

7.1 PLANNING PROPOSAL - 7 ICETON PLACE, YASS

SUMMARY

To present a report on a draft Planning Proposal seeking an amendment to the minimum lot size under the *Yass Valley LEP 2013* for 7 Icton Place, Yass.

RECOMMENDATION

That:

- 1. Draft Planning Proposal - 7 Icton Place, Yass (PP.2020.03) be endorsed and forwarded to the Minister for Planning and Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979*
- 2. Planning Proposal (PP.2020.03) be adopted if no significant objections are received after the public exhibition of the Planning Proposal pursuant to the conditions of Gateway determination in accordance with s3.34(2)(c) Environmental Planning & Assessment Act 1979*

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

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

REPORT

1. Introduction

The *Yass Valley Settlement Strategy 2036* was adopted in August 2017. The Strategy sets a direction and a framework for the consideration of future development within the Yass Valley particularly Yass and Murrumbateman. It is estimated that the population of Yass and District will be 10,645 people by 2036, with an ultimate population of 20,000 people. Yass needs an additional 5,360 residential lots to accommodate the additional population growth by 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. The land immediately south of Cusack Place/Craig Close is also identified as Potential Future Residential Expansion Area (refer **Attachment A**).

2. Planning Proposal

A draft Planning Proposal has been received seeking an amendment to the minimum lot sizes in the *Yass Valley LEP 2013* for the land at 7 Icton Place, Yass.

The site is located approximately 3km from the Yass town centre and is situated immediately south of the Yass Valley Way and Craig Close, east of Cusack Place and Gums Lane and west of Dog Trap Road. O'Brien's Creek flows through the site in a northerly direction toward the Yass River (refer Figure 1 below).

The site is comprised of three parcels of land and has a total area of 173.3ha. The site is currently zoned R5 Large Lot Residential with a minimum lot size of 10ha under *Yass Valley LEP 2013*.

Surrounding development is characterised as rural residential comprising detached houses.

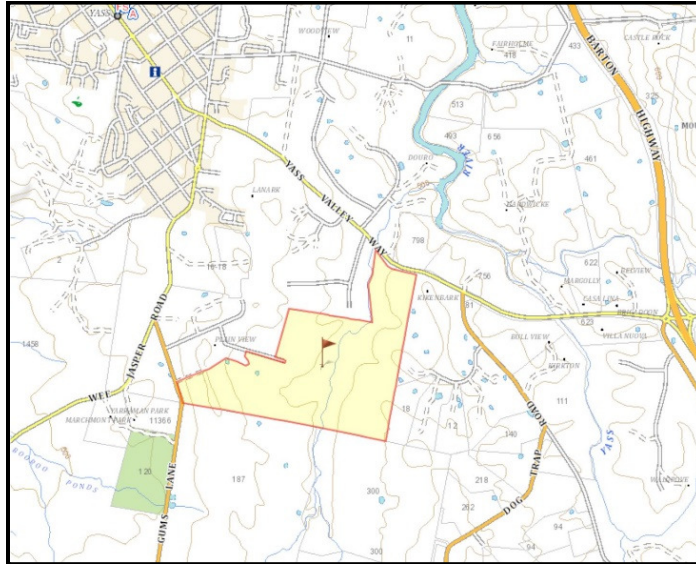


Figure 1: Site Location

The draft Planning Proposal seeks to amend the *Yass Valley LEP 2013* by reducing the minimum lot size of the site from 10ha to 1ha and 2ha. It is proposed that the majority of the site (141.8ha) will have a minimum lot size of 2ha whereas a smaller section (31.5ha) will have 1ha minimum lot size (refer **Attachment B**).

The draft Planning Proposal would enable the eventual development of the site for approximately 72 rural residential lots.

2.1 Site Analysis

Ecological Value

The submitted Biodiversity Development Assessment Report (BDAR) has identified the biodiversity values and constraints to development.

The assessment indicates that the site is extensively cleared and has been subject to pasture improvement over many years. The ecological surveys found that 82% of the site does not support any significant biodiversity values. The vegetation in the riparian zone along O'Briens Creek is largely characterised by exotic pasture grasses and the only woody riparian vegetation is restricted to a few small patches of Willow and Elm.

