

PLANNING PROPOSAL

Yass Valley LEP 2013 Minimum Lot Size for Low Rise Medium Density Housing

February 2020



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PART 1 - OBJECTIVES / INTENDED OUTCOMES

The planning proposal seeks to amend the Yass Valley Local Environmental Plan (YVLEP) 2013 by introducing minimum lot size provisions for dual occupancies and multi dwelling houses in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and RU5 Village zones.

The planning proposal is also intended to introduce minimum lot size provisions for dual occupancies on land currently zoned RU5 Village within the Yass Valley if the land is not connected to a reticulated sewerage system.

PART 2 - EXPLANATION OF PROVISIONS

The proposed amendments to the YVLEP 2013 and their intended outcome are identified below.

Item 1: Introduction of minimum lot size for low rise medium density housing

NSW Department of Planning, Industry & Environment (Department) has introduced a Low Rise Medium Density Housing Code (Code) and a Low Rise Medium Density Design Guide (Design Guide) to address NSW's ageing and growing population by providing greater housing choice, increased housing supply and affordable housing. The Code will allow the construction of one and two storey dual occupancies, manor houses and multi dwelling houses (terraces) in R1, R2, R3 and RU5 zones under the complying development approval pathway. The Code will be applicable throughout NSW, and therefore, many Councils are proposing local provisions in their Local Environmental Plans to limit any adverse impact to their local character.

Yass Valley has a unique local character, with streetscapes and built form having embedded historical values. The development standards which specify the size and scale of development and a minimum lot size of land for low rise medium density housing are critical in protecting this character. Low rise medium density houses will only be allowed as complying development in R1, R2, R3 and RU5 zones where they are permitted under the YVLEP 2013. Any proposal for low rise medium density housing to be assessed as complying development must comply with the development standards in the Code and the design criteria of the Design Guide.

The two storey height restriction for low rise medium density housing as complying development under the Code is consistent with the current maximum building height of 8 metres over the residential areas within Yass under the YVLEP 2013. However, the absence of minimum lot size provisions within the YVLEP 2013 for low rise medium density housing will result in higher density development under the Code which is inconsistent with the existing local character and will place pressure on existing amenities and infrastructure.

Under the Code, a minimum lot size of 400sqm has been specified for dual occupancies whereas for manor houses and multi dwelling houses (terraces) the minimum lot size would be 600sqm.

Council considers that the above 'default' minimum lot sizes specified by the Code would result in development that would be out of the character of the Yass Valley. As such, low rise medium density housing should only be allowed as complying development in the Yass Valley after the proposed minimum lot size provisions within the YVLEP 2013 for low rise medium density housing are adopted.

The Yass Built Form Study 2011 recommended that for multi dwelling housing, a minimum lot size of 400sqm per dwelling should be applied to maintain the local character of Yass. The study considered that an area of 300sqm per dwelling or less in established areas of Yass would be difficult to achieve due to topography and the historical pattern of development. The capacity of ageing water and sewer

infrastructure to cope with a significant increase in development is also unknown at this stage.

Council wishes to seek a varied minimum lot size for the construction of dual occupancies, manor houses and multi dwelling houses under the Code in R1, R2, R3 and RU5 zones. However, the application of the Code is temporarily deferred to the Yass Valley LGA until 1 July 2020. Therefore, Council cannot make changes to the YVLEP 2013 in regards to the manor houses including changing the minimum lot size till the deferral period ceases. Furthermore, it is also noted that should Council introduce a minimum lot size for manor houses in the YVLEP 2013 that would only apply to manor houses lodged as development applications. As such, the minimum lot size for manor houses under the Code will continue to be 600sqm, given, this development standard of the Code does not defer to Council's Local Environmental Plan.

In view of the above, Council only seeks to introduce minimum lot sizes for dual occupancies and multi dwelling houses in R1, R2, R3 and RU5 zones. As such, the minimum lot size proposed in Table 1 would only apply to land connected to reticulated sewerage and water supply system. The smallest minimum lot size for subdivision in the Yass Valley is currently 700sqm. Accordingly, Council is seeking a minimum lot size for dual occupancies and multi dwelling houses in Yass Valley as proposed below:

Zone	Location	Current Minimum Lot Size under the YVLEP 2013 for Subdivision	Proposed Minimum Lot Sizes for (Land connected to reticulated sewerage and water supply system)	
			Dual Occupancies (Detached / Attached)	Multi Dwelling Houses
R1 General Residential	Yass	700sqm 1,000sqm 2,000sqm 5,000sqm 2 hectares	400sqm per dwelling	400sqm per dwelling
R2 Low Density Residential	Yass	4,000sqm 2 hectares	2,000sqm per dwelling	Not applicable
R3 Medium Density Residential	Yass	700sqm (Note: Settlement Strategy proposed 300sqm)	150sqm per dwelling	150sqm per dwelling
RU5 Village	Murrumbateman	1,500sqm	750sqm per dwelling	Not applicable

Table 1: Proposed minimum lot size for dual occupancies and multi dwelling houses on land connected to a reticulated sewerage system

There are only very limited pockets of land currently zoned R3 Medium Density Residential in Yass, which are either already developed or subject to some constraints. The minimum lot size proposed above for medium density housing reflects Council's consideration through the Yass Valley Settlement Strategy 2036 of the potential to apply the R3 zone in other locations with a minimum lot size of 300sqm to provide for a diversity of housing particularly for residents who are ageing or have a disability. These areas will be dealt with through a separate planning proposal process.

It is also important to note that for dual occupancy and multi dwelling house, the development proposal must meet all of the development standards in the Code and the design criteria of the Design Guide for complying development. Therefore, the Code will not apply to the areas of Yass Valley LGA not connected to reticulated water supply and sewerage system.

Although, under the current provisions of YVLEP 2013, Yass and Murrumbateman have a potential for low rise medium density housing development. However, the development applications data suggests that Yass Valley residents are more inclined to stand-alone single dwelling houses compare to low rise medium density housing as shown in Table 2 below. It is important to note that dual occupancies are approved across the towns and villages of Yass Valley LGA whereas multi dwelling houses are only constructed in Yass, given, under the provision of YVLEP 2013 multi dwelling houses are permissible in R3 Medium Density Residential only.

