

Knight Frank Town Planning Statement of Environmental Effects.

7 Hanley Place, Yass

Lot 1 DP1193382

Multi-dwelling Housing

Submitted to:

Yass Valley Council

Prepared on Behalf of

The Price Group

17 March 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

Qualifications

This report is prepared for the private and confidential use of the parties named on the title page, and only for the purpose outlined on the title page. It should not be relied on for any other purpose and should not be reproduced in whole or part for any other purpose without the express written consent of Knight Frank Town Planning (NSW).

This report is current at the date of the development application only.

This report is to be read in its entirety and in association with other documentation submitted as part of the Development Application.

Job Name		7 Hanley Place, Yass		
Job Number		24-044		
Client		The Price Group		
Quality Management				
Issue	Date	Prepared By	Checked By	Approved for release by
V1	13.8.2024	DW	NC	NC
V2	15.3.2025	NC	NC	NC
For further information contact		Nicholas Cavallo Associate Director Knight Frank Town Planning Nicholas.Cavallo@au.knightfrank.com		

© KNIGHT FRANK TOWN PLANNING

All intellectual property and copyright reserved.

Apart from any fair dealing for the purpose of private study, research, criticism, or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system, or adapted in any form or by any means (electronic, mechanical, photocopying, recording or otherwise) without written permission.

Enquiries should be addressed to Knight Frank Town Planning Sydney.

East Coast Futures Pty Ltd ABN: 84 624 283 343, trading as Knight Frank Town Planning Sydney, is independently owned and operated, is not a member of and does not act as agent for the Knight Frank Group.

Table of Contents

1. Introduction	4
2. Subject Site & Context	5
3.1 The Site	5
3.2 Surrounding Development and Context	5
3. The Proposal	6
3.1 Proposal Overview	6
4. Environmental Assessment	8
4.1 Assessment of Planning Controls	8
4.1.1 State Environmental Planning Policies	8
4.1.2 State Environmental Planning Policies	9
4.1.3 Yass Valley Local Environmental Plan 2013	9
4.1.4 Yass Valley Council Development Control Plan 2024	12
6. Section 4.15 Considerations	19
6.1 Section 4.15 (1)(a)(i) – The provisions of any Environmental Planning Instrument	19
6.2 Section 4.15 (1)(a)(ii) – The provisions of any Draft Environmental Planning Instrument	19
6.3 Section 4.15 (1)(a)(iii) – Any Development Control Plan	19
6.4 Section 4.15 (1)(a)(iiia) – Any Planning Agreement that has been entered into or any Draft Agreement	19
6.5 Section 4.15 (1)(a)(iv) – The Regulations	19
6.6 Section 4.15(1)(b) – The likely impacts of that development	19
6.7 Section 4.15 (1)(c) – The Suitability of the Site for the Development	19
6.8 Section 4.15 (1)(d) – Any Submissions made	19
6.9 Section 4.15 (1)(e) – The Public Interest	20
7. Conclusion	21
Appendices	22
Appendix 1 Architectural Plans	
Appendix 2 Civil Engineer Plans	
Appendix 3 Clause 4.6 Variation Statement	
Appendix 4 Concept Landscape Plans	
Appendix 5 BASIX Certificate	
Appendix 6 Traffic and Parking Impact Statement	
Appendix 7 Carpark Certification & Swept Path Diagrams	

1. Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Yass Valley Council made on behalf of The Price Group (pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979*) for the proposed construction of a multi dwelling housing development comprising six (6) dwellings, civil works, earthworks, and landscaping on the subject site at 7 Hanley Place, Yass. The site is legally described as Lot 1 DP1193382.

This SEE and accompanying specialist documentation describes the proposed development at the site and provides an environmental assessment against the relevantly applicable Environmental Planning Instruments and Policies, pursuant to Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 (EP&A Act). The assessment carried out in this SEE demonstrates that the proposed development:

- Will deliver additional housing supply within an established residential subdivision;
- Will contribute towards a variety of housing types and densities consistent with the zone objectives;
- Provides a high-quality design that will contribute towards the character of the area;
- Has been designed and to mitigate impacts upon neighbouring properties including established and future residential development;
- Will remain consistent with the relevantly applicable Environmental Planning Instruments and planning policies and controls;
- Is an efficient use of the land and the clause 4.6 variation sought to the dwelling density provision is well founded;
- Is consistent with the objectives of the subject land use zone R1 General Residential zone pursuant to the *Yass Valley Local Environmental Plan 2013*.

For the reasons stated and as explored within this Statement of Environmental Effects report, the proposed development is worthy of approval.

2. Subject Site & Context

2.1 The Site

The subject site comprises 7 Hanley Place, Yass, and is legally described as Lot 1 DP1193382. It has a west to east fall of approximately 8.6m, or 17%. It is zoned R1 General Residential under the *Yass Local Environmental Plan 2013* and has an irregular shape measuring 1,914m². Pedestrian and vehicular access is via an easement leading to Hanley Place, which forms part of the site's western boundary. The site is cleared of vegetation.

The site is burdened by a building envelope and which is quite expansive. Minor variations are required to the building envelope within the northern and southern parts of the site to accommodate the proposed development.