Only 18% of the site supports significant biodiversity values. There are patches of habitat of two threatened species – Golden Sun Moth and Striped Legless Lizard (refer **Attachment C**).

A conceptual lot layout has been prepared where the main patches of Golden Sun Moth and Striped Legless Lizard habitats are contained in larger lots. Similarly, a separate lot has been created to protect riparian land. These lots can be managed through Conservation Agreements or similar mechanism, to protect and manage the 19.22ha of land that supports significant biodiversity values.

The areas of habitat that would be impacted by the proposed development will be required to be offset. The offsets would be calculated at the development assessment stage if the amendment to *Yass Valley LEP 2013* is approved.

Traffic Impact Assessment

The submitted Traffic Impact Assessment Report notes that the proposed development is expected to generate a total of 533 additional daily vehicle movements, of which 409 are expected to exit and enter the site through Yass Valley Way.

The secondary access will be provided to Wee Jasper Road via Icton Place, Cusack Place and Gums Lane which currently carry relatively low volumes of traffic.

The report recommends works to mitigate traffic impacts. The proposed development is not anticipated to create of any significant traffic impacts with the implementation of the recommended mitigation measures.

Heritage

The site is not listed at a Heritage Item in the *Yass Valley LEP 2013*.

An Aboriginal Cultural Heritage Assessment concludes that:

- No registered Aboriginal heritage sites are located within the site
- No areas of potential archaeological deposits or heritage sites have been identified within the site and the potential for Aboriginal heritage objects to be present within has been assessed as low
- A subdivision of the site for rural residential purposes can proceed without further investigation or heritage assessment

Contaminated Land

Four potential areas of environmental concern from imported fill, the use of agricultural chemicals, fuel storage, and zinc leaching from galvanized corrugated roof sheeting from sheds on site has been identified in the Stage 1 Preliminary Site Investigation.

The preliminary investigation concludes that the site could be remediated for residential development, subject to subsurface investigations carried out at Stage 2 Detailed Contamination Investigation as part of the development assessment stage in the planning process.

The report concludes that the Planning Proposal can proceed without further investigation at this time.

Flood Prone Land

Although the site is outside the scope of the *Yass Flood Study 2016*, O'Briens Creek runs through the site flowing northerly toward the Yass River. A site specific flood impact assessment considered the 1% AEP flood level as the flood planning level and identifies the depth and flood level for the site (refer **Attachment D**).

Based on this study, the proposal will not be significantly impacted by flooding.

Groundwater Vulnerability

The *Yass Valley LEP 2013* identified the southern part of the site is vulnerable to groundwater contamination (refer Figure 2 below).

Future development will need to be assessed to ensure it would not have any impact on the groundwater quality. This can be undertaken as part of any future Development Application should the rezoning be approved.

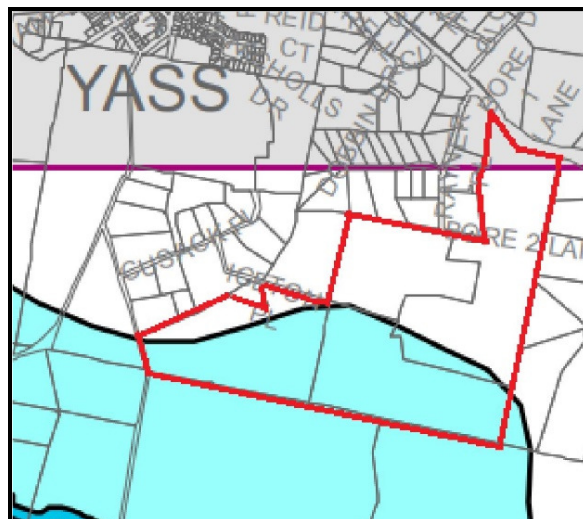


Figure 2: Groundwater Vulnerability

Dryland Salinity

The site is also identified in the *Yass Valley LEP 2013* as being partially affected by potential dryland salinity (refer Figure 3 below).

