

Planning Proposal.

Wallaroo Road

Lot 2 DP 1144979

Submitted to:

Yass Valley Council

Prepared on Behalf of

Riverview Projects (ACT) Pty Ltd

1 April 2025

Knight Frank Town Planning Sydney

T: +61 9036 6666

GPO Box 187, Sydney NSW 2001

Level 22, Angel Place, 123 Pitt Street

Sydney NSW 2000

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For further information contact		Mark Grayson Mark.Grayson@au.knightfrank.com		

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Enquiries should be addressed to Knight Frank Town Planning Sydney.

Table of Contents

Executive Summary	6
1. Introduction	7
1.1 Background – Need for a Planning Proposal	7
1.2 Scoping Proposal Feedback	9
2. Site Location, Description and Context.....	10
2.1 Site Location and Description.....	10
2.2 Site Context	11
3. Existing Statutory Planning Context.....	12
4. Planning Proposal.....	17
4.1 Part 1- Objectives or Intended Outcomes	17
Proposed Concept.....	17
4.2 Part 2- Explanation of Provisions	19
4.3 Part 3 – Justification of Strategic and Site–Specific Merit.....	21
4.3.1 Strategic Merit.....	21
4.3.2 Site Specific Merit	26
5.4 Part 4 - Maps.....	32
5.5 Part 5 - Community Consultation	33
5.6 Part 6 – Project Timeline.....	33
5. Conclusion.....	35
Strategic Merit – Summary	35
Site-Specific Merit – Summary	35
Appendices.....	37

Figures

Figure 1 - Map of the Ginninderry Strategic Assessment Area, ACT and NSW	8
Figure 2 – The site, approximately indicated red, (Source: Nearmaps)	10
Figure 3 – Informal access to the site (Source: Google Maps)	10
Figure 4 - The Site Context (Source: GoogleMaps)	11
Figure 5 - Zoning Map (Source: Yass Valley LEP 2013)	12
Figure 6 - Minimum Lot Size Map (Source: Yass Valley LEP 2013)	13
Figure 7 - Biodiversity (Source: Yass Valley LEP 2013)	14
Figure 8 – Heritage Map (Source: Yass Valley LEP 2013)	14
Figure 9 – Bushfire Map (Source: NSW Spatial Viewer)	15
Figure 10 - NSW Biodiversity Values Map (Source: NSW Spatial Viewer)	15
Figure 11- Aboriginal Heritage Map (Source: Heritage NSW AHIMS Web Services, April 2024).....	16
Figure 12 – Concept, including proposed road access to the site	18
Figure 13 – Vegetation Mapping (Source: Capital Ecology 2021)	18
Figure 14 – Proposed amendment to the LEP Additional Permitted Uses map.....	20
Figure 15 – Vegetation Assessment.....	28
Figure 16 – Proposed GSM habitat restoration area	28
Figure 17 – Striped Legless Lizard Survey and Vegetation Mapping (Source: Capital Ecology)	29
Figure 18 – Crown Land (Source: NSW Spatial Viewer).....	30
Figure 19 - Existing Land Use Zoning Map (Source: Yass Valley LEP 2013, Sheet LZN_005)	32
Figure 20 – Proposed Land Use Zoning Map (Source: Yass Valley LEP 2013, Sheet LZN_005).....	32
Figure 21 – Proposed Additional Permitted Uses map (Source: Yass Valley LEP 2013, Sheet APU_005)	33
Figure 22 – DPE Planning Proposal Benchmark Timeframe	33

Tables

Table 1 - Supporting Documents7

Table 2 – Response to Scoping Proposal Feedback9

Table 3 - Summary of Key Planning Controls.....12

Table 4 - Relationship to Strategic Planning Framework21

Table 5 – Consistency with State Environmental Planning Policy (SEPP)22

Table 6 - Consistency with Ministerial Directions23

Table 7 - Compliance with Planning for Bushfire Protection 201931

Table 8 – Indicative timeframe.....34

Table 9 - Strategic Merit Test Criteria35

Table 10 - Site Specific Merit Test Criteria35

Executive Summary

This Planning Proposal (PP) has been lodged on behalf of the proponent, *Riverview Projects (ACT) Pty Ltd* (hereinafter referred to as Riverview Projects) representing the owner of the land – the ACT Government, Suburban Land Agency (hereinafter referred to as the SLA).

The PP relates to the landholding legally known as Lot 2 DP1144979, located on Wallaroo Road in Wallaroo, NSW 2618 – see **Figure 1**.

This PP seeks to rezone the lot from RU1 Primary Production to C3 Environmental Management under the Yass Valley LEP 2013 (YLEP 2013). This is required as part of a biodiversity offsetting process for an Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval granted in 2017 for the development of the West Belconnen development area (referred to as Ginninderry). The EPBC approval included a condition of consent that required the subject site to be rezoned to C3 Environmental Management (previously E3 zoning) due to this site's significant biodiversity values.

In addition, this PP also seeks to amend Schedule 1 of the LEP to enable an additional permissible use (APU) for Electricity Generating Works and an associated access road on part of the site. At this stage the planning proposal only intends to set aside this land for a potential substation, and there is no certainty that this site will be used for a substation. This component of the PP was not a requirement of the EPBC Approval but is proposed to secure a site for a potential future substation for TransGrid. A substation is already permissible in any zone as provided for by State Environmental Planning Policy (Transport and Infrastructure) 2021. Therefore, this PP reaffirms what would already be permissible in the current and proposed zone by explicitly providing that as an APU on part of the lot. The part of the lot for a potential substation is that part which does not have identified biodiversity values.

This PP has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the requirements as set out in 'Local Environmental Plan Making Guideline' (NSW Department of Planning and Environment, August 2023).

The PP is supported by specialist reports that assess the site attributes and constraints. In summary, the proposal is appropriate, and any risks can be suitably mitigated and managed.

The proposed changes to the YLEP 2013 are justifiable as they will:

- Rezone RU1 Primary Production Land that is not utilised for agriculture purposes to C3 Environmental management, resulting in an improved environmental outcome for the site
- Not adversely affect the use of land for agriculture uses
- Facilitate the biodiversity offset of the land, in accordance with the EPBC approval requirements
- Conserve the environmental values of the site by rezoning the land to C3 Environmental management
- Limit the permissible uses on the site and reduce its development potential. This is consistent with the aim to preserve biodiversity values
- Take into consideration the environmental values of the land, and protect areas of remnant vegetation
- Facilitate important electricity generating works should they be required in the future, ensuring a public benefit
- Provide certainty for a future substation site to safeguard future electricity supply for the region
- Reaffirm the permissibility of a substation by providing that as an APU on part of the lot. This is a use that would already be permissible in the current and proposed zone by virtue of the Transport and Infrastructure SEPP
- Safeguard the land with biodiversity values from future development, by incorporating the APU on part of the lot only.

Accordingly, the Planning Proposal is considered both supportable and justified.

1. Introduction

Knight Frank Town Planning has been engaged to prepare this Planning Proposal (PP) to Yass Valley Council (Council) to amend the Yass Valley Local Environmental Plan 2013 (YLEP 2013). The PP relates to the landholding legally known as Lot 2 DP 1144979, located on Wallaroo Road in Wallaroo, NSW 2618– see **Figure 1**.

This PP has been lodged on behalf of the proponent, Riverview Projects (ACT) Pty Ltd (hereinafter referred to as Riverview Projects) representing the owner of the land – the ACT Government, Suburban Land Agency (hereinafter referred to as the SLA). This PP seeks to rezone the lot from RU1 Primary Production to C3 Environmental Management under the Yass Valley LEP 2013 (YLEP 2013). In addition, it is proposed to amend Schedule 1 of the LEP to enable an additional permissible use (APU) for Electricity Generating Works and an associated road to provide a site for a potential future substation.

This PP has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and addresses the requirements as set out in 'Local Environmental Plan Making Guideline' (NSW Department of Planning and Environment, August 2023). In accordance with the Local Environmental Plan Making Guideline, this PP provides sufficient information and justification for the LEP amendment, and the key issues have been addressed.

This PP is accompanied by the following supporting studies, which are provided in the Appendices:

Table 1 - Supporting Documents

Appendix	Report	Prepared by
1	Ecological Constraints Assessment	Capital Ecology (2021)
2	Targeted Surveys	Capital Ecology (2022)
3	West Belconnen Strategic Assessment Program Report	A T Adams Consulting (2017)
4	Concept Access Plan	Riverview Group (2024)
5	Letter Of Support – Adjoining Landowner	ACT Parks and Conservation (2024)
6	Letter Of Support – Landowner	ACT Suburban Land Agency (2024)
7	Bushfire Report	Australian Bushfire Protection Planners (2025)

1.1 Background – Need for a Planning Proposal

The West Belconnen Strategic Assessment (SA024) approval was granted in September 2017 under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The development area covers land within both the Australian Capital Territory (ACT) and New South Wales (NSW). This is now known as Ginninderry – see **Figure 1**.

The Strategic Assessment considered possible impacts of the proposed urban development on:

- *listed threatened species and listed ecological communities*
- *listed migratory species*
- *any other protected matters present.*

The Assessment included areas to be considered for environmental offsets. This included the subject site in Wallaroo (Lot 2 DP 1144979), to be included within an offset strategy to provide environmental offset against the possible future impacts on 1.8ha of Golden Sun Moth (GSM) habitat that will occur due to the development of a proposed extension to Ginninderra Drive in the future. The subject site is referred to as 'Lot 2'– see **Figure 1**. The GSM habitat offset area required for the Ginninderry Project is 33.1 ha, while the Lot 2 area in its entirety is 86.8 ha (*Ref. EPBC Strategic Assessment Report Table 4*).

The EPBC approval (2017) for the development of the West Belconnen development area (Ginninderry). This included a condition of approval that required the site to be rezoned to C3 Environmental Management (previously E3 zone). Accordingly, this PP is required to ensure compliance with the approval granted to Riverview Projects associated with the urban development and biodiversity conservation requirements of the West Belconnen Strategic Assessment (WBSA) area.

