



Ordinary Meeting of Council

Thursday 26 October 2023

4.00pm

Council Chambers

209 Comur Street, Yass

ATTACHMENTS TO REPORTS

Ordinary Meeting of Council

Attachments to Reports

Page No.

6.1	Development Application No. DA230294 - Shed with Amenities and Swimming Pool - 37 Camp Street, Murrumbateman	
	Attachment A. Locality Plan.....	3
	Attachment B. Plans	4
	Attachment C. s.4.15 Assessment	7
	Attachment D. Streetscape Views	23
	Attachment E. Applicant's Planning Response.....	26
	Attachment F. Draft Conditions (Swimming Pool)	35
6.2	Revised Renewable Energy Policy	
	Attachment A. Revised Renewable Energy Policy (Public Exhibition Version)	44
	Attachment B. Submissions.....	46
	Attachment C. Revised Renewable Energy Development Policy	60
6.3	TfNSW Executive Leadership Safety Summit	
	Attachment A. Common Commitment to Work, Health & Safety	63
6.6	2023/24 First Quarterly Budget Review Statements	
	Attachment A. 2023/24 First Quarterly Budget Review Statements	64
6.7	Spring Seniors, School Holiday, and NAIDOC Programs	
	Attachment A. 2023 Spring Seniors Program Wrap Up.....	74
	Attachment B. 2023 Spring Seniors Flyer	77
	Attachment C. 2023 NAIDOC Program.....	78
	Attachment D. 2023 NAIDOC Flyer.....	81
	Attachment E. 2023 Spring School Holiday Program	82
	Attachment F. 2023 School Holiday Flyer	86
9.1	Minutes of the Aboriginal Consultative Committee Meeting held on 7 September 2023	
	Attachment A. Aboriginal Consultative Committee Minutes 7 September 2023	88
9.2	Minutes of the Murrumbateman Playground Project Committee held on 16 October 2023	
	Attachment A. Murrumbateman Playground Project Committee Minutes 16 October 2023	91
9.3	Meeting Notes of the Public Art Focus Group held on 9 October 2023	
	Attachment A. Public Arts Focus Group Meeting Notes 9 October 2023	95

6.1 Development Application No. DA230294 - Shed with Amenities and Swimming Pool - 37 Camp Street, Murrumbateman
Attachment A Locality Plan



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the country the people

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Important Notice!
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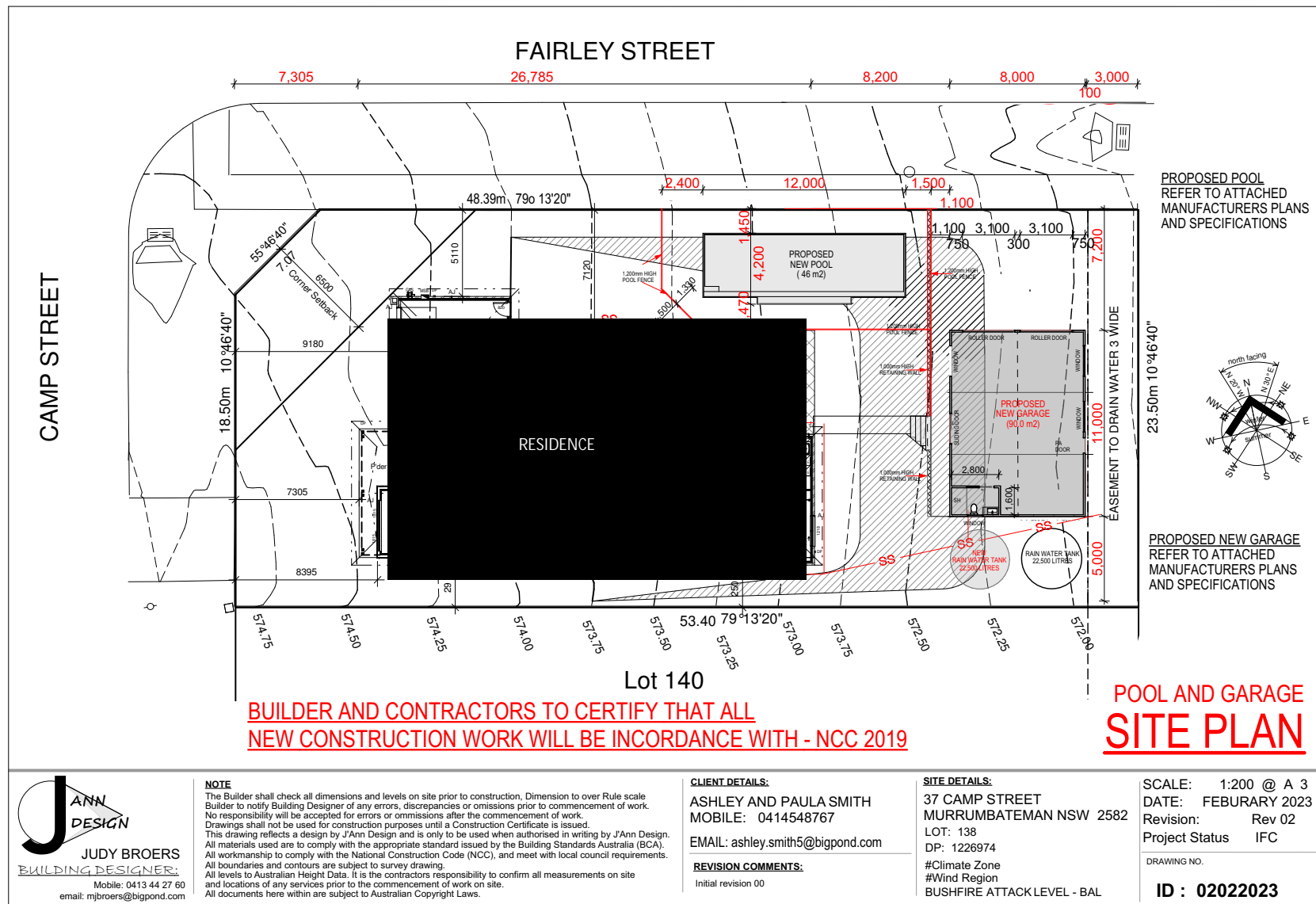
Drawn By: Jeremy Kites