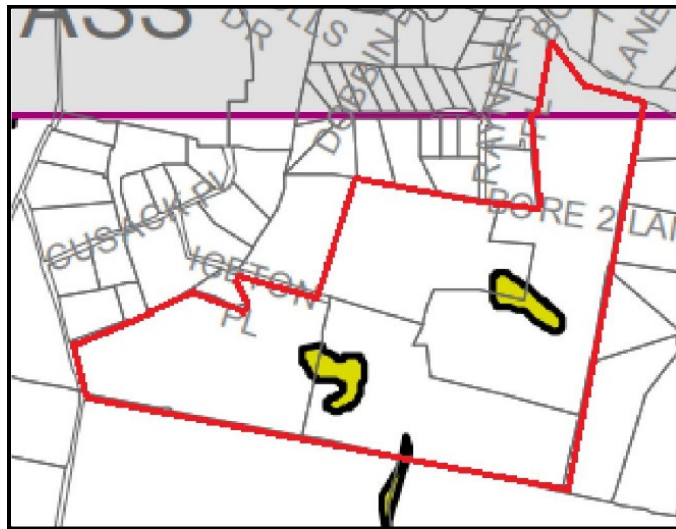


Figure 3: Dryland Salinity

The Land Capability Assessment prepared for the site states that:

- The areas mapped as salt affected are associated with drainage depressions and there is no evidence of saline scalding, no impact to pasture growth or species composition in adjacent paddocks, and no salt crusting evident; and
- These areas are stable and not eroding but do present a limitation to effluent disposal and dwelling construction. These areas are already included in the buffer areas associated with the drainage depressions

Land Capability Assessment

The site is not connected to a reticulated water supply or a reticulated sewerage system. Therefore, any rural residential development on the site will have to secure and manage a sustainable source of water for potable and non-potable uses and on site effluent management systems.

A Land Capability Assessment has been carried out to determine the suitability of the site:

- To sustainably manage on-site effluent on-site as per Australian Standards; and
- Provide unconstrained building sites for the construction of future dwellings

The constraints identified have been reflected on the Land Capability Constraints Plan (refer **Attachment E**).

Bush Fire Prone Land

The site is not identified on current Bush Fire Prone Land Map. However, it is subject to bushfire risk from grasslands as identified in the *Bush Fire Strategic Study* prepared for the site.

This report supports the proposed minimum lot size (1-2ha) on the site and concludes that the site is deemed to meet the objectives of the *Planning for Bushfire Protection* and is capable of meeting the acceptable solutions for Residential and Rural Residential Subdivisions.

3. Strategic Planning Assessment

The proposed amendment is consistent with the recommendation of the *South East and 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 15: Enhance Biodiversity Connections*
The proposal has proposed measures to protect and manage threatened species – the Golden Sun Moth and Striped Legless Lizard as well as the riparian land within the site. This will not only protect the biodiversity values of the site but will also enhance biodiversity connectivity with the surrounding land.
- *Direction 24: Deliver Greater Housing Supply and Choice*
The proposal will create opportunity for approximately 72 rural residential lots in Yass that will support future housing demand. This will also offer more housing choice and a rural lifestyle in proximity to Yass town.
- *Direction 25: Focus Housing Growth in Locations that Maximise Infrastructure and Services*
The proposal would create an opportunity for housing in proximity to Yass town with existing infrastructure, services and community facilities.
- *Direction 28: Manage Rural Lifestyle*
The proposal is also consistent with the Yass Valley Settlement Strategy as the site was identified as a Potential Future Residential Expansion Area in the Strategy with a potential to be zoned R1 General Residential from R5 Large Lot Residential to accommodate the future population growth.

The detailed investigation identified that the site has significant constraints and is not suitable for urban residential development, although it is suitable for rural residential development on larger lots. To that end, the proposal is consistent with the principles of the Strategy that any future development in the Yass Valley should be contiguous to the existing settlements and should utilise existing infrastructure, services and facilities.

The *Yass Valley Settlement Strategy* identified part of the site as a potential future urban release area. At a Councillor Workshop on the proposal and the form of development was discussed and it was considered that a rural residential use of the area would be more consistent with the pattern of surrounding development taking into account the site's isolation from water and sewer infrastructure and existing urban development.

4. Conclusion

The proposal is consistent with regional and local strategic planning for future growth and the proposal is considered to have sufficient merit to progress through the Gateway process to allow further consideration.

It is recommended that the draft Planning Proposal be endorsed and forwarded to the Minister for Planning and Public Spaces to request a Gateway determination. Delegation to make the amendment as the local plan-making authority should also be sought.

