

STATEMENT OF ENVIRONMENTAL EFFECTS

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PROJECT:	Development Application for the approval of a Shed at Lot 11 DP837645 19 Mort Lane, YASS pursuant to the provisions within the <i>Yass Valley Local Environmental Plan 2013 (YVLEP2013)</i> and the <i>Yass Valley Development Control Plan 2024 (YVDCP2024)</i> .
APPLICANT:	FRASER GEHRIG
OUR REFERENCE:	5247_SEE1
DATE:	FEBRUARY 2025
AUTHOR:	RACHEL DOBERER SENIOR TOWN PLANNER
SIGNATURE:	



Revision Status

Rev No	Date	Report Title	Author	Reviewed by
1	06 January 2025	SEE1 – Proposed Shed – 19 Mort Lane, YASS (Draft)	Rachel Doberer	Rachel Doberer
1	07 February 2025	SEE1 – Proposed Shed – 19 Mort Lane, YASS (Final)	Rachel Doberer	Rachel Doberer

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1. INTRODUCTION

This Statement of Environmental Effects (**SEE**) has been prepared for *Fraser Gehrig* (the **Applicant**) by DPS YASS Pty Ltd. This Statement is to accompany a development application to Yass Valley Council for the approval of a Shed at Lot 11 DP837645 19 Mort Lane, YASS.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. This report aims to assess the potential impacts and environmental effects of the proposed development of the subject site under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended).

This SEE includes a comprehensive assessment of environmental impacts of the proposal. Where potential impacts and constraints are identified, measures are proposed to mitigate any harm to the natural environment as well as the amenity of existing and future development throughout the locality.

This site is zoned R5 Large Lot Residential pursuant to the *Yass Valley Local Environmental Plan 2013* (YVLEP2013). The proposed development is permissible with development consent within the R5 Large Lot Residential zone. The proposed development formulates contextual elements derived from the existing residential character with respect to the immediate vicinity and is consistent with the objectives and provisions within the YVLEP2013.

The proposal is classified as local development under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and therefore will be determined by Council.

This assessment concludes that the proposal is of an appropriate scale and mass and is consistent with the character of the area. It will have no unacceptable amenity impacts upon nearby residential development, nor any adverse impacts upon the natural environment. The proposal will have numerous positive social and economic impacts, and is considered in the public interest, accordingly DPS YASS Pty Ltd is supportive of the development proposal.



1.1 PURPOSE OF THIS REPORT

This SEE has been prepared in accordance with Schedule 1 of the *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)* for the purposes of demonstrating:

- The proposal is consistent with the controls within the YVLEP2013 and the YVDCP2024.
- The supporting technical studies which accompany the DA establish that the environmental impacts of the proposed concept are generally positive and where appropriate, make recommendations for the detailed design phase of the project which will provide certainty and clarity to guide the development.
- The proposed development is in the public interest and will have a range of positive social and economic benefits, namely:
 - Facilitates ecologically sustainable development of residential land. This is explained in more detail later in this Statement.
 - The subject site is located within the R5 Large Lot Residential zone of Yass. The vision for the expansion of Yass LGA is to create high quality and ecologically sustainable environment integrated with good accessibility and open space. This DA meets the intent of this by providing a high-quality development which will support the other uses of the area.
 - The site is zoned for development purposes, and the proposed development provides for ancillary development including the construction of a Shed that is consistent with the objectives and controls contained in the YVLEP2013 and the YVDCP2024.
- Demonstrating that the environmental impacts of the development have been considered; and
- Outlining the steps to be undertaken to protect the environment or to mitigate against any potential harm, if necessary

This SEE describes the proposal and its environment, including a detailed description of the site and its surrounds and an assessment of the proposal against the relevant planning controls.

The SEE demonstrates that the proposed development is acceptable pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and concludes that the proposed development should be granted approval subject to conditions.



1.2 TYPE OF DEVELOPMENT APPLICATION

Section 1.5 of the EP&A Act defines what constitutes 'development'.

Development is defined as the following:

- a) *The use of land*
- b) *The subdivision of land*
- c) **The erection of a building**
- d) *The carrying out of work*
- e) *The demolition of a building or work*
- f) *Any other act, matter or thing that may be controlled by an environmental planning instrument.*

The scope of the proposal is considered to be 'development' in accordance with Section 1.5 of the EP&A Act. Therefore, pursuant to Section 4.5 of the EP&A Act development consent is sought from Yass Valley Council.



1.3 OWNER AND APPLICANT DETAILS

1.3.1 The Applicant

Fraser Gehrig

%- DPS Pty Ltd
PO Box 5
YASS NSW 2582

Contact: Rachel Doberer
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Mobile: 0409 880 034
Email: rachel@dpsyass.com.au

1.3.2 The Owner(s)

Tuff Property Holdings Pty Ltd
ACN 673 066 709
Fraser Gehrig (Director/ Secretary)

%- DPS Pty Ltd
PO Box 5
YASS NSW 2582

Contact: Rachel Doberer
Phone: (02) 6226 3322
Mobile: 0409 880 034
Email: rachel@dpsyass.com.au

1.3.3 Site Address

The subject site for this application is legally identified as Lot 11 DP837645 19 Mort Lane, YASS and shown in **Figures 1.1 and 1.2** (Location Maps) of this Statement.



1.4 SITE AND LOCATION

1.4.1 Site Description

The subject site is located on the periphery of Yass (refer **Figure 1.1**), roughly 20km to Murrumbateman Village, approximately 60km to Canberra CBD and around 80km to Goulburn CBD. The subject site is located on Mort Lane and connects to Murrumbateman, Canberra and Goulburn seamlessly via Comur Street, Yass Valley Way, the Barton Highway and the Hume Highway, which are some of the main connecting road corridors in the area.

The subject site is made up of one lot and is zoned R5 Large Lot Residential in the Yass Valley LEP 2013 (YVLEP2013). It is bounded by other similar sized large lot residential lots to the North, East, South and West (refer **Figure 1.2**).



Figure 1.1: Location Map to Demonstrate the Site's Local Context (Source: Google Earth, January 2025)

Legal and physical access to the subject site is off Mort Lane, the existing accessway meets Councils current requirements/ specifications. The site is a regular shaped parcel of land with a total area of 1ha fronting Mort Lane. The land is currently utilised for residential purposes, following this development, the use is intended to remain the same along with the addition of Home Industry Storage of Synthetic Turf Netting Fastners.



Figure 1.2: Location Map (Source: Google Earth Aerial Imagery, January 2025)



1.4.2 Existing Easements, Restrictions on the Use of Land and Positive Covenants

- Easement for Transmission Line 20 Wide affecting the Part(s) shown so burdened in the Title Diagram (DP837645).
- Easement for Transmission Line 11 Wide affecting the Part(s) shown so burdened in the title Diagram (DP837645).

1.4.3 Proposed Easements, Restrictions on the Use of Land and Positive Covenants

- It is not proposed to create any easements, restrictions on the use of land or positive covenants on the subject lot as part of this development application.



1.5 PROPOSED DEVELOPMENT

This report has been prepared by DPS to accompany the Development Application submission and is lodged under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* for a proposed Shed, that is permissible with Council consent.

This SEE is to be read in conjunction with the following Plans and Specialist Reports included in the Appendix's.

- Proposed Site Plan prepared by Entegra Signature Structures dated 19 November 2024 (refer **Figure 1.3 and Appendix A**).
- Proposed Shed plans prepared by Entegra Signature Structures dated 19 November 2024 (refer **Figures 1.4 & 1.5 and Appendix B**).
- Detail Site Survey prepared by DPS YASS P/L dated 05 March 2024 (refer **Appendix C**).
- Cost of Works prepared by the Applicant (refer **Appendix D**).
- Certificate of Title, ASIC Search Results and Deposited Plan for Lot 11 DP837645 (refer **Appendix E**).

The purpose of this report is to consider the site characteristics and the anticipated impacts of the proposed development providing an assessment in accordance with the matters for consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act). Specifically, the SEE includes the following information:

- Description of the site in its local context
- Identifies any proposed works
- Identifies and addresses relevant policies
- Assessment against relevant Council plans and policies
- Assess of potential environmental impacts and identification of mitigation measures

The subject site has a total area of 1ha of land with an existing dwelling house and ancillary structures that are intended to remain. The proposed development application has been prepared to take into consideration the future use of the site and aims to improve the functionality of the site.

