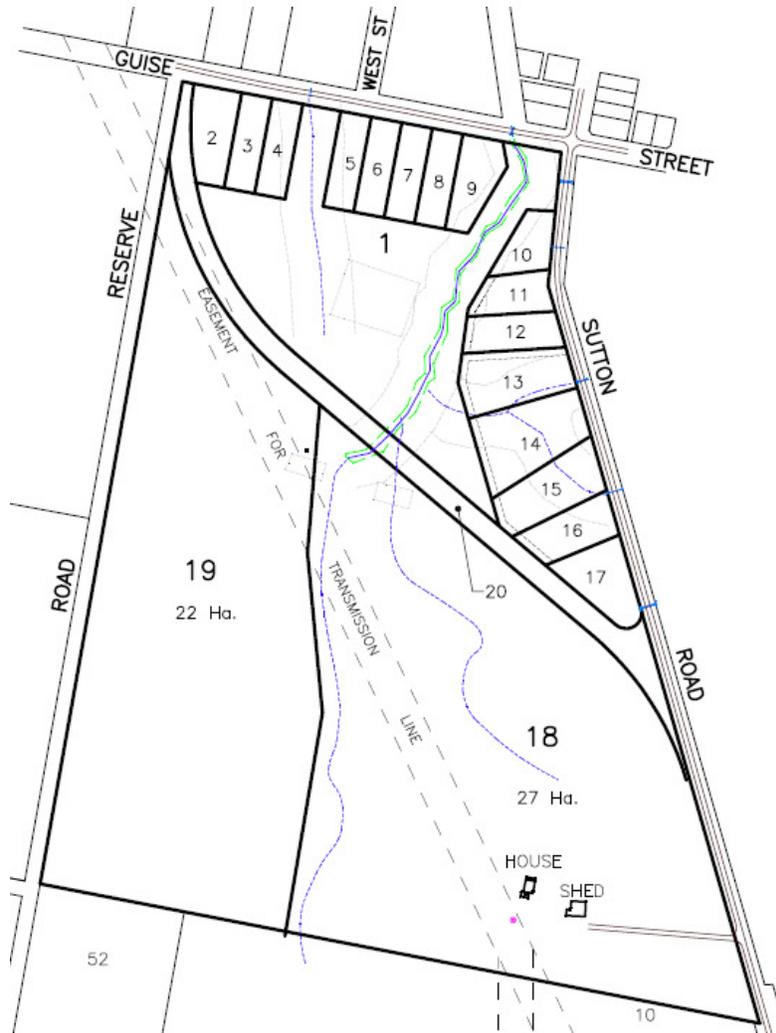


Figure 6: Proposed Lot Layout – Overall Site (PHL)

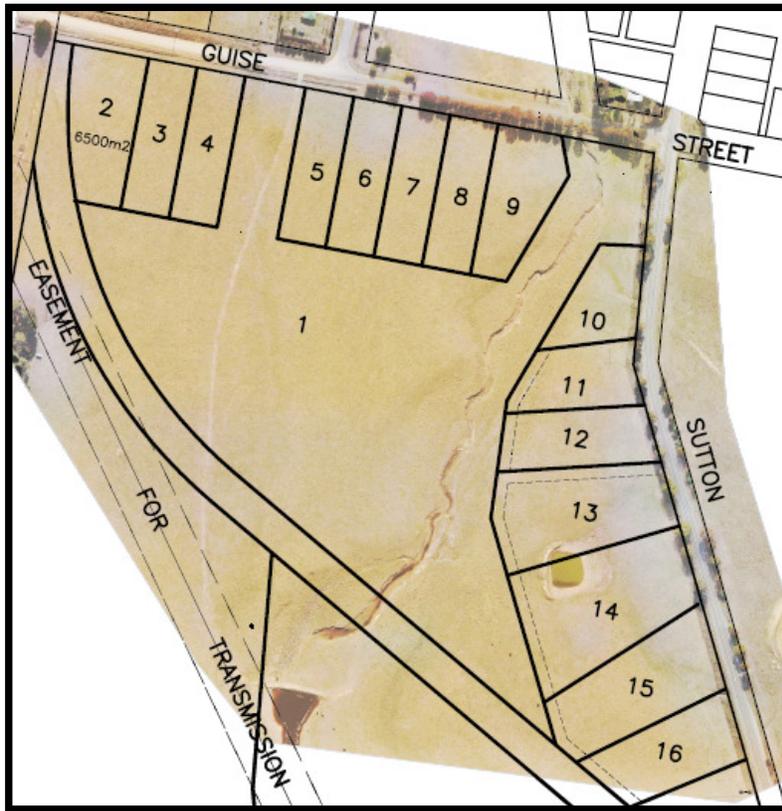


Figure 7: Northern layout with UAV Image (PHL)

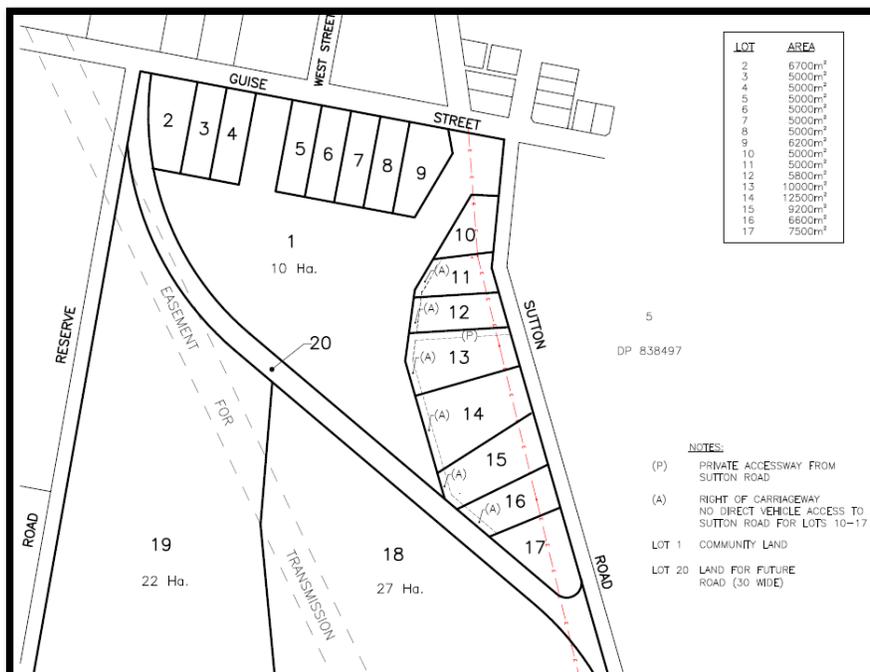


Figure 8: Proposed Community Title Scheme – Lots 1-17 (PHL)

## 2. EXPLANATION OF PROVISIONS (PART 2)

### 2.1 PROPOSED LAND USE ZONING

The property is proposed to be rezoned into the following 2 zones reflecting the land capability and envisaged development. These zones are based on the Yass Valley Council LEP 2013 Land Use Table and the specific aspects applicable to the subject land are highlighted in bold text. The R2 land reflects the outcomes of the Sutton Village Master Plan and the RU1 zone maintains the existing zoning which permits the themed development proposed. Minimum lot areas will also apply.

#### **Zone R2 Low Density Residential**

##### ***Objectives of zone***

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development is provided with an adequate water supply and the disposal of sewage.

