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Liz Makin
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Strategic Planning Manager
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Our ref V15/3876#30

18 March 2019

Dear Liz

RE: Planning Proposal (PP.2018.04) – 2090 Sutton Road, Sutton

I refer to your letter dated 11 December 2018 requesting comment on a proposed amendment to the Yass Valley Local Environmental Plan 2013. It is understood this consultation is in accordance with section 3.34(2)(d) of the *Environmental Planning and Assessment Act 1979* and the amendment purpose is to:

- Rezone Lot 5 in DP838497 (183.6ha) from RU1 Primary Production to the following:
 - RU5 Village with Minimum Lot Size (MLS) of 5000sqm (32 lots over 24.1ha) (2000sqm MLS if reticulated water and sewer).
 - R5 Large Lot Residential with MLS 5000sqm (39 lots over 58.5ha)
 - E3 Environmental Management with MLS 20ha (61ha)
 - E3 Environmental Management with MLS 40ha (40ha)

The supporting documentation has been reviewed and the following key comments and recommendations are provided:

Comments

Planning Proposal

- A reference is made in the planning proposal to a reliance on harvesting rainwater and possibly bore water. Confirmation of the potable and non-potable water demands and the ability to access these supplies is yet to be confirmed. A factsheet titled "*How much water do I need for my rural property*" provides information on determining water requirements and can be accessed at the following link: https://www.waternsw.com.au/data/assets/pdf_file/0008/136619/How-much-water-do-I-need.pdf This factsheet indicates an annual demand of 264 000L to maintain 0.1ha of house garden and a house with a septic in the southern tablelands. Further information is recommended to confirm the water demands and the ability of potential water sources to meet these demands. In regards to groundwater as a source this may require installation of a bore to complete a pump test to confirm potential yield and water quality and would need to ensure adequate buffers to maintain this yield and quality for it to be a long term water source.

- NRAR advises that should groundwater be proposed as a water source, the 250m distance condition between a bore and a contamination source (ie. sewage management system) as specified in the Water Sharing Plan for the Murray Darling Basin Fractured Rock Groundwater Sources should be complied with. The groundwater in the local area is a valuable resource which needs protecting. The use of a buffer less than 250m increases the risk of accessing contaminated water.
- It is recommended Council review the Yass Integrated Water Cycle Management Strategy (IWCMS) to ensure the proposed management of water and sewerage for this planning proposal is consistent with that document.
- It is noted 4 lots are proposed to front the Yass River which may create potential access to a water supply via riparian rights or the requirement for potential additional licences by Crown Lands and WaterNSW to access this supply. It is recommended additional access to riparian rights not be facilitated by this planning proposal and water supply be managed by on-site or reticulated supplies.
- The 4 lots fronting the Yass River have the potential to result in degradation of the riparian zone. It is recommended a single lot be applied to include a minimum 40m buffer along the length of the Yass River with a preference for this to be zoned an environmental zone such as E3.

Land Capability Assessment

- A search of the Department's bore database indicates numerous bores within the existing village to the north of the proposed site that may be currently used for domestic supplies. Further to this, the Yass River which is on the eastern boundary of the site is a source of downstream town water supplies. Any development at the site therefore needs to include measures to mitigate an impact on the quality and/or quantity of these supplies.
- NRAR advises where the property is subdivided, as is proposed, and the resultant properties have dams that are greater than the MHRDC for those new lots there will be the requirement to modify the dams or apply for an approval and potentially obtain a water access licence. This will need to be confirmed with WaterNSW who will be the relevant licensing authority at the development application stage.
- Each newly created lot will be entitled to access groundwater under the Basic Landholder Rights provisions. NRAR is therefore concerned with the potential for a proliferation of bores and potential impacts in terms of yield from existing and new bores and quality from effluent disposal. It is recommended the water supply demands and sources be confirmed at the rezoning stage to mitigate the potential demand for additional BLR bores and conflict in accessing supplies, in addition to potential issues with gaining work approvals from WaterNSW due to lot size constraints and effluent disposal locations.
- Existing degradation of the riparian zone of the Yass River was evident in the reports. It is recommended a rehabilitation plan be developed to address this and measures be consistent with the *Guidelines for Controlled Activities on Waterfront Land* (NRAR 2018).
- Reference is made to an increase in water extraction for the proposed development. NRAR advises the use of water for dust suppression and construction needs will need to be sourced from an authorised extraction point with a Water Access Licence that holds sufficient entitlement to account for the proposed take.
- The report refers to potential groundwater in a fractured rock aquifer at a depth of 9m and groundwater contamination from onsite effluent disposal to be a low to moderate risk. This raises concern over potential impacts to the groundwater system due to effluent application and resultant water quality degradation. The standard 250m buffer between bores and on-site effluent disposal systems is recommended.

Recommendations

- Confirm the potable and non-potable water demands and the viability of supplies to meet this demand and quality. The impacts of extracting the water on adjacent users and the environment would also need to be addressed to confirm the viability.
- Additional access to riparian rights not be facilitated by this planning proposal and water supply be managed by on-site or reticulated supplies.
- Where necessary plan the lot layout to enable a 250m buffer between bores and effluent disposal areas. The use of a buffer less than 250m increases the risk of accessing contaminated water. The use of a reticulated water supply system will assist in mitigating the requirement for individual landholder bores and hence potential conflict with this buffer distance. Adequate maintenance of onsite effluent management systems will be required to mitigate impacts to the surface water and groundwater systems.
- Review the Yass Integrated Water Cycle Management Strategy (IWCMS) to ensure the proposed management of water and sewerage for this planning proposal is consistent with that document.
- Future subdivision requirements will need to ensure the dam sizes on newly created lots are consistent with the MHRDC. This may require altering the dam capacity or obtaining relevant approvals and licenses under the *Water Management Act 2000*.

Should you have any further queries in relation to this submission please do not hesitate to contact Tim Baker 02 6841 7403.

Yours sincerely



Vickie Chatfield
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Department of Industry- Natural Resources Access Regulator