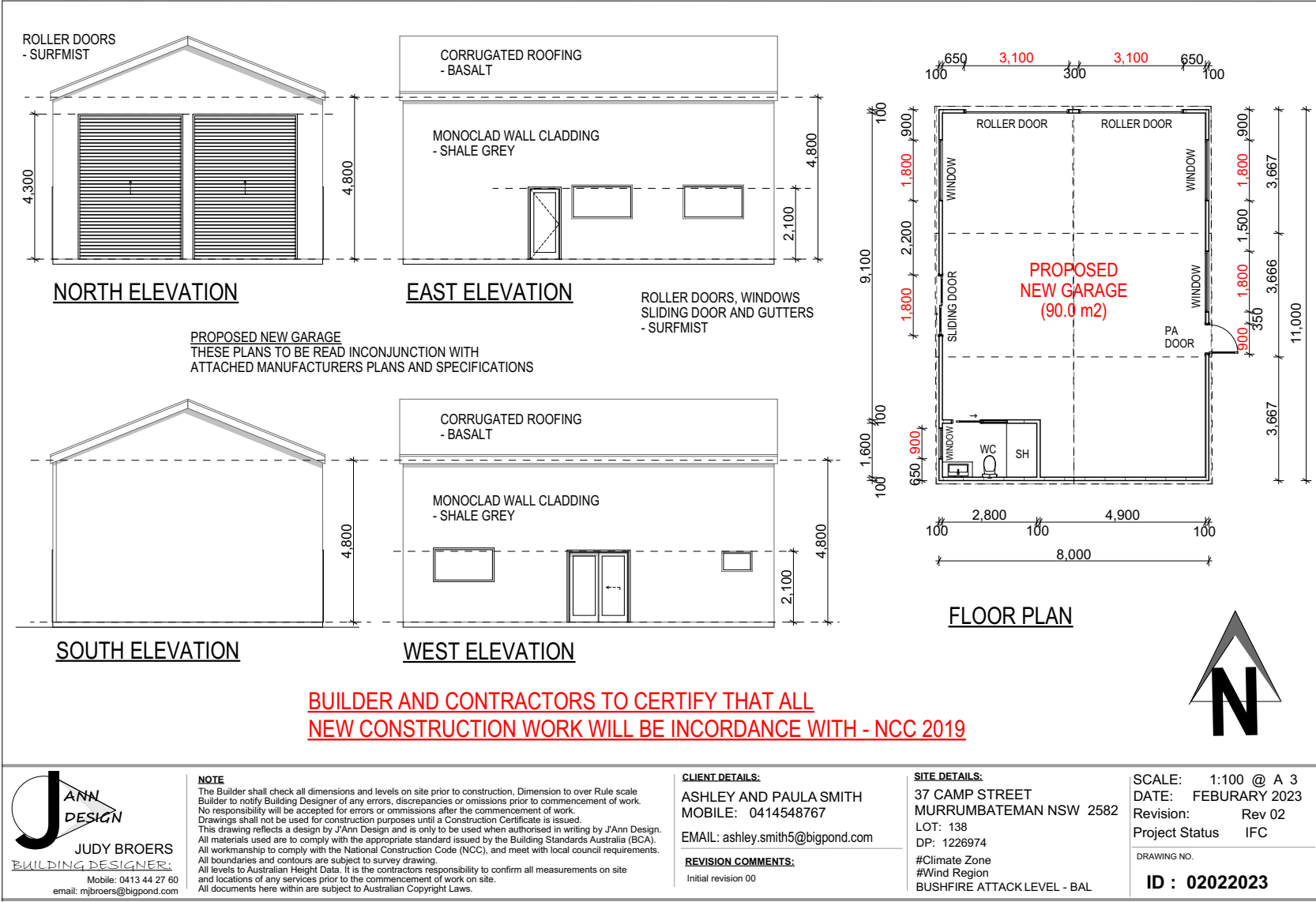
Projection: GDA94 / MGA zone 55

Date: 14/10/2023 11:32 AM

Locality Plan

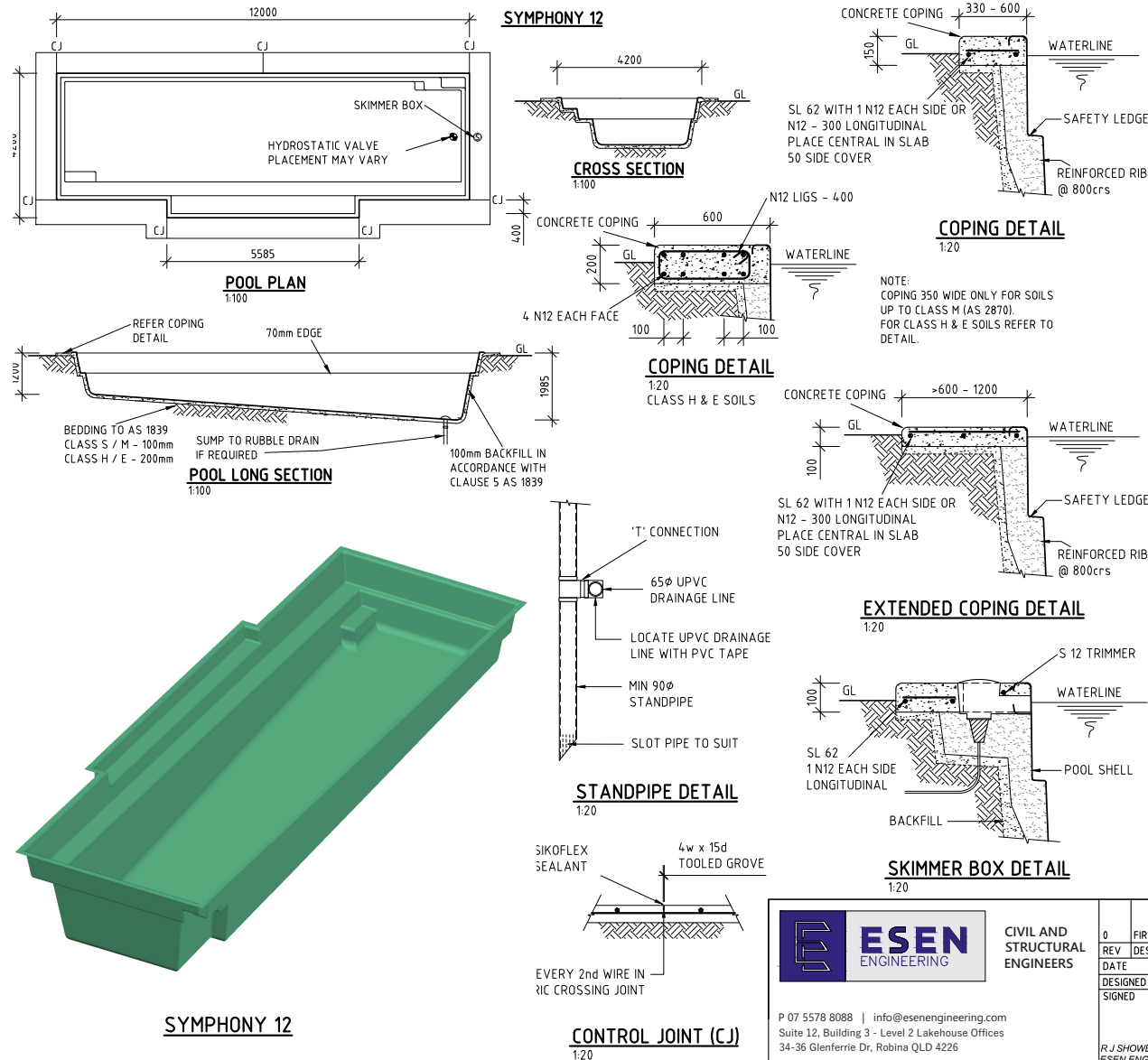
Map Scale: 1:1317 at A4





6.1 Development Application No. DA230294 - Shed with Amenities and Swimming Pool - 37 Camp Street, Murrumbateman

Attachment B Plans



- CONSTRUCTION AND INSTALLATION OF THE POOL IS TO COMPLY WITH AS/NZS 1838 & 1839 CODES FOR PRE-MOULDED POOLS AND THE REQUIREMENTS OF ALL RELEVANT STATUTORY AUTHORITIES.
 - THE REQUIRED FOUNDATION SAFE BEARING PRESSURE TO BE AT LEAST 90kPa: 'A'- 'E' SITES REACTIVITY RANGE PER AS 2870.
 - PROVIDE A NOMINAL 100 THICK (200 THICK H & E SITES) BEDDING LAYER OF NON-COHESIVE PERMEABLE MATERIAL MAXIMUM SIZE 8mm. THE GRANULAR BASE SHALL BE SCREEDED AND THOROUGHLY COMPACTED TO PROVIDE UNIFORM SUPPORT FOR THE SHELL BASE.
 - PLACE A GRAVEL PIT IN THE SUB-FLOOR SECTION BENEATH THE HYDROSTATIC VALVE.
 - PROVIDE A MIN 90Ø UPVC STANDPIPE (WITH A TEE CONNECTION TO THE 65Ø UPVC) PROVIDE A SUBSOIL PERIMETER DRAIN.
 - WHEN HANDLING THE POOL, PLACING IN THE EXCAVATION AND LEVELLING UP, LIFT AND HANDLE POOL WITH A CENTRE SPREADER BAR.
 - PROVIDE A 100mm THICK (200mm THICK H & E SITES) APPROVED BACKFILL LAYER OF NON-COHESIVE GRADED MATERIAL OF MAX. SIZE 12mm, PRE-BLENDED WITH CEMENT.
 - THE CONCRETE COPING TO BE SUPPORTED ON NATURAL GROUND OR STABILISED FILL MATERIAL IN ACCORDANCE WITH AS/NZS 1839 AND/OR PIERED DOWN TO NATURAL GROUND WITH MINIMUM 150mm Ø CONCRETE PIERS AT 1.2m CENTRES.
 - THE FIBREGLASS SHELL SHALL BE LAID UP WITH A NOMINAL RESIN TO GLASS RATIO OF 1:1 TO A THICKNESS OF 5mm OVER 90% OF THE POOL. NO AREA IS TO BE LESS THAN 4mm AND THE COPING NO LESS THAN 8mm.
