



Ordinary Meeting of Council

**Wednesday 27 May 2020
4.00pm
Council Chambers
209 Comur Street, Yass**

PRAYER:

All Stand:

Mayor: *Let us be still and remember the presence of God. As we commence our meeting let us together pray for guidance and help.*

All say together:

Almighty God, we ask your blessing upon this Council.

Direct and prosper our deliberations to the true welfare of Australia and the people of Yass Valley Amen.

FUTURE MEETINGS

June 2020

Wednesday 24th

4.00pm

Ordinary Meeting of Council

Ordinary Meeting of Council

A G E N D A

Open Forum

SPEAKERS VIA ZOOM

- 6.4 – Development Application DA190211 – Importation of Material for Internal Access Roads, 33 Hillview Drive, Murrumbateman
Noel McCann
Natalie Weglarz

Webcasting

This meeting is being webcast, a reminder to those in attendance that you should refrain from making any defamatory statements.

Acknowledgement of Country

I acknowledge that we are meeting on the ancestral land of the Ngunnawal people. I recognise the Ngunnawal as the traditional custodians and pay respect to the Elders of the community and their descendants.

Page No.

1. Prayer	
2. Apologies	
3. Declaration of Pecuniary Interests/Special Disclosures	
4. Confirmation of Minutes	
Minutes of Ordinary Council Meeting held on 22 April 2020	5
5. Mayoral Minute	
Nil	
6. Director of Planning & Environment Reports	
6.1 Local Strategic Planning Statement	17
6.2 Planning Proposal - 80 Murrumbateman Road, Murrumbateman	67
6.3 Development Consent No DA190157 - Residential Subdivision, 141B Rossi Street, Yass.....	73
6.4 Development Application DA190211 - Importation of Material for Internal Access Roads, 33 Hillview Drive, Murrumbateman.....	97
6.5 Development Application No. DA200046 - Carport, 30 Lute Street, Gundaroo	120
6.6 2019/20 Community Grants Round 2	138
7. Director Infrastructure & Assets Reports	
7.1 Walker Park - Facilities Upgrade Project.....	144
7.2 Yass Water Treatment Plant Upgrade Project: Preparation of Detailed Design and Business Case - Preferred Upgrade Option.....	154
8. Director Corporate & Community Reports	
8.1 Investment and Borrowings Report.....	162
8.2 Third Quarter Budget Review Statement 2019/20	167

9. General Manager Reports

9.1	Independent Ombudsman	186
9.2	Local Government NSW Membership	187

10. Notice of Motion

Nil

11. Questions with Notice

Nil

12. Minutes and Recommendations of Council Committees

12.1	Minutes of the Rescue Committee Meeting.....	188
------	--	-----

13. Confidential Matters

Nil

Close of Meeting Time

Chris Berry
GENERAL MANAGER



Minutes of the Ordinary Meeting of Council

Wednesday 22 April 2020

4.00pm

Council Chambers

209 Comur Street, Yass

Table of Contents

1.	Prayer	2
2.	Apologies	2
3.	Declaration of Interest/Disclosures	2
4.	Confirmation of Minutes	2
5.	Mayoral Minute.....	3
6.	Director Planning & Environment Reports	3
6.1	Planning Proposal - Minimum Lot Size for Low Rise Medium Density Housing	3
6.2	Planning Proposal - Opening Business and Industrial Zones	3
6.3	Planning Proposal - Highway Service Centre, Murrumbateman	4
6.4	Development Application No DA190179 - Horse Arena Cover, McIntosh Circuit, Murrumbateman	4
7.	Director of Infrastructure & Assets Reports	5
7.1	Meehan Street, Yass - Footpath Replacement.....	5
7.2	Fixing Country Roads - Shingle Hill Way Realignment and Replacement of Low Level Crossing...	5
7.3	Walker Park- Facilities Upgrade Project.....	6
7.4	Tender Evaluation - Gundaroo Amenities Building.....	6
7.5	Yass River Road - Future works topographical survey	7
8.	Director of Corporate & Community Reports	7
8.1	Rates Arrears.....	7
8.2	Investment and Borrowings Report.....	8
8.3	2020/21 Draft Operational Plan.....	8
8.4	Draft Financial Hardship Policy	9
9.	General Manager Reports	9
10.	Notice of Motion	9
11.	Questions with Notice.....	9
12.	Minutes and Recommendations of Council Committees.....	9
12.1	Minutes of the Audit Risk and Improvement Committee Meeting held on 31 March 2020.....	9
13.	Confidential Matters.....	10
13.1	Tender Evaluation - Gundaroo Amenities Building.....	10

Open Forum

Presentations to Council – Items on the Meeting Agenda

- Craig McGaffin
item 6.3 – Planning Proposal – Highway Service Centre, Murrumbateman

Council Meeting - The Mayor declared the meeting open at 4.14 pm.

Present

Councillors Rowena Abbey, Mayor, in the chair, Cecil Burgess, Geoff Frost, Nathan Furry (via ZOOM), Allison Harker, Jasmin Jones, Michael McManus (via teleconference, 4.30pm), Mike Reid (via ZOOM) and Kim Turner.

Also present were the General Manager – Chris Berry, Acting Director of Planning – Liz Makin, Director of Engineering – Stan Robb, Director of Corporate & Community – Mark Eady (via ZOOM) and Corporate Planning & Executive Support Officer – Shirree Garland.

Acknowledgement of Country

1. Prayer

2. Apologies

Nil

3. Declaration of Interest/Disclosures

Councillor Harker declared a significant, pecuniary conflict of interest in Item No 6.3 Planning Proposal – Highway Service Centre, Murrumbateman and stated that she believed her interest would preclude her from voting.

Reason: Councillor Harker declared an interest as she is related to the owners.

Councillor Harker declared a non-significant, non-pecuniary conflict of interest in Item No 7.5 Yass River Road – Future Works Topographical Survey and stated that she believed her interest would not preclude her from voting.

Reason: Councillor Harker declared an interest as she resides on Yass River Road.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 25 March 2020, resolution numbers 26-51 inclusive, be taken as read and confirmed.

(Frost/Harker) 52

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M Reid and K Turner

AGAINST: Nil

ABSENT: Councillor M McManus

5. Mayoral Minute

6. Director Planning & Environment Reports

6.1 PLANNING PROPOSAL - MINIMUM LOT SIZE FOR LOW RISE MEDIUM DENSITY HOUSING

SUMMARY

To present the outcomes of the public exhibition of the Planning Proposal seeking an amendment to the *Yass Valley LEP 2013* by including minimum lot size provisions for dual occupancies and multi-dwelling houses in certain land use zones.

RESOLVED that :

- 1. The Planning Proposal (PP.2018.05) to include minimum lot sizes provisions for low rise medium density housing be adopted.***
- 2. The Department is requested to make the amendment to the Yass Valley LEP 2013.***

(Jones/Turner) 53

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M Reid and K Turner

AGAINST: Nil

ABSENT: Councillor M McManus

6.2 PLANNING PROPOSAL - OPENING BUSINESS AND INDUSTRIAL ZONES

SUMMARY

To present the outcomes of the public exhibition of the Planning Proposal seeking an amendment to the *Yass Valley Local Environmental Plan (LEP) 2013* by amending the land use table structure for the B1 Neighbourhood Centre, B2 Local Centre, B5 Business Development, B6 Enterprise Corridor, IN1 General Industrial and IN2 Light Industrial zones, from 'closed' to 'open' zones.

RESOLVED that :

- 1. The Planning Proposal - Business and Industrial Zones: Closed to Open (PP.2019.03) be adopted and the amendment to the Yass Valley LEP 2013 be made by Council as a local plan-making authority under s3.36 Environmental Planning & Assessment Act 1979.***
- 2. The amendment to the Yass Valley LEP 2013 be forwarded to the Parliamentary Counsel's Office to request formal legal opinion that the amendment can be made.***

(Frost/Burgess) 55

FOR: Councillors R Abbey, C Burgess, G Frost, A Harker, J Jones, M Reid and K Turner

AGAINST: Nil

ABSENT: Councillor M McManus

At 04:22 pm Councillor Harker left the Chambers prior to the consideration of Item 6.3.

6.3 PLANNING PROPOSAL - HIGHWAY SERVICE CENTRE, MURRUMBATEMAN

SUMMARY

To present a report on a draft Planning Proposal seeking an amendment to the *Yass Valley Local Environmental Plan (LEP) 2013* for a Highway Service Centre at Barton Highway, Murrumbateman.

RESOLVED that :

- 1. Planning Proposal PP.2020.01 for a Highway Service Centre, Barton Highway, Murrumbateman be endorsed subject to the preparation of a Traffic Impact Assessment report and forwarded to the Minister for Planning to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979.***
- 2. Planning Proposal PP.2020.01 be adopted if no significant objections are received after the public exhibition of the planning proposal pursuant to the conditions of Gateway determination in accordance with s3.34(2)(c) Environmental Planning & Assessment Act 1979.***

(Frost/Burgess) 54

FOR: Councillors R Abbey, C Burgess, G Frost and M Reid

AGAINST: Councillors N Furry, J Jones and K Turner

ABSENT: Councillor McManus

At 4:30 pm Councillor Harker returned to the Chambers.

Councillor McManus joined the meeting via teleconference at 4.30pm.

6.4 DEVELOPMENT APPLICATION NO DA190179 - HORSE ARENA COVER, MCINTOSH CIRCUIT, MURRUMBATEMAN

SUMMARY

To present a request for a review of determination in relation to Development Application No DA190179 for a horse arena cover at McIntosh Circuit, Murrumbateman. The request seeks a review of Council's decision to refuse the Development Application and has included a revision to the proposal with a smaller horse arena cover. .

RESOLVED that in consideration of the request for review of determination a Conditional Development Consent be issued for the revised proposal of a 1,440m² horse arena cover at Lot 3 DP 1257138, McIntosh Circuit, Murrumbateman.

(Jones/Harker) 56

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

7. Director of Infrastructure & Assets Reports

7.1 MEEHAN STREET, YASS - FOOTPATH REPLACEMENT

SUMMARY

Two sections of footpath in Meehan Street, Yass has been identified as requiring urgent rehabilitation works. The sections of footpath, between the intersection of Comur Street and Rossi has been badly effected by roots from the adjacent trees, lifting sections of the concrete footpath and creating trip step hazards for pedestrians, mobility impaired persons and others.

RESOLVED that funding of \$45,000 for the replacement of the two sections of footpath identified in this report on the 'eastern' side of Meehan Street, Yass and the associated removal of existing unsuitable street trees and their replacement, be referred to the Quarterly Budget review process.

(Frost/Furry) 57

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M Reid and K Turner

AGAINST: Councillor M McManus

7.2 FIXING COUNTRY ROADS - SHINGLE HILL WAY REALIGNMENT AND REPLACEMENT OF LOW LEVEL CROSSING

SUMMARY

Advice has been received of a successful grant for \$3,600,053 under the NSW Fixing Country Roads Grant Program 2019 Tranche 1 for the realignment and replacement of a low level crossing on Shingle Hill Way. This project will provide an upgrade to a sub-standard section of the significant east-west link across the region.

RESOLVED that :

- 1. The grant for \$3,600,053 under the NSW Fixing Country Road Grant Program 2019 Tranche 1 be accepted for the realignment and replacement of a low level crossing on Shingle Hill Way, Sutton.***
- 2. A \$400,000 Council contribution be allocated from the Development Contributions Reserve as required by the grant approval.***
- 3. The project be included in the draft 2020/21 Operational Plan.***
- 4. At the completion of the project the current 10 tonne load limit on Shingle Hill Way is removed and the route be made available for HML vehicles.***

(Burgess/Turner) 58

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

7.3 WALKER PARK- FACILITIES UPGRADE PROJECT

SUMMARY

Council secured funding under the Community Sport Infrastructure Grant to undertake improvements at Walker Park. Part of the improvements is constructing a covered grandstand. The allocated portion of the grant does not meet the required funding to construct a grandstand that will comply with *Building Code of Australia* (BCA) requirements and advice from Yass Rugby League (YRL) in respect to covered seating capacity requirements for them to host games at this venue. Significant additional funding are required to construct this facility to meet these requirements.

RESOLVED that :

- 1. \$400,000 be allocated from the Development Contributions Reserve to construct the revised Grandstand, a new mobility impaired amenities building and associated access to this building.**
- 2. The users of the proposed facilities be consulted on the revised design prior to any planning and building approvals being issued.**
- 3. The final design be reported back to Council for approval.**

(Furry/Harker) 59

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

7.4 TENDER EVALUATION - GUNDAROO AMENITIES BUILDING

SUMMARY

This report provides advice on the submission of tenders for the construction of a proposed new amenities building at Gundaroo Recreation Ground under the Stronger Country Communities Fund Round One funding allocation.

RESOLVED that this item of the Director Infrastructure & Assets Report be classified as confidential in accordance with section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, prejudice the commercial position of the person who supplied the information.

(Burgess/Harker) 60

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

7.5 YASS RIVER ROAD - FUTURE WORKS TOPOGRAPHICAL SURVEY

SUMMARY

This project is undertake a topographical survey of the full length of Yass River Road between Yass Valley Way and Gundaroo Road to assist in the identification of potential future projects and upgrades associated with the road structure in preparation for possible future State and Federal 'shovel ready' funding opportunities .

That

- 1. A report be brought back to Council with a priority list of roads, including Yass River Road, for consideration of topographical surveys.*
- 2. \$250,000 from the Development Contribution Reserve be included in the 2020/21 Budget for topographical surveys.*

(Jones/Reid) 61

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M Reid and K Turner

AGAINST: Councillor M McManus

8. Director of Corporate & Community Reports

8.1 RATES ARREARS

SUMMARY

To provide an update on rate arrears to the end of the third quarter of the 2019/20 financial year.

Rate arrears totalled \$1,289,675.96 as at 30 June 2019 and this has now been reduced to \$329,868.14 as of 31 March 2020. This represents an improvement of \$959,807.82 or 74.42%.

RESOLVED that the report on rate arrears be noted.

(Frost/Turner) 62

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

8.2 INVESTMENT AND BORROWINGS REPORT

SUMMARY

In accordance with the Clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as at 31 March 2020. In accordance with paragraph (1)(b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RESOLVED that Investment Report as at 31 March 2020 be received and it be noted that the summary has been prepared in accordance with the Act, the Regulations and Council's Investment Policy.

(Harker/Frost) 63

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

8.3 2020/21 DRAFT OPERATIONAL PLAN

SUMMARY

Council has used the Regional Community Strategic Plan (CSP) and the 2017/18 – 2020/21 Delivery Program to prepare its 2020/2021 Operational Plan. This plan encompasses the 4th year of the 4 year Delivery Program which clarifies the point where Council takes ownership of the Community Strategic Plan strategies that are within its area of responsibility.

Council's Draft Operational Plan 2020/21 supports the Delivery Program and details the individual projects and activities that will be undertaken for 2020/21 to achieve the commitments made in the Delivery Program.

RESOLVED that :

- 1. The Draft Operational Plan 2020/2021 be placed on public exhibition.***
- 2. The staged installation of solar generated electricity for Council facilities be added to the Infrastructure Planning Priorities.***
- 3. A report on modelling of a \$400,000 loan against the OLG benchmarks for financial sustainability be prepared for Council consideration on the staged installation of solar electricity generating facilities at Council facilities.***
- 4. \$50,000 be added to the 2020/2021 Operational Plan for new footpaths and a program of priority works be brought back to Council for consideration.***

(Jones/Reid) 64

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

8.4 DRAFT FINANCIAL HARDSHIP POLICY

SUMMARY

This draft Council Policy is an update of a current Policy to ensure timely responses to a range of requests for assistance due to financial hardship including widespread disruptive community events. The current Policy and its related application form had been developed primarily for rates relief for pensioners and other in receipt of government benefits.

RESOLVED that the draft Financial Hardship Policy be placed on public exhibition and adopted if no significant submissions that impact on the operation of the Policy are received.

Frost/Turner) 65

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

9. General Manager Reports

Nil

10. Notice of Motion

Nil

11. Questions with Notice

Nil

12. Minutes and Recommendations of Council Committees

12.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 31 MARCH 2020

RESOLVED that:

- 1. The Minutes of the Meeting of the Audit Risk and Improvement Committee held on 31 March 2020 be noted.***
- 2. Council write to the Minister for Local Government outlining concerns on the lack of Councillor representation on the future Audit Risk and Improvement Committees.***

(Harker/Furry) 66

FOR: Councillors R Abbey, C Burgess, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: G Frost

13. Confidential Matters

RESOLVED that pursuant to Section 10A of the Local Government Act, 1993 the following items on the agenda be classified as CONFIDENTIAL and considered in the Closed Meeting of Council in accordance with Section 10A(2) of the Local Government Act for the reasons as specified:

13.1 Tender Evaluation - Gundaroo Amenities Building

Item 13.1 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(Burgess/Turner) 67

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

Closed Council commenced at 5.38 pm.

13.1 TENDER EVALUATION - GUNDAROO AMENITIES BUILDING

SUMMARY

This report provides advice on the submission of tenders for the construction of a proposed new amenities building at Gundaroo Recreation Ground under the Stronger Country Communities Fund Round One funding allocation.

RESOLVED that the lump sum tender of \$575,818.18 (ex GST) from Gundagai Construction Services be accepted for the construction of the new amenities building at Gundaroo subject to:

- 1. Additional funding of \$236,500 being allocated under Council's 2020/21 budget for the construction of the new amenities building at Gundaroo, and***
- 2. Gundagai Construction Services confirmation, in writing, that delaying the start of the contract to 1 July 2020 will not incur additional costs to Council.***

(Burgess/Frost) 68

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

RESOLVED that the meeting move into Open Council.

(Harker/Jones) 69

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

Open Council resumed at 5.41 pm.

RESOLVED that the recommendations in Closed Council be adopted.

(Furry/Turner) 70

Minutes of the Ordinary Meeting of Council held on 22 April 2020

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

The meeting closed at 5.42 pm.

Rowena Abbey
Mayor

6.1 LOCAL STRATEGIC PLANNING STATEMENT

SUMMARY

To present the outcomes of community and agency consultation of the Local Strategic Planning Statement (LSPS) for the Yass Valley and to recommend adoption.

RECOMMENDATION

That the revised Local Strategic Planning Statement be adopted and made as required under s3.9 Environmental Planning & Assessment Act 1979.

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *South East & Tablelands Regional Plan 2036*
- *Southern Tablelands Regional Economic Development Strategy 2018-2022*
- *ACT Planning Strategy 2018*
- *Tablelands Regional Community Strategic Plan*
- *Yass Valley Settlement Strategy 2036*
- *Enabling Adaptation in the South East: Vulnerabilities in the South East 2017*
- *ACT-NSW Memorandum of Understanding for Regional Collaboration*

REPORT

1. Background

Under the *EP&A Act 1979* Councils are required to prepare a Local Strategic Planning Statement (LSPS). The Department of Planning, Industry & Environment (DPIE) encouraged Council to use the Department's endorsement of the *Yass Valley Settlement Strategy* as a basis for developing a LSPS for Yass Valley and to further articulate Council's vision for the Local Government Area.

The *EP&A Act 1979* requires the LSPS to include or identify:

- (a) The basis for strategic planning in the area, having regard to economic, social and environmental matters
- (b) The planning priorities for the area that are consistent with any strategic plan applying to the area and (subject to any such strategic plan) any applicable community strategic plan under s402 *Local Government Act 1993*
- (c) The actions required for achieving those planning priorities
- (d) The basis on which the council is to monitor and report on the implementation of those actions

In October 2019 Council determined to place a draft LSPS on public exhibition for wider community comment.

2. Public Exhibition

The draft LSPS was placed on public exhibition from 30 October 2019 to 29 November 2019. Five submissions were received from government agencies along with three community submissions. The issues raised are discussed below.

3. Agency Consultation

Despite the draft LSPS being circulated to a large number of State agencies, minimal feedback was received. It is been assumed that the agencies who did not respond have no objection to the draft LSPS, especially as many of them were consulted as part of the *Settlement Strategy*.

3.1 ACT – Environment, Planning and Sustainable Development Directorate

The Directorate submission (refer **Attachment A**) advises that:

- It is supportive of the overall direction of the LSPS and have suggested amendments to strengthen the statement
- A number of actions will be progressed in accordance with the ACT-NSW MOU for Regional Collaboration including discussions around securing an additional water supply for Yass and Murrumbateman, and establishing a cross border land and housing monitor. The cross border service framework for Parkwood is in the process of being finalised
- The current population of Yass Valley be included (in addition to the projections) and clarity that the projections are dependent on securing an alternative water supply
- An additional principle under 'Our Growth Principles' be included to address the pressure within 5km of the NSW- ACT border
- Clarification of the growth principle be provided regarding development of land adjacent to the ACT-NSW border (that can only be entered into from the ACT).
- Adding clarity around the Planning Priority in relation to residential intensification and make it clear that residential development will not be supported in close proximity to the border, especially within the 5km distance. Also requested that an additional action be included to discourage residential development in this area together with a clearer explanation of what residential intensification constitutes

This feedback is noted and changes have been made to the LSPS. With regard to modifying and adding an additional Growth Principle, these were taken directly from the *Settlement Strategy* to ensure alignment between the documents.

3.2 Heritage NSW – Premier & Cabinet

Heritage NSW advised that they are generally supportive of the LSPS and have requested that it be updated to reflect recent changes in agency responsibility for Aboriginal Cultural Heritage (refer **Attachment B**).

The agency also suggests consideration be given to the following:

- How Aboriginal cultural heritage and cultural landscapes can be protected in LEP's
- Linkages between culture, heritage and tourism, and the opportunities culture and heritage bring for economic growth
- Further articulating heritage as it relates to the character of an area
- Linkages between actions and priorities, for example ways in which heritage and culture contribute to attractive and liveable places, as well as employment and community wellbeing

This feedback is noted, and additional actions have been added. With regard to articulating the character of the area, as this was done within the *Yass Valley Settlement Strategy*, it was not considered necessary to duplicate the information.

3.3 Agriculture - Department of Primary Industries

The Department recommends that the LSPS include some discussion around opportunities for producers and visitor experiences and how competing land uses can be managed (refer **Attachment C**). In particular promotion of agricultural innovation and value adding, and better managing the rural residential interface to support agriculture.

The feedback is noted, and some additional actions have been added where relevant.

3.4 Biodiversity and Conservation - Department of Planning, Industry & Environment

DPIE (Biodiversity and Conservation) has provided guidelines/templates for biodiversity, natural hazards, climate change, waste and resource recovery and Aboriginal cultural heritage to be applied as they relate to Council's strategic planning priorities. There was also a discussion around making sure existing work being undertaken was captured, particularly with regard to flood planning.

Reference was also made to previous advice provided in relation to the *Yass Valley Settlement Strategy* in particular their support for the policy of restricting large scale residential development adjacent to the NSW- ACT border.

Taking the guidelines into consideration additional actions have been incorporated into a revised LSPS particularly to recognise work already being undertaken by Council or where it has an obligation to do so. An additional priority to incorporate natural hazards planning has also been included.

3.5 Department of Planning, Industry & Environment

DPIE provided feedback on the draft LSPS, particularly around timeframes, tightening up some of the actions and linking the principles to the priorities.

DPIE has sought the addition of the directions from the *SE&T Regional Plan* into the LSPS. This is considered to be unnecessary as it duplicates regional planning policy within the LSPS. However priorities in the *SE&T Regional Plan* relating to Yass Valley have been included. The suggestion of an additional vision has not been included as preference has been given to the CSP vision and the adopted *Settlement Strategy*.

4. Community Consultation

Three submissions were received. A summary of the matters raised and the planning response are discussed below.

3.1 Property Council of Australia

The PCA submission (refer [Attachment D](#)) indicates:

- Support for securing an alternative water supply for Yass and Murrumbateman
- Support for protecting the corridor of land adjacent to ACT
- Support for Parkwood and collaboration between jurisdictions
- Council is encourage to identify costs linked to new infrastructure/ upgrades so they can be factored into investment decisions
- Supports opening up zones in LEP to encourage tourism and employment activity
- Timelines be incorporated for each action in LSPS (i.e. short, medium or long term timeframes)

The LSPS has been revised to add a timeframe of each action.

3.2 5km NSW ACT Border Zone Planning Group Inc and Mulligans Flat Road landowner

These submissions (refer [Attachment E](#)) make the following comments:

- Yass-Murrumbateman centric development approach
- Conflicts of interest with Councillors, ACT Government, and Consultants appointed to undertake the *Settlement Strategy*
- LSPS should provide for a peri-urban area around the ACT border
- Do not agree with the justification for supporting ad hoc development such as Parkwood

- The document is anti- competitive. Other landowners should be given same opportunity to develop their land
- Parkwood is the most environmentally sensitive area adjacent to border yet is earmarked for development
- Yass and Murrumbateman are too distant for Canberra workers
- Rural residential housing demand is identified in *SE&T Regional Plan* Direction 25
- Suggests an alternative for development adjacent to the border (i.e. Yass Valley to be integrated with Canberra (borderless) and Sutton to become a major town
- Makes comparisons with Queanbeyan Palerang Regional Council style of rural residential development and argues that land is better managed in smaller lots
- No alternative water supply to support growth in Yass and Murrumbateman

These issues were raised, considered and set aside as part of the *Yass Valley Settlement Strategy*. There continues to be a misinterpretation regarding the *SE&T Regional Plan*, particularly Direction 25. While it identifies that Yass Valley is experiencing pressure for lower density or semi-rural housing it does not suggest that Council should support them, stating these proposals could undermine sustainable urban outcomes from identified new urban areas and place undue pressure on infrastructure capacity. Given neither Council nor the ACT or NSW governments support revisiting the position established by the *Settlement Strategy* in regard to border adjacent development, no further discussion is required at this stage.

5. Conclusion

The draft LSPS has been amended to include the feedback from agencies, together with specifying timeframes for actions. It recognises and builds on the recent work done through the *Yass Valley Settlement Strategy* and the community and agency consultation undertaken at that time, and is included as **Attachment F**. The revised LSPS is suitable for adoption.

STRATEGIC DIRECTION

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

ATTACHMENTS:

- A. ACT Response [↓](#)
- B. Heritage NSW Response [↓](#)
- C. DPI Agriculture Response [↓](#)
- D. Property Council Submission [↓](#)
- E. Community Submissions [↓](#)
- F. Revised Local Strategic Planning Statement [↓](#)



ACT
Government

Environment, Planning and
Sustainable Development

19/34922

Mr Chris Berry
General Manager
Yass Valley Council
PO Box 6
YASS NSW 2582

Attention: Ms Liz Makin, Acting Director, Planning

Dear Mr Berry *Chris*

Draft Yass Valley Local Strategic Planning Statement

I refer to correspondence from Ms Liz Makin, Acting Director of Planning, dated 29 October 2019, in relation to the Draft Yass Valley Local Strategic Planning Statement (LSPS), and inviting our comment.

I note that each Council in NSW is required to prepare a draft LSPS to set out a 20-year vision for land use within the Council area, outlining how growth and change will be managed into the future.

We note that the draft Yass Valley LSPS is consistent with the endorsed Yass Valley Settlement Strategy (May 2019). The LSPS is consistent with the NSW Government South East and Tablelands Regional Plan 2036 and the ACT Planning Strategy 2018.

The Environment, Planning and Sustainable Development Directorate (EPSDD) supports the overall direction of the LSPS, while suggesting some minor amendments to clarify and strengthen aspects of the statement as it concerns growth pressures along the ACT/ NSW border. These matters are outlined in Attachment A.

We appreciate the ongoing efforts of Yass Valley Council to engage with EPSDD on planning policy matters such as the draft LSPS. Should you wish to discuss any aspect of our comments, please contact Ms Belinda McNeice on 6207 2553.

Yours sincerely

Ben Ponton

Director-General

20 December 2019

ENCL – LSPS Comments for consideration

GPO Box 158 Canberra ACT 2601 | phone: 132281 | www.environment.act.gov.au

ATTACHMENT A

COMMENTS FOR CONSIDERATION

DRAFT YASS VALLEY LOCAL STRATEGIC PLANNING STATEMENT (LSPS)

November 2019

In consultation with the Chief Minister, Treasury and Economic Development Directorate of the ACT Government, the Environment, Planning and Sustainable Development Directorate provides the following comments on the draft LSPS for your consideration:

- The *ACT-NSW Memorandum of Understanding (MOU) for Regional Collaboration* is mentioned throughout the LSPS. The MoU has recently been revised, and a number of cross-border priorities have been identified that both align with the priorities listed in the LSPS, and will require engagement with Yass Valley Council to progress. These include:
 - work to collaborate on cross-border water issues;
 - In relation to *Planning Priority 1 - Secure an additional water supply for Yass and Murrumbateman*, the ACT Government welcomes the opportunity for ongoing engagement with Yass Valley Council on delivery of the identified actions.
 - establishing a *Cross-Border Land and Housing Monitor* to support aligned planning and better understanding of the interrelationships in border housing markets; and
 - establishment of the *Parkwood Urban Release Area Governance Framework* to support tripartite consideration of cross-border service delivery to the Ginninderry Development.
- Under 'Strategic Context' – in the discussion of future population, it is suggested that the current population of Yass Valley be included as a point of reference. The forecast year for 20,000 population at Yass and 10,000 population at Murrumbateman could also be clarified (i.e., 2036). It might also be worth clarifying that this growth (to 20,000 and 10,000) is dependent on a secure water supply (which is noted later in the document under Planning Priority 1).
- Under 'Our Growth Principles', given the intense development pressure within 5km of the NSW-ACT border (and Planning Priority 3 in the document), it is suggested that consideration be given to including a principle that addresses this issue, such as:

'Protect the area in close proximity of the Yass Valley LGA border with the ACT (and particularly the area within 5km of the border) from residential intensification in order to uphold the endorsed settlement hierarchy for Yass Valley, and to protect important rural, landscape and biodiversity values along the ACT/NSW border'.

1 

- Under 'Our Growth Principles' the third last principle is slightly ambiguous, and could lead to misinterpretation. It states: *'Unless land can only be accessed from the ACT, and appropriate servicing arrangements can be entered into with the ACT, urban development will not be supported'*. It is unclear if this refers to urban development anywhere in Yass Valley, or just border-contiguous development. It may also suggest that land close to the ACT/NSW border can be developed if arrangements can be made to service it by the ACT. We would not wish to encourage this approach, and it would conflict with Planning Priority 3 in the LSPS which is *'Protect the area within 5km of the Yass Valley LGA border with the ACT from residential intensification'*.
- Under Planning Priority 3 – 'Protect the area within 5km of the Yass Valley LGA border with the ACT from residential intensification', states in the narrative to this Priority that *'Residential intensification will not be supported within 5km of the Yass Valley LGA border with the ACT'*. This approach is supported, though we question what the response would be if a residential proposal was submitted for instance, 6km from the border, as this may still be an inappropriate location for residential growth. It might be worth considering adding further text (underlined below) to clarify this issue, such as:

'Residential intensification will not be supported within 5km of the Yass Valley LGA border with the ACT (and in other areas located outside the settlement hierarchy in the endorsed Yass Valley Settlement Strategy) to protect the.....'

Or alternatively:

'Residential intensification will not be supported in close proximity to the Yass Valley LGA border with the ACT (and particularly in the area within 5km of the Yass Valley border with the ACT) to protect the.....'

In addition, we note that there are no 'Actions' under this Planning Priority to take forward the position in respect to the area within 5km of the ACT border. It is unclear what planning mechanisms will be used to prohibit intensive residential development in this area. We note that the 'Actions' for this Planning Priority include incorporating standards within the Yass Valley Comprehensive Development Control Plan to discourage the establishment of *other* uses such as intensive agriculture, waste or resource management in close proximity to the NSW-ACT border. However, they do not include residential development.

While a prohibition on residential intensification is preferred, alternatively, and at a minimum, we recommend 'residential development' be included in the list of uses to be 'discouraged' under this Action.

Under 'Relationship to other plans', the document could reference the 'South East and Tablelands Regional Plan, Direction 25' (page 53) which addresses the appropriate location of growth, in the context of pressures experienced in Yass Valley.



Finally, reference to 'Residential intensification' under this Priority may need explanation (unless the statutory land zoning and subdivision controls already adequately address this). For instance, would an additional dwelling on an allotment represent 'residential intensification' or does it refer to new rural-residential or residential subdivisions within the 5km distance of the ACT/NSW border?

A handwritten signature in black ink, consisting of a large, stylized capital 'J' or 'I' followed by a smaller, more complex flourish.



Our ref: DOC20/13588

Ms Sarah Lees
Director, Southern Region
Department of Planning, Industry and Environment
sarah.lees@planning.nsw.gov.au

CC: Mr Chris Berry
General Manager
Yass Valley Council
council@yass.nsw.gov.au

Draft Yass Valley Local Strategic Planning Statement

Dear Ms Lees

We are writing to provide comment on Yass Valley Council's draft Local Strategic Planning Statement.

Heritage, culture, history and tradition are fundamental aspects of the identity of a place, and can include Aboriginal, non-Aboriginal, natural, archaeological, movable, maritime and intangible cultural heritage. These aspects define the local character of a place and help create and maintain a sense of meaning for communities.

Local Strategic Planning Statements (LSPS) provide an important opportunity for communities to describe the local character of their places, and what makes them distinctive and different from other places. Through the LSPS, Heritage NSW encourages Council's to consider how known and potential heritage places and values contribute to the local character and sense of place for their community.

We have prepared some general guidance for councils to consider in the preparation of their LSPS, this is provided at **Attachment 1**.

Heritage NSW supports many of the initiatives in Yass Valley Council's LSPS, including:

- identifying the protection and conservation of the natural environment, built and Aboriginal cultural heritage as a planning priority
- growth principles including that development should avoid areas of high landscape or cultural heritage value, and that it should recognise, protect and complement unique topographic, natural or built cultural features related to character, identity and heritage significance
- review and finalisation of the Yass Valley Aboriginal Heritage Study and Plans of Management for declared Aboriginal Places, and
- Plans of Management for Council owned or managed land including heritage properties.

We note that Council has identified working with the Department of Planning, Industry and Environment (DPIE) to improve the accuracy of existing local place or object entries within the Aboriginal Heritage Information Management System (AHIMS). Please note that the responsibility for management of the AHIMS database sits with Heritage NSW. Therefore, the LSPS and its consultation plans need to be updated to reflect this.

We do believe that there is an opportunity to provide a greater level of information in the LSPS on Council's heritage and how it is considered during planning.

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

Areas we suggest that Council and DPIE consider when finalising the LSPS are:

- consultation with the Aboriginal community regarding cultural heritage and connection to Country
- considering how Aboriginal cultural heritage and cultural landscapes can be protected in LEPs
- considering the linkages between culture, heritage and tourism, and the opportunities culture and heritage bring for economic growth
- further articulating heritage as it relates to the character of an area, including potentially identifying clusters of places and items which contribute to the significant character of the place, and
- considering the linkages between actions and priorities, for example the ways in which heritage and culture contribute to attractive and liveable places, as well as local employment and community wellbeing.

This would help better align Council's local strategic planning with the *South East and Tablelands Regional Plan*, specifically Direction 23 – Protect the region's heritage.

Our records show that, in addition to items of local heritage significance listed under *Yass Valley Local Environmental Plan 2013*, the local government area contains:

- 1 National Heritage listed place – Australian Alps National Parks and Reserves
- 1 Commonwealth Heritage listed place
- 10 State Heritage Register items
- 3 Aboriginal Places and
- 640 Recorded Aboriginal Sites.

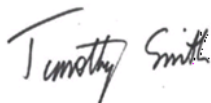
Care must be taken to avoid impacts on these items, places and sites, and consideration needs to be given as to how to mitigate any impacts where they are unavoidable. We can provide specific information and more detailed advice on the State heritage items, Aboriginal Places and sites if required.

Heritage NSW has several publications which may be of assistance when addressing the heritage objectives of the LSPS. These objectives should be incorporated with environmental, social and economic considerations to achieve high quality strategic planning outcomes. These publications are available online at environment.nsw.gov.au/Heritage/publications/index.htm.

Additionally, Government Architect NSW's (GANSW) recent publication *Design Guide for Heritage* may be of use, this can be found at governmentarchitect.nsw.gov.au/guidance/heritage. GANSW is also undertaking a project to explore opportunities and approaches for *Designing with Country*, more information on this can be found at governmentarchitect.nsw.gov.au/projects/designing-with-country.

If you have any questions regarding this matter please contact James Sellwood, Senior Heritage Programs Officer, Statewide Programs at Heritage NSW, Department of Premier and Cabinet by phone on 02 9274 6354 or via email at james.sellwood@environment.nsw.gov.au.

Yours sincerely



Per **Pauline McKenzie**
Executive Director
Heritage NSW

29 January 2020

Attachment 1

Heritage in Local Strategic Planning Statements

Heritage NSW encourages councils to take a strategic approach to developing and implementing the priorities, policy positions and actions in its Local Strategic Planning Statement (LSPS). To ensure that the LSPS provides strong strategic guidance with regards to both Aboriginal and Historic heritage, we recommend that it should consider the following:

Character Statements

Character Statements which recognise heritage and culture as a fundamental aspect of the identity of the place.

Planning Priorities

Planning Priorities which:

- identify Aboriginal cultural heritage and Historic heritage values and opportunities to protect and celebrate those values
- recognise the contribution which Aboriginal cultural heritage and Historic heritage make to the sense of place and belonging of a local area
- support the protection and celebration of heritage sites and values
- identify and celebrate the diversity and heritage of the many cultural groups in the community, and
- recognise that Aboriginal and Historic heritage and diversity are a cultural asset and potential driver of tourism and economic growth and the opportunities that this can provide.

Actions

Actions which:

- capture the identification, appropriate protection, interpretation and promotion of Aboriginal cultural heritage and Historic heritage
- require meaningful and ongoing consultation with the Aboriginal community to identify important values and potential issues regarding cultural heritage and connection to land
- require meaningful, ongoing and representative community engagement which captures the diversity of the local community
- require consultation with State Government agencies in relation to both Aboriginal cultural heritage and Historic heritage
- support the ongoing identification and documentation of heritage places and context early, to assist more detailed planning actions to avoid or mitigate impact on heritage items and places
- where possible, strategically identify key heritage places and clusters
- support heritage asset revitalisation and adaptive reuse
- provide guidance for sensitive heritage areas subject to major infrastructure or development
- identify funding and resourcing for Aboriginal and Historic heritage priorities
- allow for the development of plans and strategies which interpret, celebrate and promote Aboriginal and non-Aboriginal identity, culture and heritage, and
- develop strategies and programs to tell the story of a local area, and the diversity of its history and culture.



Department of
Primary Industries

OUT19/16130

General Manager
Yass Valley Council
PO Box 6
YASS NSW 2582

By email: Council@yass.nsw.gov.au

Dear Mr Chris Berry

Draft Yass Valley 2040 Local Strategic Planning Statement

Thank you for the opportunity to comment on the Draft Yass Valley LSPS. DPI Agriculture is charged with building stronger primary industries, so one component of our work focuses on enhancing the productive and sustainable use of NSW's agricultural resources. It is recognised that the Yass Valley is unique due to its location adjacent to the ACT, with associated residential pressures and a large proportion of the LGA comprising rural land to support primary production.

The Yass Valley Shire has a unique and emerging opportunity to grow and develop its diversified rural products and emerging agricultural industries, potentially offering value adding and processing products and high standard wine and food providing for a national visitor economy, providing benefits not only to Yass and the surrounding region, but to NSW as a whole.

However, the LSPS as drafted does not include any discussion on how to promote agricultural innovation and value adding and better manage the rural residential interface to support agriculture. The need to protect agricultural lands and promote agricultural innovation, sustainability and value adding opportunities is identified in the South East and Tablelands Regional Plan 2036.

It is recommended that the draft LSPS be amended to include some discussion around the 290,913ha of rural land in the LGA, opportunities for producers and visitor experiences and how competing land uses can be managed.

I have asked Ms Wendy Goodburn, Agricultural Land Use Planning Officer, to be available to discuss this LSPS, or any future supporting strategies with you. This might include assistance in identifying planning priorities to support agriculture and agricultural production on rural lands, or developing appropriate actions to minimising land use conflicts.

Should you like to discuss this response, please contact Wendy Goodburn on 0402069605 or myself on 0429 226 987.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T Prentice'.

29/11/19

Tamara Prentice
Manager Agricultural Land Use Planning

NSW Department of Primary Industries - Agriculture
Locked Bag 21, Orange NSW 2800 | 161 Kite St, Orange NSW 2800
Tel: 02 6391 3369 | Email: landuse.ag@dpi.nsw.gov.au | www.dpi.nsw.gov.au | ABN: 72 189 919 072



Australia's property industry

Creating for Generations

29 November 2019

Mr Chris Berry
General Manager
Yass Valley Council
PO Box 6
YASS NSW 2582

Email - Council@yass.nsw.gov.au

Dear Mr Berry

Yass Valley Council - Draft Local Strategic Planning Statement

The Property Council welcomes the opportunity to provide comments on Council's draft Local Strategic Planning Statement (LSPS). Many of our ACT based members undertake building and development activity in the Yass Valley, with a specific focus within the LGA's growth areas of Yass and Murrumbateman.