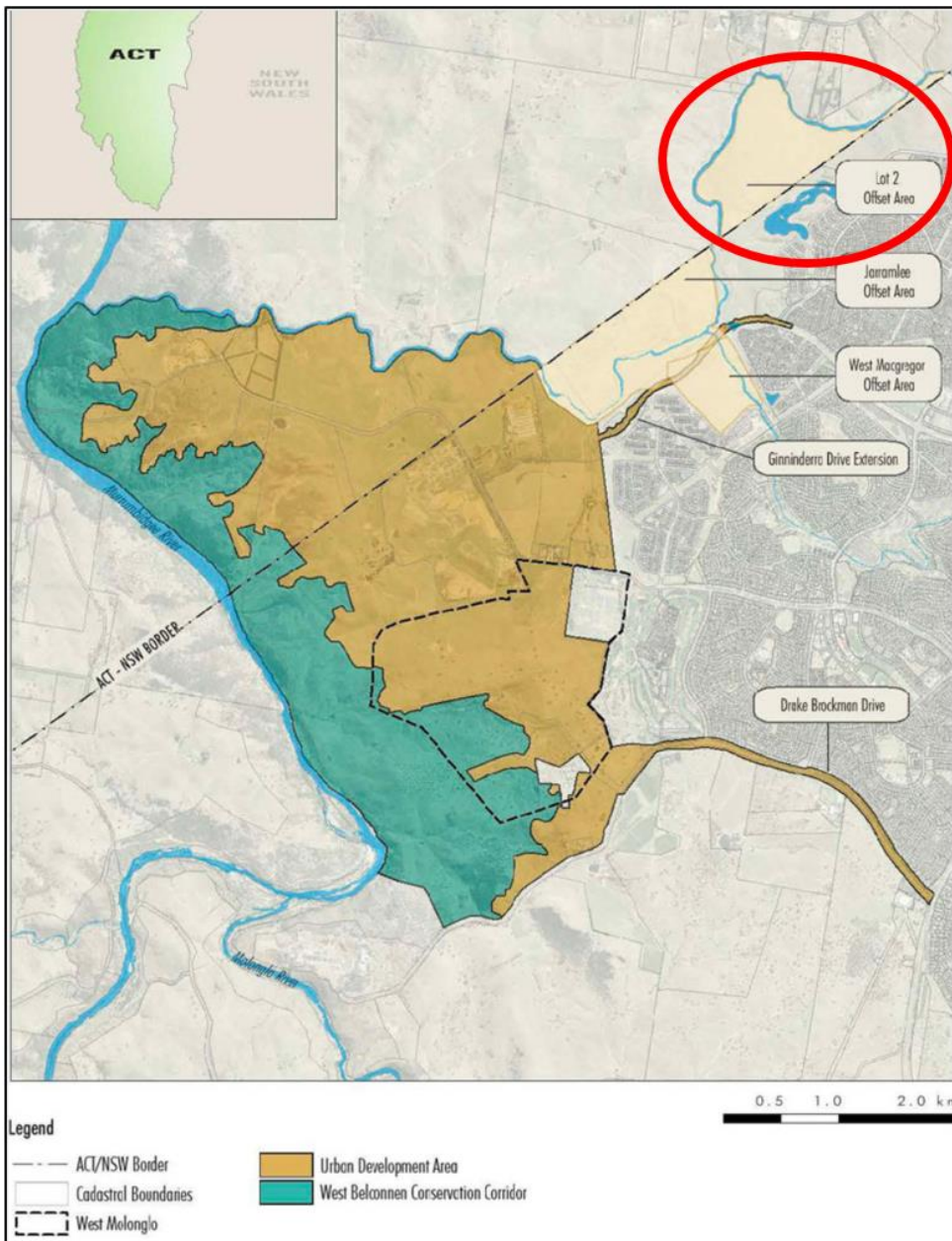


Figure 1 - Map of the Ginninderry Strategic Assessment Area, ACT and NSW
(Source: West Belconnen Strategic Assessment Program Report)

Whilst only 33.1 hectares is required to be preserved for GSM habitat, the EPBC approval referred to 'Lot 2' as requiring to be rezoned despite the remainder of the lot not being subject to GSM restoration. Notwithstanding this, the SLA has agreed to Lot 2 in its entirety being rezoned to C3.

Noting that Lot 2 at circa 86.8 hectares is a greater area than what is required (33.1 hectares), it is proposed to also make provision for a substation as an option for the relocating of the existing TransGrid substation at North Belconnen in the event this is required.. Whilst there is an approval pathway for a substation in certain circumstances under the *State Environmental Planning Policy (Transport and Infrastructure) 2021*, the purpose of the PP would be to provide long term certainty and security for a future substation given it is strategic infrastructure. Accordingly, is proposed to set aside 19 ha of the C3 Environmental Management zoned land for this potential future substation site. It is noted that the development of any substation would itself require the necessary approvals applicable at that time.

Support from the SLA (the landowner) is provided in **Appendix 6**, confirming support for lodgement of this PP.

1.2 Scoping Proposal Feedback

A scoping proposal was provided to Council in June 2024 to obtain feedback on the study requirements and issues to address in the PP. The following feedback was received:

Table 2 – Response to Scoping Proposal Feedback

Agency	Scoping Proposal Feedback	Planning Proposal Response
Yass Valley Council	Requested a Bushfire Assessment Report to provide consideration around the required buffer areas for the potential substation	This report has been provided with the PP – see Appendix 7 .
Department of Climate Change, Energy, the Environment and Water (DCCEEW)	<p>Notes the recommendations from the Ecological Values and Constraints Assessment (Capital Ecology 2021), and includes the following conclusions:</p> <ul style="list-style-type: none"> ▪ The proposed location of the substation is within an area assessed as being non-native vegetation ▪ Surveys will need to be carried out as recommended for Delma impar Striped Legless Lizard prior to any future development ▪ Any future development should avoid impacts on Vegetation Zones 1 and 3 ▪ A future development which is State Significant Development, will automatically require a full Biodiversity Development Assessment Report. This must include an assessment of all biodiversity values on the site using the Biodiversity Assessment Methodology (BAM). ▪ All commitments made under the EPBC Act approval must be adhered to in use of the site. 	<p>The location of the substation has been selected based on the absence of significant or native vegetation – refer to Figure 15.</p> <p>Targeted survey of Striped Legless Lizard was undertaken in 2022 by Capital Ecology, and accompany this PP. Further studies can be undertaken prior to any future development if required.</p> <p>The location of the substation has been selected to avoid vegetation zones 1 and 3.</p> <p>The Ecological Values and Constraints Assessment prepared by Capital Ecology has identified vegetation zones based on presence of exotic species, native species and weed/flora value score, as follows:</p> <ul style="list-style-type: none"> ○ Zone 1 is Native dominated (Themeda/ Austrasia/ Rytidosperma association), supporting a high to very high diversity of native grass and forb species. ○ Zone 3 is Native dominated (Austrostipa/Microlaena association), with some forbs present. <p>The potential substation site avoids these areas.</p> <p>The BDAR requirements for future development are noted for consideration in the event that a future substation is required.</p> <p>The future development of a substation will be subject to the relevant approval process applicable at that time.</p> <p>The PP seeks to rezone the site as required under the EPBC Act approval.</p>

2. Site Location, Description and Context

2.1 Site Location and Description

The site is located in Wallaroo and is legally known as Lot 2 DP1144979 as shown in **Figure 2**. It is hereinafter referred to as 'the site'. The site is circa 86.8 hectares and irregular in shape.

The site and surrounding area are zoned RU1 Primary Production in the Yass Valley LEP 2013 (YPLEP 2013). The site is currently vacant and not used for agricultural production.

The site is an isolated parcel and has no direct formal road access. It is located in Wallaroo on the border of the ACT and NSW. There is an existing dirt track through ACT lands that provides informal access to the site. Refer to **Figure 3**.

The Gooromon Ponds (indicated in blue on Figure 2 below), are a tributary of the Ginninderra Creek, and border the site on the north, east and western boundaries. It is understood the Ponds are Crown Land (*Ref. Spatial Viewer*).

There is an existing 330kV and 132kV TransGrid easement for transmission lines in the southern part of the site close to the NSW-ACT border- Refer to **Figure 3**.



Figure 2 – The site, approximately indicated red, (Source: Nearmaps)

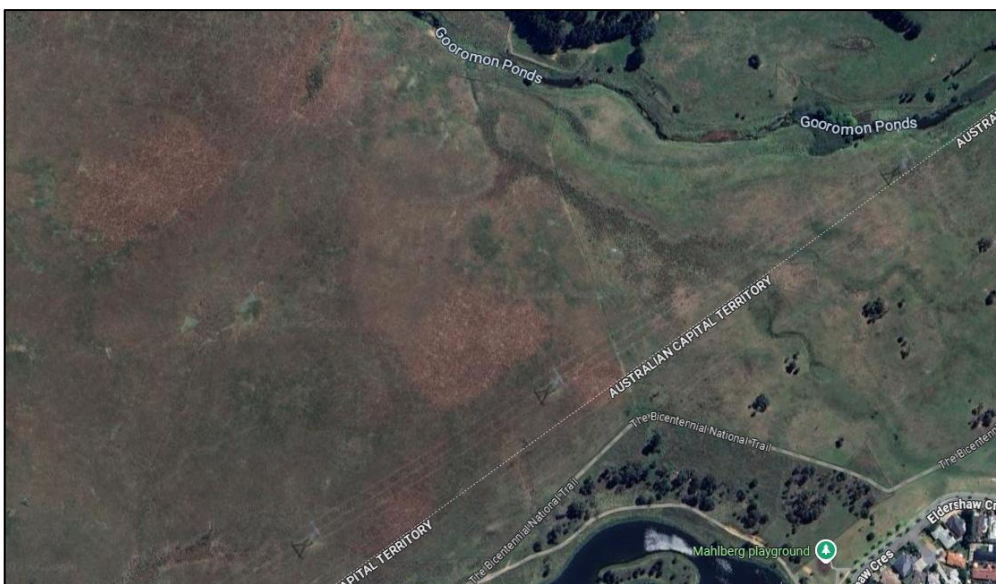


Figure 3 – Informal access to the site (Source: Google Maps)

2.2 Site Context

Lands to the north and northeast of the site are also zoned RU1 Primary Production, and are used for a variety of rural purposes.

The site is located on the border of the ACT and NSW - refer to **Figure 4**. The following are located to the south of the site within the ACT:

- The existing residential suburb of Dunlop.
- The West Belconnen Pond is located approximately 100 metres to the south of the site
- The Bicentennial National walking trail

A State Significant Development proposal has been approved by DPHI for the property to the west of the site for a solar farm that will have a capacity of 120MW, including an on-site substation and a battery storage facility with a storage capacity of up to 45MW/90MWh (Ref. SSD Application No. SSD-9261283). - Refer to **Figure 4**.