 - RIBBING IS TO COMPRISE OF A CORE SECTION NOT LESS THAN 3mm WITH A COVERING LAYER OF FIBREGLASS AND RESIN TO A NOMINAL GLASS TO RESIN RATIO OF 1:1 TO A MINIMUM THICKNESS OF 15mm COVERING THE RIB SECTION. THE OVERALL THICKNESS OF RIB SECTION NOT LESS THAN 7mm.
 - CONCRETE STRENGTH MINIMUM 20MPa AT 80mm SLUMP MAXIMUM 20mm AGGREGATE.
 - FILTER TO BE CONNECTED TO SKIMMER BOX AT WATER RETURN PORTS WITH MINIMUM RETURN DIAMETER 40mm UPVC PIPES & FITTINGS & SHALL COMPLY WITH AS 1926.3 WATER RETICULATION SYSTEMS.
 - POOL EMPTYING NOTES:
THE POOL OWNER IS TO NOTIFY THE MANUFACTURER BEFORE ATTEMPTING TO EMPTY OR PARTLY EMPTY POOL WATER BELOW THE SKIMMER BOX, NO RESPONSIBILITY FOR DAMAGE TO THE POOL WILL BE ACCEPTED BY THE MANUFACTURER, THE MANUFACTURER'S AGENT OR THE ENGINEER.
 - POOL FENCING & SAFETY SHALL COMPLY WITH THE FOLLOWING STANDARDS: AUSTRALIAN CODES AS1926.1 SAFETY BARRIERS FOR SWIMMING POOLS & AS1926.2 AUSTRALIAN STANDARD FOR LOCATION OF SAFETY BARRIERS FOR SWIMMING POOLS.
- ENSURE ALL DIG DEPTHS AND LEVELS ARE CORRECT TO MAINTAIN THE REQUIRED POOL FINISH HEIGHT. IF THE HOLE HAS BEEN DUG TOO DEEP YOU MAY CORRECT THIS WITH BEDDING MATERIAL.
"WHERE OVER-EXCAVATION OCCURS UNDER THE POOL, THE ADDITIONAL BASE FILL SHALL BE STABILISED AND THOROUGHLY COMPACTED PRIOR TO THE INSTALLATION OF THE BEDDING MATERIAL".
- NOTES:
- ALL APPROVED DRAWINGS FOR CERTIFICATION MUST BEAR ORIGINAL 'BLUE' SIGNATURE BY ESEN ENGINEERING PTY LTD.
 - THIS DRAWING MUST BE READ IN CONJUNCTION WITH THE RELEVANT SITE PLANS.
 - EXTERNAL POOL DIMENSIONS ARE COPING TO COPING.

		CIVIL AND STRUCTURAL ENGINEERS		PROJECT	
