

IRF25/1402

# Gateway determination report – PP-2025-1002

Rezone land at 16-18 Cusack Place Yass to R1 General Residential Zone and C2 Environmental Management Zone

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## Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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#### Table 1 Reports and plans supporting the proposal

Relevant reports and plans

Appendix A Ecological Assessment Report

Appendix B Traffic Impact Assessment Report

Appendix C Land Contamination Assessment Report

Appendix D Preliminary Servicing Strategy Report

Appendix E Aboriginal Cultural Heritage Due Diligence Report

Appendix F Bush Fire Assessment Report

Appendix G Flood Impact Risk Assessment Report

Appendix H Concept Design Report

Appendix J Consultation with Biodiversity and Science on PP dated 19 April 2024

# 1 Planning proposal

#### 1.1 Overview

#### Table 2 Planning proposal details

| LGA                      | Yass Valley  |
|--------------------------|--|
| РРА                      | Yass Valley Council  |
| NAME                     | Rezone 16-18 Cusack Place Yass to R1 General Residential and C2 Environmental Conservation Zones   |
| NUMBER                   | PP-2025-1002   |
| LEP TO BE AMENDED        | Yass Valley LEP 2013   |
| ADDRESS                  | 16-18 Cusack Place, Yass   |
| DESCRIPTION              | Lot 2 DP1185025 (10.73ha) Nort East section<br>Lot 3 DP1185025 (7.327ha) South East section<br>Lot 4 DP1185025 (9.694ha) – Western Section |
| RECEIVED                 | 4/06/2025  |
| FILE NO.                 | IRF25/1402   |
| POLITICAL DONATIONS      | There are no donations or gifts to disclose and a political donation disclosure is not required  |
| LOBBYIST CODE OF CONDUCT | There have been no meetings or communications with registered lobbyists with respect to this proposal                                      |

### 1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to increase the housing density of 16 -18 & 21 Cusack Place, Yass by rezoning the land from R5 Large Lot Residential Zone (with 2ha minimum lot size) to R1 General Residential Zone and C2 Environmental Conservation Zone (700 sqm minimum lot size).

The objectives of this planning proposal are clear and adequate.

## 1.3 Explanation of provisions

The planning proposal seeks to amend the Yass Valley LEP 2013 per the changes below:

#### Table 3 Current and proposed controls

| Control             | Current                       | Proposed  |
|---------------------|-------------------------------|---|
| Zone                | R5 Large Lot Residential Zone | R1 General Residential Zone<br>C2 Environmental Protection Zone |
| Minimum lot size    | 2 ha MLS                      | R1 and C2 Zone - 700 sqm MLS                                    |
| Number of dwellings | 18 Lots                       | 200 lots total or an additional 182<br>lots                     |

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

#### 1.4 Site description and surrounding area



#### Figure 1 Subject site and site context (source: Planning Proposal and NSW SixMap 2022

The site is an irregularly shaped parcel of land with an area of 27.75 ha located approximately 2.6km south east of the centre of the Yass township and approximately 50 kilometres north-west of Canberra. It has frontage to Wee Jasper Road (west boundary) and access to Cusack Place to the south (Figure 1).

The site is generally cleared and has been historically utilised for grazing. The vegetation within the Site has been substantially modified and largely dominated by exotic species.

### 1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Land Zoning and Lot Size maps, which are suitable for community consultation (Figures 2,3 and 4).

It is noted that the planning proposal does not contain the current Land Zoning and Lot Size maps which is required for community consultation.



Figure 2 Current zoning map (Source: NSW Spatial Viewer)



Figure 3 Proposed zoning maps LSZ 001H and 002B (Source: Planning Proposal)



Figure 4 Proposed minimum lot size maps LSZ 001H and 002B (Source: Planning Proposal)

#### 1.6 Background

PP-2025-1002 is a new updated planning proposal that replaces PP-2022-2527 for 16,18 and 21 Cusack Place which proposed to rezone 16,18 and 21 Cusack Place to R1 General Residential Zone. The Department determined that the proposal should not proceed via a Gateway Alteration in February 2024 because of the lengthy delays associated with the preparation of a biodiversity study for the proposal.