The proposed development consists of the construction of a shed. It is noted the shed is sited to be behind the building line of the existing house, to the rear of the site to lesson the visual amenity from the street and to the existing neighbourhood to which the subject lot relates (refer **Figure 1.3**).

However, it is understood as part of the development assessment process that correspondence with neighbours regarding the proposed development along with any potential impact on their visual amenity may be undertaken to Councils discretion.

This DA is not considered 'Integrated Development' under Section 4.46 of the EP&A Act. It is noted however the proposed development is situated on land mapped as bushfire prone land (**BFPL**).

Nevertheless, as the proposed development is an ancillary class 10a that will be constructed within 6m from a habitable structure, it is determined pursuant to NSW RFS Planning for Bushfire Protection (PBP 2019) that a bushfire threat assessment report and subsequent referral to the NSW Rural Fire Service (NSW RFS) is not required. It does however state 'where a Class 10a building is located within 6m of a dwelling it must be constructed in accordance with the NCC'.



The surrounding land is land that can be classified as 'Managed Land in Perpetuity', therefore it is confirmed BAL 12.5 as per Section 3 and Section 5 of AS 3959-2018 is applicable for the construction of the proposed shed. With the recommended construction performance, the proposed building can withstand bush fire attack in the form of embers, radiant heat and flame contact.

It is confirmed that the development conforms to the specifications and requirements of the following that are relevant to the development:

- ❖ *Planning for Bush Fire Protection published by the NSW Rural Fire Service in December 2019.*
- ❖ *The part of the lot on which the development is to be carried out is **not** in Bush Fire Attack Level-40 (BAL 40) or the Flame Zone (BAL-FZ).*
- ❖ *The lot has direct access to a public road or a road vested in or maintained by the Council.*
- ❖ *A water supply is connected to the lot.*
- ❖ *Mains electricity is connected to the lot.*

Further discussion regarding integrated development matters is provided later in this Statement.

This development application (DA) is not considered as 'Designated Development', 'Regionally Significant Development' or 'State Significant Development' pursuant to the EP&A Act or EP&A Regulation.

The subject site is mapped on the:

- Lot Size Map within the YVLEP2013
- Land Zoning Map within the YVLEP2013
- Bushfire Prone Land Map within the YVLEP2013
- Terrestrial Biodiversity Map within the YVLEP2013

However, as a result of this investigation it has been determined that any minor environmental impacts associated with the future operation of the subject site can be mitigated. It is concluded that the proposed development of the site is appropriate and permissible with development consent. Further discussion regarding this mapping is provided later in this Statement.

The location of the proposed shed has been sited to take into consideration the specific site characteristics, the existing access location and internal fencing, The proposal retains the character of the existing and surrounding properties, in turn maximising the potential use of the site whilst also being mindful of any existing constraints.

This report concludes that the proposed development indicates a positive contribution to Yass Town, is consistent with the strategic planning for the area and the relevant planning legislation and policies. It is expected that any minor environmental impacts associated with the future operation of the development can be mitigated. As a result of this investigation, it is concluded that the proposed development of the site is permissible with conditional consent.



1.6 PROPOSED WORKS

This DA seeks to facilitate the development of the subject site for the purpose of domestic residential use including Home Industry use, specifically the application seeks development consent for the construction of a shed (refer **Figures 1.3 to 1.5 and Appendix's A & B**).

During construction and on-going use of the site, the appropriate sediment and erosion control measures will be implemented and maintained by the applicant's contractors. The proposed works will generally consist of site re-grading to establish the desired levels for the proposed civil works.

In detail, this development application seeks approval for:

- Preparation of the Building Pad
- Construction of a Shed

on Lot 11 DP837645 as per the supporting documentation listed in the Appendix's. Each of these components of the proposed development is described in more detail below.

The proposed development has been designed to tie in with adjoining existing and future land uses, existing lot boundary and visual amenity. It is considered to be an appropriate use of the subject land in relation to the location and zoning, makes good use of the land and will have minimal adverse environmental effects on the subject/ surrounding land, or any adjoining development where managed with the appropriate conditions.

1.6.1 Use of the Proposed Shed

The land is currently utilised for residential purposes, following this development, the use proposed use of the shed is intended to remain the same along with the addition of Home Industry Storage of Synthetic Turf Netting Fastners. Specifically, they are demonstrated on the Layout Plan prepared by Entegra Signature Structures dated 19 November 2024 (refer **Appendix B**) as:

- Games Area/ Pool Table/ Chairs/ Wide Screen TV (Domestic)
- Domestic storage for Mower/ Caravan and Boat Trailer, and
- 100m³ for Home Industries Storage of Synthetic Turf Netting Fastners.

1.6.2 Civil Works

During construction and ongoing use of the site, the appropriate sediment and erosion control measures will be implemented and maintained by the applicant's awarded contractors. These measures are intended to be a minimum treatment only as the contractor will be required to modify and stage the erosion and sediment control measures to suit the construction program, sequencing and techniques/ These measures are detailed further in this Statement.

The proposed works will generally consist of re-grading the eastern side of the site to establish the desired levels for proposed Shed. These levels have been designed to optimise the utilisation of cut and



fill across the site, where possible maintaining the fall to the road and to maintain surrounding boundary levels. The delivery of stormwater drainage infrastructure will be contained to the subject site.

1.6.3 Shed

This DA seeks approval for the construction of a shed as per the proposed Plans and Supporting Documentation listed earlier in this Statement and attached in the Appendix's. The proposed development has been designed to tie in with the existing structure, the existing lot boundaries and any mapped constraints.

The proposed shed has been designed so it can be constructed to meet the deemed to satisfy provisions of the BCA (refer **Appendix B**) or shall otherwise be engineered as determined post DA approval. Considerations of structure, amenity, health and energy are all considerations of the design and future detail and construction as required for the future Construction Certificate approval.

The building externally has been designed to present a quality appearance that matches the rural residential amenity to which it relates. Classic durable materials, a variety of finished and articulated finishes are all proposed to present an aesthetically pleasing external presentation.

Ecological Sustainable Development

The original concept of sustainable development articulated in *Our Common Future* is of 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs'.

In Australia, the adjective 'sustainable' is qualified by the word 'ecologically' to emphasise the necessary integration of economy and environment.

Ecologically Sustainable Development (ESD) involves a cluster of elements or principles. The following six (6) are worth highlighting:

1. Principle of sustainable use
2. Principle of integration
3. Precautionary principle
4. Inter-generational and inter-generational equity
5. Conservation of biodiversity diversity and ecological integrity
6. Internalisation of external environmental costs.

The concept of sustainability applies not merely to development but to the environment.

The Australian National Strategy for Ecologically Sustainable Development defines ESD as 'development that improves the total quality of life both now and in the future, in a way that maintains the ecological processes on which life depends'.

ESD requires the effective integration of economic and environmental considerations in the decision-making process.



The principle of integration ensures mutual respect and reciprocity between the economic and environmental considerations. Specifically, the following points need to be taken into consideration when assessing a development application:

- Environmental considerations are to be integrated into economic and other development plans, programs and projects, and
- Development needs are to be taken into account when applying environmental objectives.

ESD mandates that the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making including in the formulation, adoption and implementation of any economic and other development plan, program or project.

Although it could be argued ESD lacks a precise accepted definition, it is generally recognised as an important concept as it ensures environmental factors and future generations are considered in assessing current development applications.

The proposed development for a Shed can be categorized as an ESD as depicted in this Statement as it a development that meets the needs of the present generation whilst not compromising the ability of future generations to also meet their needs.