##### ***Permitted without consent***

Environmental protection works; Home-based child care; Home businesses; Home occupations

##### ***Permitted with consent***

**Attached dwellings**; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Dual occupancies; **Dwelling houses**; Emergency services facilities; Environmental facilities; Exhibition homes; Group homes; Home industries; Recreation areas; Respite day care centres; **Roads**; Signage; Water supply systems

#### **Zone RU1 Primary Production**

##### ***Objectives of zone***

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- **To minimise conflict between land uses within this zone and land uses within adjoining zones.**
- To protect and enhance the biodiversity of Yass Valley.
- To protect the geologically significant areas of Yass Valley.
- **To maintain the rural character of Yass Valley.**
- 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.

- 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.
- 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.

***Permitted without consent***

Environmental protection works; Extensive agriculture; Forestry; Home-based child care; Home businesses; Home occupations; Intensive plant agriculture; Water storage facilities

***Permitted with consent***

Air transport facilities; Airstrips; **Animal boarding or training establishments**; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; **Community facilities**; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; **Farm buildings**; Farm stay accommodation; Flood mitigation works; Function centres; Helipads; High technology industries; Home industries; Industrial retail outlets; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Landscaping material supplies; Markets; Open cut mining; Places of public worship; Recreation areas; Recreation facilities (major); **Recreation facilities (outdoor)**; Restaurants or cafes; **Roads**; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Serviced apartments; Signage; Timber yards; Transport depots; Truck depots; Turf farming; Waste or resource management facilities; Water recreation structures; Water supply systems

***Minimum Lot Sizes***

The R2 land is proposed to have a minimum lot size of 2,000m<sup>2</sup> reflecting the land capability and desired level of development.

The following provision (generally extracted from YVLEP 2013 in particular Part 6.12) is proposed as a consistent approach to lot size and dual occupancy in the village situation.

***Development on certain land in Sutton in Zone R2 Low Density Residential***

*(1) This clause applies to land in Zone R2 Low Density Residential and edged blue on the Lot Size map.*

*(2) Despite any other provision of this Plan, the size of any lot resulting from a subdivision of land to which this clause applies is not to be less than 5,000 square metres unless the lot is connected to a reticulated sewerage scheme.*

*(3) Development consent may be granted to development for the purposes of a dual occupancy on land to which this clause applies, where the land is not connected to a reticulated sewerage scheme, only if the size of the lot on which the development is to be carried out is at least 10,000 square metres.*

*(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is designed, sited and will be managed to avoid contamination of groundwater.*

The RU1 land is proposed to have a minimum lot area of 10ha north of the new road and 20ha for the remainder of the land.

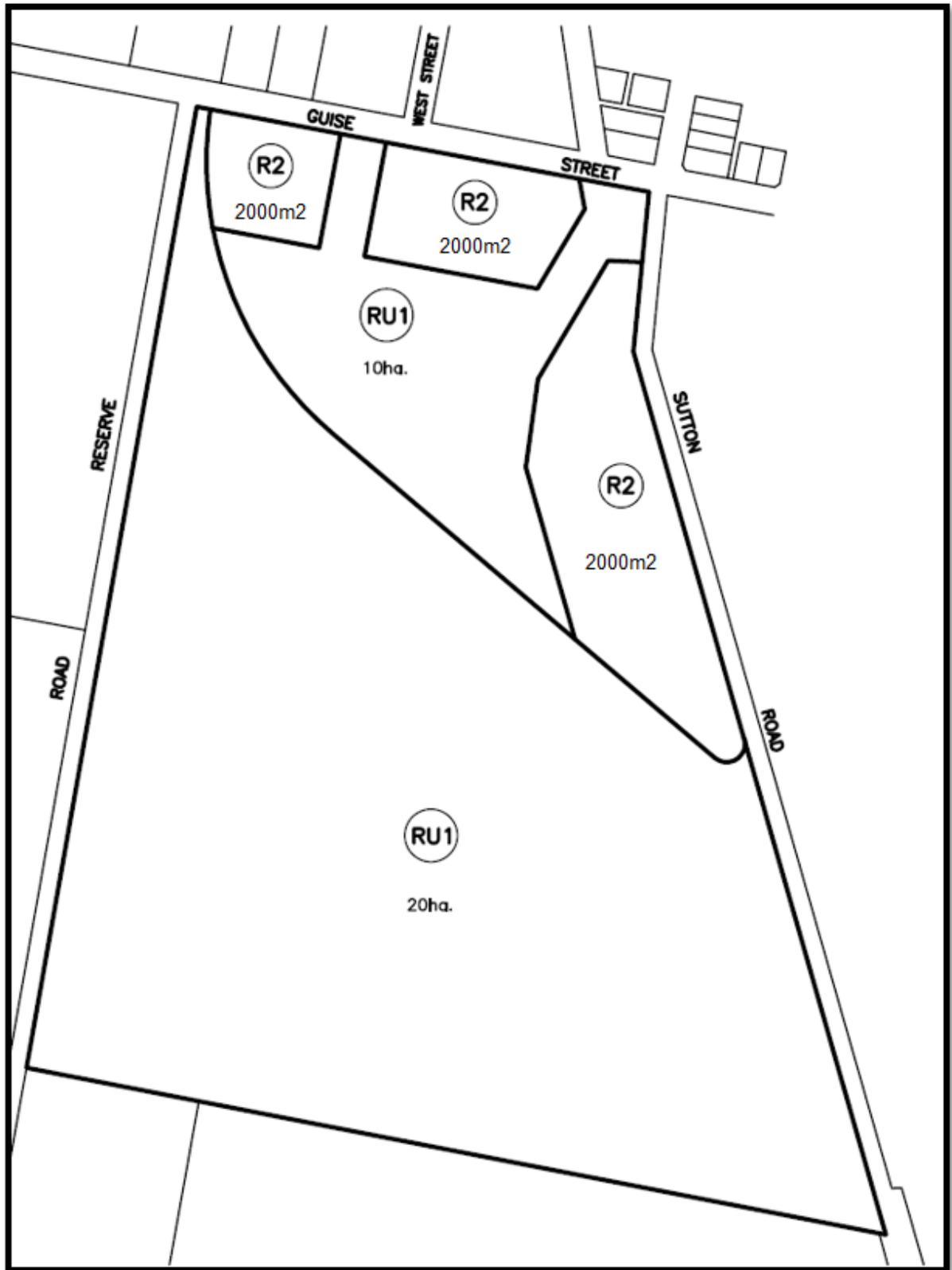


Figure 9: Proposed Zoning and Minimum lot sizes (PHL)

## 2.2 FEATURES OF PROPOSAL, IN LINE WITH YASS VALLEY LEP 2013 AIMS

The particular aims of the Yass Valley LEP 2013 that relate to this proposal are as highlighted in bold text;

- (a) to establish planning controls that promote sustainable development**
- (b) to protect high quality agricultural land and encourage emerging agricultural industries*
- (c) to encourage housing diversity**
- (d) to promote employment-generating tourism*
- (e) to provide for commercial development*
- (f) to encourage the establishment of professional services in urban locations*
- (g) to protect and enhance the character of each of the villages in Yass Valley**
- (h) to enhance service provision in each of the villages in Yass Valley**
- (i) to protect and conserve the cultural heritage and history of Yass Valley**
- (j) to protect and enhance the environmental and biodiversity values of Yass Valley**
- (k) to minimise land use conflicts**