Number of development applications for low rise medium density housing			
Year	Dual Occupancies	Multi Dwelling Houses	Single Dwelling Houses
2013-14	4	2	94
2014-15	5	1	117
2015-16	8	0	95
2016-17	6	2	83
2017-18	6	0	84
Total	29	5	473

Table 2: Development applications lodged with Yass Valley Council for low rise medium density housing

Source: NSW Local Development Performance Monitoring (accessed February 2020)

The impact of proposed changes on the development potential of low rise medium density housing in the Yass Valley could be understood by comparing the expected lot yield under the Code with the potential lot yield under the proposed changes.

Comparison of lot yield under the Code & the Planning Proposal (PP)					
Zone		Dual Occupancies		Multi Dwelling Houses	
		Under the Code	Under the PP	Under the Code	Under the PP
R1 General Residential	Minimum lot size	200sqm per dwelling	400sqm per dwelling	600sqm (3 or more dwellings)	400sqm per dwelling
	Number of lots available for CDC	approx. 1650	approx. 1100	approx. 1400	approx. 450
Difference in lot yield (R1)		-550		-950	

R2 Low Density Residential	Minimum lot size	200sqm per dwelling	2000sqm per dwelling	N/A	N/A
	No of lots for CDC	approx. 29	approx. 18	N/A	N/A
Difference in lot yield (R2)		-11		N/A	
R3 Medium Density Residential	Minimum lot size	200sqm per dwelling	150sqm per dwelling	600sqm (3 or more dwellings)	150sqm per dwelling
	No of lots for CDC	approx. 9	approx. 9	approx. 5	approx. 5
Difference in lot yield (R3)		0		0	
RU5 Village	Minimum lot size	200sqm per dwelling	750sqm per dwelling	N/A	N/A
	No of lots for CDC	approx. 222	approx. 75	N/A	N/A
Difference in lot yield (RU5)		-147		N/A	
Total Tentative lots yield		1910	1202	1405	455
Difference in lots yield		-708 lots		-950 lots	

Table 3: Comparison of expected lot yield for low rise medium density housing

Source: NSW-DPIE (August 2019) and Yass Valley Council (February 2020)

It appears from the data in Table 3 that there would be some loss in lot yield by proposed changes. The data suggests that there may be loss of 550 lots, 11 lots and 147 lots in R1, R2 and RU5 respectively for dual occupancy. The loss of lot yield in R2 is very minimum that can be overcome considering there is potential for further subdivision of land currently zoned R2. As such, the expected loss of 550 lots and 147 lots for dual occupancies in R1 and RU5 respectively and the expected loss of 950 lots for multi dwelling houses in R1 by proposed changes appear to be high.

Notwithstanding that the number of DA's lodged with Council in the last 5 years for dual occupancies and multi dwelling houses shown in Table 2 suggest that it is highly unlikely that there will be high demand for low rise medium density in Yass Valley especially under the Code. As such, Council proposed a higher minimum lot size compare to what would be applied under the Code, to strengthen the unique character of Yass Valley.

In addition to the above, to meet the housing demand and to support housing diversity, the Yass Valley Settlement Strategy 2036 has recommended rezoning of land from R1 zone to R3 zone for infill development. This will create more than 50 lots for multi dwelling houses. Furthermore, various greenfield sites have been identified in the Strategy to make land available for divers housing needs of ageing and growing population.

Item 2: Introduction of minimum lot size for dual occupancies on land currently zoned RU5 and not connected to a reticulated sewerage system

Most of the land currently zoned RU5 (see Images 1 to 7) in the villages of Yass Valley is not connected to a reticulated sewerage system with the exception of most of Murrumbateman. In these villages, for

the purpose of subdivision, the minimum lot size for RU5 zone varies between 1500sqm and 2000sqm. However, the actual size of some of the lots in these villages is as small as 650sqm on which a dual occupancy is currently permissible under the provision of the YVLEP 2013.

The Amendment No 2 to the YVLEP 2013 gazetted on 2 March 2018 resulted in rezoning land from RU1 Primary Production to R2 Low Density Residential to the north and south of the existing Gundaroo village. The land is not connected to a reticulated sewerage system. In consideration of the concerns of the Department and the NSW Natural Resources Access Regulators (formerly known as NSW DPI-Water), special provisions were introduced under the clause 6.12 of the YVLEP 2013 which require a minimum lot size of 5,000sqm for a dwelling house and a minimum lot size of 10,000sqm (1 hectare) for a dual occupancy when the land is not connected to a reticulated sewerage system. This decision was made to reduce any adverse impact of future development and village expansion, primarily on groundwater quality.

Following the introduction of the abovementioned provisions for land recently zoned R2 in Gundaroo, similar provisions are proposed in planning proposals (under consideration) in Sutton relating to the proposed rezoning of rural land to R2 and RU5. Council consider it is prudent to include a similar provision in the YVLEP 2013 to strengthen the requirement in relation to the reticulated sewerage system. Therefore, it is recommended that a minimum area of 4,000sqm should be required to lodge a development application for dual occupancy on land currently zoned RU5 that is not connected to a reticulated sewerage system.

This provision will mainly apply to land currently zoned RU5 in the Yass Valley LGA. As such, increasing the area required for dual occupancy on land currently zoned RU5 that is not serviced by a reticulated sewerage system will also address the issue of higher density and any adverse impact on the character of the villages. The land to which the provision will apply to is shown in below Images.