Figure 1.4: Proposed Layout Plan (Source: Entegra Signature Structures, February 2025)

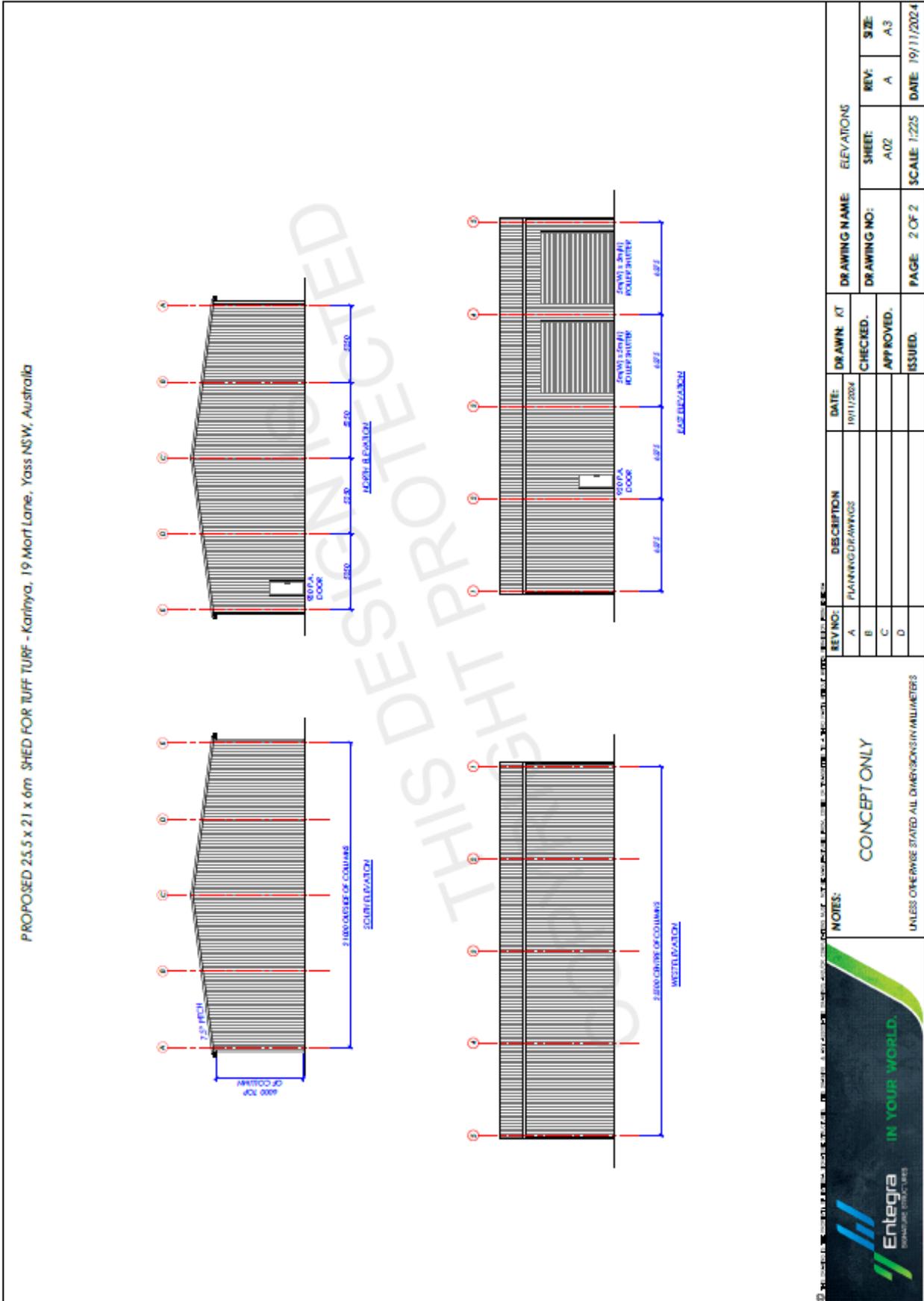


Figure 1.5: Proposed Elevations Plan (Source: Entegra Signature Structures, February 2025)

2. ASSESSMENT

The statutory process under the Environmental Planning and Assess Act 1979 requires an evaluation in accordance with the provisions of Section 4.15. The matters for consideration include:

The provisions of:

- ❖ Any environmental planning instrument,
- ❖ 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),
- ❖ Any development control plan,
- ❖ 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,
- ❖ The regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,
- ❖ The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality,
- ❖ The suitability of the site for the development,
- ❖ Any submission made in accordance with this Act or the regulations; and
- ❖ The public interest

This section of the SEE assesses the proposed development against the planning framework and planning controls applicable to the site and the development, including:

- Threatened Species and Biodiversity Impacts (Section 1.7 of the EP&A Act)
- Integrated Development Matters (Section 4.46 of the EP& A Act)
- Bushfire Prone Land (Section 4.14 of the EP&A Act), and
- Matters for consideration relating to Development Applications (Section 4.15 of the EP&A Act)



2.1 ENVIRONMENTAL PLANNING INSTRUMENTS

Yass Valley Local Environmental Plan 2013

The Yass Valley Local Environmental Plan 2013 (YVLEP2013) is the statutory framework regulating land uses within the Yass Valley LGA and the development of the site. The site is zoned R5 Large Lot Residential (refer **Figure 2.2**).

This development involves the construction of Shed that is permissible with conditional consent pursuant to clause 2.1 of the YVLEP2013 within the R5 Large Lot Residential zone. An assessment against the relevant Planning Legislation is tabulated below.

TABLE 1 - AIMS OF THE YVLEP 2013

AIMS OF THE YVLEP 2013	COMPLIANCE
<i>(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,</i>	Not applicable. The proposed development is for the construction of a shed only.
<i>(a) to establish planning controls that promote sustainable development,</i>	<p>Consistent. The proposed development has been prepared in accordance with the relevant legislation and has consciously been prepared to promote ecological sustainable development, as indicated earlier in this Statement.</p> <p>The proposed development is actively utilising the principles behind ESD as it is a development that meets the needs of the present generation whilst not compromising the ability of future generations to also meet their needs.</p>
<i>(b) to protect high quality agricultural land and encourage emerging agricultural industries,</i>	Not applicable. The subject site is not classified as high-quality agricultural land.
<i>(c) to encourage housing diversity,</i>	No applicable. The proposed development is for an ancillary structure only.
<i>(d) to promote employment-generating tourism,</i>	Not applicable. The proposed development is for the construction of a shed only.
<i>(e) to provide for commercial and industrial development,</i>	Not applicable. The proposed development is for the construction of a shed only.



<p><i>(f) to encourage the establishment of retail and professional services in urban locations,</i></p>	<p>Not applicable. The proposed development is for the construction of a shed (ancillary structure) only.</p>
<p><i>(g) to protect and enhance the character of each of the villages in Yass Valley,</i></p>	<p>Complies. Whilst the subject site is not within a designated village in Yass Valley, it is located in Yass Town where local character is embraced.</p> <p>Local character is what makes a place or area distinctive or unique. Local character is the combination of multiple factors, which relate to the area's history, built form, public and private spaces, community values and how they connect to a place.</p> <p>The proposed Shed responds to the character of Yass and is consistent with the relevant planning controls that are identified later in this Statement.</p> <p>The proposal has taken into consideration the location, type and intensity of development whilst also having regard to the characteristics of the land and the surrounding environment, in turn actively maintaining the character of Yass Valley.</p>
<p><i>(h) to enhance service provision in each of the villages in Yass Valley,</i></p>	<p>Not applicable. The proposed development is for the construction of a shed (ancillary structure) only.</p>
<p><i>(i) to protect and conserve the cultural heritage and history of Yass Valley,</i></p>	<p>Consistent. The land is not identified as a heritage item in the YVLEP2013 to which this land relates. Within the LEP, a review of the heritage items reveals that adjoining allotments are not classed as items of heritage value.</p> <p>Therefore, it is considered that the proposal will not impact on any adjoining heritage items.</p> <p>According to the Office of Environment and Heritage website, there is no identified aboriginal relics or aboriginal heritage items located on the property.</p> <p>If any items are found during construction, construction works shall cease, and the Department shall be notified.</p> <p>As the development is not listed as a heritage item, no specific heritage study is required to be submitted as part of this development application.</p>
<p><i>(j) to protect and enhance the environmental and biodiversity values of Yass Valley,</i></p>	<p>Consistent. As indicated on Council's LEP Terrestrial Biodiversity Map there is a very small area within the subject site that has been identified/ mapped as having biodiversity concerns.</p>



The proposed development will occupy a relatively cleared section of the subject site which is void of significant vegetation (refer **Figure 2.1**). It is noted there are existing trees that will need to be removed to make room for the proposed shed which are an introduced/ exotic species.



Figure 2.1: Current Aerial Imagery (Source: Google Earth, February 2025)

The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.

It is expected the proposed development will encourage the introduction of further vegetation to assist with privacy screening and to create a more appealing visual amenity.

Further to that and during the construction phase of the proposed development, to ensure there are no adverse environmental impacts, the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.