STRATEGIC DIRECTION

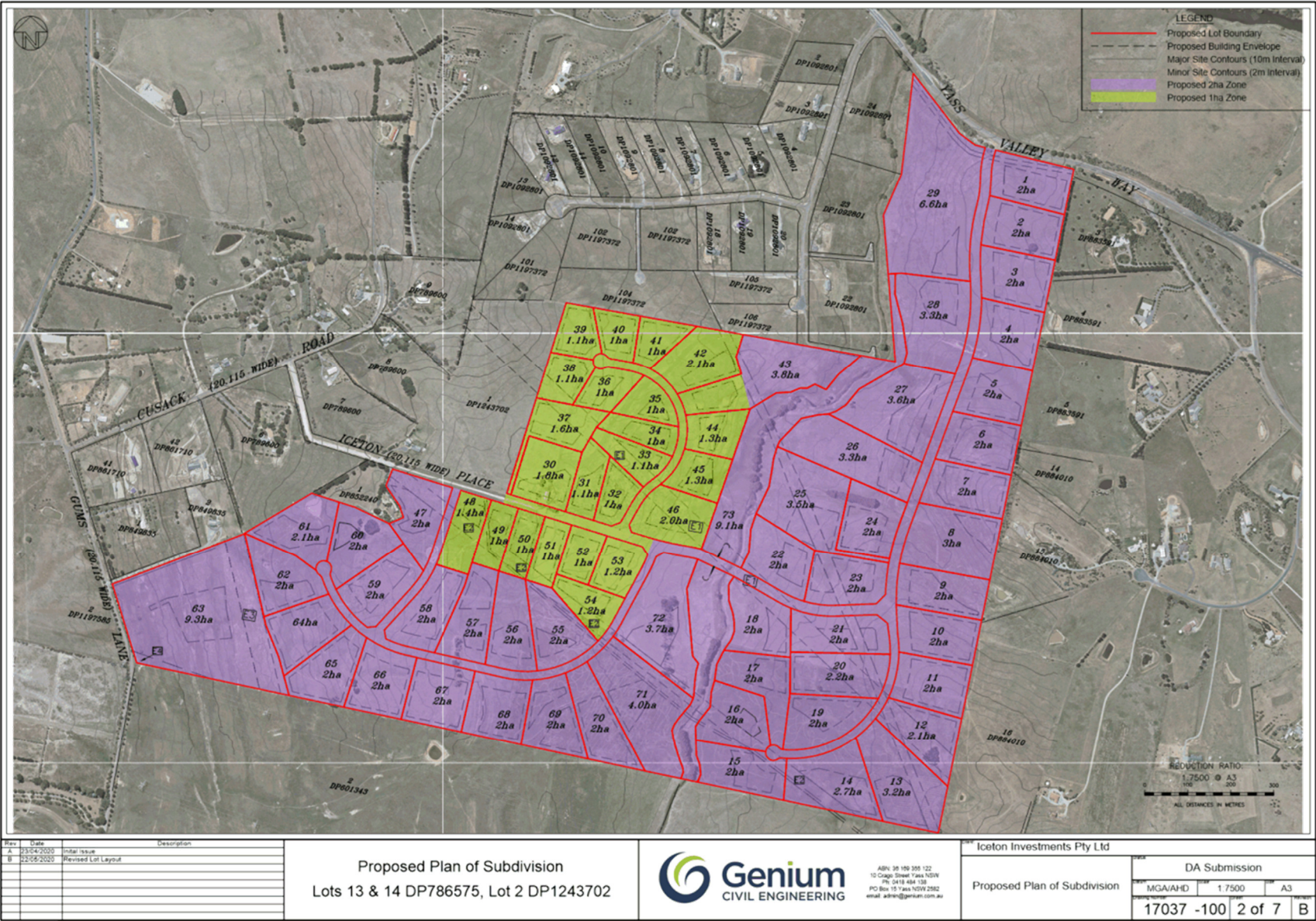
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| Key Pillar | 1. Our Environment |
| CSP Strategy | EN4 - Maintain a balance between growth, development and environmental protection through sensible planning |
| Delivery Program Action | EN4.1 - Ensure Council's statutory planning instruments are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