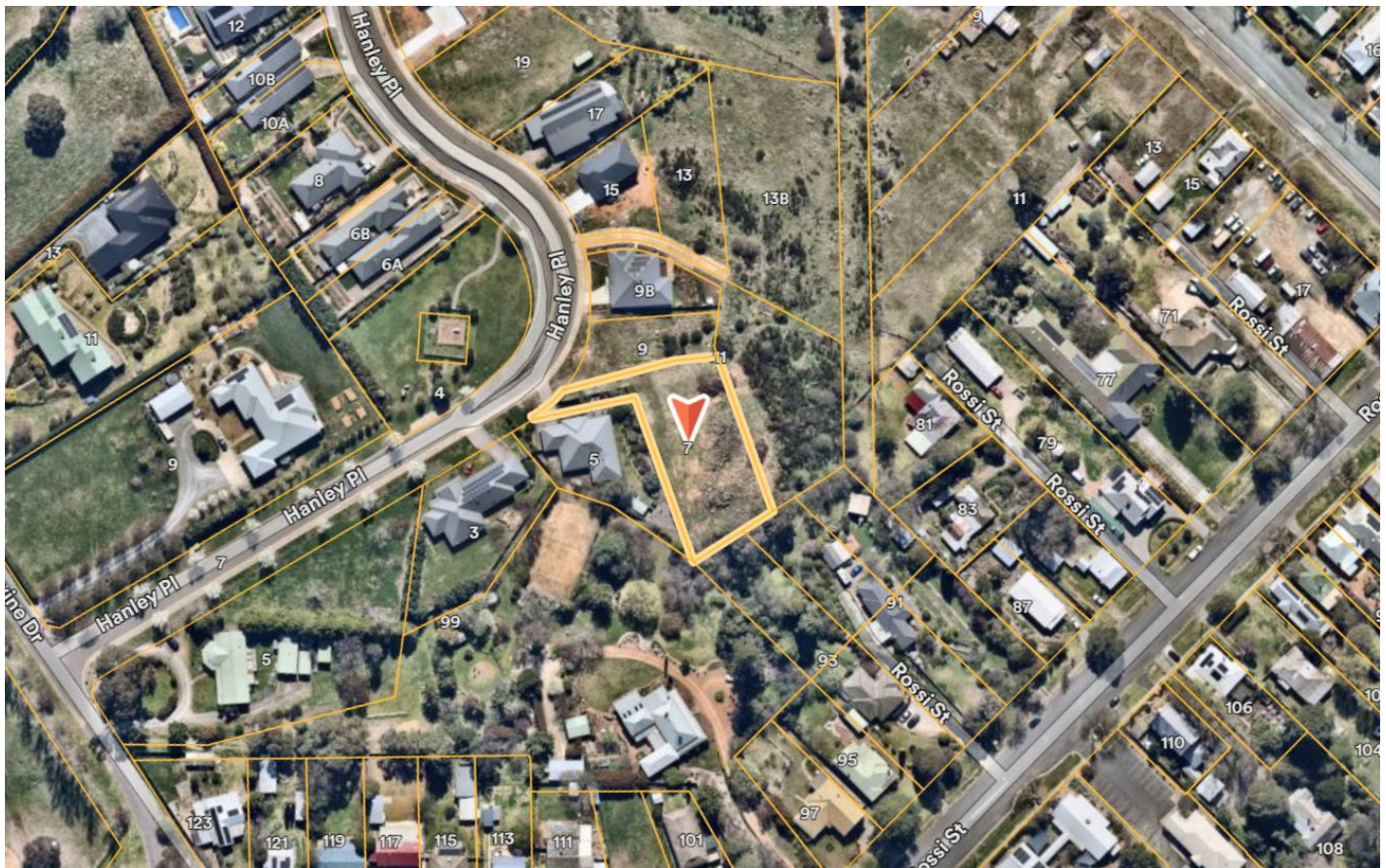


Figure 2 – Aerial view of subject site in its immediate context. Source: Nearmap.

2.2 Surrounding Development and Context

The site is located in an area largely characterised by low-density, single-storey dwellings. There are also dual occupancy developments within the estate to the north of the subject site. The site is located approximately 600m to the west of the main street within the Yass Valley town centre. The site is elevated and enjoys views of the town to the south.

3. The Proposal

3.1 Proposal Overview

The proposal seeks consent for the construction of a multi dwelling house development comprising six (6) dwellings each with three (3) bedrooms, civil works, retaining walls, cut and fill, and landscaping on the subject site.

The dwellings are two storey in height and present as a townhouse style development, comprising of an aboveground level and lower ground level to be facilitated via cut and fill. The proposal seeks to utilise the topography minimising the perceived bulk and scale from the streetscape while maximising the view opportunities to the development.

The following is a description of the proposed works and generally layout for each dwelling.

Lower Ground Floor

- Two bedrooms;
- Media room;
- Main bathroom;
- Outdoor private open space area with landscaping for each unit.

Ground Floor

- Living areas comprising an open plan kitchen, living and dining room;
- WC;
- Main bedroom with, ensuite, and WIR;
- Bin storage area;
- Double garage;
- Landscaped entrance;

The other works proposed within the site comprise the driveway; retaining walls within the site including along the south-western edge of the driveway; communal landscaping and embellishments for the residents; two (2) visitor parking spaces; landscaped areas; and stormwater infrastructure.

Refer to **Figures 3-5** below for the proposed site plan, and elevations.