It is noted there is no potential clearing of remnant trees within the areas listed above, therefore demonstrating the proposed development is actively protecting and enhancing the

	<p>environmental and biodiversity values of Yass Valley.</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP and other Government agencies, has minor and manageable environmental impacts and is compatible with the existing and desired local area character.</p>
<p>(k) to minimise land use conflicts.</p>	<p>Consistent. The zoning of the proposed development is consistent with surrounding development, which in turn minimises the potential for land use conflicts.</p>

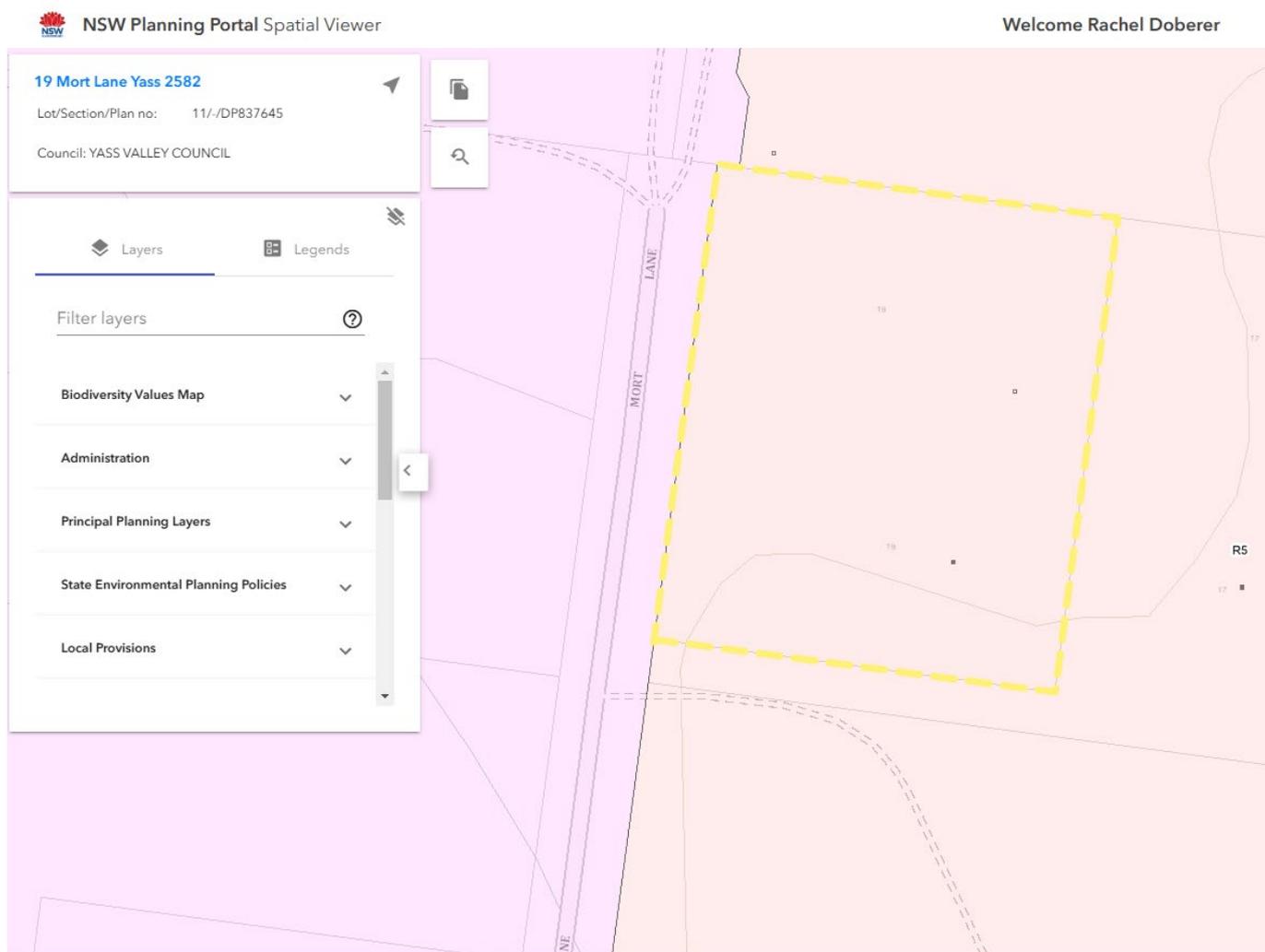


Figure 2.2: Land Zoning Map (Source: NSW Government Planning Portal Spatial Viewer, February 2025)



TABLE 2 - OBJECTIVES OF THE R5 LARGE LOT RESIDENTIAL ZONE

The subject site is zoned R5 Large Lot Residential. The following table demonstrates the proposed new shed is consistent with the objectives of the zone.

OBJECTIVES OF R5 LARGE LOT RESIDENTIAL ZONE – YVLEP2013	COMPLIANCE
<p><i>To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</i></p>	<p>Not applicable. This DA is for the construction of a shed for ancillary use only.</p> <p>It is noted the proposed development is sympathetic with the surrounding amenity of the area, considers the opportunities and constraints of the site including all relevant legislation and is therefore considered worthy of Council's support.</p>
<p><i>To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</i></p>	<p>Consistent. The proposed development has taken a holistic and sustainable approach, with the intention of creating a product that delivers an ecological and socially sustainable outcome that takes into consideration the existing and desired local area character.</p> <p>The proposed development has been designed to be sympathetic to the surrounding amenity and will not hinder the proper and orderly development of the urban areas nearby to the subject land.</p>
<p><i>To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</i></p>	<p>Consistent. The proposed development for a shed that will be used for ancillary use only. It can be confidently said that the development will not unreasonable increase the demand for public services of public facilities.</p>
<p><i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i></p>	<p>Consistent. The zoning of the proposed development is consistent with surrounding development, which in turn minimises the potential for land use conflicts with surrounding land.</p>
<p><i>To ensure that development is provided with an adequate water supply and the disposal of sewage.</i></p>	<p>Not applicable. The proposed development is for the construction for a shed for ancillary purposes only. There is no water or sewer servicing the proposed development nor is it required.</p>



TABLE 3 – RELEVANT PLANNING CONTROLS

The following table demonstrates the proposed Shed is compliant with the relevant planning considerations within the YVLEP2013.

PLANNING CONTROLS	COMPLIANCE
<i>Clause 2.1 Land Use zones</i>	Complies. The subject site is zoned R5 Large Lot Residential. The development of land within this zone for an ancillary structure is permissible with development consent.
<i>Clause 2.6 Subdivision – consent requirements</i>	Not applicable. This DA is for the construction of a shed for ancillary use only.
<i>Clause 4.1 Minimum Subdivision Lot Size</i>	Not applicable. This DA is for the construction of a shed for ancillary use only.
<i>Clause 4.3 Height of buildings</i>	Not applicable. The subject site is not identified on the Height of Buildings Map within the YVLEP2013.
<i>Clause 4.4 Floor space ratio</i>	Not applicable. The subject site is not identified on the Floor Space Ratio Map within the YVLEP2013.
<i>Clause 4.6 Exceptions to development standards</i>	Not applicable. The proposed development does not qualify to exercise this provision with the YVLEP2013.
<i>Clause 5.10 Heritage conservation</i>	<p>Not applicable. The land is not identified as a heritage item in the YVLEP2013 to which this land relates. Within the LEP, a review of the heritage items reveals that adjoining allotments are not classed as items of heritage value.</p> <p>Therefore, it is considered that the proposal will not impact on any adjoining heritage items.</p> <p>According to the Office of Environment and Heritage website, there is no identified aboriginal relics or aboriginal heritage items located on the property.</p> <p>If any items are found during construction, construction works shall cease, and the Department shall be notified.</p> <p>As the development is not listed as a heritage items, no specific heritage study is required to be submitted as part of this development application.</p>



<p><i>Clause 5.21 Flood planning</i></p>	<p>Not applicable. The subject site is not identified on the Flood Planning Map within the YVLEP2013.</p>
<p><i>Clause 6.1 Earthworks</i></p>	<p>Complies. As part of the delivery of the proposed development, it is proposed to construct a shed for ancillary use only.</p> <p>The extent of bulk earthworks on the subject site has been minimised as much as practicable through careful design of the vertical and horizontal geometry of the lot.</p> <p>It is anticipated that given the purpose, nature and extent of excavation, that conventional methods of ancillary earthworks are able to be employed and that subject to the design of the works there will be minimal adverse impacts to the drainage, flooding or to adjoining properties.</p> <p>The proposed works will involve the installation of a number of sediment and erosion control measures to address any potential impacts associated with the development. These measures will be in place for the duration of the construction phase to avoid, minimise and mitigate any impacts that could potentially occur.</p> <p>These measures may include:</p> <ul style="list-style-type: none"> • A temporary site security/ safety fence to be constructed around the site; • Sediment fencing provided downstream of disturbed areas, including any topsoil stockpiles; • Dust control measures including covering stockpiles, installing fence hessian and watering exposed areas; • Placement of hay bales or mesh and gravel inlet filters around and along proposed catch drains and around stormwater inlet pits. <p>Due to the existing condition of the land and the overall outcome of the proposal. It is expected that the proposed development will not cause any disruption or have any detrimental effect on the drainage patterns or the soil stability of the site.</p>
<p><i>Clause 6.3 Terrestrial biodiversity</i></p>	<p>Consistent. As indicated on Council's LEP Terrestrial Biodiversity Map there is a small area within the subject site that has been identified/ mapped as having biodiversity concerns (refer Figure 2.3).</p> <p>The proposed development will occupy a cleared section of the subject site which is relatively void of significant vegetation (refer Figure 2.1). The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the land.</p>



The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.