## 2.3 HOW THE OBJECTIVES AND INTENDED OUTCOMES ARE TO BE ACHIEVED

### 2.3.1 Planning Controls Promoting Sustainable Development

- Zoning that reflects the constraints and potential land use of the site
- Minimum lot sizes that take into account the constraints of the land, including suitable effluent areas, topography, village proximity, safe road access and groundwater vulnerability
- Controls that permit community use of land and equestrian or recreation facilities

### 2.3.2 Sewage Disposal

- Areas that are not suitable for effluent disposal have been identified
- Other land has been verified as acceptable providing effective household systems are developed during the building stage

### 2.3.3 Bush Fire Hazard

- The potential bushfire hazard has been assessed by Ember Bushfire Consulting as being a low threat. The recommendation is for a fire trail at the rear of the residential lots and a fuel management plan for the community land

### **2.3.4 Maintenance of much of the RU1 zone**

- This area along the creek has been identified as requiring some soil stabilisation and careful management including the removal of stock (permitted without consent)
- Considered to be an appropriate route for a pedestrian walking path around the Sutton village
- Flexible land use to allow equestrian pursuits and grazing
- Rural outlook for the village

### **2.3.5 Flora, Fauna and Biodiversity Study**

The flora and fauna study (Soil and Water) concluded that:

- “no threatened flora or potential habitat for threatened fauna were recorded within the study area”
- “No TECs will be impacted by the proposal”
- “The vegetation within the subject site is predominantly exotic pasture, with limited areas of degraded DNG, and hence very low conservation value”

### **2.3.6 Cultural Heritage Assessment**

- No surface Aboriginal heritage sites were identified
- 3 areas of Potential Archaeological Deposits (PAD) were identified (Past Traces) and the potential bypass road route and R2 development lands have been located to avoid these
- The potential to reveal further material is considered to be low to moderate (Past Traces)

### **2.3.7 Supply of Water**

- A community potable water supply is not available in the Sutton area
- Potable water will be sourced from tanks attached to roof catchments of new buildings; a minimum tank size of 110000 litres should apply.
- Because of the proposed low intensity development (lots greater than 5000m<sup>2</sup> in area) there is minimal chance of groundwater contamination (see part 1.1.2)
- A communal bore will be constructed and operated under the terms of the proposed Community Title Scheme. This water will be available for garden and grey water use. (see also part 3.3)

### **2.3.8 Other Essential Services**

#### ***2.3.8.1 Electricity***

- 2 major overhead powerlines cross the land and it is anticipated that power is readily available

#### ***2.3.8.2 Gas***

- Availability uncertain at this stage

#### ***2.3.8.3 Communications***

- Telephone services are available in Sutton Road and Guise Street

### **2.3.9 Salinity**

- The proposed development (subdivision and building) is located away from the localised salinity areas
- No effluent will be disposed in areas impacted by salinity

### **2.3.10 Sutton Village Heritage and Character**

- There are few remaining European heritage items in the Sutton village and no established heritage streetscape as a result. The main items are limited to the Public School and residence - including the WWI & WWII Memorial gates, St Peter's Anglican Church, Sutton Hall and Sutton Village Centre (former Inn) (Town and Villages Study 2010 –YVC)
- The rectilinear street pattern is also considered a heritage theme
- Despite this, the Sutton Village has a character of a quiet rural village, close to a capital city
- It is intended to construct "old style" cottages on the approach road to Sutton, similar to that built on the subject land. These cottages will be well spaced and set back from the road on 5000m<sup>2</sup> lots
- Proposed lots facing Majura Lane will be rectangular in shape with a north-south orientation to provide oversight of the oval and village
- Most of the land will remain rural

### **2.3.11 Part 6 Clause 6.2 Flood Planning**

*(1) The objectives of this clause are as follows:*

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- (c) to avoid significant adverse impacts on flood behaviour and the environment.*

*(2) This clause applies to land at or below the flood planning level.*

*(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*

- (a) is compatible with the flood hazard of the land, and*
- (b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) incorporates appropriate measures to manage risk to life from flood, and*
- (d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

*(4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.*

*(5) In this clause: flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.*

Comment:

“The flood risk associated with the proposed lots and particularly the potential impact on on-site effluent disposal has been considered in the Soil and Water report. This evaluation concluded that the all areas of high risk, and the majority of medium flood risk, was within the 40m buffer required between effluent disposal areas and adjacent dams and drainage depressions – as such these areas are already constrained for effluent disposal.

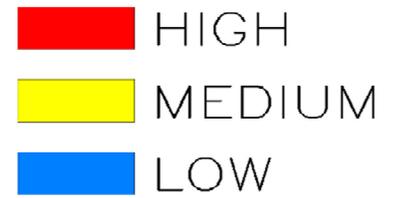
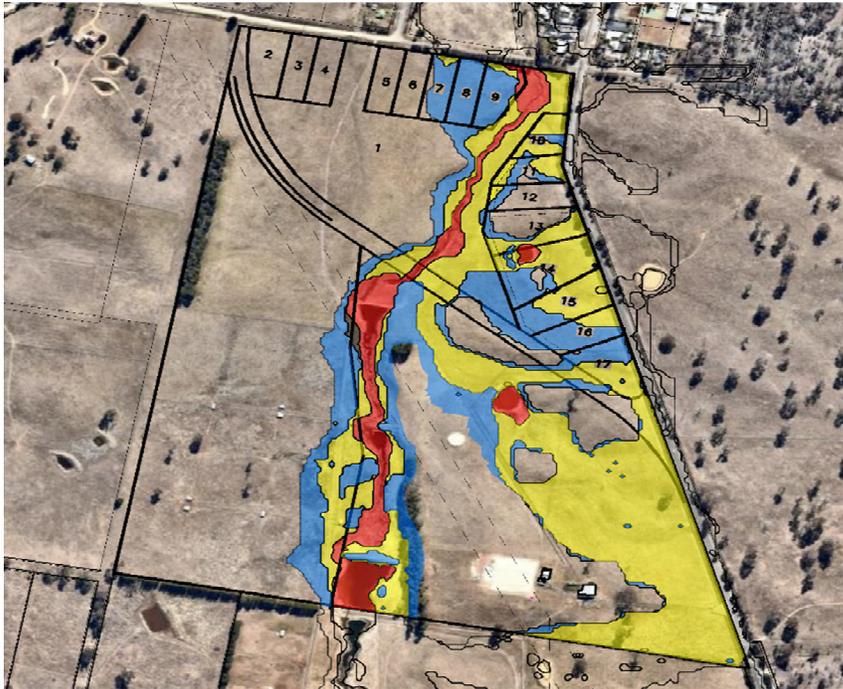
**The design of effluent treatment and disposal systems for each individual lot will address any specific measures required to address potential drainage issues relevant to that lot.**

The comments relating to the potential for drainage infrastructure to reduce the extent of drainage issues relates to the potential to redirect and consolidate the numerous drainage depressions into fewer more defined drainage structures and possibly remove some of the smaller dams - thereby reducing the amount of are currently covered by mandatory dam and drainage buffers (and also potentially reducing the area at risk from flooding).