Figure 3– Site Plan. Source: SN Architects.



1 NORTH ELEVATION
1:200



2 SOUTH ELEVATION
1:200

MATERIAL LEGEND

AWD 01	DARK BEIGE POWDER COATED ALUMINUM FRAME DOORS AND WINDOWS
FB 01	FACE BRICK WHITE
TB 01	DARK BEIGE POWDER COATED ALUMINUM



W www.snarchitects.com.au
E info@snarchitects.com.au
P 02-6321-2321
A 10/12 Tyndal Rd, Lumbville NSW 2570
© COPYRIGHT
All information on this plan is the property of SN ARCHITECTS. ANY REPRODUCTION OR ALTERATION OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF SN ARCHITECTS IS STRICTLY PROHIBITED. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT.

A 04.03.20 DA SUBMISSION
Date Description
1 10/12 Tyndal Rd, Lumbville NSW 2570
1:200 @ A1

REMARKS
DRAWING FOR THE DA SUBMISSION. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT.

PROJECT STAGE

DA

RESIDENTIAL DEVELOPMENT

7 Hanley Pl, Yass NSW 2582

Owner

Client Details

Project Title

ELEVATION NO.1

Drawn by

SM SM SM

Checked by

SM

Approved by

SM

Project Scale

1:200 A1

Drawing Number

J230821

Designing Authority

DA 2001

Revision

A

Project Title

ELEVATION NO.2

Drawn by

SM SM SM

Checked by

SM

Approved by

SM

Project Scale

1:200 A1

Drawing Number

J230821

Designing Authority

DA 2002

Revision

A

Project Title

ELEVATION NO.3

Drawn by

SM SM SM

Checked by

SM

Approved by

SM

Project Scale

1:200 A1

Drawing Number

J230821

Designing Authority

DA 2003

Revision

A

Project Title

ELEVATION NO.4

Drawn by

SM SM SM

Checked by

SM

Approved by

SM

Project Scale

1:200 A1

Drawing Number

J230821

Designing Authority

DA 2004

Revision

A

Figure 4 – Proposed Elevations (North/South). Source: SN Architects.



1 EAST ELEVATION
1:200



2 WEST ELEVATION
1:200

MATERIAL LEGEND

AWD 01	DARK BEIGE POWDER COATED ALUMINUM FRAME DOORS AND WINDOWS
FB 01	FACE BRICK WHITE
TB 01	DARK BEIGE POWDER COATED ALUMINUM



W www.snarchitects.com.au
E info@snarchitects.com.au
P 02-6321-2321
A 10/12 Tyndal Rd, Lumbville NSW 2570
© COPYRIGHT
All information on this plan is the property of SN ARCHITECTS. ANY REPRODUCTION OR ALTERATION OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF SN ARCHITECTS IS STRICTLY PROHIBITED. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT.

A 04.03.20 DA SUBMISSION
Date Description
1 10/12 Tyndal Rd, Lumbville NSW 2570
1:200 @ A1

REMARKS
DRAWING FOR THE DA SUBMISSION. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION ON THIS PLAN IS PROVIDED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A CONTRACT.

PROJECT STAGE

DA

RESIDENTIAL DEVELOPMENT

7 Hanley Pl, Yass NSW 2582

Owner

Client Details

Project Title

ELEVATION NO.2

Drawn by

SM SM SM

Checked by

SM

Approved by

SM

Project Scale

1:200 A1

Drawing Number

J230821

Designing Authority

DA 2002

Revision

A

Figure 5 – Proposed Elevations (East/West). Source: SN Architects.

4. Environmental Assessment

Knight Frank Town Planning has undertaken an assessment of the proposal against the relevant environmental planning legislation, controls and guidelines to identify potential environmental impacts and mitigation measures.

4.1 Assessment of Planning Controls

This SEE includes an assessment of the proposal in terms of the matters for consideration as listed under Section 4.15 Evaluation of the EP&A Act and should be read in conjunction with specialist documentation appended to this report, as outlined on the contents page of this report.

4.1.1 State Environmental Planning Policies

The following is the relevant statutory planning framework:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Biodiversity Conservation Act 2016 and Regulation 2017*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Council Development Control Plan 2024*

EPA Act 1979 and EPA Regulation 2021

The *Environmental Planning and Assessment Act 1979* (the Act) and *Environmental Planning and Assessment Regulation 2021* (the Regulation) provides the legislative framework for the assessment and approval of the proposed development.

The objectives of the Act relevant to the proposed development are:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- to promote the orderly and economic use and development of land,
- to promote the delivery and maintenance of affordable housing, and
- to promote good design and amenity of the built environment.

The assessment contained in this SEE demonstrates that the proposed development is consistent with these objectives and the other relevantly applicable provisions of the Act and Regulation.

Integrated Development

Development requiring approval under another Act in addition to development consent is '*integrated Development*'. Section 4.46(1) of the Act provides a list of these approvals. The proposed works do not trigger the need for the consent authority to obtain general terms of approval (GTA) from any approval bodies.

Biodiversity Conservation Act 2016 & Regulation 2017

The Biodiversity Conservation Act 2016 (BC Act) protects threatened species, communities and critical habitat in New South Wales. This Act provides protection for species, populations and ecological communities considered endangered, vulnerable or extinct. Any activity, which may have an impact on threatened species must consider a range of factors in the assessment and determination of the development application. Section 1.7 of the EP&A Act links with the BC Act and requires the consent authority to consider a range of factors during the determination of a development application.

