

Statement of Environmental Effects

Address: 8 Mitchell Street, Yass

**Job: Development Application – Proposed 5.5m x 17m shed and retaining walls
for proposed allotment.**

Clients: Chris and Oana Hodder

Lot 390 DP1256519

JLL Designs

Joshua Laurie

Proposed Development

The applicant proposes to build a shed to the back of the property and some associated retaining walls to suit the cut and fill of the site. The proposal works to enhance the overall character of the property, and all avenues have been considered. As a result, the proposal suits the character of the Yass neighborhood.

Intended use of proposed structures

The proposed shed is intended to be used for storage of a caravan and for personal use.

Context and Setting

The house sits within an existing R1: General Residential, with a minimum lot size of 700m². The proposed shed has been sited to meet with the existing landscape of Mitchell Street and has been designed to suit the locality; the proposed retaining walls also suit the character of the street.

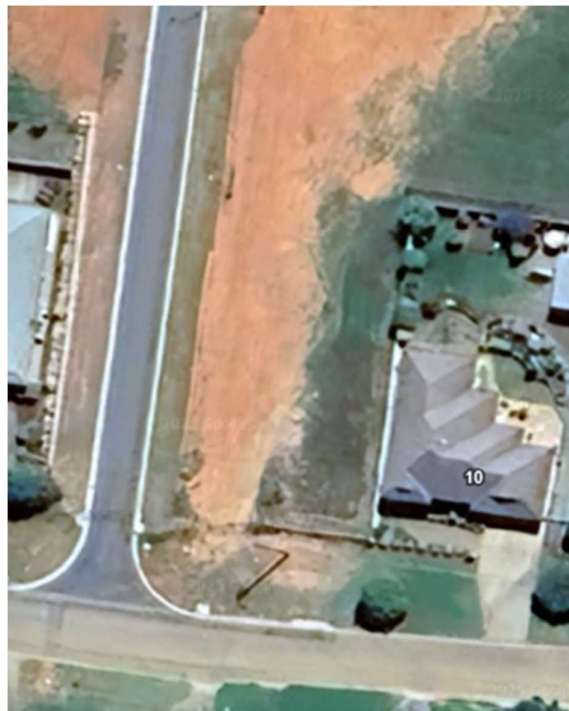


Figure 1 - Aerial Image of the Site

Neighbouring and Noise Impacts

The proposal is not expected to have any impact on the surrounding neighborhood, as the dwelling already exists and the shed will further complement the existing use of the land, and we intend on creating a development complimentary to the surrounding neighborhood.

As the proposal is for a shed and some retaining walls to suit the characteristics of the land, considering the location of the shed and the practical outcome that the retaining walls provide, this will result in a sound planning outcome. The shed is situated to the back of the site away from existing dwellings and allotments and sat within the existing cut of the site.



Figure 2 - Surrounding Locality

Property Access

The property has an existing driveway access from Mitchell Street. As part of the proposal, the existing access will be utilized to service the proposal.

Relevant Planning Controls

The following table demonstrates the proposed development is compliant with the relevant planning considerations within the YVLEP 2013.

PLANNING CONTROLS	COMPLIANCE
<i>Clause 2.1 Land Use zones</i>	Complies. The subject site is zoned R1: General Residential. The proposed meets the objectives of the zone, with the shed and retaining walls complying with the requirements of the zone.
<i>Clause 4.3 Height of buildings</i>	The proposed buildings are below the 8m allowable by the YVLEP.
<i>Clause 4.4 Floor Space Ratio</i>	<p>Allowable by the standard is 0.5:1, with a lot area of 965m² which means that a total floor area to the allotment is 482.5m². The following outlines compliance:</p> <ul style="list-style-type: none"> - Residence floor area: 240m² - Proposed shed floor area: 93.5m² - Total floor area: 333.5m² <p>As a result, the floor space ratio of the land is 0.35:1.</p>
<i>Clause 6.1 Earthworks</i>	Some minor work will be required to back fill the retaining wall to suit the characteristics of the land.
<i>Clause 6.8 Essential Services</i>	<ul style="list-style-type: none"> a) Supply of water The existing dwelling is supplied by town water. b) Supply of Electricity The existing electricity connection supplies the residence and will be to extend to service the proposal. c) Disposal and Management of Sewage. The existing dwelling is serviced by the town sewage no sewage works are proposal by this proposal. d) Stormwater drainage or on-site conservation. The stormwater drainage already exists on site and will continue to be utilised. e) Suitable vehicular access. Suitable vehicular access is provided off Mitchell Street.