				STRUCTURAL DETAILS & SPECIFICATIONS FOR CONSTRUCTION	
P 07 5578 8088 info@esenengineering.com		Suite 12, Building 3 - Level 2 Lakehouse Offices		CLIENT	
34-36 Glenferrie Dr, Robina QLD 4226				NARELLAN POOLS PTY. LTD.	
				308 STAPLTON JACOBS WELL RD.	
				STAPLTON, QLD 4207	
				PH: +61 7 3607 3188	
				www.narellanpools.com.au	
				DRAWING No	
				NP81 - SYMPHONY - 12.0m	
				REV	
				.	

Section 4.15 Assessment

Summary of Application

Development Application No.	DA230294
Type of Development	Local Development
Development Site	Lot 138 DP 1226974 37 Camp Street MURRUMBATEMAN NSW 2582
Description of Development	<ol style="list-style-type: none">1. Installation of a swimming pool2. Demolition of existing shed3. Construction of a shed with amenities4. Construct of a retaining wall

Integrated Development

Legislation	Yes	N/A
Coal Mine Subsidence Compensation Act 2017 s 22	<input type="checkbox"/>	✓
Fisheries Management Act 1994 s 144, S201 S205. S219,	<input type="checkbox"/>	✓
Heritage Act 1977 s 58	<input type="checkbox"/>	✓
Mining Act 1992 ss 63, 64	<input type="checkbox"/>	✓
National Parks and Wildlife Act 1974 s 90	<input type="checkbox"/>	✓
Petroleum (Onshore) Act 1991 s 16	<input type="checkbox"/>	✓
Protection of the Environment Operations Act 1997 ss 43(a), 47 and 55, ss 43(b), 48 and 55, ss 43(d), 55 and 122	<input type="checkbox"/>	✓
Roads Act 1993 s 138	<input type="checkbox"/>	✓
Rural Fires Act 1997 s 100B	<input type="checkbox"/>	✓
Water Management Act 2000 ss 89, 90, 91	<input type="checkbox"/>	✓

Comments

The proposed development is not integrated development and there are no agency or concurrence required.