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| ATTACHMENTS: | A. Land identified for future development in south of Yass |
| | B. Proposed Minimum Lot Sizes |
| | C. Ecology Map |
| | D. Flood Map |
| | E. Land Capability Constraints Map |

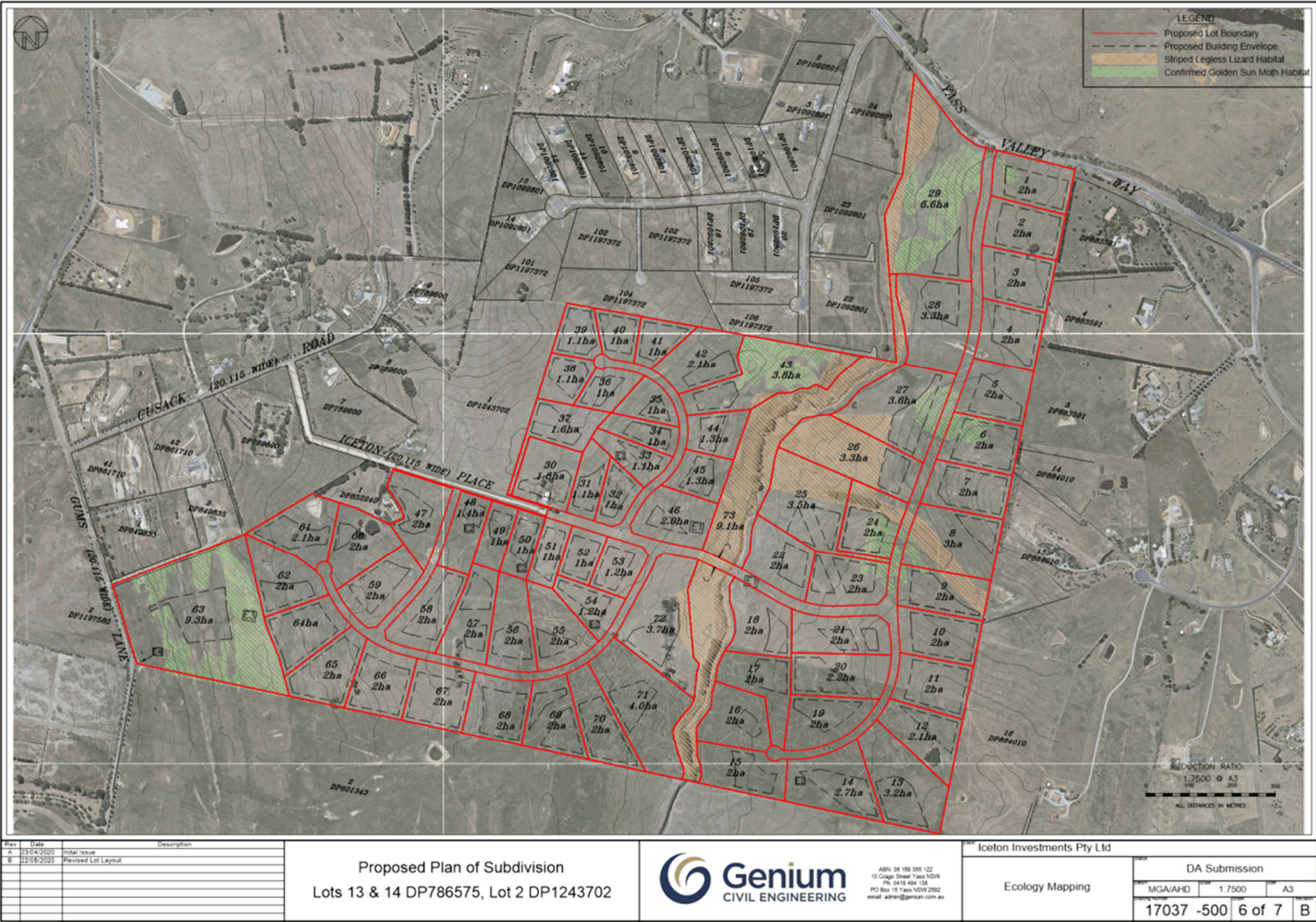


Potential rezoning (R5 to R1) of vacant land in south of Yass Town