The Biodiversity Conservation Act 2016 (BC Act) establishes the requirements for the protection of biodiversity, outlines the requirements for the regulating a range of development activities on land and provides mechanisms for the management of impacts resulting from development activities. Part 7 of the BC Act sets out the requirements for biodiversity assessment and sets out significant impact threshold criteria that trigger entry into the Biodiversity Offset Scheme (BOS).

The subject site is located within an established urban area with no biodiversity values identified. Vegetation within the site has already been cleared. Therefore, Council can be satisfied that the Biodiversity Offsets Scheme will not be triggered nor will there be any impact on threatened species.

4.1.2 State Environmental Planning Policies

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 provides a framework for water catchments, waterways, urban bushland, and the Willandra Lakes World Heritage Property. It is applicable the site by virtue of being applicable to the entire state. There are no water catchments, waterways, or urban bushland located within the site or in its vicinity. The site is not located within the Willandra Lakes World Heritage Property. As such, Council can be satisfied that the proposal will have no impacts to biodiversity or conservation considerations.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (the SEPP) applies to the proposed development by virtue of applying to the entire state.

Chapter 4 – Remediation of Land

Under clause 4.6 of the SEPP, the consent must consent to the carrying out of development unless it has considered the potential for contamination within a site, if the land is contaminated whether it is suitable in its current state for the proposed use and if the land requires remediation to be made suitable for the proposed use, that the remediation will occur prior to the proposed use. The site is located within an established residential area and does not have a history of potentially contaminating land uses. As such, the land is considered to be suitable for the residential development in its current state.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the SEPP) provides streamlined assessment processes for development that complies with specified development standards under exempt and complying development codes. While realignment of boundaries may be considered exempt development, this pathway is not being relied upon for the proposal nor can it be relied upon given the extent of the proposed boundary adjustment.

4.1.3 Yass Valley Local Environmental Plan 2013

The *Yass Valley Local Environmental Plan 2013* (LEP) is the relevant and primary environmental planning instrument which applies to the proposed development. The proposed development is assessed in detail against the relevant provisions of the LEP within the tables below.

The subject site is zoned R1 General Residential. The land use table for R1 is included below.

Zone R1 General Residential

1 Objectives of zone

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

2 Permitted without consent

Environmental protection works; Home-based child care; Home businesses; Home occupations

3 Permitted with consent

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Flood mitigation works; Group homes; Hostels; Hotel or motel accommodation; Information and education facilities; **Multi dwelling housing**; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Signage; Take away food and drink premises; Tank-based aquaculture; Water supply systems*

4 Prohibited

Water treatment facilities; Any other development not specified in item 2 or 3

The proposed development is considered to be characterised as 'multi dwelling housing development' defined as follows:

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Note—

Multi dwelling housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

Relevant provisions of the LEP are detailed and assessed in **Table 3** below.

Yass Valley LEP 2013			
Clause	Provision	Assessment	Complies
2.2 Zoning of land to which Plan applies	The subject site is zoned R1 General Residential.	The proposed development is permissible with consent in the R1 Zone comprising multi dwelling housing development.	Yes
2.3 Zone objectives and Land Use Table	The subject site is zoned R1 General Residential. Refer land use table above.	The proposed development is permissible with consent in the applicable zone, which is R1, and is consistent with the zone objectives.	Yes
4.1 Minimum subdivision lot size	The subject site has a minimum lot size of 2,000m ² . However, subdivision is not proposed.		N/A
4.1D Minimum site areas for dual occupancies and multi dwelling housing in Zones R1, R2, R3 and RU5	<p>(1) The objective of this clause is to achieve planned residential density in certain zones.</p> <p>(2) Development consent must not be granted to development for the purposes of a dual occupancy unless the site area per dwelling is at least—</p> <p>(a) in the case of Zone R1 General Residential—400 square metres...</p> <p>(3) Development consent must not be granted to development for the purposes of multi dwelling housing unless the site area per dwelling is at least—</p> <p>(a) in the case of Zone R1 General Residential—400 square metres...</p>	<p>The site is subject to the provisions of this clause being a multi dwelling housing development within the R1 General Residential zone. This requires a site area of 400sqm per dwelling. In this instance six (6) dwellings are proposed with a site area of 1,914m² equating to a dwelling per 319m². This does not comply with the development standard representing a variation of 20%.</p> <p>A variation has been sought pursuant to clause 4.6 of the YLEP 2013, a written statement is provided at Appendix 3.</p>	No, refer to separate written statement.
4.3 Height of Buildings	A maximum height of 8m applies to the subject site.	The development complies with the maximum permitted height. Owing to	Yes

Yass Valley LEP 2013			
		the slope of the land the height of building increases towards the eastern frontage to circa 7.6m.	
4.4 Floor Space Ratio	A maximum FSR of 0.5:1 applies to the subject site.	The development has a gross floor area of 798.02sqm equating to an FSR of 0.42:1.	Yes
5.10 Heritage Conservation	The site does not contain any heritage items, nor is it located in a heritage conservation area.		N/A
6.1 Earthworks	<p>(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>Consent for earthworks is sought as part of this application. Cut and fill works are required to facilitate the proposed dwellings. A balance between cut / fill is achieved and retaining walls proposed where required. Refer to the submitted architectural plans for further details.</p> <p>No heritage items, waterways or environmentally sensitive areas are located near the subject site.</p>	Yes
6.4 Terrestrial Biodiversity	Not applicable. The subject site is not indicated on the Terrestrial Biodiversity Map to contain terrestrial biodiversity values.		N/A

Table 3 – Yass LEP 2013 Provisions.