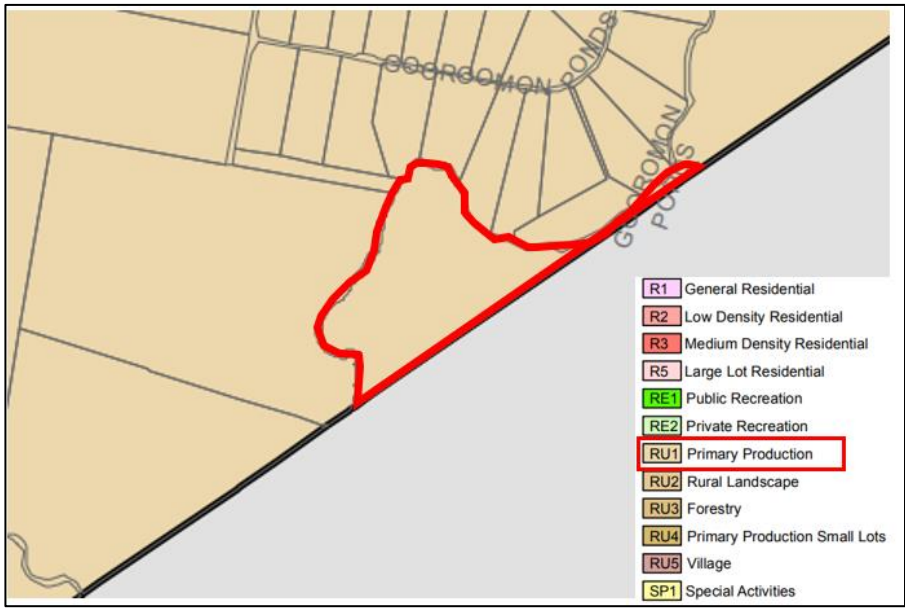


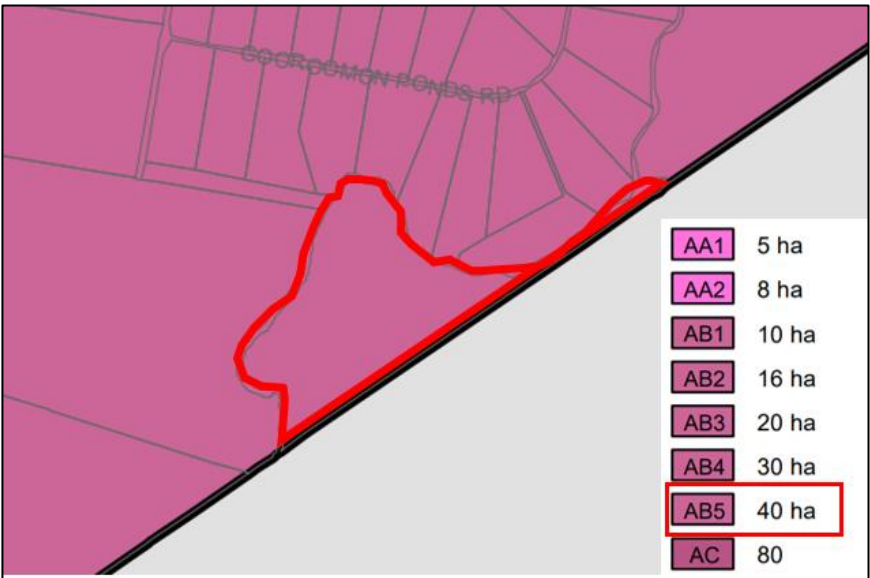
Figure 4 - The Site Context (Source: GoogleMaps)


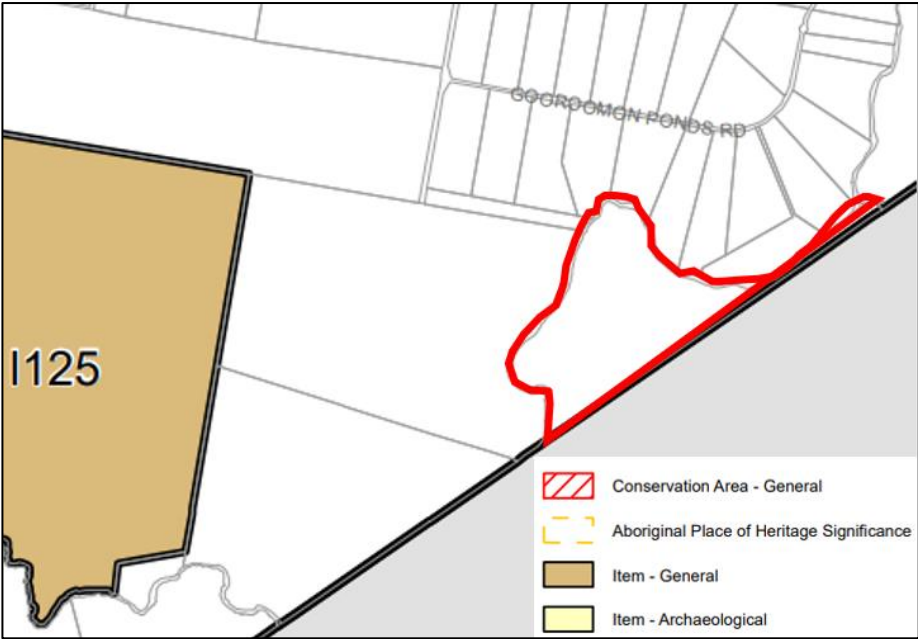
3. Existing Statutory Planning Context

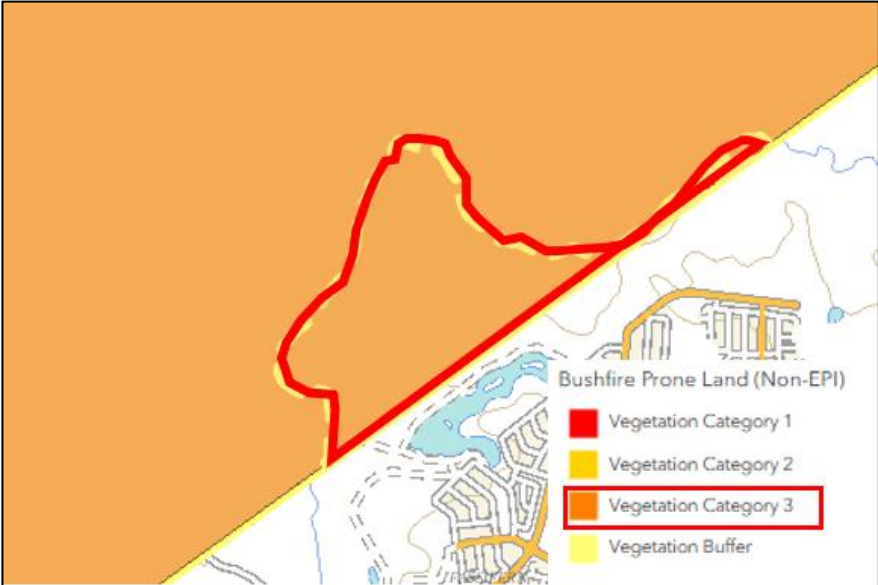
The Yass Valley Local Environmental Plan 2013 (YLEP 2013) is the relevant LEP for the subject site. The following is a summary of key planning controls relevant to the site:

Table 3 - Summary of Key Planning Controls

LEP Controls	Site Details
Zoning	<p>The site is currently zoned RU1 Primary Production – refer to Figure 5. It is proposed to rezone the site to C3 Environmental Management.</p>  <p>Figure 5 - Zoning Map (Source: Yass Valley LEP 2013)</p> <p>Objective of zone</p> <ul style="list-style-type: none"> 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. <p>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.</p>

LEP Controls	Site Details
	<p>Permitted without consent</p> <p><i>Environmental protection works; Extensive agriculture; Forestry; Home-based child care; Home businesses; Home occupations; Intensive plant agriculture; Water storage facilities</i></p> <p>Permitted with consent</p> <p><i>Agritourism; Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Artisan food and drink industries; 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.</i></p> <p>Prohibited</p> <p><i>Any development not specified in item 2 or 3</i></p>
Minimum Lot Size	<p>The site has a minimum lot size of 40 ha – refer to Figure 6.</p>  <p>Figure 6 - Minimum Lot Size Map (Source: Yass Valley LEP 2013)</p>

LEP Controls	Site Details
<p>Natural Resources Biodiversity</p>	<p>A small part of the site is identified as having biodiversity values – refer to Figure 7. This land is currently zoned RU1 Primary Production and is proposed to be rezoned to C3 Environmental Management by this PP. This will ensure these biodiversity values are retained.</p> <p>The site identified for a potential future substation does not contain any mapped biodiversity values.</p>  <p>Figure 7 - Biodiversity (Source: Yass Valley LEP 2013)</p>
<p>Heritage</p>	<p>The site is in proximity to a Local Heritage listed site identified as the <i>Parkwood homestead and chapel (I125)</i> – Refer to Figure 8.</p>  <p>Figure 8 – Heritage Map (Source: Yass Valley LEP 2013)</p>

LEP Controls	Site Details
Bushfire	<p>The site is identified as bushfire prone, Vegetation Category 3 – refer to Figure 9. This PP is supported by a Bushfire Report – see Appendix 7.</p>  <p>Figure 9 – Bushfire Map (Source: NSW Spatial Viewer)</p>

Other Relevant Controls

Biodiversity Values

The land coinciding with the Gooromon Ponds is mapped as having Biodiversity Values (referred to as 'Biodiverse riparian land' on Spatial Viewer) – refer to **Figure 10**. The Gooromon Ponds are identified as being Crown Land – refer to **Figure 18**. The site identified for a potential future substation does not contain mapped Biodiversity Values.

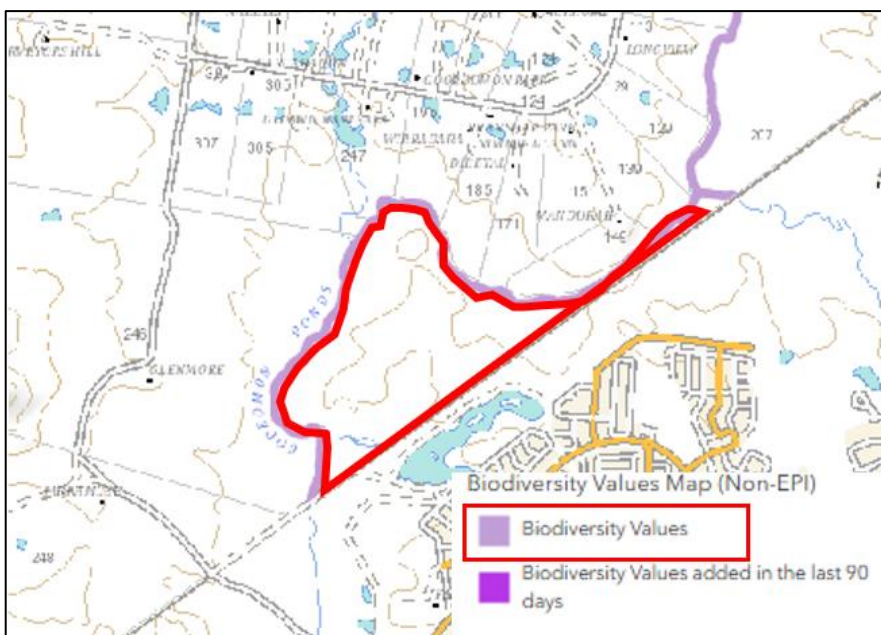


Figure 10 - NSW Biodiversity Values Map (Source: NSW Spatial Viewer)

Aboriginal Heritage

According to an online search using AIHMS Map, there are potentially 8 Aboriginal sites recorded in or near the site, as shown in **Figure 11** below. If required, any future DA for the substation will be supported by a Heritage Report that details how the Aboriginal sites will be protected.