Section 4.15 – Matters for Consideration

Provisions of any environmental planning instrument

State Environmental Planning Policy (SEPP)	<p>Where a SEPP is applicable to the proposed development, is the development:</p> <ul style="list-style-type: none"> • Consistent with the aims and objectives of the instrument • Complies with development standards contained in the instrument • Satisfies the requirements of the instrument • Meets the relevant concurrence, consultation and/or referral requirements.
<p><u>Comment</u></p> <p>State Environmental Planning Policy (Resilience and Hazards) 2021</p> <p>Chapter 4 of this Policy is to provide for a State-wide planning approach to the remediation of contaminated land. The site is not listed on Councils contaminated land register, nor does the site support any contaminating land uses or activities. Accordingly, the current state of the site is suitable to support the development and no remediation is required.</p> <p>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</p> <p>Clause 5 of the SEPP (BASIX) 2004 stipulates that this policy applies to the whole of New South Wales. BASIX affected development includes the installation of a swimming pool of more than 40,000L. A BASIX Certificate has been supplied as part of this Development Application. The proposed development can satisfy the minimum scores. The BASIX Commitments are not all shown on the plan set. Updated plans showing the BASIX Commitments are to be provided prior to the issue of a Construction Certificate.</p>	
Local Environmental Plan (LEP)	<p>In considering the provisions of the Yass Valley Local Environmental Plan 2013 (YVLEP), is the proposed development:</p> <ul style="list-style-type: none"> • Consistent with the aims and objectives of the plan • Consistent with the aims and objectives of the land use zone • Permissible in the land use zone • Consistent with all relevant clauses within the LEP • Complies with development standards in the LEP.
<p><u>Comment</u></p> <p>The land is subject to the controls of the YVLEP and is zoned RU5 Village.</p>	
Clause 2.3 Zone and zone objectives	The land is zoned RU5 Village. The proposed development is generally consistent with the objectives of the zone, with the exception of the storage shed which is it is not considered to be development which is compatible with the village character in the locality due to the scale and height as detailed elsewhere in this assessment and the accompanying Council report.
Clause 2.3 Land Use Table	The proposed development is permitted with consent in the zone as it is ancillary development to the existing residential use of the land.
Clause 2.6 Subdivision consent requirements	N/A
Clause 2.8 Temporary use of land	N/A
Clause 4.1	N/A

Minimum subdivision lot size	
Clause 4.1B Subdivision using average lot sizes	N/A
Clause 4.1C Additional requirements for subdivision in certain rural zones	N/A
Clause 4.1D Minimum site areas for dual occupancies and multi dwelling housing in Zones R1, R2, R3 and RU5	N/A
Clause 4.2B Erection of dwelling houses and dual occupancies on land in certain rural and environment protection zones	N/A
Clause 4.3 Height of buildings	N/A
Clause 4.4 Floor space ratio	N/A
Clause 4.6 Exceptions to development standards	N/A
Clause 5.4 Controls relating to miscellaneous permissible uses	N/A
Clause 5.10 Heritage conservation	N/A
Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones	N/A
Clause 5.21 Flood planning	The site is mapped as being flood prone. The site is classified as Flood Planning Constraint Category 4 (FPCC 4) – Major Land Flow (Outer Floodplain). This comprises of the area which lies between the extent of the FPA (i.e. 1% AEP event) and the PMF. Given the proposal is for a non-habitable structures and the low flood risk characteristics of the site, the proposed development is compatible with the site's flood liability.
Clause 6.1 Earthworks	Applies to the proposed development and prescribes matters that must be considered by the consent authority before granting consent for earthworks. Earthworks will be required for the proposed development. It is considered unlikely that the earthworks required will have a significant impact upon drainage patterns and soil stability. The earthworks proposed will not significantly impact upon

	neighbouring properties or waterways. Erosion and soil movement can be managed through sediment control measures.
Clause 6.2 (repealed)	Repealed.
Clause 6.3 Terrestrial biodiversity	N/A
Clause 6.4 Groundwater vulnerability	The site is identified as being subject to potential groundwater vulnerability. Negligible impact anticipated as a result of the proposed development. The subject land is connected to reticulated sewer services.
Clause 6.5 Riparian land and watercourses	N/A
Clause 6.6 Salinity	N/A
Clause 6.7 Highly erodible soils	N/A
Clause 6.8 Essential services	<p>The consent authority must be satisfied that services which are essential for the development are available or that adequate arrangements have been made to make them available when required.</p> <ul style="list-style-type: none"> a. Water. The land is connected to reticulated water. b. Electricity. The land is connected to grid electricity. c. The disposal and management of sewage. The land is connected to reticulated sewer. d. Stormwater drainage can be managed and appropriate conditions of Development Consent provided. e. Suitable vehicular access. Refer to discussion in Council Report. f. Telecommunications. The land is within an area with telecommunication services. <p>The use of appropriate conditions of Development Consent can ensure that all essential services will be made available to service the development.</p>
Clause 6.9 Development within a designated buffer area	N/A
Clause 6.10 Development on land intended to be acquired for Barton Highway duplication	N/A
Clause 6.12 Development on certain land in Gundaroo and Sutton in R2 Low Density Residential	N/A

Other relevant clause	N/A
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Proposed environmental planning instrument that is or has been subject of public consultation and has been notified to the consent authority

Primary Matters	Specific Consideration
Draft Environmental Planning Instrument	<p>Where a draft environmental planning instrument is applicable to the proposed development, is the development:</p> <ul style="list-style-type: none"> • Consistent with the aims and objectives of the draft instrument • Complies with development standards contained in the draft instrument • Satisfies the requirements of the draft instrument • Meets the relevant concurrence, consultation or referral requirements to address the provisions of the draft instrument
<p><u>Comment</u></p> <p>Nil.</p>	

Any development control plan

Primary Matters	Specific Consideration
Development Control Plan (DCP)	<p>Where a DCP is applicable to the proposed development, is the development:</p> <ul style="list-style-type: none"> • Consistent with the aims and objectives of the plan • Satisfies the requirements of the DCP
<p><u>Comment</u></p> <p>Nil applicable to the proposal.</p>	
Contributions Plans	<p>Are contributions under the Yass Valley Developer Contribution Plan 2018 and/or the Yass Valley Heavy Haulage Contribution Plan 2021 applicable to the proposed development?</p>
<p><u>Comment</u></p> <p>A s94 contribution was previously paid at time of subdivision under Development Consent DA135205. In this regard, a contribution in relation to the proposed development under the <i>Yass Valley Developer Contribution Plan 2018</i> is not applicable.</p>	

Planning agreement entered into or a developer has offered to enter into under s7.4 of the Act

Primary Matters	Specific Consideration
Planning Agreement or Draft Planning Agreement	<p>Details of Agreement</p>

<u>Comment</u>
Nil.