As Australia's peak representative of the property and construction industry, the Property Council's members include investors, owners, managers and developers of property across all asset classes. We are pleased to provide the following comments for your consideration.

The Property Council supports the position taken by Council to use the LSPS process to as a mechanism to give effect to the future growth and housing requirements anticipated by the *South East and Tablelands Regional Plan 2036*.

Our members look forward to the finalisation of Council's LSPS by 30 June 2019 and subsequent processes which will involve Council making updates to *Yass Valley Local Environmental Plan 2013*.

Comments on specific parts of the LSPS are provided in the following submission.

Should you have any questions, please do not hesitate to contact Troy Loveday, Senior Policy Advisor, on (02) 9033 1907 or tloveday@propertycouncil.com.au

Yours sincerely

A handwritten signature in black ink, appearing to read "William Power", is written over a horizontal line.

William Power
NSW Deputy Executive Director
Property Council of Australia

cc - Ms Sarah Lees, Director Southern Region, Department of Planning, Industry & Environment

PROSPERITY | JOBS | STRONG COMMUNITIES

Property Council of Australia
ABN 13 00847 4422

Level 1, 11 Barrack Street
Sydney NSW 2000

T. +61 2 9033 1900

E. nsw@propertycouncil.com.au

propertycouncil.com.au

[@propertycouncil](https://twitter.com/propertycouncil)

Local Strategic Planning Statement

Planning Priority 1 – Secure water supply for Yass and Murrumbateman

The draft LSPS has identified 3 actions aligned to planning priority 1.

Key actions for Council involve collaboration with the Department of Planning, Industry and Environment (DPIE) on a sub-regional water strategy and securing an alternative water source for Yass and Murrumbateman.

The Property Council supports these actions outlined by Yass Valley Council as they will provide much needed certainty around water availability to support the future expansion of both of Yass' population centres. It is important for Council to identify as early as possible any additional development charges that may be passed through to landowners and developers (as levies or other charges) associated with the provision of new water supply infrastructure so those costs can be taken into consideration when new developments are planned.

It may be appropriate for Council to categorise each action as either a short, medium or long-term prior to finalisation of the LSPS.

Planning Priority 2 – Focus growth in Yass and Murrumbateman

The draft LSPS has identified 5 actions aligned to planning priority 2.

Key actions for council involve preparing a Local Housing Strategy, undertaking a review of Yass Built Form Study and preparing a Masterplan for Murrumbateman.

The Property Council supports these actions identified by Yass Valley Council. It is appropriate for Council to focus new growth within the existing centres of Yass and Murrumbateman given they both have potential for further population growth. The Property Council and our members look forward to the implementation of these actions over the coming months and years. It is important that Council road test new planning controls and design requirements on real projects to identify potential issues with their implementation. Our members would be pleased to work with Council on the development of new planning controls for Yass and Murrumbateman.

It may be appropriate for Council to categorise each action as either a short, medium or long-term prior to finalisation of the LSPS.

Planning Priority 3 – Protect the area within 5km of the Yass Valley LGA border with the ACT from residential intensification

The draft LSPS has identified a single action aligned to planning priority 3.

This action involves Council including standards within the DCP to discourage the establishment of activities such as intensive agriculture, waste/resource management, mining or transport depots within 5 kilometres of the NSW/ACT border.

The Property Council generally support's Yass Valley Council's motivation to protect the corridor of land within 5km of the ACT border. We welcome Council's support for the ACT Parkwood development and exemption from this requirement as it provides a very good example of collaboration between jurisdictions to facilitate a better planning outcome.

It may be appropriate for Council to categorise the action as either short, medium or long-term prior to finalisation of the LSPS.

Planning Priority 4 – Protect and conserve the natural environment, built and Aboriginal heritage of Yass Valley.

The draft LSPS has identified 6 actions aligned to planning priority 4.

Key actions for Council involve finalising the Yass Valley Aboriginal Heritage Study, improving the accuracy of the existing local place or object entries in the NSW Aboriginal Heritage Information Management System (AHIMS) and determining whether any Council owned land is suitable for Biodiversity Stewardship to protect areas with high biodiversity values.

The Property Council is broadly supportive of efforts to protect and conserve the natural environment and local heritage. We appreciate the rich heritage of the Yass Valley and support its incorporation into the future planning of the LGA. We look forward to further consultation and engagement as specific details are developed and released for consultation.

It may be appropriate for Council to categorise the actions as either short, medium or long-term prior to finalisation of the LSPS.

Planning Priority 5 – Advocate to NSW Government for services and infrastructure to support growth within Yass Valley.

The draft LSPS has identified 5 actions aligned to planning priority 5.

Key actions for Council involve supporting NSW Transport (RMS) in planning/delivery of the Barton Highway duplication, undertaking an assessment of the Yass town water and sewer network and finalisation of the Parkwood Urban Release Area Governance Framework (and establishment of a steering committee for the delivery of services/infrastructure).

The Property Council supports the steps Yass Valley Council has taken to identify the infrastructure needed to allow the LGA to grow and develop economically. Where Council can identify costs linked to the provision of new infrastructure and will be seeking financial contribution from the development industry through Section 7.11 plans or voluntary planning agreements, Council should identify those costs as early as possible and publicly release those costs to the development industry so they can be factored into the investment decisions of our members.

It may be appropriate for Council to categorise these actions as either short, medium or long-term prior to finalisation of the LSPS.

Planning Priority 6 – Maximise opportunities for tourism, industry and investment within the Yass Valley.

The draft LSPS has identified a single action aligned to planning priority 6.

This action involves Council preparing a planning proposal to convert land use zone tables within Yass Valley LEP from "closed" to "open". The steps Yass Valley Council will take to reassess the land use restrictions in the LEP are also welcome as they have the potential to encourage the growth in tourism and employment activity within the Yass Valley. We look forward to reviewing this proposal in greater detail and providing feedback during the consultation phase of the proposal.

The Property Council supports the foresight of the Yass Valley Council to identify the potential for economic development within the region given its proximity to the ACT, including opportunities for tourist accommodation, new employment land uses and other business investment. The LGA

4

has many positive attributes that make it attractive for our members to undertake development. Council has identified a number of those including the road access links to the Hume, Barton and Federal Highways and rail connections to Sydney and Melbourne.

It may be appropriate for Council to categorise this action as either short, medium or long-term prior to finalisation of the LSPS.

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



Submission to Yass Valley Council

Submission on: Draft Local Strategic Planning Statement

Submission by: Members and supporters of the 5km NSW ACT Border Zone Planning Group Inc.

The members and supporters of the 5km NSW ACT Border Zone Planning Group Inc. submit the attached letter sent to the NSW Minister of Planning, Industry and Environment as a community input to the Draft Local Strategic Planning Statement.

The attached letter contains our objections to the Draft Local Strategic Planning Statement and the parent document, the Yass Valley Settlement Strategy 2036.

Members and supporters:

- wish to elucidate the frustration our members and supporters have had when trying to engage in logical arguments with Councillors over the Draft Local Strategic Planning Statement and the Yass Valley Settlement Strategy 2036,
- applaud Councillor and Deputy Mayor Nathan Furry for his attempt to protect the interests of ratepayers of Yass Valley,
- express deep dissatisfaction with Councillors Harker, Frost, Burges and McManus for failing to attend the October 2019 Council meeting where one of the most important Council decisions ever to be made was voted on, and
- wish to make it clear to the Councillors who did not go to the October 2019 Council meeting that they should not be on the Council if they have so little concern for the interests of the ratepayers that they claim to represent.

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



November 26, 2019

The NSW Minister for Planning, Industry and Environment
NSW State Parliament
PO Box 39
Sydney 2000

Issues of concern over the actions of the Yass Valley Council

Dear Minister,

The 5km NSW ACT Border Zone Planning Group Inc. would like to bring to your attention the problems that the Yass Valley Council will cause if the policy stated in the Yass Valley Settlement Strategy 2016 and the associated Draft Local Strategic Planning Statement is allowed to be implemented.

Our concern is that these two documents that will form Council policy for the next 20 years will have long term negative effects on the environment, the economy and social amenity of Yass Valley Local Government Area (LGA). These two planning documents are not supported by the community nor will they achieve the best use of this very important land area to the immediate north of the ACT.

Councillors actions suggest that they are acting for personal gain, or out of ignorance, or are being guided in their decision making by developers. There are billionaires and the ACT Government involved in land speculation and development in Yass Valley who will make huge profits if Council's policy is implemented. It is understandable, but unacceptable that these wealthy people and the ACT Government will apply pressure to get Councillors to create policy that will protect profits.

A detailed outline of our specific concerns is given later in this letter. We believe that our concerns can only be addressed by the intervention of the Minister for Planning, Industry and Environment and possibly the Independent Commission Against Corruption.

We believe the Minister needs to take the following steps to protect community's interests in the future development of the Yass Valley Local Government Area:

1. Suspend the Yass Valley Council's decisions on the Parkwood proposal, the Yass Valley Settlement Strategy 2036 and the Draft Local Strategic Planning Statement until an independent investigation is carried out to determine the validity and legality of Councillor's decisions on future planning for Yass Valley.
2. Instruct Yass Valley Council to suspend all activities in support of developments that flow from the Yass Valley Settlement Strategy and the Parkwood proposal.
3. Ask the NSW Independent Commission Against Corruption to investigate individual Councillor's conflict of interest in Council's decision making.
4. Appoint an independent group of planners with no conflict of interest to consult with the community to determine a community supported vision for Yass Valley LGA and prepare a settlement strategy that will achieve that vision and the best use of the land.

For the past two years we have held community meetings, engaged with planning professionals and tried to have a logical conversation with the Yass Valley Councillors on planning for the LGA. Our input to the Yass Valley Council has largely been ignored so we have no other option than to seek Ministerial intervention into the conduct of the Yass Valley Councillors.

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



We believe that the beneficiaries of the huge profits to be made from selected developments such as around Murrumbateman and Parkwood are shaping an anti-competitive and discriminating planning policy for Yass Valley

Below is a summary of our main areas of concern about the actions of Yass Valley Councillors.

1. Conflict of Interest – Councillors

The following table lists the Mayor's conflict of interest and actions in the production of the documents and subsequent adoption as policy by the Council.

Document	Status	Council Vote
Yass Valley Settlement Strategy 20136 (YVSS)	Approved August 2017	8 out of 9 Councillors voted for the motion to accept the Strategy. Mayor Abbey removed herself from the meeting due to declared conflict of interest. The Minutes of that meeting state that "..she is the owner of land and has relatives that own land potentially affected by outcomes of the Settlement Strategy"
Draft Local Strategic Planning Statement (LSPS)	Draft released for public consultation October 2019	5 Councillors including Mayor Abbey present at the meeting voted for the motion to release the document for public consultation. According to the minutes of the October 2019 Council meeting: "The draft Statement (is) based on Council's Settlement Strategy.." Unless the Mayor's conflict of interest had been totally removed, Mayor Abbey should not have been present for the vote on the LSPS. I that case there would not have been a quorum at the meeting for the vote on the LSPS.
Parkwood Planning Proposal	Approved October 2019	4 Councillors voted for the motion to accept the Parkwood proposal, Nathan Furry voted against the motion. The Parkwood Planning Proposal is part of the YVSS so the Mayor should have been absent on the vote for this motion. There would not have been a quorum for the meeting had the Mayor been absent for the vote on the motion.

The Mayor's conflict of interest and involvement in the planning for Yass Valley needs to be investigated.

They Mayor might have left the room when the Council voted on motion to adopt the YVSS during the August 2017 Council meeting, but the Mayor could have had a major influence in the content of the YVSS through the selection of the consultant to prepare the YVSS and the subsequent production of the YVSS.

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



Also, the conflict of interest of one other Councillor who lives in or near Murrumbateman needs to be investigated. She has stated that she was the architect of the policy that will prevent competition for development around Murrumbateman from more attractive competing development closer to Canberra.

2. Conflict of Interest - Consultant who produced the Yass Valley Settlement Strategy

Elton Consulting engaged by the Yass Valley to produce the Yass Valley Settlement Strategy 2036 (YVSS) had close links with the developers of the Ginninderry/Parkwood proposal. Evidence of that close relationship was the video by the CEO of Elton Consulting on the Ginninderry/Parkwood website pointing out the virtues of the development.

The settlement strategy produced by Elton Consulting for Yass Valley supported the development of Parkwood but ruled out other competing development close to Canberra. That policy is clearly aimed at protecting the profit to be made from the Parkwood development.

There is no public record of an assessment of the conflict of interest of Elton Consulting in the production of the Yass Valley Settlement Strategy 2036.

3. Lack of a holistic approach to planning

In a letter to Council in September 2018, the Department of Planning and Environment advised Council to take a holistic approach to planning. This has not occurred.

The Yass Valley Settlement Strategy 2036 does not take a holistic view of the Yass Valley LGA. As a result, Council is approving ad hoc developments that are not integrated and that do not fit in an overall plan to manage the assets of the LGA. A prime example is Parkwood.

The Parkwood development is being isolated from Yass Valley through the creation of a separate Local Environmental Plan. There is no mention of integration of Parkwood into Yass Valley in the documentation produced by the Parkwood developers or Council.

There has been no attempt at a holistic approach to planning in Yass Valley. This lack of a broader view of the area will have long term negative consequences for the community that will be hard if not impossible to change in the future. The community will suffer in the long term, the developers and large land speculators will win in the short term. That is not good planning.

4. Discriminatory application of policy

The Yass Valley Settlement Strategy and the draft Strategic Planning Statement state that no development is to take place within 5km of the NSW ACT border. At the same time these documents support a 5,000-house housing estate in the most environmentally sensitive area in the 5km zone at Parkwood.

The justification for exempting Parkwood from the no development policy is feeble at best. It is based on a creek that is dry most of the year as a major physical obstacle to providing access to the rest of Yass Valley. Council has built many bridges much larger than what would be required to provide a direct road into Yass Valley.

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



The other justification given for creating the separate LEP is that there are no direct road links to Yass. The reality is that the owners of land in Parkwood never go to Yass, so the lack of a direct road connection is irrelevant.

The philosophy used by the surveyors in defining the ACT boundary was to follow the ridge line so that the watershed into the Molonglo river was part of the ACT. The straight-line part of the boundary from Hall to the Murrumbidgee was drawn when the money ran out to pay the surveyors.

If any realignment of the ACT Border was to be made today based on the original philosophy, it would not follow the creek bed of the Ginninderra Creek as is being claimed by the developers of Parkwood and the Yass Valley Councillors.

The creation of a separate LEP that will be controlled by the ACT Government is effectively annexing part of NSW. There is no justification for that change nor has the broader NSW community been consulted.

The Parkwood proposal, adopted by 4 out of 9 Councillors at the October 2019 Council meeting is discriminating against the other landowners within the 5km zone along the NSW ACT border and the only logical explanation for allowing Parkwood to proceed is for the benefit of the profits to be made by the developers, including the ACT Government.

A policy that supports carving up the most environmentally sensitive areas along the border for a massive housing estate and claiming the rest of the 5km zone can't be developed for environmental reasons should be rejected.

It is not acceptable in our community to apply the laws of the land in a discriminatory way. Landowners in other parts of the 5km zone should be given equal opportunity to develop their land to the same standard as permitted in Parkwood.

5. Anti-competitive

The unstated purpose of the 5km zone along the NSW ACT border is to stop development that might compete with development in Parkwood, Murrumbateman and Yass. This is now enshrined in the Yass Valley Settlement Strategy 2036.

Other competing developments that would be in the best interests of the community should be included in any holistic approach to land management.

We live in a society where competition is recognized as beneficial to the community at large. Anti-competitive behaviour by a local government is not in the best interest of the community and is illegal.

6. Not acting in the best interest of the community

So far there has not been a study to determine what the community wants in the way of development to the immediate north of the ACT. The ratepayers of the 5km zone for example were not consulted on the creation of the 5km zone and the 20-year plan to limit any development to Parkwood.

A report by Jon Stanhope said that over 80% of ACT residents who responded did not want more high-density housing. Any demand for high density housing in Parkwood is therefore largely artificially

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



generated by a very tight restriction on land available for housing in the ACT and no alternative housing land near Canberra.

The neighbouring Queanbeyan Palerang Council has clearly shown leadership in planning by supporting rural residential development within easy commuting distance of Canberra. The type of development and quality of the land management is in stark contrast to what the Yass Valley Council appears to be doing.

Very few people want to commute long distances for work or other services. Yass and Murrumbateman are too far from Canberra for most Canberra workers. The turnover of houses in Murrumbateman is a clear indication that people give up after a year or two trying to commute to Canberra even though housing is cheaper in Murrumbateman than most parts of Canberra.

The community demand for low density rural residential style housing is also clearly identified in the South East and Tablelands Regional Plan, Direction 25.

The Yass centric approach to development might have made sense if there was a source of employment in the area. Without a source of employment people in Yass and Murrumbateman would have to commute a long way to Canberra. That is both high risk and expensive and not what the community wants.

7. No vision for the area

Yass Valley Councillors actions demonstrated a lack of vision for the future of Yass Valley by accepting the Yass Valley Settlement Strategy 2036, a strategy with no foundation vision statement. While Councillors may be excused for not having the imagination and clear thinking to develop a vision, they should have at least consulted with the community to develop a vision for Yass Valley.

No logical or community accepted vision for Yass Valley would support the destruction of the most environmentally sensitive area in Yass Valley at Parkwood.

No logical or community supported vision would put developers before the interests of the community.

No logical or community supported vision would support sporadic development that is being approved in Yass Valley.

This lack of vision has been pointed out to Yass Valley Councillors on many occasions, but Councillors have yet to engage with the community to develop a vision to guide future settlement and development.

Had Yass Valley Councillors asked for community input for a vision for the future of the area they would most likely have ended up with a vision such as below:

By 2036:

The people of Yass Valley and the broader community will be part of a borderless society where Yass Valley Local Government Area will be integrated with Canberra, but retain a distinct rural flavour, preserve the natural landscape and have enhanced environmental benefits for those living in Yass Valley and the broader community.

The Yass Valley will be a vibrant social, economic area of affordable low-density housing that is designed with extensive wildlife corridors and world leading environmental management.

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



Yass, Murrumbateman and Gundaroo shall remain rural centres that are within easy access by people from Canberra who will want to visit these towns because of the contrasting social and environmental values that are preserved in these areas.

The area closer to Canberra will be a high quality rural residential landscape with extensive wildlife corridors and areas set aside to preserve the natural environment. Sutton will be a major town centre in Yass Valley due to its proximity to Canberra and the easy access to water from Canberra.

8. Inadequate consultation with the community

The community relies on Governments to act in the best interests of the community that they represent. Governments can only do this if they consult with the community. The Yass Valley Council has a very poor record of community consultation on the Yass Valley Settlement Strategy.

Had Council bothered to consult the community, they would have found that the community:

- a. does not want more high-density housing in Parkwood,
- b. doesn't want to have to commute long distances to work and services,
- c. is interested in the environment and would not choose to build a massive housing estate in the environmentally sensitive area near the Murrumbidgee River in Parkwood,
- d. would want the Ginninderra Falls area and the Murrumbidgee River corridor to be used for recreation rather than a housing estate whose only purpose is to make a massive profit for the developers, and
- e. the community would prefer the opportunity for lower density housing near to Canberra as is provided in the Queanbeyan Palerang Council area.

9. Rural Residential small acreage land use

Retaining the RU1 zoning and 40 ha minimum lot size next to Canberra where land supply is constrained to high-density housing makes no planning sense nor does it result in good land management.

As was pointed out in a previous Yass Valley study, rural residential small acreage land tends to be much better managed in terms of weeds, native flora and fauna than on lot sizes limited to 40ha. Lot sizes down to about 1 hectare can be self-sufficient in water, power and wastewater disposal. No additional infrastructure is required on the site other than road access and local amenities.

Allowing rural residential small acreage development along the NSW ACT border would transform the area into a vibrant semi-rural area and create new employment opportunities for the community. Such a semi-rural community will be a significant addition to the landscape leading to the nation's capital city.

Such land use would provide the community with a choice of land. Based on the prices paid for small acreage in Queanbeyan Palerang Local Government Area it is obvious that there is a huge demand for rural residential small acreage land close to Canberra.

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



Every major city has a graded housing density peri urban area. That makes the best use of land in a peri urban area. The Queanbeyan – Palerang Regional Council has a simple strategy of a graded housing density going from urban, to low density rural residential development near the ACT and open rural areas further away from the high-density population centre.

The only logical explanation for Yass Valley Councillor's support for high density housing at Parkwood and to prevent lower density rural residential development near the ACT is to prevent highly desirable rural residential developments near Canberra competing with the less attractive high density housing in Parkwood and medium density housing long commuting distance away in Yass and Murrumbateman.

That is not a logical or community supported strategy. The Yass centric and profit protection strategy that Yass Valley Council is trying to implement should not be allowed to proceed any further.

10. The Water Issue

In the Department of Planning and Environment's to Yass Valley Council dated September 2018 the Council was told that no further rezoning of rural land in Yass and Murrumbateman would be permitted until a reliable source of water was found to support the planned growth of Yass to 10,000 and Murrumbateman to 5,000 people.

Two years after the adoption of the Yass Valley Settlement Strategy no reliable source of water has been identified for the planned expanded Yass and Murrumbateman, but Council continues to work on plans for the expansion of Yass and Murrumbateman. A significant part of this work is on the construction of a water supply pipe from Yass to Murrumbateman.

According to the November 2019 Council meeting minutes the Yass Dam was about 92% full. That is very surprising given that the area is in the most severe drought in living history. Other drought affected towns must be envious of Yass's supply of water.

While that envious state of water exists for Yass now, it won't exist in the future after Murrumbateman is connected to the Yass Dam supply and the population of Yass and Murrumbateman is increased by the planned 100%.

With no new water supply identified it makes no sense from a water supply point of view to plan in a major expansion of the population of Yass and Murrumbateman.

It makes more sense to allow development closer to Canberra so that these areas can access Canberra Water as has been done for Parkwood. If it is feasible for ACT water to be supplied in the 5km zone for Parkwood, it can be done for the rest of the 5km zone and most likely Sutton.

Summary

Thank you for reading this document.

We are an amateur group with no expertise in complex planning issues, but we have consulted with the community and we have sought professional advice. We have yet to find anyone who supports the Yass centric planning approach or who supports the destruction of the environmentally sensitive area of Parkwood.

5km NSW ACT Border Zone Planning Group Inc.

A non-profit Association of NSW ratepayers in the 5km area along the ACT NSW border.
Facebook @5kzplanninggroup, ccepl.com.au, 5kzplanninggroup@gmail.com



All the town planning consultants we have spoken to all consider the Yass centric approach by Council to be creating a future planning disaster. They all refer to the land use in peri urban areas around major capital cities and in the Queanbeyan Palerang LGA.

The points we have made in this document are genuine concerns that we have expressed to Yass Valley Council, ACT Government, NSW Cross Border Commissioner, NSW Department of Planning and Environment and the community. Our concerns were shared by the NSW Cross Border Commissioner but the other organizations that would benefit from the Yass centric plan ignored the logic of our arguments against the Yass Valley Settlement Strategy.

There is a clear problem with the Yass Valley Council development policies. The policies if left unchallenged will be detrimental in the long term to the community, stifle economic, social and environmental improvement to the area.

We also believe that the actions of Councillors strongly suggest that the Independent Commission Against Corruption should investigate conflict of interest by Councillors and the undue influence of very big developers such as the ACT Government.

It is our understanding that as Minister for Planning, Industry and Environment that you have taken an oath to ensure that the actions of government in NSW, including local government, should always be in the best interest of the people of NSW to the exclusion of all others. All others in this case would include developers, land speculators and the ACT Government.

We look forward to some clear direction from your Department on the future of Yass Valley.

Yours sincerely,

William Ginn

Secretary, for and on behalf of members of the 5km NSW ACT Border Zone Planning Group Inc.

From: [Yass Valley Council](#)
To: [YVC Customer Service Team](#)
Subject: Public Consultation online submission [#112]
Date: Friday, 29 November 2019 11:33:35 AM

Name *	[REDACTED]
Address *	<input type="checkbox"/> [REDACTED]
Email *	[REDACTED]
Phone Number *	[REDACTED]
What item are you making a submission on? *	Yass Valley Local Strategic Planning Statement

Submission *

Firstly I would like my total disappointment with Councillors Harker, Frost, Burges and McManus for not attending October 2019 Council meeting where one of the most important Council decisions ever to be made was voted on.

Thank you to Councillor and Deputy Mayor Furry for his genuine care and efforts to protect the best interests of All Yass Valley ratepayers. Which is why all Councillors are suppose to be on Council for – the better good of all, not just personal interest.

My concerns are that the vote at the October Meeting should not have proceeded as the Statement is based on the Council's Settlement Strategy, the Mayor's previously declared 'Conflict of Interest' would still stand, unless her conflict has been totally removed from the whole Settlement Strategy. Therefore, the Mayor should not have voted on LSPS, and there would not have been a quorum at the meeting. The same applies for the Parkwood Planning Proposal.

The land I own is within the 5km zone affected by the Council's LSPS as it is currently written it is clear to me that the intent is to protect the personal investment of a number of Councillor's who own parcels of land around Yass and Murrumbateman to prevent competition from developments occurring closer to Canberra. This is only part of the potential 'conflicts of Interest' that plague the reputation of the Yass Valley Shire Council. This highlights the Yass centric approach and short vision of the current Council

My land was purchased as my superannuation and inheritance for my children, I do not have a commercial agenda. But what I do want is the capacity to subdivide into for example into 4 x 10 acre lots and provide the ability for my children to build a home of their own. This would be acceptable and fit into the landscape without impacting on the environment. This was also forecasted in the masterplan of Palerang when Mulligan's Flat Road was in the Queanbeyan/Palerang Shire.

With the approval for the Parkwood Development the decision in relation the 5km zone north of ACT Border is discriminatory and targeted against the best interests of the landowners in this defines zone, of which none of the Councillors own land in this affected area. The approval of the Parkwood Development contradicts every argument for approving the 5km zone

Direction 25, of the South East and Tablelands Regional Plan clearly highlights the communities demand for low density rural residential style living.

The Yass Valley Council has not undertaken proper community engagement and consultation. Community information and consultation has been driven by a group of landowners within this 5km zone along the ACT border and that the LSPS if approved as it currently is written will have a negative impact on.

I urge the Minister for Planning, Industry and Environment to have the Yass Valley LSPS and Settlement Strategy reviewed and amended to ensure the best interests of all ratepayers in Yass Valley are considered and that the serious consideration to approving a plan that includes peri-urban areas around the ACT Border as was approved in the previous Queanbeyan/Palerang LGA (when the 5km zone was part of the QP Council) and other major capital cities.

Thank you for considering my submission.

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>

[Report this message as spam](#)

yass valley council

the country the people

P (02) 6226 1477

F (02) 6226 2598

A 209 Comur Street, Yass

PO Box 6 YASS NSW 2582

E council@yass.nsw.gov.au

www.yassvalley.nsw.gov.au

LOCAL STRATEGIC PLANNING STATEMENT

May 2020



ABOUT THIS STATEMENT

The Yass Valley Local Strategic Planning Statement (LSPS) sets out the 20 year vision for land use within the Local Government Area, outlining how growth and change will be managed into the future. It defines the special characteristics which contribute to Yass Valley's identity and recognises the shared community values to be maintained and enhanced.

The statement identifies priorities to achieve the Council's vision for Yass Valley together with actions, monitoring and reporting. It is consistent with:

- *NSW South East and Tablelands Regional Plan 2036 (SE&T)*
- *Southern Tablelands Regional Economic Development Strategy 2018-2022 (REDS)*
- *ACT Planning Strategy 2018*
- *Tablelands Regional Community Strategic Plan (CSP)*
- *Yass Valley Settlement Strategy 2036*
- *Enabling Adaptation in the South East: Vulnerabilities in the South East (EASE)*
- *ACT-NSW Memorandum of Understanding (MoU) for Regional Collaboration*

PURPOSE OF THIS STATEMENT

The South East and Tablelands Regional Plan 2036 (SE&T Plan) forecasts the combined population of the Yass Valley and Queanbeyan-Palerang local government areas to grow and require 15,050 new dwellings by 2036 accommodating more than 50% of the region's projected demand.

The plan also refers to growth within the Yass Valley growth being accommodated within Yass, Murrumbateman and the proposed cross border development at Parkwood.

To manage this growth and change, the South East and Tablelands Regional Plan sets out a vision to 2036 to achieve the following goals:

- A connected and prosperous economy
- A diverse environment interconnected by biodiversity corridors
- Healthy and connected communities
- Environmentally sustainable housing choices

All councils within NSW are required under s3.9 of the Environmental Planning and Assessment Act 1979 (EP&A Act) to prepare a LSPS to act as a link between the strategic priorities at a regional level and those at a local level expressed through the Local Environmental Plan and Development Control Plan. It will also give greater statutory weight to the Yass Valley Settlement Strategy 2036 which was adopted by Council and endorsed by the Department of Planning, Industry and Environment (DPIE).

All Planning Proposal requests and Development Applications will be required to be consistent with this LSPS.



POLICY CONTEXT

This statement has been prepared in accordance with s3.9 of the EP&A Act which required that it include or identify:

- (a) the basis for strategic planning in the area, having regard to economic, social and environmental matters,
- (b) the planning priorities for the area that are consistent with any strategic plan applying to the area and (subject to any such strategic plan) any applicable community strategic plan under section 402 of the *Local Government Act 1993*,
- (c) the actions required for achieving those planning priorities,
- (d) the basis on which the council is to monitor and report on the implementation of those actions.

STRATEGIC CONTEXT

The Yass Valley Local Government Area is located in south-eastern New South Wales, 60 kilometres north of, and adjacent to Canberra, and approximately 280 kilometres south-west of the Sydney CBD. The Ngunnawal people are the traditional custodians of the land. The Yass Valley was first visited by Europeans in the early 1820's, and by 1830 settlement had begun due in part to the agricultural potential of the area and its location between Sydney and Melbourne.

The landscape of the Yass Valley includes gently rolling hills and grassland plains as well as the Murrumbidgee, Yass and Goodradigbee Rivers and Burrinjuck Dam. Yass Valley is also known for its impressive geological cave and fossil formations dating back 400 million years ago. Part of the Brindabella National Park is located within the south west of the LGA, as well as five Nature Reserves and one State Conservation Area.

The greater Yass area was selected for the site of the Nation's capital in 1908, and while the final location was current day Canberra rather than Yass town, its presence has influenced how the town evolved and grew. Yass Valley's proximity to employment opportunities within the ACT is a major driver for housing growth due to both lifestyle and affordability factors. Residents also travel there for higher order services, health and tertiary education.

The Federal Highway enters into the south eastern corner and forms the eastern edge of the Yass Valley. The Hume Highway extends east west across the LGA linking Sydney and Melbourne, while the Barton Highway extends from Yass to Canberra. The Lachlan Valley Way and Burley Griffin Way provide access to the Riverina. As such the Yass Valley has excellent freight links, including to Canberra and Sydney Airports.

While there is a rail connection linking Yass town to Sydney and Melbourne, no link was ever made to Canberra. This has ensured a continued reliance on motor vehicles into Canberra, with only very limited bus services between Canberra and Murrumbateman/Yass.

Yass is the major town within the Yass Valley and has a well-established commercial centre, district hospital, medical services, schools and a TAFE. Each of the villages have a primary school except Murrumbateman and Bookham.

The area consists of predominantly productive rural lands and rural residential properties. Diversified rural products and emerging agricultural industries include wine, alpaca studs, olives and berries in addition to the historical wool industry. Tourism is a significant industry for the Yass Valley, given

our proximity to Canberra, and location between Sydney and Melbourne. Visitors are attracted to the area to enjoy the food and wine, heritage, arts and culture of the region.



Figure 1: Yass Valley and its' regional connections

The Yass Valley LGA is forecasted to grow to a population of around 25,000 people by 2036 and to around 43,900 at 2056. The majority of this future growth will be focused in the existing settlements of Yass and Murrumbateman as well as the early stages of the proposed cross border development at Parkwood. It is recommended Yass strengthen its role in the region and grow into a Regional Centre of 20,000 people (although this is an ultimate size, and likely to be reached beyond the timeframe of the Settlement Strategy). Murrumbateman would grow into a major town/large district town of 10,000 people.

The villages of Binalong, Bookham, Bowning, Gundaroo, Sutton and Wee Jasper are expected to retain their small village character and only accommodate minimal growth.

Yass Valley priorities within this statement have been developed from this strategic context and are drawn from the recommendations/strategies of the Yass Valley Settlement Strategy. They are also consistent with the NSW South East and Tablelands Regional Plan 2036 (SE&T), Southern Tablelands Regional Economic Development Strategy 2018-2022 (REDS), ACT Planning Strategy 2018, Tablelands Regional Community Strategic Plan (CSP), Enabling Adaptation in the South East 2017 and ACT-NSW Memorandum of Understanding (MoU) for Regional Collaboration.

YASS VALLEY COMMUNITY PROFILE 2016



- Yass Valley Local Government Area 2016 ERP is 17,087
- 33% had a tertiary qualification
- 19% of working residents are employed in public administration and safety
- 55.9% of working residents travel outside Yass Valley for work



- 35.2% of households comprise couples with children
- 18.7% households comprise lone (single) person



- Net migration of 415 residents from the ACT within previous 5 years



- 93% of dwellings are separate houses
- 4.9% of dwellings are medium density
- 75% of households were purchasing or own their home
- 14.8% were renting privately
- 1.8% were in social housing

Source: Australian Bureau of Statistics- Census of Population and Housing 2016.

OUR CHALLENGES

Proximity to ACT	Limited water availability
Ageing infrastructure	Reliance on motor vehicles
High property prices	Lack of existing housing diversity
Limited facilities in Murrumbidgee	Historical lot sizes
Development pressure close to NSW-ACT border	Rural land use conflict
Pressure for leapfrog/satellite development	Cross Border Servicing Issues

CONSULTATION

Council prepared this statement by referring to the community consultation undertaken in 2016 through *The Tablelands Regional Community Strategic Plan* and community and public agency consultation on the *Yass Valley Settlement Strategy 2036* during 2017.



Figure 2: Community Consultation for the Tablelands Regional Community Strategic Plan

The Yass Valley Settlement Strategy was adopted by Yass Valley Council in August 2017 and endorsed by the Department Planning, Industry & Environment in May 2019. The advice from the department included using the strategy as a basis for developing our LSPS.

OUR VISION



To build and maintain sustainable communities while retaining the region's natural beauty.

Tablelands Regional Community Strategic Plan (CSP)

OUR GROWTH PRINCIPLES

The Yass Valley Settlement Strategy is guided by the following key principles. These principles provide clear directions for determining future growth of settlements through the LSPS, and informed our Yass Valley LSPS Priorities.

- Provide for a diversity of choice in residential land and dwelling types in a range of appropriate locations (Priority 1)
- Encourage development that responds to emerging demographic trends and associated lifestyle requirements (Priority 3)
- Future development, particularly at the residential/agricultural and the residential/industrial interfaces should be planned for and managed to minimise potential conflict between adjacent land uses (Priority 2)
- Future development should be appropriately located in relation to: its scale, nature or type of development; the ability to provide infrastructure and services; the need for access and to ensure effective traffic management (Priorities 2 and 3)
- Future developments should complement existing settlement structure, character and uses and allow for the creation of legible and integrated growth (Priorities 2 and 3)
- Long term land identified as potentially appropriate for urban purposes shall be safeguarded from inappropriate interim land uses and fragmentation that may compromise and conflict with the layout, orderly staging and mix of long term urban uses (Priority 3)
- Future development should strengthen the hierarchy of settlements, support and maintain strong multi-functional business centres and maximise infrastructure and service efficiencies (Priorities 2 and 3)
- Future development should strengthen the efficient use of infrastructure, services and transport networks and not overburden existing services elsewhere (Priority 3)
- Ensure sufficient employment land is provided to allow towns to play an appropriate retail role as their population increases, providing employment and reducing escape expenditure (Priority 4)
- Future development should avoid areas of environmental significance, significant natural and/or economic resources, potential hazards, high landscape or cultural heritage value, or potential increased risk associated with impacts of climate change. Future development adjoining land with these values should incorporate buffers as necessary to help protect those values and to avoid future land use conflict (Priorities 1 and 4)
- Future development areas or settlements should recognise, protect and complement any unique topographic, natural or built cultural features essential to the visual setting, character, identity, or heritage significance (Priorities 3 and 4)
- Future development should respond to the risks associated with the impacts of climate change by enhancing the efficiency and resilience of existing and future settlements (Priority 2)
- Future development should be designed and located to maximise total water cycle management and minimise impacts on the environment (Priorities 1 and 2)
- Unless land can only be accessed from the ACT, and appropriate servicing arrangements can be entered into with the ACT, urban development will not be supported (Priority 3)

- Future development areas should maintain a buffer or open space within and between to maintain and reinforce the identity of Yass Valley LGA's various settlements (Priority 3)
- Ensure growth of towns occurs without ribbon development (Priorities 2 and 3)

OUR PRIORITIES

The following are the Planning Priorities for the Yass Valley for the next 20 years consistent with the principles and recommendations of the Yass Valley Settlement Strategy. The Actions to deliver each of these Priorities have been identified as Short (S), Medium (M), Long (L) term or ongoing actions.

Planning Priority 1 Secure an additional water supply for Yass and Murrumbateman

Rationale

A secure water supply is the greatest constraint to future development and growth in Yass and Murrumbateman. The raising of the Yass Dam wall was completed in 2013 and provided sufficient capacity to supply the existing Murrumbateman village core (to replace reticulated groundwater supply) as well as some capacity for additional growth.

In order to realise the growth envisioned in Yass and Murrumbateman - a new secure water supply is required. Two additional water supplies have been identified within the Settlement Strategy, a supply from ACT water infrastructure and Burrinjuck Dam. Of these two options supply from ACT water infrastructure is more compelling. Existing ACT water infrastructure is already provided toward the north-west and could be extended to supply Yass and Murrumbateman.

Climate change projections anticipate a shift in rainfall patterns in the South East NSW region, meaning existing methods of collecting, treating and distributing potable water may no longer be reliable. Water supply and security is considered a key vulnerability in a climate change future for towns and villages in the South East.

It is only through the resolution of a secure water supply that the projected growth highlighted in this strategy can be accommodated.

Actions

- Collaborate with DPIE on a sub-regional water strategy (S)
- Prepare a new Integrated Water Management Strategy for the Yass Valley (S)
- Secure an alternative water source for Yass and Murrumbateman (M)

Relationship to other Plans

- Yass Valley SE&T Plan Priority: Work with stakeholders to secure a sustainable water source for urban use
- CSP Strategy IN5: Ensure high quality water supply options for the towns in the region
- EASE- Transformation of the potable water supply in the NSW South East
- ACT-NSW Memorandum of Understanding (MoU) for Regional Collaboration
- ACT-NSW- Commonwealth MOU for Cross Border Water Resources

Planning Priority 2

Focus growth in Yass and Murrumbateman

Rationale

The majority of future growth in the short to medium term will be focused in the existing settlements of Yass and Murrumbateman. Yass should strengthen its role in the region and grow into a Regional Centre of 20,000 people, but can only do so if an alternative water supply is secured. The focus for Yass is recommended to be on developing existing residential zoned greenfield sites and encouraging urban renewal of some existing housing reaching the end of its useful life.

Murrumbateman, while recognising the primacy of Yass, would grow into a major town/large district town of 10,000 people through the staged development of greenfield sites contiguous with the existing settlement. This would also be dependent on an alternative water supply. This will require rezoning of some land in both Yass and Murrumbateman.

Despite their proximity to Canberra, development in Sutton and Gundaroo is highly constrained due to the lack of a secure water supply and adequate sewerage treatment. Given the water constraints and the community's desire for Sutton and Gundaroo to remain as village's some limited future development would only be permitted where its impact did not compromise existing village characters or surrounding agricultural uses.

Binalong, Bowring, Bookham and Wee Jasper require no rezoning's at this time due to low demand for housing, lack of infrastructure, existing supplies of undeveloped land and undesirable distances to Major Regional Centres in the region. Future planning proposals for further development which supports tourism will be considered to allow natural and appropriate growth.