4.1.4 Yass Valley Council Development Control Plan 2024

The Yass Valley Council Development Control Plan 2024 was exhibited from March to April 2024 and has since been adopted by Council. It gives effect to the aims and objectives of Yass Valley Local Environmental Plan 2013 and outlines Council's standards for new development. The relevant parts and controls of the DCP are assessed in the table below.

Yass Valley Council DCP 2024		
Control	Comments	Complies
D2 Medium Density Housing		
D2.1 Site frontage and area		
Objective: To ensure that dwelling occupants have adequate access to private open space for the quiet enjoyment of their property and recreational opportunities	It is considered that the development achieves the objectives of the planning control.	Yes
a. The site shall have street frontage of at least 15 metres when measured at the building line. At the head of a cul-de-sac the minimum frontage shall allow sufficient area for the placement of bins required by the development in a single, not stacked, line and the parking of at least one vehicle.	The site is irregular in shape with access provided by way of a minor handle measuring 7m wide. However the site measures circa 30m in width at the building line of Unit A1, which is capable of accommodating development as proposed.	Yes
b. For development involving attached dwellings, dual occupancies, multi dwelling housing; secondary dwellings and semi detached dwellings, each unit shall be provided with a minimum site area in accordance with Clause 4.1D of Yass Valley Local Environmental Plan 2013;	The development does not comply with this requirement with a site area of 319m ² achieved per dwelling. Supporting this application is a written clause 4.6 variation statement justifying the variation sought. Refer to Appendix 3.	No
c. Where it can be demonstrated that the objectives of this part are met, a smaller minimum site area may be considered.	It is considered that the proposed development continues to achieve the objectives of the DCP despite the variation sought. A high quality multi dwelling housing development is proposed with good amenity for the residents with a combination of private open space at the ground floor level and a communal open space area.	Yes
D2.2.1 Front Setbacks		
No dwellings on adjacent lots fronting the same street, site greater than 1,500m ² – 10m	Substantial front setback achieved of circa 30m.	Yes
D2.2.2 Side and rear setbacks		
Objective: To ensure that multi dwelling development does not impact on solar access, privacy, or overshadowing	It is noted that the proposal does not achieve compliance with the required side setbacks	No, but justified

Yass Valley Council DCP 2024		
Control	Comments	Complies
<p>a. Multi Dwelling developments should have the minimum side and boundary setback as per the table below (taking account of solar access and privacy):</p> <p>Side boundary - 900mm for single storey elements 2m for second storey elements 6m if a habitable room window or balcony faces the boundary.</p> <p>Rear boundary - 15m for buildings measuring greater than 4.5m for lots with an area greater than 1,500m²</p>	<p><u>Side boundary (eastern & western boundary)</u> Compliance achieved to the western boundary with a setback of 7m to the single storey component.</p> <p>The proposal does not comply with the required side boundary setback to the eastern boundary and for which a 6m setback is required. Whereas the development proposes the following:</p> <ul style="list-style-type: none"> - Ground floor = 5m - First floor (Balcony) = 3m - First floor (Glass line) = 3.5m <p>The adjoining site is currently vacant. We are not aware of an application having been lodged with Council or otherwise being assessed. The adjoining site is significant in area and capable of accommodating a dwelling house and associated structures / infrastructure. It is noted the site is benefitted by a shared access handle which provides access to three (3) lots.</p> <p>Shadow diagrams prepared as part of the architectural package show that the built form (except boundary fencing) will not impact on the adjoining property between 9am and 1pm, which ensures that compliant solar access can be achieved to both the habitable areas of a future dwelling and its corresponding private open space area.</p> <p>A setback of 3.5m to the living area and 3m to the balcony is considered appropriate in this instance. The land slopes substantially to the east which assists with the sense of separation and mitigation of potential overlooking from the subject site. Furthermore, the adjoining site is of a significant size that is capable of being designed and sited to accommodate a dwelling house. It is not restricted for instance by way of a building envelope that would limit the placement of development and can instead respond positively to the site context.</p> <p><u>Rear Boundary</u> The development proposes a rear setback of circa 1.15m from the southern boundary at a minimum increasing to 3.45m as measured to the single storey component. Whereas a 15m setback would be required under the current planning controls. While this is a significant numerical departure from Council's controls it is considered that the proposal will still achieve the overarching objectives and will not detract from the amenity received by adjoining properties to the south. That the proposal is capable of being supported.</p> <p>The adjoining properties directly to the south would</p>	No