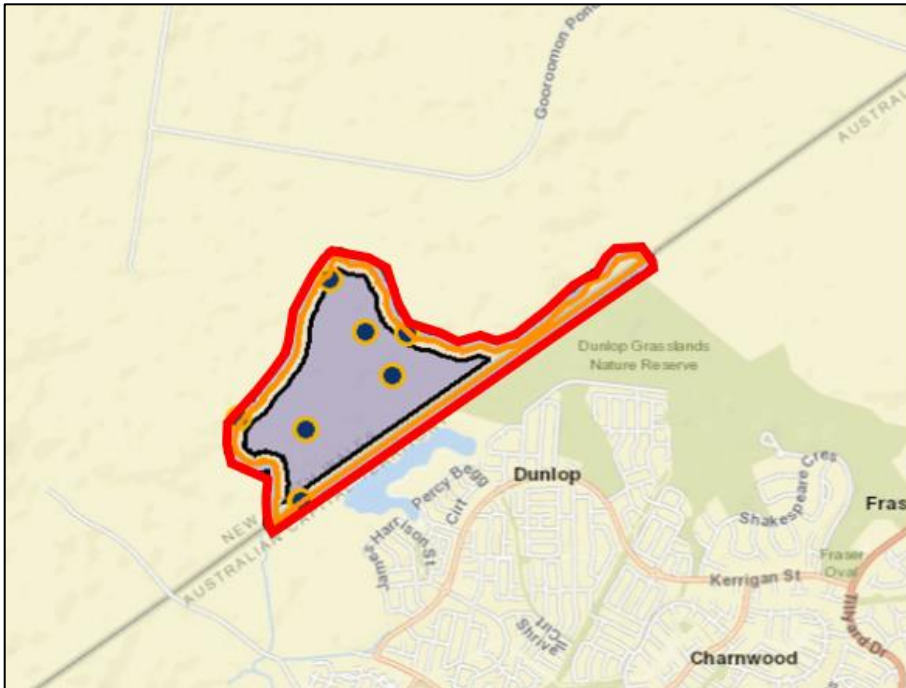


Figure 11- Aboriginal Heritage Map (Source: Heritage NSW AHIMS Web Services, April 2024)

Yass Valley Development Control Plan 2024

The Yass Valley Development Control Plan 2024 (Yass DCP) provides controls for land within the Yass Valley LGA. The future development of the site will be assessed against the relevant controls contained within the Yass Valley DCP to ensure consistency with the requirements.

4. Planning Proposal

This Planning Proposal (PP) has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and includes the requirements as set out in 'Local Environmental Plan Making Guideline' (Guideline) published by the Department of Planning and Environment in August 2023, as follows:

- **Part 1** – A statement of the objectives and intended outcomes of the proposed LEP
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP
- **Part 3** – The justification of strategic and site-specific merit
- **Part 4** – Maps to identify the intent of the planning proposal and the area to which it applies
- **Part 5** – Community consultation to be undertaken on the planning proposal, and already undertaken
- **Part 6** – Project timeline to detail the anticipated timeframe for the LEP making process

4.1 Part 1- Objectives or Intended Outcomes

The objective of the PP is to amend the Yass Valley LEP 2013 (YLEP 2013) to rezone the lot to C3 Environmental Management. The outcomes of this PP are to:

- Preserve the biodiversity conservation values of part of the site in accordance with EPBC requirements, under the West Belconnen (SA024) EPBC approval; and
- Secure a site for a potential future substation (electricity generating works and access road).

Further details of the proposed changes to facilitate this outcome are provided below.

Proposed Concept

The entire landholding has an area of approximately 86.8 hectares. The aim of the proposal is to rezone the site to C3 Environmental Management to conserve the biodiversity values of the landholding as required by the EPBC approval.

The proposal also seeks to make provision for the potential relocating of the existing TransGrid substation and operations, from North Belconnen to the site. The substation is not intended to be constructed as a consequence of this planning proposal, but this proposal is a means of securing a site for it in the future should there be a requirement for the substation to be relocated. At the time of drafting this PP, the need for the substation on the site has not been confirmed.

Any development of a substation will also require any approvals necessary under the relevant controls applicable at that time. The concept considers the environmental values of the site in locating a maximum area for the substation of 19 hectares. A location for the concept substation has been identified as shown below in an area of low constraint for non-native vegetation – See **Figure 12-13**.

The concept also indicates a possible road access location, which will require access through ACT lands -See **Figure 12**. Access is expected to be provided through the existing suburb of Dunlop via an existing unsealed track. ACT Parks and Conservation are the land custodian of this land and support this proposal in principle– See letter of support provided in **Appendix 5**.



Figure 12 – Concept, including proposed road access to the site

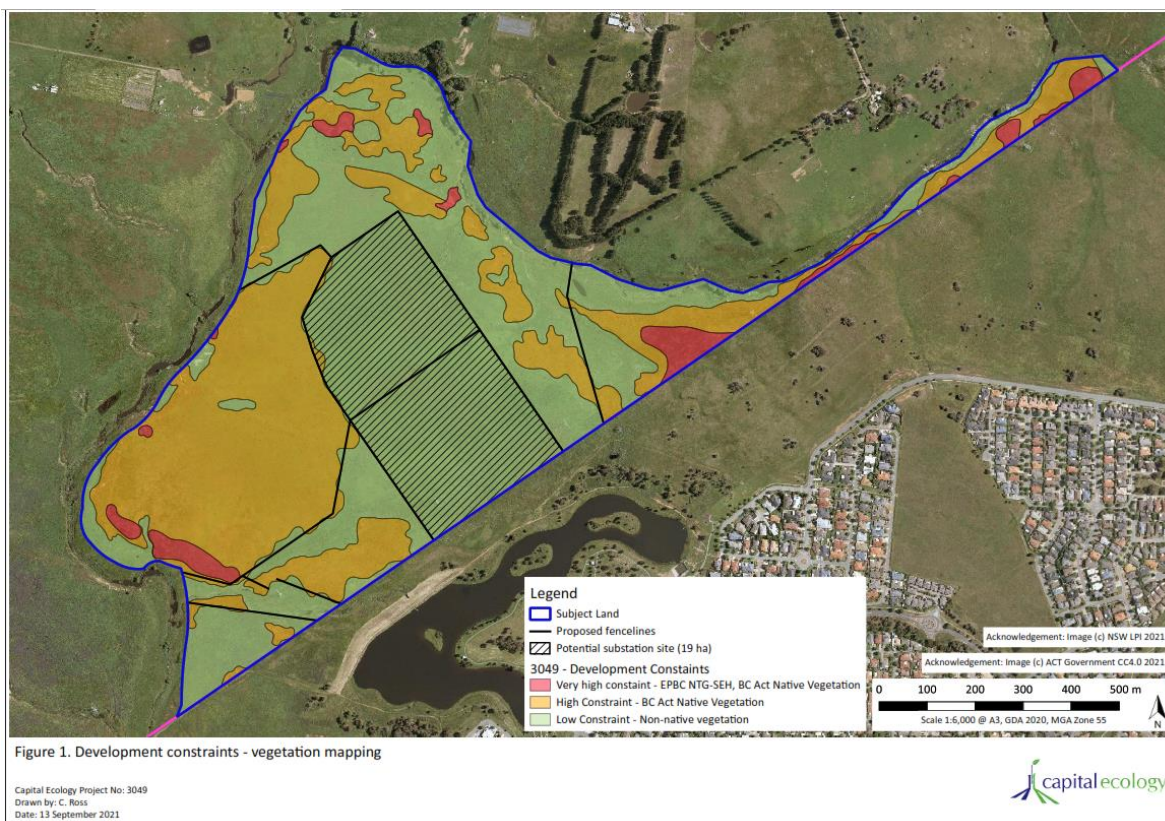


Figure 13 – Vegetation Mapping (Source: Capital Ecology 2021)

4.2 Part 2- Explanation of Provisions

This PP seeks to achieve the above objectives and intended outcomes by amending the YLEP 2013 and associated maps in the following manner:

- Rezone the lot from RU1 Primary Production to C3 Environmental Management by amending Land Zoning Map - Sheet LZN_005.
- Amend Schedule 1 of the LEP and the Additional Permitted Uses Map - Sheet APU_005, to include an additional permissible use (APU) for electricity generating works and an associated road.

Land Use Zoning

As detailed above, a condition of the EPBC approval required the land to be offset and rezoned to C3 Environmental Management (formerly E3 zone). This will ensure the biodiversity values of the land are appropriately protected and managed. The land use table for the proposed C3 Environmental Management zone is provided below.

Schedule 1 Amendment - Additional Permitted Use (APU)

A substation (or Electricity generating works) is not listed as a permissible use in the C3 zone under the YLEP 2013. However, it would be permissible in the current and proposed zone by way of the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021– See **Table 5**.

Nevertheless, in considering the strategic importance of the substation to the electricity network, greater clarity and certainty for securing a site is considered necessary for a potential future relocation. Accordingly, it is proposed to include electricity generating works and an access road as an Additional Permissible Use (APU) in Schedule 1 of the YLEP 2013 and amend the APU map.

The NSW Planning Standard Instrument part 2 (clause 2.5) requires that a use to be added to Schedule 1 as an additional permissible use must be one that is listed in Direction 5 of the Standard Instrument. This includes electricity generating works, defined in the YLEP 2013 as:

electricity generating works means a building or place used for the purpose of—
(a) making or generating electricity, or
(b) electricity storage.

The potential future substation will require a suitable vehicle access as well as any other relevant essential services. Although a road is permissible in the C3 Zone, it is unclear if a road associated with a substation (a use that is not listed as permissible) would be permissible by the YLEP 2013. Accordingly, and for greater certainty, an access road for the substation is proposed to also be included in the Schedule 1 amendment as a requirement for consent.

In summary, the proposed amendment to Schedule 1 Additional Permitted Uses of the YLEP 2013 is as follows:

Use of certain land at Lot 2 DP 1144979, Wallaroo

- (1) *This clause applies to part of Lot 2 DP 1144979, shown as “Item ” on the Additional Permitted Uses Map.*
- (2) *Development for the purpose of ‘electricity generating works’ and an associated road is permitted with development consent.*
- (3) *Development consent under subclause (2) may only be granted if the consent authority is satisfied that—*
 - (a) *the site area of the development is not greater than 19 hectare, and*
 - (b) *the development will be adequately serviced with suitable vehicular access, and*
 - (c) *the development will not have any adverse impact on areas of high biodiversity values.*
- (4) *The creation of a lot less than the minimum lot size permitted under Clause 4.2 is permitted, where it is for the purposes of electricity generating works and a resultant lot for the purpose of environmental management.*

A draft amendment to the LEP Additional Permitted Uses map is provided below:



Figure 14 – Proposed Amendment to Additional Permitted Uses Map (Source: Yass Valley LEP 2013)

Justification

This proposed changes to the YLEP 2013 are justifiable as they will:

- Rezone RU1 Primary Production Land that is not utilised for agriculture purposes to C3 Environmental management, resulting in an improved environmental outcome for the site;
- Facilitate the biodiversity offset of the land, in accordance with the EPBC approval requirements;
- Conserve the environmental values of the site.
- Limit the permissible uses on the site and reduce its development potential. This is consistent with the aim to preserve biodiversity values;
- Not adversely affect the use of the land and surrounding land for agriculture;
- Take into consideration the environmental values of the land, and protect areas of remnant vegetation;
- Facilitate important electricity generating works should it be required in the future, ensuring a public benefit;
- Provide certainty for a future substation site to safeguard future electricity supply for the region;
- Reaffirm the permissibility of a substation by providing that as an APU on part of the lot. This is a use that would already be permissible in the current and proposed zone by virtue to the Transport and Infrastructure SEPP, and
- Safeguard the land with biodiversity values from future development, by incorporating the APU on part of the lot only.