Actions

- Implement recommendations of Yass Valley Settlement Strategy (S-L)
- Complete land capability studies for land identified within the Yass Valley Settlement Strategy (S)
- Prepare a Local Housing Strategy to identify gaps and unmet needs in social and affordable housing (S)
- Undertake a review of Yass Built Form Study (M)
- Prepare a Masterplan for Murrumbateman (S-M)
- Develop local complying development provisions for housing (S-M)
- Ensure Planning Proposals avoid areas affected by flooding and high bushfire risk and avoid agricultural land use conflict (Ongoing)
- Advocate to NSW Land and Housing Corporation to encourage upgrade and redevelopment of assets (S)
- Ensure that Planning Proposals and Development Applications can demonstrate how proposed land uses will manage the interface with any agricultural or industrial land (Ongoing)

Relationship to other plans

- Yass Valley SE&T Plan Priority: Focus housing on existing centres rather than isolated land releases

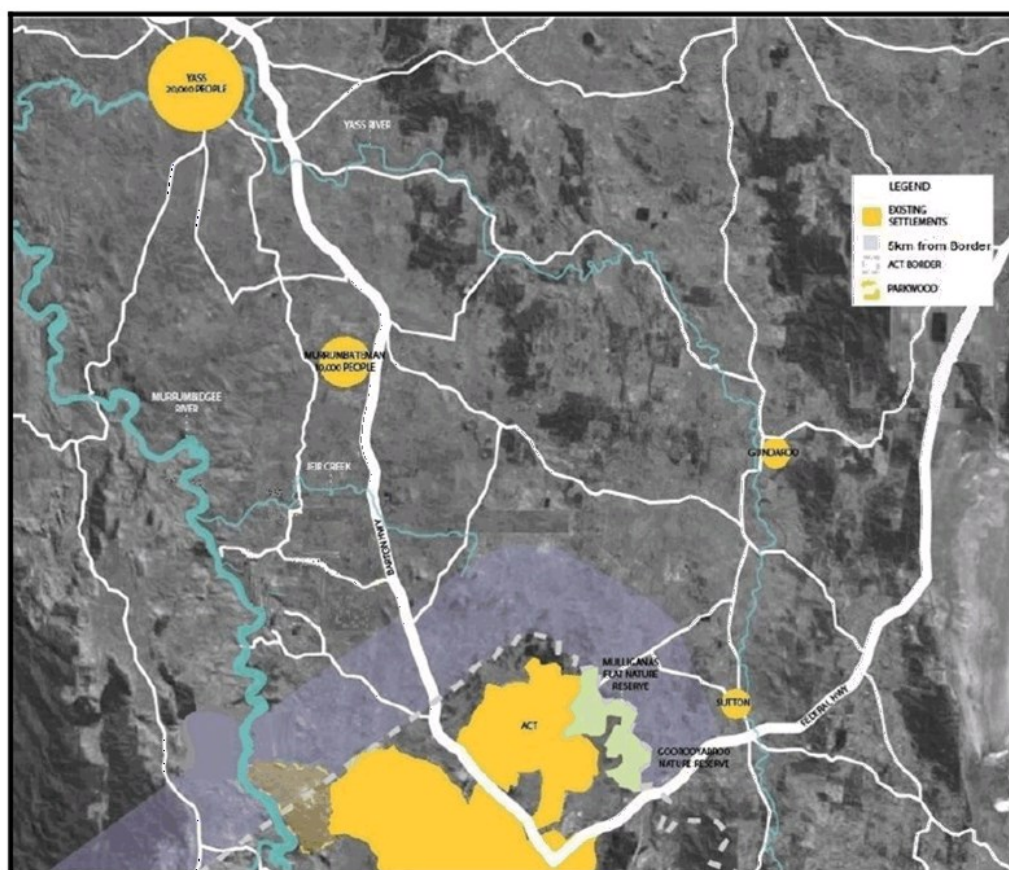


Figure 3: Proposed future settlement hierarchy.
Area within 5km from NSW-ACT border is subject to intense development pressures.

Planning Priority 3

Protect the area within 5km of the Yass Valley LGA border with the ACT from residential intensification

Rationale

Yass Valley has experienced significant pressure to consider more intensive residential development adjacent to the NSW-ACT border. The main administrative centre of the Yass Valley is Yass and it is not financially viable to service these areas from this distance. Development of land in this location would rely entirely on servicing and infrastructure out of the ACT with the cross border complexities of governance. There will be continued pressure from other incompatible uses wanting to relocate to this area due to its close proximity, larger land areas and lower property prices including intensive agriculture, waste or resource management facilities, mining, extractive industries, truck or transport depots.

Parts of this area also contain some of the largest, best connected patches of critically endangered grassland and woodland communities remaining in Australia. A small area falls within the ANEF 20 Noise Contour from the Canberra Airport.

Residential intensification will not be supported in close proximity to, particularly within 5km of the Yass Valley LGA border with the ACT to protect the open rural landscape approach into the ACT, significant biodiversity and strengthen the connectivity of nature reserves and their biodiversity values, in particular, Mulligans Flat, Goorooyarroo Nature Reserve and surrounding areas with significant box gum grassy woodland.

The proposed Parkwood development is unique as it geographically limited by the Murrumbidgee River and Ginninderra Creek, can only be accessed from within the ACT and forms part of a strategic, contiguous cross-border development. For this reason it is excluded from the area.

The acceptance of illegal waste (that is, the unlawful 'dumping' of waste onto land where no license or approval exists) continues to be an ongoing issue across the Yass Valley LGA. This is particularly the case in areas in close proximity to the ACT border, where surplus soil and building materials, originating from building sites in the ACT, are transported across the border for land filling purposes.

Actions

- Implement recommendations of Yass Valley Settlement Strategy (S-L)
- Not support Planning Proposals in close proximity to the ACT border which would result in residential intensification by amending the land use zone or reducing the minimum lot size in the Yass Valley LEP 2013 (S-L)
- Incorporate standard/s within the Yass Valley Comprehensive Development Control Plan to discourage the establishment of intensive agriculture, waste or resource management facilities, mining, extractive industries, truck or transport depots within rural areas in close proximity to the NSW-ACT border (S)

Relationship to other plans

- ACT Planning Strategy 1.5.1: Support the provision of adequate buffer areas between the urban areas of the ACT and adjoining land uses within NSW in order to achieve compact and efficient growth, avoid land use conflict, protect rural and environmentally important areas, and maintain the setting and approaches to the National Capital

- CSP Strategy EN4: Maintain a balance between growth, development and environmental protection through sensible planning
- CSP Strategy CO5: Maintain our rural lifestyle

Planning Priority 4

Protect and conserve the natural environment, built and Aboriginal cultural heritage of Yass Valley

Rationale

The Yass Valley has a proud and rich Aboriginal history with evidence of occupation in the region (Birrigai Rock Shelter) dating back over 20,000 years. The Ngunnawal are recognised as the traditional custodians of the Yass Valley. The landscape also has a high degree of cultural significance including pathways and songlines together with other places of ceremonial significance on hills, mountains, rivers and creeks.

The built heritage of the Yass Valley is rich due to our role in early European settlement of NSW and early pastoral establishment. Many of the services established in Yass as a stopover between Sydney and Melbourne gave rise to its wealth and prominence, and left a legacy of impressive private and civic buildings. The smaller villages generally had their origins based on pastoral settlements with Bowning and Binalong growing around the railway line.

*The Yass Valley is home to precious native flora and fauna, with numerous endangered and vulnerable flora and fauna species including the nationally endangered Regent Honeyeater (*Xanthomyza phrygia*), Spotted-tail Quoll (*Dasyurus maculatus maculatus*), Wee Jasper Grevillea (*Grevillea iaspicula*), Golden Moths Orchid (*Diuris lanceolata*) and Hoary Sunray (*Leucochrysum albicans*).*

Some sections of Yass Valley also contain two nationally listed Critically Endangered Ecological Communities - Natural Temperate Grassland of the South Eastern Highlands, and White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland (often referred to as "Box Gum Woodland").

Actions

- Work with local Aboriginal community to identify, interpret and promote Aboriginal Cultural Heritage (Ongoing)
- Review and finalise the Yass Valley Aboriginal Heritage Study (S)
- Work with Heritage NSW to improve the accuracy of existing local place or object entries within the NSW Aboriginal Heritage Information Management System (M)
- Provide input into Plans of Management for declared Aboriginal Places in the Yass Valley (Ongoing)
- Develop Plans of Management on Council owned or managed land including those which are heritage listed (S-M)
- Determine whether any Council owned land is suitable for Biodiversity Stewardship to provide key areas with high biodiversity values with ongoing protection (S-M)
- Encourage biodiversity certification on new urban release areas (Ongoing)
- Encourage biodiversity offsets from developments to regional corridors where possible (Ongoing)
- Complete and implement the Yass Valley Local Weeds Action Plan (S-L)
- Comprehensive Development Control Plan to incorporate SEPP – Vegetation in Non Rural areas 2017 to regulate high conservation vegetation in Yass Valley (S)
- Participate in Conservation Management Trust for governance and management of Parkwood Conservation Corridor (Ongoing)

Relationship to other plans

- Yass Valley SE&T Plan Priority: Protect and maintain the area's high environmental value

Yass Valley Local Strategic Planning Statement

lands and heritage assets

- **Yass Valley SE&T Plan Priority:** Protect and rehabilitate waterways and catchments
- **CSP Strategy C04:** Recognise and celebrate our diverse cultural identities, and protect and maintain our community's natural and built cultural heritage
- **CSP Strategy EN1:** Protect and enhance the existing natural environment, including flora and fauna native to the region

Planning Priority 5

Advocate to NSW Government for services and infrastructure to support growth within Yass Valley

Rationale

The Yass Valley's location adjacent to the ACT border presents challenges in terms of services and infrastructure with regard to cross border governance and delivery. An MoU exists between the ACT Chief Minister and NSW Premier to encourage cooperation and collaboration, given Canberra's location and relationship with surrounding areas in South East NSW. A site specific mechanism under this MOU allows NSW, ACT and Yass Valley to resolve governance and service delivery arrangements for the proposed cross border development at Parkwood (Ginninderry).

The pressures on Yass Valley's ageing infrastructure are exacerbated by our continuing growth as well as the expectations of a community which has regular access to ACT facilities and infrastructure. Infrastructure or services which are provided by the state or territory governments need to be considered in terms of access and cost sharing between jurisdictions (e.g. Health, Education).

The role of Council is largely one of advocacy, however it is critical that we ensure proposed developments consider additional demands on either Council, NSW or ACT. Council also has an important role to support the community needs planning of these services and infrastructure.

Actions

- Support **TFNSW** in planning and delivering the Barton Highway duplication (S-L)
- **Work with TFNSW and ACT Government to understand and manage cross border travel patterns (Ongoing)**
- Undertake a condition and capacity assessment of Yass town water and sewer network (M)
- Support **NSW Education** in planning and delivering Primary School in Murrumbateman (S)
- Support **NSW Education** in planning and delivering Yass High School Multi-Purpose Indoor Sports Centre (S)
- Finalise the Parkwood Urban Release Area Governance Framework and establish the steering committee for the delivery of services and infrastructure (S)

Relationship to other plans

- Barton Highway Improvement Strategy
- **Yass Valley SE&T Plan Priority:** Work with stakeholders to provide critical community infrastructure, including educational services
- **Yass Valley SE&T Plan Priority:** Create efficient cross-border connections
- **Yass Valley SE&T Plan Priority:** Identify and manage the efficient delivery of services to the proposed Parkwood development
- CSP Strategy IN3: Maintain and improve road infrastructure and connectivity
- CSP Strategy IN8: Improve accessibility to, and support the development of, health and medical facilities in the region
- CSP Strategy IN9: Improve accessibility to, and support the development of, education and training facilities in the region
- Southern Tablelands REDS: Education infrastructure - For primary and tertiary students so that they might study successfully while remaining resident in their community

- REDS: Road infrastructure linkages to the ACT- The highest priority is duplication of the Barton Highway between the ACT border and Yass
- REDS: Road transport infrastructure- Cost effective freight is important to agricultural businesses in the Region
- REDS: Water and sewerage infrastructure -Investment is particularly targeted at village locations with desirable lifestyles
- REDS: Aged care infrastructure - Provision of complementary infrastructure such as hydrotherapy pool
- REDS: Sport and recreation infrastructure -Upgrade of local grounds and ovals, making hydrotherapy and swimming pools into year round venues and creation of equestrian spaces
- ACT Planning Strategy: Direction 2.6- Protect and enhance infrastructure that supports the economic development of Canberra and the region
- ACT-NSW Memorandum of Understanding (MoU) for Regional Collaboration

Planning Priority 6

Maximise opportunities for tourism, industry and investment within the Yass Valley

Rationale

Yass Valley has enormous potential for economic development due to its geographic location, transport links and rural, environmental and heritage character. Our location adjacent to the ACT, together with road access to the Barton, Hume and Federal Highways as well as rail (Yass Junction) to Sydney and Melbourne provides opportunities for both investors and tourists. Canberra Airport is easily accessible for domestic and international passengers and freight.

Yass Valley enjoys a low unemployment rate however this is due to our increasing role as a commuter location, exporting significant levels of labour into the ACT. Our focus is on fostering an adaptive and innovative agricultural industry, growing our visitor economy and providing opportunities for the establishment of new businesses.

Ensuring our local planning tools are flexible and responsive to both existing and new businesses is critical. At present, the provisions within the Yass Valley LEP are relatively rigid and unless a use falls within standard NSW land use definitions it is currently automatically prohibited. Altering the structure of the land use tables would enable uses which are rapidly evolving to be considered.

Actions

- Prepare a Planning Proposal to convert the business and industrial land use zone tables within the Yass Valley LEP 2013 from 'closed' to 'open' (S)
- Monitor supply and demand of business and industrial land in Yass and Murrumbateman (Ongoing)
- Commence planning for work hub in Yass to increase flexibility for employees who commute (M)
- Monitor and respond to changes to business operations and tourism industry as a result of disruptive events such as bushfires and pandemics (Ongoing)
- Monitor emerging agricultural and technology industries and ensure sufficient land is available (Ongoing)

Relationship to other plans

- Yass Valley SE&T Plan Priority: Capitalise on the area's proximity to Canberra to attract industry and investment.
- Yass Valley SE&T Plan Priority: Foster and develop a diverse, adaptive and innovative agricultural industry
- Yass Valley SE&T Plan Priority: Foster regional access to agricultural export opportunities through Canberra Airport
- Yass Valley SE&T Plan Priority: Promote the area as a destination that visitors should also visit.
- CSP Strategy EC1: Capitalise on the region's close proximity to Canberra and its position as a convenient location to attract industry and investment
- CSP Strategy EC3: Support and foster conditions that enable local and small/home-based businesses to grow
- CSP Strategy EC4: Foster and develop a diverse, adaptive, and innovative agricultural industry

- REDS: Agricultural infrastructure - Develop additional Infrastructure to support value adding
- REDS: Tourism infrastructure - New destinations for visitors based on walking and cycling tracks and opportunities linked to wine tourism
- ACT-NSW *Memorandum of Understanding (MoU) for Regional Collaboration*

Planning Priority 7

Increase Yass Valley's Resilience to Climate and Natural Hazards

Rationale

A greater understanding of how Yass Valley could be impacted by climatic events and natural hazards is required to inform planning and mitigation strategies. The most critical element of this is water security, is reflected in Priority 1 of the LSPS. This will determine the level and type of growth that can be accommodated. Other risks may require avoidance of high risk areas for development or through the design process- particularly for infrastructure.

A large proportion of the Yass Valley is rural in nature which influences the level of bushfire risk, and Yass and the villages have varying degrees of flood risk due to their historical siting adjacent to waterways. Towns and villages in the Yass Valley have already experienced water quality issues due to drought and heatwave conditions. Any increase in heatwaves, bushfires or flood will have flow on effects to water quality and availability for the Yass Valley.

Actions

- Secure an alternative water source for Yass and Murrumbateman (M)
- Complete Flood Studies for Murrumbateman, Bowning, Binalong and Bookham (S)
- Complete Yass Flood Risk Management Study and Plan (S)
- Commence Parkwood Flood Risk Management Study and Plan (M)
- Implement development recommendations of Flood Risk Management Studies and Plans into Comprehensive Development Control Plan (S-M)
- Undertake a Climate and Natural Hazard Risk Assessment for the Yass Valley (S)
- Ensure current environmental constraints information is made available to inform Planning Proposals and Development Applications including flood planning levels, potentially contaminated land and bushfire risk (Ongoing)

Relationship to other plans

- CSP Strategy EC4: Foster and develop a diverse, adaptive, and innovative agricultural industry
- CSP Strategy EN2: Adopt environmental sustainability practices.
- CSP Strategy EN3: Protect and rehabilitate waterways and catchments
- CSP Strategy IN5 Ensure high quality water supply options for the towns in the region
- EASE - Transformation of the potable water supply in the NSW South East
- EASE - Adaptation pathways to reduced vulnerability in response to Hazards
- Planning for Bushfire Protection 2019: strategic land use planning to ensure that new development is not exposed to high bush fire risk;
- NSW Floodplain Risk Management Guidelines

MONITORING & REPORTING

Council is required to report its performance against its Community Strategic Plan (CSP) biannually to the community. Council will incorporate additional reporting against each of the Actions within the LSPS as part of that report, noting the timeframes of ongoing, short, medium and long term for the delivery. This will allow greater integration and alignment between the CSP and LSPS.

The delivery of key actions will also be reported within Council's Annual Report under the Local Government Act 1993.

Council will also review and update the LSPS as required upon the adoption of a new CSP following the election of Council (every four years).

6.2 PLANNING PROPOSAL - 80 MURRUMBATEMAN ROAD, MURRUMBATEMAN

SUMMARY

To present a report on a draft Planning Proposal seeking an amendment to *Yass Valley LEP 2013* for 80 Murrumbateman Road, Murrumbateman. The draft Planning Proposal is lodged in conjunction with a Development Application for subdivision of the subject land however this will only be determined if the Planning Proposal is successful.

RECOMMENDATION

That:

1. *Planning Proposal for 80 Murrumbateman Road (PP.2020.02) be endorsed and forwarded to the Minister for Planning and Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979*
2. *Planning Proposal (PP.2020.02) be adopted if no significant objections are received after the public exhibition of the Planning Proposal pursuant to the conditions of Gateway determination in accordance with s3.34(2)(c) Environmental Planning & Assessment Act 1979*

FINANCIAL IMPLICATIONS

Resources for assessment of planning proposals are provided for in the current Operational Plan.

POLICY & LEGISLATION

- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Settlement Strategy 2036*

REPORT

1. Introduction

The *Yass Valley Settlement Strategy 2036* was adopted in August 2017. The Strategy sets a direction and a framework for the consideration of future development within the Yass Valley particularly Yass and Murrumbateman. It is estimated that the population of Murrumbateman will increase 6,552 people by 2036 with an ultimate population of 10,000 people.

The land identified in the Strategy for future growth in Murrumbateman is shown in **Attachment A**.

2. Planning Proposal

A draft Planning Proposal has been received (refer **Separate Enclosure**) seeking to amend the zoning and minimum lot size for land at 80 Murrumbateman Road, Murrumbateman.

The subject land is located east of Murrumbateman village, nearly 650 metres to the south-west of the Murrumbateman Road and Barton Highway intersection. The subject land has an area of 18.4ha and fronts Murrumbateman Road. The proposed Murrumbateman bypass abuts the subject land. The locality of the site is shown in the following diagram.



Site Location and Proposed Barton Highway Bypass

The site is currently used for grazing purposes with an existing dwelling, farm buildings and dams. A mature shelter belt planting surrounds the site and there is planting within the curtilage of the existing dwelling.

The land to the north east of the subject site is characterised as rural residential while the land to the west and south is agricultural. Land to the immediate west of the bypass has been acquired by TfNSW.

The subject land is zoned RU4 Primary Production Small Lots with a minimum lot size of 16 ha under *Yass Valley LEP 2013*. The draft Planning Proposal is intended to amend the LEP by:

- Rezoning the land from RU4 Primary Production Small Lots to R5 Large Lot Residential
- Changing the minimum lot size from 16 ha to 2ha

The draft Planning Proposal would enable the creation of nine rural residential lots. A Development Application for the subdivision of the site (refer **Attachment C**) has been lodged with the draft Planning Proposal and will only be determined if the Planning Proposal is successful.

2.1 Site Analysis

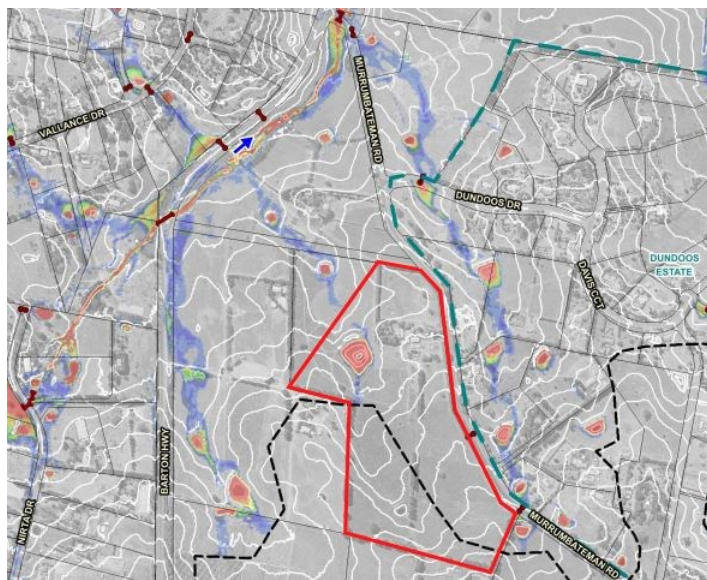
Ecological Value

A Biodiversity Development Assessment Report submitted with the proposal indicates:

- The continuous use for grazing and cropping have substantially modified the vegetation cover and have degraded the habitat value for native flora and fauna, including threatened species. The remainder of the woody vegetation is a mix of planted native and exotic species wherein only four mature remnant trees were identified on the subject land.
- The survey results have not shown any evidence of the presence of any significant flora and fauna habitat or threatened species listed under the *NSW Biodiversity Conservation Act 2016* and the *Commonwealth Environment Protection & Biodiversity Conservation Act 1999*. The proposed development would not have any significant impact on the biodiversity value of the site.

Flood Prone Land

A small portion of land located north-west of the subject land is identified as flood prone land as indicated in the following diagram.



Map showing portion of site affected by flood

The area of land affected by a flood will not have any major impact on the proposed development nor will it have any major impact on the flood behaviour in the adjacent and adjoining land. To ensure dwellings are flood free appropriate measures can be determined as part of the subdivision design and future dwelling assessments.

Bush Fire Prone Land

A Bushfire Assessment Report indicates that:

Given the low threat grassland setting, the close proximity to surrounding managed land, the relatively flat topography and ample opportunity to provide setbacks for future residents, the overall threat potential of the site can be described as low.

The proposed development is deemed capable of complying with the specific and broad objectives of the *Planning for Bushfire Protection (2019)* and the requirements of the *Rural Fire Regulations 2013*.

Land Contamination

A Preliminary Site Investigation Report has been prepared which concludes that there is no indication of potential contamination within the subject site with the exception of a 15,000 litre underground diesel storage system immediately adjacent to the existing dwelling. The tanks age, lack of independent monitoring and the proximity to the dwelling, catchment and groundwater wells poses an environmental risk.

The report recommends that the UPSS be decanted and removed and the area remediated. This can be required as part of any subdivision approval that may issue should the Planning Proposal be successful.

Heritage

A Heritage Assessment concludes that neither the subject site nor adjacent land contain any items of historical significance.

A detailed Aboriginal Cultural Heritage Assessment Report indicates no further Aboriginal heritage investigations are required.

3. Strategic Planning Assessment

The proposed amendment is consistent with the recommendation of the *South East & Tablelands Regional Plan 2036* and the *Yass Valley Settlement Strategy 2036*.

The draft Planning Proposal is consistent with the following directions set in the Regional Plan:

- *Direction 25: Focus Housing Growth in Locations that Maximise Infrastructure and Services*
The proposal would create an opportunity for housing in proximity to Murrumbateman village with existing infrastructure, services and community facilities.
- *Direction 24: Deliver Greater Housing Supply and Choice*
The proposal will add to the diversity of residential lots in Murrumbateman. Dwellings and dual occupancies would be permissible on the proposed lots if the Planning Proposal is approved adding to housing choice and diversity.
- *Direction 8: Protect Important Agricultural Land*
The release of the subject land for residential purposes would have no significant impact on agricultural land. Any potential land use conflict at the interface with existing agricultural lands, can be managed through subdivision design.

The draft Planning Proposal is consistent with the *Settlement Strategy* that sets the future direction of growth for Yass Valley. The Strategy has identified the site for rezoning from RU4 Primary Production Small Lots to R5 Large Lot Residential with a reduced minimum lot size of 2ha from the existing 16ha.

4. Conclusion

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

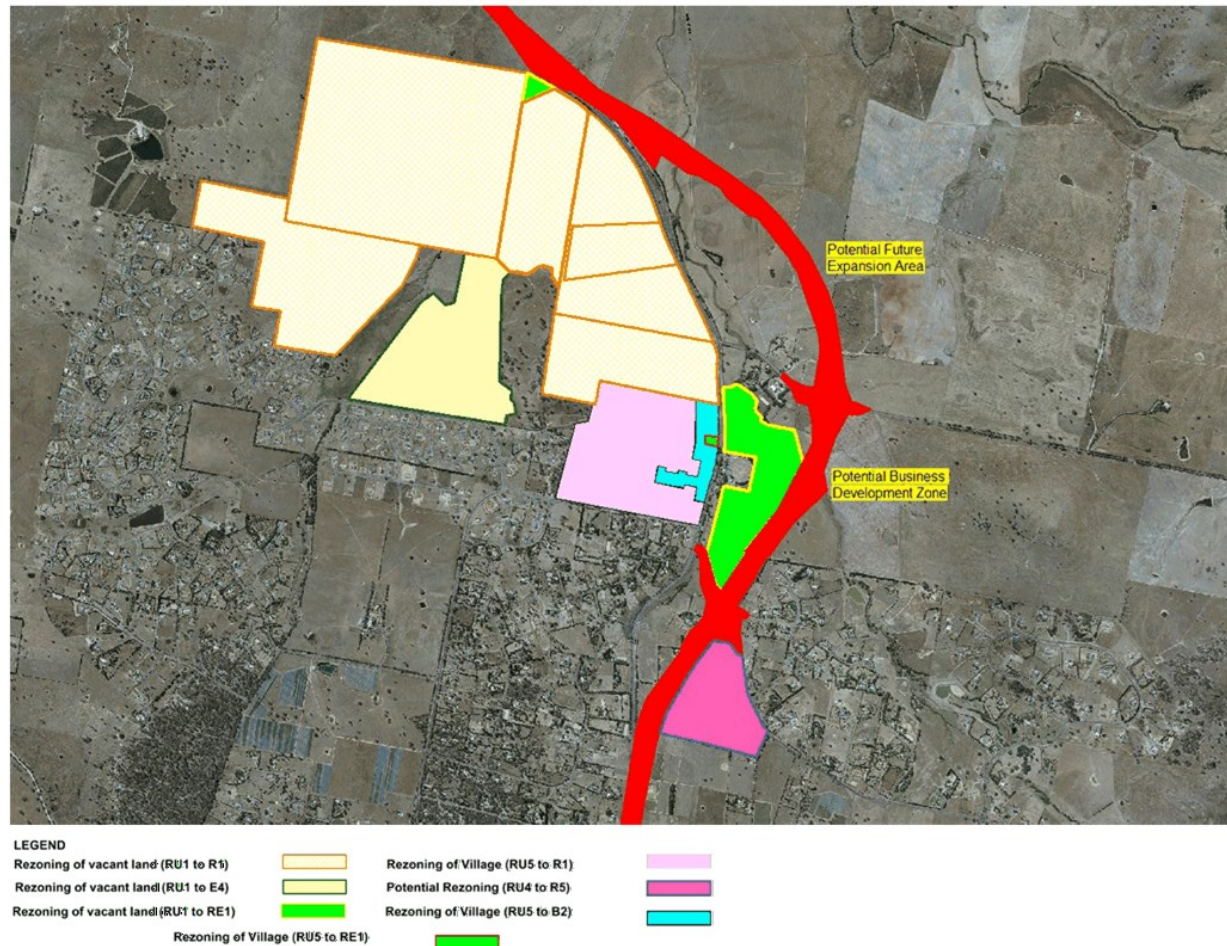
It is recommended that the draft Planning Proposal be endorsed and is forwarded to the Minister for Planning and Public Spaces to request a Gateway determination. The Minister's Delegation to make the amendment as local plan-making authority should also be sought.

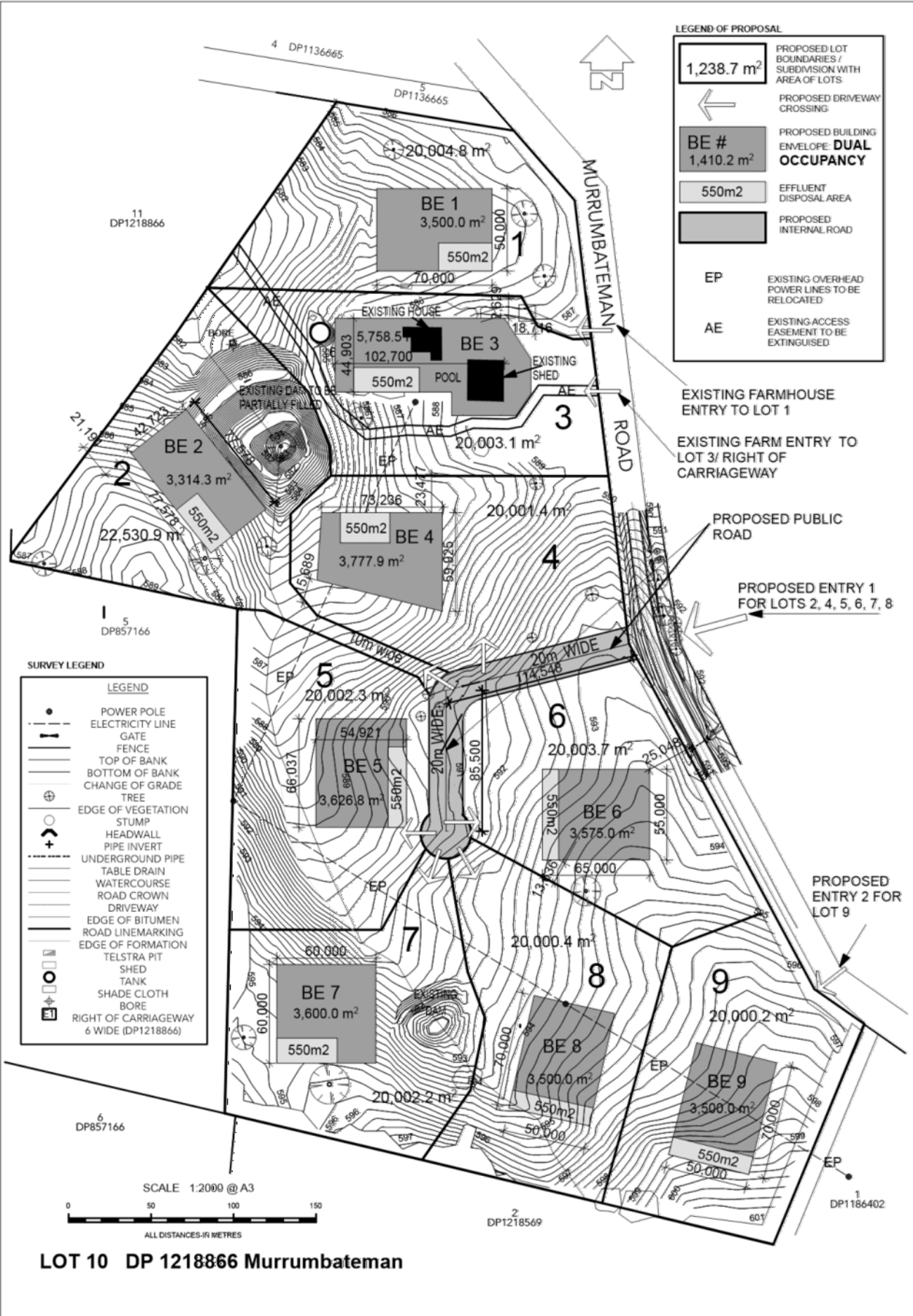
STRATEGIC DIRECTION

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

- ATTACHMENTS:**
- A. Future Growth for Murrumbateman [↓](#)
 - B. Draft Planning Proposal (*Under Separate Cover*) [⇒](#)
 - C. Proposed Subdivision [↓](#)

Figure 23: Murrumbateman Settlement and Future Growth





6.3 DEVELOPMENT CONSENT NO DA190157 - RESIDENTIAL SUBDIVISION, 141B ROSSI STREET, YASS

SUMMARY

To present a request for a review of the determination of Development Consent No DA190157 for a residential subdivision of 141B Rossi Street, Yass. Specifically the request seeks review of conditions imposed relating to the upgrade of a right of way and fencing.

RECOMMENDATION

That:

1. *The bitumen seal requirement of the Right of Way is necessary to address an impact of the development and is a valid condition. The request for removal is not supported.*
2. *The width of the Right of Way be reduced from 7m to 4.5m and the requirement for a cul-de-sac is removed.*
3. *The fencing standard be reduced from 'rural-residential' to 'rural' in accordance with Council's Non-Urban Fencing Policy, but that the request to use plain wire only is not supported.*

FINANCIAL IMPLICATIONS

Resources for development assessment are provided for in the current Operational Plan.

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Community Engagement Strategy*
- *Yass Valley Development Contribution Plan 2018*
- *Road Standards Policy*
- *Non-Urban Fencing Policy*
- *Application Assessment and Decision Making Policy*

REPORT

1. Application Details

Date DA Received	- 4 September 2019
Date of Determination	- 21 January 2020
Date Review Received	- 11 March 2020
Land	- 141B Rossi Street, Yass
Area	- 10.5ha
Zoning	- R5 Large Lot Residential

2. Site Description and Locality

The site is located at the western end of Rossi Street and adjoins a Yass River public reserve. The area is characterised by rural residential development at the urban interface. The subject land contains a dwelling house and outbuildings, with all proposed lots gaining access via the existing right of way from Rossi Street which is currently unsealed. A Locality Plan is included in **Attachment A**.

3. Proposal

Development Consent was granted in January 2020 for a three lot rural-residential subdivision of 141B Rossi Street, Yass (refer **Attachment B**). Consent conditions included requirements for:

- The upgrade of the existing right of way (RoW) to a 7m width, cul-de-sac and two-coat bitumen seal
- Erection of stock-proof fencing to boundaries of lots

The Applicant has since lodged a review request in relation to these conditions, specifically:

- For the standard of upgrade of the right of way to be reduced to a 4.5m width, no cul-de-sac, and gravel only
- Replace the stock-proof fencing condition to wire fencing only

A copy of the Applicant's request is included as **Attachment C**.

4. Public Exhibition

The original Development Application was notified to nearby and adjoining landowners and two submissions were received. The key issues raised in the submissions related to the standard of the right of way and dust impacts, and the property street numbering.

As the review request relates to conditions imposed in response to the submissions, the two persons who made earlier submissions were advised of the review and provided opportunity for additional comment. One submission in relation to the review was received.

A copy of the original submissions received and additional comments in relation to the review are included as **Attachment D**.

5. Assessment

A review of the original assessment and determination has been undertaken. The following is a response to the requirements that are subject to the review request:

5.1 Upgrade of Right of Way

The Consent conditions require the RoW to be upgraded to a 7m width with a cul-de-sac and a two-coat bitumen seal.

The submissions received detailed that Council had previously required the RoW to be sealed when the dwelling was constructed, however this was later relaxed as it was considered too onerous in relation to a single dwelling. Furthermore, one of the submissions details that the existing traffic along the RoW is already creating a dust problem and this has been exacerbated since a row of trees which acted as a buffer have been removed due to proximity to electricity infrastructure. The submissions suggest that the increased traffic generation as a result of two additional lots will significantly increase the impact.

A single dwelling in an urban locality generates approximately nine vehicle movements per day. In this regard, two additional lots with a single dwelling on each will result in 18 additional movements. This effectively doubles the traffic generation from existing.

A requirement for the RoW to be bitumen is necessary and appropriate in response to the additional dust impact. Council's *Road Standards Policy* stipulates that RoWs in the 'urban environment' must be either sealed or concrete, although does not clarify which zones are considered to be urban. The subject land is in a R5 Large Lot Residential zone and is on the interface of the urban area. It should be noted that in September 2015 Council determined to require the sealing a driveway in Dairy Place, Yass to minimise dust. This site is not dissimilar to the current property. Accordingly the request to remove the bitumen seal requirement should not be supported.

The RoW is owned by Council but provides rights of access only to those properties directly adjoining. The 7m width and cul-de-sac requirement was imposed as though the RoW was a public road. The RoW is not a public road but a private access. Accordingly a reduction to a 4.5m

width and deleting the cul-de-sac is consistent with the requirements of the *Road Standards Policy*.

A Consent condition however should be added which requires the 88B instrument to have terms prescribing a mechanism for ongoing maintenance and dispute resolution.

5.2 Fencing

The Consent conditions include a requirement for boundary fencing to be upgraded to a rural-residential standard in accordance with Council's *Non-Urban Fencing Policy*. This standard includes a tight wire netting and it used in rural residential areas to both contain stock and also reduce the escape or entry of domestic animals.

The Applicant has requested that this standard be relaxed, suggesting that the area is a known wildlife corridor and that any fencing would soon become damaged. The additional submission received in response to the review has stated that they expect that the fencing for the subdivision should comply with Council's policy standard, suggesting that wildlife such as kangaroos are able to adjust (as they have done with other development in the locality), and that stockproof fencing is necessary for protection and the health of the riverbank.

Plain wire fencing with no netting or barbs could be an appropriate option where there is a large amount of wildlife, however this site is not considered to be any more of a wildlife corridor than many other similar sites.

The policy sets the standard to which fencing to new lots should be constructed and has been generally applied in a consistent manner at subdivision. The correct fencing standard has been applied in the condition and it is not considered that there is sufficient basis to adopt a standard of just plain wire in this instance. A reduction from the rural-residential standard (wire netting) to rural standard (ring lock) is considered reasonable however given the generous lot sizes and the existing fencing standard in the locality. In relation to concerns for wildlife in the locality, the use of plain wires on top rather than barbed wires is appropriate.

6. Conclusion

From consideration of the review request and of the submissions received, it is concluded that:

- The bitumen seal requirement of the RoW is necessary to address an impact of the development, is a valid condition, and the request for removal should not be supported.
- The width of the RoW can be reduced from 7m to 4.5m and the requirement for the cul-de-sac can be deleted. This will still achieve compliance with the minimum requirements of Council's *Road Standards Policy*.
- The site is not considered to be any more of a wildlife corridor than other similar sites and that the *Non-Urban Fencing Policy* is generally applied in a consistent manner. Reducing the fencing standard from 'rural-residential' to 'rural' is however reasonable and the use of plain top wires rather than barbed is considered wildlife friendly. The request to use of plain wire only is not supported in this instance.

Draft amended conditions are included in **Attachment E**.