Yass Valley Council DCP 2024		
Control	Comments	Complies
	<p>appear to comprise two (2) dwelling houses on separate allotments (93 & 89 Rossi Street) within the R1 General Residential zone. Both dwellings appear to be on substantial allotments with the majority of built form and open space areas well setback from the common boundary with the subject site. These sites would also appear to be heavily vegetated particularly along the common boundary. This existing boundary condition would appear to assist in mitigating any potential visual impact that may occur by the development along this boundary. Finally, there are only minor windows within the southern elevation of the development that may be of concern.</p> <p>With regard to the impact upon solar access on the adjoining sites the overshadowing can be described as relatively minor between the hours of 9am – 12pm as measured on 21 June with compliance maintained with the solar access requirements to the adjoining properties. The impact does increase beyond that time reaching its greatest at 3pm.</p>	
c. The total length of wall within 900mm of a side boundary shall not exceed 10 metres (or if adjoining an existing boundary wall, no longer than that wall);	Complies with a minimum setback of 3m achieved.	Yes
D2.3 Site coverage		
a. The maximum floor space ratio for medium density development, including all ancillary buildings, is not to exceed those indicated below or as otherwise shown on the Yass Valley Local Environmental Plan 2013 Floor Space Ratio Map	Compliance is achieved with the maximum permitted FSR requirements under the LEP as outlined earlier in this report.	Yes
D2.4 Building height		
a. The maximum height of a building is not to exceed 8 metres, or as otherwise shown for the land on the Yass Valley Local Environmental Plan 2013 Height of Buildings Map;	The development complies with the maximum permitted building height of 8m with a two storey building form.	Yes
b. Shadow diagrams are to be submitted for 9 am, 12 midday and 3 pm on the June 21 Solstice for all medium density housing, detailing overshadowing cast by the proposed development in addition to any existing buildings and fences. Shadows shall include internal and external the proposed development site;	Shadow diagrams and sun-eye diagrams have been submitted confirming that the impacts are acceptable and a compliant level of solar access is maintained to adjoining development.	Yes
c. At least 50% of the neighbouring existing principal open space or windows to internal habitable rooms should receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June. If it is already less than this, it should not be further reduced.	Compliance achieved or able to be achieved as demonstrated on the submitted plans.	Yes
D2.5 Character and built form		
a. The front dwelling in each development shall face the street and feature at least 1 main entry door and 1 major window to a living or bedroom;	The site is irregular with a minor access handle providing access to the site proper. It is not feasible for the site to comply with the control. The design and siting of the development is considered to be appropriate having regard to the site constraints, with a large communal open space able to be viewed	No

Yass Valley Council DCP 2024		
Control	Comments	Complies
	from the streetscape and the western / northern facades of Unit A1.	
b. Where the development involves 3 or more dwellings facing the street; the building design shall incorporate physical changes in mass, form and material on the street elevation;	Does not apply	N/A
c. Garages shall not dominant and shall be recessed from the building line;	The development is well setback from the streetscape at circa 30m and while the garage of Unit A1 is able to be viewed it will not dominate the streetscape.	N/A
f. Removal of existing street trees is to be avoided;	No street trees will be impacted.	N/A
g. Existing street trees shall be protected from impact, including root compaction;	No existing street trees	N/A
h. Landscaping is to be provided which clearly differentiates the public and private domain in accordance with the principles outlined in Part B (safety);	Landscape strategy complies with these requirements.	Yes
i. The building alignment along common internal driveways shall be varied to provide visual relief and landscaped;	There is sufficient articulation of the built form along the proposed driveway. High quality materials are proposed with a curved façade which will provide visual interest where the built form is able to be viewed.	Yes
j. Windows, balconies, fencing and the like should be designed and constructed to allow views and passive surveillance of any adjacent public reserve or recreational area as well as internal driveways and carparking areas;	While passive surveillance is not strictly achieved from the proposed built form there are challenges given the access is achieved through a minor access handle and the slope of the land. Access to each dwelling is otherwise secure and will benefit each resident.	No
k. Stepped building form on sloping sites is encouraged to avoid mass excavation;	Built form has been stepped down through the site to balance the earthworks and visual prominence of the development.	Yes
l. Windows should not be located directly opposite the windows of primary living areas of adjoining dwellings;	Consideration has been given to adjoining properties both existing and potential.	Yes
m. Privacy screens should be installed where there is a chance of overlooking from balconies, open space areas, windows on adjoining buildings (within or external the proposed development) and the like;	Privacy screens are not proposed in this instance.	N/A
n. Noise sources such as driveways, service areas, plant rooms, mechanical equipment and communal open space areas should be located at least 3 metres from bedrooms;	Compliant setbacks achieved.	Yes
o. Windows should be located to allow surveillance of internal driveway and carparking areas;	Main doorways are proposed to the driveways which is considered to be sufficient. Garages are proposed on the upper levels given the topography of the site allowing the development to step down appropriately to the adjoining properties.	Yes
p. Sensor or solar lighting should be provided adjacent to entries for multi dwelling development;	Able to be installed as required.	Yes
r. The use of long straight driveways should be avoided, driveways should not be more than 20 metres without traffic calming devices	Traffic calming devices have been integrated into the driveway design.	Yes
D2.6 Private open space		