4.3 Part 3 – Justification of Strategic and Site-Specific Merit

4.3.1 Strategic Merit

This section of the PP provides the justification of the proposal within the relevant strategic planning context.

Section A – Need for the Planning Proposal

Q1 - Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The PP is not the result of any specific strategic study or report but required to adhere to an EPBC approval and biodiversity offset requirements. Nevertheless, due regard has been given to the strategic studies and reports outlined in Section B of this PP.

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

Yes. The PP seeking to amend the YLEP 2013 is considered the best means of achieving the objectives and intended outcomes set out in section 4 of this PP. The PP aims to provide certainty for Council, the local community and the landowner as to the future intended use of the land.

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 following table provides the consistency of the proposal with the applicable regional plan:

Table 4 - Relationship to Strategic Planning Framework

Strategic Plan	Consistency
Draft South East and Tablelands Regional Plan 2041	<p>The Draft South East and Tablelands Regional Plan 2041 (draft Plan). was published in December 2022. This draft Plan contains the latest forecasts and delivers strategies to manage and shape the region's growing centres</p> <p>The proposal is consistent with the following extracts from the draft Plan:</p> <p><i>Strategic planning and local plans are to:</i></p> <ul style="list-style-type: none"> • protect and enhance the function and resilience of biodiversity corridors, including in LEPs and DCPs. • focus offsets from approved developments to regional biodiversity corridors, where possible • Encourage the co-location of renewable energy; generation and storage infrastructure, in proximity to the current and proposed future electricity transmission network, but also to minimise any cumulative adverse effects on the natural environment; • provide opportunities to protect, acknowledge, celebrate and enhance Aboriginal and non-Aboriginal cultural heritage values by managing and monitoring the cumulative impact of development on the heritage values and character of places • broaden the telecommunications and internet networks across the region, particularly to remote communities • locate new development away from hazard prone areas
South East and Tablelands Regional Plan 2036	<p>The proposal is consistent with the goal of the South East and Tablelands Regional Plan 2036 being to achieving a diverse environment by interconnected biodiversity corridors and specifically Direction 14 of protecting important environmental assets and Direction 15 of enhancing biodiversity connections.</p>

Q4 – Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

The Yass Valley Local Strategic Planning Statement (LSPS) sets out a vision for the next 20 years for land use within the Local Government Area. The strategy identifies priorities to achieve the Council's vision. The PP is consistent with Planning Priority 4, which aims to “Protect and conserve the natural environment, built and Aboriginal cultural heritage of Yass Valley”.

Q5 - Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The PP is consistent with the Draft South East and Tablelands Regional Plan 2041, and South East and Tablelands Regional Plan 2036 as demonstrated in **Table 4**.

Q6 - Is the planning proposal consistent with applicable SEPPs?

An assessment of the Planning Proposal against the applicable State Environmental Planning Policies (SEPP) is provided below.

Table 5 – Consistency with State Environmental Planning Policy (SEPP)

SEPP	Comment
State Environmental Planning Policy (Sustainable Buildings) 2022	N/A
State Environmental Planning Policy (Planning Systems) 2021	The future substation may be state significant development depending on the applicable stage planning legislation at that time.
SEPP (Biodiversity and Conservation) 2021	<p>There is no known koala habitat on the site. This is confirmed by the Capital Ecology Constraints Assessment (Refer to Appendix 1) as follows:</p> <p><i>With regard to the current application of the Koala Habitat Protection SEPP for the subject land, the following points are noted-</i></p> <ol style="list-style-type: none"> <i>1. The subject land is located within the Yass Valley Local Government Area (LGA), which is an LGA to which The Koala Habitat Protection SEPP applies as listed in Schedule 1.</i> <i>2. Potential koala habitat means areas of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.</i> <p><i>The subject land does not contain any Koala feed trees or potential Koala habitat.</i></p> <ol style="list-style-type: none"> <i>3. Koalas have not been recorded within 10 km of the subject land in the last 18 years.</i> <p><i>As such, the subject land does not support habitat for the Koala and is unlikely to constitute important or occupied Koala habitat now or in the future.</i></p>
State Environmental Planning Policy (Resilience and Hazards) 2021	N/A
SEPP (Transport and Infrastructure) 2021	A substation (for the purpose of an electricity transmission or distribution network) is permissible in the current and proposed zone (Division 5, Cl 2.44 Development permitted without consent). While this may apply to a future substation, it is not pertinent to the planning proposal, as the proposal aims to secure land for the substation's use rather than seeking approval for its operation.
State Environmental Planning Policy (Industry and Employment) 2021	N/A
State Environmental Planning Policy (Resources and Energy) 2021	N/A

SEPP	Comment
SEPP (Primary Production) 2021	The site is zoned RU1 Primary Production, but is not currently used for rural purposes. It has been identified for biodiversity offset, as required by the EPBC approval for the West Belconnen Development.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Precincts – Central River City) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Precincts – Regional) 2021	Not relevant to the proposed amendment.
State Environmental Planning Policy (Housing) 2021	Not relevant to the proposed amendment.
SEPP No. 65 – Design Quality of Residential Apartment Development	Not relevant to the proposed amendment.
State Environmental Planning Policy (BASIX) 2004	Not relevant to the proposed amendment.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not relevant to the proposed amendment.

Q7 - Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?

The planning proposal is consistent with the relevant directions for planning proposals issued by the Minister for Planning under Section 9.1 of the EP&A Act, as detailed below.

Table 6 - Consistency with Ministerial Directions

Ministerial Direction	Comment
1. Planning Systems	
1.1. Implementation of Regional Plans <i>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</i>	The proposal is consistent with the South East and Tablelands Regional Plan, as detailed in Table 4.
1.2. Development of Aboriginal Land Council land	NA
1.3. Approval and Referral Requirements	NA
1.4. Site Specific Provisions	The proposal includes a site-specific clause (Additional Permitted Use) to enable a substation on the site.
1.4A Exclusion of Development Standards from Variation	NA
1. Planning Systems – Place – based	
1.5. Parramatta Road Corridor Urban Transformation Strategy	NA
1.6. Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	NA

Ministerial Direction	Comment
1.7. Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA
1.8. Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA
1.9. Implementation of Glenfield to Macarthur Urban Renewal Corridor	NA
1.10. Implementation of the Western Sydney Aerotropolis Plan	NA
1.11. Implementation of Bayside West Precincts 2036 Plan	NA
1.12. Implementation of Planning Principles for the Cooks Cove Precinct	NA
1.13. Implementation of St Leonards and Crows Nest 2036 Plan	NA
1.14. Implementation of Greater Macarthur 2040	NA
1.15. Implementation of the Pyrmont Peninsula Place Strategy	NA
1.16. North West Rail Link Corridor Strategy	NA
1.17. Implementation of the Bays West Place Strategy	NA
1.18. Implementation of the Macquarie Park Innovation Precinct	NA
1.19. Implementation of the Westmead Place Strategy	NA
1.20. Implementation of the Camellia-Rosehill Place Strategy	NA
1.21. Implementation of South West Growth Area Structure Plan	NA
1.22. Implementation of the Cherrybrook Station Place Strategy	NA
2 Design and Place	
3 Biodiversity and Conservation	
3.1. Conservation Zones <i>The objective of this direction is to protect and conserve environmentally sensitive areas.</i>	The planning proposal will facilitate the protection and conservation of environmentally sensitive land by rezoning the site to C3 Environmental Management.
3.2. Heritage Conservation <i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i>	The online AHIMS Mapping search identified 8 Aboriginal items on, or in proximity to, the planning proposal site. Any future DA will be supported by a Heritage report that details how the Aboriginal sites will be protected.
3.3. Sydney Drinking Water Catchments	NA
3.4. Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	NA
3.5. Recreation Vehicle Areas	NA
3.6. Strategic Conservation Planning	NA
3.7. Public Bushland	NA
3.8. Willandra Lakes Region	NA
3.9. Sydney Harbour Foreshores and Waterways Area	NA
3.10. Water Catchment Protection	The Section 10.7 Planning Proposal site is not located within a regulated catchment. The site is not identified as containing a Watercourse or Groundwater Vulnerability.
4 Resilience and Hazards	
4.1. Flooding	The planning certificate confirms that the site is not flood affected.

Ministerial Direction	Comment
4.2. Coastal Management	NA
4.3. Planning for Bushfire Protection <i>The objectives of this direction are to:</i> <i>(a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</i> <i>(b) encourage sound management of bush fire prone areas.</i>	<p>The planning proposal site is identified as being bushfire prone land (Vegetation Category 3).</p> <p>A bushfire report has been prepared to accompany the PP (see appendix 7), and concluded as follows:</p> <p>The site is the most appropriate location for the future use of a substation on the site as it is not impacted by environmental constraints. The size of land proposed to accommodate the future electricity generating works allows for establishment of defensible spaces to the facility without impacting the Native grassland vegetation.</p> <p>The report confirms that there is no requirement for the preparation of a bushfire maintenance plan and fire emergency procedures for the site whilst it remains vacant.</p>
4.4. Remediation of Contaminated Land	NA
4.5. Acid Sulphate Soils	NA
4.6. Mine Subsidence and Unstable Land	NA
5 Transport and Infrastructure	
5.1. Integrating Land Use and Transport	NA
5.2. Reserving Land for Public Purposes	NA
5.3 Development Near Regulated Airports and Defence Airfields	NA
5.4 Shooting Ranges	NA
5.5 High Pressure Dangerous Goods Pipeline	NA
6 Housing	
6.1 Residential Zones	NA
6.2 Caravan Parks and Manufactured Home Estates	NA
7. Industry and Employment	
7.1 Employment Zones	NA
7.2 Reduction in non-hosted short-term rental accommodation period	NA
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	NA
8 Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	NA
9 Primary Production	
9.1 Rural Zones <i>The objective of this direction is to protect the agricultural production value of rural land.</i> It requires that a planning proposal must: <i>(a) not rezone land from a rural zone to a residential, employment, mixed use, SP4 Enterprise, SP5Metropolitan Centre, W4 Working Waterfront, village or tourist zone.</i>	<p>This planning proposal is consistent with this Direction as it will rezone the land from RU1 to C3 environmental management.</p>

Ministerial Direction	Comment
<p>9.2 Rural Lands</p> <p><i>The objectives of this direction are to:</i></p> <ul style="list-style-type: none"> <i>(a) protect the agricultural production value of rural land,</i> <i>(b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,</i> <i>(c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,</i> <i>(d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,</i> <i>(e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,</i> <i>(f) support the delivery of the actions outlined in the NSW Right to Farm Policy.</i> <p><i>This direction applies when a relevant planning authority prepares a planning proposal that:</i></p> <ul style="list-style-type: none"> <i>(a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or</i> <i>(b) changes the existing minimum lot size on land within a rural or conservation zone.</i> 	<p>Note as stated in Direction 9.1, a <i>rural or conservation zone</i> means any of the following zones or their equivalent in a non-Standard LEP: RU1, RU2, RU3, RU4, RU6, C1, C2, C3, C4.</p> <p>The planning proposal will rezone the site from RU1 to C3, therefore retaining its rural lands values.</p> <p>The biodiversity values of the site has been considered by the PP, which is required to facilitate a biodiversity offset process to comply with an EPBC approval. It is therefore considered appropriate to rezone the site.</p> <p>There are no changes to the minimum lot size proposed.</p>
9.3 Oyster Aquaculture	NA
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	NA

4.3.2 Site Specific Merit

Section C – Environmental, Social and Economic Impacts

Q8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

As detailed in section 1 of this PP, the EPBC approval granted to Riverview Projects (ACT) Pty Ltd for the urban development area within the West Belconnen area (known as Ginninderry) required the rezoning of the subject site in Wallaroo (Lot 2 DP 1144979) to E3 Environmental Management (now C3) to facilitate Golden Sun Moth (GSM) Environmental Offset requirements.