STRATEGIC DIRECTION

Key Pillar 1. Our Environment

CSP Strategy EN1 - Protect and enhance the existing natural environment, including flora and fauna native to the region

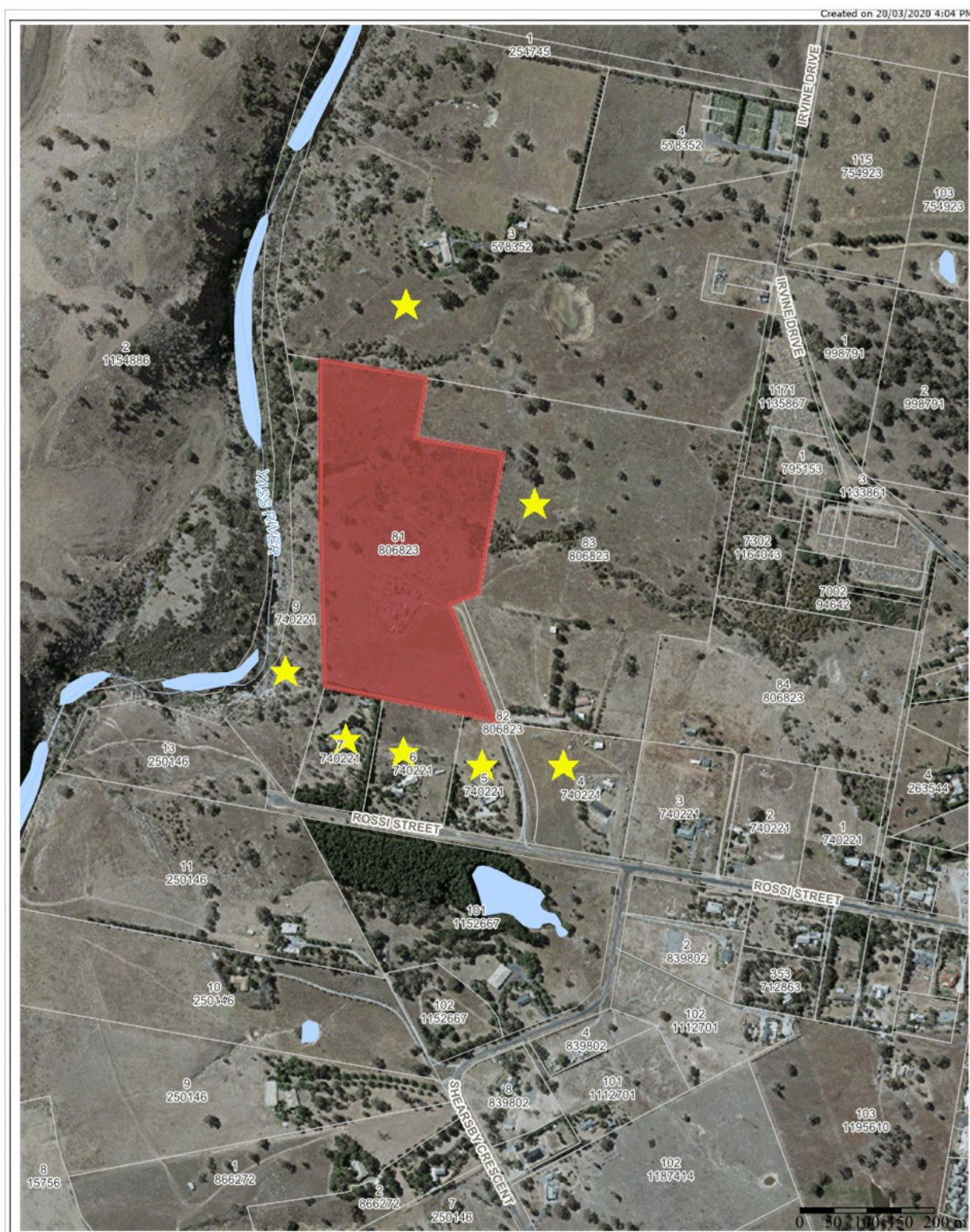
Delivery Program Action EN1.1 - Protect our natural assets in line with community values

Operational Plan Activity EN1.1.1 – Ensure assessment of development applications protects our natural environment

ATTACHMENTS:

- A. Locality and Notification Plan [↓](#)
- B. Approved Plan of Subdivision [↓](#)
- C. Review Request [↓](#)
- D. Submissions [↓](#)
- E. Draft Amended Conditions [↓](#)

6.3 Development Consent No DA190157 - Residential Subdivision, 141B Rossi Street, Yass
Attachment A Locality and Notification Plan



yass valley council
the country the people

Yass Valley Council
PO Box 6
209 Connaught Street
YASS NSW 2582
Telephone: 02 6266 1477
Email: info@yassvalley.nsw.gov.au

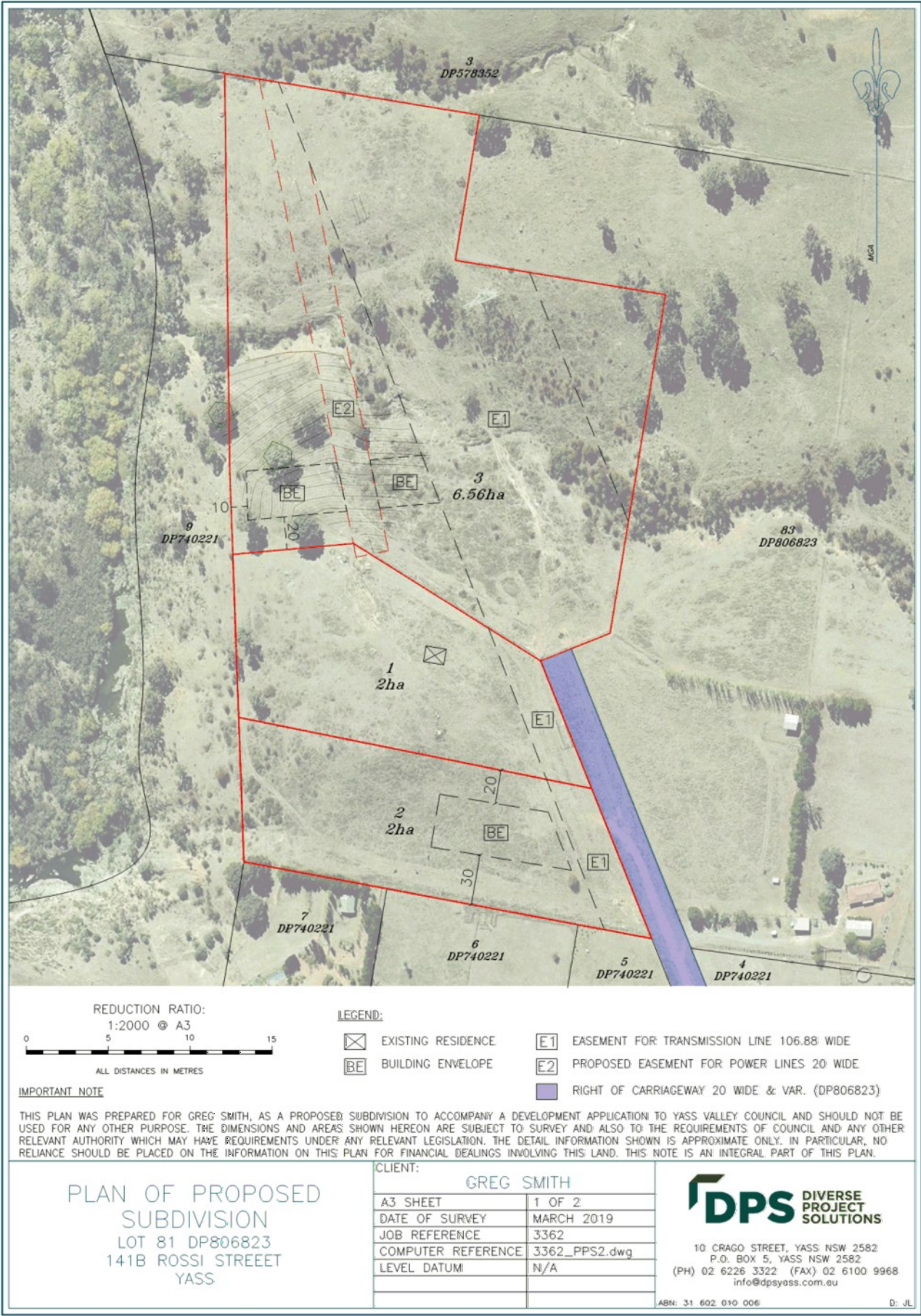
Important Notice!
This map is not a cadastral survey document. Accurate locations currently determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purposes have been notified to Council or not). While every care has been taken to ensure the accuracy of this data, neither the Yass Valley Council nor the SS makes any representations or warranties about the accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damages) and costs which may be incurred as a result of the data being inaccurate or incomplete in any way and for any reason.
© The State of New South Wales (Spatial Services), © Yass Valley Council.

Drawn By: Jeremy Knox
Projection: GDA94 / MGA zone 55
Date: 20/03/2020 4:04 PM

Subject Property (Red square)

Property Notified (Yellow star)

Map Scale: 1:7455 at A4





Diverse Project Solutions
10 Crago Street
Yass NSW 2582
Postall PO Box 5 Yass NSW 2582

Telephone 02 6226 3322
Fax 02 6100 9968
Email info@dpsyass.com.au
www.dpsyass.com.au

10 March 2020

Our Ref: 3362_YVC3

The General Manager
Yass Valley Council
PO Box 6
YASS NSW 2582

Attention: Mr Jeremy Knox

REVIEW OF DETERMINATION FOR DA 190157

**Lot 81 DP806823
141B Rossi Street, YASS**

Dear Jeremy,

On behalf of our client Greg Smith, we would like to lodge a review of determination of the abovementioned development consent at 141B Rossi Street, YASS.

The review of determination of the abovementioned development consent includes the following:

1. *Part B Condition 1 - The ROW is to be upgraded to Yass and Murrumbateman Township Roads standard – cul-de-sac.*

We request the standard of the ROW be reduced from 7m required for cul-de-sac standards to 4.5m for ROW standards. Considering this ROW is to service four lots only, two additional, a 7m bitumen pavement seems excessive. Noting, if we were to construct a 7m bitumen pavement it would encourage more people to use the access way. The intention of the subdivision is to create this ROW as a 4.5m private access way only, it is also proposed to install a 'private access/ no entry sign' where it begins.

It is proposed to have the above condition amended to reduce the width of the ROW to 4.5m and to remove the bitumen seal requirement for the purpose of this subdivision.

2. *Part F Condition 6 – Stock proof fencing must be provided to all boundaries of the proposed lots in accordance with Council's Non-Urban Fencing Policy DA-POL-012.*

The existing fence on the river boundary where dilapidated is a well-known wildlife corridor (photos below) and will only get ruined if constructed to Council's Non-Urban Fencing Policy. It is proposed to upgrade the fencing where necessary using plain wire only.

It is proposed to have the above condition amended to remove the requirement for the fencing to be constructed to Council's Non-Urban Fencing Policy and accept plain wire only.







In support of this application we enclose the following:

1. Signed Review of Determination Application form
2. The Client is aware of the Yass Valley Council's Review of Determination Application fees, upon receiving an invoice this will be forwarded to the client for payment.

We recommend this review of determination to Council and await advice on Council's determination of the application.

Please call this office if you have any queries on the above.

Yours Faithfully
DPS YASS Pty Ltd



.....
Jamie Bush
Project Surveyor

Jeremy Knox

From: Yass Valley Council <no-reply@wufoo.com>
Sent: Thursday, 3 October 2019 1:43 PM
To: YVC Customer Service Team
Subject: Public Consultation online submission [#107]

Name *

Address * 

Email *

Phone

Number *

What item DA190157 – 141B Rossi St Yass

are you
making a
submission
on? *

Submission *

To: Yass Valley Council

I would like to make a brief submission in relation to DA190157 – 141B Rossi St Yass.

While I do not oppose the development application, I would just like to highlight one issues in respect of access to the proposed subdivision.

Access to the proposed subdivision is by way of a shared dual carriageway. The existing access is gravel, but suitable for all weather and fit for purpose.

I am not clear about the access requirements when a subdivision is proposed, but expect that upgrading of the access will be required to minimise dust for nearby residents and to cope with the increased traffic flow.

I am presuming that any upgrade required would be meet by the applicant. Confirmation of this would be

appreciated in due course and I would appreciate if access requirements could be considered in the Council's deliberation in relation to this development application.

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>

[Report this message as spam](#)

Yass Valley Council

24 SEP 2019

SUBMISSION RE

DA190157-141B Rossi Street Yass

Email:

Phone:

Thank you for the opportunity to submit our concerns regarding this development application. We have been in residence at [redacted] for the past [redacted] years and consider ours to be the main residence affected by this application as the access runs along [redacted].

While we have no particular objection to the development application as such, we do have continuing concerns regarding the access road. These concerns were raised when the original property was developed and although accepted then, they were ultimately not remedied. These concerns will be further exacerbated as follows:

1. **Dirt access road.** In the original development application of the block (141B) council agreed with our submission that the road would be sealed. When the final inspection was carried out (approximately two years after the dwelling was built) and approval was granted council had then decided without any further consultation that sealing the road would be "too onerous" on the occupants and reneged on that agreement. The unsealed road remains an issue.
2. **Dust/noise/car movement.** The access road runs within at least [redacted] metres of our house for a length of 100 metres. Since TRANSGRID removed our trees along the boundary under their new regulations, dust has been an increasing issue. On count, there is an average of 12 to 25 car movements currently per day, which reverberate along the corrugation, creating noise which causes our dog to bark and chase along the boundary and dust to drift across our clothesline and house. With four dwellings and an average of two/three cars per dwelling, this will be at least a doubling of traffic. This does not take TRANSGRID maintenance into account.
3. **Drainage at entrance to access.** There is inadequate drainage at the entry to the access road to direct storm water under Rossi Street. During rain, the dirt washes out onto Rossi Street and water then pools further down at the entrance to our property. The drainage under the entrance to the access also does not catch stormwater washing down Rossi Street, nor any that runs down from the access, further degrading the entrance. (See attached photos). The more dirt that washes down the dirt access, the worse the issue becomes on Rossi Street. This issue was pointed out to council during the final inspection but our concerns were dismissed. Consequently, the drainage has continued to be an issue.

With increased movements both during construction and afterwards, the dirt access road needs to be sealed and appropriate drainage created prior to the development being approved. Even though we understand Mr Smith owns the access way, he will benefit from the development. This expectation should not be onerous given other developments within the Yass town are expected

to prepare appropriate roadways. An acceptable alternative to sealing the road would be the erection of a solid fence of at least 1.5mtrs high along the 100mtrs of boundary directly past our dwelling, thereby minimising dust and noise to the house and garden area of . The drainage would still need to be addressed.

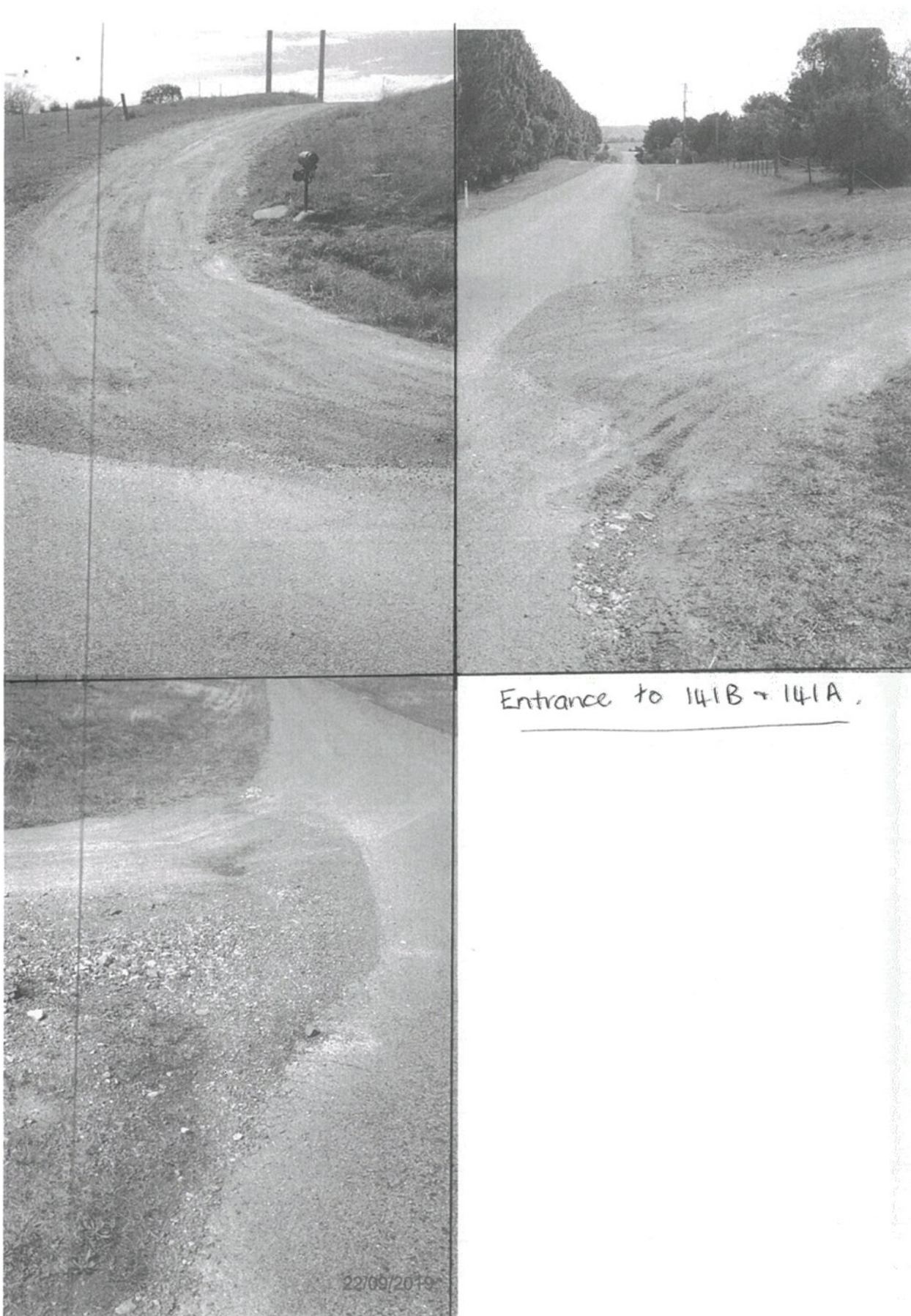
4. **Access way name.** The numbering of dwellings along this end of Rossi Street causes continued confusion to services delivering, friends seeking addresses and most importantly Emergency Services. For example, in June 2017, we called an Ambulance to an accident at 141 Rossi Street and the service first entered along the access road due to the expectation that numbering patterns are as follows: 141/141A/141B etc. which is not the case here, they are in reverse. This confusion is a dangerous delay and the more numbers that are added to 141 the greater the concern. The dwellings should be numbered 139/139A/139B etc. in accordance with accepted convention. More efficiently the access road should be named as an independent road as technically the dwellings are not on Rossi Street.

It would be appropriate for the access way to be named (e.g., Rossi Lane/Smiths Lane) and numbered independently of . avoid further confusion regarding service delivery. If this was completed prior to the development, the postal effect on residents would be minimal, given 141B has a PO Box as do we.

We look forward to your response to this submission in a timely manner. Could you also please advise the appropriate steps we could take under the Local Government Act (or equivalent) should our concerns not be accepted by the development applicant.

Yours Sincerely
(Signed)

23 September 2019



COMMENT RE
REVIEW OF DETERMINATION
DA190157 – 141B Rossi Street YASS

Thank you for the opportunity to provide further comment on this development application. We were satisfied with the Council's original determination and we do not believe any cogent argument has been made for review. On the contrary, Mr Smith appears to believe that no improvements to the property or access are necessary for "development".

Whilst we have some sympathy for Mr Smith regarding the costs involved in developing a property, the fact remains that his property lies within the Yass town 60 km/h boundary, where other developers are expected to provide appropriate infrastructure. Financial impost, in our opinion, is not a compelling argument to avoid ameliorating any of the impact on us as the neighbouring property. From a financial point of view, we stand to lose as any lack of development of the RoW has potential to negatively impact the value of our property.

- **RoW downgrade to gravel**

We would draw your attention to our original submission and confirm that we have not changed our position regarding an appropriate upgrade of the right of way (RoW).

We also make the following observations on correspondence dated 10 March 2020; DPS Yass Pty Ltd on behalf of Mr Smith:

1. The suggestion that bitumen "would encourage more people to use the access way" is a spurious argument; the reality is that the subdivision is what will encourage this outcome. However it is worth considering that bitumen would add value to the proposed subdivision.
2. With four property entries this RoW ceases to be private access, as described because there will be public use of the road. Having a sign "private access/no entry" serves no purpose and will not impact the increase of traffic.
3. Initially construction of dwellings will create excess heavy traffic, dust and further deterioration of the roadway. This is apart from the continued use by each household; currently already around 7 different vehicles from households daily.
4. Services at each gate will also increase traffic through service requirements such as garbage collection, electricity and water meter, postal services, deliveries, as well as visitors etc.
5. TRANSGRID will continue to require access to all easements
6. While there would be no impact on our property regarding the width of the RoW, we note that already cars cannot pass with ease because the road is narrow and in poor condition.

We would also draw your attention to examples like Zouch Road and the development at Burley Griffin Way/Hume H'way, both of whom are outside town limits yet provide road infrastructure on private access. We see no difference between those and this development except proximity to Yass town and the number of blocks.

- **Stock proof fencing**

We would expect that on the river boundary fencing, the development should comply with the Council's Non-Urban Fencing Policy DA-PLO-12 as outlined in the Determination Notice for the protection and health of the riverbank.

We would point out that the property in question, as well as our back paddock, was occupied by wildlife (mostly kangaroos) from the river prior to the initial development at 141B. The kangaroos were forced to adjust and move off these areas due to the building of dwellings and the introduction by Mr Smith of domestic animals. There was no concern about wildlife at that point so we would wonder about the sincerity of any current concerns.

On our property, we continue to experience the presence of wombats and echidnas on a regular basis and occasionally kangaroos up Rossi Street proper. The fact that kangaroos will need to adjust again but can continue to traverse the riverbank and the opposite side of the river if stock proof fences are installed is unfortunate but my experience tells me fences of any type are no deterrent and a "wildlife corridor" is not necessary.

We look forward to a resolution to this situation that takes our needs into equal account with those of Mr Smith.

Yours Sincerely,
(signed)

24 March 2020

DA190157 - Amended Draft Conditions – 141B Rossi Street

- Amend Condition (1) in Part B and Conditions (3) and (6) in Part F
- Add Condition (13) in Part F
- Renumber Conditions (14) and (15) in Part F

PART A - GENERAL CONDITIONS

- (1) Consent is granted generally in accordance with the plan and details submitted to Yass Valley Council (Council) with the Development Application. The plan of subdivision has been stamped and attached to this consent. The development must be carried out in accordance with the stamped plan or as modified by these conditions.
- (2) This approval relates only to the development referred to in the development application and specifically does not amount to an approval or acceptance by the Council of any works or buildings already erected on the land, whether or not those works or buildings are the subject of a prior development or building approval.
- (3) An Engineering Construction Certificate, as defined by the *Environmental Planning and Assessment Act 1979*, must be obtained for all engineering works prior to any works commencing on site. Council's fee for providing a Construction Certificate is levied in accordance with Council's Management Plan relevant at the time of payment.

This will require the Form 28 to be filled out and submitted to Council.

- (4) All engineering design and construction work must be undertaken in accordance with the following, current at the time of the Engineering Construction Certificate being issued:
 - Council's Road Standards Policy RD-POL-09
 - Council's Design and Construction Specification – AUS-SPEC #1
 - Australian Standards and
 - AustRoads
- (5) The developer must make any necessary alteration, relocation or enlargement to public utilities, whether caused directly or indirectly by this subdivision, at no cost to Council.
- (6) If Aboriginal sites or objects are identified during works associated with the subdivision, all work must cease and NSW Office of Environment and Heritage (OEH) is to be contacted immediately (131 555).

PART B - PRIOR TO ISSUE OF ENGINEERING CONSTRUCTION CERTIFICATE

- (1) Engineering drawings for the provision of access to each lot must and the upgrade of the right of way (RoW) must be submitted to Council's Engineering Division for approval in accordance with:
 - Council's Roads Standards Policy RD-POL-09 and
 - Council's Design and Construction Specification – AUS-SPEC #1.

The RoW is to be upgraded with a two-coat bitumen seal. (*Amended 27 May 2020*)

- (2) Engineering drawings associated with the supply of **water** shall be submitted to Council's Engineering Department for approval in accordance with the Water Supply Code of Australia.

Note:

- Water reticulation mains shall be designed and laid in accordance with the Water Supply Code of Australia.
- All reticulation mains shall be of MPVC, PN 16, S2 except at road crossings. Road crossings shall be DICL pipe class PN 35. Minimum diameter shall be 100 mm.
- All water mains in cul-de-sac locations shall be looped, unless otherwise instructed by Council.
- All valves shall be anti-clockwise closing and shall conform to Council standards.
- All water mains shall be tested in accordance with Council requirements.
- All property services shall be with copper pipes of 25 mm diameter as per plumbing standards.
- All meter cocks of each property service shall be installed at 200mm – 300mm below finished ground level and shall be covered with meter boxes. Meter boxes will be supplied by Council.
- Tapping saddle, main cock and meter cock shall meet Council requirements.
- Connection shall be made to the existing 100mm water main at Rossi the Developer's cost.

PART C - PRIOR TO WORKS COMMENCING

- (1) The person having the benefit of this Development Consent must provide at least two days' notice to Council of their intention to commence subdivision work. This will require Form 131 to be submitted to Council.
- (2) Any contractor undertaking works in an existing Council road reserve must submit the following details to Council:
- A current public liability certificate with a minimum cover of \$20 million
 - Current plant / vehicle insurances
 - A certified traffic control plan for the proposed works
- (3) A sign must be displayed and maintained in a prominent position on the site while subdivision work is being undertaken and removed upon completion.

The sign must list the following details:

- The name, address and telephone number of the Principal Certifying Authority
- The name or the Principal Contractor and an after-hours telephone number and
- That unauthorised entry to the site is prohibited.

- (4) The amount of filling material imported to the site for works associated with this approval (e.g. road upgrade) must be **limited to 100m³** unless otherwise approved by Council. If the amount of filling for works associated with this approval is greater than 100m³ details on the volume of material and number of truck movements must be submitted to Council.

PART D – INSPECTIONS

To arrange an inspection with Council please use the on-line booking system:

yassvalley.nsw.gov.au > Our Services > Planning and Building > Certification and Inspections > Inspections

If Council undertakes the inspection, the fee per inspection will be levied in accordance with Council's Fees and Charges, relevant at the time of payment.

- (1) A compliance certificate must be obtained from Council's Engineering Division at the following stages of construction:

Access and RoW

- (a) Completion of property access - This inspection is for access dimensions and to ensure there are no 'trip-fall' hazards.
- (b) Completion of sub-grade pavement layer RoW - proof roll
- (c) Completion of base course pavement layer RoW - proof roll
- (d) Completion of two coat bitumen seal RoW

Fencing

- (e) Completion of boundary fencing of each lot created.

Water

- (f) Installation of water main – prior to backfilling
 - (g) Installation of each service connections – prior to backfilling
 - (h) Pressure testing of water mains and service connections
 - (i) Closing of main cocks after satisfactory completion of pressure testing of water mains and service connections
- (2) An inspection is to be undertaken by Council's Planning Division or an accredited bushfire consultant to ensure water, electricity, gas and accesses comply with Section 4.1.3 of *Planning for Bushfire Protection 2006*.
- (3) An inspection must be undertaken by the Local Control Authority to determine the status of weeds on each proposed lot.

PART E – BUSHFIRE PROTECTION

- (1) Installation of any water, electricity and gas services proposed by this application are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

- (2) Construction of any property access roads proposed by this application shall comply with section 4.1.3 (2) of 'Planning for Bush Fire Protection 2006'.

PART F - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

- (1) In accordance with section 7.12 *Environmental Planning and Assessment Act 1979* and the Yass Valley Development Contributions Plan 2018, a monetary contribution must be paid to Council if the proposed cost of carrying out the development exceeds \$100,000.

The contribution rate is determined in accordance with the table below:

Proposed cost of carrying out the development	Contribution Rate
Up to and including \$100,000	Nil
More than \$100,000 and up to and including \$200,000	0.5% of that cost
More than \$200,000	1% of that cost

- (2) The property vehicular accesses from the road to the property boundary must be constructed in accordance with Council's Road Standards Policy RD-POL-09.
- (3) The right of way (RoW) must be constructed in accordance with Council's Road Standards Policy RD-POL-09 and per the approved Engineering Construction Certificate. (*Amended 27 May 2020*)

Note: The RoW is to be upgraded with a two-coat bitumen seal.

- (4) A property identification street sign shall be installed at the entrance to the right of way (RoW). The street sign shall be in accordance with Council's standard urban street sign design;
- (5) All water infrastructure shall be undertaken in accordance with designs/drawings approved with the Engineering Construction Certificate.
- (6) Stock proof fencing must be provided to all boundaries of the proposed lots in accordance with Council's Non-Urban Fencing Policy DA-POL-12.

The minimum acceptable standard for new fencing work for rural lots is as follows:

- A fence height of no less than 1,200 mm
- Strainers – spacing 100 m to 200 m depending on terrain
- Steel Star Pickets at 4 m centres
- Two 1.57 mm high tensile barbed wires (or 2.5 mm. high tensile plain wires) on top
- Three 2.8 mm high tensile carry wires
- "Hinged Joint or Ringlock"
- Netting floodgates as required
- All gates must be set back a minimum of 15 metres from the edge of road formation.

New fences must be located so as to minimise the need for tree removal.

All "Hinge Joint or Ringlock" fencing must be set no higher than 50 mm above the surface of the ground.

The existing boundary fence where dilapidated, must be repaired to the above standard. Existing fence in good order but of varying standards may be permitted if such standard is deemed by Council as 'stock proof'.

Where the boundary fence does not coincide with the property boundary for proposed subdivision, the applicant must provide a note on the linen plan that fence may not be constructed on the boundary of particular lot. (*Amended 27 May 2020*)

- (7) The Applicant must provide an inspection notice, from within the last two months, of the status of weeds on the property pursuant to the Applicant's General Biosecurity Duty under the *Biosecurity Act 2015*.

The applicant must carry out such works as determined by the Local Control Authority for the satisfactory control of weeds prior to the issue of a Subdivision Certificate. The Local Control Authority is to provide written documentation confirming that these works have been carried out and completed in a satisfactory manner.

Where a plan of management is required by the Local Control Authority for the satisfactory control of weeds:

- (a) The applicant must submit to Council a copy of the plan of management
 - (b) The applicant must submit to Council written documentation from the Local Control Authority confirming that the plan of management is satisfactory
 - (c) The plan of management must be registered as a restriction to user under Section 88 of the *Conveyancing Act 1919*. The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council and will only be released at such time as an inspection notice from the Local Control Authority is submitted to Council confirming that the area is free of weeds.
- (8) In accordance with the Provision of Electricity Supply and Telecommunications Service for Subdivisions Policy DA-POL-17, evidence must be submitted to Council demonstrating that a satisfactory standard of electricity supply is available to each lot within the subdivision.
- (9) In accordance with the Provision of Electricity Supply and Telecommunications Service for Subdivisions Policy DA-POL-17, evidence must be submitted to Council demonstrating that a satisfactory standard of telecommunications service is available to each lot within the subdivision.
- (10) Easements must be created on the final plan of subdivision centred on any existing or new power lines/cables passing through private property and must be in accordance with the service provider's requirements.
- (11) Building envelopes must be designated on the final plan of subdivision over each proposed lot in accordance with the approved plan of subdivision.

The accompanying Section 88E instrument must state that no permanent or temporary dwellings and/or outbuildings and associated infrastructure are permitted to be erected outside of the identified building envelope shown on the plan of subdivision.

The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council.

- (12) In accordance with the recommendations in the Test of Significance prepared by Woodlands Environmental Management, a restriction to user under Section 88B of the *Conveyancing Act 1919* must be placed on Lot 3 which requires the mature Eucalypt located close to the building envelope to be protected and conserved during the construction, establishment and occupation stage of the development and that any disturbance of the root zone is to be avoided.

- (13) Terms of restriction for the RoW shall prescribe the mechanism for ongoing maintenance including for dispute resolution. (*Condition Added 27 May 2020*)

Note: All aspects (including maintenance) of RoWs is the responsibility of the beneficiaries. Council will not accept any responsibility or provide any assistance in relation to matters associated with a RoW. Council will not accept the transfer of a RoW to public road status.

- (14) A **Subdivision Certificate Application** (Form 206) must be submitted to Council. (*Condition Renumbered 27 May 2020*)

The application is to be accompanied by the following:

- (a) A plan of subdivision (linen plan) acceptable for registration by the NSW Land and Property Information Office.
- (b) An Administration Sheet which incorporates a subdivision certificate acceptable for registration by the NSW Land and Property Information Office.
- (c) Where easements, rights of carriageway or restrictions on the use of land are proposed or required to be created under Section 88 of the *Conveyancing Act 1919*, a copy of the relevant instrument.
- (d) The relevant documents required by the NSW Land and Property Information Office for the registration of a Community scheme or a Strata scheme, if applicable.
- (e) The applicant must create, where applicable, 20 metre wide easements over the final plan of subdivision in favour of Essential Energy, centred on all existing power lines which cross the subdivision.
- (f) A copy of relevant development consent or complying development certificate.
- (g) A copy of any relevant construction certificate.
- (h) A copy of any relevant compliance certificates, letters from authorities and receipts for payment of any fees/contributions.
- (i) A copy of detailed subdivision engineering plans, where relevant.
- (j) Evidence that the applicant has complied with all conditions of consent that it is required to comply with before a subdivision certificate can be issued.

- (k) For subdivision involving subdivision work, evidence that the work has been completed, or:
- Agreement has been reached with the relevant consent authority as to payment of the cost of work and as to the time for carrying out the work, or
 - Agreement has been reached with the relevant consent authority as to security to be given to the consent authority with respect to the completion of the work.
- (l) The relevant fee payment at the date of application for the subdivision certificate.
- (15) The subdivision certificate will not be issued until all conditions of this consent have been complied with in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*. (Condition Renumbered 27 May 2020)

NOTES ACCOMPANYING DEVELOPMENT CONSENT DA190157

(Please read these notes carefully to ensure you are fully conversant with the conditions under which this consent is granted.)

- (1) This consent has been granted under clause 4.1 of the *Yass Valley Local Environmental Plan 2013*.
- (2) This approval is for subdivision only. Further development consent is required for any proposed dwelling house or other permissible use, as prescribed in the relevant Environmental Planning Instruments of Council.
- (3) All fees and charges associated with this consent must be adjusted annually from the date of this consent in accordance with seasonal movements in the CPI for the Canberra region.
- (4) Any additional Council inspection, beyond the scope of any Compliance Certificate package and needed to verify the compliance of any work, must be charged at the individual inspection rate nominated in Council's Fees and Charges.
- (5) The applicant must ensure all sub-contractors are licensed by the NSW Department of Fair Trading.
- (6) The *Work Health and Safety Act 2011*, the *Work Health and Safety Regulation 2011* and various Australian Standards provide a comprehensive set of risk control measures and procedures for development sites which cover all types of risk. This legislation is administered by WorkCover New South Wales which has produced a variety of guidelines and other supporting documents for the information of developers.

All persons undertaking work in connection with this consent should ensure that all required risk control measures and procedures are complied with.

- (7) All Development Applications relating to the lots created by this subdivision will be assessed under the provisions of the *Biodiversity Conservation Act 2016* and *Biodiversity Conservation*

Regulation 2017. If the development triggers the Biodiversity Offsets Scheme, the Development Application must be accompanied by a Biodiversity Development Assessment Report (BDAR).

- (8) The property access must be constructed to the following minimum specifications from the road pavement to the property boundary:
- (a) All property accesses must be constructed to “Rural Property Access –with Indented Access” (see Appendix B) standard in accordance with Austroads Guide to Road Design – Part 4: Intersections and Crossings General, and be sealed from the edge of the road to the gate.
 - (b) Driveways are to be constructed with a minimum thickness of 100 mm. approved compacted gravel. Where the driveway accesses onto a sealed road pavement, then the entrance will also be provided with a two coat bitumen seal or 100mm thick concrete (25 MPA with SL72 mesh), or similar all weather pavement.
 - (c) Gate to be set back 15 metres from the edge of pavement on local roads and 20m from edge of pavement on Regional roads.
 - (d) Reinforced concrete pipes (minimum of 300 mm diameter) and headwalls are to be installed in the table drain in accordance with AS 3725. Pipe and headwall structures are to be set back a minimum of 2m from the edge of the road formation and be provided with permanent erosion protection upstream and downstream of the culvert. Pipes are to be designed for a minimum of a 1 in 5 year storm event or determined as follows:

Table 2.0. – Minimum Culvert Sizes

Catchment Size	Less than 0.5Ha	Less than 1Ha	Less than 2Ha	Less than 3Ha	3+Ha
Pipe Size	300mm	375mm	450mm	600mm	AR&R 1 in 5 year storm event

- (e) Where a pipe culvert would be unsuitable, due to topography and pipe cover requirements, a reinforced concrete dish drain may be constructed in the table drain with the approval of the Director of Engineering. Minimum requirements for the construction of a dish drain are as follows:
 - minimum 150mm thick
 - 1.5m wide
 - dish drain to be constructed full width of the driveway, minimum 5 metres in length
 - 25MPa concrete with SL72 mesh and
 - Permanent erosion protection upstream and downstream of the dish drain

6.4 DEVELOPMENT APPLICATION DA190211 - IMPORTATION OF MATERIAL FOR INTERNAL ACCESS ROADS, 33 HILLVIEW DRIVE, MURRUMBATEMAN

SUMMARY

To present the assessment of Development Application No. DA190211 for the importation of 55,000m³ of material at "Hillview", 33 Hillview Drive, Murrumbateman. The proposal is referred to Council as it attracted 11 submissions. Conditional Approval is recommended.

RECOMMENDATION

That:

1. *Conditional Development Consent be issued for the importation of material and construction of internal access roads at "Hillview", 33 Hillview Drive, Murrumbateman following:*
 - *The Applicant suitably demonstrating that the proposed development does not trigger entry into the Biodiversity Offset Scheme under the Biodiversity Conservation Act 2016.*
 - *The Applicant suitably demonstrating how they have undertaken due diligence for the protection of Aboriginal objects.*
2. *The Development Consent restricts the standard of internal access road construction to generally 4.5m x 300mm and an overall maximum volume of material that can be imported to 40,000m³.*

FINANCIAL IMPLICATIONS

Resources for development assessment are provided for in the current Operational Plan.

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *Biodiversity Conservation Act 2016*
- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment Operation (Waste) Regulation 2014*
- *Water Management Act 2000*
- *Roads Act 1993*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *Yass Valley Local Environmental Plan 2013*
- *Resource Recovery Exemption – Excavated Natural Material Exemption 2014*
- *Resource Recovery Order – Excavated Natural Material Order 2014*
- *Yass Valley Heavy Haulage Section 94 Contributions Plan 2006*
- *Yass Valley Community Engagement Strategy*
- *Application Assessment and Decision Making Policy*
- *Draft Filling on Rural Properties Policy*

REPORT

1. Application Details

Date Received	- 3 December 2019
Land	- "Hillview" - 33 Hillview Drive, Murrumbateman
Area	- Approximately 1,900ha
Zoning	- RU1 Primary Production

2. Site Description and Locality

The development site is a significant property of approximately 1,900ha north of the Murrumbateman Village. The property contains land to the north and south of Hillview Drive, as well as west of the Barton Highway. Due to the size of the property there is considerable separation to sensitive receivers, with notable nearby development including the veterinary surgery and dwellings on Hillview Drive towards the Barton Highway intersection.

The property is used for agricultural purposes, containing farm buildings and infrastructure as well as manager's residences. The portion north of Hillview Drive is serviced by three primary property accesses. The portion to the west of the Barton Highway has direct access from the highway.

A Locality Plan is included as [Attachment A](#).

3. Background and Proposal

The initial submitted proposal sought approval for the importation of 65,000m³ of virgin excavated natural material (VENM) or excavated natural material (ENM) for the purposes of internal access road construction and upgrade, as well as stockpiling for other additional internal access roads, building pads and other infrastructure.

In March 2020 Council, at the request of the Applicant, deferred consideration of the proposal pending receipt of further information. Additional information has been submitted and the proposal revised i.e.

- The volume of material has been reduced from 65,000m³ to 55,000m³
- The length of internal access roads to be constructed and upgraded has increased from 19km to 28.5km
- The area of work has now extended to an area of the site to the south of Hillview Drive and west of the Barton Highway

The Applicant has also provided a draft farm masterplan (refer [Attachment B](#)), and updated Statement of Environmental Effects (refer [Attachment C](#)) and response to submissions (refer [Attachment D](#)).

The proposal still involves the construction and upgrade of internal access roads with a 4.5m width and 400mm depth. The equates to approximately 51,300m³ of material, with the additional 3,700m³ proposed to be imported and stockpiled.

4. Public Exhibition

Public exhibition included notice to 16 nearby and adjoining property owners and 10 submissions received. Nine submissions raised either objections or points of concerns, whilst one submission was unrelated to the Development Application.

The revised proposal was not re-exhibited as it did not significantly change the submitted proposal and there remains a considerable distance to neighbouring properties in these areas. However two additional submissions were received, including one in support and one which continued to raise concerns.

Copies of all submissions are included in [Attachment E](#).

The key planning issues raised in the submissions include:

- Volume of material and purpose

- Material quality and contamination potential
- Road impacts and heavy haulage contributions
- Access and Road Safety
- Water usage
- Biodiversity
- Watercourse crossings
- Consideration of Aboriginal cultural heritage

5. Referrals

5.1. Transport for NSW (TfNSW)

TfNSW have requested a Transport Management Plan to be prepared for managing heavy vehicle movements, adverse weather conditions, avoiding school bus times, and record keeping. These conditions are consistent with previous responses from TfNSW for applications involving heavy haulage onto a classified road and also generally consistent with Council's standard requirements.

The Barton Highway Duplication Corridor would have been considered by TfNSW in their submission. The nature of the internal access roads means that they do not limit the opportunity for future duplication.

The conditions of TfNSW can be included in any Development Consent that may be issued.

5.2. Department of Planning, Industry & Environment (DPIE)

The Applicant indicates that they have consulted with DPIE (NSW Environment) in relation to whether the proposal triggers the Biodiversity Offset Scheme under the *Biodiversity Conservation Act 2016*. This is discussed further under the Biodiversity and Aboriginal Cultural Heritage sections in the assessment below.

6. Assessment

An assessment has been completed in accordance with the planning legislation. A following is a response to the planning issues identified in the assessment and raised within the submissions:

6.1. Volume of Material, Purpose and Access Road Standard

The issue of 'clean fill' material being transported to rural properties has been ongoing for some time. This has been detailed in previous reports to Council and a draft policy has been recently placed on exhibition to assist with setting standards on the importation of fill material.

The volume of material proposed and the need for this material has been an issue consistently raised through pre-lodgement consultation and the assessment of the Development Application. It was outlined in pre-lodgement consultation that any application should clearly demonstrate the work being proposed and the volume of material required was necessary to support the use of the land and justifiable as part of reasonable development. Whilst an Application for the stockpiling of material only was initially discussed, it was suggested that a combined application which included both the importation of any material and a clear proposal for the end use would be more appropriate.