Prescribed Matters – Environmental Planning and Assessment Regulation

Primary Matters	Specific Consideration
Environmental Planning and Assessment Regulation 2021	<p>The following matters under the <i>Environmental Planning and Assessment Regulation 2021</i> have been considered:</p> <ul style="list-style-type: none"> • complies with AS 2601 when demolition is involved • complies with the Category 1 fire safety provisions if a change of building use is involved • has provision for compliance with the Building Code of Australia as amended if an building upgrade required • has been accompanied by a compliant BASIX certificate where the development is BASIX affected.
<u>Comment</u>	Nil outside of the matters discussed elsewhere in this assessment.

Likely impacts of the development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Primary Matters	Specific Consideration
Context and setting	<p><u>Context</u></p> <p>Compatibility of the development with:</p> <ul style="list-style-type: none"> • scenic qualities and features of the landscape • character and amenity of the locality and streetscape • scale (bulk, height, mass) form, character, density and design of development in the locality • previous existing land uses and activities in the locality <p><u>Setting</u></p> <p>Impact of the development on adjacent properties in terms of:</p> <ul style="list-style-type: none"> • the relationship and compatibility of adjacent land uses • sunlight access (overshadowing) • visual and acoustic privacy • views and vistas • edge conditions such as boundary treatments and fencing
<u>Comment</u>	The swimming pool is compatible with the village residential context and setting.

The proposed shed however is not considered to be compatible with the village residential context and setting and will result in adverse impacts to the streetscape due to the size of the shed, particularly as a result of the height. This is discussed in detail in the accompanying report to Council.	
Access, transport and traffic	<p>Consideration of access, transport and traffic and the proposed development:</p> <ul style="list-style-type: none"> • The existing road network is capable of supporting the proposed development • The proposed development complies with Council's Roads Standards Policy • The volume of traffic generated as a result of the proposed development is unlikely to exceed the capacity of the local and arterial road network • Public transport is available • A traffic management study was either not required to support the proposed development or was submitted and was considered satisfactory • An adequate number of vehicle parking spaces have been provided • On site car parking has provisions for compliance with relevant standards • The proposed or existing location of vehicular access to the site is considered satisfactory
<p><u>Comment</u></p> <p>The proposed development is not considered to result in any adverse impacts through access or on transport and traffic in the locality.</p> <p>Concern was identified during the assessment that the proposed development may require secondary vehicle access onto Fairley Street and this would not be supported. However, the Applicant has advised that they do not require nor are not proposing a secondary access. Refer to discussion in accompanying Council report.</p>	
Utilities	<p>Consideration of utilities and the proposed development:</p> <ul style="list-style-type: none"> • Utilities are either existing and capable of supporting the proposed development or capable of being extended to service the site • Where onsite sewage management is proposed it has been accompanied by a report prepared by an appropriate consultant demonstrating the suitability of the site for on-site effluent disposal
<p><u>Comment</u></p> <p>The subject land is serviced by reticulated water and sewer. The proposed development is not considered to have any adverse impacts on utilities in the locality. However, there is a sewer easement in proximity to the proposed shed and appropriate conditions of any consent that may be issued would need to be applied to ensure the development is undertaken in such a way that protects the easement. Refer to discussion in accompanying Council report.</p>	
Heritage	<p>Impact of the proposed development on heritage significance of the site, adjacent properties and/or a heritage conservation area:</p> <ul style="list-style-type: none"> • Consideration of impact on items, landscapes, areas, places, relics and practices • Consideration of the historic, scientific, social, aesthetic, cultural, archaeological (both Aboriginal and non-Aboriginal) values of the site
<p><u>Comment</u></p> <p>The site is not within a heritage conservation area and does not contain a heritage listed item. There are no known Aboriginal objects on the site or site features which would increase that likelihood.</p> <p>In this regard, the proposed development is not considered to have any adverse impact on heritage.</p>	