The Department indicated in 2024 that it would consider a fresh planning proposal that benefits from the consultation already carried out during the course of the Gateway determination for PP-2022-2527. The Department recommended Council undertake further consultation with the Biodiversity and Science Division - Department of Environment, Energy, Climate Change and Water prior to submitting a new planning proposal to avoid further delays. Council undertook consultation with Biodiversity and Science in 2024 on the updated proposal and its response is provided in **Appendix J**. Biodiversity and Science raised no issues with the impacts on biodiversity of the updated PP-2025-1002.

## 2 Need for the planning proposal

#### <u>Q1. Is the planning proposal a result of an assured local strategic planning statement, or</u> Department approved local housing strategy, employment strategy or strategic study or report?

The planning proposal seeks to increase the housing density on part of the site by rezoning it from R5 Large Lot Residential Zone to R1 General Residential Zone and 700 sqm minimum lot size consistent with the Councils adopted Yass Valley Settlement Strategy. The proposed C2 Environmental Conservation Zone will be applied to flood affected land (drainage corridor).

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

The planning proposal is the only means of increasing the housing density on the site by rezoning part of the site to R1 General Residential Zone and 700 sqm minimum lot size and rezoning a drainage corridor to C2 Environmental Conservation Zone.

## 3 Strategic assessment

### 3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the South East and Tablelands Regional Plan.

The planning proposal seeks to rezone land already zoned R5 Large Lot Residential Zone (2 ha minimum lot size) to R1 General Residential Zone (700 sqm minimum lot size) and C2 Environmental Conservation Zone (700 sqm minimum lot size).

The planning proposal indicates that it is consistent with Goal 2 - A diverse environment interconnected by biodiversity corridors, Goal 3 Healthy and connected communities and Goal 4 Environmentally sustainable housing choices.

#### Comment

The proposal is consistent with the Regional Plan, particularly the following Directions under Goal 4:

- Direction 24 Deliver greater housing supply and choice,
- Direction 25 Focus Housing growth in locations that maximise infrastructure and services, and
- Direction 27 Deliver more opportunities for affordable housing.

### 3.2 Local Strategic Planning Assessment

The change from R5 Zone to R1 Zone to increase housing density on the site is consistent with the Yass Valley Settlement Strategy adopted by Council and adopted by the Department on 20 September 2018. The C2 Environmental Conservation Zone will be applied to a drainage corridor that is part of the site.

The Yass Valley Settlement Strategy states that the site could be considered for some upzoning from R5 Large Lot Residential to R1 General Residential Zone (Figure 5). Although part of the site is constrained by powerlines land in the northernmost portion would be adjacent to and could be integrated with the existing Mary Reid Estate (MLS 700 sqm).

The proposal is also consistent with Council's Local Strategic Planning Statement.



Figure 5 Extract from Yass Valley Settlement Strategy identifying the site for conversion from R5 to R1 Zone

### 3.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

#### Table 4 9.1 Ministerial Direction assessment

| Directions  | Consistent/<br>Not<br>Applicable | Reasons for Consistency or Inconsistency   |
|---|----------------------------------|--|
| Direction 1.1<br>Implementation of<br>Regionals Plans | Yes                              | The planning proposal states that it is consistent with the South East<br>and Tablelands Regional Plan.<br><u>DPHI Comment</u><br>The proposed increase in housing density is consistent with Council's<br>Yass Valley Settlement Strategy endorsed by the Department. |

| Directions                   | Consistent/<br>Not<br>Applicable | Reasons for Consistency or Inconsistency   |
|------------------------------|----------------------------------|--|
| 3.1 Conservation<br>Zones    | Yes                              | The planning proposal does not seek to remove any environmental conservation provisions and indicates that the Direction is not applicable to the proposal.  |
|                              |                                  | The proposal is accompanied by an ecological assessment of the site ( <b>Appendix A</b> ).   |
|                              |                                  | It is proposed to apply a C2 Environmental Conservation Zone over flood affected land to be used as a drainage corridor.   |
|                              |                                  | DPHI Comment   |
|                              |                                  | The ecological report was prepared for a much larger area (PP-2022-<br>2527) comprising 16,18 and 21 Cusack Place. Biodiversity and<br>Science (DCCEEW) have provided preliminary advice to Council on<br>the updated proposal ( <b>Appendix J</b> )   |
|                              |                                  | 'Based on this information, the proponent has removed Lot<br>1//1007355 from the Planning Proposal. This demonstrates<br>adherence to the Avoid, Minimise and Offset hierarchy in the<br>Biodiversity Conservation Act 2016 (BC Act), thus also complying<br>with the Ministerial Planning Directions 1.1 - Implementation of the<br>Regional Plan and 3.1 Conservation Zone." |
| 3.2 Heritage<br>Conservation | Unknown                          | The planning proposal does not seek to remove any provisions for<br>the protection of heritage. The proposal contains an assessment of<br>the impacts on Aboriginal Cultural Heritage ( <b>Appendix E</b> ) and it<br>identified Aboriginal artefacts within the north western section of the<br>site (stone quarry).  |
|                              |                                  | DPHI Comment   |
|                              |                                  | Previous advice to Council on the PP for 16,18 and 21 Cusack Place (PP-2022-2527) raised concerns with lack of consultation with the Local Aboriginal Land Council (LALC).   |
|                              |                                  | It is recommended that Council be required to consult with NSW<br>Heritage and the Onerwal Local Aboriginal Land Council regarding<br>the findings and recommendations from the Aboriginal Cultural<br>Heritage Due Diligence Report that accompanies the planning<br>proposal.  |