Further to that and during the construction phase of the proposed development, to ensure there are no adverse environmental impacts, the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.

This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP and other Government agencies, has minor and manageable environmental impacts and is compatible with the existing and desired local area character.



Figure 2.3: Terrestrial Biodiversity Map (Source: NSW Government Planning Portal Spatial View, February 2025)

<p><i>Clause 6.4 Groundwater vulnerability</i></p>	<p>Not applicable. The subject site is not identified on the Groundwater Vulnerability Map within the YVLEP2013.</p>
<p><i>Clause 6.5 Riparian land and watercourses</i></p>	<p>Not applicable. The subject site is not identified on the Riparian Land and Watercourses Map within the YVLEP2013.</p>
<p><i>Clause 6.6 Salinity</i></p>	<p>Not Applicable. The subject site is not identified on the Salinity Map within the YVLEP2013.</p>
<p><i>Clause 6.7 Highly erodible soils</i></p>	<p>Not Applicable. The subject site is not identified on the Highly erodible Map within the YVLEP2013</p>



Clause 6.8 Essential services

(a) the supply of water,

Not applicable. The proposed shed is for ancillary/ storage use only.

(a) the supply of electricity,

Complies, the shed will be connected to the existing electricity supply available to the subject lot.

(b) the disposal and management of sewage,

Not applicable. The proposed shed is not intended to be connected to Councils sewer network.

(c) stormwater drainage or on-site conservation,

Complies. Throughout construction, the awarded contractor will have the correct controls in place to stabilise the site with the correct measures in place to avoid, minimise and mitigate any impacts that could potentially occur.

(d) suitable vehicular access,

Complies. There is an existing accessway off Mort Lane that meets Councils requirements/ specifications (refer **Figure 2.4**).



Figure 2.4: Existing Access to the Subject Lot (Source: Google Maps Street View, February 2025)

(f) connection to a communications network with voice or data capability (or both).

The subject lot is connected to an existing telecommunications fixed wireless infrastructure that is intended to remain in place.



<p><i>Clause 6.9 Development within a designated buffer area</i></p>	<p>Not applicable. The subject is not identified on the Water, Waste and Sewage Buffer Map within the YVLEP2013.</p>
<p><i>Clause 6.10 Development on land intended to be acquired for Barton Highway Duplication</i></p>	<p>Not applicable. The subject site is not identified on the Barton Highway Duplication Map within the YVLEP2013.</p>



2.2 DEVELOPMENT CONTROL PLAN

The following section discusses the relevant non-statutory planning controls pursuant to the YVDCP2024.

Yass Valley Development Control Plan 2024 (YVDCP2024)

The DCP 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 E – Rural, Large Lot and Environmental Zone Development
- Part D - Residential Development Control
- Part I – Carparking and Access
- Part K – Natural Resources

TABLE 4 – COMPLIANCE WITH THE YVDCP2024

PART B – PRINCIPLES FOR ALL DEVELOPMENT	
CONTROLS	COMPLIANCE
<p>B1 Sustainability</p> <p><i>a. Increase tree retention and provision at development stage to increase and enhance tree cover, for visual, social, environmental, economic and ecological values.</i></p> <p><i>b. Discourage the use of heat producing surfaces in preference of natural materials, surfaces and finishes.</i></p> <p><i>c. Encourage the use of sustainable building materials.</i></p> <p><i>d. Avoid excessive resource consumption and minimise waste.</i></p>	<p>Consistent the proposed development has been prepared in accordance with the relevant legislation and has consciously been prepared to promote ecological sustainable development, as indicated earlier in this Statement.</p> <p>The proposed development is actively utilising the principles behind ESD as it is a development that meets the needs of the present generation whilst not compromising the ability of future generations to also meet their needs.</p>



<p>B1 Site Suitability</p> <p><i>All development applications are assessed on their individual merits and take account of, amongst other things, the suitability of the site for the proposed development.</i></p>	<p>Complies. The proposed development is located on the periphery of Yass. The proposed development represents a coordinated approach to infill development within Yass, through the efficient use of land for urban development and the enabling of ancillary development which supports higher levels of amenity and accessibility.</p> <p>The site has existing access and power that will be utilised for the proposed development.</p> <p>The suitability of the site for the proposed development is considered to be found consistent with Councils standards for infill development of residential land, specifically being respectful to the topography and neighbourhood to which the proposed development relates.</p>
<p>B2 Site Analysis Plan</p> <p><i>All applications must be accompanied by a site analysis plan.</i></p>	<p>Complies. The detailed site survey plan prepared by DPS YASS P/L dated March 2023 (refer Appendix C) illustrates the sites topography and location of all existing services.</p> <p>The proposed development has been designed with consideration of a number of factors including providing a residential development appropriate for the site's location within Yass.</p> <p>The scale of the development has been derived from planning controls and desires a high degree of amenity for future residents.</p>
<p>B3 Crime Prevention and Safety</p> <p><i>Good design optimises safety in development which can lead to a reduction in crime and improve overall safety and liveability. The principles of crime prevention through design seek to minimise preventable crime by considering crime opportunities in the development design phase. Design that encourages effective surveillance, controls access and maintains a high standard in the public realm has positive cumulative effect in crime prevention and reduction.</i></p>	<p>Complies. The design and nature of the proposed development of the site will ensure that the proposed development will not increase the opportunities for crime occurrences.</p> <p>It is noted the proposed shed will be sited behind the existing fence line and established existing vegetation, with further vegetation to be planted to increase the visual amenity.</p> <p>The activity and guests/ contractors onsite will also ensure internal passive surveillance along with the existing Street Lighting.</p>
<p>B4 Neighbourhood Character</p> <p><i>Each neighbourhood is unique and its characteristics assist people in</i></p>	<p>Complies. The proposed development has been designed to allow the topography of the Site to convey stormwater and also to retain existing vegetation where possible.</p>



<p><i>finding their way and contributes to a sense of community and belonging. It is important that development is respectful of, and responsive to, the individual character of each neighbourhood.</i></p>	<p>It is noted the proposed development is recognised as infill development that is sympathetic to the existing streetscape and neighbourhood character.</p>
<p>PART E – RURAL, LARGE LOT AND ENVIRONMENTAL ZONE DEVELOPMENT</p>	
<p>CONTROLS</p>	<p>COMPLIANCE</p>
<p>E1 Siting of Buildings</p> <p><i>To ensure that developments are sited in a manner to not dominate the rural landscape and minimise landuse conflict potential.</i></p>	<p>Complies. The siting of the proposed shed maintains the low density, dispersed character and rural amenity of Yass Valley.</p> <p>The proposed shed is located clear of the existing over powerline/ transmission line and associated easement and behind the building line of the existing dwelling house as indicated on the Proposed Site Plan prepared by Entegra Signature Structures dated 19 November 2024 (refer Appendix A).</p>
<p>E2 Access</p> <p><i>To ensure that all developments are provided with safe and legal access that does not impede traffic movement.</i></p>	<p>Complies. The subject lot has a safe and legal existing access off Mort Lane that meets Councils requirements/ specifications (refer Figure 2.4).</p>
<p>E1 Dwellings</p> <p><i>To minimise landuse conflict potential and respect the wights of adjoining properties to use the land for rural</i></p>	<p>Not applicable. The proposed development is for a shed to be utilised for ancillary use only.</p>
<p>E2 Farm Buildings and Outbuildings</p> <p><i>To provide guidance on the placement of rural buildings.</i></p>	<p>Complies, please see below a detailed response to each point including a variation request to part h:</p> <ul style="list-style-type: none"> a) The proposed shed is not intended to be used for residential use. b) The proposed shed does not exceed 7 metres in height. c) The proposed shed is located in an area on the subject site that is clear of vegetation and shielded by existing established vegetation to minimise any potential visual impact. d) The proposed shed is provided with internal access suitable for the ancillary use likely to be generated by the development.