Water	<p>Impact of the proposed development on conservation of water:</p> <ul style="list-style-type: none"> • water supply sources • treatment, reuse and disposal of waste water and runoff • drainage, flow regimes, flooding on-site, up and downstream and in the catchment flood plain • groundwater tables
<p><u>Comment</u></p> <p>No additional matters outside of those discussed elsewhere in this assessment.</p>	
Soils	<p>Impact of the development on soils:</p> <ul style="list-style-type: none"> • soil qualities - erodibility, permeability, expansion/contraction, fertility/productivity, salinity, sodicity, acidity, contaminants • instability - subsidence, slip, mass movement • the movement, formation, use and management of soils • soil erosion and degradation • remediation of contaminated soils
<p><u>Comment</u></p> <p>No additional matters outside of those discussed elsewhere in this assessment.</p>	
Air and Microclimate	<p>Impact of the development on air quality and microclimatic conditions in terms of emissions of dust, particulates, odours, fumes, gases and pollutants.</p>
<p><u>Comment</u></p> <p>Any emissions of dust, particulates, odours, fumes, gasses and pollutants will be primarily during construction. These impacts can be managed through appropriate conditions of Development Consent and compliance with all other relevant legislation.</p>	
Flora and Fauna	<p>Impact of the proposed development on:</p> <ul style="list-style-type: none"> • wilderness areas and national parks • wildlife corridors and remnant vegetation • the relationship of vegetation to soil erosion/stability and the water cycle • weeds, feral animal activity, vermin and disease <p>Outcomes of an assessment under the <i>Biodiversity Conservation Act 2016</i> considers:</p> <ul style="list-style-type: none"> • whether the development will result in serious and irreversible impacts • whether a BDAR is required • where a BDAR is required, whether it is considered satisfactory
<p><u>Comment</u></p> <p>The development is unlikely to have a significant impact on flora and fauna, critical habitats, threatened species, ecological communities or their habitats. The development is located on an existing residential lot.</p> <p>The development is not considered to trigger entry into the Biodiversity Offset Scheme as:</p> <ul style="list-style-type: none"> • It does not involve clearing of more than 0.25ha of native vegetation (the area threshold). • It does not involve clearing on land which is identified on the Biodiversity Values Map. • The impact of the development works is unlikely to exceed the test of significance. 	

Waste	<p>Impact of the proposed development on waste:</p> <ul style="list-style-type: none"> • solid, liquid and gaseous wastes and litter • the generation, collection, storage and disposal of waste
<p><u>Comment</u></p> <p>No additional matters outside of those discussed elsewhere in this assessment.</p>	
Energy	<p>Impact of the proposed development on energy:</p> <ul style="list-style-type: none"> • the overall energy needs of the development • the measures employed to save energy - passive design, solar lighting and heating, natural ventilation, shading elements, insulation, high thermal mass building materials, energy efficient appliances and machinery • the use of renewable and non-polluting energy sources? • energy needs in producing building/structural materials? • energy use by-products and waste <p>Where relevant the development also complies with the Building Sustainability Index (BASIX).</p>
<p><u>Comment</u></p> <p>No additional matters outside of those discussed elsewhere in this assessment.</p>	
Noise and Vibration	<p>Whether the development has potential to generate noise pollution or vibration including during construction and potential impacts.</p>
<p><u>Comment</u></p> <p>The proposed development has potential to generate offensive noise pollution or vibration in terms of noise and vibration generated from the development during its construction. These impacts can be managed through appropriate conditions of Development Consent and compliance with all other relevant legislation.</p>	
Natural Hazards - Geological	<p>Risks to people, property and the physical environment as a result of geologic/soil instability - subsidence, slip, mass movement has been considered.</p>
<p><u>Comment</u></p> <p>No additional matters outside of those discussed elsewhere in this assessment.</p>	
Natural Hazards - Flooding	<p>Where the development is located on land identified as flood affected:</p> <ul style="list-style-type: none"> • Compliance with the relevant Flood Risk Management Plan in accordance with the information submitted with the application or • The addition of conditions which require compliance with the relevant Flood Risk Management Plan or the Building Code of Australia.
<p><u>Comment</u></p> <p>The site is mapped as being flood prone. The site is classified as Flood Planning Constraint Category 4 (FPCC 4) – Major Land Flow (Outer Floodplain). This comprises of the area which lies between the extent of the FPA (i.e. 1% AEP event) and the PMF. Given the proposal is for a non-habitable structures and the low flood risk characteristics of the site, the proposed development is compatible with the site's flood liability.</p>	

Natural Hazards - Bushfire	<p>Where the development is located on land identified as bushfire prone:</p> <ul style="list-style-type: none"> • Compliance with Planning for Bushfire Protection 2019 (however in accordance with s.8.3.2 of <i>Planning for Bushfire Protection 2019</i> there are no bushfire protection requirements for <u>class 10a buildings located more than 6 metres from a dwelling</u> in bushfire prone areas); or • If it is integrated development it has been referred to the RFS in accordance with s100B Rural Fires Act 1997.
<p><u>Comment</u></p> <p>The site is not identified as bushfire prone.</p>	
Technological Hazards	<p>Does the development present risks from:</p> <ul style="list-style-type: none"> • industrial and technological hazards • land contamination and remediation <p>Where potential land contamination has been identified an assessment must be provided determining whether the:</p> <ul style="list-style-type: none"> • The contamination is likely to be low and does not warrant remediation as the proposed land use is not sensitive, or • The land is not contaminated, or • The land is contaminated and remediation is proposed prior to the proposed use
<p><u>Comment</u></p> <p>No additional matters outside of those discussed elsewhere in this assessment.</p>	
Safety, Security and Crime Prevention	<p>The assessment must determine whether adequate measures are included to address the potential for accident / injury and criminal activity.</p>
<p><u>Comment</u></p> <p>No matters which require discussion.</p>	
Social impact in the locality	<p>Whether the development is likely to have social benefits in the locality in terms of:</p> <ul style="list-style-type: none"> • community facilities and links • the interaction between the new development and the community
<p><u>Comment</u></p> <p>No matters which require discussion.</p>	
Economic impact in the locality	<p>Whether the development is likely to have economic benefits in terms of:</p> <ul style="list-style-type: none"> • employment generation • economic income • generating benefits for existing and future businesses
<p><u>Comment</u></p> <p>Positive economic impact through the generation of economic activity during construction works.</p>	
Site and internal design	<p>The development is generally sensitive to environmental conditions and site attributes including:</p>

