



SMEC INTERNAL REF. : 3002793

Statement of Environmental Effects - S4.55
Modification

Crago Mill Precinct

Prepared for: Yass Valley Council
7 June 2024

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1. Introduction

SMEC has prepared this Statement of Environmental Effects (SEE) to support a Section 4.55 (1A) Modification Application to DA210262 for the Crago Mill Precinct at 209 Comur Street, Yass.

The purpose of this SEE is to clearly describe the proposed modification, address any planning issues associated with the development proposal and specifically assess the likely impact of the development on the environment in accordance with the requirements of Section 4.55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This modification report proposes internal modifications to Levels 1 and 2 of the Commercial Building and Library, as well as modifications to the roof and landscape design. The proposed amendments have been summarised in Table 1–2 below.

1.1 Site Description

The Crago Mill Precinct is located in the Yass town centre, approximately 1 km south-east of the Yass River as shown in Figure 1–1 below within the Yass Valley Council Local Government Area (LGA) (the Site). The Site is formed by five parcels with frontages to Comur, Crago, Adele, and Polding Streets (Table 1-1).

Table 1–1 | Site Description

Lot and DP	Area (m ²)	Current Use
Lot 100 DP1222562	7,214	Yass Valley Council administrative building and Council Chambers with staff parking and a shared driveway with Aldi supermarket, an auto repair shop and a retired service station.
Lot 820 DP1133811	582	Unpaved carpark
Lot 1 DP995339	2,167	Vacant land
Lot 1 DP154508	518	Vacant land
Lot G DP24503	1,030	Vacant land



Figure 1–1 | Site Context

1.2 Planning History

The Development Application (DA210262) was prepared and lodged by SMEC in 2021 for the Crago Mill Precinct at 209 Comur Street, Yass. Development consent for DA210262 was granted on the 05 May 2023 and provided approval for the following proposed uses:

“Public administration building, commercial premises (café and office premises) and information and educational facility (library)”.

This Section 4.55(1A) Modification Application to DA210262 seeks further refinements to the architectural and landscape drawings, as detailed in Table 1–2 below.

1.3 Proposed Amendments

As part of this modification report, amendments to architecture design and landscape design have been proposed. Table 1–2 below summarises the proposed amendments.

Table 1–2 | Proposed Amendments to architecture design and landscape design

Item	Proposed Amendment	Drawing Reference
Landscape Design		
1.	Reduction in 50% landscape fixtures and furniture	Please refer to Landscape Drawing Number 101- 106
2.	Main paving type changed from stone unit pavers to exposed aggregate concrete.	Please refer to Landscape Drawing Number 101- 106
3.	Removal of landscaping and pavement treatments to Aldi right of way	Please refer to Landscape Drawing Number 102
4.	Removal of internal library landscaped courtyard	Please refer to Landscape Drawing Number 103
5.	Reconfiguration of Crago Mill steps	Please refer to Landscape Drawing Number 103
6.	Revision of overall ramps and stairs	Please refer to Landscape Drawing Number 101- 106
7.	Reduction in width of new footpath along Polding Street	Please refer to Landscape Drawing Number 106
8.	Simplified external library courtyard – removal of furniture	Please refer to Landscape Drawing Number 102- 103
9.	Changes to landscape extent due to building footprint adjustment.	Please refer to Landscape Drawing Number 101- 106
Architecture Design		
10.	Deletion of library internal courtyard as part of VE, low pitched roof added to enclose internal space incorporated into library for flexible shelving zone	Please refer to Architecture Drawing Number A02
11.	Deletion of library reading garden as part of VE	Please refer to Architecture Drawing Number A02
12.	Accessible parking added to Comur Street to comply with DDA requirements	Please refer to Architecture Drawing Number A04
13.	Shortening length of pitched roof to southern area of the library, to allow for the implementation of low-pitched roof VE, alignment amended to co-ordinate with lower roof drainage engineering	Please refer to Architecture Drawing Number A06
14.	Library and Admin parapet line raised by 300mm to co-ordinate with engineering requirement of low pitch roof as a result of VE changes to roof design	Please refer to Architecture Drawing Number A15
15.	Library pitched roof to southern area and Admin Foyer pitched roof reduced by 200mm as part of developing geometry to co-ordinate with buildability	Please refer to Architecture Drawing Number A15