	<ul style="list-style-type: none"> e) Access to the proposed shed is via the safe and legal existing access off Mort Lane (refer Figure 2.4). f) Throughout construction, the awarded contractor will have the correct controls in place to stabilise the site with the correct measures in place to avoid, minimise and mitigate any impacts that could potentially occur. g) The proposed development with the correct controls in place will not alter the drainage patterns or increase stormwater velocities. h) The proposed location of the shed is situated behind the building line of the existing dwelling house. i) The proposed shed meets the setback requirements listed, being 5 metres for allotments less than 5ha.
<p>E3 Rural Based Activities</p> <p><i>To ensure that agricultural activities limit off site nuisance as much as practicable.</i></p>	<p>Not applicable. The proposed development is for a shed to be utilised for ancillary use to the existing dwelling house only.</p>
<p>PART H – DEVELOPMENT IN HAZARD AFFECTED AREAS</p>	
<p>H1 Flooding</p> <p><i>To ensure that development is appropriately located and constructed having account of the risk of flood impact.</i></p>	<p>Not applicable. The subject site is not identified on the Flood Planning Map within the YVLEP2013.</p>
<p>H2 Bushfire Prone</p> <p><i>To prevent the loss of life and property by providing development that is compatible with the identified bushfire hazard.</i></p> <p><i>To ensure that the risks associated with bushfire are appropriately and effectively managed.</i></p> <p><i>To ensure that bushfire risk is managed in conjunction with the ecological values of the site and neighbouring lands.</i></p>	<p>This DA is not considered ‘Integrated Development’ under Section 4.46 of the EP&A Act. It is noted however the proposed development is situated on land mapped as bushfire prone land (BFPL).</p> <p>Nevertheless, as the proposed development is an ancillary class 10a that will be constructed within 6m from a habitable structure, it is determined pursuant to NSW RFS Planning for Bushfire Protection (PBP 2019) that a bushfire threat assessment report and subsequent referral to the NSW Rural Fire Service (NSW RFS) is not required. It does however state ‘where a Class 10a building is located within 6m of a dwelling it must be constructed in accordance with the NCC’.</p> <p>The surrounding land is land that can be classified as ‘Managed Land in Perpetuity’, therefore it is confirmed BAL 12.5 as per Section 3 and Section 5 of AS 3959-2018 is applicable for the construction of the proposed shed. With the recommended construction performance, the proposed building can withstand bush fire attack in the form of embers, radiant heat and flame</p>



	<p>contact.</p> <p>It is confirmed that the development conforms to the specifications and requirements of the following that are relevant to the development:</p> <ul style="list-style-type: none"> ❖ <i>Planning for Bush Fire Protection published by the NSW Rural Fire Service in December 2019.</i> ❖ <i>The part of the lot on which the development is to be carried out is not in Bush Fire Attack Level-40 (BAL 40) or the Flame Zone (BAL-FZ).</i> ❖ <i>The lot has direct access to a public road or a road vested in or maintained by the Council.</i> ❖ <i>A water supply is connected to the lot.</i> ❖ <i>Mains electricity is connected to the lot.</i> <p>As such, the development does not warrant referral to The New South Wales Rural Fire Service (NSW RFS) for their General Terms of Approval (GTAs).</p>
<p>H3 Contaminated Land</p> <p><i>To ensure that potentially contaminated land is suitable for the proposed development.</i></p>	<p>Complies. The consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.</p> <p>It is noted the proposed development is not located on 'Contaminated Land'.</p> <p>'Contaminated Land' means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.</p> <p>Taking into consideration the historic use of the site Council can be satisfied that the land is not contaminated and is not land specified in subsection (4) of clause 4.6 of the SEPP (such that there is no requirement for a preliminary site investigation report).</p>
PART I – CARPARKING AND ACCESS	
<p>11 Carpark Design</p>	<p>Not applicable. The proposed development is for a shed to be utilised for ancillary use to the existing dwelling house only.</p>
<p>12 Loading Docks</p>	<p>Not applicable. The proposed development is for a shed to be utilised for ancillary use to the existing dwelling house only.</p>



13 Carpark Construction	Not applicable. The proposed development is for a shed to be utilised for ancillary use to the existing dwelling house only.
14 Carparking Credits and Contributions	Not applicable. The proposed development is for a shed to be utilised for ancillary use to the existing dwelling house only.
15 Carparking Ratios	Not applicable. The proposed development is for a shed to be utilised for ancillary use to the existing dwelling house only.
16 Residential Carparking	Not applicable. The proposed development is for a shed to be utilised for ancillary use to the existing dwelling house only.
17 Property Access Crossings	Complies. The subject lot has a safe and legal existing access off Mort Lane that meets Councils requirements/ specifications (refer Figure 2.4).

PART K – NATURAL RESOURCES

CONTROLS	COMPLIANCE
<p>K1 Vulnerable Land</p> <p>K1.1 Salinity</p> <p><i>To ensure that any development does not exacerbate salinity on site or offsite or negatively impact upon buildings.</i></p>	Not applicable. The subject site is not identified on the Salinity Map within the YVLEP2013.
<p>K1.2 Erodeable Soils</p> <p><i>To ensure that any development does not exacerbate erosion on site or sedimentation offsite.</i></p>	Not applicable. The subject site is not identified on the Erodeable Soils Map within the YVLEP2013.
<p>K2 Terrestrial Biodiversity</p> <p><i>To ensure that any development does not negatively impact upon the biodiversity of the site or the region overall.</i></p>	<p>Consistent. As indicated on Council's LEP Terrestrial Biodiversity Map there is a small area within the subject site that has been identified/ mapped as having biodiversity concerns (refer Figure 2.3).</p> <p>The proposed development will occupy a cleared section of the subject site which is relatively void of significant vegetation (refer Figure 2.1). The proposal is expected to have a minimum impact in terms of the natural environment, this extends to the management of the biodiversity and environmental values of the</p>



	<p>land.</p> <p>The proposed development has taken into consideration any possible concerns and it has been determined that it will not have any detrimental effects on the biodiversity structure, function, and composition of the land.</p> <p>Further to that and during the construction phase of the proposed development, to ensure there are no adverse environmental impacts, the installation of erosion and sediment controls, and the provision of waste receptors and temporary construction exits that will be maintained in a condition that prevents tracking or flowing of sediment onto public or private property.</p> <p>This assessment has found that the proposal will deliver a development that enables the orderly and economic use and development of the land that complies with key controls in Council's LEP and other Government agencies, has minor and manageable environmental impacts and is compatible with the existing and desired local area character.</p>
<p><i>K3 Groundwater Vulnerability, Riparian Lands and Watercourses</i></p> <p><i>K3.1 Groundwater</i></p> <p><i>To ensure that any development does not negatively impact upon groundwater quality, quantity, or ecosystem dependent species.</i></p>	<p>Not applicable. The subject site is not identified on the Groundwater Vulnerability or Riparian Lands and Watercourses Map within the YVLEP2013.</p>



2.3 INTEGRATED DEVELOPMENT

Sections 4.46 and 4.47 of the EP&A Act requires a review of whether the proposed development on the subject site would trigger an approval under other environmental or related legislation. Such development is categorised as 'Integrated Development'.

The following provides brief commentary on whether any aspect of the development triggers a need for the consent authority to obtain General Terms of Approval from the relevant approval bodies.