The application has been revised from the original maximum volume of 65,000m³ proposed to 55,000m³. The Applicant indicates that approximately 51,300m³ of this material will be used for internal access road construction as now shown on the draft Masterplan, with the additional 3,700m³ proposed to be imported and stockpiled for other future purposes (e.g. building bases and for other farm infrastructure). The revised additional stockpile volume of 3,700m³ is estimated to be 750 additional return truck movements. The amended proposal and additional information provided now gives a better understanding of the work that is proposed and how the material volume has been determined.

The standard of access road construction proposed by the Applicant is 4.5m wide and 400mm in depth. Council's recently exhibited policy suggests an acceptable standard of 4.5m wide and

300mm depth above existing ground levels. The standard in the draft policy is based on engineering advice and would be suitable to provide quality internal access roads for agricultural purposes.

A reduction to from 400mm depth to 300mm depth would see the total volume of material required for internal access road construction reduce from 51,300m³ to 38,475m³ (or a reduction of approximately 580 return trucks).

Considerable weight has been given to ensuring that the volume of proposed material has been justified and genuinely reflects the amount of material necessary to reasonably complete a project.

Noting the use of the additional 3,700m³ is yet to be determined and the suggested reduction in internal access road standard, consideration could be given to Council granting approval for a maximum 40,000m³ of material to be imported (i.e. 38,500m³ associated with the internal access road construction and allowing for 1,500m³ additional material for other minor and unspecified improvements).

6.2. Material Quality and Contamination Potential

The submissions question how the quality of the material can be ensured during the project, particularly in relation to per- and poly-fluoroalkyl substances as it has been advised that some material will be sourced from the Canberra Airport site.

Projects involving the importation of material are required to use only virgin excavated natural material (VENM) or excavated natural material (ENM). The Applicant has now confirmed that the material will be both VENM and ENM.

The Applicant has indicated that if the soil comes from the airport then it must be tested in accordance with Commonwealth Department of Agriculture, Water & Environment requirements. However the material must also meet the requirements of NSW legislation. A Resource Recovery Exemption (RRE) and Resource Recovery Order (RRO) issued by the NSW Environment Protection Authority (EPA) under the *Protection of the Environment Operations (Waste) Regulation 2014* allows the use of ENM in earthworks, subject to specific requirements for source testing.

If an approval is to be issued the Applicant will need to have appropriate documentation to confirm the classification is VENM or ENM for NSW legislation. A requirement for this documentation can be included in any approval that may be issued.

6.3. Road Impacts and Heavy Haulage Contributions

At 55,000m³ the proposed development is estimated to generate approximately 5,000 one way heavy vehicle movements (assuming 22m³ truck and dog combination) or 2,500 return trips.

The impact on the road network and the opportunity for heavy haulage contributions is an issue raised within the submissions for this proposal, and consistently throughout other Development Applications involving large volumes of material that have been reported to Council.

Council's *Heavy Haulage Section 94 Contribution Plan 2006* currently provides the nexus and framework for the levying of road maintenance contributions which generate in excess of 8,000 tonnes of payload annually. It is important to note that the contribution is levied and applies on Council's road network only (i.e. Hillview Drive only).

For the calculations of the heavy haulage contribution the following assumptions have been made:

- The proposal will involve the importation of over 8,000 tonnes annually
- All material will be imported within one year
- All material will enter the property at the second entrance (i.e. halfway along Hillview Drive)

Shortcomings of the current Heavy Haulage Contribution Plan have been previously acknowledged and a new Draft Yass Valley Heavy Haulage Contribution Plan 2018 has been prepared and exhibited. While the new plan includes a simplified methodology for contributions of a rate per tonne per kilometre it has not yet been adopted. The heavy haulage contribution has been calculated and levied under the existing plan only i.e.

m ³	Contribution
55,000	\$2,309
40,000	\$1,719

As a comparison the contribution would be \$6,311 under the revised Contributions Plan.

6.4. Access and Road Safety

Concerns have been raised on the safety of the property accesses, as well as:

- The standard of Hillview Drive between the Barton Highway and the development site
- The adequacy of the Hillview Drive/Barton Highway intersection

TfNSW has not raised any objections to the proposal, subject to a Transport Management Plan and limitation on the number of heavy vehicle movements. The existing Hillview Drive/Barton Highway intersection is considered to be adequate.

To address safety the property accesses on Hillview Drive will need to be upgraded to ensure:

- Sufficient off road storage for the largest proposed vehicle to access the site
- Sufficient off road storage to ensure no vehicle entering the site is impeded by an exiting vehicle
- Vehicles entering the property can do so without crossing over the centre of the sealed section of Hillview Drive
- Vehicles leaving the property can do so without leaving the sealed section of Hillview Drive

The upgrade of property accesses would need to occur prior to the importation of any material.

The upgrade of this section of Hillview Drive is not considered to necessary.

6.5. Water Usage

Concern has been raised in relation to the water use associated with dust control measures, including whether water will be extracted from Murrumbateman Creek. The Applicant has indicated that water utilised for dust suppression measures will be sources from onsite dams and there will be no additional extraction or water haulage required.

6.6. Biodiversity

Within the submissions received concern has been raised that the proposal has not adequately considered the impact on biodiversity. The Applicant was requested to provide evidence of how they have determined whether the proposed development triggers entry into the Biodiversity Offset Scheme (BOS) under the *Biodiversity Conservation Act 2016*. The triggers for entry into the BOS in this instance may include:

- Clearing of greater than 1ha of native vegetation, including native grasses
- Clearing of land identified on the Biodiversity Values Map (BVM)
- An impact which exceeds the test of significance

While the Applicant has indicated consultation with NSW Environment has occurred and the BOS is not triggered. Unfortunately details have not been provided and at this stage NSW Environment have indicated the information submitted is insufficient and further details are required.

The internal access roads are proposed to have a footprint or potentially disturb up to 12.6ha. This is greater than the 1ha limits for clearing however no details on the type or quality of the vegetation has been provided.

While part of the site along Murrumbateman Creek is also identified on the Biodiversity Values Map the Applicant has indicated that they will not be undertaking any work within this area of the site.

Any Development Consent should not be issued until it has been demonstrated that the proposal does not trigger entry into the Biodiversity Offset Scheme.

6.7. Watercourse Crossings

The Applicant has advised that the proposed development does not involve the construction or upgrade of any watercourse crossing. Approval from the Natural Resources Access Regulator (NRAR) under the *Water Management Act 2000* is not required at this time. Separate approvals from the NRAR can be sought for works in this area should this change.

6.8. Aboriginal Cultural Heritage

Concerns have been raised on the lack of an assessment for Aboriginal cultural heritage.

The Applicant has responded that there are no known Aboriginal objects on the site and as it has been used for intensive farming for over 100 years. The Applicant has also suggested that farming is a defensible low impact activity and therefore they are not required to go through a due diligence process. However, if any objects are found whilst works are being carried out, that they will cease work and notify the NSW Environment immediately and apply for any necessary permit.

NSW Environment have advised that:

- Under the *National Parks & Wildlife Act 1974* Applicants need to make reasonable efforts to determine whether their proposed activities will harm Aboriginal objects, or harm landscape features that are likely to contain Aboriginal objects.
- Whilst there are no known sites recorded on the Aboriginal Heritage Information Management System (AHIMS) for the property, there are a number of sites recorded in the vicinity. The majority of sites close by were recorded as part of the preliminary assessment for the Barton Highway upgrade.
- While Aboriginal objects may not be present on a property, the search results give an indication that other Aboriginal objects may be present in the area. In this case, previous assessments for the Murrumbateman area also indicates that sites are likely to occur close to sources of water. These landforms are present within the proposed area of the development.

The agency has suggested that a due diligence assessment be undertaken including a visual inspection of the proposed development area by a person experienced in identifying Aboriginal objects. This can be required prior to the issue of any approval.

7. Conclusion

From an assessment of the proposal and consideration of the issues raised in the submissions, it is recommended that a Conditional Development Consent be issued once the Applicant has:

- Suitably demonstrated that the proposed development does not trigger entry into the Biodiversity Offset Scheme under the *Biodiversity Conservation Act 2016*
- Undertaken due diligence for the protection of Aboriginal objects

It is also recommended that any Consent restricts the standard of internal access road construction to generally 4.5m x 300mm and a maximum volume of 40,000m³ of imported material

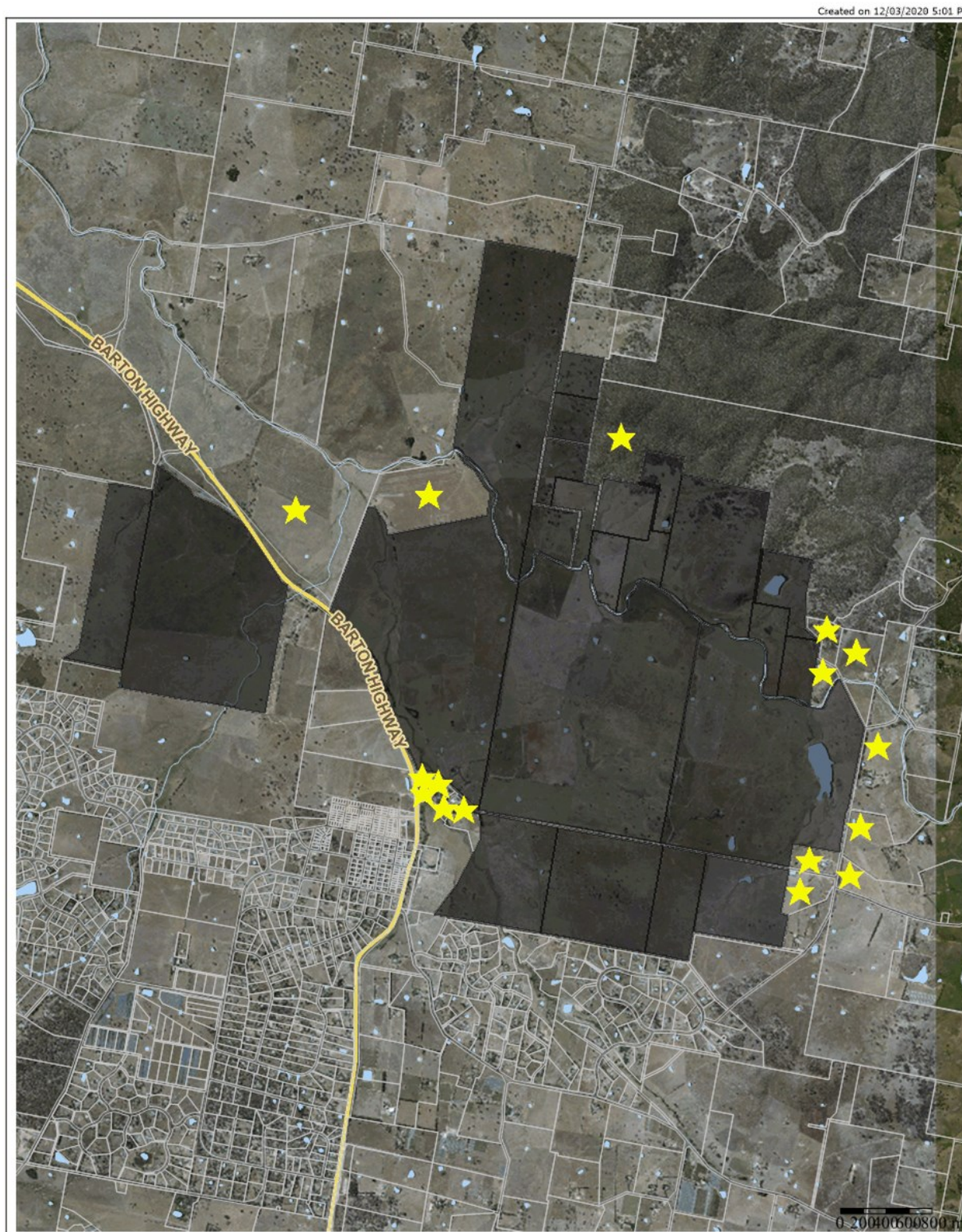
Draft conditions are included as **Attachment F**.

STRATEGIC DIRECTION

Key Pillar	1. Our Environment
CSP Strategy	EN1 - Protect and enhance the existing natural environment, including flora and fauna native to the region
Delivery Program Action	EN1.1 - Protect our natural assets in line with community values
Operational Plan Activity	EN1.1.1 – Ensure assessment of development applications protects our natural environment

- ATTACHMENTS:**
- A. Locality and Notification Plan [↓](#)
 - B. Draft Farm Masterplan [↓](#)
 - C. Updated Statement of Environmental Effects (*Under Separate Cover*) [⇒](#)
 - D. Updated Applicant Response [↓](#)
 - E. Submissions (*Under Separate Cover*) [⇒](#)
 - F. Draft Conditions [↓](#)

6.4 Development Application DA190211 - Importation of Material for Internal Access Roads, 33 Hillview Drive, Murrumbateman
Attachment A Locality and Notification Plan



yass valley council
the country the people

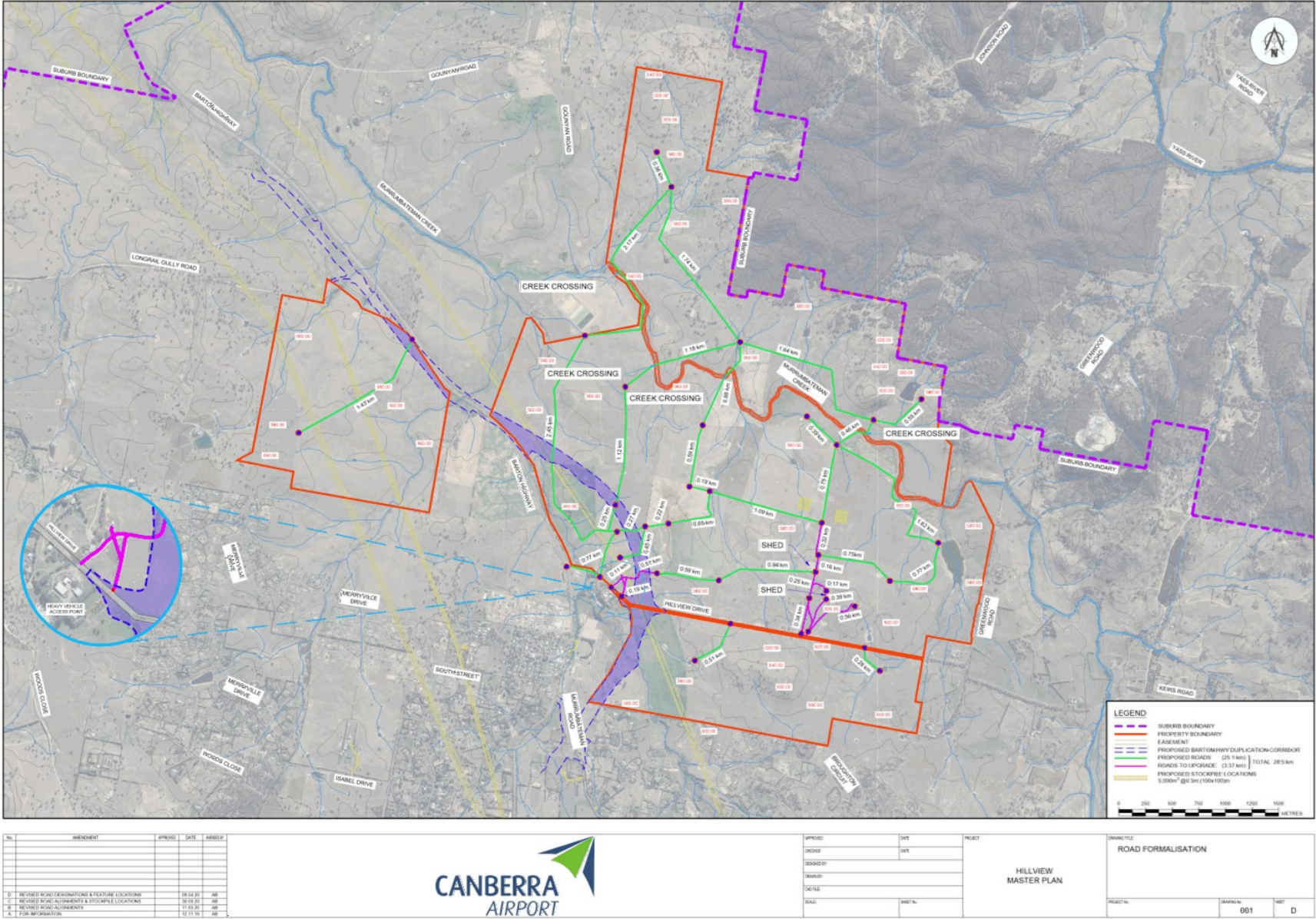
Yass Valley Council
PO Box 6
209 Camar Street
YASS NSW 2582
Telephone: 02 6226 1477
Email: info@yassvalleycouncil.nsw.gov.au

Important Notice!
This map is not a precise survey document. Accurate locations cannot be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or reliability of the information for use for any purpose (whether the purposes have been notified to Council or not). While every care has been taken to ensure the accuracy of this data, neither the Yass Valley Council nor the SV make any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damages) and costs which you may incur as a result of the data being inaccurate or incomplete in any way and for any reason.
© The State of New South Wales (Spatial Services), CC Yass Valley Council.

Drawn By: Jeremy Knox
Projection: GDA94 / MGA zone 55
Date: 12/03/2020 5:01 PM

Subject Property
Property Notified

Map Scale: 1:45014 at A4



Response to the public consultation responses- 21.04.2020

Amendment Detail- Development Application No. DA190211 for 33 Hillview Drive, Murrumbateman

The proponent received comments from submissions to the DA and a number of further information requests from Yass Valley Council. These have been used to amend the application, the themes and comments received from neighbours and Yass Council have been detailed below, a response and or change to the comments has been made and a refers to the specific area of the SEE is provided.

Submissions from neighbours received from Yass Valley Council – 28 January 2020

Further Information Request 1 received from Yass Valley Council – 5 February 2020

Further Information request 2 received from Yass Valley Council – 4 March 2020

After Council Meeting Detail request received from Yass Valley Council – 3 April 2020

Comment	Response/Amendment	Where this can be found in the amended SEE
Submissions from neighbours received from Yass Valley Council – 28 January 2020		
- Main themes		
Traffic Management on Barton Highway and on Hillview Drive (6 of 9 submissions)	This amendment seeks to reduce the amount of sediment brought to the land from 65,000m ³ to 55,000m ³ . The stockpiles on site have been detailed at no larger than a total of 10,000m ³ . Therefore, sediment will only come onto site in fewer trucks than previously detailed.	Please refer to the introduction on page 3 and the transportation of sediment section on page 28.
The positive impact of the land being re-invigorated into a high-production farm (5 of 9 submissions)	We thank the local community for the support.	n/a
What is the future use of the land? (5 of 9 submissions)	The use is high production rural farm with significant initial investment.	Please refer to the introduction on page 3.
Where will the water for dust suppression come from? (4 of 9 submissions)	Trucks will be covered and wetted down at their source (airport or quarries).	Please refer to the Dust Suppression Section on page 29.
There is too much sediment to the land? (4 of 9 submissions)	This amendment will reduce the amount of sediment brought to the land from 65,000m ³ to	Please refer to the introduction on page 3 and the transportation of sediment section on page 28.

	55,000m ³ . The two stockpiles on site have been detailed at no larger than a total of 10,000m ³ . A Draft Master Plan activity was undertaken that detailed a requirement for 28.5km of roads, requiring roughly	
Soil needs to be tested before it comes on site (3 of 9 submissions)	Any soil would comply with NSW EPA requirements for transferring and re-use and would be classified as Excavated Natural Material.	Please refer to the introduction on page 3 for details.
Where are the locations of the piles of sediment? (3 of 9 submissions)	The storage location is detailed in the plan provided with this amended application. Two stockpiles, each of up to 5,000m ³ capacity are positioned in the heart of Hillview and will be silt fenced to manage and mitigate environmental impact. These fields are flat in contour, easy to access by truck and the location in practical terms is at a distance to not interfere with water ways.	Please refer to the Site and Location section on page 4.
How will the piles affect water runoff on the site? (3 of 9 submissions)	The stockpile locations have been chosen to not interfere with waterways.	Please refer to the Site and Location section on page 4.
Provide a survey of flora and fauna (2 of 9 submissions)	The site has been used as a rural farm for over 100 years to when Sir Walter Merriman used the site. The land has been ploughed, used for cropping for improvements to pasture and grazing for animals during this time.	Please refer to the development summary on page 9 for more history.
Make engineering drawings available for the public and Council (2 of 9 submissions)	The roads will be better than average rural farm roads.	
Enhance the bio-diversity corridors by planting trees and restoring the land to pre-European Settlers (2 of 9 submissions)	The site has been a farm for over 100 years and will be maintained as a principle grazing property.	Please refer to the development summary on page 9 for more history.
The Implications of the Barton Highway bypass and redundant roads (2 of 9 submissions)	The by-pass is likely to occur in a 10-year timeframe. It would be unreasonable to not	Please refer to point 6.10 of the Yass LEP response on page 26.

	farm or use land that may, in the future, be used as the bypass. When the NSW Government is ready to build the road, they will enter negotiations with the landowner and will detail their requirements, including construction impacts. We are aware that Hillview Drive and the Bypass intersection is the Northern link to Murrumbateman Village and will be an important entryway into the area.	
Further Information Request 1 received from Yass Valley Council – 5 February 2020		
1. Clarification shall be provided on how the volume of material proposed has been determined. The application proposed to import 65,000m ³ of material, however the Statement of Environmental Effects (SEE) outlines that only approximately 34,000m ³ is required to complete the internal access road upgrades and construction. Furthermore, the SEE is unclear on whether additional gravel is proposed to be imported or whether this is included in the 34,000m ³ calculation detailed for road construction. In this regard, details shall be provided, including calculations where necessary, of why the additional material beyond that proposed road construction is required and where/how it will be utilised.	This amendment seeks to reduce the amount of sediment bought to the land from 65,000m ³ to 55,000m ³ . A master planning exercise was conducted and found that the overall roads of 28.5km will use 51,300m ³ of material. Upgrades to roads, sheds and turning areas will be prioritised to support the immediate development of Hillview. The remaining 3,700m ³ will be used to re-level existing sheds and as the roads settle to fill any required areas. Further applications will ask for more material for the future building/shed bases.	Please refer to page 9 for the development summary
2. A revised or supplementary site plan(s) showing: - The proposed stockpile locations - The Barton Highway duplication corridor - Which internal roads are new and which are existing and proposed to be upgraded		Please refer to the new Hillview Draft Master Plan provided with this amendment Application which provides an overview building upon the map provided to Council (Meeting 25 March 2020).

<p>- The location of property accesses intended to be used for heavy vehicle entry and exit.</p>		
<p>3. The material proposed shall be imported is stated to be sourced from Canberra Airport in the ACT. An outline shall be provided in relation to how material quality will be managed and ensured, including:</p> <p>a) Clarification on the type of material proposed to be imported and how it has been determined suitable for access road construction</p> <p>b) How material quality will be managed for ensuring that it meets the definitions for Virgin Excavated natural material (VENM) or excavated natural material (ENM) as defined in the Protection of the Environment Operations Act 1997</p> <p>c) How material quality will be managed in relation to the potential for contamination (including per- and poly-fluoroalkyl substances- PFASs).</p>	<p>The sediment and rock could come from the airport as well as local quarries. The rock will be geo-technically tested suitable at source for use in the road bases.</p> <p>All soil trucked to Hillview will comply with NSW EPA requirements for transferring and re-use and would be classified as ENM (excavated natural material). As part of this ENM classification, it cannot hold contaminants known as PFAS.</p>	<p>Please refer to page 24 Section 6.10</p>
<p>4. The Biodiversity Offset Scheme (BOS) under the Biodiversity Conservation Act 2016 is applicable to the Development Application. The applicant shall demonstrate how they have determined whether the proposed development triggers entry into the BOS.</p> <p>Note: Part of the subject land is identified on the Biodiversity Values Map (BVM)</p>	<p>It does not trigger entry into the Biodiversity offset scheme.</p> <p>The proponent contacted the relevant authorities in the NSW Department of Planning, Industry and Environment to seek clarification on this matter.</p>	<p>Please refer to page 11 for the biodiversity offset scheme section</p>
<p>5. Details of how the project site will be managed, including for:</p> <ul style="list-style-type: none"> - Material Volume - Site access and Security - Driver behaviour - Monitoring and minimising dust impacts 	<p>Site Management has been detailed in the amended SEE.</p>	<p>Please refer to the introduction on page 3 and the section Transportation of sediment on page 27.</p>

<ul style="list-style-type: none"> - record keeping - Responding to complaints or enquiries (from Council, other government agencies or external parties) - Any other measures proposed to mitigate, minimise or manage[ment] the impact of the project on neighbouring and nearby properties, and the environment 		
6. Clarification on the estimated timeline for undertaking and completion of the project	The aim for the land in the immediate time horizon (3 years) is for a high production rural farm with both sheep and cattle. The road production should take 12 to 18 months to complete.	Please refer to page 3 for the introduction.
7. Clarification on whether the proposal involves the construction or upgrade of any watercourse crossings, such [as] across Murrumbateman Creek, for the purposes of the Water Management Act 2000.	No creek improvements are being sought and therefore are not included in this first DA. A future DA for bridges and/or creek crossings will be provided.	Please refer to page 4 for the site and location section.
8. Details of where water for dust minimisation measures will be sourced from	Trucks will be wetted down at their source (airport or quarries).	Please refer to the Dust Suppression Section on page 29.
9. Confirmation of the proposed heavy vehicle traffic generation as a result of the development, including in relation to the importation of material, any additional gravel, and any anticipated water carting for dust minimisation measures	The truck generation rates have reduced from 6000 in total to 5,300 in total due to the 10,000m ³ reduction in the total sediment to be brought to site.	Please refer to section Transportation of sediment on page 27.
10. Evidence of how due diligence has been undertaken for the protection of Aboriginal site[s] or objects Note: The applicant is advised to use the <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW</i> to determine whether or not Aboriginal objects will be harmed as a result of this development.	Although there are no known aboriginal objects on site, If Aboriginal objects are later found when works are being carried out, the proponent will stop work, notify DECCW and apply for an AHIP if they intend to harm those known objects as per this code of practice.	Please refer to page 17 Section 3 (h)

11. A revised Statement of Environmental Effects (SEE) which addresses all relevant clauses of the Yass Valley Local Environmental Plan (YV LEP) 2013. [Further clarification was sought, and detailed which policies were to be addressed. These are: 2.3, 5.09AA, 5.10, 6.3, 6.4, 6.5, 6.6, 6.7, 6.9, 6.10.	The amended SEE has details of the specific clauses of the Yass LEP.	Please refer to page 15 to page 25
The applicant should also consider providing any other information that may be available which supports or shows how the proposal is necessary to facilitate the ongoing agricultural use and redevelopment of the land.	Land is the infrastructure of the agricultural trade. By having roads to access the land, it will allow the proponent to actively farm the land to its full potential.	Please refer to the amended SEE specifically the introduction on page 3.
Further Information request 2 received from Yass Valley Council – 4 March 2020		
1. A revised or supplementary site plan(s) showing: - The proposed stockpile locations - The Barton Highway duplication corridor - Shows which internal access roads are new and which are existing and proposed to be upgraded - The location of the property accesses intended to be used for heavy vehicle entry and exit	/	Please refer to the new Hillview Master Plan provided with this amendment Application which provides an overview building upon the map provided to Council (Meeting 25 March 2020).
2. The Biodiversity Offset Scheme (BOS) under the Biodiversity Conservation Act 2016 is applicable to the Development Application. The applicant shall demonstrate how they have determined whether the proposed development triggers entry into the BOS.	It does not trigger entry into the Biodiversity offset scheme. The proponent contacted the relevant authorities in the NSW Department of Planning, Industry and Environment to seek clarification on this matter.	Please refer to page 11 for the biodiversity offset scheme section

Note: Part of the subject land is identified on the Biodiversity Values Map (BVM)		
After Council Meeting Detail request received from Yass Valley Council – 3 April 2020		
The masterplan shown in the PowerPoint at the Council meeting should be built upon, also showing the other information previously requested (or in a plan set is fine), clarifying the infrastructure associated with the symbols, etc.	/	Please refer to the new Hillview Master Plan provided with this amendment Application which provides an overview building upon the map provided to Council (Meeting 25 March 2020).
Whether the proposal triggers entry into the Biodiversity Offset Scheme or not still needs to be demonstrated.	It does not trigger entry into the Biodiversity offset scheme. The proponent contacted the relevant authorities in the NSW Department of Planning, Industry and Environment to seek clarification on this matter.	Please refer to page 11 for the biodiversity offset scheme section
I understand that you are not proposing for any work to be done within the creek crossing corridor (i.e. the watercourse itself and the land on the Biodiversity Values Map). How this is going to be managed practically should be clarified – i.e. is the material for the roads on the northern side of the creek going to be stockpiled first and then completed after the separate approval is obtained for the work in the creek crossing corridor? Or are the existing crossings/roads leading up to the crossings practical for loaded trucks to cross for construction on the other side?	No creek improvements are being sought and therefore are not included in this first DA. A future DA for bridges and/or creek crossings will be provided.	Please refer to page 4 for the site and location section.

DA190211 – Draft Conditions – 33 Hillview Drive

Details of and Reasons for Conditions

Definitions for the purposes of this Development Consent:

“Virgin excavated natural material” (VENM) is as defined in the Protection of the Environment Operations Act 1997:

“natural material (such as clay, gravel, sand, soil or rock fines):

- that has been excavated or quarried from areas that are not contaminated with manufactured chemicals or process residues, as a result of industrial, commercial, mining or agricultural activities, and
- that does not contain any sulfidic ores or soils or any other waste.”

“Excavated natural material” (ENM) is as defined in the Protection of the Environment Operations (Waste) Regulation 2014 – Excavated Natural Material Resource Recovery Exemption 2014:

“naturally occurring rock and soil (including but not limited to materials such as sandstone, shale, clay and soil) that has:

- (a) been excavated from the ground, and
- (b) contains at least 98% (by weight) natural material, and
- (c) does not meet the definition of Virgin Excavated Natural Material in the Act.

Excavated natural material does not include material located in a hotspot; that has been processed; or that contains asbestos, Acid Sulfate Soils (ASS), Potential Acid Sulfate soils (PASS) or sulfidic ores.”

PART A - GENERAL CONDITIONS

- (1) Consent is granted generally in accordance with the plan(s) and details submitted to Council with the Development Application. The plan and details have been stamped and attached to this consent. The development shall be carried out in accordance with the stamped plans or as modified by these conditions;
- (2) This approval relates only to the development referred to in the development application and specifically does not amount to an approval or acceptance by the Council of any works or buildings already erected on the land, whether or not those works or buildings are the subject of a prior development or building approval;
- (3) An Engineering Construction Certificate, as defined by the *Environmental Planning and Assessment Act 1979*, must be obtained for all engineering works prior to any works commencing on site. Council’s fee for providing a Construction Certificate is levied in accordance with Council’s Management Plan relevant at the time of payment.

This will require the Form 28 to be filled out and submitted to Council.

- (4) The Applicant shall limit the total volume of virgin excavated natural material (VENM)/excavated natural material (ENM) imported onto the site to a maximum of 40,000m³.

Note: A modification of consent is required to be lodged with Council if the total volume of virgin excavated natural material (VENM)/excavated natural material (ENM) imported onto the site exceeds the approved amount.

- (5) The capacity and effectiveness of runoff and erosion control measures shall be maintained at all times to the satisfaction of Council;
- (6) Dust, noise and odour emissions from the proposed development must comply with the provisions of the Protection of the Environment Operations Act 1997;
- (7) The applicant, at no cost to Council, will assume accountability for site cleanup and remediation measures in the event that material other than virgin excavated natural material (VENM)/excavated natural material (ENM) has been used;
- (8) All engineering design and construction work shall be undertaken in accordance with the following, current at the time:
 - Council's Road Standards Policy RD-POL-09
 - Council's Design and Construction Specification – AUS-SPEC #1
 - Australian Standards and
 - AustRoads
- (9) All adjustments to existing utility services whether caused directly or indirectly by this proposed development are to be undertaken at the developer's expense.
- (10) Should any Aboriginal sites or objects be unearthed during works associated with the subdivision, all work must cease and the NSW Environment is to be contacted immediately.
- (11) This Development Consent does not grant approval for works within land identified on the 'Biodiversity Values Map' under the *Biodiversity Conservation Act 2016* or the crossing of any watercourses for the purposes of the *Water Management Act 2000*.
- (12) Any works associated with the development shall be at no cost to Transport for NSW.

PART B – PRIOR TO ISSUE OF ENGINEERING CONSTRUCTION CERTIFICATE

- (1) Engineering drawings for internal access road construction must be submitted to Council's Infrastructure & Assets Division for approval. The internal access driveway shall generally be limited to:
 - (a) A minimum pavement width of 3 metres;
 - (b) A maximum pavement width of 4.5 metres;
 - (c) A maximum height of 300mm above existing ground levels;

Note: The engineering design drawings must: clearly state the cut and fill balance.

Note: The engineering design drawings must include road cross sections clearly showing the depth of import fill material at 10 metre increments.

- (2) Engineering drawings for the upgrade of property accesses proposed to be utilised for heavy vehicles associated with this development must be submitted to Council's Infrastructure & Ass Division for approval. The engineering drawings must include details of:

- Sufficient off road storage for the largest proposed vehicle to access the site;
- Sufficient off-road storage to ensure no vehicle entering the site is impeded by an exiting vehicle;
- Vehicle swept path templates for the largest vehicle entering and leaving the site;
- Any road works required to ensure any vehicle entering the property can do so without crossing over the centre of the sealed section of Hillview Drive;
- Any road works required to ensure any vehicle leaving the property can do so without leaving the sealed section of Hillview Drive;
- Devices to ensure no mud is tracked from the property to the Hillview Drive.

Note: All vehicles entering or leaving the site must do so in a forward direction.

- (3) In accordance with Section 94 of the *Environmental Planning and Assessment Act 1979* and the *Yass Valley Council Heavy Haulage Section 94 Contributions Plan 2006* a single monetary contribution of \$1,718.45 shall be paid to Council in respect of road maintenance prior to the commencement of filling.

The contribution amount is based on the importation of 40,000m³ of loose virgin excavated natural material (VENM) or excavated natural material (ENM) transported 1.7 kilometres along Hillview Drive, Murrumbateman.

It should be noted:

- The applicable contribution rate is to be indexed annually to the Sydney (All Ordinaries) Index, reviewed annually and new rates, if applicable, will become payable from 1 July each year.
- All contributions shall be paid at the rate determined at the most recent review.

PART C – PRIOR TO COMMENCEMENT OF WORKS

- (1) The person having the benefit of this Development Consent must provide at least two days' notice to Council of their intention to commence work. This will require Form 131 to be submitted to Council.
- (2) A Soil and Water Management Plan shall be submitted to Council's Engineering Department for approval in accordance with Council's Design and Construction Specification - AUSspec#1.

The plan shall include construction techniques to minimise site disturbance and the potential for soil erosion by wind or water, erosion control on any watercourse on the property, revegetation of disturbed areas and any other matters that are deemed necessary by Council.

Note: An indicative plan may be prepared to complement the design plans, however, the final plan for approval shall be prepared in consultation with the construction contractor.

6.4 Development Application DA190211 - Importation of Material for Internal Access Roads, 33 Hillview Drive, Murrumbateman
Attachment F Draft Conditions

- (3) Any contractor undertaking works in an existing Council road reserve must submit the following details to Council:
- A current public liability certificate with a minimum cover of \$20 million
 - Current plant / vehicle insurances
 - A certified traffic control plan for the proposed works
- (4) A sign must be displayed and maintained in a prominent position on the site while subdivision work is being undertaken and removed upon completion.

The sign must list the following details:

- The name, address and telephone number of the Principal Certifying Authority
 - The name or the Principal Contractor and an after-hours telephone number and
 - That unauthorised entry to the site is prohibited.
- (5) Any contractor undertaking works in an existing Council road reserve shall also submit the following details:
- A current public liability certificate with a minimum cover of \$20 million
 - Current plant / vehicle insurances
 - A certified traffic control plan for the proposed works

PART D – PRIOR TO IMPORTATION OF ANY MATERIAL AND INTERNAL ACCESS ROAD CONSTRUCTION

- (1) The property vehicular accesses from the road to the property boundary shall be constructed in accordance with the approved Engineering Construction Certificate.
- (2) 'Truck Entering' (W5-22C) signs shall be installed, at all times whilst trucks are entering and exiting the site, on the approaches to both accesses to the development site warning motorists along Hillview Drive of heavy vehicles.
- (3) The Applicant shall prepare and implement a Transport Management Plan, in consultation with Council and TfNSW to outline measures to manage potential traffic related issues associated with the transport of bulk material to the site. This plan shall detail the potential impacts, the measures to be implemented, and the procedures to monitor and ensure compliance. It shall address, but not necessarily limited to;
- Access to that part of the site located to the east of the Barton Highway shall be via Hillview Drive. Direct access to this part of the site from the Barton Highway is denied.
 - Access to that part of the site located to the west of the Barton Highway shall be via the existing driveway to Lot 1 DP 657978 and shall be restricted to left turn in only.
 - The access arrangements in accordance with conditions of the Development Consent.
 - The number of haulage vehicles used to transport fill to the site shall not exceed 10 vehicle trips per day (20 heavy vehicle movements per day).
 - Measures for managing delivery of fill material to the site in order to minimise potential for disruption to local traffic including school bus movements.
 - Measures to address restrictions on haulage during periods of low visibility eg heavy rain periods or fog etc., along the haulage route.

- Measures to ensure that dust and loose surface road material generated by traffic activities on and accessing the subject site do not cause nuisance or hazard to traffic on the public road network.
 - Measures to ensure that all loaded vehicles entering or leaving the site are covered, and are cleaned of materials that may fall onto public roads.
 - Details of procedures for receiving and addressing complaints from the community concerning traffic issues associated with truck movements to and from the quarry.
 - Measures to ensure that the provisions of the Traffic Management Plan are implemented and complied with.
- (4) Measures shall be applied, to the satisfaction of Council, to prevent site vehicles tracking sediment and other pollutants onto any sealed roads serving the development.

PART E – INSPECTIONS

To arrange an inspection with Council please use the on-line booking system:

yassvalley.nsw.gov.au > Our Services > Planning and Building > Certification and Inspections > Inspections

If Council undertakes the inspection, the fee per inspection will be levied in accordance with Council's Fees and Charges, relevant at the time of payment.

- (1) A compliance certificate must be obtained from Council's Engineering Division at the following stages of construction:
- (a) Completion of property access.
 - (b) Completion of internal access roads – visual only.

PART F – EARTHWORKS, INTERNAL ACCESS ROAD CONSTRUCTION AND IMPORTATION OF ASSOCIATED MATERIAL

- (1) Material imported to the site for the construction of the proposed development (including the internal driveway) must be suitable for the proposed application/fit for purposes and:
- (a) Sourced from a suitably licenced facility (i.e. landscaping supplies or quarry operation); or
 - (b) Virgin Excavated Natural Material (VENM) as defined in the Protection of the Environment Operations Act 1997;
 - (c) Excavated Natural Material (ENM) as defined in the Protection of the Environment Operations (Waste) Regulation 2014 – Excavated Natural Material Resource Recovery Exemption 2014:

The document titled *Certification: Virgin excavated natural material* as published by the *Environmental Protection Authority* in September 2013 is considered a suitable form of certification to achieve compliance with this condition for VENM.

The use of ENM must be in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 – Excavated Natural Material Resource Recovery Exemption 2014 and Protection of the Environment Operations (Waste) Regulation 2014 – Excavated Natural Material Resource Recovery Order 2014 (as modified or superseded);

- (2) Heavy vehicle movements associated with the delivery of material to the site are restricted as follows:
 - (a) A maximum of 20 movements per day (1 movement = in and out of the site);
 - (b) No movements on Sundays or public holidays;
 - (c) Movements must occur between 7.00am and 6.00pm Monday to Friday, and 8.00am to 2.00am Saturday;
- (3) A 'Material Delivery Record' shall be established and must record:
 - The source address of the material;
 - Whether the material has been certified as VENM or ENM;
 - The volume of material delivered;
 - The name, contact details, and organisation or affiliation of the person delivering the material;
 - Vehicle registration;
 - The date and time of delivery.
- (4) A copy of the 'Material Delivery Record' shall be submitted to Council upon request within seven (7) days, including a copy of all record sheets and a spreadsheet in a Microsoft Excel (.xls) format with all record lines entered and tabulated.
- (5) The Applicant shall ensure the satisfactory control of dust. Where necessary, this shall include a water truck being available on site and being utilised during the construction of the internal access roads.
- (6) The internal access roads are to be constructed in accordance with the approved Engineering Construction Certificate plans.