	<p>f) Connection to a communications network with voice or data capability.</p> <p>The existing dwelling has a telecommunications network connected to it.</p>
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Yass Valley Development Control Plan 2024

The YVDCP 2024 provides the non-statutory planning, design and environmental objectives and controls to ensure orderly, efficient and sensitive development within the LGA is achieved. The relevant sections of the DCP considered to apply to the proposed development include:

- Part B - Principles for all Development
- Part D - Residential Development Control

TABLE 4 – COMPLIANCE WITH THE YVDCP 2024

Part B – Principles For All Development	
Controls	Compliance
<i>B1 Site Suitability</i>	<p>a. No trees are to be removed as part of the development.</p> <p>b. Materials have been selected to ensure that heat production is reduced.</p> <p>c. Sustainable building materials are used where possible.</p> <p>d. Waste is managed to create a sustainable building outcome.</p>
<i>B2 Site Suitability</i>	<p>a. All constraints such as topography, flooding, heritage, bushfire and biodiversity as outlined within this document.</p> <p>b. No adjoining land uses conflict with the residential use of the land, complementing each other.</p> <p>c. All services are available at the site.</p> <p>d. All restrictions on the land have been considered.</p> <p>e. All restrictions on the land have been considered.</p>

B3 Site Analysis Plan	<ul style="list-style-type: none"> a. Site topography has been considered with the site being relatively flat, suiting the development. b. The proposed shed is within an open grassland area. The land is not bushfire prone. c. No trees will be removed as part of the development. d. No heritage items within the area. e. The proposed shed will not impede the views to and from the site. f. The proposed shed has been situated to the back of the site to reduce any impacts of shading, lighting issues proposed as part of the development. The shed is in an appropriate location from any surrounding allotment or dwelling and does not impede any privacy of the surrounding allotments or affect their visual amenity. g. The access point is related to the road connection. h. Solar access and predominant breeze have been considered within the proposal. i. The site is in appropriate location and is not noted as flood prone and will not impede the onsite drainage. j. The land is not near any community or social facilities.
B4 Crime Prevention and Safety	<p>The proposed development has been designed to facilitate crime prevention and safety, considering the dwelling already exists the proposal has worked to complement the existing passive surveillance that occurs. This will assist in achieving a sense of community ownership over this land with future occupants more likely to report any maintenance issues to ensure this space is well looked after.</p> <p>The activity and guests/ contractors onsite will also ensure internal passive surveillance continues.</p>
B5 Neighbourhood Character	<ul style="list-style-type: none"> a. The development complements the scale, patterns and predominate building characteristics within the locality. b. The proposed shed complements the existing uses of the land.

	<ul style="list-style-type: none"> c. The proposal does not dominate the streetscape. d. The materials used complement the locality. e. The proposal complements the lay of the land. f. Trees are retained.
Part D – Residential Development Controls	
D.5 Fences and retaining walls	<ul style="list-style-type: none"> a. <ul style="list-style-type: none"> i. The proposed retaining wall is less than the prescribed 1.5m. ii. The proposal will be colorbond fencing and does not comply with the 50% permeable requirement. See below response. b. See below request for variation. c. The proposed retaining walls to the north and east and below natural ground level. The proposed west and south retaining walls are no larger than 1.2m. See below request for variation for the section of fence on top of the western fence. d. The proposed retaining walls are more than 500mm from any driveway. e. Steps are at 200mm and 400mm steps within the allowable 2.2m maximum. f. The proposal will use low reflectivity fencing. g. The proposal will not impede the onsite surface water. h. No barb wire or electrification is proposed. The proposal complies, the side boundary retaining walls, are below ground level (existing). <p>Note: if the slope of the land exceeds 5% an increased retaining wall height may be considered.</p> <p>The natural ground of the land is 6.8% which is above the outlined 5%.</p>
D3.1 Outbuildings	<ul style="list-style-type: none"> a. The proposed shed is not to be used as a dwelling. b. The proposal will integrate within the landscape. The proposed finish of the shed is premanufactured colorbond.

	<ul style="list-style-type: none"> c. The outbuilding is setback further then 5.5m from the road. d. The outbuilding is located behind the building line set by the dwelling, set behind the dwelling to ensure that it integrates within the residential landscape; e. No garage door is larger then 6 metres. f. Materials are sympathetic to the surrounding character. g. The proposal sits 900mm of off the boundary, complying with the setback requirement. h. The total area of the outbuilding 91.8m² with a total site area of 965m² which is 9% of the area, within the 10% required by the policy. i. The proposed shed is 3.7m to the eave and 4.225m to the ridge. The proposed does comply with the 3.5m to eave but does comply with 4.5m to ridge as outlined by the policy. The eave variation is outlined below. j. Materials, colours and finishes of outbuildings are proposed to compatible with the principle dwelling and local infrastructure. k. Zincalume cladding will not be used. l. Solar access is not impeded by the shed to the existing neighbouring dwellings with the shed set down within the landscape from the existing dwellings north and east. m. No new accesses are to be constructed for outbuildings.
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DCP noncompliance

Solid Colorbond fence forward on the building line

Within the YVDCP 2024 the proposal does not comply with a single section for the proposed retaining wall, namely the open section of 50% for any fence above 600mm outlined by the planning policy:

- ii. Be open for at least 50% of the upper $\frac{2}{3}$ of the area of the fence, and
- b. Boundary fences up to 1.8 metres high are only permitted behind the front building line to ensure vehicle sight distances are retained;

The proposed fence variation:

1. The proposed fence will be forward of the building line to Coen Street,
2. The proposed fence will be solid colorbond,
3. The proposal provides for a private backyard to be created.