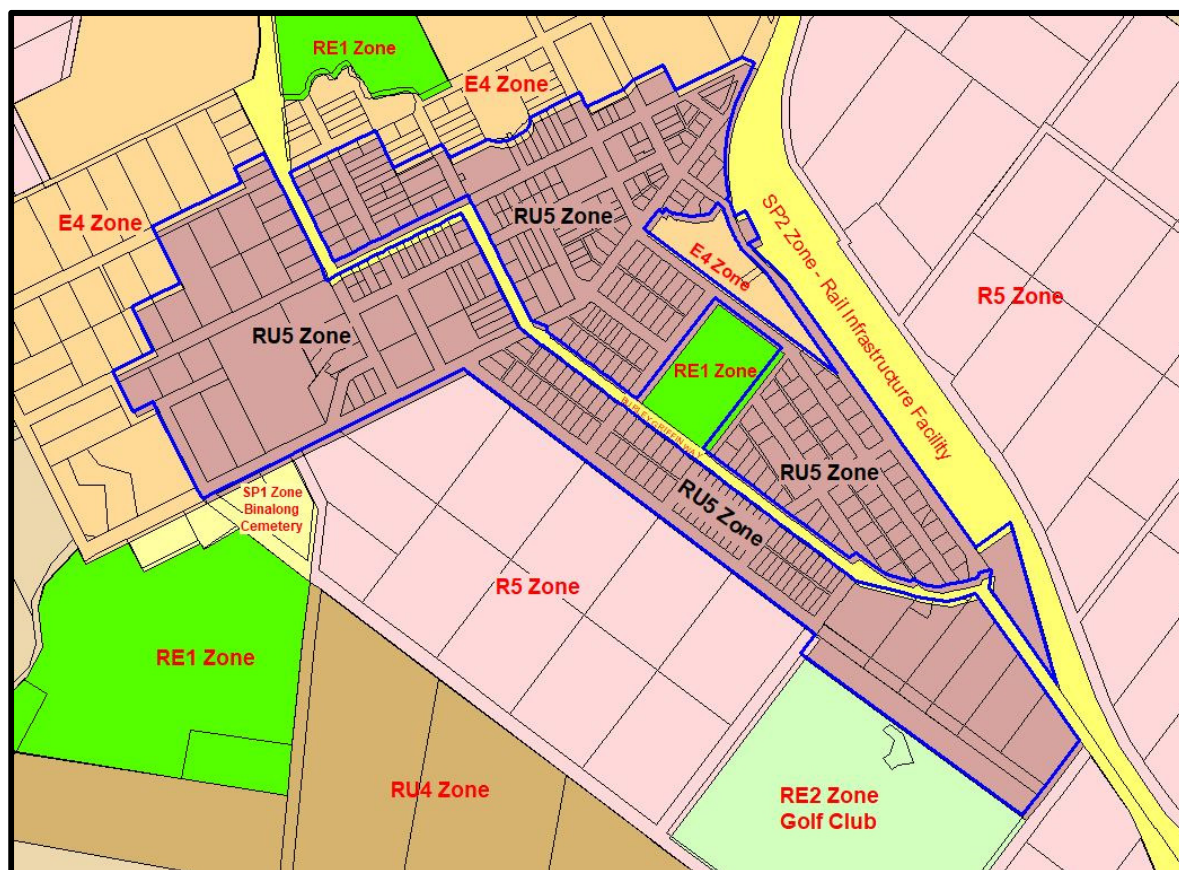


Image 1: Existing Land Zoning Binalong - the proposed provision will apply to RU5 zoned land outlined blue

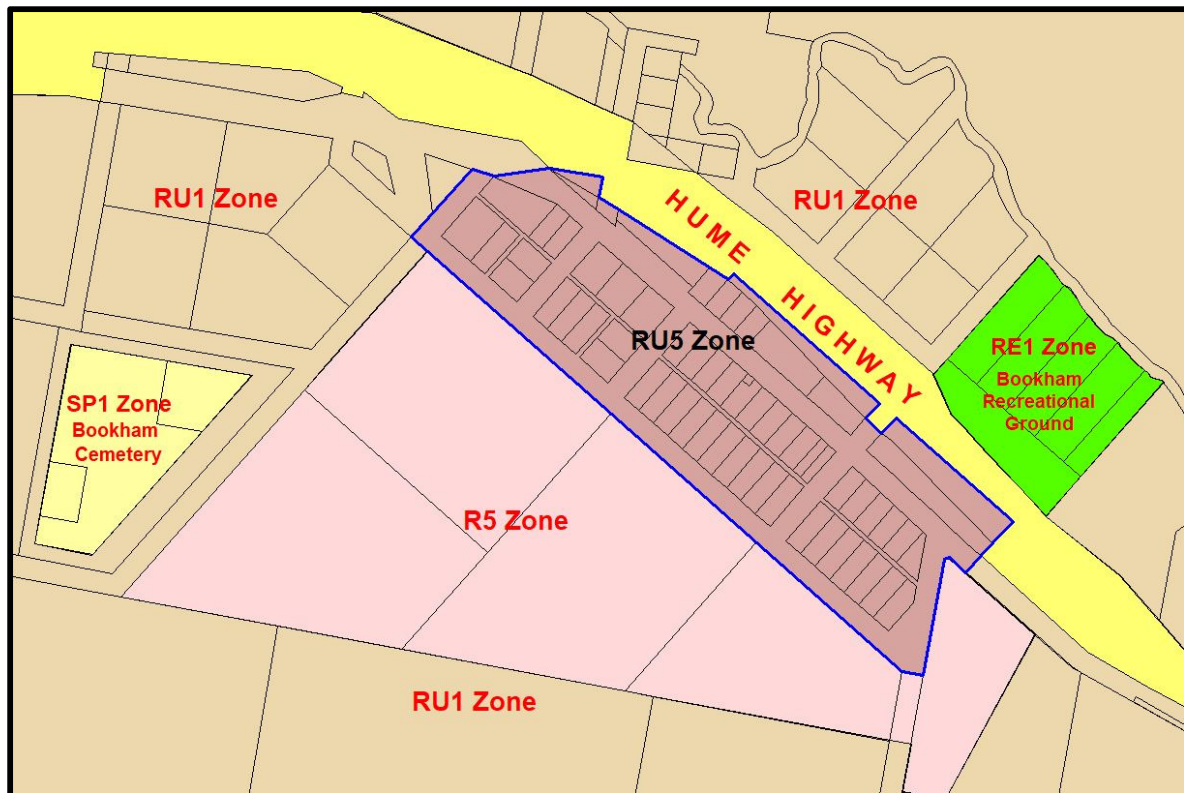


Image 2: Existing Land Zoning Bookham - the proposed provision will apply to RU5 zoned land outlined blue