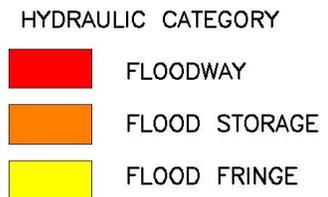
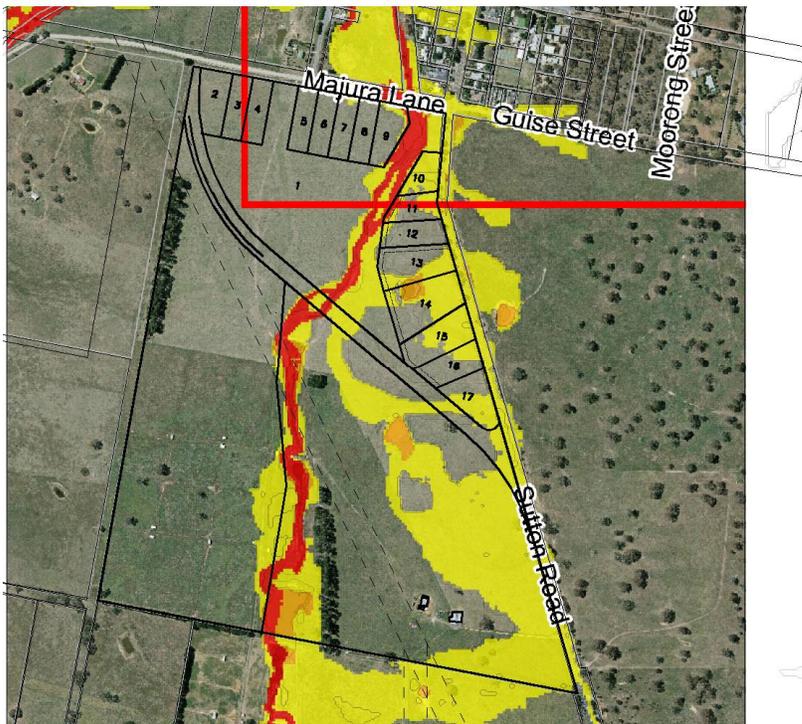
**This consolidation and confinement of flows across the site would also have impacts for the potential flood risk which would need to be addressed in the planning and design phase of drainage works associated with development of infrastructure - this was not within the scope of the original Soil and Water report however changes to current drainage pathways, flood risk and dams would need to be considered in the individual lot Effluent System Design Reports to be provided to Council at the time of Development Application for dwelling construction.”** (Soil & Water – email 08.10.18)

The contour mapping undertaken by PHL Surveyors to inform this Planning Proposal (see Fig.4) is very accurate and identifies drainage paths and informs the buffer zones required. The flowpaths known as “North Sutton Road Flow Path and McLaughlins Tributary #2) in the **Sutton Floodplain Risk Management Study (SFRMS)** have been located and avoided in the concept residential lot design. The Sutton Road Flow Path will be managed in any future development application.

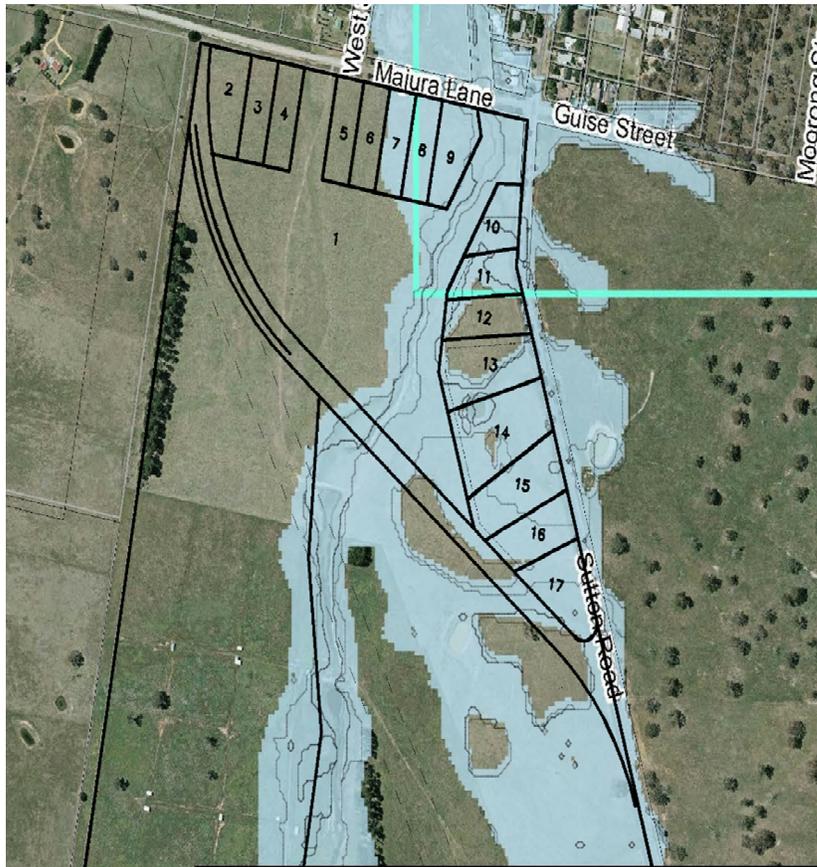
The Sutton Floodplain Risk Management Study identifies some land along Sutton Road that is in the “low” to “medium” risk precinct (Figure 10). This land, along Sutton Road, is at the top part of the catchment and will create no dangerous access or occupancy issues with appropriate construction. Figure 11 shows the land as being in the “flood fringe” in the 1% AEP Hydraulic Hazard event. Residential occupation of this land will have no adverse effects on any flood water movement or flood storage. Figure 12 shows the “Flood Planning Area” overlaid on to the subject land.



**Figure 10: Sutton Flood Risk Precinct (PHL / SFRMS)**



**Figure 11: 1% AEP Hydraulic Hazard (PHL / SFRMS)**



 FLOOD PLANNING AREA

**Figure 12: Sutton Flood Planning Area (PHL / SFRMS)**

### **3. JUSTIFICATION (PART 3)**

#### **SECTION A - NEED FOR THE PLANNING PROPOSAL**

The owner of this large parcel of land, critical to Sutton’s development, is proposing a subdivision that is sympathetic to the heritage of Sutton and the present land uses near and within the village. The subdivision is not possible under the present LEP zoning.

### **3.1 Q1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?**

The planning proposal is a result of communications and meetings with YVC and submissions, feedback and conclusions of the Sutton Village Masterplan 2017 by Elton Consulting.

### **3.2 Q2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?**

The present zoning and minimum lot size does not allow for the proposed development to proceed and substantial and multiple variations to the zone objectives are considered impractical. The planning proposal clearly identifies proposed zoning and lot sizes to the community and will allow the future development applications to be compliant.

## **SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

### **3.3 Q3 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS OF THE APPLICABLE REGIONAL, SUB-REGIONAL OR DISTRICT PLAN OR STRATEGY (INCLUDING ANY DRAFT PLANS OR STRATEGIES)?**

#### **SOUTH EAST AND TABLELANDS REGIONAL PLAN 2036**

##### **The South East and Tablelands Regional Plan 2036**

Is the NSW State Government's vision for the region in the next 18 years to reflect community aspirations, balanced growth and environmental protection.

"To achieve this vision, the NSW Government has committed to collaborating with the ACT to leverage opportunities from the borderless 'Canberra region' and ...set the following regional goals:

- A connected and prosperous economy
- A diverse environment interconnected by biodiversity corridors
- Healthy and connected communities
- Environmentally sustainable housing choices"

These goals are definitely satisfied by the planning proposal and further developed in the Yass Valley Settlement Strategy 2036.