The Suburban Land Agency (ACT Government) (SLA) purchased the site in 2015 to provide environmental offset against the possible future impacts on 1.8ha of GSM habitat that will occur due to the development of the proposed Ginninderra Drive extension in the future.

The site has a total area of 86.8 ha. This included 11.9ha of land occupied by the GSM and a further 19.4ha suitable for GSM (currently unoccupied).

The strategic assessment looked at possible impacts of the proposed urban development on:

- *listed threatened species and listed ecological communities*
- *listed migratory species*
- *any other protected matters present.*

The Assessment included areas to be considered for environmental offsets. This included the subject site in Wallaroo (Lot 2 DP 1144979), to be included within an offset strategy to ensure the in-perpetuity protection of significant conservation values of the lot – refer to **figure 1**.

The West Belconnen Development received EPBC Approval (EPBC SA024) in September 2017.

- Condition 7 of the EPBC approval states that: *“Prior to the commencement of construction of the Ginninderra Drive extension, the approval holder must ensure that Golden Sun Moth Conservation Reserves are established for Jaramlee (52 ha) and West Macgregor (37 ha) and **Lot 2 Wallaroo Road (86.8 ha) to offset impacts to Golden Sun Moth (GSM).**”*
- Condition 3 of the EPBC approval states that *“the approval holder must ensure that the conservation outcomes species in Section 5 of the Program are achieved”*.

Section 5 of the Urban Development at West Belconnen Program Report, prepared by AT Adams Consultants (refer to Appendix 3), outlines the program of work, actions, management and funding arrangements, and commitments for protecting matters of national environmental significance. The requirements are as follows:

- *Outcome 4 - Apply a conservation covenant requiring the longterm protection and enhancement of GSM habitat on lot 2 Wallaroo Road. Whilst the covenant will provide long term protection for the Wallaro Rd offset area, further investigations should occur for the potential to rezone the land to E3 Environmental Management.*
- *Outcome no. 5 - the site to provide 33.1ha of GSM habitat (increased from 11.9ha recorded at the time of the assessment).*

Accordingly, this planning proposal is required to rezone the land to C3 Environmental Management under the Yass Valley LEP 2013, as required under the approval granted to Riverview Projects and actions associated with the urban development and biodiversity conservation requirements of the West Belconnen Strategic Assessment (WBSA).

As noted above, just 31.3 hectares is required to be preserved for GSM habitat under the Strategic Assessment Program. Lot 2 covers an area of over 86 hectares. It is proposed to set aside 19 hectares for a potential future substation site by way of an amendment to Schedule 1 of the YLEP 2013.

Ecological Studies

An Ecological Constraints Assessment and Targeted surveys have been prepared by Capital Ecology, see the attached reports (**Appendix 1 & 2**) and summarised below.

Capital Ecology, Ecological Values and Constraints Assessment 2021

A comprehensive assessment of ecological constraints and opportunities, considering the EPBC offset requirements and the requirements of NSW legislation, was prepared by Capital Ecology in 2021. This details three levels of environmental constraint across the site – “very high”, “high” and “low”. The high and very high areas coincide with the previously identified GSM habitat offset areas. Capital Ecology subsequently provided a further version of this plan which identifies the central area of the land as being suitable for a substation site and outside of areas of very high value – See **Figures 15-16**.

The Gooromon Grasslands Offset Management Plan (GGOMP) was developed by The Ginninderry Conservation Trust and the ACT Parks and Conservation Services. This plan was created concurrently with the Capital Ecology report and incorporated its findings. The areas designated for habitat restoration are shown in **Figure 16** below.

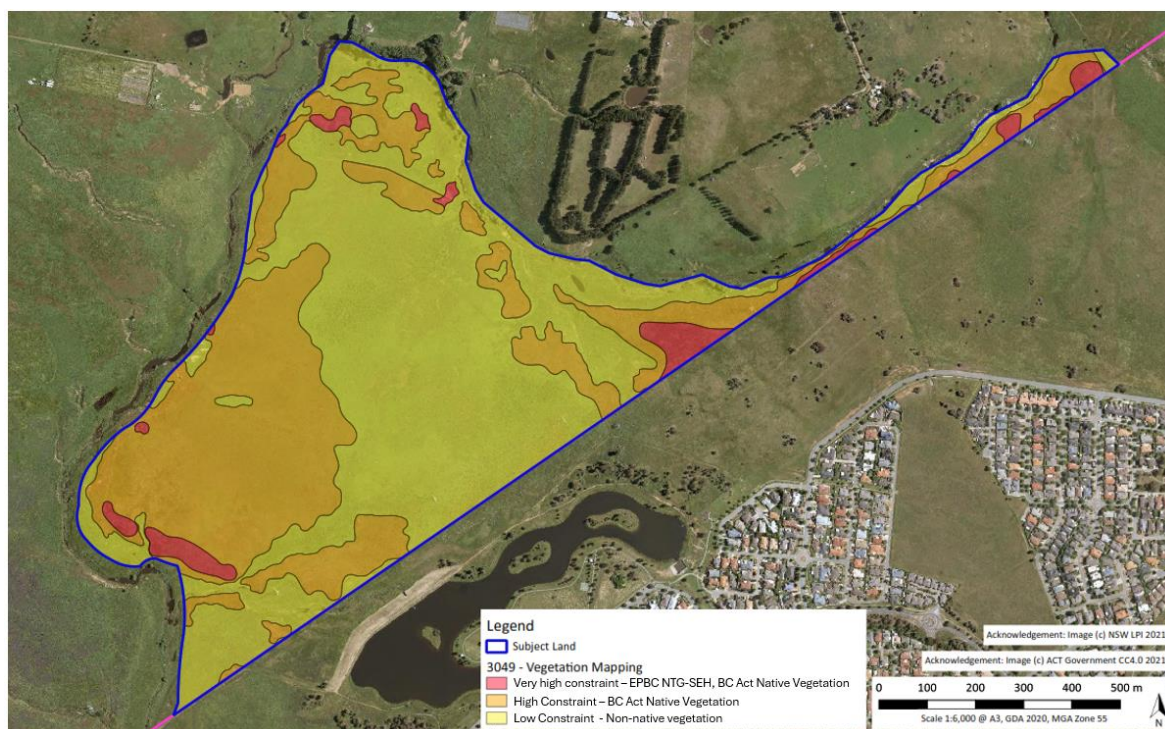


Figure 15 – Vegetation Assessment (Source: Capital Ecology)

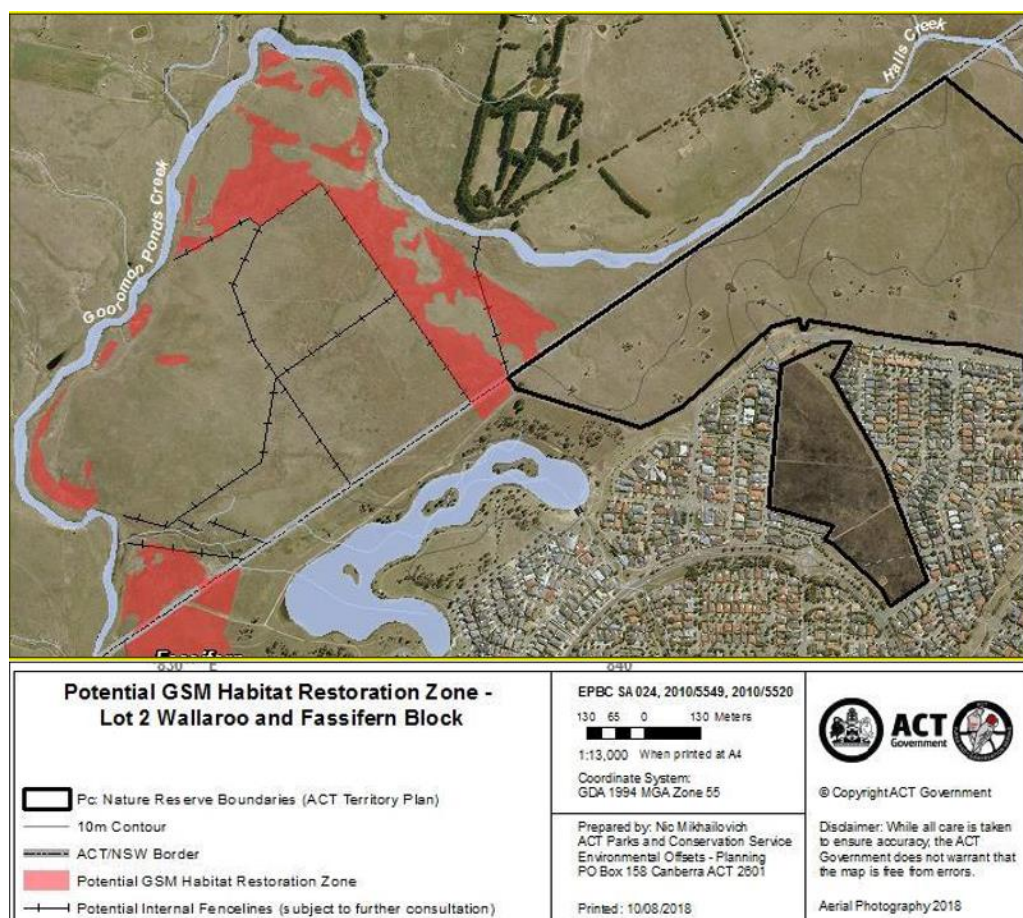


Figure 16 – Proposed GSM habitat restoration area (Source: Capital Ecology)

Capital Ecology, Targeted Surveys Report 2022

Based on recommendations from Capital Ecology's 2021 Ecological Values and Constraints Assessment (EVCA), targeted surveys for the Striped Legless Lizard (*Delma impar*) were conducted from October 2021 to December 2021 to assess the presence/absence of the species. This species is listed as vulnerable under both the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and NSW Biodiversity Conservation Act 2016 (BC Act). The key findings of the targeted survey are as follows.