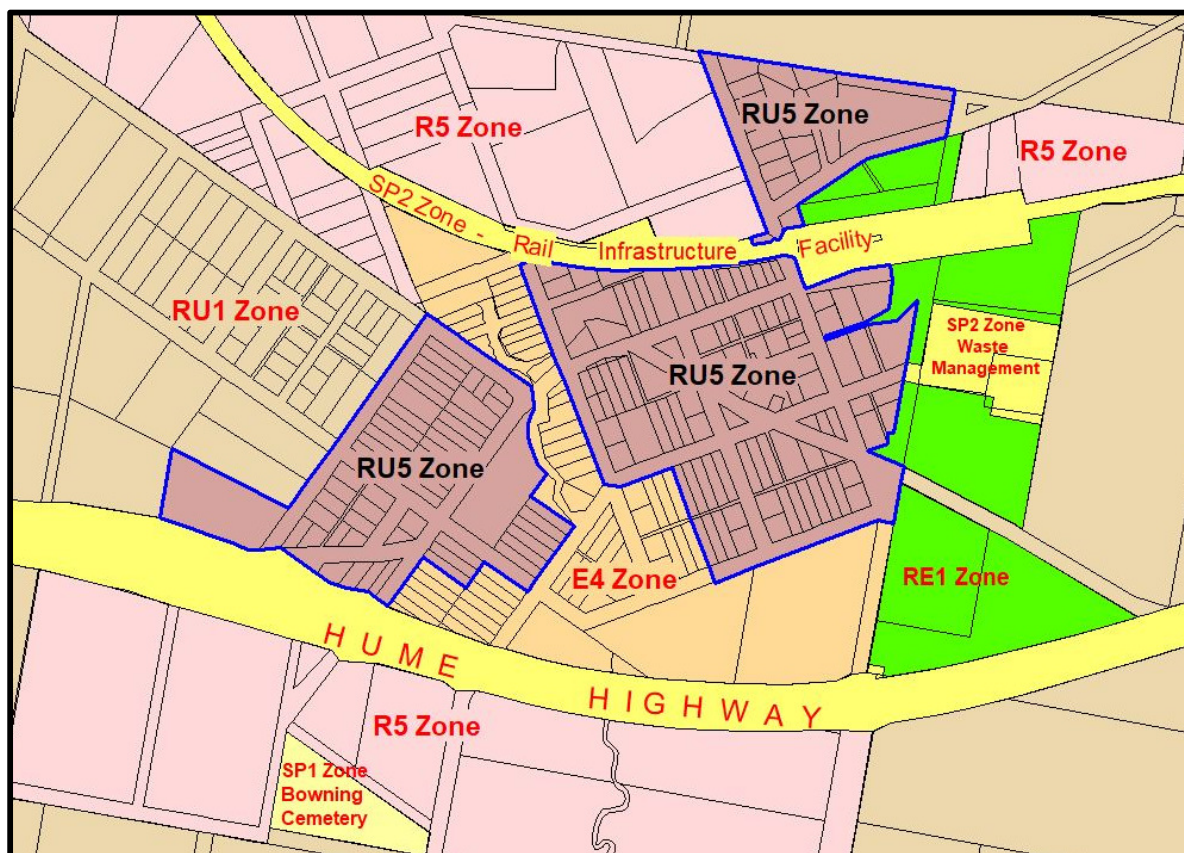


Image 3: Existing Land Zoning Bowning - the proposed provision will apply to RU5 zoned land outlined blue

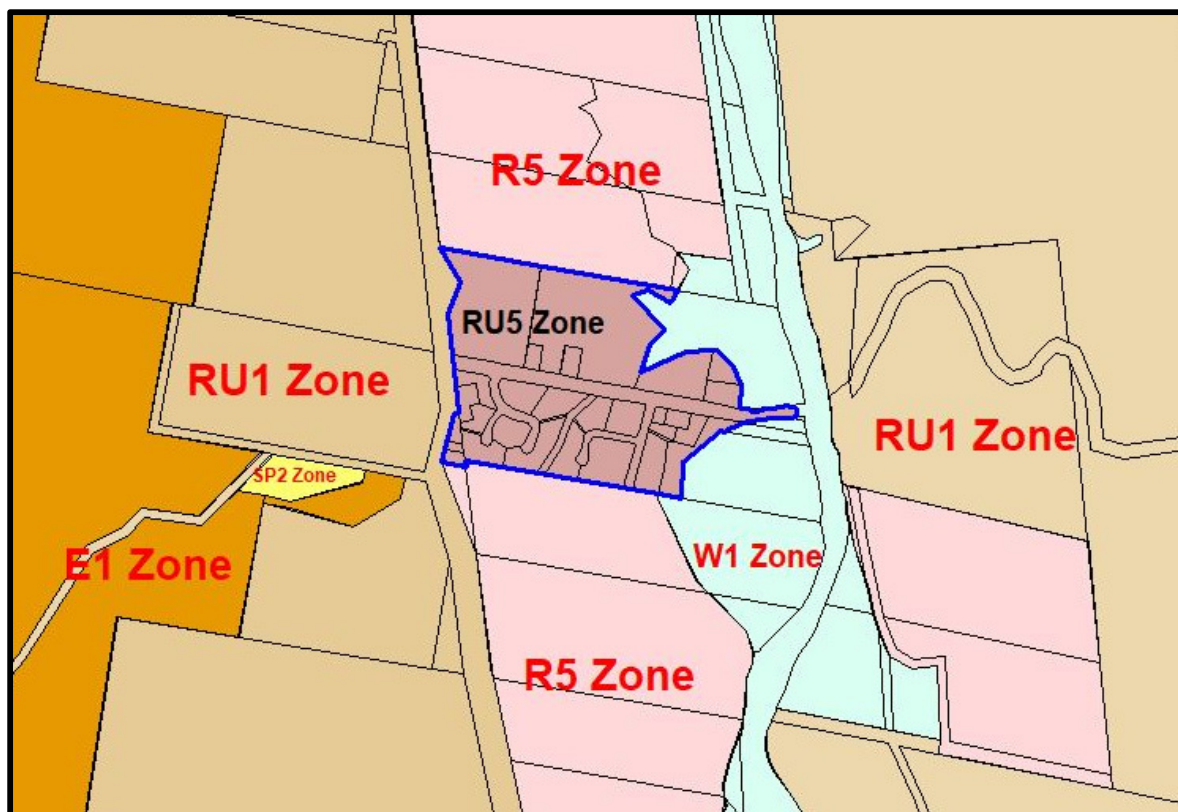


Image 4: Existing Land Zoning Wee Jasper - the proposed provision will apply to RU5 zoned land outlined blue