In particular, Direction 18 requires that a reliable potable water supply and is addressed here with comments from Soil and Water (John Franklin)

**Direction 18: Secure water resources**

*An acceptable reticulated water supply is required for any new land release or an increase in housing densities in existing areas. The provision of potable water must conform to the following water planning principles:*

- a reliable supply to provide certainty for consumers (both residential and other);
- an affordable water supply in terms of both capital and recurring costs; and
- a quality of supply that meets relevant health standards. (SE&T RP2036)

“The provision of a reticulated water supply to provide non-potable water to the proposed smaller lots (5000m<sup>2</sup>) could be provided serviced through groundwater bore(s) augmenting individual roof catchment and tank storage. This will generally require the establishment of a community association to jointly own and manage the reticulated water supply scheme and cover the recurrent costs associated with operation and maintenance. Bores and water supply infrastructure can be located on land held by the community association and/or covered by easements on individual lots. The bore(s) associated with proposed non-potable water supply scheme will require a *Water Supply Work Approval* prior to construction. As the bore is a Communal Bore to supply more than 10 landholdings, the Department of Industry hydrogeologist will need to assess the proposed bore(s) to determine if there are any sensitive issues in the location. They may add a Condition to restrict total annual volume taken from each bore. The construction of the bore(s) will need to be undertaken by a licensed driller.

A *Water Access License (WAL)* will not be required to take groundwater from the aquifer as it is Communal Bore for Domestic and Stock use. Even if multiple bores are required they will not require a *WAL* as they will overlie the same groundwater aquifer.

A *Water Use Approval* will not be required to use the groundwater taken as it is for Domestic and Stock purposes.” (Soil & Water-email 08.10.18)

The provision of a communal raw water supply will be managed by the **Community Title** development proposed.

### **3.4 Q4 IS THE PLANNING PROPOSAL CONSISTENT WITH A COUNCILS LOCAL STRATEGY OR OTHER LOCAL STRATEGIC PLAN?**

#### **COUNCILS VISION STATEMENT**

A diverse rural region that provides lifestyle, business and recreation choices, while sustaining our environment, history and community.

#### **YASS VALLEY SETTLEMENT STRATEGY 2036**

The planning proposal is consistent with the Yass Valley Settlement Strategy 2036 (2017 version) as adopted by Council. The highlighted items in the following extract from the strategy are particularly related to, and addressed by, this planning proposal.

*“Development in Sutton and Gundaroo is highly constrained due to the lack of a secure water supply and adequate sewerage treatment. Given, the water constraints and the community’s desire for Sutton and Gundaroo to remain as villages, limited future development could be permitted where its impact did not compromise existing village characteristics or surrounding agricultural uses.”*

The proposal does not compromise the village character or surrounding land use.

### **Challenges on development**

- Any substantial increase to the village without an alternate reticulated water supply will have serious consequences for the existing residents of the village as well as the agricultural uses in the area. Given the constraints associated with the groundwater supply and quality and the low rainfall at Sutton and further residential growth is limited.
- Need to retain the recto-linear street grid if future expansion occurs.
- *Integration of new development and the existing village.*
- Council receiving speculative development requests that are not connected or contiguous with the existing settlement
- *On site sewerage treatment must be provided unless alternative infrastructure is provided, which requires larger lot sizes. Yass Valley Council has not made a commitment at the time of this strategy to support/provide reticulated sewerage.*
- *NSW Department of Planning & Environment will likely require larger lot sizes (i.e 5000 sqm) consistent with its direction for Gundaroo in the absence of a reticulated sewerage system.*
- *Mitigation of impact on rural productivity and minimisation of conflict of uses.*
- *Providing guidelines that allow development to deliver a built form, density and character consistent with the existing village and rural surrounds.*
- *High conservation value vegetation to the west of the village, beyond the hill, remnant of the critically Endangered Yellow box, white box, Blakely’s Red Gum Grassy woodland.*
- *Potential heritage sites with Aboriginal Cultural significance.*
- *Flooding risk.*
- *Protect the biodiversity values of the Crown land in the village core from weed infestation, domestic and feral animals from nearby development.*
- *Current road alignment creates amenity and safety issues.*
- *Desire from part of the community for the Sutton-Gundaroo Road to bypass the Village.*
- *Bushfire risks to the area west of the village.*
- *Further retail and industrial expansion within the village is unnecessary given the locations close proximity to Queanbeyan and Canberra (Sutton Vision).*
- *ACT Government advised that it supports Council protecting “the defined settlements of Gundaroo and Sutton (and) no intention to seek a pipeline to service the area located north-east of Canberra.” (EPSD, March 2017)*

### **Recommended outcome**

— No significant development of Sutton is recommended (less than 150 lots) - consistent with the Sutton Masterplan.

— Allows for the protection of Sutton’s village character and directs the majority of growth to Yass and Murrumbateman.

— Accommodate small amount of controlled growth that is contiguous with the existing village character.

— Limited residential re-zonings would be appropriate adjacent and contiguous with the existing village if they can demonstrate a secure water supply (sufficient for potable and bushfire requirements), sustainable on-site sewerage disposal, and development has regard to other site characteristics such as flood prone land and biodiversity values.

— Inclusion of controls with the proposed comprehensive DCP will retain and enhance the character of the villages and towns within the Yass Valley LGA.

— Preparation of a Sutton Planning Proposal generally consistent with recommendations of this Strategy and Sutton Masterplan. Land in private ownership proposed to be rezoned will be required to undertake or reimburse any required supporting site investigations or specialist planning advice (e.g. Flood, Ecological, European/Cultural assessment)

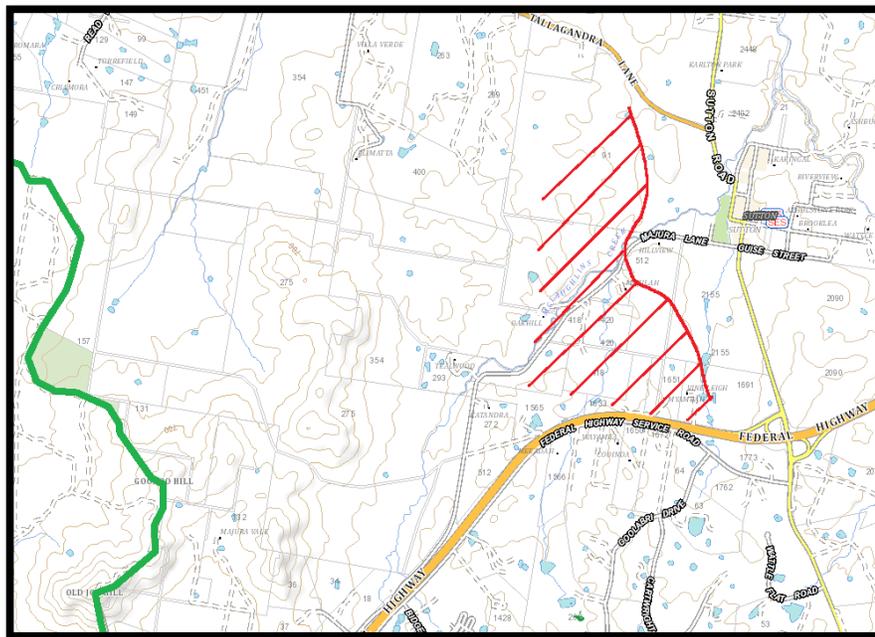
**Justification of the recommended outcome**

— The level of recommended growth is limited due to reliance on groundwater, lack of reticulated sewer and biodiversity values.