| Directions   | Consistent/<br>Not<br>Applicable | Reasons for Consistency or Inconsistency   |
|--------------|----------------------------------|--|
| 4.1 Flooding | Unknown                          | The Direction applies because the proposal seeks to change planning controls affecting flood prone land.   |
|              |                                  | The proposal is accompanied by a Flood Impact Risk Assessment (FIRA) ( <b>Appendix G</b> ). The section of the site identified as flood affected is proposed to be zoned C2 Environmental Conservation (drainage corridor).  |
|              |                                  | The FIRA and draft subdivision plan demonstrate that the flood planning area is only 2.2% of the overall Site 27.75ha Site (Figure 6). It is located on Lot 4 DP 1185025 on the western section of the site.   |
|              |                                  | The draft subdivision plan has multiple egress points and includes<br>only drainage infrastructure within the flood planning area. There will<br>be no increased requirement for Government spending because of<br>this Planning Proposal.   |
|              |                                  | Under the Probable Maximum Flood (PMF) (Figure 7) the residential<br>lots of the potential future subdivision are exposed to a low-to-<br>medium flood hazard. The FIRA states that the formalisation of the<br>overland flow path through the site and the adjacent filling effectively<br>manages the risk to life and risk to property from flooding. |
|              |                                  | The FIRA also states that flooding is of short duration and the site is<br>not isolated for significant periods with flooding receding within half<br>an hour following the cessation of the flood-producing rainfall. As<br>such shelter in place is the preferred strategy rather than evacuation.   |
|              |                                  | A flood impact assessment has also been undertaken and confirms that the required site regrading will have a negligible impact on existing off-site flood conditions.  |
|              |                                  | DPHI Comment   |
|              |                                  | Preliminary advice to Council from Biodiversity and Science ( <b>Appendix J</b> ) states:  |
|              |                                  | "Our letter dated 1/11/2022 also raised issues around Ministerial<br>Planning Direction 4.1 – Flooding. A response to the updated<br>flooding information will be provided separately to Council by<br>18/5/24."   |
|              |                                  | It is therefore recommended that the consultation be undertaken with<br>Biodiversity and Conservation to determine the adequacy of the FIRA<br>and consistency of the proposal with Direction 4.1.   |