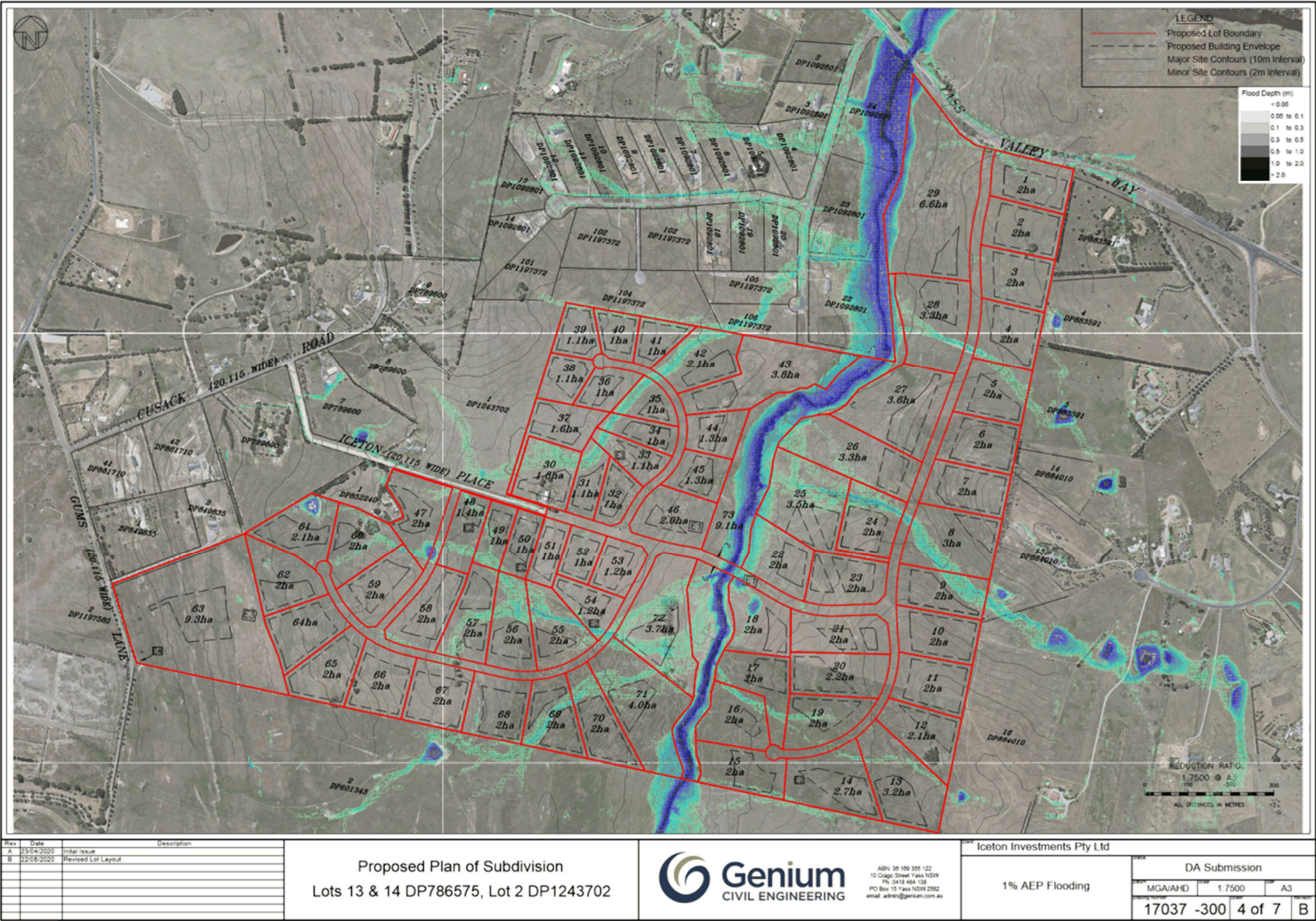
6.1 Planning Proposal - 7 Icton Place, Yass
Attachment B Proposed Minimum Lot Sizes



6.1 Planning Proposal - 7 Icton Place, Yass
Attachment C Ecology Map



6.1 Planning Proposal - 7 Icton Place, Yass
Attachment D Flood Map



6.1 Planning Proposal - 7 Icton Place, Yass
Attachment E Land Capability Constraints Map