— Proximity to Canberra and Queanbeyan and easy access to the Federal Highway.

— Future development would be contiguous with the existing settlement.

— Community desire for limited controlled growth and maintaining the village identity from ACT.



**Figure 13: Notional 5km transition zone from ACT border (PHL)**

## SUTTON VILLAGE MASTER PLAN 2017

Yass Valley Council have recently completed a Master Plan (Sutton Village Master Plan 2017) for the village of Sutton (see the features in Figures 11). The development of this Plan followed community workshops, submissions and Council determinations and outlined a direction for limited development in Sutton village and surrounds.

This Planning Proposal is generally in accordance with the Master Plan zoning and objectives. For the northern part of the subject land, the Plan recommended that the R2 zone be used with a 5000m<sup>2</sup> minimum lot area. This has been retained with the specific R2 land identified and RU1 land with transitional minimum lot sizes also proposed.

It is considered that the proposed village bypass road shown in the Master Plan is not in the best location as West Street provides a quiet access to the Sutton Hall and oval and the necessary crossing of the Yass River would be located in a very difficult location. The alignment proposed in the Master Plan also does not consider the topographical and drainage constraints of the subject land. The bypass route as shown in this planning proposal (Figure 11) achieves the geometrical requirements of a high-speed road and utilises higher land at the north western corner of the site and an improved location for crossing the river.

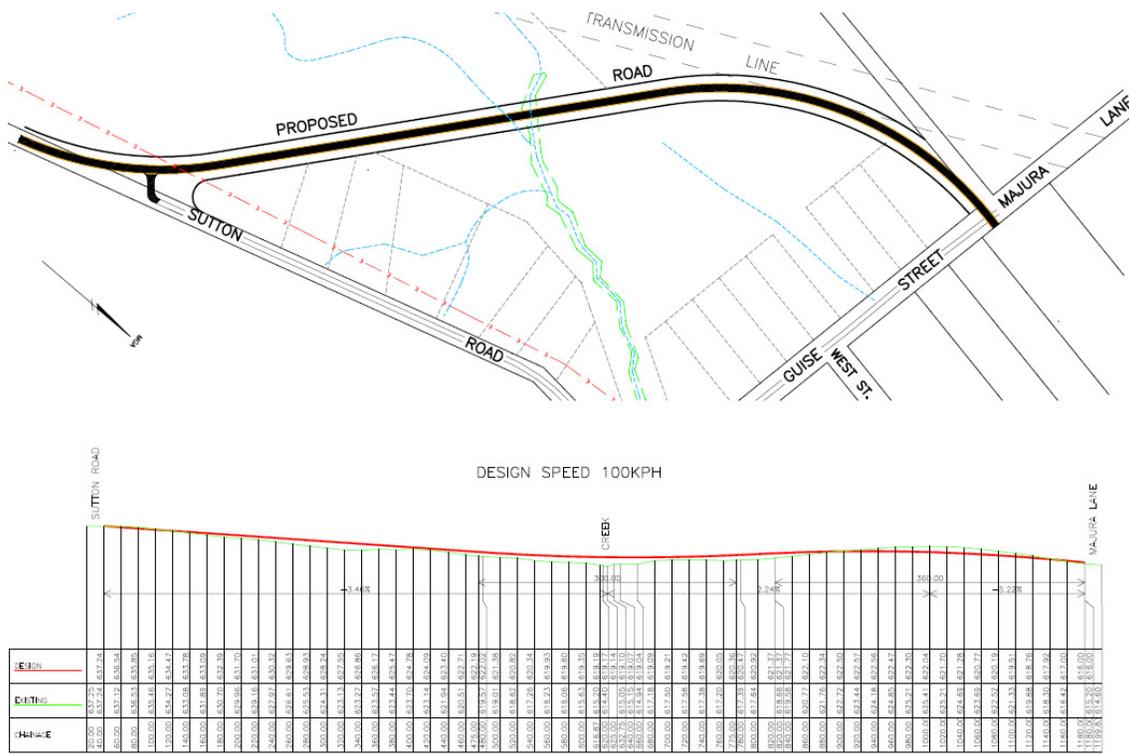
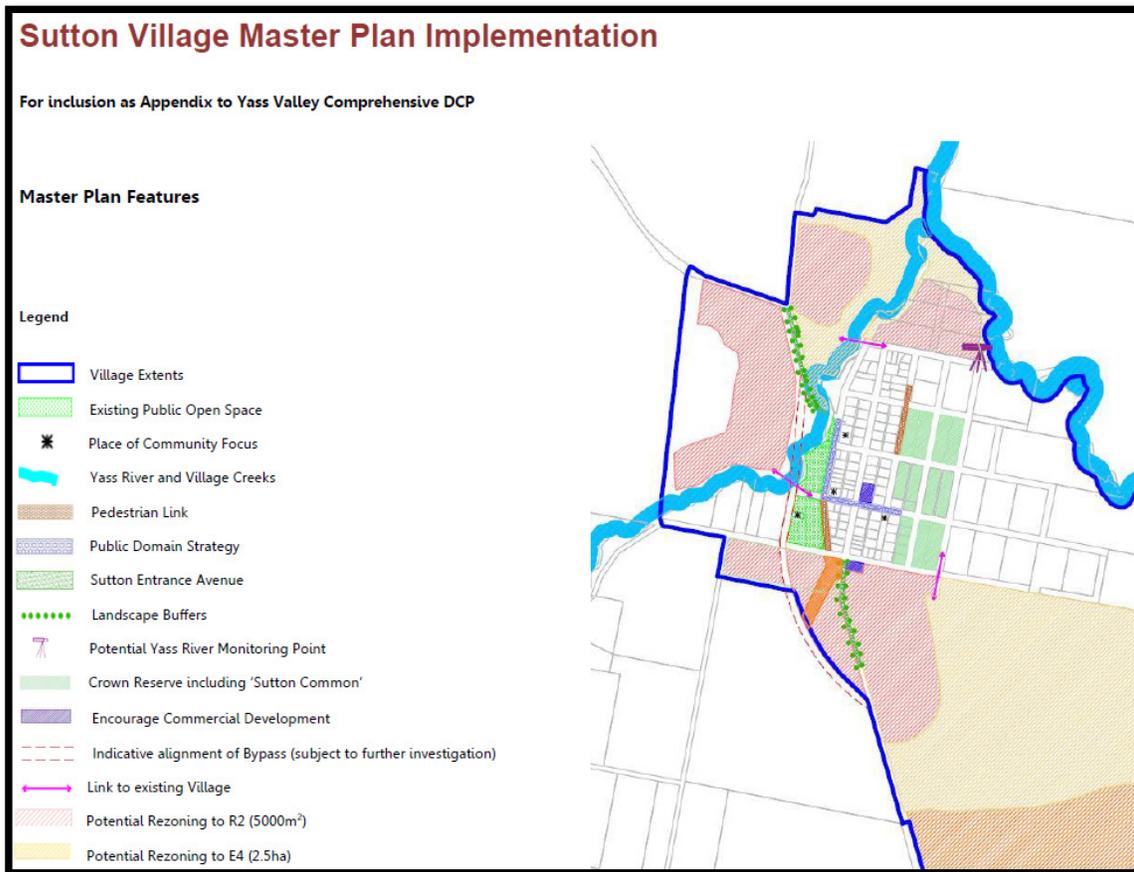