Yass Valley Council DCP 2024		
Control	Comments	Complies
a. Each dwelling shall have a total area of at least 40m ² private open space which is directly accessible from, and adjacent to, a habitable room, (other than a bedroom) the principal part of the area being at least 24m ² with minimum dimensions of at least 4 x 4 metres, and not have a slope steeper than 5%;	Each dwelling will achieve the required 40m ² of POS at the ground level of each dwelling and with supplementary open space at the upper level to a total of 52.5m ² . It will be a highly functional and consolidated space.	Yes
b. Principal Private open space should be located on the north side of the lot where practical;	POS is located on the eastern boundary which will still achieve good solar access. Communal open space area is to be located along the northern boundary.	Yes
c. The southern boundary of principal private open space should be setback from any wall on the north of the space at least (2 + 0.9h) metres, (where 'h' is the height of the wall);	POS is typically oriented to the east.	Yes
d. Open space calculations are not to include areas utilised for driveways, on site parking, circulation, communal open space, utility/service areas or rainwater tanks;	Complies	Yes
e. Private open space areas are to clearly defined and separated from communal areas;	Complies	Yes
f. Private open space area are not to be located within the setback unless it can be demonstrated that negative impact on the streetscape and use of open is avoided;	Complies	Yes
D2.7 Landscaping		
a. At least 25% of the area in front of the building line is to be landscaped;	A substantial communal open space area is proposed forward of the built form and which is able to be viewed from the streetscape. This is to be landscaped and considered to meet the intent of the control.	Yes
b. A minimum landscape area of 40% of the total lot area must be provided;	<p>The development achieves a total of 665m² of landscaped area which equates to 35%. However, compliance is achieved with the landscape area requirements for multi dwelling housing – see control (c) below.</p> <p>A high quality landscape will be achieved with a significant landscaped area to the north and substantial landscaped areas along the common boundaries particularly the southern and eastern. The landscaped areas have been located to benefit views from the site and from adjoining properties, where they are considered to be most effective. The limitations on the ability to achieve compliance with this requirements largely stem from the need for an access handle owing to the dimensions and orientation of the lot. Otherwise compliance is achieved with the floor space ratio requirements as it relates to the built form.</p>	No but justified
c. For terrace and multi dwelling housing at least 30% of the total lot area must be provided as landscaping with each dwelling having at least 54m ² of allocated landscaping;	The development complies noting that there is a more specific landscape rate required for multi dwelling housing. Overall compliance and compliance for individual dwelling has been achieved.	Yes
d. The landscaped width of the landscaped area shall be 1.5 metres;	Complies	Yes

Yass Valley Council DCP 2024		
Control	Comments	Complies
e. Mature trees are to be retained wherever possible;	No existing mature trees.	N/A
f. At least 50% of the trees and shrubs used in the landscaping should be native to the region;	Able to comply	Yes
g. Landscape design should allow for passive surveillance, not obscure dwelling entrances and not create hiding places;	Complies.	Yes
h. A preliminary Landscape Plan must be submitted with a development application for a multi dwelling development i. the nature strip and a combination of tree planting, for shade, mid height shrubs, lawn and ground covers, species should be selected for low maintenance and suited to the climate with endemic species encouraged; ii. a reticulated sprinkler system should be provided; and iii. an ongoing maintenance plan	Complies	Yes
D2.8 Facilities		
a. An outdoor clothes drying area should be provided for each dwellings, located in the rear or side yard not visible from public areas. Alternate areas for shop top housing and residential flat buildings may be considered where it can be demonstrated that such areas do not detract from the visual amenity of the area	Able to comply	Yes
b. Garbage bins associated with multi dwelling development should be stored in the rear yard or side setback, not visible from public areas. Where shared bin arrangements are provided, the storage area shall be screened from public areas, designed and located in accordance with safer by design principals;	It is intended that waste bins will be stored within the boundaries of each individual unit for management.	Yes
c. Machinery and plant, down pipes, bin storage, balconies and fences should be located in such a way that they prevent climbable access to windows;	Complies	Yes
d. Mailboxes are to be incorporated into the design of the development and provided in accordance with the relevant Australian Standards.	Able to comply	Yes
I5 Carparking Ratios		
Multi-dwelling housing - 1 space per 2 bedroom dwelling or 2 spaces per 3+ bedroom dwelling plus 1 visitor space per 3 units	Compliant car parking is proposed for the development both in the form of double garages for each dwelling and two (2) visitor parking spaces within the access area.	Yes
I6 Residential Carparking		
a. The minimum number of carparking spaces for each dwelling is as contained in H5 Carparking Ratios;	Compliant number of parking spaces are proposed.	Yes
b. Each dwelling shall have at least one covered space;	Complies. Double garage proposed for each dwelling.	Yes
c. Each carport or garage should have internal dimensions of: Single - 3 metres wide x 6 metres long; double - 5.5 metres wide x 6 metres long	Garages proposed exceed the minimum required width however the depth is circa 5.5m. This is still considered sufficient for the purpose of a residential parking space.	No