| Directions                               | Consistent/<br>Not<br>Applicable                                | Reasons for Consistency or Inconsistency   |
|--|---|--|
| 4.3 Planning for<br>Bushfire Protection  | Unknown<br>until<br>consultation<br>with RFS<br>has<br>occurred | A Strategic Bushfire Study Report accompanies this Planning<br>Proposal ( <b>Appendix F</b> ). The Report concludes that the residential<br>design itself can offer acceptable bushfire protection measures and<br>has assessed the Planning Proposal as satisfactory from a bush fire<br>risk perspective.<br><u>DPHI Comment</u><br>The planning proposal acknowledges that the site is identified as<br>bush fire prone land and that consultation is required with the NSW<br>Rural Fire Service consistent with the requirements of the Direction.  |
| 4.4 Remediation of<br>Contaminated Land  | Yes   | The planning proposal includes a Detailed Site Investigation report<br>(land contamination) ( <b>Appendix C</b> ). The report concludes that, based<br>on the results of the investigation and the current setting of the site,<br>the risk of contamination that may pose a risk to the future land uses<br>is low. The report concludes that the site is suitable for future<br>residential land use.<br><u>DPHI Comment</u><br>The planning proposal is consistent with the Direction because the<br>proponent has commissioned an investigation into land<br>contamination in accordance with the requirements of the Direction. |
| 5.1 Integrated Land<br>Use and Transport | Yes   | The report concluded that the risk of land contamination to the future<br>use of the land is low.<br>The planning proposed indicates that it is consistent with the<br>Direction because it is consistent Council's Yass Valley Settlement<br>Strategy endorsed by the Department.   |
|  |   | <u>DPHI Comment</u><br>It is likely that increasing the density of housing will potentially<br>increase the opportunity for active transport infrastructure into the<br>urban design/subdivision e.g. footpaths and cycleways.   |
| 6.1 Residential<br>Zones                 | Yes   | <ul> <li>The Planning Proposal states that is consistent with this Direction as it will:</li> <li>make residential housing more widely available in Yass,</li> <li>make, utilise and augment existing infrastructure and services; and</li> <li>improve the efficiency of the use of appropriate land on the urban fringe of Yass.</li> <li>DPHI Comment</li> <li>The site is already zoned for large lot residential development and the proposed increase in housing density is consistent with the Council settlement strategy endorsed by the Department 20 September 2018.</li> </ul>   |

## 3.4 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

## 4 Site-specific assessment

### 4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

| Environmental<br>Impact     | Assessment  |
|-----------------------------|---|
| Ecological<br>Assessment    | The planning proposal is accompanied by an ecological assessment ( <b>Appendix A</b> ).<br>The assessment concludes as follows:   |
|                             | The site inspection identified that the majority of the Study Area consists of mixed<br>grasslands which are dominated by Exotic species. There are a number of plantings<br>across the site, which are predominantly exotic species. There are some minor<br>areas of native plantings, however, the majority of these plantings are non-endemic<br>native species as such they do not constitute a native vegetation community.   |
|                             | The Study Area contains limited habitat for threatened species due to the degraded<br>nature of the vegetation and dominance of exotic species within the grasslands.<br>Tree species occurring within the Study Area are predominantly planted and are<br>generally young. No hollow-bearing trees were identified. Three dams occurs in the<br>Study Area which contained water at the time of survey, but no standing vegetation.<br>On this basis the Study Area is appropriate from an ecological perspective to be<br>rezoned for residential purposes. |
|                             | DPHI Comment  |
|                             | The ecological report was prepared for a larger area (under PP-2022-2527) comprising 16,18 and 21 Cusack Place. Biodiversity and Science (DCCEEW) have provided preliminary advice to Council on the updated proposal ( <b>Appendix J</b> )   |
|                             | 'Based on this information, the proponent has removed Lot 1//1007355 from the<br>Planning Proposal. This demonstrates adherence to the Avoid, Minimise and Offset<br>hierarchy in the Biodiversity Conservation Act 2016 (BC Act), thus also complying<br>with the Ministerial Planning Directions 1.1 - Implementation of the Regional Plan<br>and 3.1 Conservation Zones."  |
|                             | See also section 3 on Direction 3.1.  |
| Bushfire Risk<br>Assessment | The planning proposal is accompanied by a Strategic Bushfire Study Report ( <b>Appendix F</b> ). The report concluded that the " <i>site is suitable for development in the context of bushfire risk" and "New development can comply with PBP and residential subdivision approvals."</i>  |
|                             | DPHI Comment  |
|                             | The report correctly states that site is identified as bush fire prone land and consultation is required with the NSW Rural Fire Service. It is recommended that  |