The proposed extent of variation:

1. The proposed colorbond fence will be 21m long running parallel to Coen Street.

The circumstances why the variation is being sought:

The proposed fence provides a sound design and planning outcome for the proposed dwelling, providing amenity and privacy to the residence. The variation is being sought to provide a private residential yard to the residence.

Why strict compliance is unachievable, unreasonable or unnecessary in this unique instance:

The proposed fence is located to the secondary road frontage of the allotment. Without the fence the proposed dwelling will lack privacy and discretion to their back yard. It would be unreasonable to expect considering the conditions surrounding the dwelling that a permeable fence would be applicable.

Within the locality there is several properties that have fences forward of the building line within the same zoning:

3 Mitchell Street, Yass



Figure 3 - 131 Rossi Streets, Existing Shed

There is an existing colorbond fence that is similar in nature to the proposal on the site opposite to the subject site.

1 Mitchell Street, Yass



Figure 4 - 131A Rossi Streets, Existing Shed.

There is an existing timber fence that is similar in nature to the proposal on the site with a height of 1.6m.

As well as the above, there are several others on Mitchell Street as well as Nash Place, thus the proposal will not be out of character for the area.

How the objectives of the control are met, or an acceptable solution achieved by the variation:

The objective of Fences and Retaining Walls within the YVDCP 2024 is as follows:

Fences and Retaining Walls - *To ensure that fences and retaining walls are appropriately designed and placed in a manner that is compatible with safer by design principles so as not to detract from visual amenity and do not obstruct, concentrate or direct the natural overland flow of water.*

The proposed development has been sited and designed to match in with the existing character of the area including providing a sound design and planning outcome to the site.

The safer by design principles have been implemented to suit the sites constraints and the proposal does not impede visual sight lines for vehicular traffic in and out of Coen Street.

The proposal does not impede or obstruct natural overland flow of water.

Eave Height Variation:

Within the YVDCP 2024 the proposal does not comply with a single section for the proposed outbuilding, namely the height constraints outlined by the planning policy:

1. Height of eaves for the proposed outbuilding must not be higher than 3.5m.

The proposed outbuilding has the following:

4. Eave height of – 3.7m

The proposed extent of variation:

2. Eave height variation of 5% or 0.2m from the proposed outlined within the instrument.

The circumstances why the variation is being sought:

The proposed shed will provided private storage and storage for a caravan that the owners have. The variation will allow for the applicant's caravan to be parked in the shed, the 3.7m gives the 3.5m clearance required by the vehicle.

Why strict compliance is unachievable, unreasonable or unnecessary in this unique instance:

Siting of proposed structure

The proposed structure is located to the back of the allotment and behind the house structure. Due to the lay of the land, the proposal will sit in behind the house and not be visible or dominant to the road. The proposed shed will also be within the existing 1.7m cut on the land, there fore not having a dominance to the surrounding neighbourhood.

How the objectives of the control are met, or an acceptable solution achieved by the variation:

The objective of Ancillary Development and Outbuildings within the YVDCP 2024 is as follows:

Ancillary Development – Ancillary development and structures are facilities that are generally associated with the use of a residential dwelling and include as carports, pergolas, outbuildings (such as cubby houses, garden sheds,) and garages and the like. They are an important part of residential development and contribute to the overall character and feel of an area. It is important that such structures are sited and designed to positively contribute to the overall appeal of the area and not detract from its character. Ancillary development is considered to be ancillary to the use of the dwelling on the site. Ancillary development will not be permitted on an allotment where there is no dwelling.

Outbuilding - To ensure that provision is made for outbuildings in the design of the development

The proposed development has been sited and designed behind the existing structure, to enhance and ensure that the structure does not impede upon the character of Mitchell Street. Due to the terrain of the block the shed will be on the same floor level of the dwelling and will sit behind the dwelling with the dwelling having a maximum height of 5.4m the shed will not be seen from the road with a max height of 4.225m. The sheds, variation will not impede the overall appeal of the street frontage and will not dominate the streetscape of the allotment due to its considered positioning to the back of the site.

As the proposed shed is located to the back of the site and provided there is existing provisions for privacy mitigation and the considerations made because of the site we believe the 5% variation should be seen as minor in nature and we have worked to minimise the impacts on others.

Waste Disposal

All builders' waste will be stored in bins onsite during construction and be disposed of at the Yass Valley Council Waste Services periodically.

Electricity

The proposed shed will be connected to the existing electricity onsite.

Drainage

The proposal will utilise the existing drainage system onsite, linking to the stormwater channels on Coen and Mitchell Street.

Environmental Impacts

The land on which the proposed shed is highly modified land that was 100% changed and manipulated as part of underlying subdivision. The proposed development will have a minimal impact upon the environment with no large impact on any existing native vegetation.

Conclusion

As a result of the above and the other information provided to Yass Valley Council, it is our belief that the attached development should be subject to approval due to the minor nature of the works involved and due to the proposed alterations suiting the existing nature of the allotment.