Figure 14: Proposed by pass road – plan and long section (PHL)



**Figure 15: Zoning – Sutton Village Master Plan-2017 (YVC)**

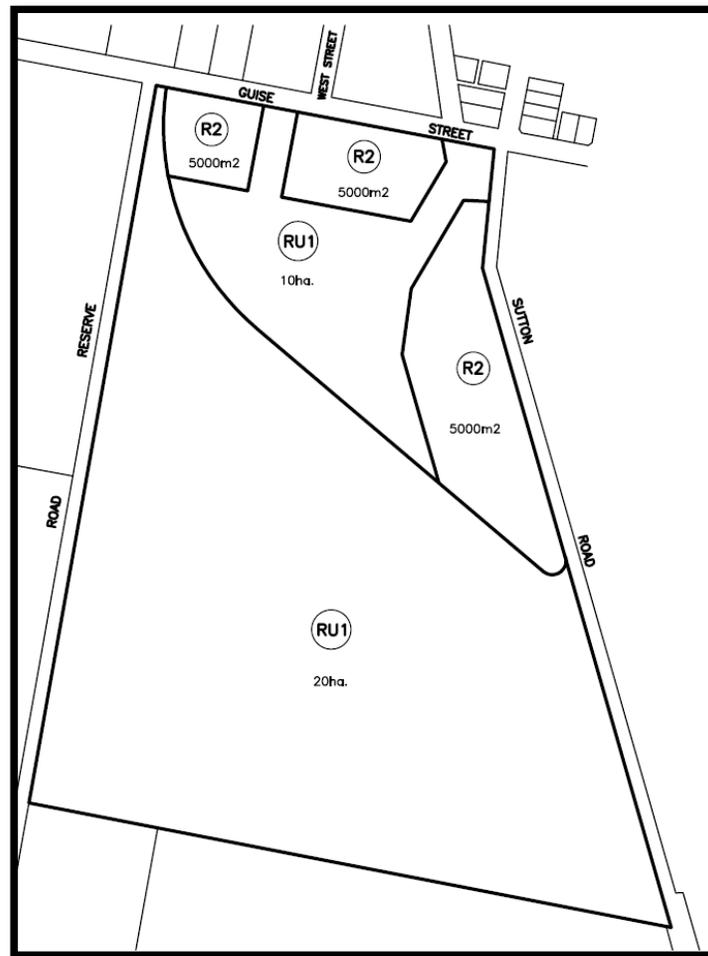


Figure 16: Proposed Zoning & Minimum Lot Sizes

### 3.5 Q5 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

#### STATE ENVIRONMENTAL PLANNING POLICY (RURAL LANDS)

Although the subject land is not considered to be state significant rural land the principles of the SEPP should be applied in this rural area as the land is zoned RU1 Primary Production.

The Rural Planning Principles in the SEPP are as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,

- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

The planning proposal recognises the value of the rural land in defining the village character, the constraints of the land and the need to add to the housing choice in the rural setting. Most of the RU1 land will be retained and current land uses continued on adequately sized parcels.

### **3.5.1 State Environmental Planning Policy No55 – remediation of Land**

The State Environmental Planning Policy No 55 – Remediation of Land (SEPP) seeks to ensure that any land subject to rezoning does not pose a risk of harm to human health.

#### **Object of this Policy**

- (1) The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land.*

The subject land is used for grazing purposes and has been for many years. The likelihood of contamination is considered to be extremely low.

### **3.6 Q6 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS?**

This Planning Proposal is consistent with relevant Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act.

The following directions were highlighted as being pertinent to this Planning Proposal.

#### **Employment and Resources**

##### **1.2 Rural Zones**

###### **Objective**

- (1) The objective of this direction is to protect the agricultural production value of rural land.*

###### **Where this direction applies**

- (2) (a) Clause 4(a) of this direction applies to all relevant planning authorities.*

###### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).*

###### **What a relevant planning authority must do if this direction applies**

- (4) A planning proposal must:*

- (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.*
- (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).*

### **Consistency**

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

(i) gives consideration to the objectives of this direction,

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

(iii) is approved by the Director-General of the Department of Planning, or

(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or

(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy

prepared by the Department of Planning which gives consideration to the objective of this direction, or

(d) is of minor significance.

Comment: Although inconsistent with the direction, the Planning Proposal intends to rezone land in accordance with the Sutton Village Masterplan 2017.

## **1.2 Rural Lands**

### **Objectives**

(a) protect the agricultural production value of rural land,

(b) facilitate the orderly and economic development of rural lands for rural and related purposes.

### **When this direction applies**

(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

### **What a relevant planning authority must do if this direction applies**

(4) A planning proposal must:

(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.

(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

### **Consistency**

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

(i) gives consideration to the objectives of this direction,

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

(iii) is approved by the Director-General of the Department of Planning, or

(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or

(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy

prepared by the Department of Planning which gives consideration to the objective of this direction, or

(d) is of minor significance.

### **What a relevant planning authority must do if this direction applies**

(4) A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008.

Comment: The planning proposal will affect some land zoned for rural purposes. The land proposed to be zoned R2 is on the fringe of the rural land and has been identified in the Sutton Village Master Plan as suitable for village expansion. The remaining land will maintain the existing RU1 zone. The land is marginal grazing land generally accommodating a small number of horses and cattle.

## **Environment and Heritage**

### **2.1 Environment Protection Zones**

*This direction requires that a planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.*

#### **What a relevant planning authority must do if this direction applies**

*(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.*

*(5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands"*

#### **Heritage Conservation**

*This specifies that a planning proposal must contain provisions to allow for the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance, as well as Aboriginal objects or places.*

#### **What a relevant planning authority must do if this direction applies**

*(4) A planning proposal must contain provisions that facilitate the conservation of:*

*(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,*

*(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and*

*(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.*

Comment: The Planning Proposal is compliant with this direction. The Cultural Heritage Assessment provided comments that have been incorporated in the layout. The main flow paths are considered environmentally sensitive and have been excluded from proposed development.

## **Housing, infrastructure and urban development**

### **3.1 Residential Zones**

#### **Objectives**

*(1)(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,*

*(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*

*(c) to minimise the impact of residential development on the environment and resource lands.*

#### **Where this direction applies**

*(2) This direction applies to all relevant planning authorities.*

#### **When this direction applies**

*(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:*

*(a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),*

*(b) any other zone in which significant residential development is permitted or proposed to be permitted.*

**What a relevant planning authority must do if this direction applies**

(4) A planning proposal must include provisions that encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and
- (b) make more efficient use of existing infrastructure and services, and
- (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
- (d) be of good design.

(5) A planning proposal must, in relation to land to which this direction applies:

- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- (b) not contain provisions which will reduce the permissible residential density of land.

**Consistency**

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

- (i) gives consideration to the objective of this direction, and
  - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
  - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
- (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) of minor significance.