- No Striped Legless Lizards were recorded over the 10-week survey program. The species is therefore considered highly unlikely to be present in the subject land (see **Figure 17**).
- A total of 31 non-target herpetofauna individuals (5 Olive Legless Lizards, and 26 Three-toed Skinks) were recorded during the targeted survey.
- As discussed in Section 3 (Assessment of Potential for Impacts and Development Constraints) of the EVCA, with the absence finding of this study, the areas of exotic pasture (PCT 1289 Zone 4) pose low to no constraint to development under both the EPBC Act and the BC Act.

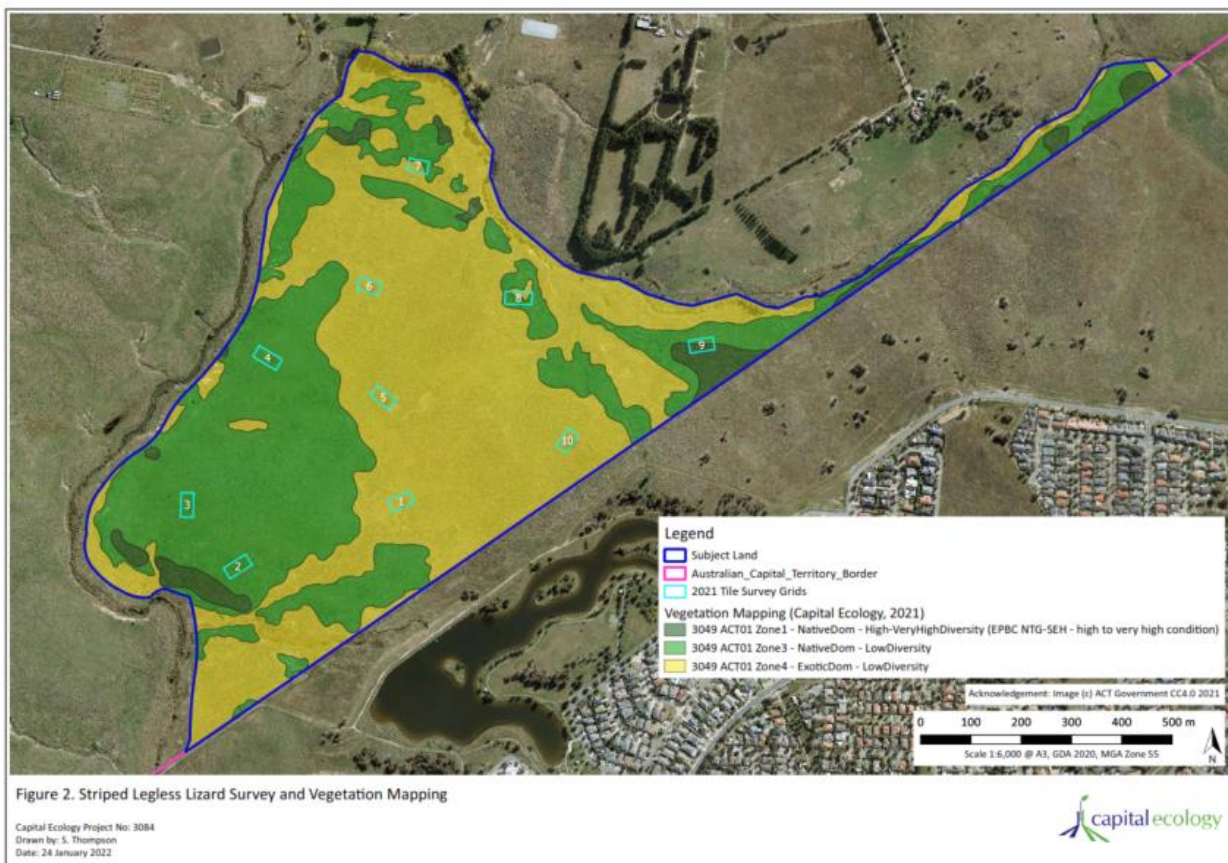


Figure 17 – Striped Legless Lizard Survey and Vegetation Mapping (Source: Capital Ecology)

Riparian land

The Gooromon Ponds, located along the boundary of the site, are identified as 'Biodiverse riparian land' – Refer to Error! Reference source not found.. It is noted that the Ponds are identified as being Crown Land – Refer to **Figure 18**.

The conceptual substation site is located at a significant distance from land identified as having biodiversity values and therefore the proposal is not expected to result in any impacts on the values of the riparian lands.

Table 7 - Compliance with Planning for Bushfire Protection 2019

Bushfire Protection Measure	Compliance with deemed-to-satisfy provisions of <i>Planning for Bushfire Protection 2019</i> .
Asset Protection Zone (Defendable Space) setbacks	The width of the Asset Protection Zones (Defendable Spaces) achieve a radiant heat loading of 10kW/m ² on the equipment and building/s.
Siting & adequacy of water supplies for firefighting operations	Static Water Supply to be provided.
Capacity of public roads to handle increased volumes of traffic in the event of a bushfire emergency	The proposed and existing public roads provide for increased volumes of traffic in the event of the bushfire emergency.
Fire trail network	No Fire Trails are provided or required.
Adequacy of emergency response access and egress	Emergency response is provided via existing road network within adjoining development and new access road.
Adequacy of Bushfire Maintenance Plans and fire emergency procedures	A Bushfire Management Plan is not required. A Bushfire Emergency Management Plan is not required.
Building construction standards	Asset Protection Zones (Defendable Spaces) recommended reduce the expected level of radiant heat on the building/s and equipment to less than 10kW/m ² . Buildings constructed to BAL 12.5
Adequacy of sprinkler systems & other fire protection measures	Not applicable

Source: Strategic Bushfire Study

Q10 - Has the planning proposal adequately addressed any social and economic effects?

The securing of a site for potential future substation provides certainty that the site could be used for this purpose subject to all the necessary approvals being obtained. Ensuring a reliable power supply is consistent with meeting the needs of the local and regional community resulting in positive social and economic impacts.

Section D – State and Commonwealth Interests

Q11 - Is there adequate public infrastructure for the planning proposal?

There is currently no need for any public infrastructure as there is no development proposed on the land to be zoned C3 Environmental Management at this stage. The need for public infrastructure will be considered at the approvals stage should there be a requirement for a future substation.

- Road access - It is proposed to amend Schedule 1 of the YLEP 2013 to enable a provision for a possible future substation on part of the site along with a possible road access to the substation as part of this PP. This will involve construction of a road on both ACT and NSW land and will cross the border. The substation is not intended to be constructed as a consequence of this PP, but this proposal is a means of securing a site for it in the future should there be a requirement and hence planning for this road access will be undertaken at the approvals stage.
- Water - The site is not connected to a reticulated water supply. The Strategic Bushfire Study suggests that at the time of development of a future substation, a static water supply for fire fighting operation will be required. Due consideration will be given to providing a static water supply at the DA stage.

Q12 - What are the views of State and Commonwealth public authorities consulted in order to inform the Gateway determination?

Where necessary, consultation with relevant authorities will be undertaken as required in accordance with the Gateway determination.

SLA act as the agent of the territory in the Ginninderry JV and is supportive of this planning proposal. Support to the PP is provided through a letter – see **Appendix 6**.

5.4 Part 4 - Maps

The proposed amendments to the Yass Valley LEP 2013 maps are provided below:

1. Rezone the lot from RU1 Primary Production to C3 Environmental Management by amending Land Zoning Map - Sheet LZN_005. For example, see **Figures 19-20**.
2. Amend Schedule 1 of the LEP, by amending Additional Permitted Uses Map (Sheet APU_005) to enable an additional permissible use for electricity generating works and an associated road. For example, see **Figure 21**.

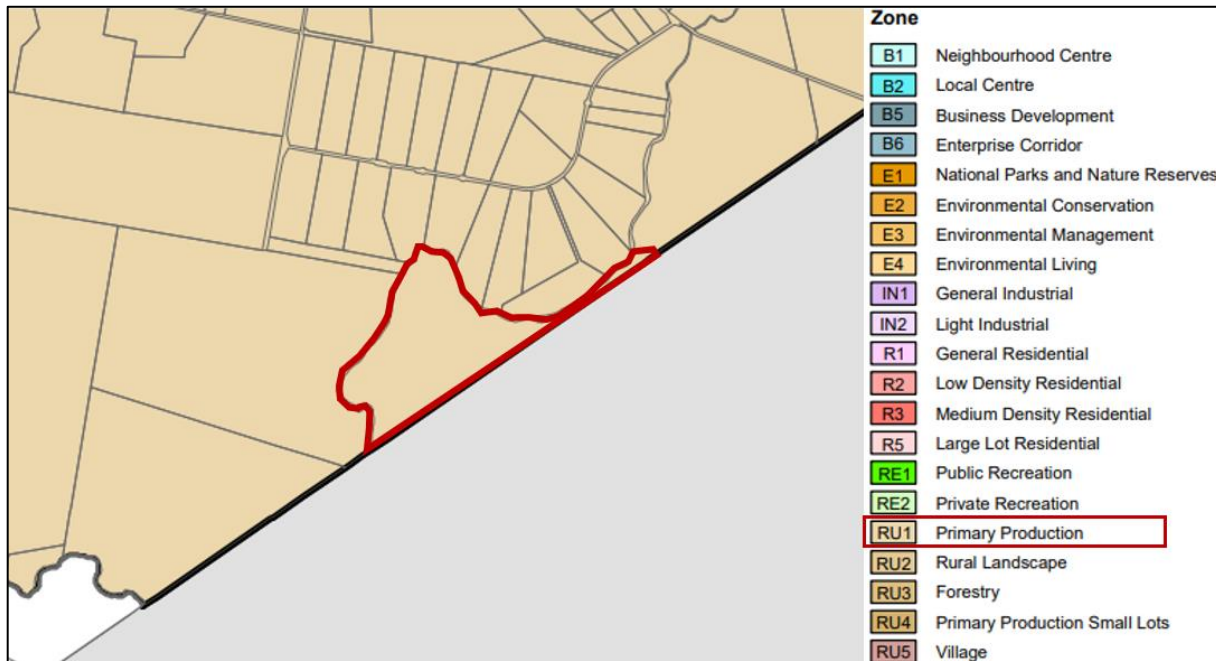


Figure 19 - Existing Land Use Zoning Map (Source: Yass Valley LEP 2013, Sheet LZN_005)

