

## 6.2 PLANNING PROPOSAL - CUSACK PLACE, YASS

---

### SUMMARY

To present a report on a draft Planning Proposal seeking an amendment to the land use zoning and minimum lot size under the *Yass Valley Local Environmental Plan 2013* for land in Cusack Place, Yass.

### RECOMMENDATION

*That:*

1. *The draft Planning Proposal for Cusack Place, Yass (PP.2022.01) be endorsed*
2. *The draft Planning Proposal be forwarded to the Minister for Planning to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979*

---

### FINANCIAL IMPLICATIONS

Resources for the assessment of planning proposals are provided for in the 2021-22 Fees and Charges.

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Settlement Strategy 2036*
- *Local Strategic Planning Statement*

### REPORT

#### 1. Introduction

Council has received a draft Planning Proposal seeking an amendment to the *Yass Valley LEP 2013* by amending the land use zoning and minimum lot size of land in Cusack Place, Yass. The planning proposal is supported by the *Yass Valley Settlement Strategy 2036* which sets a direction and framework for the consideration of future growth within Yass Valley. By 2036 the Strategy projects that the population for Yass will be 10,645 with an ultimate population of 20,000. Yass needs an additional 5,360 residential lots to accommodate the additional population growth up to 2036. Land which is currently zoned residential has a capacity of 2,645 residential lots requiring more land to be rezoned to meet the shortfall of 2,715 residential lots.

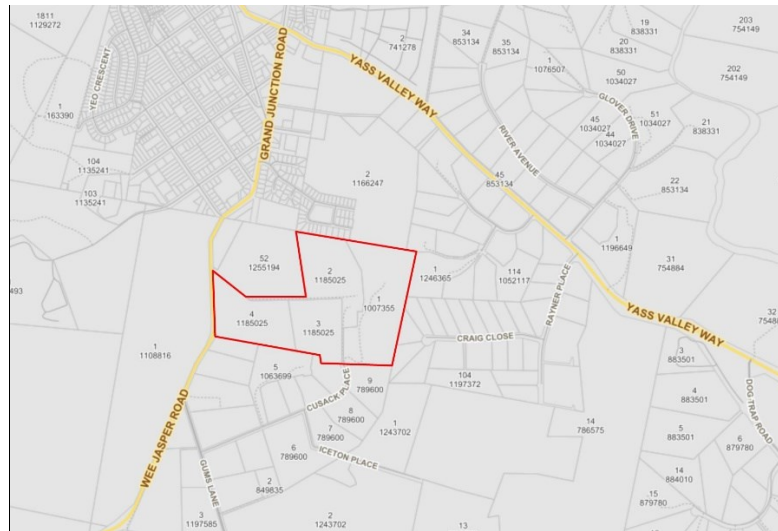
The Strategy identified greenfield and brownfield sites in Yass to accommodate future population growth and this land in Cusack Place is identified as a Potential Future Residential Expansion Area (refer **Attachment A**).

#### 2. Planning Proposal

The draft Planning Proposal applies to four parcels of land known as Lot 1 DP 1007355 and Lot 2-4 DP 1185025 being 16-18 Cusack Place and 21 Cusack Place, Yass as shown below. The site has an area of 42.89 ha and is zoned R5 Large Lot Residential having a minimum lot size of 2 ha under the *Yass Valley LEP 2013*.

The site is located approximately 2.6 km from the Yass town centre, abuts Wee Jasper Road to its west and is situated south of Clayton Street/Lumsden Avenue, and west of Craig Close. Surrounding development is characterised as urban and rural residential comprising of detached houses.

The site is traversed by a number of high voltage powerlines as well as easements for future powerlines. Designing any future development will need to take these significant constraints into account, and comply with any requirements of Transgrid and Essential Energy for their infrastructure.



**Subject Site**

The draft Planning Proposal seeks to amend the *Yass Valley LEP 2013* by amending the land use zoning from R5 Large Lot Residential to R1 General Residential and reducing the minimum lot size from 2ha to 700m<sup>2</sup> (refer **Attachment B** under separate cover).

It is anticipated that the draft Planning Proposal would enable the development of approximately 300 urban residential lots contiguous with the existing urban residential development within Clayton Street and Lumsden Avenue, Yass.

### 3. Site Analysis

#### 3.1 Ecological Value

An ecological assessment supporting the Planning Proposal identifies the nature and extent of vegetation and habitat on the site and the impacts of proposed development on the native vegetation and habitat (refer **Attachment C**)

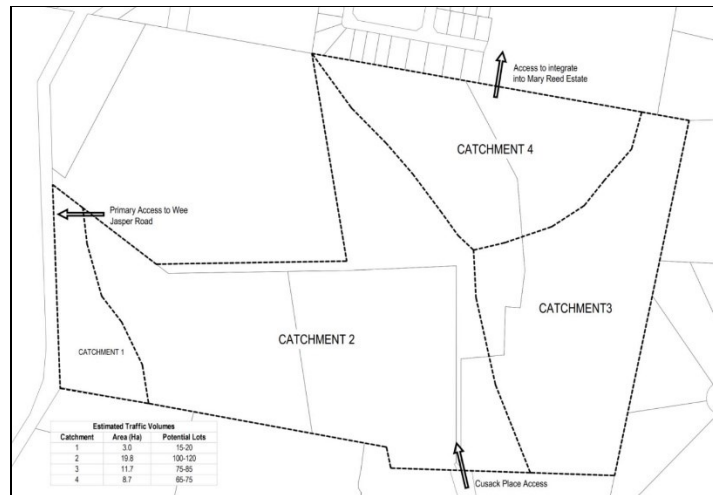
The assessment notes that the site is dominated by exotic grassland. Tree cover is mainly exotic trees throughout the central and eastern portion of the site, generally planted as wind breaks. Native tree species were identified along the eastern and western boundaries with some surrounding the house on Lot 1 DP 1007355. These trees were planted and as such are not remnant nor contain hollows.