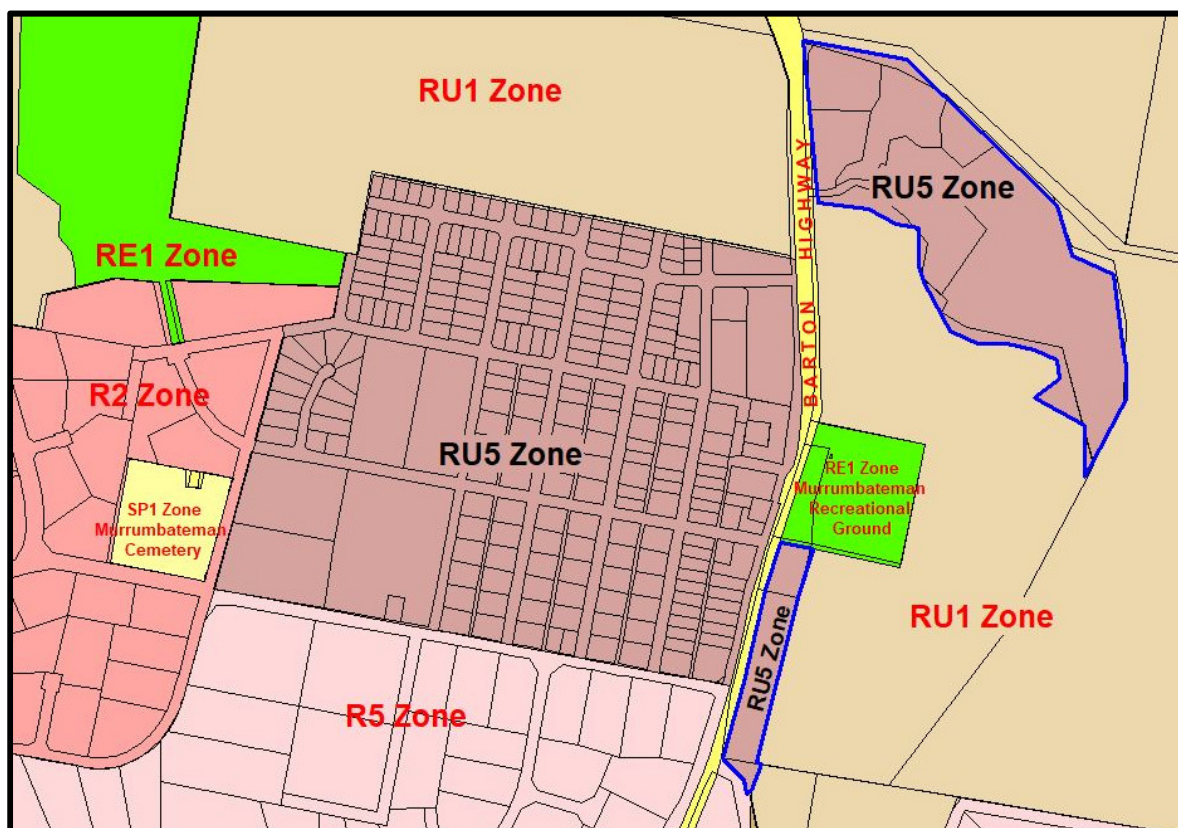


Image 5: Existing Land Zoning Murrumbateman - the proposed provision will apply to RU5 zoned land outlined blue

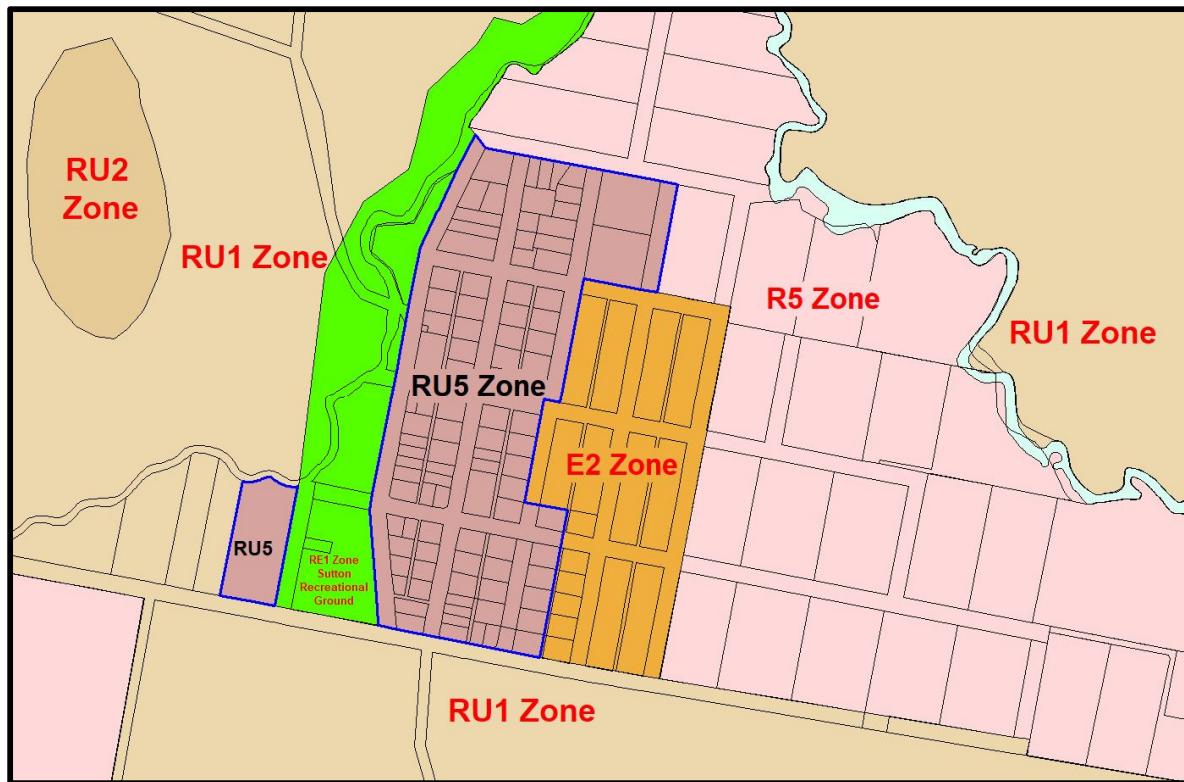


Image 6: Existing Land Zoning Sutton - the proposed provision will apply to RU5 zoned land outlined blue