PART H – COMPLETION OF WORKS

- (1) The development will not be considered completed until all conditions of this consent have been complied with in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.
- (2) The developer shall restore, replace or reconstruct any damage caused to road pavements, surfaces, street furniture, roadside drainage, street lighting or underground facilities as a result of the development.
- (3) One complete set of "Work as Executed" WAE drawings, indicating the all details of new engineering works constructed (internal access roads), shall be submitted to Council.
- (4) The applicant shall submit a final a copy of the 'Material Delivery Record' shall be submitted to Council, including a copy of all record sheets and a spreadsheet in a Microsoft Excel (.xls) format with all record lines entered and tabulated.
- (5) The applicant shall submit a compiled evidence that all material used has been virgin excavated natural material (VENM) or excavated natural material (ENM).

NOTES ACCOMPANYING DEVELOPMENT CONSENT DA190211

(Please read these notes carefully to ensure you are fully conversant with the conditions under which this consent is granted.)

- (1) This consent has been granted under clause 6.1 of the *Yass Valley Local Environmental Plan 2013*.
- (2) All fees and charges associated with this consent must be adjusted annually from the date of this consent in accordance with seasonal movements in the CPI for the Canberra region.
- (3) Any additional Council inspection, beyond the scope of any Compliance Certificate package and needed to verify the compliance of any work, must be charged at the individual inspection rate nominated in Council's Fees and Charges.
- (5) The applicant must ensure all sub-contractors are licensed by the NSW Department of Fair Trading.
- (6) The *Work Health and Safety Act 2011*, the *Work Health and Safety Regulation 2011* and various Australian Standards provide a comprehensive set of risk control measures and procedures for development sites which cover all types of risk. This legislation is administered by WorkCover New South Wales which has produced a variety of guidelines and other supporting documents for the information of developers.

All persons undertaking work in connection with this consent should ensure that all required risk control measures and procedures are complied with.

6.5 DEVELOPMENT APPLICATION NO. DA200046 - CARPORT, 30 LUTE STREET, GUNDAROO

SUMMARY

To present the assessment of Development Application DA200046 for the erection of a carport at 30 Lute Street, Gundaroo. The proposal is referred to Council as the location of the carport is forward of the building line set by the dwelling house, however there is justification for a variation to Council's setback policy. Approval is recommended.

RECOMMENDATION

That Condition Development Consent be issued for Development Application DA200046 for a carport at 30 Lute Street, Gundaroo.

FINANCIAL IMPLICATIONS

Resources for development assessment are provided for in the current Operational Plan.

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- Yass Valley Local Environmental Plan 2013
- Yass Valley Community Engagement Strategy
- Building Line – Urban Policy
- Application Assessment and Decision Making Policy.

REPORT

1. Application Details

Date Received	-	20 March 2020
Land	-	30 Lute Street, Gundaroo
Area	-	1,897m ²
Zoning	-	RU5 Village

2. Site Description and Locality

The site is located on Lute Street, between Harp Street and Lot Street, at the eastern edge of the Gundaroo village. The area can be characterised as village with dwelling houses and associated outbuildings. There is a dwelling on the subject land with driveways from Lute Street on both side boundaries. A storage shed is located behind the dwelling near the southern boundary.

A Locality Plan is included as **Attachment A**.

3. Proposal

The submitted proposal involves the erection of a double carport (refer **Attachment B**). The location of the proposed carport is setback 6m from the Lute Street property boundary, however it is directly in front of the existing dwelling. A site plan is included as **Attachment C**.

4. Public Exhibition

Public exhibition included notice to five nearby and adjoining property owners and no submissions received.

5. Assessment

An assessment has been completed in accordance with the planning legislation. The proposal does not comply with Council's setback policy for urban and village areas which requires a carport to be located behind the building line set by the dwelling on the lot. In this instance the carport is proposed to be directly in front of the dwelling.

The Applicant has requested a variation to Council policy (refer **Attachment D**) on the basis of there being limited laneway access from the rear of the property, as well as the location of the existing shed on the southern boundary limiting access.

All properties between Harp and Lot Street on the western side of Lute Street have outbuildings located behind the building line set by the dwellings on each lot. However, in February 2020 Council approved a storage shed at the adjoining 32 Lute Street which will be forward of the building line. The property at the corner of Lot and Lute Street also has a shed which is located forward of the building line on the Lute Street frontage, although this is a secondary frontage. The approval of the storage shed next door, together with the shed on the corner of Lot and Lute Street, is beginning to establish a new building line and setback pattern in this location.

The orientation of the roof pitch and ground level of the proposed carport are consistent with the dwelling, reducing bulk from the street. Furthermore the existing trees and hedge from the front boundary of the property will provide natural screening. The carport design, form, appearance and colours match the existing house and is consistent with materials used in the locality. The impact of the proposal and the setback variation is therefore not considered significant.

The setback requirement of the policy is based on a well-established planning principle for outbuildings to be located behind building lines set by dwelling in urban and village settings. With the new building line and setback pattern being established in this location as a result of the policy variation for the shed next door, reduced weight has to be given to the policy in this instance and will become less relevant in relation to future decisions in this locality.

In summary, there is considered to be adequate justification to support a variation to the setback policy. The location of the carport does not have a significant impact on the streetscape, noting that the shed next door now establishes an alternate building line and has reduced the weight that can be given to the policy.

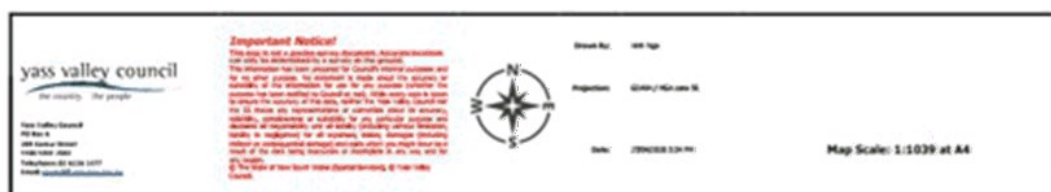
6. Conclusion

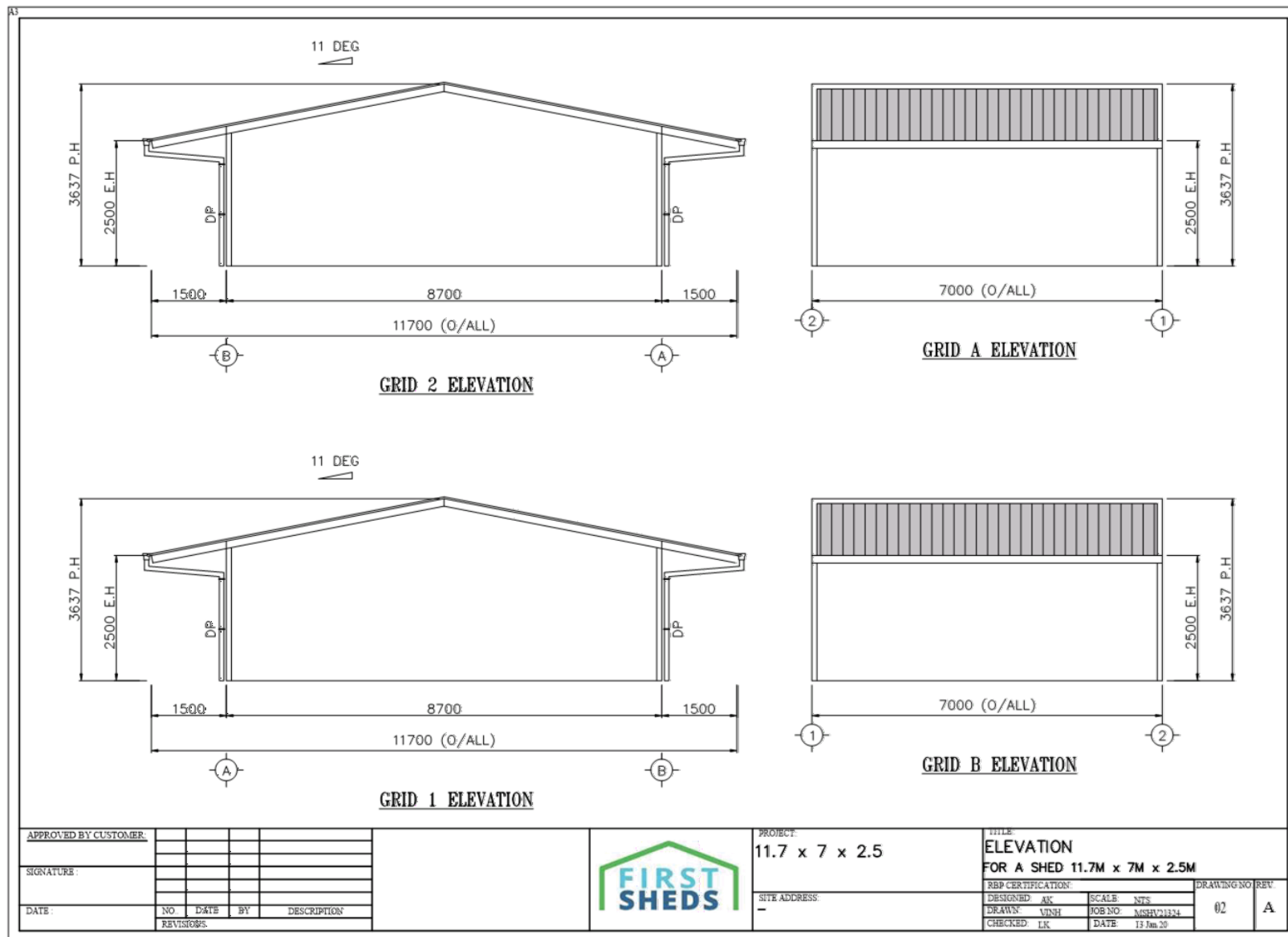
From an assessment of the proposal it is recommended that conditional Development Consent be issued. Draft conditions are included as **Attachment E**.

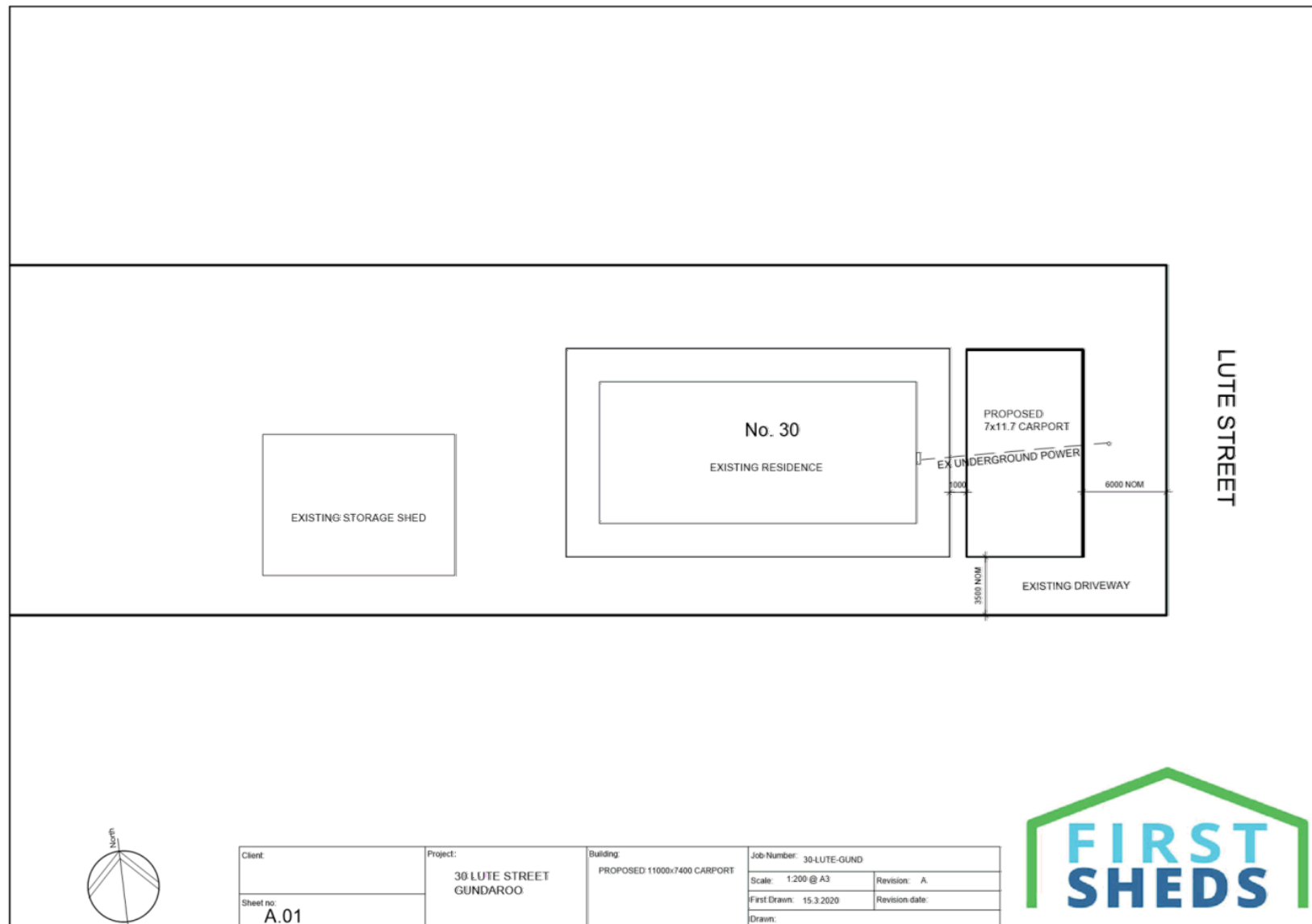
STRATEGIC DIRECTION

Key Pillar	1. Our Environment
CSP Strategy	EN1 - Protect and enhance the existing natural environment, including flora and fauna native to the region
Delivery Program Action	EN1.1 - Protect our natural assets in line with community values
Operational Plan Activity	EN1.1.1 – Ensure assessment of development applications protects our natural environment

ATTACHMENTS:	A. Locality and Notification Map ↓
	B. Carport Plans ↓
	C. Site Plan ↓
	D. Variation Request ↓
	E. Conditions ↓









Supporting Information

A proposal structure being slightly forward of the building line has arisen due to a number of issues that became apparent when considering options for sighting a carport:

- The gateway from the rear lane is located in the south-western corner of the block and can only be utilised if approaching from the south as the turning circle of even a small vehicle precludes a northerly approach. However, the lane is not maintained and a southerly approach requires a waterway and rough terrain to be traversed making it impractical for small passenger vehicles. Moving the gate to facilitate an approach from the north would require the removal of large established healthy trees and relocation of a large rainwater tank (photos attached).
- Due to the location of existing buildings a carport at the rear of the block would be some distance from the house. Thus the walk from the carport to the house would be somewhat hazardous particularly in poor weather and for people with disabilities.
- Recovery of vehicles from the rear of the property in the case of breakdown is not practical due to the minimal width of the lane and the length of common used 'flatbed' recovery vehicles, which find it impossible to enter the block through the rear gate due to their large turning circle. Manually manoeuvring an inoperable vehicle to the front of the property to meet a recovery vehicle is neither practical nor safe for a number of reasons including the narrow confines of the driveway between the existing shed and the southern boundary (see photo).
- The option of erecting a carport to the rear of the property and approaching from the front of the property is compromised as the space between the existing shed and the southern boundary is extremely narrow and unsafe/impractical for a vehicle to traverse at night.
- A carport erected behind the building line along the southern side of the house and located to be easily accessible from the house would be wide enough for one car only, obstruct one of the main views from the house, and be highly visible to neighbouring properties. In this location it would also be difficult to design a structure that is effective while being sympathetic to the house design.
- The ground forward of the building line slopes markedly downwards both east to west, and north to south. This results in significant storm water erosion during heavy downpours with water running towards and over the house slab despite best efforts at mitigation. The attached photo provides evidence of typical storm water erosion; while this event occurred several months ago when heavy rain was last received it's severity was such that the evidence remains. The placement of the carport slab and retaining wall in the proposed location, combined with effective storm water management measures, would prevent storm water from reaching the house slab and also arrest it's velocity and therefore erosive effects while facilitating greater moisture retention in the soil.
- The house design is oriented north-south and is thus end-on to the street, which compromises its appearance. The erection of a properly designed carport of lightweight construction which is sympathetic to the house and its surround, with appropriate landscaping, mitigate this significantly.
- A site forward of the building line appears to be the only practical and low impact location to erect a carport suitable for accommodating two cars with adequate weather protection.
- The most recent erosion (large hail storm) has washed topsoil from my property into the neighbouring block. The project structure/landscaping would largely prevent this from occurring.
- A quick Google maps satellite search revealed that there are a number of structures – approved and unapproved – forward of the building line in not only Lute St but several other Gundaroo locations,



and there are also structures located much closer to the boundary than we're proposing to go. The 'building line' provision seems to be a bit lost in the context of Gundaroo, presumably it's there to stop residents building junk in their front yard and compromising the streetscape but everything here is so open and house orientations vary greatly that while some structures are not technically 'forward of the building line' they're alongside the house and still very visible.

A well respected architect and resident of Gundaroo has designed the carport structure to enhance the appearance of the existing house and have an extremely low impact on the street scape and surrounding properties. This is achieved through:

- Sympathetic design. The carport design is of lightweight construction and complements the existing house and verandah including matching of roof colours.
- Minimal forward elevation. An elevation cut forward of the building line will maintain the house and carport slabs at the same height thus minimising the elevation as viewed from the road and other properties, and ensuring that neighbouring views are not obstructed.
- Low structural elevation. The carport and house gutter will be maintained at the same height and with the carport roof pitch proposed at a shallow 11 degrees, the carport ridgeline will rise only 1.3m above the gutter and essentially be overshadowed by the house roof.
- Landscaping. That part of the carport visible from the road will, due to its low profile, be mostly obscured by existing landscaping which will provide further obscuration as it matures.

Rear NW Corner





Rear SW Corner – Gate



Front Yard Slope





Existing Shed and Southern Boundary





PROOF OF OWNERSHIP



Mr M A Riffel
PO Box 8131
GUNDAROO NSW 2620

If the address above is incorrect please contact Council.

Area: 1897.0000 sq m
Valuation Base Date: 1 July 2016
Property Location: 30 Lute Street, GUNDAROO
Property Legal: PH GUNDAROO, LOT 7 SEC 26 DP 758488.
Description:

Did you know you can now receive your notice by email? Contact Council on council@yass.nsw.gov.au or call 1300 553 652 or 02 6226 1477 to register.

Pay By Instalments

Instalment Number	Date Due	Amount Due
Arrears		\$534.00
1	31/08/2019	\$0.00
2	30/11/2019	\$0.00
3	28/02/2020	\$260.00
4	31/05/2020	\$260.00

Please pay outstanding arrears immediately to avoid additional interest charges. Current interest rate 7.5% PA

ARREARS PAYABLE	\$534.00
IMMEDIATELY	
Instalment Due	\$260.00
28/02/2020	
Total Amount Due	\$794.00
Excluding payments made after 28/01/2020	

Rates and Charges for the period 1 July 2019 to 30 June 2020		Valuation	Rate/Charge	Amount
Residential Gundaroo Village		282,000	0.0018783	\$529.68
Waste Management Environment Charge		1	Minimum	\$120.00
On Site Sewage Management		1	Minimum	\$33.00
Residential Gundaroo Village base		1	Minimum	\$360.00
Rates and Charges				\$1,042.68
Interest Charges				\$11.32
Total Rates and Charges				\$1,054.00



Billers Code: 4390
Reference: 63297



Billers Code: 2094
Reference: 63297



*2094 63297

BPAY - via Internet or phone banking.
BPAY View - View and pay this bill using internet banking.

BPAY View Registration No: 63297

Further payment details overleaf

Amount Due: \$794.00

Date Paid: _____

Rec No: _____

DRAFT Conditions

PART A - GENERAL CONDITIONS

- (1) Consent is granted generally in accordance with the plan(s) and details submitted to Council with the Development Application. The plan(s) and details have been stamped and attached to this consent. The development shall be carried out in accordance with the stamped plans or as modified by these conditions.
- (2) Work on any building shall not commence until a Construction Certificate, complying in all respects with the provisions of the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2000* and the Building Code of Australia, has been issued.

Note: A Construction Certificate Application has not been lodged with Council.

- (3) This approval relates only to the development referred to in the development application and specifically does not amount to an approval or acceptance by the Council of any works or buildings already erected on the land, whether or not those works or buildings are the subject of a prior development or building approval.
- (4) The capacity and effectiveness of runoff and erosion control measures shall be maintained at all times to the satisfaction of Council as shall any techniques to suppress dust and the tracking of sediment onto existing sealed roads.
- (5) All adjustments to existing utility services whether caused directly or indirectly by this proposed development are to be undertaken at the developer's expense.
- (6) The approved carport shall not at any time be occupied, inhabited or used for residential living, commercial or industrial activities without the separate development consent of Council;
- (7) The colours and external materials used are to be compatible with those of existing development in the locality.

Note: Zincalume is not permitted to be used for roof or wall panels.

- (8) Any Archaeology object discovered during excavation having interest due to its age or association with the past is uncovered during the course of the work:
 - (a) all work must stop immediately in that area, and
 - (b) the Office of Environment and Heritage must be advised of the discovery.

Note: Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1997 may be required before further the work can continue.

- (9) If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:
 - (a) all excavation or disturbance of the area must stop immediately in that area, and

- (b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the National Parks and Wildlife Act 1974.

Note: If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the National Parks and Wildlife Act 1974.

PART B - PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

- (1) The applicant shall submit to the Principal Certifying Authority, a copy of an Owner Builder Permit or a Certificate of Insurance under the Home Building Compensation Fund for the proposed development as applicable under the provisions of the *Home Building Act 1989*.

PART C - PRIOR TO COMMENCEMENT OF WORKS

- (1) Council shall be informed of the name and details of the Principal Certifier and the date construction work is proposed to commence, no later than two days prior to such commencement;
- (2) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (3) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.
- (4) If a wall on a lot is to be built to a boundary and there is a wall (the adjoining wall) on the lot adjoining that boundary that is less than 0.9m from that boundary, the person having the benefit of the complying development certificate must obtain a dilapidation report on the adjoining wall.
- (5) If the person preparing the report is denied access to the adjoining lot for the purpose of inspecting the adjoining wall, the report may be prepared from an external inspection of the adjoining wall.
- (6) Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- (a) diverting uncontaminated run-off around cleared or disturbed areas, and
 - (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
 - (c) preventing the tracking of sediment by vehicles onto roads, and
 - (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- (7) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the Principal Certifier for the work, and

- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

This sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed

- (8) A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of works if the works:
 - (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - (b) could cause damage to adjoining lands by falling objects, or
 - (c) involve the enclosure of a public place or part of a public place.

Note: Clauses 2.67 and 2.68 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* specify which scaffolding, hoardings and temporary construction site fences are exempt development and state the applicable standards for that development.

- (9) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet provided must be:
 - (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
 - (c) be a temporary chemical closet approved under the Local Government Act 1993.
- (10) The building(s) shall be set out by a registered surveyor to verify the correct position of each structure in relation to the property boundaries prior to the commencement of works.

Evidence that the building(s) were set-out and have been located in accordance with the approved plans shall be submitted to the Principal Certifying Authority or Council upon request.

PART D - EARTHWORKS, INTERNAL DRIVEWAYS & IMPORTATION OF ASSOCIATED MATERIAL

- (1) Unless otherwise approved by a condition of consent or the stamped approved plans earthworks, internal driveways and the importation of associated material is restricted to that which can be undertaken as exempt development under the provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*;
- (2) Any earthworks (including any structural support or other related structure for the purposes of the development):
 - (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and

- (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
 - (c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997, and
 - (d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the Protection of the Environment Operations (Waste) Regulation 2005.
- (3) Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in July 2012 by Safe Work Australia.
- (4) Unless otherwise approved by Council in writing the proposed internal driveway shall be constructed as follows:
- (a) Shall have a minimum pavement width of 3 metres;
 - (b) Shall have a maximum pavement width of 4.5 metres;
 - (c) Shall have a maximum height of 300mm above existing ground levels;
- (5) Material imported to the site must be suitable for the proposed application/fit for purpose and be:
- (a) Sourced from a suitably licenced facility (i.e. landscaping supplies or quarry operation); or
 - (b) Virgin Excavated Natural Material (VENM) as defined in the Protection of the Environment Operations Act 1997;
- Documentation demonstrating compliance with this condition must be provided to Council upon request.
- (6) Heavy vehicle movements associated with the delivery of material to the site are restricted as follows:
- (a) A maximum of 6 movements per day (1 movement = in and out of the site);
 - (b) No movements on weekends or public holidays;
 - (c) Movements must occur between 7am and 6pm;

PART E – INSPECTIONS

- (1) Critical stage inspections as required by Clause 162A of the *Environmental Planning and Assessment Regulation 2000* must be carried out by the Principal Certifying Authority. Where Council is nominated as the Principal Certifying Authority Inspections will be required at the following stages of construction:

Inspection	Hold Point
(a) After excavation of footings	Prior to pouring concrete, after placement of erosion and sediment control measures, on-site toilet and signage.
(b) Floor slab	Prior to pouring concrete.

- | | | |
|-----|-----------------|---|
| (c) | Frame/Pre-sheet | Prior to placing internal sheeting, after all internal services including water plumbing and electrical are installed and external cladding has been fixed. |
| (d) | Stormwater | Prior to backfilling or covering pipes and connections to services. |
| (e) | Final | All works relating to the proposed development are complete and all conditions of development consent are complied with. |
- (2) Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person on behalf of the principal certifying authority subject to the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:
- (a) Sediment control measures.
 - (b) Provision of perimeter fences or hoardings for public safety and restricted access to building sites.
 - (c) Maintenance of the public place free from any unauthorised materials, waste containers or other obstructions.

PART F – CONSTRUCTION

- (1) Works must be carried out in accordance with the plans and specifications to which the consent relates.
- (2) All building work shall be carried out in accordance with the provisions of the National Construction Code/Building Code of Australia (as amended) and all relevant Australian Standards;
- (3) Hours for construction - Construction may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday.
- (4) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (5) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
Note: Copies of receipts relating to the disposal of waste at a licensed waste management facility (or facilities) must be submitted to the Yass Valley Council upon request.
- (6) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- (7) During construction:

- (a) all vehicles entering or leaving the site must have their loads covered, and
 - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- (8) At the completion of the works, the work site must be left clear of waste and debris.

PART G – STORMWATER DRAINAGE

- (1) If the work is the erection of, or an alteration or addition to, a dwelling house, the roof stormwater drainage system must be installed and connected to the drainage system before the roof is installed.
- (2) Stormwater drainage work shall comply with *AS/NZS 3500.3, 2003 - Stormwater drainage*;
- (3) Stormwater collected from the development shall not cause nuisance to adjoining landowners;
- (4) Where up-stream surface water flows through the allotment the development shall not redirect or divert this water in such a manner that would intensify flows onto adjoining properties.
- (5) Adequate provision shall be made for the disposal of roof water collected from the development. In this regard roof water shall be piped and discharged to one of the following as applicable:
 - (a) The street stormwater drainage system;
 - (b) Inter-allotment stormwater drainage system;
 - (c) A rubble pit designed by a suitably qualified person to cater for a 1 in 5 year rainfall event. The pit design shall make suitable provision for overflow.

PART H - PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

- (1) Prior to the issue of any Occupation Certificate, An application for an occupation certificate must be lodged with the Principal Certifier.
- (2) Prior to the issue of any occupation certificate, all applicable Clauses under Section 6.10 of the *Environmental Planning and Assessment Act 1979* shall be complied with.
- (3) An occupation certificate authorising a person:
 - (a) to commence occupation or use of a partially completed new building, or
 - (b) to commence a new use of a part of an existing building,

must not be issued unless the building will not constitute a hazard to the health or safety of the occupants of the building.
- (4) Prior to the issue of any occupation certificate, certificates of compliance/installation for contractor's works as applicable to the development shall be submitted to the Principal Certifying Authority.

Where Council is nominated as the Principal Certifier, the certificates listed below will be required as applicable to the development:

- Electrical
- Frame (Timber or Metal)
- Plumbing/drainage
- Stormwater

As applicable to the works, a copy of the tradespersons license number, qualifications, professional memberships, insurances, name, address and the Australian Standards or standards to which the certificate relates is to be included on the Certificate.

It is important to note that this list may not cover all developments and Council may request additional certificates prior to the issue of an occupation certificate.

- (5) An identification survey prepared by a registered surveyor showing the location of the constructed development in relation to the property boundaries, easements and building envelope(s) shall be submitted to the Principal Certifier prior to the issue of an occupation certificate.
- (6) Prior to the issue of any occupation certificate, the developer shall restore, replace or reconstruct any damage caused to road pavements, surfaces, street furniture, roadside drainage, street lighting or underground facilities as a result of the construction of the development.

NOTES ACCOMPANYING DEVELOPMENT CONSENT DA200046

Please read these notes carefully to ensure you are fully conversant with the conditions under which this consent is granted.

- (1) This consent has been granted under Clause 2.3 of the Yass Valley Local Environmental Plan 2013;
- (2) All fees and charges associated with this consent shall be adjusted annually from the date of this consent in accordance with seasonal movements in the CPI for the Canberra region;
- (3) Any additional Council inspection, beyond the scope of any Compliance Certificate package and needed to verify the compliance of any work, shall be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule;
- (4) This development consent does not guarantee compliance with land specific agreements, by-laws, covenants, 88B restrictions, community management plans, or other similar development restrictions that may be applicable to the land. It is the responsibility of the land owner, applicant and developer to make their own enquiries in order to be satisfied that compliance with these restrictions has been achieved.
- (5) The applicant shall ensure all sub-contractors are licensed by the NSW Department of Fair Trading;
- (6) Steel framing shall be in strict accordance with *ASS/NZS 4600 Cold Formed Steel Structures*;
- (7) A properly constructed drain shall be placed in such a position as to divert all surface water runoff clear of the building area and all footings;
- (8) The *Work Health and Safety Act 2011*, the *Work Health and Safety Regulation 2011* and various Australian Standards provide a comprehensive set of risk control measures and procedures for development sites which cover all types of risk. This legislation is administered by WorkCover New South Wales which has produced a variety of guidelines and other supporting documents for the information of developers.

All persons undertaking work in connection with this consent should ensure that all required risk control measures and procedures are complied with.

- (9) To arrange a building or plumbing inspection please use Council's on-line book system. Access to the booking system and information about Inspections is available on Council's website - <https://www.yassvalley.nsw.gov.au/our-services/planning-and-building/certification-and-inspections/inspections/>

Your development is in the **Gundaroo area** for the purpose of booking these inspections.

6.6 2019/20 COMMUNITY GRANTS ROUND 2

SUMMARY

A report recommending grants to be made through Round 2 of Council's 2019/20 Community Grants Program.

RECOMMENDATION

That the following grants be made under Council's 2019/20 Community Grants Program:

Organisation	Grant amount	Purpose
<i>Murrumbateman Progress Association Inc</i>	<i>\$4,000</i>	<i>Purchase of portable aluminium grandstands for use at sporting and entertainment events</i>
<i>Murrumbateman Village Markets Committee – MPA Inc</i>	<i>\$1,650</i>	<i>Upgrade of the interior and exterior lighting of the Recreation Ground Food Shed to facilitate evening use</i>
<i>Murrumbateman Menshed Committee – MPA Inc</i>	<i>\$4,000</i>	<i>Installation of reverse cycle air conditioning</i>
<i>Gundaroo Soldiers Memorial Hall Management Committee Inc</i>	<i>\$3,000</i>	<i>Replacement of general and emergency lighting and installation of wall-mounted fans</i>
<i>Gundaroo Website Subcommittee – GCA Inc</i>	<i>\$2,000</i>	<i>Development of a website covering all community organisations, activities and businesses in the Gundaroo district</i>
<i>Gundaroo Memorials Subcommittee – GCA Inc</i>	<i>\$2,200</i>	<i>Planting of a memorial avenue of 40 trees and associated site preparation</i>
<i>1st Yass Scout Group – SAA</i>	<i>\$4,000</i>	<i>Painting of the exterior of the Scout Hall building</i>
<i>1st Yass Scout Group – SAA</i>	<i>\$4,000</i>	<i>Removal and replacement of internal asbestos panels and an awning sheet</i>
<i>Yass Community Radio Association Inc</i>	<i>\$1,500</i>	<i>Upgrade of equipment to secure transmission capability of the radio station</i>
<i>Yass Netball Association Inc</i>	<i>\$2,300</i>	<i>Storage cage for netball equipment to be located in a shared amenities building</i>

FINANCIAL IMPLICATIONS

Council allocated \$49,000 to Community Grants in the 2019/20 budget. A total of \$13,800 was distributed in Round 1 and \$28,650 is recommended for distribution in Round 2.

POLICY & LEGISLATION

- Community Grants Policy

REPORT

At its February 2020 meeting Council determined to conduct a second round of community grants as a result of the small number of applications received in December 2019. The second round closed on 8 May 2020.

An application-writing workshop was scheduled for 2 April 2020 but this did not proceed as a consequence of COVID-19 restrictions.

The 10 applications received in the second round were assessed by a panel comprising Council's Community Planner, Councillor Harker and Councillor Turner.

Councillor Turner declared a non-pecuniary interest in the application from Yass Community Radio Association Inc. Other panel members declared no pecuniary and non-pecuniary interests in the applications.

The assessments are summarised at **Attachment A**.

STRATEGIC DIRECTION

Key Pillar 3. Our Community

CSP Strategy CO2 - Encourage and facilitate active and creative participation in community life

Delivery Program Action CO2.5 - Support the growth of a diverse range of community events

Operational Plan Activity CO2.5.1 - Provide access to financial support for development of community events
through Council's Community Grants Program

ATTACHMENTS: A. 2019/20 Community Grants Round 2 Assessment Schedule [↓](#)

2019/20 Community Grants Round 2 Assessment Schedule

Project number & date received	Applying organisation & incorporation number	Project summary & primary CSP strategy/ies	Funding requested	Total cost	Source of matched funding	Clear objective, design & budget	Capacity to undertake initiative	Is there an alternative source of funds?	Eligibility criteria met
1 Received 5/5/20	Murrumbateman Progress Association Inc Y1071745	Purchase of portable aluminium grandstands for use at sporting, equestrian and entertainment events at the Murrumbateman Recreation Ground. IN4	\$4,000	\$9,835	MPA funds	Yes	Yes	NSW Community Building Partnership program funds	Yes
2 Received 6/5/20	Murrumbateman Village Markets Committee – Murrumbateman Progress Association Inc Y1071745	Upgrade of the lighting inside and outside the Murrumbateman Recreation Ground Food Shed which will facilitate use of the building for a wider range of purposes and in the evening. IN4 & CO2	\$1,650	\$3,261	Murrumbateman Village Markets reserves	Yes	Yes	NSW Community Building Partnership program funds	Yes
3 Received 7/5/20	Murrumbateman Menshed Committee – Murrumbateman Progress Association Inc Y1071745	Installation of reverse cycle air conditioning in Men's Shed workshop and meeting room which will facilitate use by a variety of community groups. IN4 & CO2	\$4,000	\$8,809	Funds raised through community activities	Yes	Yes	Unsuccessfully applied for 2019 NSW Community Building Partnership program funds	Yes

6.6 2019/20 Community Grants Round 2
Attachment A 2019/20 Community Grants Round 2 Assessment Schedule

4 Received 6/5/19	Gundaroo Soldiers Memorial Hall Management Committee Inc Y1791016	Replacement of inadequate and costly to operate general lighting & failing emergency lighting and installation of wall- mounted fans to facilitate user comfort. IN4 & CO2	\$3,000	\$5,994	Fundraising & hall hire	Yes	Yes	NSW Community Building Partnership program funds	Yes
5 Received 6/5/20	Gundaroo Website Subcommittee – Gundaroo Community Association Inc Y3012117	Development of a website covering all community organisations, activities and businesses in the Gundaroo district. The site would build on the Gundaroo.info site, a bequest to the Gundaroo & District Historical Society. CO2 & IN4	\$2,000	\$5,052	Donations and fundraising	Yes	Yes	No	Yes
6 Received 8/5/20	Gundaroo Memorials Subcommittee – Gundaroo Community Association Inc Y3012117	Completion of site preparation for and planting of an avenue of 40 trees at the entrance to Gundaroo in commemoration of armed services personnel from the Gundaroo community. CO3	\$2,200	\$4,400	Other grants	Yes	Yes	\$1500 ANZAC Community Grant received & \$2000 DVA Commemorative Grant applied for.	Yes

6.6 2019/20 Community Grants Round 2
Attachment A 2019/20 Community Grants Round 2 Assessment Schedule

7 Received 8/5/20	1 st Yass Scout Group – Scout Association of Australia National incorporation	The painting and associated repair of all surfaces on the exterior of the Scout Hall building IN4	\$4,000	\$10,780	Fundraising	Yes	Yes	Unsuccessfully applied for 2019 NSW Community Building Partnership program funds & a Soldiers Club donation	Yes
8 Received 8/5/20	1 st Yass Scout Group – Scout Association of Australia National incorporation	The removal and replacement of asbestos wall panels in three internal rooms of the rear extension to the Scout Hall, the painting of the replacement panels and replacement of an asbestos awning sheet. IN4	\$4,000	\$8,000	Fundraising	Yes	Yes	Unsuccessfully applied for 2019 NSW Community Building Partnership program funds	Yes
9 Received 8/5/20	Yass Community Radio Association Inc Y2979033	Equipment upgrade to secure transmission capability of the radio station. Equipment items include a 5G radio link, rack hardware, file, windows & streaming servers, licenses and hard disks. CO2	\$1,500	\$2,984	Membership fees, sponsorship & donations	Yes	Yes	No	Yes

6.6 2019/20 Community Grants Round 2
Attachment A 2019/20 Community Grants Round 2 Assessment Schedule

10 Received 8/5/20	Yass Netball Association Inc Y2607229	Storage cage for netball equipment to be located in the amenities building at Joe O'Connor Park. CO3	\$2,300	\$4,588	Registration fees & fundraising	Yes	Yes	NSW Community Building Partnership program funds	Yes
--------------------------	---	---	---------	---------	------------------------------------	-----	-----	--	-----

7.1 WALKER PARK - FACILITIES UPGRADE PROJECT

SUMMARY

Funding under the Community Sport Infrastructure Grant was secured to undertake improvements at Walker Park. Part of the improvements is constructing a covered grandstand including a commentator's box to be constructed on level one at Walker Park.

This report provides the final design endorsed by the main sporting codes within Yass Valley of rugby union, soccer, touch football and rugby league.

RECOMMENDATION

That the final design of the covered grandstand including two virtual commentators' boxes to be constructed on level one at Walker Park be approved.

FINANCIAL IMPLICATIONS

Council secured \$500,000 under the Community Sports Infrastructure Grant for improvements to Walker Park in addition Council's contribution of \$50,000 in the 2019/20 operational budget and a further \$18,000 being contributed from sporting user groups of the facility; giving a total \$568,000.

In April 2020 Council determined that an additional \$400,000 be allocated from the Development Contributions Reserve to complete the project.

POLICY & LEGISLATION

- Local Government Act 1993
- Procurement Policy

REPORT

1. Background

In April 2020 Council considered a proposed design for a covered grandstand which includes a commentator's box to be constructed on level one at Walker Park. The proposed design required the commentator's box to be constructed under the roofline (refer **Attachment A**) of the grandstand to comply with the *Building Code of Australia* (BCA).

Council determined that the current and potential users of Walker Park Sporting Complex be consulted on the proposed design.

2. Grandstand Design - User Group Consultation

The grandstand design was circulated to the main sporting codes within Yass Valley (i.e. rugby union, soccer, touch football and rugby league). All codes except rugby league endorsed this design.

Yass Rugby League proposed a variation to the design which includes an additional commentator's box above the roofline, as well as the one under the roofline (refer **Attachment B**). The addition to the design will maximise all available space within the grandstand and increase the capacity of space available for match officials.

This proposal is supported by an independent opinion that the modifications met the requirements of the BCA. Independent reports by appropriately qualified persons have previously been accepted on interpretations under the BCA. However in this instance it would be prudent to engage a private certifier for the construction work.

The revised design was relayed back to the sporting users as mentioned above for endorsement in which all responded in favour (refer **Attachment C**).