TABLE 5 – INTEGRATED DEVELOPMENT

ACT	COMMENT
<i>Coal Mine Subsidence Compensation Act 2017</i>	The site is not located within a mine subsidence district.
<i>Fisheries Management Act 1994</i>	The site does not contain any permanent water bodies, nor is it located within Key Fish Habitat. It is considered the proposed development will not harm marine vegetation, nor will it require dredging of the bed and land reclamation of a Key Fish Habitat Creek.
<i>Heritage Act 1977</i>	No works are proposed that are referred to pursuant to section 57 of <i>Heritage Act 1977</i> .
<i>Mining Act 1992</i>	No mining lease is being sought as part of this DA, noting this DA is for a shed to be utilised for ancillary use to the existing dwelling house only.
<i>National Parks and Wildlife Act 1974</i>	The subject site has not been identified as containing any archaeological sites and is primarily of 'low' archaeological potential.
<i>Petroleum (Onshore Act) 1991</i>	No mining lease is being sought as part of this DA, noting this DA is for a shed to be utilised for ancillary use to the existing dwelling house only.
<i>Protection of the Environment Operations Act 1997</i>	The implementation of appropriate environmental protection works will ensure that no licence will be required.
<i>Roads Act 1993</i>	No works are required on or to connect the Site to a classified road. No works are proposed in, on or over public road as part



	<p>of this DA.</p> <p>Section 4.46(3) of the EP&A Act operates to the effect that the proposed development seeks consent and subsequent approval to the <i>Roads Act 1993</i> from Council. Under this legislation, the proposed development, therefore does not trigger the application as requiring integrated approval.</p>
<p><i>Rural Fires Act 1997</i></p>	<p>The subject land is identified as being bushfire prone land (BFPL) pursuant to the mapping within the YVLEP2013.</p> <p>This DA is not considered 'Integrated Development' under Section 4.46 of the EP&A Act. It is noted however the proposed development is situated on land mapped as bushfire prone land (BFPL).</p> <p>Nevertheless, as the proposed development is an ancillary class 10a that will be constructed within 6m from a habitable structure, it is determined pursuant to NSW RFS Planning for Bushfire Protection (PBP 2019) that a bushfire threat assessment report and subsequent referral to the NSW Rural Fire Service (NSW RFS) is not required. It does however state 'where a Class 10a building is located within 6m of a dwelling it must be constructed in accordance with the NCC'.</p> <p>The surrounding land is land that can be classified as 'Managed Land in Perpetuity', therefore it is confirmed BAL 12.5 as per Section 3 and Section 5 of AS 3959-2018 is applicable for the construction of the proposed shed. With the recommended construction performance, the proposed building can withstand bush fire attack in the form of embers, radiant heat and flame contact.</p> <p>It is confirmed that the development conforms to the specifications and requirements of the following that are relevant to the development:</p> <ul style="list-style-type: none"> ❖ <i>Planning for Bush Fire Protection published by the NSW Rural Fire Service in December 2019.</i> ❖ <i>The part of the lot on which the development is to be carried out is not in Bush Fire Attack Level-40 (BAL 40) or the Flame Zone (BAL-FZ).</i> ❖ <i>The lot has direct access to a public road or a road vested in or maintained by the Council.</i> ❖ <i>A water supply is connected to the lot.</i> ❖ <i>Mains electricity is connected to the lot.</i> <p>As such, the development does not warrant referral to The New South Wales Rural Fire Service (NSW RFS) for their General Terms of Approval (GTAs).</p>



<i>Water Management Act 2000</i>	There are no watercourses that traverse the site or nearby. As such the development does not warrant approval pursuant to section 91(2) of the <i>Water Management Act 2000</i> for a controlled activity.
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2.3.1 Bushfire Prone Land

Section 4.14 of the EP&A Act provides for the general consideration of bushfire hazard on land mapped as bushfire prone as shown in **Figure 2.5**.

This DA is not considered 'Integrated Development' under Section 4.46 of the EP&A Act. It is noted however the proposed development is situated on land mapped as bushfire prone land (**BFPL**).

Nevertheless, as the proposed development is an ancillary class 10a that will be constructed within 6m from a habitable structure, it is determined pursuant to NSW RFS Planning for Bushfire Protection (PBP 2019) that a bushfire threat assessment report and subsequent referral to the NSW Rural Fire Service (NSW RFS) is not required. It does however state 'where a Class 10a building is located within 6m of a dwelling it must be constructed in accordance with the NCC'.

The surrounding land is land that can be classified as 'Managed Land in Perpetuity', therefore it is confirmed BAL 12.5 as per Section 3 and Section 5 of AS 3959-2018 is applicable for the construction of the proposed shed. With the recommended construction performance, the proposed building can withstand bush fire attack in the form of embers, radiant heat and flame contact.

It is confirmed that the development conforms to the specifications and requirements of the following that are relevant to the development:

- ❖ *Planning for Bush Fire Protection published by the NSW Rural Fire Service in December 2019.*
- ❖ *The part of the lot on which the development is to be carried out is **not** in Bush Fire Attack Level-40 (BAL 40) or the Flame Zone (BAL-FZ).*
- ❖ *The lot has direct access to a public road or a road vested in or maintained by the Council.*
- ❖ *A water supply is connected to the lot.*
- ❖ *Mains electricity is connected to the lot.*

As such, the development does not warrant referral to The New South Wales Rural Fire Service (**NSW RFS**) for their General Terms of Approval (**GTAs**).



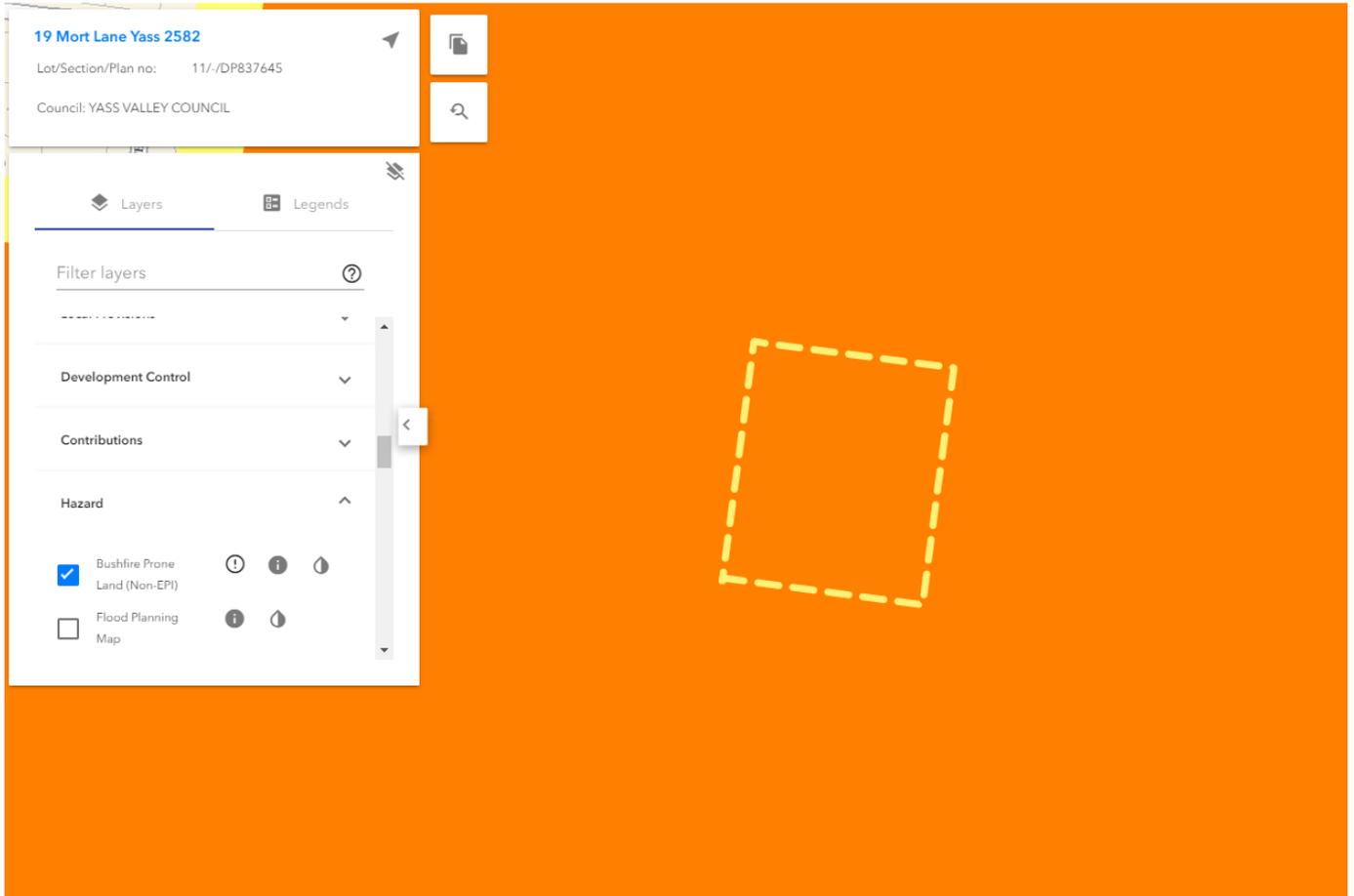


Figure 2.5: Bushfire Prone Land Mapping (Source: NSW Government Planning Portal Spatial Viewer, January 2025)



2.4 STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policies (SEPPs) are environmental planning instruments that deal with matters of State or Regional environmental planning significance.