| Environmental<br>Impact             | Assessment   |
|-------------------------------------|--|
|                                     | Council be required to consult with the NSW Rural Fire Service on the planning proposal and the bushfire assessment report.  |
|                                     | See also Section 3 on Direction 4.3 Planning for Bushfire Protection.  |
| Land<br>Contamination<br>Assessment | The planning proposal included a report on land contamination ( <b>Appendix C</b> ). The report concluded that, based on the results of the investigation and the current setting of the site, the risk of contamination that may pose a risk to the future land uses is low and the site is suitable for future residential land use.   |
|                                     | DPHI Comment   |
|                                     | The planning proposal can progress because the report on the risk of land contamination concluded that the risk of land contamination to the future use of the land is low.  |
|                                     | See also section 3 on Direction 4.4 Remediation of Contaminated Land.  |
| Flood Assessment                    | The planning proposal is accompanied by a Flood Risk Assessment ( <b>Appendix G</b> ).<br>The flood assessment concluded that the site has flood prone land, but flood risk is<br>low, and the site is suitable for subdivision because most of the proposed<br>subdivision is outside of the floodplain.  |
|                                     | The extent of the flood planning area (FPL) (See Figure 6 below) indicates that there are no significant flooding constraints for dwellings to be constructed within the future subdivision and can satisfy FPL controls for finished floor levels.  |
|                                     | Under a Probable Maximum Flood (PMF) (See Figure 7 below) the residential lots<br>of the potential future subdivision are exposed to a low-to-medium flood hazard.<br>Therefore, the formalisation of the overland flow path through the Site (to be zoned<br>C2 Zone) and the adjacent filling effectively manages the risk to life and risk to<br>property from flooding.  |
|                                     | A relative flood impact assessment has also been undertaken and confirms that the required site regrading will have a negligible impact on existing off-site flood conditions.   |
|                                     | The short duration of flooding also means that significant periods of isolation are not<br>a concern, with the overland flow receding within half an hour following the<br>cessation of the flood-producing rainfall. The current state of subdivision design is<br>compatible with the flood hazard of the land and can be rezoned with confidence<br>that the flood risk at the site is effectively managed. Any minor adjustments can be<br>implemented and assessed as the earth and drainage works design progresses<br>through the subdivision DA stage. |
|                                     | DPHI Comment   |
|                                     | It is recommended that the Council be required to consult with DCCEEW<br>Biodiversity and Conservation (Flood Unit) on the planning proposal and outcome of<br>the flood assessment.   |
|                                     | See also comments in section 3 on Direction 4.1 Flooding.  |



Figure 6: 1% AEP (left) Flood Hazard Classification and Figure 7: PMF (right) Flood Hazard Classification over Lot 4: Source FIRA

## 4.2 Social and economic

The proposal seeks to increase housing density on the site to accommodate additional housing utilising a site that is already zoned for large lot residential development. Provided the site can satisfy any environmental and infrastructure constraints identified during the consultation process there does not appear to be any adverse economic impacts associated with the proposal.

The following table provides an assessment of the potential social impacts associated with the proposal.

| Social and<br>Economic Impact                 | Assessment   |
|---|--|
| Aboriginal Cultural<br>Heritage<br>Assessment | The planning proposal is accompanied by an Aboriginal Cultural Heritage Due<br>Diligence Report ( <b>Appendix E</b> ). One new Aboriginal site was identified during the<br>Due Diligence investigation located on the north western section of the site. This<br>site is made up of one artefact scatter (containing 90 stone artefacts) quarry<br>material and a Potential Archaeological Deposit. The newly recorded site located<br>within the assessment area has been assessed as having medium<br>archaeological/scientific significance.<br>The report made the following recommendations. |

#### Table 6 Social impact assessment

|                                      | • "As a result of the due diligence assessment it is recommended that no further archaeological investigation is required.   |
|--------------------------------------|--|
|                                      | <ul> <li>A majority of the planning proposal area contains low archaeological<br/>potential.</li> </ul>  |
|                                      | • If as a result of any new development proposal, the newly recorded<br>Aboriginal site (AS/Quarry/PAD) cannot be avoided, it is recommended that<br>under section 90 of the National Parks & Wildlife Act 1974, an application<br>for an area based Aboriginal Heritage Impact Permit (AHIP) to impact the<br>site should be lodged with the Heritage NSW." |
|                                      | DPHI Comment   |
|                                      | See comments in Section 3 of this report on Direction 3.2 Heritage Conservation. It<br>is recommended that Council consult with NSW Heritage and the Onerwal Local<br>Aboriginal Land Council on the planning proposal and Aboriginal Cultural<br>Assessment Report.   |
| Other Social and<br>Economic Impacts | The planning proposal states that " <i>Rezoning the land and reducing the minimum lot size to facilitate a higher density residential development will have two primary positive social and economic effects, being:</i>   |
|                                      | - the provision of a range of residential lot sizes within reasonable proximity to the commercial and community facilities available in Yass; and  |
|                                      | - the creation of economic activity through the building and development process."   |
|                                      | DPHI Comment   |
|                                      | The rezoning of the site to from R5 to R1 zone will encourage more efficient use of the land and infrastructure for residential development and provide more housing supply to accommodate growth in Yass.   |
|                                      |  |