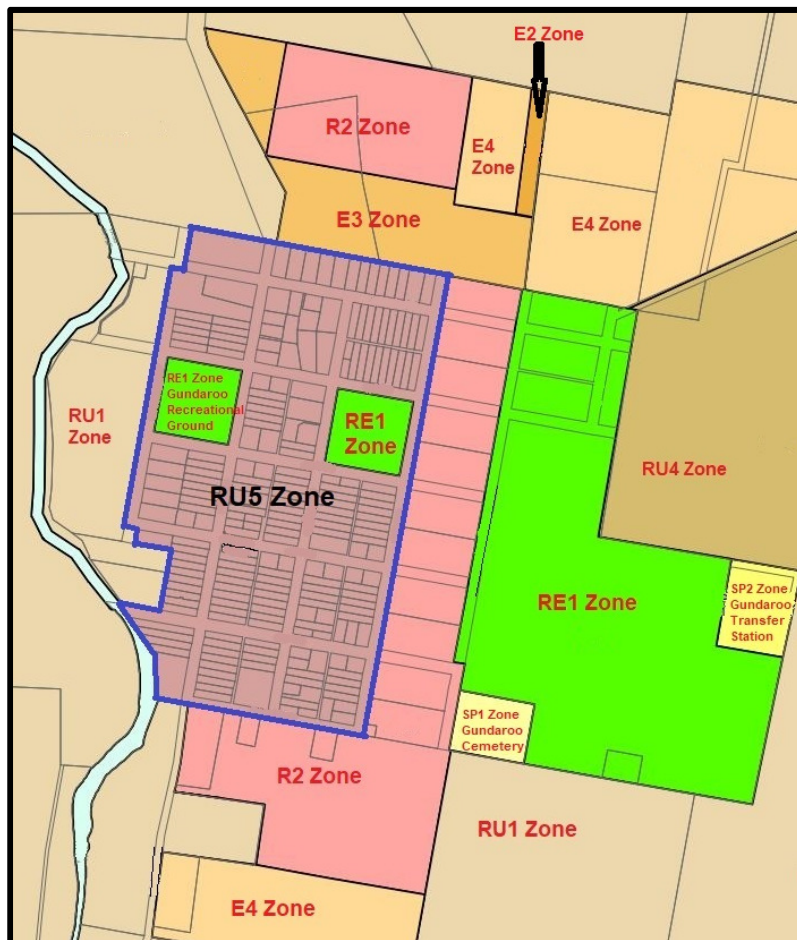


Image 7: Existing Land Zoning Gundaroo - the proposed provision will apply to RU5 zoned land outlined blue

Item 3: Inclusion of a new savings and transition clause

The NSW Department of Planning, Industry and Environment has issued a Gateway determination on 17 January 2020. The Gateway has conditioned Council to include a saving and transition clause for this planning proposal.

The intent of saving and transition clause is to ensure any development applications lodged prior to the YVLEP amendment coming into effect are not adversely impacted by the proposed changes to minimum lot sizes to dual occupancies and multi-dwelling houses.

PART 3 - JUSTIFICATION

The planning proposal seeks to amend the YVLEP 2013 by introducing minimum lot sizes for dual occupancies and multi dwelling houses in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and RU5 Village zones. The aim is to specify the minimum lot size required for dual occupancies and multi dwelling houses to be constructed in Yass Valley as complying development where it meets all of the required development standards of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and the design criteria in the Design Guide.

The planning proposal is also intended to introduce a provision for the construction of a dual occupancy through a DA on land currently zoned RU5 in Yass Valley that is not connected to a reticulated sewerage system.

Section A - Need for the planning proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes, the planning proposal incorporates recommendations of the Yass Built Form Study 2011, and the Yass Valley Settlement Strategy 2036 those were adopted by the Council on November 2011 and August 2017 respectively. Item 2 of the planning proposal has been included in regard to the provisions introduced by Amendment No 2 to the YVLEP relating to land in Gundaroo that is not connected to a reticulated sewerage system. Moreover, this planning proposal is in response to the introduction of the Low Rise Medium Density Housing Code and the Design Guide across NSW to ensure its application is appropriate within the Yass Valley.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the planning proposal is the best and the only means to achieve the objectives and the intended outcome.

Section B - Relationship to strategic planning framework.

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The planning proposal is consistent with the objectives and actions of the South East and Tablelands Regional Plan (SE&TR Plan) 2036. The SE&TR Plan forecasts 70% of the region's population growth by 2036 occurring in the areas that abut the ACT.

The ultimate objective of this planning proposal is to allow opportunities for housing diversity and

increased housing stock where appropriate within the Yass Valley. Medium density development undertaken as complying development will need to be located to take account of the character, environmental qualities and capacity of the land. As such, the planning proposal is consistent with the SE&TR Plan 2036.

In particular, the planning proposal is consistent with the actions identified in the SE&TR Plan 2036, that are listed below:

- **Action 24.3:** Promote increased housing choices, including townhouses, villas and apartments in strategic centres and locations close to existing services and jobs.
- **Action 24.4:** Promote opportunities for retirement villages, nursing homes and similar housing for seniors in local housing strategies.
- **Action 25.1:** Focus future settlement to locations that:
 - maximise existing infrastructure and services and minimise the needs for new services; and
 - prioritise increased densities within existing urban areas.
- **Action 27.1:** Deliver greater housing affordability by incorporating policies and tools into local housing strategies and local planning controls that will enable a greater variety of housing types and incentivise private investment in affordable housing.
- **Action 27.2:** Facilitate greater housing diversity, including studio and one-and-two-bedroom dwellings, to match forecast changes in household sizes.