In addition, three bat species were identified as well as European Rabbit, Eastern Grey Kangaroo and Tawny Frogmouth. The ecological assessment determines that the site is appropriate to be developed for residential purposes, and is unlikely to require a Biodiversity Development Assessment Report.

#### 3.2 Traffic Impact Assessment

The Traffic Impact Assessment (TIA) indicates the proposed development will generate 2,200 vehicle trips per day including up to 234 vehicle trips per hour on a typical weekday with a anticipated yield of 300 residential lots. The TIA has been supported with a traffic count that was undertaken along Wee Jasper Road.

Vehicle access to the development is proposed at three locations shown in Figure 2. The multiple access points will assist in distributing the traffic generated onto the local road network.



**Figure 2 Proposed Access to the site**

The TIA anticipates that traffic volumes will not warrant the construction of dedicated turning lanes for either direction. Instead, basic turn treatments (localised pavement widening) are recommended on Wee Jasper Road as part of any new intersection construction works.

### 3.3 Heritage

The site is not identified as being of heritage significance in *Schedule 5 Environmental Heritage* or within a Conservation Area under the *Yass Valley LEP 2013*.

An Aboriginal Cultural Heritage Due Diligence Assessment has been completed and revealed a previously unrecorded Aboriginal site. The site contains one artefact scatter (containing 90 stone artefacts), quarry material and a Potential Archaeological Deposit on Lot 2 DP 1185025.

The assessment suggests that the identified Aboriginal site has medium archaeological/scientific significance. The advice of Heritage NSW will be required in determining whether further assessment is required.

### 3.4 Bush Fire

The site is identified as Category 3 bushfire prone land and a detailed bushfire assessment will be required for the Planning Proposal. Any development on the site will be required to be designed in accordance with Planning for Bushfire Protection 2019.

### 3.5 Land Contamination

The Preliminary Site Investigation (PSI) warranted a further investigation including soil sampling to assess the suitability of land for residential development. This concluded that:

- The source of potential contamination identified on site includes herbicides that may have been used for pasture improvement, and lead at the soil surface possibly from vehicular traffic along Wee Jasper Road
- The contaminants of potential concern (COPC's) were below the adopted criteria while no traces of anthropogenic material were observed in soil
- A small stockpile was located in the north-western section of the site that had traces of asphalt and concrete, however concentrations of COPCs in soil were below the adopted assessment criteria

Based on this, the risk of contamination to residential development is low and therefore the site is considered suitable.

## 4. Strategic Planning Assessment

The proposed amendment is consistent with the recommendations of the *South East & Tablelands Regional Plan 2036* and the *Yass Valley Settlement Strategy 2036*. The draft Planning Proposal is consistent with the following directions set in the Regional Plan:

- *Direction 18: Secure Water Resources*

The Preliminary Servicing Strategy accompanying the Planning Proposal provides conceptual analysis to demonstrate that the development of the site can be designed in such a way to minimise downstream impacts.

- *Direction 22: Build socially inclusive, safe and healthy communities*  
The subdivision will have an integrated walking and cycling network that will link to existing facilities.
- *Direction 24: Deliver greater housing supply and choice*  
The proposal would create an opportunity to deliver approximately 300 residential lots that would offer varying housing choices in Yass.
- *Direction 25: Focus housing growth in locations that maximise infrastructure and services*  
The proposal would create an opportunity to deliver approximately 300 dwelling houses in Yass with existing infrastructure, services and community facilities.

## 5. Conclusion

The draft Planning Proposal is consistent with the regional and local strategic planning directions for the future growth of Yass. It is recommended that the draft Planning Proposal be endorsed and forwarded to the Minister for Planning to request a Gateway determination. Council should also seek the delegation to make the amendment as the local plan-making authority.

## STRATEGIC DIRECTION

|                           |  |
|---------------------------|--|
| Key Pillar                | 1. Our Environment   |
| CSP Strategy              | EN4 - Maintain a balance between growth, development and environmental protection through sensible planning  |
| Delivery Program Action   | EN4.1 - Ensure Council's statutory planning instruments are up to date and reflective of the community needs |
| Operational Plan Activity | EN4.1.1 – Complete the comprehensive development control plan  |

|                     |   |
|---------------------|---|
| <b>ATTACHMENTS:</b> | A. Proposed Rezoning of Land - South Yass ( <i>Under Separate Cover</i> ) |
|                     | B. Planning Proposal ( <i>Under Separate Cover</i> )                      |
|                     | C. Vegetation Map ( <i>Under Separate Cover</i> )                         |