The following provides a brief commentary on whether the key SEPPs are relevant to this proposal.

TABLE 6 – SEPPS

SEPP	COMMENT
<i>SEPP (Biodiversity and Conservation) 2021</i>	<p>This SEPP contains planning rules and controls for preserving, conserving, and managing NSW’s natural environment and heritage.</p> <p>The provisions within this SEPP do not apply to the subject land. It is noted there will be no effect on the existing biodiversity of the site to complete the proposed development.</p>
<i>SEPP (Transport and Infrastructure) 2021</i>	<p>This SEPP contains planning provisions to provide well-designed and located transport and infrastructure integrated with land use/</p> <p>The proposed development for a Shed, does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>
<i>SEPP (Primary Production)2021</i>	<p>This SEPP contains planning provisions to protect and support agricultural lands and opportunities for Primary Production.</p> <p>The proposed development for a Shed, does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>
<i>SEPP (Resilience and Hazards) 2021</i>	<p>This SEPP contains provisions to manage risks and build resilience in the face of hazards.</p> <p>It is noted the existing dwelling is not located on ‘Contaminated Land’. ‘Contaminated Land’ means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.</p> <p>Taking into consideration the historic use of the site Council can be satisfied that the land is not contaminated and is not</p>



	land specified in subsection (4) of clause 4.6 of the SEPP (such that there is no requirement for a preliminary site investigation report).
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	<p>The proposed development is for a Shed which does not require a BASIX Certificate.</p> <p>As such this SEPP is not applicable to the assessment of this application.</p>
<i>SEPP (Exempt and Complying Codes) 2008</i>	<p>The proposed Shed does not qualify to be assessed against this code.</p> <p>As such this SEPP is not applicable to the assessment of this application.</p>
<i>SEPP (Planning Systems) 2021</i>	<p>This SEPP contains planning rules that allow for a strategic and inclusive planning system for the community and the environment for State Significant Development.</p> <p>The proposed development is not classified as State Significant Development and therefore this SEPP is not applicable to this development application.</p>
<i>SEPP (Resources and Energy) 2021</i>	<p>This SEPP contains planning rules that promote the sustainable use of NSW's resources and transitioning to renewable energy. Specifically for the assessment and development of mining, petroleum production and extractive material resource proposals.</p> <p>The proposed development does not relate to the developments listed above and as such this SEPP is not applicable to this development application.</p>
<i>SEPP (Housing) 2021</i>	<p>This SEPP contains planning rules that allow for the delivery and sufficient supply of safe, diverse and affordable housing.</p> <p>The proposed development does not relate to the delivery of boarding houses or affordable housing. As such this SEPP is not applicable to this development application.</p>
<i>SEPP (Industry and Employment) 2021</i>	<p>This SEPP contains planning rules that applies to employment land in western Sydney and for advertising and signage in NSW.</p> <p>The proposed development does not relate to any of the items listed above and as such this SEPP is not applicable to this development application.</p>



2.5 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

In determining a development application, a consent authority is to take into consideration the following matters that are of relevance to the subject application as per Clause 4.15 of the EP&A Act

The following table summarises the key findings in the context of Section 4.15 of the Act under which the application must be assessed by the Consent Authority.

TABLE 7 – SECTION 4.15 OF THE EP&A ACT

OBJECT	COMMENT
<p>(a) <i>the provisions of—</i></p> <ul style="list-style-type: none"> (i) <i>any environmental planning instrument, and</i> (ii) <i>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</i> (iii) <i>any development control plan, and</i> (iiia) <i>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</i> (iv) <i>the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i> (v) <i>(Repealed)</i> <p><i>that apply to the land to which the development application relates,</i></p>	<p>The proposed development has been prepared taking into consideration any potential socioeconomic and environmental concerns. It has been determined the proposed development will not raise any matters of significance to inhibit the approval of the development application.</p> <p>The proposed shed has taken into consideration the surrounding streetscape including the aesthetic visual amenity of the immediate vicinity, and will result in a planning outcome that is compassionate to the surrounding neighbourhood(s).</p> <p>The proposal has been assessed against the relevant provisions of the Environmental Planning and Assessment Act 1979 and the relevant Local Environmental Plan specifically the YVLEP2013 and the Yass Valley Development Control Plan 2024.</p> <p>The proposal is permissible with Councils consent within the zone and meets the relevant objectives of the R5 Large Lot Residential zone.</p> <p>Careful consideration has been given to the design of the proposed development to ensure that a high-quality outcome is achieved whilst also attaining an environmentally sustainable development that is compatible with and sympathetic to surrounding properties.</p>
<p>(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i></p>	<p>The proposed development has been prepared to facilitate an ecologically sustainable development (ESD) that represents rational, orderly, economic and sustainable use of the land.</p> <p>As discussed earlier in this Statement, the proposed development qualifies to be classed as ESD as it is considered a development that meets the needs of the present generation</p>



	<p>whilst not compromising the ability of future generations to also meet their needs.</p> <p>The proposed development has been prepared by integrating the relevant economic, environmental and social considerations to result in an achievable planning outcome.</p> <p>It has been determined that any minor impacts of the development will have little to no effect on the surrounding environment.</p> <p>The proposed development of the subject lot is expected to lay the foundation for more efficient utilization of the land, and it is expected to contribute in varying degrees to the local economy.</p>
<p><i>(c) the suitability of the site for the development,</i></p>	<p>The proposed shed is consistent with and compatible with the surrounding land uses of Yass Town. The proposal fits in with the existing and new land uses and will be maintained with this development.</p> <p>The proposed development has been designed to have regard for the existing land uses and will not adversely affect the amenity of the surrounding area, environment, or adjoining neighbours, maintaining the opportunity for sustainable residential development. Therefore, the site is considered suitable for the proposed development.</p>
<p><i>(d) any submissions made in accordance with this Act or the regulations,</i></p>	<p>Council is required to take into consideration any submission made in accordance with Council's notification policy and the notification provisions of the EP&A Act.</p>
<p><i>(e) the public interest.</i></p>	<p>This development application seeks approval for a proposed Shed The proposal is considered in the public interest for the following reasons:</p> <ul style="list-style-type: none"> • The site is located within the R5 Large Lot Residential zone of Yass Town. The vision for the expansion of Yass LGA is to create a high quality and ecologically sustainable environment integrated with good accessibility and open space. This DA meets the intent of this by providing a high-quality development which will support the other uses of the area. • The site is zoned for development purposes, and the proposed development provides for an ancillary development that is consistent with the objectives and controls contained within the YVLEP2013 and the YVDCP2024.



	<ul style="list-style-type: none">• It is expected the construction works associated with the proposed development will contribute in varying degrees to the local economy and Yass Valley more generally. <p>The application is therefore considered to be within the public interest and should be supported by the consent authority.</p>
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3. CONCLUSION

This application seeks approval for the construction of a Shed. It is concluded, the approval of the Development Application on Lot 11 DP837645 is an appropriate, orderly and compatible form of development when assessed under Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The environmental assessment of the proposed development has demonstrated that it will have minimal adverse environmental impacts. The proposal is permissible with Council's consent within the zone and meets the relevant objectives of the R5 Large Lot Residential zone.

Careful consideration has been given to the design of the proposed development to ensure that a high-quality outcome is achieved whilst also achieving an environmentally sustainable development that is compatible with and sympathetic to surrounding properties.

The proposal has been prepared with respect to create an appealing ancillary development within the town of Yass. The application is supported by the appropriate documents that satisfy Council's requirements and demonstrate that the site is suitable for the proposed development.

It has been considered that the proposal will not have a detrimental effect to the environment, and the proposal represents rational, orderly, economic and sustainable use of the land. It complies with all relevant legislation, will result in a good planning outcome, and it is recommended that conditional development consent for the proposed development on Lot 11 DP8837645 19 Mort Lane, YASS be granted by Council.