STRATEGIC DIRECTION

Key Pillar 4. Our Infrastructure

CSP Strategy IN4 - Maintain and update existing community facilities, and support the development of new community infrastructure as needed

Delivery Program Action IN4.1 - Develop and maintain new and existing recreational and community assets to address our communities needs in a sustainable manner

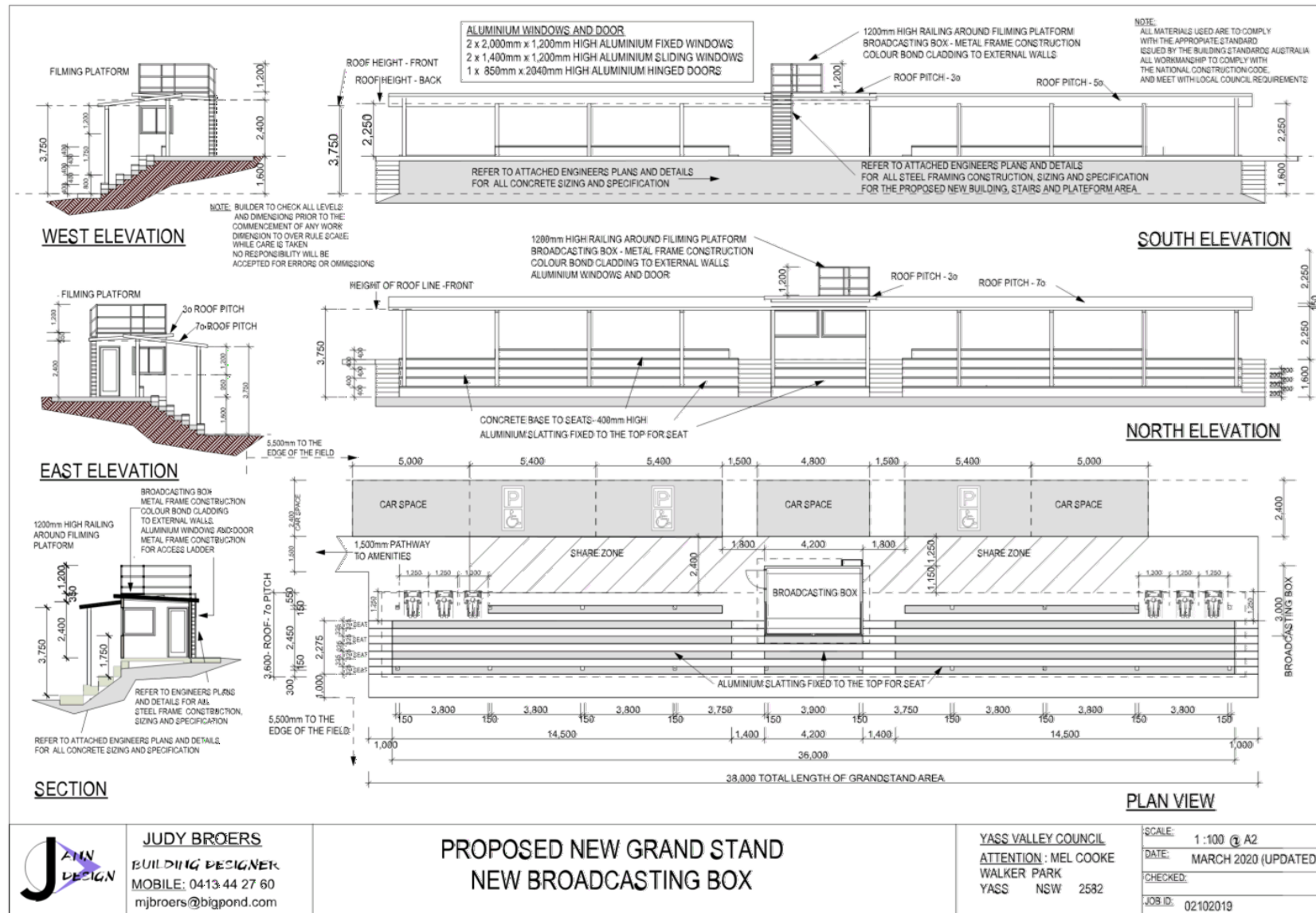
Operational Plan Activity IN4.1.1 - Develop and maintain sports grounds and associated facilities to standard that enables use by a variety of users

ATTACHMENTS:

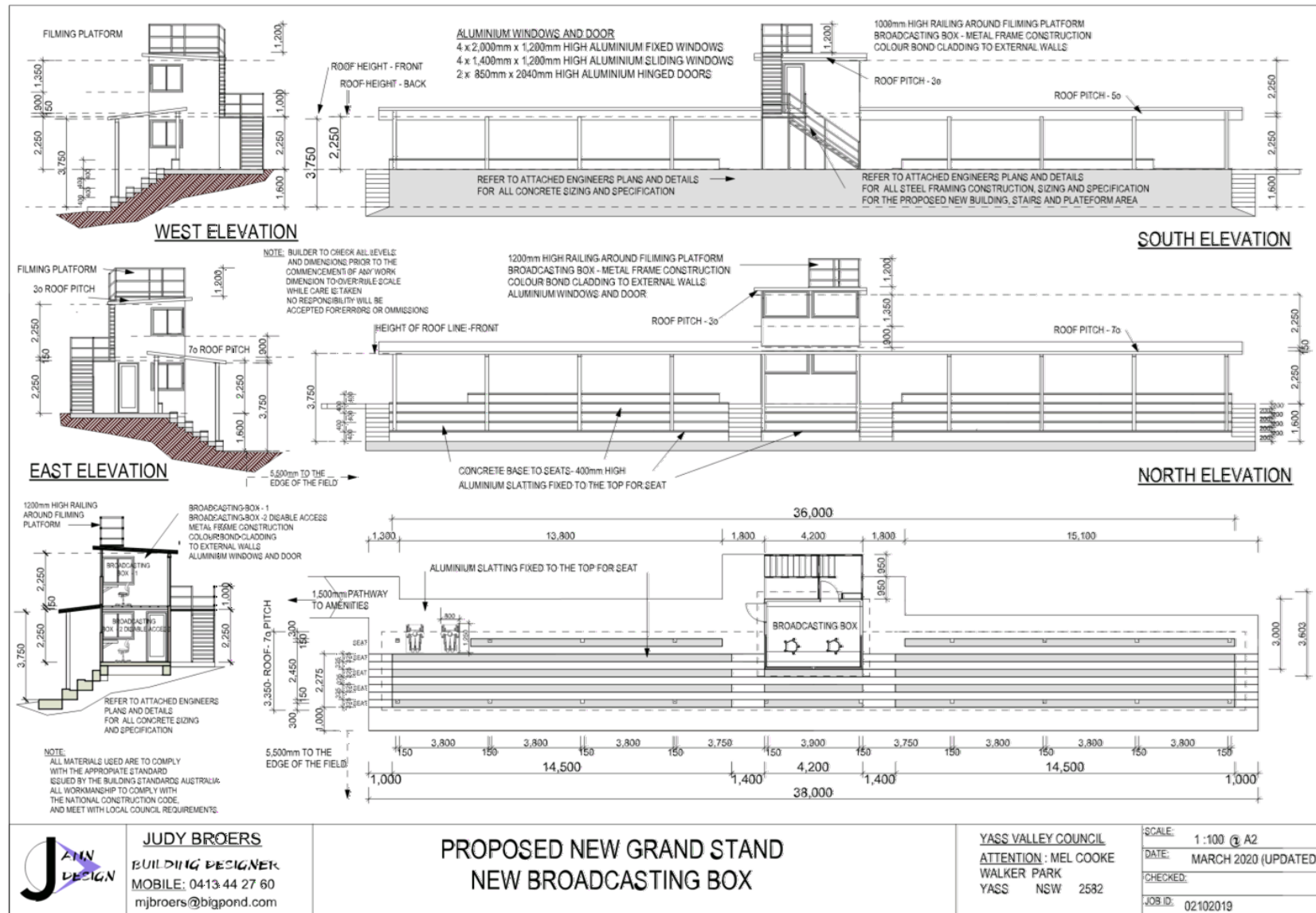
- A. Grandstand Design with One Box [↓](#)
- B. Grandstand with Two Boxes [↓](#)
- C. User Group Endorsement [↓](#)

7.1 Walker Park - Facilities Upgrade Project

Attachment A Grandstand Design with One Box



7.1 Walker Park - Facilities Upgrade Project
Attachment B Grandstand with Two Boxes



Melinda Cooke

From: Greg Smith <greg.smith@nutrien.com.au>
Sent: Tuesday, 12 May 2020 5:06 PM
To: Melinda Cooke
Subject: New Grandstand

Afternoon Mel,

I hope you have been well

Many thanks for all your great work and assistance you have given us in relation to the new grandstand and commentary box

I wish to advise that Yass Touch Football and Yass United Rugby League have been consulted in relation to the proposed two commentary boxes with a platform on top for the camera person and we are in agreeance with this new design

Greg Smith
Account Manager (Insurance)

Greg Smith and Nutrien Ag Solutions are Authorised
Representatives of Marsh Advantage Insurance Pty Ltd AFSL 238369

75 Laidlaw Street, YASS, NSW 2582, Australia
T: +61 2 6226 1777 / F: +61 2 6226 2627 / M: +61 404 909 160
E: greg.smith@nutrien.com.au

NutrienAgSolutions.com.au



For more information on Nutrien's email policy or to unsubscribe, click here:

<https://www.nutrien.com/important-notice>

Pour plus de renseignements sur la politique de courrier électronique de Nutrien ou pour vous désabonner, cliquez ici: <https://www.nutrien.com/avis-important>

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.

<http://www.mailguard.com.au/mg>

[Report this message as spam](#)

Melinda Cooke

From: Ross Phillip Webster <rosswebster@westnet.com.au>
Sent: Monday, 11 May 2020 1:01 PM
To: Melinda Cooke
Subject: Fwd: Walker Park works

Melinda , FYI.

Sent from my iPhone

Begin forwarded message:

From: Michael Inkster
Date: 11 May 2020 at 9:25:32 am AEST
To: "rosswebster@westnet.com.au"
Subject: Walker Park works

Hi Ross,

On behalf of the Yass Minor Rugby League (YMRL) I can confirm that we agree with the two virtual commentary developments as being the preferred and superior option.

The focus must remain on getting the best outcome that leads to maximising the facilities use and thus community benefits.

Thanks and Regards

Mike Inkster
President YMRL
0438 269 671

Sent from my iPhone

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>

[Report this message as spam](#)

Melinda Cooke

From: Mark Vergano <mvergano@raiders.com.au>
Sent: Friday, 15 May 2020 2:42 PM
To: Melinda Cooke
Subject: FW: 20090 | Yass Walker Park | Broadcast Booth
Attachments: 20200507 Alternative Solution Report.pdf; Proposed Design.pdf; EM CV 2019 - ACCESS.pdf

Hi Mel

We are all good with the re-design and happy for you to proceed as required.

Kind Regards
Mark



Mark Vergano
**General Manager, Canberra Region and
Community Rugby League**

14 Torrens Street, Braddon ACT 2612
PO Box 300, CIVIC SQUARE ACT 2608

P 0414 677 080

M

ABN 31 068 819 152

raiders.com.au

raidersshop.com.au

raiders.com.au/membership



From: Ross Phillip Webster
Sent: Tuesday, 12 May 2020 4:27 PM
To: Mark Vergano
Subject: Fwd: 20090 | Yass Walker Park | Broadcast Booth

Sent from my iPhone

Begin forwarded message:



Yass Football Club Inc

P O Box 623 Yass NSW 2582

www.yassfc.com.au

01/05/2020

Yass Valley Council
PO Box 6
YASS NSW 2582

Yass Football Club, as a member of the Walker Park user group endorse and give thanks to Yass Valley Council for the recently completed lighting upgrades to Walker Park.

The improvements will allow us to offer further time and space to our coaches who in turn, can improve and educate our members abilities in order to take the Club and players forward.

The new parking area and disability pathway upgrade is something that has been much-needed and will offer additional access to our lower fields for all those in need.

The amended design which incorporates two commentary boxes as opposed to the original design of just one, will be of great benefit to rugby league.

As a Club, we would like to congratulate Yass Rugby League and look forward to seeing the vast improvements being made to their facilities. These upgrades are a great step forward for all sport in Yass.

Yours Sincerely,

Paul Jephcott
President
Yass Football Club Inc
M 0450 441 975

Melinda Cooke

From: Peter Davies <PeterDavies88@outlook.com>
Sent: Thursday, 7 May 2020 3:30 PM
To: Melinda Cooke
Subject: Re: Walker Park - Level One Proposed Grandstand Design

Good afternoon Melinda

The Yass rams rugby club is happy with the amendments that council has make and we look forward to it's completion

Cheers Peter Davies

On 5 May 2020, at 1:35 pm, Melinda Cooke wrote:

Peter,
Council has made an amendment to the previous design you endorsed, could you please review the attached proposal and advise by return email your response.
Regards
Melinda

Melinda Cooke | Parks Project Officer | **Yass Valley Council**
D: +61 (0)2 6226 9224 | M: +61 (0)414 956 465 | P: +61 (0)2 6226 1477
E: Melinda.Cooke@yass.nsw.gov.au | W: www.yassvalley.nsw.gov.au

Working Together for our Community

Follow us on:

DISCLAIMER

Any email (including all attachments) from Yass Valley Council is intended exclusively for the addressee. The contents of the email may be confidential and any confidentiality will not be surrendered because an email has been sent to the receiver by mistake. If you have received an email in error, please notify the sender, delete the email from your system and destroy any copies. No part of any email should be reproduced, rewritten, changed or communicated without the written consent of Yass Valley Council. Any personal information received by you in an email from Yass Valley Council must be handled in accordance with the *Privacy Act 1988*.

From: Peter Davies
Sent: Friday, 1 May 2020 2:16 PM
To: Melinda Cooke
Subject: Re: Walker Park - Level One Proposed Grandstand Design
Good afternoon Melinda

After talking to a few committee members. The club thinks that's this will be fantastic for the sporting community of Yass and everyone who uses the walker park.

Cheers Peter Davies
Yass rams president
0412759138

On 27 Apr 2020, at 2:10 pm, Melinda Cooke <Melinda.Cooke@yass.nsw.gov.au> wrote:

Dear Peter,
Council has been successful in securing grant funding from Sports Australia to undertake significant improvements at Walker Park Sporting Complex. These improvements includes: new officials room, new carpark, upgrade to field lighting on level two and a covered grandstand with a commentators box on level one. Council in conjunction with sporting groups have developed a design of the grandstand to be constructed on the level one embankment, in front of the carpark. (See attached design)
As a previous/current user of the Walker Park Sporting Complex, Council are seeking endorsement from Yass Rams Rugby Union Club on the proposed grandstand design.
Could you please review the attached design with your club members and reply to this email no later than **3:00pm 1 May 2020** with your response.
Kind regards
Melinda

Melinda Cooke | Parks Project Officer | **Yass Valley Council**
D: +61 (0)2 6226 9224 | M: +61 (0)414 956 465 | P: +61 (0)2 6226 1477
E: Melinda.Cooke@yass.nsw.gov.au | W: www.yassvalley.nsw.gov.au

Working Together for our Community

Follow us on:

DISCLAIMER

Any email (including all attachments) from Yass Valley Council is intended exclusively for the addressee. The contents of the email may be confidential and any confidentiality will not be surrendered because an email has been sent to the receiver by mistake. If you have received an email in error, please notify the sender, delete the email from your system and destroy any copies. No part of any email should be reproduced, rewritten, changed or communicated without the written consent of Yass Valley Council. Any personal information received by you in an email from Yass Valley Council must be handled in accordance with the *Privacy Act 1988*.

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>

7.2 YASS WATER TREATMENT PLANT UPGRADE PROJECT: PREPARATION OF DETAILED DESIGN AND BUSINESS CASE - PREFERRED UPGRADE OPTION

SUMMARY

This report provides a progress update on the Options Assessment carried out for the Yass Water Treatment Plant Upgrade Project: Preparation of Detailed Design and Business Case and seeks direction on the preferred upgrade option.

RECOMMENDATION

That:

1. *The progress made with the Options Assessment Report in the Yass Water Treatment Plant Upgrade Project: Detailed Design and Business Case Preparation be noted*
2. *The design and construction of a new water treatment plant option with the estimated project cost of \$31.9 million including contingency to address the drinking water quality challenges and community expectations be endorsed*
3. *Funding from State and Federal governments be sought*

FINANCIAL IMPLICATIONS

In December 2018 Council determined to accept the grant of \$1,200,000 for preparing a detailed design and final business case under the State Government's Restart NSW Housing Acceleration Fund for the Yass Murrumbateman – Water Quality Improvement Project.

For the preparation of Detailed Design and Business Case, funds from the Water Fund Reserve were allocated to commence the work in 2018/19, 2019/20 Operational Plan and also in 2020/21 Operational Plan.

Funding for the construction will be the subject of a further application to the RestartNSW Fund on completion of this project. Maximum funding subject to further application to Restart NSW and its approval is \$10 million including the cost of this detailed design and business case preparation.

Estimated Project Cost for construction of preferred option is \$31.9 million. It is necessary to seek additional funding for construction while proceeding with this work.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

1. Background

Council obtained grant funding of up to \$1,200,000 to prepare a detailed design and final business case in anticipation of a future construction funding application for improvements to the Yass Water Treatment Plant from the Housing Acceleration Fund under the Restart NSW for the Yass Murrumbateman – Water Quality Improvement Project (refer **Attachment A**).

HunterH2O has been engaged to prepare detailed design and business case in October 2019. Three workshops were held with the participation of DPIE Water, NSW Health Water Unit, Council staff and consultant team (HunterH2O) i.e.

Date	Workshop	Comments
13 November 2019	Project Risk	Project risks were identified

28 November 2019	Options Value Management	Seven long-list options were discussed and four options were short-listed
3 March 2020	Options Assessment	Detailed assessment of four options were discussed at this workshop with the above stakeholders. Follow-up discussions were also held with NSW Health Water Unit and DPIE Water. Project Cost estimates for the options were completed on 23 April 2020

2. Condition of Existing WTP and its Capability

The WTP, first constructed in 1938, was augmented and modernised in 1990. An assessment of the existing WTP undertaken in 2019 the key issues identified are summarised as follows:

- a) General: The existing WTP is 30 years old and many assets, systems and processes are at the end of their service life.
- b) Flow Rate: Available filter area, filter condition and acceptable filtration rates limit maximum filtration rate to approximately 135 L/s. However, currently the Raw Water Pump Station (RWPS) operates at 145 or 150 L/s while the design flow rate of the RWPS is 165 L/s. Refurbishment of existing filters will leave plant at lesser capacity.
- c) Electrical and Control System: The technology and assets of electrical and control system is 30 years old and are at the end of their service life. The main switchboard arrangement and location does not comply with current standards and there are many dilapidated switchgear and control gear assemblies for unit processes distributed around the WTP. Upgrade of the electrical and control system, provision of a SCADA system and implementation of automatic, unattended operation of the plant at variable flows, is considered to be an essential element of the upgrade of the WTP.
- d) Flocculation: There is a single flocculation train comprise 3 stage tapered flocculation requires modifications.
- e) Floatation: There is a single DAF cell and the typical performance is below the design standard of 3 NTU. Refurbishment of the DAF recycle, saturation and dispersion systems is required.
- f) Sand Filters: The design parameters of existing WTP to a design filtered water quality of 1 NTU is inconsistent with current standards for filtered water of <0.2 NTU. Filter refurbishment consisting of inspection and repair (where necessary) of the filter floor and filter nozzles, upgrade of the air scour system, filter media replacement, installation of supports for backwash troughs, renewal of actuated valves, and new instrumentation is required.
- g) Chemical Dosing: All chemical systems are largely original with ageing components and numerous non-compliances with existing WHS Regulations and Australian Standards. Replacement of the coagulant system, polymer system, soda ash wet end, PAC system, and renewal of the chlorine system is required.
- h) Amenities and Laboratory: Amenities and laboratory facilities are undersized and in poor condition. A new amenities building and laboratory is required.
- i) Redundancy: The existing WTP has no redundancy as there is only a single train of treatment processes. Any refurbishment existing process units will require to be scheduled within a narrow window of hours within a day and during low water demand (i.e. winter period).

3. Raw Water Quality Challenges

The characteristics of Yass River catchment and Yass Dam results in highly variable raw water quality during extreme events (significant rainfall or extended drought). This variability of raw water quality and raw water sourced from an unprotected drinking water catchment present unique challenges to the water treatment at Yass WTP. The water quality hazards are summarised below.

Water Quality Parameter	Current Status/Hazards
Turbidity (or suspended solids)	Rain events result in the turbidity rising above 100NTU for 1 to 3 days and staying above 50NTU for 2 to 6 weeks. The biggest challenge is the rapid change in turbidity after a rain event and managing a high solids load for the following month.
Pathogens / <i>Cryptosporidium</i> / <i>Giardia</i>	The Yass WTP draws its water supply from an unprotected catchment (estimated as a Category 4) that contains numerous onsite effluent management systems in proximity to the river and domestic stock animals with direct access to the river. As such microbial pathogens, including chlorine tolerant protozoans (<i>Cryptosporidium</i> and <i>Giardia</i>), are likely to be present in the raw water.
True Colour	It is estimated that the WTP is challenged with a raw water true colour of 30 to 70 HU for around 8 months of a "typical year". With the remaining 4 months having an estimated true colour approaching or in excess of 100 HU. True colour is lowest following extended dry periods and spikes with rainfall and higher river flows.
Dissolved Organics	From monthly sampling over a year the level of organics is typically 6 – 11 mg/L and increases to more than 30 mg/L during events that occur following rainfall, which is very high.
THMs (Trihalomethanes)	The level of organics, combined with chlorine disinfection and water age in the Yass reticulation network, results in exceedances of the THM guideline value of the ADWG (250 µg/L). The exceedance of the ADWG target for THMs requires consideration in the design to mitigate the current and future risk of THMs
Iron and Manganese	The current WTP fails to consistently meet the manganese aesthetic target (ADWG of < 0.1 mg/L) during rainfall events and best practice target of less than 0.02 mg/L. There is event-based presence of 'high' levels of soluble manganese up to and above 0.2 mg/L, well above the aesthetic target in the treated water.
Total hardness	Total hardness is strongly influenced by rainfall in the catchment. Following heavy rainfall and significant flows in the river the pH, alkalinity and total hardness all fall rapidly to their respective minimums. From this point Yass Dam offers some buffering but all three parameters begin to rise once the River returns to a base flow, which is minimal. Total hardness typically exceeds 200 mg/L as CaCO ₃ following 6 months of low river flows.
pH	Raw water pH drops drastically following a rainfall event to as low as 6.7 and gradually increases during extended dry periods above 8.4.
Algae counts	Fortnightly monitoring has commenced but likely to be present and spike in the summer months without significant flushing flows down the river.
Algal toxins	Potentially toxin producing algae have been detected in the dam in low numbers.
Taste and odour	Taste and Odour (T&O) compounds Geosmin and 2-methylisoborneol (MIB) were measured. Geosmin is highly likely to occur in Yass Dam during extended dry period.

4. Treated Water Quality Objectives

Two key project objectives for the upgrade the Yass WTP are that:

- Treated water quality must meet health criteria in ADWG (Australian Drinking Water Guidelines)
- Treated water quality to meet aesthetic criteria in ADWG and meet community expectations

5. Evaluation of Options of Short-Listed Options

Brief description of short-listed options and their project costs including contingency are as follows.

SHORT-LISTED OPTION	DESCRIPTION	PROJECT COST
Option 1 – Refurbish WTP	<ul style="list-style-type: none"> • Refurbish existing WTP to bring to the current electrical, chemical and safety standards. • No additional treatment processes 	\$16.6 Million
Option 3 – Refurbish WTP with PAC ^{#1} / Oxidation	<ul style="list-style-type: none"> • Refurbish existing WTP and additional treatment processes to address raw water quality variations • Addresses control of discolouration, taste and odour issues caused by extreme rainfall or extended drought. • No removal of water hardness. 	\$23.4 Million
Option 5 – Refurbish WTP with PAC ^{#1} / Oxidation and Lime softening	<ul style="list-style-type: none"> • Refurbish existing WTP and additional treatment processes to address raw water quality variations including water hardness • Fully addresses all water quality issues including the water hardness. 	\$29.1 Million
Option 7 – New WTP with Lime softening	<ul style="list-style-type: none"> • Fully addresses all water quality issues including the water hardness 	\$31.9 Million

Note: All options includes installation of a plume aeration system at Yass Dam.

#1: PAC – Powdered Activated Carbon treatment to remove odour and taste.

Following option development, a multi criteria analysis framework was developed to assess suitability of each of the shortlisted option to address the project risks and deliver project objectives. The following table shows the non-cost scores for each option.

Non-cost comparison of Short-listed Options

Non-cost criteria	Scores			
	OPTION – 1 Refurbish	OPTION – 3 Refurbish with PAC/Oxidation	OPTION – 5 Refurbish with PAC/Oxidation and lime softening	OPTION – 7 New WTP with lime softening
Health-related water quality (15%)	8.0%	15.0%	15.0%	15.0%
Aesthetic-related water quality (25%)	11.6%	18.8%	25.0%	25.0%
Operation and Maintenance (45%)	33.5%	35.4%	34.8%	44.4%
Social, Environmental and Legal (15%)	5.3%	8.2%	12.5%	15.0%
Total Score (100%)	58.4%	77.4%	87.3%	99.4%

Cost and non-cost criteria were used in the evaluation. Apportionment of weighting is the result of a risk assessment considering direct impacts of selection of a poorly performing option or one that did not fully meet community expectations, stakeholders concerns, market competition and uniqueness of the project. The adopted weightings for cost and non-cost criteria are 30% and 70% respectively for each option.

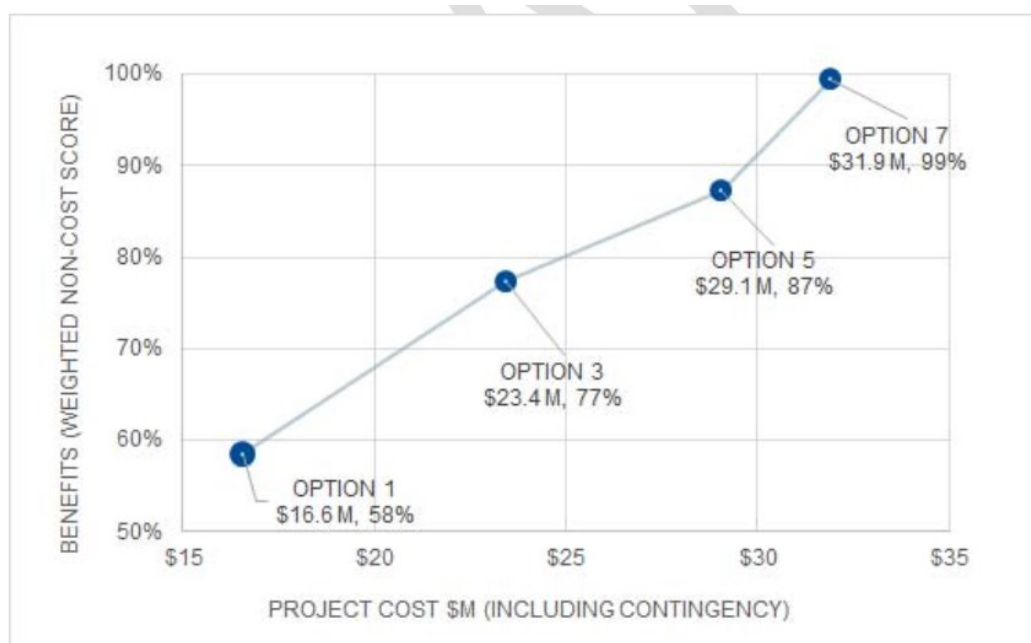
The results of the multi-criteria analysis of options are as follows.

Multi Criteria Analysis (MCA) Results	Normalised Scores			
	OPTION – 1 Refurbish	OPTION – 3 Refurbish with PAC/Oxidation	OPTION – 5 Refurbish with PAC/Oxidation and lime softening	OPTION – 7 New WTP with lime softening
Non-cost (70%)	41%	54%	61%	70%
Cost (30%)	30%	19%	9%	4%
Total (100%)	71%	73%	70%	74%
Rank	3	2	4	1

High importance has been given to the ability of the option to achieve the aesthetic water hardness targets of the Australian Drinking Water Guidelines and to effectively remove manganese during both typical and extreme events at Yass Dam.

The results of the cost and non-cost assessment and options evaluation show that the highest ranked option is Option 7 - a new water treatment plant with lime softening. Option 3, the second highest ranked option does not include lime softening and cannot always achieve the aesthetic water hardness targets of the Australian Drinking Water Guidelines.

A plot of benefits versus project costs shows that non-cost benefits accrue in direct proportion to the project cost.



- Implementation of either Option 1, 3 or Option 5 requires numerous cut-overs, refurbishment of existing filters etc. This will have significant risks resulting in planned and unplanned water supply interruptions during refurbishment / cut-overs to the existing WTP. The potential for escalation of cost and the project duration are also high for these options due to any unforeseen conditions in the existing WTP.
- DPIE Water initially favoured Option 1 and is of the view that the installation of plume aeration of the Yass Dam should be done at the earliest and detailed assessments should be undertaken instead of continuing with the current project. This will impact on the project timeline. Council staff believe that while the plume aeration system will be effective during the extended dry weather to improve the dam water quality, it will not be effective during and after extreme wet weather events.
- DPIE Water is the authority to provide s60 Approval *Local Government Act 1993* on the technology used for water treatment plant upgrade.
- In April 2020, "Prioritization Advice" was provided to Councils operating water supplies and sewerage systems in NSW by DPIE Safe and Secure Water Programme (SSWP). The risk rating to Yass Water Supply was 'medium risk' which means accessing SSWP funding will not be feasible as priority will be given to Councils with 'high risk' ratings.

6. Preferred Option

The preferred option is Option 7 New Treatment Plant with lime softening at an estimated total cost of approximately \$32million including contingency.

7. Next Steps

The next steps to progress the project are:

- Inform stakeholders (DPIE Water and NSW Health Water Unit) of Council's preferred option for water treatment plant upgrade.
- Finalise the Options Assessment Report by the end of May 2020 and commence Concept Design.
- Seek funding for construction

STRATEGIC DIRECTION

Key Pillar	4. Our Infrastructure
CSP Strategy	IN5 - Ensure high quality water supply options for the towns in the region
Delivery Program Action	IN5.1 - Council to supply quality water, cater for growth and quality enhancements that addresses the community needs
Operational Plan Activity	IN5.1.1- Council to supply quality water, cater for growth and quality enhancements that addresses the community needs

ATTACHMENTS: A. HAF Funding Approval Letter for Detailed Design and Business Case Preparation [↓](#)



IRF18/5462

Mr David Rowe
General Manager
Yass Valley Council
PO Box 6
YASS NSW 2582

Yass Valley Council

09 NOV 2018

Dear Mr Rowe

Thank you for your on-going support in the preparation of funding submissions for the Housing Acceleration Fund (HAF) Round 5. The detailed project nomination, selection and strategic business case process has been completed.

I am pleased to advise that the following projects are eligible for a grant to prepare a detailed design and final business case in anticipation of a future construction funding application.

Project Name	Estimated Project Value	Funding Approved for Preparation of Final Business Case
Yass Murrumbateman - Water Quality Improvement	\$10,000,000	\$1,200,000

The Housing Acceleration Fund, managed by the NSW Department of Planning and Environment, was established in 2012, with \$1.466 billion reserved to deliver critical enabling infrastructure to stimulate and accelerate housing development in NSW. Restart NSW has funded this latest round of HAF with budget available to selected NSW Government and local government projects.

Funding will be by grant in accordance with the Restart NSW Funding Deed and the attached HAF Grants Guidelines. The Restart NSW Funding Deed can be found on the Infrastructure New South Wales website¹. If you are interested in accessing this grant, I request that you confirm in writing your formal acceptance of these terms and conditions.

Grant funding is provided for the purposes of developing a final business case; with funding for construction subject to a second application. Funding for the preparation of a final business case does not commit the NSW Government to funding the full project. Upon completion of the final business case, an assessment will be

¹ <http://www.infrastructure.nsw.gov.au/media/1707/restart-nsw-funding-deed-agr.pdf>

undertaken to determine whether the project aligns with the Restart NSW Fund eligibility and the objectives of the HAF program.

The grant funding for these projects is provided as a capped contribution where Council is responsible for all aspects of project delivery including the funding of any project expenditure over the capped grant contribution amount.

The grant funding identified in this letter will be made available to Council once the Deed of Agreement has been executed. I ask that no public announcements be made in relation to these projects until after the deed of agreement has been executed and the project has been announced by the NSW Government.

The next step is for Council to meet with Infrastructure NSW within the next two (2) weeks to discuss the process involved and the funding arrangements. Please contact Infrastructure NSW at restartpmo@infrastructure.nsw.gov.au to arrange a suitable time for this meeting.

Should you have any further enquiries, please contact Jackie Bosnich, Director, Housing Acceleration Fund, at the Department on 8275 1252.

Yours sincerely



Martin Reason
Executive Director
Infrastructure and Delivery

Encl: Housing Acceleration Fund – Grants Guidelines

8.1 INVESTMENT AND BORROWINGS REPORT

SUMMARY

In accordance with the Clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as at 30 April 2020. In accordance with paragraph (1)(b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RECOMMENDATION

The Investment Report as at 30 April 2020 be received and it be noted that the summary has been prepared in accordance with the Act, the Regulations and Council's Investment Policy.

FINANCIAL IMPLICATIONS

Council's investment portfolio provides funding for some projects identified in the Operational Plan.

POLICY & LEGISLATION

- *Local Government Act (1993)*
- *Local Government General Regulation 2005*
- Investment Policy

REPORT

1. Comments on Economic Climate

The Reserve Bank of Australia (RBA) has predicted the country is facing its biggest economic contraction on record and says it is committed to supporting jobs and income as the government has announced plans to relax pandemic-related restrictions by July 2020. The bank has forecast that Australia's \$2 trillion economy would shrink by 10% in the first half of the year marking the first recession in three decades.

To support economic activity, the RBA cut interest rates twice in March 2020 to a record low 0.25% and launched an unlimited quantitative easing program to keep borrowing costs low for banks and consumers. Despite the aggressive monetary and fiscal support measures, the RBA expects the unemployment rate to hit 10% by June and remain around 7.5% during 2021. It expects the economy to contract by 6% this year. The inflation rate is expected to turn negative in the June quarter before turning mildly positive by year-end.

The RBA has said that the speed and timing of the economic recovery is very uncertain beyond the next few months.

2. Council Investments

Valuations of Council investments are detailed in [Attachment A](#).

Details of investment compliance with Council's Investment Policy are provided in the tables below. Council investments are being closely monitored during the COVID-19 pandemic in order to maintain adequate cash flow for Council projects.

Table 1 – Exposure by Credit Rating Type as at 30 April 2020

S&P Rating (or equivalent)	Exposure	Maximum % Invested per Policy
A1+/AAA	Nil	100%
A1/AA	59.58%	100%
A2/A	Nil	60%
A3/BBB	6.87%	30%
N/A	33.55%	<i>Note 1</i>

Note 1 – The TCorp Strategic Cash Facility is an allowable investment under the Ministerial Order.

Table 2 – Exposure to Single Institutions at 30 April 2020

Institution	S&P Rating (or equiv)	Exposure	Max Exposure per Policy
NAB	A1/AA	26.70%	50%
IMB	A3	6.87%	30%
CBA	A1/AA	32.88%	50%
TCorp	N/A	33.55%	<i>Note 1 above</i>

3. Council Loans

Council has five loans with an estimated 30 April 2020 value of \$17.079m. It should be noted that there may be small balance variations as current balances are based on indicative payment schedules. The table below provides loan details at 30 April 2020. Indicative repayments for 2019/20 are shown for both principal and interest for all current loans. Balances will not change on a monthly basis as the most frequent repayment cycle is quarterly. The NSW Treasury interest free loan sourced for the raising of the dam wall has been completed with the final payment of \$750k having been made in December 2019.

	Current Balance	Interest rate	Comment	Principal 2019/20	Interest 2019/20
General Loan	\$672,208	5.91% fixed	To be fully repaid in 2020/21	\$ 645,058	\$ 53,967
Sewer - CBA Loan for Sewer Infrastructure	\$3,954,301	4.82% fixed	Payable over 20 years, fully repaid in 2035/36	\$ 168,053	\$ 195,684
Water – NSW Treasury Loan for Dam wall	\$0	Interest free	FULLY REPAID December 2019	\$ 750,000	\$ -
Water – NAB Dam wall	\$9,036,057	6.96% fixed	Total loan over 30 years. Fixed rate period of 10 years to 2022, to be renegotiated at that time.	\$ 250,019	\$ 649,390
Water - Yass to Murrumbateman water supply (Tcorp)	\$2,209,286	2.55% fixed	Payable over 10 years.	\$ 215,714	\$ 59,786
Water main and pump station upgrades (Tcorp)	\$1,207,136	2.55% fixed	Payable over 10 years.	\$ 117,864	\$ 32,666
TOTAL LOANS	\$17,078,988.00			\$ 2,146,708	\$ 991,493

STRATEGIC DIRECTION

Key Pillar 5. Our Civic Leadership

CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community

Delivery Program Action CL1.6 - Maximise Council's ability to generate income

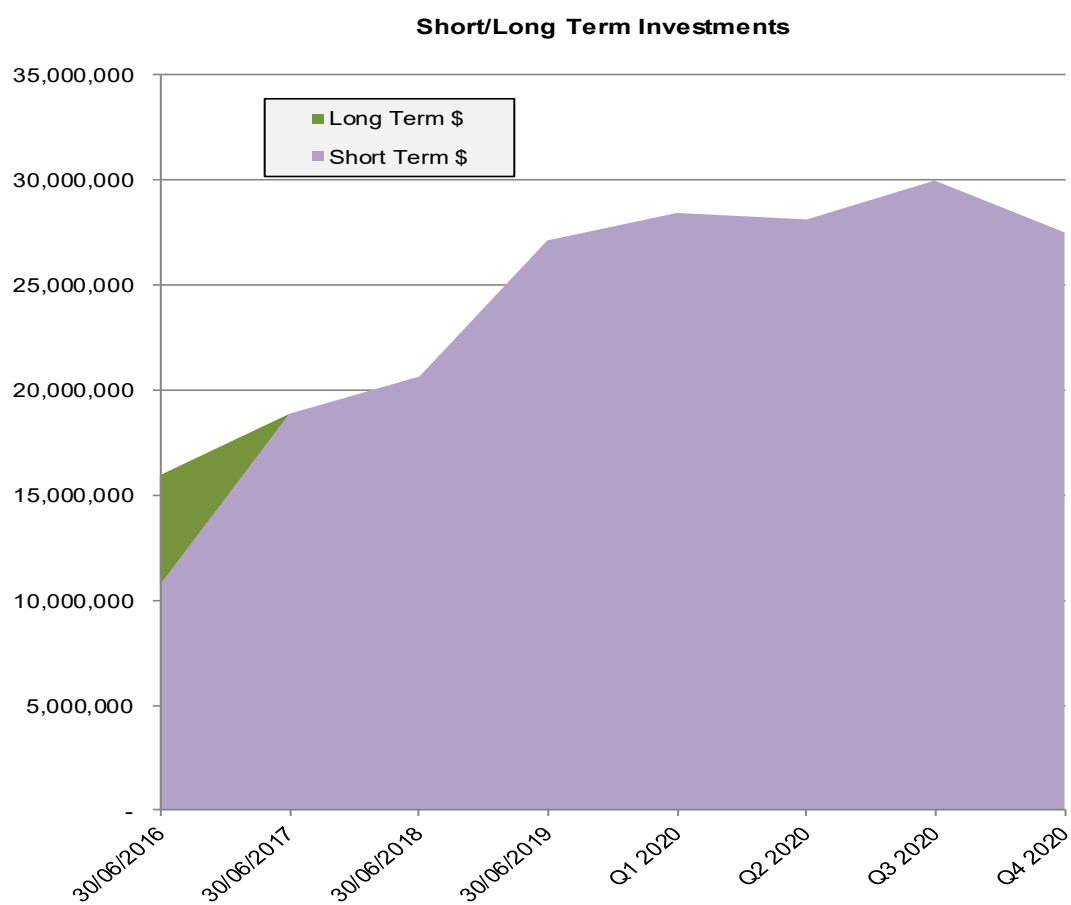
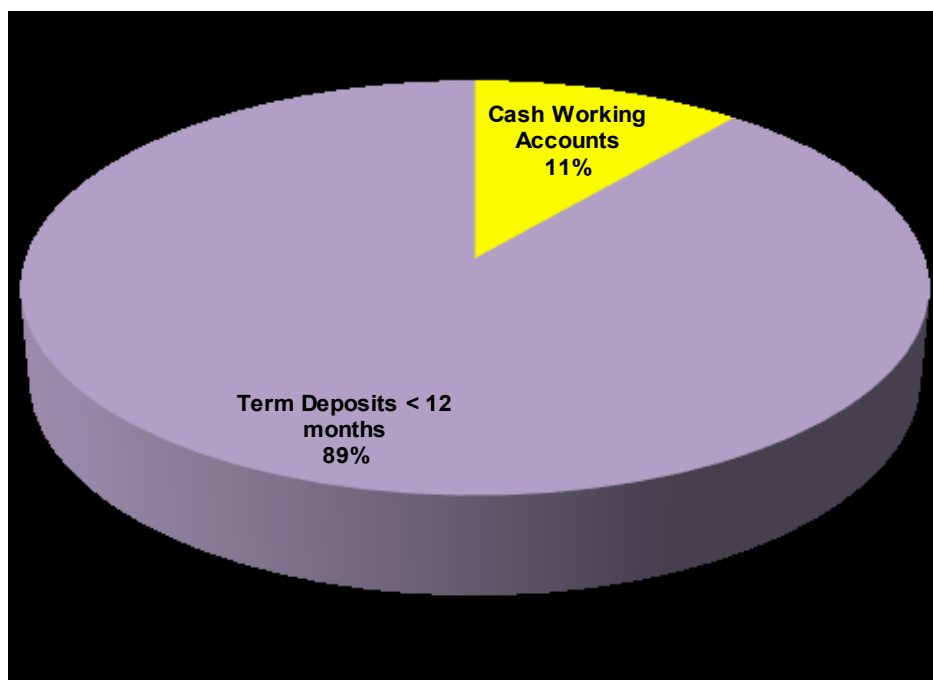
Operational Plan Activity CL1.6.3 - Review commercial activities to ensure Council is maximising returns

ATTACHMENTS: A. Investment Valuations [↓](#)

Short Term Investments (Cash Accounting) as at 30 April 2020

Investment Type	Par Value \$	Market Value \$	Maturity	Rate	Interest \$ July 19 to June 20
Cash Working Accounts					
NAB Working Account	3,033,538.28	3,033,538.28	n/a	0.25%	43,098.55
	3,033,538.28	3,033,538.28			43,098.55
Term Deposits < 12 Months					
IMB 29876	1,762,743.00	1,762,743.00	1/05/2020	1.55%	33,201.34
IMB - Youth Bequest	125,107.13	125,107.13	1/05/2020	1.55%	2,686.05
NAB Term Deposit	2,701,071.98	2,701,071.98	29/06/2020	1.28%	44,359.30
NAB Term Deposit	1,603,541.42	1,603,541.42	29/06/2020	1.28%	35,294.64
CBA	2,092,428.86	2,092,428.86	2/06/2020	1.41%	46,571.78
CBA	1,179,588.48	1,179,588.48	7/09/2020	1.15%	14,116.25
CBA	2,125,139.03	2,125,139.03	2/06/2020	1.41%	29,761.34
CBA	1,577,474.88	1,577,474.88	28/05/2020	1.43%	11,908.83
CBA	2,059,087.20	2,059,087.20	11/06/2020	2.21%	25,389.40
Tcorp Strategic Cash Facility	9,219,185.07	9,219,185.07	at call	n/a	54,161.45
Interest Recalled Funds *					-
	24,445,367.05	24,445,367.05			297,450.38
Total Short Term	27,478,905.33	27,478,905.33			340,548.93
Investment Property					
Hawthorn - Current Fair Value		4,350,000.00	Revalued March 2020		

* Refers to interest received in the current financial year for investments no longer held by council



8.2 THIRD QUARTER BUDGET REVIEW STATEMENT 2019/20

SUMMARY

This report represents the 3rd Quarterly Budget Review Statement (QBRs) for the period 1 January 2020 to 31 March 2020 in the financial year ending 30 June 2020.