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The proposed amendment to the YVLEP 2013 is consistent with the local strategic work which underpinned the preparation of the Yass Valley Local Environmental Plan. The planning proposal is consistent with the Yass Valley Settlement Strategy 2036, the Yass Built Form Study 2011 and the Southeast Tablelands Regional Community Strategic Plan 2016-2036.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The table below outlines the applicability and consistency of the proposed amendments to the YVLEP 2013 with all the NSW State Environmental Planning Policies (SEPPs).

Active State Environmental Planning Policies	Relevance of SEPP to the Planning Proposal
SEPP 1 - Development Standards	Not applicable
SEPP 19 - Bushland in Urban Areas	Not applicable
SEPP 21 - Caravan Parks	Not applicable
SEPP 33 - Hazardous and Offensive Development	Not applicable
SEPP 36 - Manufactured Home Estates	Not applicable
SEPP 44 - Koala Habitat Protection	Not applicable
SEPP 47 - Moore Park Showground	Not applicable
SEPP 50 - Canal Estate Development	Not applicable
SEPP 55- Remediation of Land	Not applicable
SEPP 64 - Advertising and Signage	Not applicable

SEPP 65 - Design Quality of Residential Apartment Development	Not applicable
SEPP 70 - Affordable Housing (Revised Schemes)	The planning proposal would create opportunities for affordable housing by increased housing stock and better housing choices.
SEPP Aboriginal Land 2019	Not applicable
SEPP Affordable Rental Housing 2009	Not applicable
SEPP Building Sustainability Index: BASIX 2004	The planning proposal does not contain any provision that would be inconsistent with or hinder the application of the SEPP.
SEPP Coastal Management 2018	Not applicable
SEPP Concurrences 2018	The planning proposal does not contain any provision that would be inconsistent with or hinder the application of the SEPP.
SEPP Educational Establishments and Child Care Facilities 2017	Not applicable
SEPP Exempt and Complying Development Codes 2008	The planning proposal does not contain provisions that would be inconsistent with or hinder the application of the SEPP. This planning proposal will facilitate the development of dual occupancies and multi dwelling houses in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and RU5 Village zones as complying development when land is connected to reticulated sewerage while maintaining the local character and built form of the neighbourhoods.
SEPP Gosford City Centre 2018	Not applicable
SEPP Housing for Seniors or People with a Disability 2004	The planning proposal does not contain any provision that would be inconsistent with or hinder the application of the SEPP.
SEPP Infrastructure 2007	Not applicable
SEPP Kosciuszko National Park - Alpine Resorts 2007	Not applicable
SEPP Kurnell Peninsula 1989	Not applicable
SEPP Mining, Petroleum Production and Extractive Industries 2007	Not applicable
SEPP Miscellaneous Consent Provisions 2007	Not applicable
SEPP Penrith Lakes Scheme 1989	Not applicable

SEPP Primary Production and Rural Development 2019	Not applicable
SEPP State and Regional Development 2011	Not applicable
SEPP State Significant Precincts 2005	Not applicable
SEPP Sydney Drinking Water Catchment 2011	Not applicable
SEPP Sydney Region Growth Centres 2006	Not applicable
SEPP Three Ports 2013	Not applicable
SEPP Urban Renewal 2010	Not applicable
SEPP Vegetation in Non-Rural Areas 2017	The planning proposal does not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP Western Sydney Employment Area 2009	Not applicable
SEPP Western Sydney Parklands 2009	Not applicable

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following table documents the relevance and consistency of all Ministerial Directions issued under section 9.1 of the *Environmental Planning & Assessment Act 1979*.

Ministerial Directions under Section 9.1 of the EP&A Act	
2. Environment and Heritage	
2.1 Environment Protection Zones	<p>Consistent</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>The planning proposal is not intended to rezone any land within an environmental protection zone, nor would it affect any land identified for environment protection purposes in the YVLEP 2013.</p> <p>As such, a few parcels of land within the Yass Valley LGA are identified in the Natural Resources Biodiversity Map associated with the YVLEP 2013. However, due consideration will be given at the time of development assessment under the provisions of the <i>Biodiversity Conservation Act 2016</i> to protect and conserve any environmentally sensitive areas.</p>
2.3 Heritage Conservation	<p>Consistent</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>The Code prohibits the development of low rise medium density housing as complying development when land is identified as a heritage item or is within the heritage conservation area on the</p>

	<p>Heritage Map within the YVLEP 2013.</p> <p>In the above scenario, low rise medium density housing will only be permissible with Council's consent. The consent will be issued upon the assessment of a development application wherein due consideration will be given to protect the heritage significance of an item or a heritage conservation area within the Yass Valley LGA.</p>
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	<p>Consistent</p> <p>This direction applies when a planning proposal will affect land within:</p> <ul style="list-style-type: none"> (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. <p>The planning proposal does include provisions that would encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (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. <p>A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> • contain a requirement that residential development is not permitted until the land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and • not contain provisions which will reduce the permissible residential density of land.
3.3 Home Occupations	<p>Consistent</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>The planning proposal will not affect the permissibility of home occupations to be carried out in dwelling houses without the need for development consent. As such, under the provisions of the YVLEP 2013 home occupations are permissible without consent in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and RU5 Village zones.</p> <p>The planning proposal does not include any amendment to the abovementioned provisions.</p>

4. Hazard and Risk	
4.3 Flood Prone Land	<p>Consistent</p> <p>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.</p> <p>Council has adopted the Sutton & Gundaroo Floodplain Risk Management Study and Plans. Council is also preparing the Floodplain Risk Management Study and Plans for Yass, Bowning, Bookham, Binalong and Murrumbateman that will be adopted in the near future.</p> <p>As such, low rise medium density housing will not be permitted as complying development on flood prone land, however, appropriate measures would be taken to mitigate flood impact as recommended in the Floodplain Risk Management Studies and Plans for any development that may have any flood impact or the development may impact the flood behaviour at the development assessment stage.</p>
4.4 Planning for Bushfire Protection	<p>Consistent</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect or is in proximity to land mapped as bushfire prone land.</p> <p>In a bushfire prone area, low rise medium density housing will not be allowed as complying development under the provision of the Code. A development application will be required to seek permission for low rise medium density development that will have regard to the guidelines set out in the Planning for Bushfire Protection 2018.</p>
5. Regional Planning	
5.10 Implementation of Regional Plans	<p>Consistent</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>The planning proposal is consistent with the vision, land use strategy, goals, directions and actions contained in the South East and Tableland Regional Plan 2036 - in particular the actions below:</p> <ul style="list-style-type: none"> • Action 24.3: Promote increased housing choices, including townhouses, villas and apartments in strategic centres and locations close to existing services and jobs. • Action 24.4: Promote opportunities for retirement villages, nursing homes and similar housing for seniors in local housing strategies. • Action 25.1: Focus future settlement to locations that:

	<ul style="list-style-type: none"> • maximise existing infrastructure and services and minimise the needs for new services; and • prioritise increased densities within existing urban areas. • Action 27.1: Deliver greater housing affordability by incorporating policies and tools into local housing strategies and local planning controls that will enable a greater variety of housing types and incentivise private investment in affordable housing. • Action 27.2: Facilitate greater housing diversity, including studio and one-and-two-bedroom dwellings, to match forecast changes in household sizes.
6. Local Plan Making	
6.1 Approval and Referral Requirements	<p>Consistent</p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>The planning proposal does not include any provisions that will require concurrence, consultation or referral to a Minister or Public Authority. The proposal does not identify any development as designated development either.</p>

Section C - Environmental, social and economic impact

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 planning proposal relates to the introduction of minimum lot size for low rise medium density housing and to facilitate the construction of dual occupancies and multi dwelling houses (terraces) as complying development under the Code. However, it is important to note that under the Code dual occupancies, manor houses and multi dwelling houses (terraces) will not be permissible on land not connected to a reticulated sewerage system.

In addition, the construction of dual occupancies, manor houses and multi dwelling houses (terraces) will not be allowed on environmentally sensitive land under the Code. However, should a development application be lodged with Council for dual occupancies and multi dwelling houses on land that has significant environmental value, every consideration will be made as required by the NSW Biodiversity Conservation Act 2016 and other relevant act, regulation and policies to protect the critical habitat, threatened species and ecological communities.

Furthermore, the proposal does not include rezoning of any land in particular to any environmental protection zone land. Therefore, it is unlikely that critical habitat or threatened species, population or ecological communities or their habitat will be affected as a result of the proposed amendments to the YVLEP 2013.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The proposed amendments are intended to facilitate the development of low rise medium density

housing as complying development under the Code while having regard to the local character and non-availability of critical infrastructure. The planning proposal is not intended to propose an amendment to the areas of environmental significance and therefore, it is very unlikely that the amendments would have an adverse effect on the environment.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The amendments to the YVLEP 2013 included in the planning proposal are made to capitalise the social and economic benefit of low rise medium density housing in the Yass Valley. The proposal will benefit the Yass Valley residents by increased housing stock, more housing choices with better design and affordable housing.

The planning proposal will create an opportunity to develop more housing, which means more employment opportunities to residents - in particular, the skilled labour and by accommodating increased population within close proximity to the local businesses.

Section D - State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The planning proposal does not trigger any requirement for additional infrastructure at this time. The planning proposal seeks to ensure that this type of development is located where appropriate infrastructure is available.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council has not consulted any state or commonwealth public authority regarding the planning proposal. It is, however, envisaged that the Gateway determination would nominate relevant Government agencies that need to be consulted during the public exhibition period.

PART 4 - MAPPING

The planning proposal is intended to amend minimum lot size of dual occupancies and multi dwelling houses on land zoned R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and RU5 Village zones only by the inclusion of an additional clause in the YVLEP 2013. The planning proposal may require an amendment to the Lot Size Maps associated with the YVLEP 2013 to indicate where the clause for dual occupancies on RU5 land (not connected to a reticulated sewerage system) will apply.

The maps that require amendment in the Planning Proposal are listed in the table below.

Yass Valley LEP Maps to be amended	
Map Type	Map Sheet (identification number)
Lot Size Map	
LSZ_001A	8710_COM_LSZ_001A_020_20160801
LSZ_001B	8710_COM_LSZ_001B_020_20190319
LSZ_001C	8710_COM_LSZ_001C_020_20190319
LSZ_001D	8710_COM_LSZ_001D_020_20160801
LSZ_002A	8710_COM_LSZ_002A_020_20160801
LSZ_005C	8710_COM_LSZ_005C_160_20160801

LSZ_005E	8710_COM_LSZ_005E_020_20170914
LSZ_005F	8710_COM_LSZ_005F_020_20160801

PART 5 - COMMUNITY CONSULTATION

In considering a planning proposal, community consultation is required under section 3.34(2)(c) of the *Environmental Planning and Assessment Act 1979*. It is envisaged that the planning proposal would be exhibited for a minimum period of **28 days** under the Department's guidelines entitled '*A guide to preparing local environmental plans*'.

Consultation would incorporate:

- Notice in the Council page within the Yass Tribune,
- Notification through the Yass Valley Council website, e-newsletter and Facebook page.

It is anticipated that a Public Hearing would not be required as no land is proposed to be reclassified, and also the matters included in the planning proposal are of minor nature.

It should be noted that Council is seeking authorisation to exercise its delegation of local plan-making authority under section 3.36 of the *Environmental Planning and Assessment Act 1979*, as this planning proposal is considered to be a routine, minor matter.

PART 6 - PROJECT TIMELINE

The following timeline is indicative and is provided to assist the Department in preparing the Gateway determination. It is acknowledged that the timeline will be influenced by a range of external factors, and is also subject to amendments by the Department through the Gateway process.

A timeline for actions required to finalise the planning proposal is documented in the following table.

Stage	Estimated timeframe
Anticipated commencement date (date of Gateway determination)	January 2020 (assuming six weeks from submission to DPI&E)
Completion of any additional required technical information	N/A
Government Agency Consultation	Concurrent - February/March 2020
Public Exhibition (28 days)	Concurrent – February/March 2020
Consideration of submissions by staff	March/April 2020
Public Hearing	Not required
Post Exhibition consideration of planning proposal by Council	April/May Council Meeting 2020 (only if Council receives any major submission)
Submission to Minister to make the amending LEP under section 3.36 of the <i>Environmental Planning and Environment Act 1979</i>	June/July 2020