Item	Proposed Amendment	Drawing Reference
16.	Minor adjustments to planning within Library and Admin, to meet revisions in Council operational brief, windows and wall alignment adjusted accordingly	Please refer to Architecture Drawing Number A14-A17
17.	Library sub-floor for displacement mechanical system deleted for VE. Mechanical services rooms deleted or incorporated into library for other uses	Please refer to Architecture Drawing Number A08
18.	Extent of skylights to Administration Building reduced to meet Council's budget.	Please refer to Architecture Drawing Number A19
19.	Crago Mill Lift shaft amended to a circular shape, as part of fine-tuning design and providing space for fire safety services.	Please refer to Architecture Drawing Number A04 and A06
20.	Crago Mill ridge-line and internal levels updated to match survey work done post DA, stair tower roof raised to suit final head heights	Please refer to Architecture Drawing Number A14
21.	Lift shaft height amended to suit manufacturer's overrun requirements	Please refer to Architecture Drawing Number A14
22.	Proposed floor extent to Level 3 amended to suit existing floor structure	Please refer to Architecture Drawing Number A10
23.	Deletion of fitout to rear section of ground and upper floors of commercial building and providing a cold shell only to be fitout by future tenants.	Please refer to Architecture Drawing Number A11
24.	Layout and location of Tea rooms updated to suit cold shell	Please refer to Architecture Drawing Number A11
25.	Reduction in size of balcony to street on upper level of Commercial building, as part of VE savings implemented by Council.	Please refer to Architecture Drawing Number A11
26.	Western balcony on Level 2 deleted for VE, alignment of façade on Level 1 adjusted to suit	Please refer to Architecture Drawing Number A11
27.	Amenities layout amended to co-ordinate with services and compliance requirements	Please refer to Architecture Drawing Number A11
28.	Extent of sun-shading louvres reduced to commercial building, pergola sunshades to arcade deleted, as part of VE savings implemented by Council.	Please refer to Architecture Drawing Number A18-A20
29.	Plant enclosure to Commercial Building widened to suit required plant equipment	Please refer to Architecture Drawing Number A06
30.	Typing errors in RLs of roof levels amended	Please refer to Architecture Drawing Number A14
31.	External Material changes- Timber Soffit amended to Prefinished CFC Soffit	Please refer to Architecture Drawing Number A22

2. Requested Modification to Conditions of Consent

2.1 Condition 1

It is requested that **Condition 1** of DA210262 be corrected to reflect the amended plans as follows:

Table 2-1 | Modification to Condition 1- List of Drawings

Plan Title	Plan No.	Revision No.	Drawn By	Dated
Architectural Plans				
Cover Sheet and 3D Image	A01	C	Brewster Hjorth Architects	22.5.2024
Location Plan	A02	C	Brewster Hjorth Architects	22.5.2024
Site Plan – Demolition	A03	C	Brewster Hjorth Architects	22.5.2024
Site Plan – New Works	A04	C	Brewster Hjorth Architects	22.5.2024
Site Plan – Roof Plan	A06	C	Brewster Hjorth Architects	22.5.2024
Civic Administration Level 1 Plan	A07	C	Brewster Hjorth Architects	22.5.2024
Library Level 1 Plan	A08	C	Brewster Hjorth Architects	22.5.2024
Crago Mill Level 1 Plan	A09	C	Brewster Hjorth Architects	22.5.2024
Crago Mill Basement, Level 2, Level 3 Plans	A10	C	Brewster Hjorth Architects	22.5.2024
Commercial Level 1 Plan	A11	C	Brewster Hjorth Architects	22.5.2024
Library Elevations 4, 5, 6	A14	C	Brewster Hjorth Architects	22.5.2024
Library Elevations 7, 8	A15	C	Brewster Hjorth Architects	22.5.2024
Civic Admin Elevations 9, 10	A16	C	Brewster Hjorth Architects	22.5.2024
Civic Admin Elevations 11, 12	A17	C	Brewster Hjorth Architects	22.5.2024
Commercial Elevations 13, 14	A18	C	Brewster Hjorth Architects	22.5.2024
Sections 1 and 2	A19	C	Brewster Hjorth Architects	22.5.2024
Section 3	A20	C	Brewster Hjorth Architects	22.5.2024
External Material Palette	A22	C	Brewster Hjorth Architects	22.5.2024
Landscape Plans and Report				
Yass Civic Precinct Public Realm & Landscape	21.016	E	oxigen	29.5.2024

Justification: Ensure the proposed development proceeds in line with the approved plans.

2.2 Condition 6

It is requested that **Condition 6** is modified to read as follows:

- *The removal of trees from the site must be in accordance with Drawing Site Plan – Demolition A03 C Brewster Hjorth Architects dated 22.5.2024, unless otherwise approved by Council.*

Justification: The proposed modifications to DA210262 require the removal of one additional tree not identified on the Drawing Site Plan – Demolition A03 B Brewster Hjorth Architects dated 21.9.2021. Modification of Condition 6 will ensure that the extent of tree removal required to facilitate the proposed works is accurate.