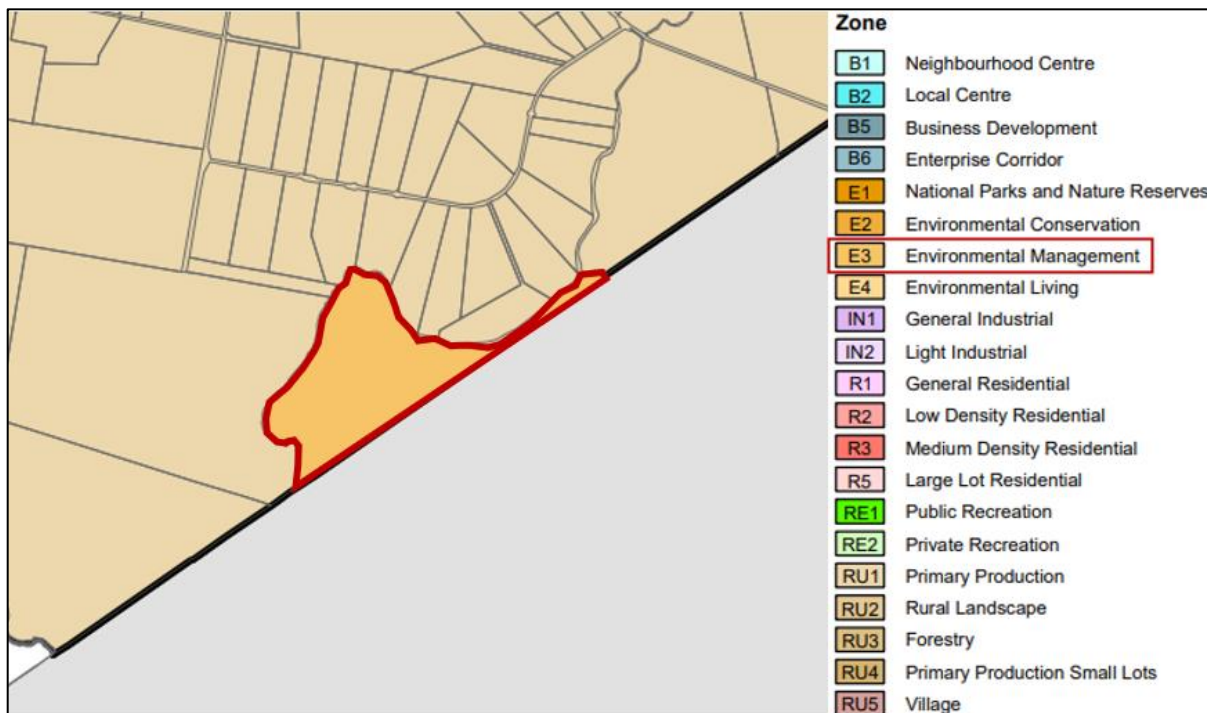


Figure 20 – Proposed Land Use Zoning Map (Source: Yass Valley LEP 2013, Sheet LZN_005)

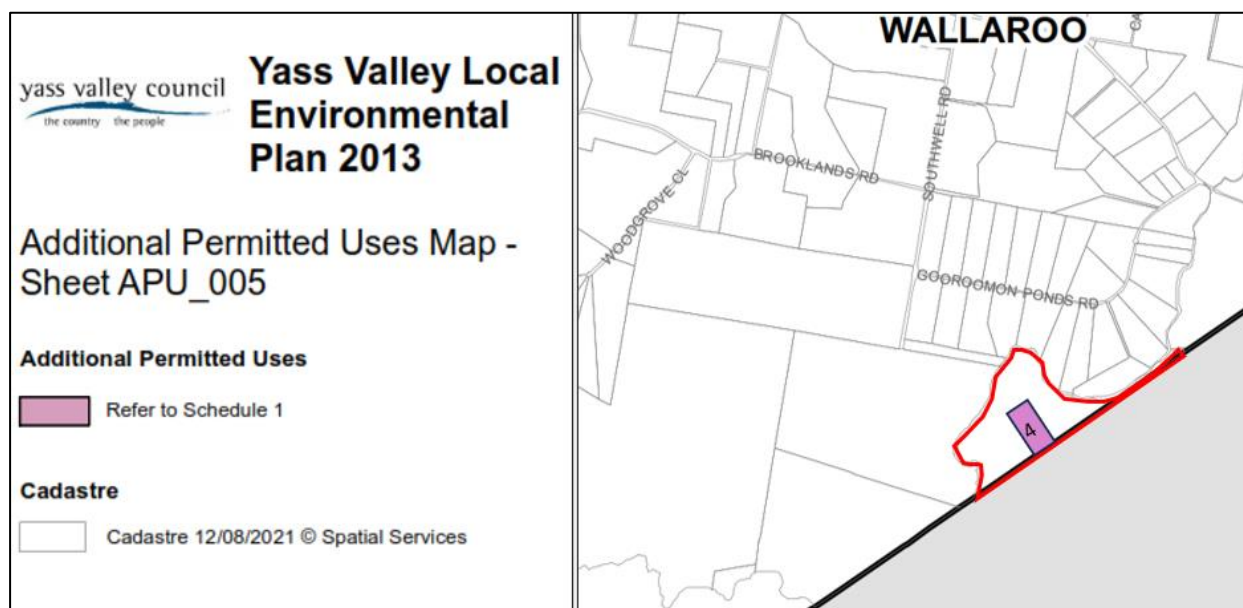


Figure 21 – Proposed Additional Permitted Uses map (Source: Yass Valley LEP 2013, Sheet APU_005)

5.5 Part 5 - Community Consultation

No formal community consultation has been undertaken at this stage. Should Council resolve to endorse the PP and a Gateway determination is issued by the Secretary of the Department of Planning & Environment, then formal consultation and exhibition of the Planning Proposal will occur. The Gateway Determination will outline the community consultation to be undertaken. It is anticipated Gateway Determination will require the Planning Proposal to be made available for a minimum of 28 days for public comment.

5.6 Part 6 – Project Timeline

The Department of Planning and Environment's Local Environmental Plan Making Guidelines 2023 includes benchmark timeframes for planning proposals based on Categories of planning proposals. The planning proposal is considered to be a Standard planning proposal. Accordingly, the indicative project timeline below has been determined using the 'Standard' category as a guide.

Stage	Maximum Benchmark Timeframes (working days)			
	Basic	Standard	Complex	Principal
Stage 1 – Pre-lodgement	30 days	50 days	60 days	20-30 days
Stage 2 – Planning Proposal	80 days	95 days	120 days	40 days
Stage 3 – Gateway determination	25 days	25 days	45 days	45 days
Stage 4 – Post-Gateway	20 days	50 days	70 days	160 days
Stage 5 – Public Exhibition & Assessment	70 days	95 days	115 days	95 days
Stage 6 – Finalisation	25 days	55 days	70 days	80 days
Sub-total (Department target)	140 working days	225 working days	300 working days	380 working days
Total (end to end)	220 days	320 days	420 days	420 days

Figure 22 – DPE Planning Proposal Benchmark Timeframe

Table 8 – Indicative timeframe

Stage	Indicative Timeframe
Pre-lodgement (Scoping)	October 2024
Council Feedback	November 2024
Lodgement of Planning Proposal with Council	April 2025
Consideration by Council	May 2025
Council Decision	June 2025
Gateway Determination	July 2025
Pre-exhibition	August 2025
Commencement and completion of public exhibition period	September 2025
Consideration of submissions	October 2025
Post exhibition review and additional studies	November 2025
Finalization	December 2025
Gazettal of LEP amendment	January 2026
Overall estimated timetable (from lodgement of PP with Council)	10 Months

5. Conclusion

This PP has demonstrated that the proposed change to the YLEP 2013 has strategic and site-specific merit, as summarised in **Tables 9-10** below. Accordingly, it should be accepted and supported by Council to proceed to lodgement with the Department of Planning Housing and Infrastructure

Strategic Merit – Summary

The NSW Department of Planning and Environment's Guidelines has established a Strategic Merit Test for determining whether a planning proposal should proceed to a Gateway Determination. The Strategic Merit test criteria and response to each is set out below.

Table 9 - Strategic Merit Test Criteria

Strategic Merit Test Criteria	Planning Proposal Response
<i>Will it give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment?</i>	Not inconsistent with Regional Plan, as detailed in Table 4 .
<i>Will it give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement?</i>	Not inconsistent with
<i>Is it responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans?</i>	The PP responds to the consent requirements under EPBC approval granted in 2017 for the development of the West Belconnen development area (Ginninderry). This approval included a condition of consent that required the site to be rezoned to C3 Environmental Management (previously E3) due to this site's significant biodiversity values.
<i>Is the planning proposal seeking to update planning controls if they have not been amended in the last 5 years?</i>	The planning controls for the site have not been amended in the last 5 years.

Site-Specific Merit – Summary

Together with the strategic merit test it is necessary for the planning proposal to satisfy the site-specific merit Tests as prescribed by the Department of Planning and Environment's Guidelines. Those site-specific merit test criteria are provided below. Whilst the planning proposal does not seek to development consent for the substation, an assessment has been undertaken to confirm the overall suitability of the site for the proposal.

Table 10 - Site Specific Merit Test Criteria

Site-Specific Merit Criteria	Planning Proposal Response
<i>The natural environment (including known significant environmental values, resources or hazards)</i>	<p>Part of the site has been identified as having high biodiversity values and required for a biodiversity offset. The amendment will protect environmental values through rezoning of the land.</p> <p>The site identified for a potential future substation will avoid land with significant environmental values.</p> <p>The site is bushfire prone. A bushfire report has been prepared to accompany the PP (see Appendix 7), and concluded as follows:</p>

Site-Specific Merit Criteria	Planning Proposal Response
	<p><i>The site is the most appropriate location for the future use of a substation as it is not impacted by environmental constraints. The size of land proposed to accommodate the future electricity generating works allows for establishment of defensible spaces to the facility without impacting the Native grassland vegetation.</i></p> <p>The Bushfire report confirms that there is no requirement for the preparation of a bushfire maintenance plan and fire emergency procedures for the site whilst it remains vacant.</p>
<p><i>The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the planning proposal</i></p>	<p>The land is currently not used for agricultural purposes. The rezoning of the site from RU1 Primary Production to C3 Environmental Management will result in an approved environmental outcome.</p> <p>The PP includes provision for a potential future substation. A substation is already permissible in any zone as provided for by State Environmental Planning Policy (Transport and Infrastructure) 2021. Therefore this PP reaffirms what would already be permissible in the current and proposed zone by explicitly provided that as an APU on part of the lot. Any potential impacts of this use will be further assessed at DA stage.</p>
<p><i>The services and infrastructure that are or will be available to meet the demands arising from the planning proposal and any proposed financial arrangements for infrastructure provision.</i></p>	<p>The proposal will not add strain on the proposed infrastructure or capacity. Infrastructure will be provided in the event that a substation is built in the future.</p>

Appendices

Appendix	Report	Prepared by
1	Ecological Constraints Assessment	Capital Ecology (2021)
2	Targeted Surveys	Capital Ecology (2022)
3	West Belconnen Strategic Assessment Program Report	A T Adams Consulting (2017)
4	Concept Access Plan	Riverview Group (2024)
5	Letter Of Support – Adjoining Landowner	ACT Parks and Conservation (2024)
6	Letter Of Support – Landowner	ACT Suburban Land Agency (2024)
7	Bushfire Report	Australian Bushfire Protection Planners (2025)