Comment: Development in this location will have access to the essential services of electricity and telephone. Sutton village and surrounds does not have access to a public sewerage scheme or potable water. The minimum lot size has been established to provide an adequate area for the on-site disposal of sewage on each new lot (see report in Appendix B). New dwellings will be required to construct a suitably sized rainwater tank to collect roof water for potable use - probably 110000 litres. This will be supplemented by the construction of a communal bore that will provide water for gardens, in toilets and other non-potable uses. (see comments in section 3.3)

### **3.3 Home Occupations**

**Objective**

(1) The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.

**Where this direction applies**

(2) This direction applies to all relevant planning authorities.

**When this direction applies**

(3) This direction applies when a relevant planning authority prepares a planning proposal.

**What a relevant planning authority must do if this direction applies**

(4) Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.

**Consistency**

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.

**Note:** In this direction "home occupation" has the same meaning as it has in the Standard Instrument (Local Environmental Plans) Order 2006.

Comment: The Planning Proposal is consistent with this direction. The anticipated location of future dwellings will enable home occupations to proceed following development consent.

### **4.3 Flood Prone Land**

#### **Objectives**

(1) *The objectives of this direction are:*

- (a) *to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and*
- (b) *to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

#### **Where this direction applies**

(2) *This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA.*

#### **When this direction applies**

(3) *This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.*

#### **What a relevant planning authority must do if this direction applies**

(4) *A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).*

(5) *A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.*

(6) *A planning proposal must not contain provisions that apply to the flood planning areas which:*

- (a) *permit development in floodway areas,*
- (b) *permit development that will result in significant flood impacts to other properties,*
- (c) *permit a significant increase in the development of that land,*
- (d) *are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or*
- (e) *permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.*

(7) *A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

(8) *For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

#### **Consistency**

(9) *A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that: (a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or (b) the provisions of the planning proposal that are inconsistent are of minor significance.*

Comment: The Sutton Floodplain Risk Management Study and Plan 2016 has been considered and this Planning Proposal is considered to be consistent with the objectives. (see comments in part 2.3.11)

### **5.10 Implementation of Regional Plans**

#### **Objective**

(1) *The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.*

#### **Where this direction applies**

(2) This direction applies to land to which a Regional Plan has been released by the Minister for Planning.

**When this direction applies**

(3) This direction applies when a relevant planning authority prepares a planning proposal.

**What a relevant planning authority must do if this direction applies**

(4) Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.

**Consistency**

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with the Regional Plan:

(a) is of minor significance, and

(b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of its vision, land use strategy, goals, directions or actions.

Comment: The Planning Proposal is consistent with the South East and Tablelands Regional Plan 2036. (see part 3.3)

## 6.1 Approval and Referral Requirements

**Objective**

(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

**Where this direction applies**

(2) This direction applies to all relevant planning authorities.

**When this direction applies**

(3) This direction applies when a relevant planning authority prepares a planning proposal.

**What a relevant planning authority must do if this direction applies**

(4) A planning proposal must:

(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and

(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:

(i) the appropriate Minister or public authority, and

(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),

prior to undertaking community consultation in satisfaction of section 57 of the Act, and

(c) not identify development as designated development unless the relevant planning authority:

(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and

(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.

Comment: The proposed new zones are utilised in many parts of the LGA. The YVLEP objectives, zonings and lot sizes are consistently used and will ensure efficient assessment.

## **SECTION C – ENVIRONMENTAL AND SOCIAL IMPACT**

### **3.7 Q7 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?**

The Flora and Fauna Assessment (Soil and Water) concluded that “no significant adverse impacts on threatened species, populations or endangered ecological communities are likely to result from the proposed development.” The conclusion was based on the following:

- *No threatened flora or potential habitat for threatened flora were recorded within the study area;*
- *No potential nesting or roosting habitat for hollow-obligates, or significant foraging habitat for threatened fauna will be impacted by the proposal;*
- *No TECs will be impacted by the proposal;*
- *The vegetation within the subject site is predominantly exotic pasture, with limited areas of degraded DNG, and hence has very low conservation value;*
- *Compliance with the above recommendations are expected to be a condition of development approval.*

### **3.8 Q8 ARE THERE ANY LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?**

The reports by Soil and Water addressed the existing and likely impacts on dryland salinity, riparian zones, groundwater and land capability for development, building and effluent disposal. Recommendations have been provided to address any existing issues and improve the natural environment. These recommendations are considered appropriate and good practice.

### **3.9 Q9 HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?**

The Sutton Village Master Plan addressed the social and economic effects of development that includes this proposal.

## **SECTION D – STATE AND COMMONWEALTH INTERESTS**

### **3.10 Q10 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?**

This planning proposal is founded on the understanding that the Sutton village area will not be serviced by any public sewerage or water supply assets in the foreseeable future. Water supply will be obtained from roof capture and sewage disposal will be on individual sites.

There is adequate electricity and communication services across the land and in the adjacent roads.

The land is bounded by 2 public roads and there is a short travel distance to the Sutton village and the Federal Highway linking Canberra and Sydney. This planning proposal has carefully considered the need and placement of a future village by pass road and advertised a preferred route.

### **3.11 Q11 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?**

The NSW Department of Planning and Environment raised some initial issues which have been addressed in this report. State and Federal governments have not been directly approached by the proponent.

## **4. MAPPING (PART 4)**

The proposed amendments to the current Yass LEP zonings and lot sizes are as indicated in Figures 8 & 15.

Should the Planning Proposal progress through the Gateway and plan making process, additional mapping will be necessary and for it to be prepared in accordance with the Department's Standard technical requirements for LEP maps.

## **5. COMMUNITY CONSULTATION (PART 5)**

This Planning Proposal has evolved from the community consultation and outcome of the Sutton Village Master Plan 2017. The community and stakeholders will comment following the submission and advertising of this document.

## **6. PROJECT TIMELINE (PART 6)**

- Submission to Council July 2018
- Referral to Department of Planning August 2018
- Commencement date (gateway determination) January 2019
- Timeframe for completion of require studies Completed
- Timeframe for government agency consultation March 2019
- Commencement of public exhibition April 2019
- Date RPA will make the plan
- Date RPA will forward to Department for notification or for finalisation

## 7. CONCLUSION

The proposal for development of Lot 1 DP 32236 is based upon detailed analysis of the constraints of the land and opportunities for the enhancement of the rural heritage and setting of Sutton Village. The vision of the owner relies on the amendment of the Yass Valley LEP to permit suitable development and a Planning Proposal is required.

## 8. APPENDICES

### 8.1 PLANS ..... PHL SURVEYORS

- Existing Site
- Constraints and Opportunities
- Overall Layout
- Layout in Development Precinct
- Concept By Pass Road Design

### 8.2 INTEGRATED ASSESSMENT ..... SOIL AND WATER

- Land Capability
- Flora and Fauna
- Watercourse
- Groundwater
- Dryland Salinity

### 8.3 ABORIGINAL CULTURAL HERITAGE DUE DILIGENCE REPORT ..... ..... PAST TRACES

### 8.4 BUSHFIRE HAZARD ASSESSMENT ..... EMBER BUSHFIRE CONSULTING

# APPENDIX A

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Plans

PHL Surveyors

July 2018



# APPENDIX B

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## Integrated Assessment

### Soil and Water

June 2017



# APPENDIX C

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## Aboriginal Cultural Heritage Due Diligence Report

### Past Traces

June 2017



# APPENDIX D

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Bushfire Hazard Assessment

Ember Bushfire Consulting

November 2017