3. Statutory Assessment

This section provides an assessment of the proposed development against the relevant provisions of Section 4.15 of the EP&A Act and the following relevant statutory instruments:

- The Environmental Planning & Assessment Act 1979 provisions
- Yass Valley Local Environmental Plan 2013 provisions
- Provisions of relevant State Environmental Planning Policy (Planning Systems) 2021
- Provisions of relevant State Environmental Planning Policy (Transport and Infrastructure) 2021
- Provisions of any Development Control Plans; including the Yass Valley Development Control Plan 2024.

The following sections of this report provide an assessment of the relevant policies and instruments.

3.1 Environmental Planning & Assessment Act 1979

Section 4.55 of the EP&A Act permits the modification of consents under 4.55(1) modification involving minor error, misdescription or miscalculation, 4.55(1A) modifications involving minimal environmental impact and 4.55(2) other modifications.

The relevant matters for consideration under Section 4.55(1A) of the Act are:

(1A) Modifications involving minimal environmental impact A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) it has notified the application in accordance with—*
 - (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

The modifications sought under this application are considered to be of minimal environmental impact as:

- The modification proposed is mostly amendments to internal layout and landscape elements and the removal of one additional tree.
- The changes sought result in financial savings by deletion of the Library internal courtyard and reduction of balcony sizes.

The works sought do not alter the capacity, operation or final built form of any approved buildings. The consent authority can be satisfied that the works are substantially the same development as the approved consent (as modified).

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

The relevant matters for consideration under Section 4.15 of the Act are:

(a) the provisions of—

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

(v) (Repealed)

that apply to the land to which the development application relates,

(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,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Given the limited scope of the amendment sought under this application, the proposed modifications comply with the existing environmental planning instruments applicable to the application beyond the requirements of the Act. Since the changes sought are generally minor in nature, it is unlikely that they would result in any environmental, social, or economic impacts on the locality or the natural and built environment. The changes are considered to be in the wider public interest as they facilitate the efficient and staged occupation of public buildings and spaces as they become safely habitable.

3.2 Yass Valley Local Environmental Plan 2013

3.2.1 Planning Controls

3.2.1.1 Building Height

Pursuant to Clause 4.3 and the Height of Buildings maps under the YVLEP, the maximum building height for the Site is 12 m. The proposed amendments would not exceed the maximum building height control of 12 m. Hence, there will be no changes to overshadowing as only very minor amendments are being made to roof element.

3.2.1.2 Building FSR

Pursuant to Clause 4.4 and the Floor Space Ratio maps under the YVLEP, the maximum floor space ratio (FSR) for the Site is 1:1 as shown in Figure 3–1 below.