Yass Valley Council DCP 2024		
Control	Comments	Complies
d. A hard stand space should measure at least 2.6 metres wide and 5.4 metres long;	Complies	Yes
e. One visitor space should be provided for each 3 dwellings in a single development;	Two (2) visitor parking spaces proposed as required to benefit six (6) dwellings.	Yes
f. Hard stand car parking spaces should not be located within the setback of the front dwelling and the street frontage;	The open parking spaces are located a sufficient distance from the streetscape so as not to impact upon its amenity.	Yes
g. Car parks, garages and carports should be separated from adjacent habitable rooms or provided with noise insulation in accordance with National Construction Code;	Complies	Yes
h. Car parking should be provided adjacent or otherwise convenient to each respective dwelling;	Complies	Yes
i. For medium density development vehicle swept paths should be provided to demonstrate that a vehicle can move in and out of the spaces in no more than 2 movements;	Complies	Yes
j. Any connecting door from a garage to the dwelling must swing inwards into the dwelling, not into the garage, and any door knob being at least 1500mm above floor level. A grade 2 or better self-closer is to be placed on any connecting door	Does not comply with doors swinging inwards. This is considered appropriate as the width of the garages exceed the minimum requirements measuring 6.10m wide.	No
H7.1.1 Access for dual occupancies and medium density housing		
a. A single point of entry and egress is preferred; this should be at least 6 metres in width;	Compliant access proposed measuring 6m wide and tapering to 3m as vehicles enter into the site to enable an appropriate landscape treatment.	Yes
b. The edge of driveways should be at least 1.5 metres away from habitable rooms of all dwellings within the site, or a minimum of 1 metre where the floor level of the habitable room is at least 1 metre above the driveway at the window opening;	Complies	Yes
c. Where a driveway is longer than 30 metres, provision should be made for a passing bay;	Appropriate traffic calming and passing opportunities are provided adjoining the garage doors.	Yes
d. Driveway width should be a minimum of 3.0 metres;	Complies	Yes
e. Driveways should be designed to avoid a stark “gun barrel” effect, by incorporating variations in width or materials (brick edging, stamped concrete, aggregate), with provision of a strip at least 300mm wide for landscaping between the driveway pavement and side boundary	Appropriate articulation with regard to the driveway and landscape areas adjoining the dwellings will soften the impact of the stretch of driveway where it is able to be viewed.	Yes

6. Section 4.15 Considerations

The following *Matters for Consideration* are to be taken into consideration by a consent authority when determining a development application, pursuant to Section 4.15 *Evaluation of the Environmental Planning and Assessment Act 1979*.

6.1 Section 4.15 (1)(a)(i) – The provisions of any Environmental Planning Instrument

The proposal is generally considered to be consistent with the provisions of the relevant Environmental Planning Instrument assessed in this SEE (the Yass LEP 2013). The proposed multi-dwelling development will give effect to the objectives of the R1 General Residential zone by diversifying the housing types available in the locality and thereby addressing the housing needs of the community.

The proposed variation to the dwelling density and yield provisions within the LEP have been addressed and justified in the written clause 4.6 variation statement (see Appendix 3) which accompanies this SEE. The proposed variation is considered to be well founded and meets the relevant tests contained therein. That the proposed development is an appropriate use of the site and to require strict compliance would be unreasonable and unnecessary in the circumstances.

6.2 Section 4.15 (1)(a)(ii) – The provisions of any Draft Environmental Planning Instrument

There is no draft EPI of relevance to the development being considered.

6.3 Section 4.15 (1)(a)(iii) – Any Development Control Plan

The relevant provisions of the Yass Valley DCP 2024 have been examined within this SEE and the proposal is considered to be generally consistent with those provisions. Variations have been sought with regard to the required side and rear setbacks and are considered appropriate for the reasons outlined in this report. That despite the numerical non-compliances the development remains consistent with the objectives of the controls being varied and will not impinge upon the amenity of either existing or likely future residential uses of the adjoining properties by way of solar access or visual privacy.

6.4 Section 4.15 (1)(a)(iiia) – Any Planning Agreement that has been entered into or any Draft Agreement

We are not aware of a Voluntary Planning Agreement has that has been entered into for the site.

6.5 Section 4.15 (1)(a)(iv) – The Regulations

The relevant matters listed under clause 61 of the EP&A Regulation 2021 have been considered in the assessment of the proposed development.

6.6 Section 4.15(1)(b) – The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The proposed multi-dwelling development is sympathetic to the low-density, residential character of its surrounds. While a variation to density is proposed, this is discussed and justified in a separate clause 4.6 variation statement. Ultimately, the proposal satisfies the objectives of the R1 General Residential zone. The site does not contain any waterways, terrestrial biodiversity, heritage, or other environmental considerations. Clearing of significant vegetation has already taken place. The proposal will increase and diversify the housing stock in the locality and contribute towards the housing needs of local residents. Therefore, environmental, social and economic impacts resultant of the proposal are considered to be positive overall.

6.7 Section 4.15 (1)(c) – The Suitability of the Site for the Development

The proposed multi-dwelling development is permissible with consent under the R1 General Residential zone and found to be consistent with zone objectives.

6.8 Section 4.15 (1)(d) – Any Submissions made

Any submissions made to Council during the notification and advertising period would be evaluated during the DA assessment phase. Knight Frank Town Planning would welcome the opportunity to be able to respond to any issues that may be raised.

6.9 Section 4.15 (1)(e) – The Public Interest

As discussed, the proposal will largely be in in the public's interest as it will contribute towards local housing options in a manner that is consistent with the character of the Yass locality. It will not give rise to any adverse environmental, social or amenity impacts.

7. Conclusion

The relevant matters for consideration under Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 have been addressed in this Statement of Environmental Effects and the proposed development has been found to be consistent with the objectives and requirements of the relevant planning provisions.

The proposed development is permitted with development consent within the R1 General Residential zone, pursuant to the Yass Valley Local Environmental Plan 2013 and is consistent with the objectives of the zone. For reasons outlined in this Statement of Environmental Effects the proposed development is considered worthy of being granted development consent.

Appendices