### 4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal.

| Infrastructure                         | Assessment   |
|--|--|
| Preliminary<br>Servicing<br>Assessment | The planning proposal is accompanied by a Preliminary Servicing Strategy ( <b>Appendix D</b> ) that demonstrates that development of the site for higher density residential development is appropriate having regard to water supply, sewerage, stormwater, and floodwater management.  |
|  | The report indicates that it is possible to connect future development on the site to Council's reticulated sewerage and water supply system.  |
|  | The report acknowledges that the site contains electricity easements and overhead power lines (high voltage 22kv, 66kv and 132kv lines). The planning proposal also recommends consultation with TransGrid and Essential Energy. The report acknowledges that development within the easements is limited and installation of services within close proximity of the electricity towers will need to be carefully managed in the design and construction stages. |

#### Table 7 Infrastructure assessment

| via a new connection to the Mary Reed Estate across the north boundary of the<br>site. This arrangement will assist in the distribution of traffic demands associated<br>with the proposed development and will provide a level of redundancy to the local<br>road network."   |
|--|
| DPHI Comment   |
| The planning proposal incorrectly states that the site has frontage and access to<br>Yass Valley Way. The site has frontage and access to Wee Jasper Road as stated<br>in the traffic impact assessment report and the Transport for NSW's (TfNSW)<br>submission to Council on PP-2022-2527 (Figure 8). TfNSW confirmed Wee Jasper<br>Road is a Regional Road. It is recommended that Council consult with Transport for<br>NSW regarding access to a regional road. |
| STE LOCATION   |

Council consulted with TransGrid as part of its consultation on PP-2022-2527. TransGrid did not object to the proposal and provided advice on development near electricity easements that need to be considered by Council and the proponent. It is recommended that Council be required consult with TransGrid and Essential energy regarding the potential impact/implications of the updated planning proposal

The planning proposal includes a Traffic Impact Assessment report (**Appendix B**). The report states "*Vehicle access to the development is proposed at three (3*)

locations: via an extension of Cusack Place across the south boundary of the site, via a new intersection on Wee Jasper Road on the west boundary of the site and

Figure 8 Location of site and Wee Jasper Road

# 5 Consultation

Traffic Impact

Assessment

### 5.1 Community

Council proposes a community consultation period of 20 working days. The exhibition period proposed is considered appropriate.

**DPHI Comment** 

with high voltage lines criss-crossing the site.

### 5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 days to comment:

- Transport for NSW
- NSW Rural Fire Service
- DCCEEW Biodiversity and Conservation
- Heritage NSW
- Onerwal Local Aboriginal Land Council
- TransGrid
- Essential Energy

## 6 Timeframe

Council proposes a 3 month time frame to complete the LEP.

A 3 month timeframe to undertake community and agency consultation and to complete the plan is optimistic. A time frame of 9 months is recommended to provide Council with sufficient time for community and agency consultation, reporting to Council on the public exhibition and the preparation of LEP maps and draft instrument.

A requirement to the above effect is recommended in the Gateway determination.

## 7 Local plan-making authority

As the planning proposal is a standard proposal that does not raise any significant state or regional planning issues the Department recommends that Council be authorised to be the local planmaking authority for this proposal.

## 8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- It does not raise any significant state or regional planning issues
- The site is zoned for rural residential development and appears capable of supporting increased residential densities
- The proposed increase in housing is consistent with Council's Yass Valley Settlement Strategy endorsed by the Department.

## 9 Recommendation

It is recommended the delegate of the Secretary:

 Note that determining the consistency or justification for an inconsistency with section 9.1 Directions 3.2 Heritage Conservation and 4.1 Flooding, 4.3 Planning for Bushfire Protection requires consultation with DCCEEW Biodiversity and Conservation – Flood Unit, RFS, NSW Heritage and the Local Aboriginal Land Council. It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

- 1. Prior to community consultation, the planning proposal is to be updated to include current Land Zoning and Lot Size maps.
- 2. Consultation is required with the following authorities:
  - Transport for NSW
  - NSW Rural Fire Service
  - DCCEEW Biodiversity and Conservation
  - Heritage NSW Aboriginal Cultural Heritage
  - Onerwal Local Aboriginal Land Council
  - Essential Energy
  - TransGrid
- 3. The planning proposal should be made available for community consultation for a minimum of 20 working days.
- 4. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
- 5. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.

Un Tones. 10/7/25

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10/7/025

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