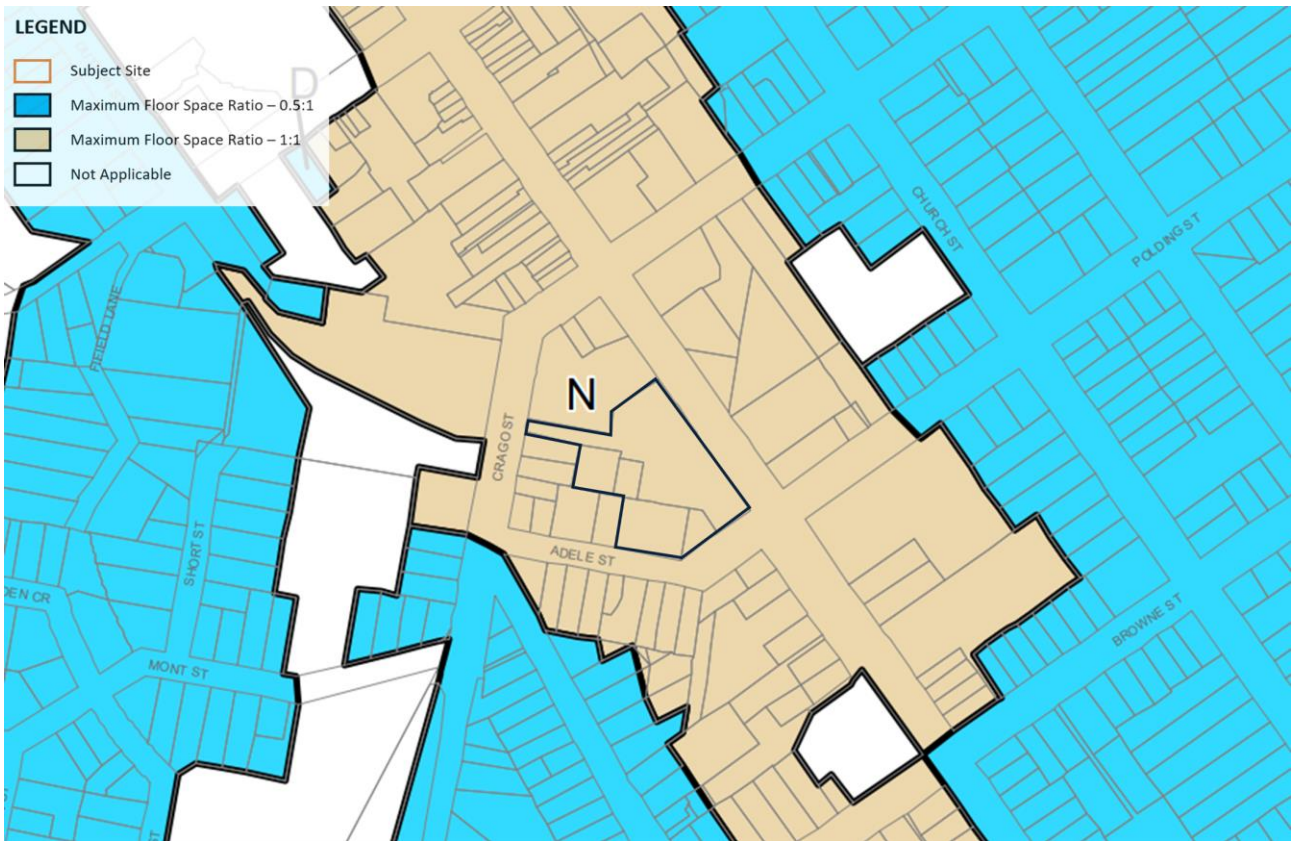


Figure 3-1| Site Location

The deletion of the Library’s landscaped courtyard results in a 124 m² addition to the GFA of the Library to 1,094 m². The FSR of the development under DA210262 was 0.36:1. As a result of the proposed modifications this increased to an FSR of 0.37:1 and does not exceed the maximum allowable FSR of 1:1 under the YVLEP.

Table 3-1| Table summary of areas and FSR calculation

Building Area	Approved DA (m ²)	Modification (m ²)
Yass Valley Library	970	1,094
Civic Administration Centre	1,964	1,964
Crago’s Mill & proposed works	295	295
Commercial building	920	920
Total Gross Floor Area	4,149	4,273
Site Area	11,401	11,401
Proposed FSR	0.36:1	0.37:1

3.3 State Environmental Planning Policy (Planning Systems) 2021

Whilst the original development application was required to be determined by the Southern Regional Planning Panel, modifications under Section 4.55(1a) and Section 4.55(1) do not require referral to the panel.

3.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

The relevant provisions of SEPP (Transport and Infrastructure) relate to vehicular access and traffic generation under Clauses 101 and 104, respectively. This Modification Application does not propose any changes to access to and from the Site.

It is noted that one additional accessible car park has been added for compliance along Comur Street. Please refer to Architectural Drawing No. A04.

The addition of one accessible parking space would not trigger 'traffic generating' requirements of Clause 104 under the SEPP Transport and Infrastructure 2021. As such, the development continues to adequately address the requirements of SEPP (Transport and Infrastructure)2021.

3.5 Any proposed or draft Instruments

There are no proposed or draft instruments that have been the subject of public consultation, and that are relevant to the proposed development.

3.6 Yass Valley Development Control Plan

There are three Development Control Plans (DCPs) that are in effect and available on the Yass Valley Council website. These DCPs do not provide controls that are relevant to the proposed development.

3.7 Planning Agreements (or draft agreements)

The proposed development is not subject to a planning agreement pursuant to Section 7.4 of the EP&A Act 1979.

3.8 Matters prescribed by the Regulations

Having regard to the matters prescribed under Clause 92 of the Environmental Planning and Assessment Regulation, the proposed development does not include the demolition of a building for the purposes of Australian Standard (AS) 2601 – 1991: The Demolition of Structures.

3.9 Suitability of the Site & Public Interest

Under Section 4.15 of the EP&A Act, development applications must take into consideration the public interest. Overall, the proposed modifications make minor amendments to the architectural and landscaping design of the proposed development and are suitable for the Site. Approval would not be contrary to the public interest. It is therefore respectfully requested that the application be granted approval.

4. Conclusion

This Statement of Environmental Effects is prepared to accompany a Section 4.55(1A) Modification Application to Development Consent no. DA210262 at 209 Comur Street, Yass.

This SEE demonstrates that the magnitude of change sought under this application is of minimal environmental impact and results in a development that is substantially the same as the approved development consent (as modified).

The changes sought to conditions of consent are legislatively permissible; consistent with the intent of the original development consent; are of minimal environmental impact; and are in the public interest, as they facilitate the early usage of completed elements of the development.

This SEE concludes that the extent of modifications sought by this Section 4.55(1A) Modification Application are worthy of approval.

Appendix A

Architectural Design

Appendix B

Landscape Design

Appendix C

BCA Capability Statement



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