RECOMMENDATION

That:

1. *The 3rd Quarterly Budget Review Statement adjustments as detailed in the attachments be adopted and the relevant income and expenditure budget adjustments be approved.*
2. *In accordance with Clause 203(2)(a) Local Government (General) Regulation, Council's financial position as at 31 March 2020 is satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.*

FINANCIAL IMPLICATIONS

Full details of the financial implications of this quarter's QBRs are contained within the following report.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Local Government General Regulation 2005*
- QBRs Guidelines, Office of Local Government 2010

REPORT

1. Background

In accordance with Clause 203 (Budget Review Statements and Revision of Estimates) *Local Government (General) Regulations 2005*:

- (1) Not later than 2 months after the end of each quarter, the responsible accounting officer of a Council must prepare and submit to the Council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the Council's Revenue Policy included in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by:
 - (a) A report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure; and
 - (b) If that position is unsatisfactory, recommendation for remedial action.

In accordance with Clause 211 (Authorisation of expenditure) *Local Government (General) Regulations 2005*:

- (1) A Council, or a person purporting to act on behalf of a council, must not incur a liability for the expenditure of money unless the Council at the annual meeting held in accordance with subclause (2) or at a later ordinary meeting has:
 - (a) Approved the expenditure, and
 - (b) Voted the money necessary to meet the expenditure.

2. Budget Review

The Quarterly Budget Review Statement (QBRs) presents a summary of Council's financial position at the end of the third quarter for the financial year ended 30 June 2020.

The quarterly budget review process is the mechanism through which Council and the community are informed of Council's progress against the Operational Plan (annual budget), together with recommendations for changes and reasons for any budget variations.

The QBRs appears as **Attachment A**, and has been produced in accordance with the guidelines and standards issued by the Office of Local Government.

Council is provided with a breakdown of the budget and actuals by functional/service unit and key performance indicators (financial ratios). Staff have undertaken a mapping process to ensure this information is accurate.

2.1 Summary

Council's operational revenue is currently \$29.9m which and is trending slightly higher towards the annual budget forecast of \$30.2m. Operational expense of \$19.13m (including depreciation) is in line with the predicted expenditure at the completion of the third quarter.

Capital Revenue is under budget on an annualised basis. This is due to the timing of the grant payments being received, and dependent on the achievement of relevant milestones. Capital Expenditure of \$13.97m at 31 March, is in line with 2019/20 budget expectations.

2.2 Operational Budget Result

As a result of this budget review, Council's projected year end net operating result, before capital items, is expected to reduce slightly from a revised budgeted surplus of \$2.868m as at 31 December 2019. The revised third quarter review budget result (before capital grants and contributions) is forecast to be a surplus of \$2.34m. This result closely aligns with the forecast original budget result for 2019/20 of \$2.321m.

2.3 Capital Budget Result

As a result of this budget review, Council's anticipated expenditure on capital items is expected to be \$36.255m for 2019/20. This increase from the December budget review is primarily a result of new grant funding for the replacement of Shingle Hill bridge.

An update on 2019/20 capital works projects is shown in **Attachment B**.

2.4 Commentary on Key Variances

- An anticipated initial reduction in user charges and fees income due to the impact of COVID-19 of \$386k
- An increase to interest and investment income of \$610k as a result of additional grant funding invested prior to expenditure occurring
- Variations to capital grants and contributions income primarily comprises grant funding for Shingle Hill bridge (\$3.6m), an increase in s64 water and sewer contributions due to a large development (\$640k), and Sports Commission grant funding (\$100k). There are reductions in expected s7.11 capital contributions (\$210k) and the Murrumbateman water pipeline grant funding which is paid in arrears delayed to 2020/21 (\$1.075m)
- Staff vacancies have resulted in a reduction of salaries paid this year of \$163k
- External recruitment costs, both planned and undertaken, of \$122k
- Increase in expenditure required for MagiQ software of \$50k
- Increased expenditure on contractors partially due to staff vacancies. Roads (\$348k), Sewer (\$45k) and Finance (130k)
- Increased Emergency Services expenditure of \$167k due to the summer bushfires

STRATEGIC DIRECTION

Key Pillar 5. Our Civic Leadership

CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community

Delivery Program Action CL1.4 - Be compliant, more efficient and effective

Operational Plan Activity CL1.4.2 - All regulated compliance is adhered to

ATTACHMENTS: A. 3rd Quarter Budget Review Statement [↓](#)
B. Capital Works Update [↓](#)



Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Table of Contents

page

1. Responsible Accounting Officer's Statement	1
2. Key Performance Indicator (KPI) Budget Review Statement	2
3. Income & Expenses Budget Review Statements:	
Council Consolidated by Type	4
Council Consolidated by Activity	5
Variation Detail	6
4. Capital Budget Review Statement	
Council Consolidated	7
Variation Detail	8
5. Cash & Investments Budget Review Statement	
Council Consolidated	9
6. Contracts & Other Expenses Budget Review Statement	10

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

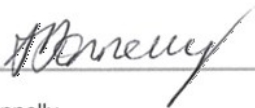
Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

31 March 2020

It is my opinion that the Quarterly Budget Review Statement for Yass Valley Council for the quarter ended 31/03/20 indicates that Council's projected financial position at 30/6/20 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:



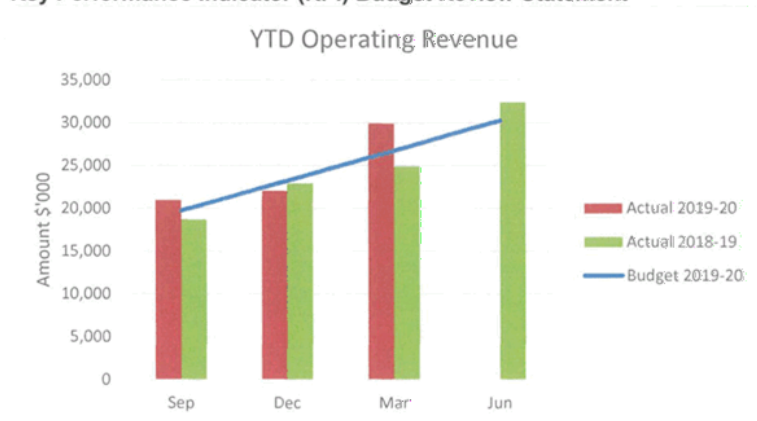
Sarah Donnelly
Responsible Accounting Officer

date: 19 March 2020

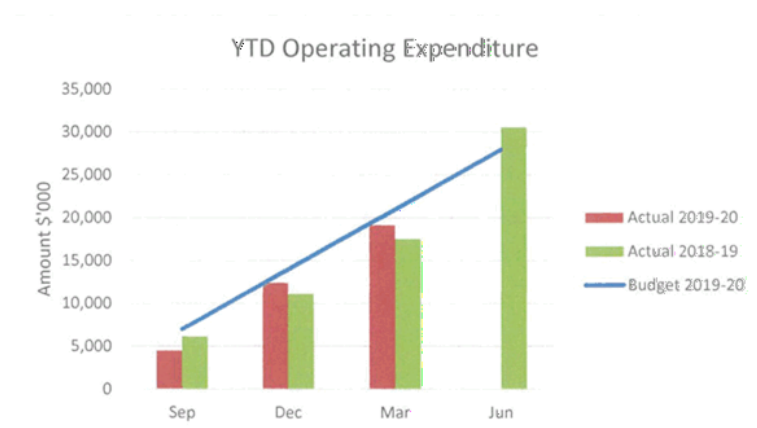
Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Key Performance Indicator (KPI) Budget Review Statement



Comments:
• Operating Revenue of \$29.9m is trending higher than the original budget forecast of \$30.2m for 2019/20



Comments:
• Operating Expenditure is currently \$19.13m which is in line with the expected expenditure at the completion of Q3.



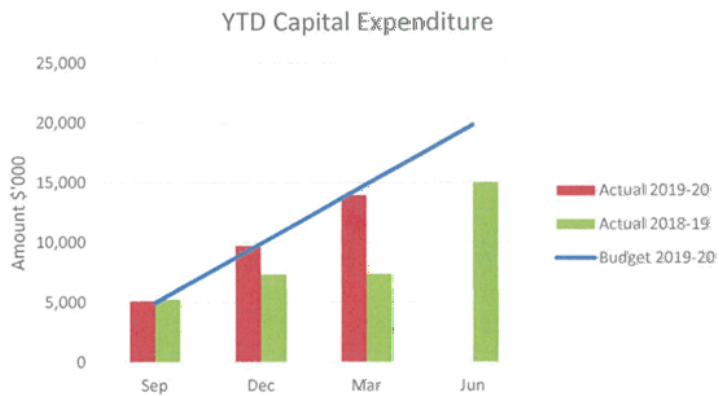
Comments:
• Capital income is currently \$6.55m which is lower than forecast for this time of the financial year

• This is due to the timing of the grant payments being received, as some payments are only made after the projects are completed, or certain criteria are met.

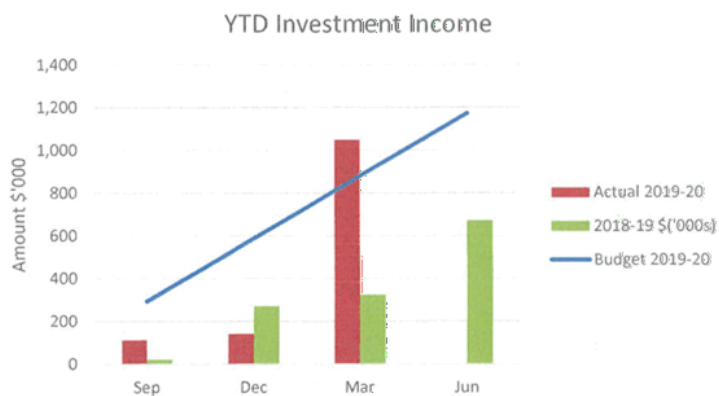
Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Key Performance Indicator (KPI) Budget Review Statement



Comments:
• Capital Expenditure is currently \$13.97m which is in line with 2019/20 budget expectations



Comments:
• Investment income has surpassed original budget expectations primarily due to increased grant funds currently invested while awaiting works.

• The timing of the maturing dates for term deposits has an impact on this.

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Income & Expenses Budget Review Statement

Budget review for the quarter ended 31 March 2020

Income & Expenses - Council Consolidated

(\$'000's)	Original Budget 2019/20	Approved Changes		Revised Budget 2019/20	Variations for this Mar Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBR\$	Dec QBR\$				
Income								
Rates and Annual Charges	17,355	-	-	55	17,410	8	17,418	17,429
User Charges and Fees	5,713	-	-	(141)	5,572	(386)	5,186	3,266
Interest and Investment Revenues	583	-	-	(20)	563	610	1,173	1,049
Other Revenues	839	-	-	3	842	(83)	759	555
Grants & Contributions - Operating	5,759	-	-	46	5,839	97	5,936	6,728
Grants & Contributions - Capital	10,883	-	-	1,392	18,755	2,999	21,754	5,627
Net gain from disposal of assets	-	-	-	786	786	-	786	921
Share of Interests in Joint Ventures	-	-	-	-	-	-	-	-
Total Income from Continuing Operations	41,132	-	-	2,121	49,767	3,245	53,012	35,575
Expenses								
Employee Costs	11,773	-	-	(328)	11,445	(163)	11,282	7,755
Borrowing Costs	1,329	-	-	-	1,329	-	1,329	605
Materials & Contracts	5,324	-	204	346	5,874	695	6,569	2,964
Depreciation	5,976	-	-	-	5,976	-	5,976	4,482
Other Expenses	3,526	-	-	(6)	3,520	242	3,762	3,324
Net Loss from disposal of assets	-	-	-	-	-	-	-	-
Share of interests in Joint Ventures	-	-	-	-	-	-	-	-
Total Expenses from Continuing Operations	27,928	-	-	204	28,144	774	28,918	19,130
Net Operating Result from Continuing Operation	13,204	-	-	2,109	21,623	2,471	24,094	16,445
Discontinued Operations - Surplus/(Deficit)	-	-	-	-	-	-	-	-
Net Operating Result from All Operations	13,204	-	-	2,109	21,623	2,471	24,094	16,445
Net Operating Result before Capital Items	2,321	-	-	717	2,868	(528)	2,340	10,818

This statement forms part of Council's Quarterly Budget Review Statement (QBR\$) for the quarter ended 31/12/19 and should be read in conjunction with the total QBR\$ report

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Yass Valley Council
Income & Expenses Budget Review Statement

Budget review for the quarter ended 31 March 2020
Income & Expenses - Council Consolidated

	Original Budget 2019/20	Approved Changes			Revised Budget 2019/20	Variations for this Mar Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forward\$	Other than by QBR\$	Dec QBR\$					
Income									
Governance	13,452	-	-	90	13,542	(34)		13,508	13,780
Administration	390	-	-	-	390	(36)		354	158
Public Order & Safety	253	-	-	-	253	(90)		253	159
Health	4,074	-	-	-	4,074	(90)		3,984	3,262
Environment	367	-	-	-	367	(132)		367	393
Community Services & Education	1,518	-	-	-	1,518	(339)		1,386	822
Housing & Community Amenities	10,071	-	-	1,296	11,367	340		11,028	9,082
Water Supplies	2,389	-	-	-	2,389	100		2,729	2,730
Sewerage Services	2,203	-	34	(8)	2,229	3596		2,329	999
Recreation & Culture	5,764	-	6,480	760	13,004	(160)		16,600	3,785
Transport & Communication	651	-	-	(17)	634			474	405
Economic Affairs									
Total Income from Continuing Operations	41,132	-	-	2,121	49,767	3,245		53,012	35,575
Expenses									
Governance	172	-	-	-	172	133		172	122
Administration	3,467	-	170	90	3,727	120		3,860	2,847
Public Order & Safety	917	-	-	27	944	(288)		1,064	814
Health	505	-	-	(27)	478			478	351
Environment	3,469	-	-	-	3,469	118		3,181	405
Community Services & Education	367	-	-	-	367	30		367	222
Housing & Community Amenities	2,142	-	-	-	2,142	346		2,260	1,319
Water Supplies	3,662	-	-	-	3,662	121		3,692	2,496
Sewerage Services	2,008	-	34	39	2,008	209		2,354	2,993
Recreation & Culture	2,334	-	-	(40)	2,407	(15)		2,528	1,915
Transport & Communication	7,823	-	-	(77)	7,783			7,992	5,224
Economic Affairs	1,062	-	-	12	985			970	422
Total Expenses from Continuing Operations	27,928	-	-	204	28,144	774		28,918	19,130
Net Operating Result from Continuing Operation	13,204	-	-	2,109	21,623	2,471		24,094	16,445
Discontinued Operations - Surplus/(Deficit)	-	-	-	-	-	-		-	-
Net Operating Result from All Operations	13,204	-	-	2,109	21,623	2,471		24,094	16,445
Net Operating Result before Capital Items	2,321	-	-	717	2,868	(528)		2,340	10,818

This statement forms part of Council's Quarterly Budget Review Statement (QBR\$) for the quarter ended 31/12/19 and should be read in conjunction with the total QBR\$ report

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:
Additional detail regarding key variations is contained in the body of the report.

Notes Details

1	Increase in general rates due to variations in rate structure from original estimates until time of rate levy - \$8k
2	Anticipated initial reduction due to COVID-19 - \$386k
3	Additional grant funding currently invested - \$610k
4	Minor reduction due to current impact of COVID-19 - total across all areas \$83k
5	Minor reduction due to R2R underspend in 2018/19 to be refunded - \$97k
6	Net increase in capital grants and contributions primarily comprising: Award of grant for Shingle Hill Bridge - \$3.6m Minor increase Regional Rds grant funding - \$18k Increase in s64 contributions Redall St development - water \$320k and sewer \$320k Award of Sports Commission grant - \$100k Murrumbateman water pipeline grant funding delayed to 2020/21 - \$1.075m Reduction in s7.11 capital contributions - \$210k
7	Staff vacancies have resulted in a reduction of salaries paid this year - \$163k
8	External recruitment both undertaken and planned to year end - \$122k Increase in expenditure required for MagiQ software - \$50k Increased contractors partially due to staff vacancies - Roads \$348k, Sewer \$45k & Finance \$130k
9	Increased Emergency Services expenditure due to bushfires - \$167k and minor adjustments across all council cost centres

Yass Valley Council

Capital Budget Review Statement

Budget review for the quarter ended 31 March 2020

Capital Budget - Council Consolidated

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

(\$000's)	Original Budget 2019/20	Approved Changes		Revised Budget 2019/20	Variations for this Mar Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Dec QBRs	Sep QBRs			
Capital Expenditure								
New Assets	11			11			11	545
- Plant & Equipment	-			-			-	-
- Land & Buildings	950	948		1,898			1,898	
- Roads, Bridges, Footpaths	-			-			-	
- Stormwater	5,320	787		6,107			6,107	6,773
- Water supply network	280			280			280	
- Sewerage network	35			35			35	
- Swimming Pools	498	218		716			716	
- Other open space/recreational assets	150	173		323			323	
- Waste								
Renewal Assets (Replacement)								
- Plant & Equipment	1,350	743		2,093			2,093	
- Land & Buildings	-			-			-	8
- Roads, Bridges, Footpaths	5,000		7,480	12,480	4,190	1	16,670	5,005
- Stormwater	150	287		437			437	38
- Water supply network	1,510	383		1,510			1,510	
- Sewerage network	225			608			608	108
- Swimming Pools	-			-			-	
- Other open space/recreational assets	1,895	1,238		3,133			3,133	1,009
- Waste	350			350			350	
Loan Repayments (Principal)	2,084			2,084			2,084	481
Total Capital Expenditure	19,808	4,777	-	32,065	4,190		36,255	13,967
Capital Funding								
Rates & Other Untied Funding	8,925	752		10,677	190		10,867	2,495
Capital Grants & Contributions	10,063		1,000	16,543	3,600	2	20,143	6,548
Reserves:								
- External Restrictions/Reserves	370	929		1,299	400	3	1,699	3,458
- Internal Restrictions/Reserves		3,096		3,096			3,096	545
New Loans				-			-	
Receipts from Sale of Assets	450			450			450	921
- Plant & Equipment	-	-		-			-	
- Land & Buildings	-	-		-			-	
- Other Assets	-	-		-			-	
Total Capital Funding	19,808	4,777	-	32,065	4,190		36,255	13,967
Net Capital Funding - Surplus/(Deficit)	0	0	0	0	0		-	0

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/12/19 and should be read in conjunction with the total QBRs report

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:
Additional detail regarding key variations is contained in the body of the report.

Notes Details

1	Shingle Hill Bridge \$4m (Council resolution April 2020). Local roads resealing \$72k (Council resolution July 2019). Local roads resheeting \$100k. Minor addition regional roads capital works \$18k.
2	Fixing Country Roads grant income \$3.6m
3	Funding from s7.11 reserve towards Shingle Hill Bridge

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Yass Valley Council

Cash & Investments Budget Review Statement

Budget review for the quarter ended 31 March 2020

Cash & Investments - Council Consolidated

	Original Budget 2019/20	Approved Changes Carry Forwards Other than by QBR\$	Dec QBR\$	Revised Budget 2019/20	Variations for this Mar Qtr	Notes Projected Year End Result	Actual YTD figures
(\$000's)							
Externally Restricted ⁽¹⁾							
Water Supplies	4,330			4,330		4,330	4,330
Sewerage Services	3,659			3,659		3,659	3,659
Waste Management	968			968		968	968
Stormwater Management	137			137		137	137
Specific Purpose Unexpended Grants	396			396		396	396
\$64	2,889			2,889		2,889	2,889
\$7.11	5,888			5,888	(400)	5,488	5,488
Total Externally Restricted	18,267	-	-	18,267	(400)	17,867	17,867
(1) Funds that must be spent for a specific purpose							
Internally Restricted ⁽²⁾							
Plant and Vehicle Replacement	2,340			2,340	-	2,340	2,340
Employee Leave Entitlement	806			806	-	806	806
Binalong Pool	21			21	-	21	21
Comur Street Rehabilitation	24			24	-	24	24
Land and Assets	2,376			2,376	-	2,376	2,376
Local Government Elections	83			83	-	83	83
Murrumbateman S355	102			102	-	102	102
Roads	358			358	-	358	358
Quarry Rehabilitation	101			101	-	101	101
Victoria Park	630			630	-	630	630
Advancement of Young People	127			127	-	127	127
Total Internally Restricted	6,968	-	-	6,968	-	6,968	6,968
(2) Funds that Council has earmarked for a specific purpose							
Unrestricted (i.e., available after the above Restrict	1,905	-	-	1,905	400	2,305	5,161
Total Cash & Investments	27,140	-	-	27,140		27,140	29,996

This statement forms part of Council's Quarterly Budget Review Statement (QBR\$) for the quarter ended 31/12/19 and should be read in conjunction with the total QBR\$ report

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Cash & Investments Budget Review Statement

Comment on Cash & Investments Position

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$3,634,415

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 31/03/20

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

\$ 000's

Cash at Bank (as per bank statements)
Investments on Hand

3,634
26,362

Reconciled Cash at Bank & Investments

29,996

Balance as per Review Statement:

29,996

Difference:

-

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Yass Valley Council

Contracts Budget Review Statement

Budget review for the quarter ended 31 March 2020
Part A - Contracts Listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
------------	---------------------------	----------------	------------	----------------------	----------------	-------

Nil

Notes:

- 1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whichever is the lesser.
- 2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
- 3. Contracts for employment are not required to be included.

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 31/12/19 and should be read in conjunction with the total QBRs report

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/20 to 31/03/20

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultants	33,099	Y
Legal Fees	12,061	Y
Legal Fees	36,430	N

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

8.2 Third Quarter Budget Review Statement 2019/20
Attachment B Capital Works Update

Yass Valley Council Identified Projects 2019/20												
Functional Area	Asset Type	Project Description	Project Type	Total Budget 2019/20*	Grant Funding	Council				Start Date	End Date	Progress Update Comments
						SRV	Loans / Borrowing	General Revenue	Reserves			
Local Roads	Local Roads	Sealed Roads Resealing	Capital	910,000	610,000			300,000		31.08.2018	30.06.2020	In progress
		Sealed Roads Rehab	Capital	400,000	180,000	220,000						
		Cork St Streetscape	Capital	49,865				49,865		31.08.2019	30.06.2020	In progress
		Rural Rds Rehabilitation - Good Hope Rd	Capital	19,433					19,433	01.07.2019	31.08.2019	Completed
		Mulligans Flat Rd	Capital	71,016					71,016	01.07.2019	31.08.2019	Completed
		Fagan Drive Landscaping	Capital	19,404				19,404				Community consultation to be completed
		Hercules St footpath and K&G	Capital	88,308				88,308		01.07.2019	31.08.2019	Completed
		Murrumbateman Winery Trail	Capital	976,000	400,000			26,000	550,000	01.03.2020	31.12.2020	Design commenced
	Bridges	Replacement 11 timber bridges (year 2)	Capital	3,506,192	1,150,000	1,860,000			496,192	01.07.2019	25.06.2020	All bridges installed and open to public. Finalising associated works
	Regional Roads	Regional Roads Resealing	Capital	280,000	280,000					31.08.2018	15.04.2020	In progress
		Regional Roads Heavy patching	Capital	150,000	150,000					31.08.2019	30.06.2020	In progress
		Wee Jasper (Tumut Rd) - Gravel Resheeting	Capital	50,000	50,000							Not started
		Burrinjuck Heavy Patching	Capital	40,000				40,000		31.08.2019	31.12.2019	Completed
		Regional Roads Rehab	Capital	460,000	460,000							
Water & Sewer	Water	Developer Servicing Plan (DSP)	Operational	40,000					40,000	01.08.2019	31.10.2020	In progress
		Telemetry System Upgrade Strategy	Capital	20,000					20,000	31.08.2019	30.06.2020	Draft strategy prepared
		Yass to Murrumbateman Pipeline -Design	Capital	75,000					75,000	31.07.2019	30.06.2020	Design works completed.
		Integrated Water Cycle Management Plan	Capital	60,000					60,000	01.09.2019	30.06.2021	In progress
		Yass to Murrumbateman Pipeline -Easements	Capital	200,000					200,000	31.07.2019	31.12.2020	In progress.
		Yass to Murrumbateman Pipeline -Construction	Capital	5,000,000	4,600,000				400,000	31.07.2019	31.12.2020	Completion date delayed due to pandemic
		Yass Dam – Load Test	Operational	300,000					300,000	31.08.2019	30.06.2020	In progress.
		Water Main Replacement Program	Capital	200,000					200,000	31.07.2019	30.06.2020	On-going improvement work programme. Replacement of water main in Hume Street between Hope Street and Mount Street
		Water Quality Improvement Yass	Capital	1,200,000	1,200,000				-	31.01.2019	31.12.2020	HAF Funded, Detailed Design and Business Case Development Project. Option Study to be concluded by the end of May 2020
		New Water Connections	Capital	45,000					45,000	01.07.2019	30.06.2020	On-going work programme subject to customer request.
		Village Water Main Extensions	Capital	40,000					40,000	01.07.2019	30.06.2020	On-going work programme subject to customer request.
		WTP Improvements	Capital	50,000					50,000	01.07.2019	30.06.2020	On-going improvement at WTP. Permanganate dosing system installed to cope with raw water quality issues.

8.2 Third Quarter Budget Review Statement 2019/20
Attachment B Capital Works Update

	Sewer	Sewer Sewer Main Renewal Program	Capital	200,000					200,000	01.09.2019	30.04.2020	Completed. Includes revote approx \$200k from 18/19
		Ford Street SPS Generator/SCA Design	Capital	280,000					280,000	01.09.2019	31.12.2020	Draft tender documents under review
		Wellington Rd SPS Design	Capital	31,494					31,494	01.07.2018	30.06.2020	In progress
		Laidlaw St SPS Upgrade	Capital	8,516					8,516	01.07.2018	31.12.2019	Completed
		Murrumbateman STP Remaining Works	Capital	19,539					19,539	01.07.2019	31.03.2020	Completed
		Integrated Water Cycle Management Plan	Capital	60,000					60,000	01.09.2019	30.06.2021	In progress
		SPS Upgraded Yass Primary	Capital	40,000					40,000	01.12.2019	30.06.2020	Completed
		Yass STP Decanter Rubber Replacement	Capital	25,000					25,000	01.08.2019	30.11.2019	Completed.
Property	Buildings	Council Building Improvement Program - Lighting	Capital	22,000					22,000			COVID-19 restrictions preventing works being undertaken
		Council Building Accessibility Stage 2	Capital	104,000					104,000			On hold
		Memorial Hall Upgrade		4,984					4,984			Completed
		Lighting Upgrade Stage 2 - Library & Admin	Capital	12,000					12,000			Contractor engaged
Waste	Transfer Stations	Purchase Weighbridge	Capital	150,000					150,000	01.11.2019	31.12.2020	site drawings currently being undertaken, further investigation required for project
		Landfill Closure	Capital	50,000	25,000				25,000			Funding not available from EPA. On hold until funding is available & staff resources.
		Closure Murrumbateman Landfill	Capital	200,000	200,000					01.10.2019	31.12.2020	EPA approved closure Plan February. Sourcing quotes for remediation work
		Binalong Transfer Station fence	Capital	3,409					3,409		31.10.2019	Completed
		Replacement Baler	Capital	100,000					100,000	31.01.2019	30.06.2020	Procurement sourced and order to be approved week starting 11/5 for installation prior to EFY
Recreation	Sports Grounds	Yass Valley LGA Facilities Program	Capital	1,110,000	1,110,000							Works underway
		Victoria Park Amenities Upgrade (Stage 2)	Capital	257,453				97,453	160,000			Works underway
		Walker Park Sporting Complex Improvements	Capital	1,018,000	968,000				50,000			50% completed
		Village Ovals Bore Water Investigations	Capital	37,828				37,828				Report being finalised by consultant
		Walker Park Amenities Upgrade	Capital	100,000				50,000	50,000	31.08.2019		In progress
		Sutton Rec Grounds Stage 1	Capital	35,000				17,500	17,500	31.08.2019		In progress
		BMX Track Murrumbateman	Capital	35,000				35,000				Community consultation underway
	Recreational Grounds	Murrumbateman Rec Grounds Lighting	Capital	200,000	200,000					31.08.2019	30.10.2019	Completed
		Murrumbateman Rec Grounds Clubhouse	Capital	60,000					60,000	31.08.2019	30.06.2020	Community consultation underway
		Cycleway North Yass to CBD	Capital	32,000					32,000			Not started. Project scope not set
		Murrumbateman Rec Grounds Horse Stalls/ Moon Shed Relocation	Capital	1,034				1,034		31.08.2019	30.06.2020	Community consultation underway
		Murrumbateman Rec Grounds Community Hall Design	Capital	99,673				99,673		31.08.2019	30.06.2020	RFQ underway May 2020
		Murrumbateman Equestrian Ground/Oval Upgrade	Capital	53,245	26,622				26,623	31.08.2019	30.06.2020	Works near completion
		Coronation Park Playground Replacement	Capital	260,000	130,000				130,000			Completed
	Caravan Park	Caravan Park Amenities Upgrade	Capital	235,000					235,000	30.01.2020	31.12.2020	Contractors not available to complete upgrade works.
	Swimming Pools	Shade Sail & New Vacuum	Capital	35,000					35,000			Quotations being sought
	Cemeteries	New Toilet at Lawn Cemetery	Capital	40,000					40,000			Delays in securing materials Covid-19 restrictions as materials are overseas
		New Plinths at Yass Lawn Cemetery	Operational	10,000					10,000			Contractor delay

8.2 Third Quarter Budget Review Statement 2019/20
Attachment B Capital Works Update

Plant & Equipment		Additional Workshop Vehicle Hoist	Capital	11,000					11,000	01.07.2019	30.11.2019	Completed
		Plant Renewal Program	Capital	2,092,568					2,092,568			Ongoing
Engineering Services	General	Replacement of landscaping in RAB Comur St.	Capital	20,000					20,000	01.07.2019	31.10.2019	completed. RAB at Comur and Polding Street upgraded
	Road Safety	RSD and Active Transport program	Operational	90,000	45,000			45,000		01.07.2019	30.06.2020	completed except for Pledge and Speed on State roads which is currently being undertaken
	Forward Works	2019/20 Future Works Program	Capital	50,000		50,000				01.10.2019	30.06.2020	Design commenced and will be finalised by 30/6/2020
	Stormwater	2019/20 Stormwater Program from Yass FRMPS	Capital	150,000	100,000				50,000			
Planning		Catchment Management Projects	Operational	15,000					15,000		31.10.2019	Annual contribution paid to ACT Region Catchment Group.
		Education Activities - Environmental Services Section	Operational	5,000					5,000			Not progressing due to Covid.
		Ranger Services ' K9 Cube' safety enhancement	Capital	25,000					25,000		31.05.2020	Ordered and awaiting installation on vehicle.
		Hawthorn Land Capability Studies	Operational	100,000						100,000		30.06.2020
		*Includes Revotes where applicable										

9.1 INDEPENDENT OMBUDSMAN

SUMMARY

To provide an update on the Independent Ombudsman service to review several unresolved complaints.

RECOMMENDATION

That the report on the Independent Ombudsman service be noted.

FINANCIAL IMPLICATIONS

The cost of the Independent Ombudsman service is approximately \$8,000 - 10,000. However only a proportion of this expense is incurred if the service does not continue along with any staff time to date.

POLICY & LEGISLATION

- Council Resolutions 28 August 2019 and 26 February 2020

REPORT

In August 2019 and February 2020 Council determined that an Independent Ombudsman service be engaged to review the complaints by the property owners that do not relate to the Liberty Theatre. Centium were engaged to provide the Independent Ombudsman service.

Following further consideration of the concerns made on 27 April 2020 by Mr and Mrs Smith to the Independent Ombudsman on the process and the impartiality of the organisation further advice was sought from Centium.

Centium have advised that it would be futile for the Independent Ombudsman process to continue.

Taking into consideration the advice from Centium, Mr and Mrs Smith have been advised that the Independent Ombudsman process previously entered into as a way to try and assist with resolving the complaints has been discontinued.

Mr and Mrs Smith have also been advised that any further constructive action to try and resolve their complaints need to be pursued through the:

- NSW Independent Commission Against Corruption for any allegations of corrupt conduct
- NSW Ombudsman for any allegations of serious misconduct
- Audit Office of NSW for any allegations of serious and substantial waste of public funds

Finally on these matters Mr and Mrs Smith have been advised that Council will not enter into any further correspondence with them on these issues.

STRATEGIC DIRECTION

Key Pillar	5. Our Civic Leadership
CSP Strategy	CL2 - Encourage and facilitate open and respectful communication between the community, the private sector, Council, and other government agencies
Delivery Program Action	CL2.2 - Inform and engage with the community on all actions of Council
Operational Plan Activity	CL2.2.1 - Deliver communication campaigns which clearly inform the community of Council's actions

ATTACHMENTS: Nil

9.2 LOCAL GOVERNMENT NSW MEMBERSHIP

SUMMARY

Consideration is required to determine the value of continuing membership in Local Government NSW.

RECOMMENDATION

That consideration be given to continuing membership of Local Government NSW.

FINANCIAL IMPLICATIONS

Council has received its membership renewal for Local Government NSW (LG NSW) for the 2020/21 financial year. The fee is \$33,723.44 (an increase of \$236.05). If membership is not renewed, some of this amount would be used to seek industrial relations (IR) advice and the remainder would be savings.

POLICY & LEGISLATION

Nil

REPORT

In December 2017, Council considered the value of LG NSW membership and determined to work with other regional Councils through the Canberra Region Joint Organisation (CRJO) in assisting LG NSW becoming a more relevant body that represents local government across NSW.

In June 2019, Council further considered the value of LG NSW membership and determined to continue its membership.

Previous monitoring of LG NSW services to Council established that the most value was derived by the provision of industrial relations (IR) advice to Council's Executive and HR section. This continues to be the situation with the service in the past 12 months. It should be noted that Council also has a panel of legal service providers, some of whom offer IR advice and used recently in relation to a senior staff position.

LG NSW does offer Councillor Support and the use (or not) of this service should be considered in any evaluation.

LG NSW does provide an advocacy role on behalf of the local government sector however with the formalisation of joint organisations, the advocacy role is also taken up by the CRJO with a much more regional and local focus.

It would be more economical to fund the provision of IR advice through our panel of legal service providers than to continue with membership of LG NSW if this was the primary benefit.

Advocacy is still achieved through the CRJO on sector-wide, regional and local matters.

STRATEGIC DIRECTION

Key Pillar	5. Our Civic Leadership
CSP Strategy	CL3 - Collaborate and cooperate to achieve efficiencies and a greater voice in regional decision-making, and encourage similar cooperation across other sectors and community groups
Delivery Program Action	CL3.1 - Actively participate in the Canberra region of joint Councils (CBRJO)
Operational Plan Activity	CL3.1.1 - Actively participate in the Canberra Region of joint Councils (CRJO)

ATTACHMENTS: Nil

12.1 MINUTES OF THE RESCUE COMMITTEE MEETING

REPORT

The minutes of the Rescue Committee meeting held on 5 May 2020 are included in **Attachment A**.

From these minutes there are no items which covers matters that:

- Requires expenditure not provided for in the current Operational Plan
- Involves a variation to a Council policy
- Is contrary to a previous decision or position of Council
- Relates to a matter which requires Council to form a view or adopt a position
- Deals with a matter of specific interest

RECOMMENDATION

That the minutes of the Rescue Committee meeting held on 5 May 2020 be noted.

ATTACHMENTS: A. Rescue Committee 5 May 2020 Minutes [↓](#)

DRAFT Minutes of the Yass Valley Rescue Committee Meeting held on 5 May 2020

Present

Dave Cowell (LEOCON), Paul Vasey (Binalong VRA), Dean Campbell, Scott Lang, Matt Carroll (Fire Rescue NSW), Kurt Bailey (SES) (via Zoom), Tony Stevens (LEMO) and George Shepherd (NSW RFS) (via Zoom)

Also Present

Shirree Garland (Yass Valley Council)

Meeting commenced at 9.34 am

1. Apologies

Paul Lloyd (REMO)

2. Confirmation of Minutes

Recommended that the Minutes of the Committee meeting held on 4 February 2020 be taken as read and confirmed.

(S Lang/D Campbell)

3. Business Arising from Minutes

Marine Rescue Exercise

Marine rescue exercise to be rescheduled.

Wind Turbine Exercise

Dave Cowell advised that he was having discussions with Craig Paterson, Downer (Bango Wind Farm contractors) in relation to the possibility of them providing a presentation to the Committee, preferably on site.

4. Correspondence

Nil

5. Delegates Reports

5.1 Binalong Volunteer Rescue

Paul Vasey reported that officers from VRA had spent some time in Tumut to assist with fires at the beginning of the year. It is reasonably quiet at the moment, training to continue when COVID-19 situation settles down and restrictions have been lifted/eased.

5.2 Fire & Rescue NSW

Scott Lang advised that F&R had attended 10 rescue related incidents, with March being the busiest period. Six out of eight incidents occurred on the Hume Highway, making it the No 1 location for incidents. There have been two fatalities year to date.

Scott Lang and Dean Campbell advised that due to COVID-19 there have had to be changes in practices with new processes being adopted.

DRAFT Minutes of the Yass Valley Rescue Committee Meeting held on 5 May 2020

5.3 Rural Fire Service

George Shepherd advised that it was business as usual, very quiet.

5.4 SES

Kurt Bailey advised it was business as usual. He also advised that they had been called to a large animal rescue at Jugiong, which they were subsequently advised they were no longer required, however they were able to get equipment ready for the exercise.

5.5 NSW Police

Dave Cowell advised that Police responses have changed dramatically because of COVID-19, due to social distancing, gathering in groups etc requirements. They have been receiving a lot of calls via Crime Stoppers due to these requirements. Workload, especially on rescue, has reduced slightly. Responses to domestic violence have increased. The Southern Region are currently targeting offenders to remind them of their responsibilities and also checking up on those at risk. The current situation has also heightened people's awareness of the need for PPE.

6. General Business

George Shepherd asked whether the Police had sufficient stock of PPE. Dave Cowell advised that they have sufficient supplies.

Paul Vasey advised that the Binalong VRA did not have a land line and were using mobiles. RFS have issued them with a portable radio.

Tony Stevens advised that Stan Robb, Director of Infrastructure & Assets finished with Council last week, and that Steven Beasley has commenced as the interim Director.

Next Meeting

7 July 2020 at 9.30 am

Meeting closed at 10.20 am