	<ul style="list-style-type: none"> the size, shape and design of allotments, easements and roads the proportion of the site covered by buildings the positioning of buildings the size (bulk, height, mass), form, appearance and design of buildings the amount, location, design, use and management of private and communal open space landscaping <p>The development is unlikely to affect the health and safety of the occupants in terms of:</p> <ul style="list-style-type: none"> inadequate lighting, ventilation and insulation inadequate building fire risk prevention and suppression inappropriate building materials and finishes inappropriate common wall structure and design lack of access and facilities for the disabled
<p>Comment</p> <p>The proposed swimming pool is generally sensitive to environmental conditions and site attributes and is unlikely to have any adverse impacts by way of the site design.</p> <p>The proposed shed however is not considered sensitive to the environmental conditions and attributes of the locality due to the scale of the shed as a result of the height. Whilst the shed is proposed to be located in the rear back corner and generally adopts the lowest contour level on a site which has some fall, this is not considered to overcome the adverse impacts to the streetscape. This is discussed in detail in the accompanying report to Council.</p>	
Construction	<ul style="list-style-type: none"> The proposed development has provision for compliance with the Building Code of Australia (as amended) and relevant Australian standards The impacts of construction activities can be managed and suitable conditions have been included in the development consent.
<p>Comment</p> <p>The proposed development has the potential to comply with the National Construction Code.</p> <p>No additional matters outside of those discussed elsewhere in this assessment.</p>	

The suitability of the site for the development

Primary Matters	Specific Consideration
Compatibility with existing development in the locality	<p>The proposal is compatible with existing development in the locality as:</p> <ul style="list-style-type: none"> Utilities and services available to the site are adequate for the development The development will not lead to unmanageable transport demands Transport facilities are adequate in the area The locality contains adequate recreational opportunities and public spaces to meet the needs of the development The air quality and microclimate are appropriate for the development No hazardous land uses or activities nearby Ambient noise levels are suitable for the development The site is not critical to the water cycle in the catchment The proposal is compatible with the existing built environment

<p><u>Comment</u></p> <p>The proposed swimming pool is compatible the existing development in the locality.</p> <p>The proposed shed however is not considered to compatible with the existing development in the locality, particularly the built environment, due to the scale of the shed as a result of the height. This is discussed in detail in the accompanying report to Council.</p>	
<p>Site conduciveness to the development</p>	<p>The subject site is conducive with the proposed development as :</p> <ul style="list-style-type: none"> • The site is suitable for the proposed development • The site is either not subject to natural hazards including flooding, tidal inundation, subsidence, slip, mass movement, and bushfires or where it is these risks have been adequately managed • The slope of the land is suitable for the proposed development • The proposal is compatible with conserving the heritage significance of the site • The soil characteristics on the site is appropriate for development (Saline / Sodic / Acidic) • The development is compatible with protecting any critical habitats or threatened species, populations, ecological communities on the site • The site is not prime agricultural land and the development will not unduly prejudice future agricultural production • The development will not unduly prejudice the future use of the site • Cut and fill is a suitable development option for the site
<p><u>Comment</u></p> <p>The site is conducive to the proposed swimming pool.</p> <p>The site is not conducive to the proposed shed. The size of the shed is more consistent with a large lot rural-lifestyle setting or a rural property rather than a residential village lot. This is discussed in detail in the accompanying report to Council.</p>	

Any submissions made in accordance with this Act of the regulations

Primary Matters	Specific Consideration
Public Submissions	Community consultation was undertaken in accordance with Council's Community Engagement Strategy. Where submissions have been received, the issues raised have been considered and are summarised in the comments below.
<p><u>Comment</u></p> <p>The Development Application was placed on public exhibition between 29 October 2023 and 13 October 2023. There were no submissions received.</p>	
Submissions from Public Authorities	Where relevant submissions received from Government or Public Authorities have been considered with any issues raised being resolved, addressed by conditions of consent/general terms of approval or are considered not relevant to the development
<p><u>Comment</u></p> <p>There were no submissions sought or received from public authorities.</p>	

The public interest

Primary Matters	Specific Consideration		
Government (Federal, State and Local) and Community Interests	<p>Government and community interests have been considered and are satisfied as:</p> <ul style="list-style-type: none">• The proposed development complies with the Council Policies identified as applicable in the <u>schedule below</u>. Where a variation to this policy has been supported details have been included in the comments.• The proposed development is generally consistent with any relevant planning studies and strategies• Covenants not imposed by council have been set aside for the purpose of this assessment• The proposal generally complies with all other covenants, easements, restrictions and agreements that have an bearing on the proposal• Issues raised in public meetings and inquiries have been considered. Where relevant more detail has been provided under the heading public submissions.• It is unlikely that the development will have a detrimental effect on the health and safety of the public		
<p><u>Comment</u></p> <p>The proposed development is generally consistent with government and community interests, other than:</p> <ul style="list-style-type: none">• There is a sewer easement in proximity to the proposed shed and appropriate conditions of any consent that may be issued would need to be applied to ensure the development is undertaken in such a way that protects the easement. Refer to discussion in accompanying Council report under.• Approval of the proposed shed would set an undesirable precedent on the size of sheds that may then be considered acceptable on residential lots within Fairley.			
Council Policies	Policy	Code	Applicable
	Building Line – Rural and Residential Land	DA-POL-8	Yes
	Building Line – Urban	DA-POL-4	No
	Building Over Sewer Mains	SEW-POL-1	No
	Development Assessment and Decision Making	DA-POL-18	Yes
	Filling Policy	DA-CP-22	No
	Holiday Cabins – Micalong Creek Subdivision	DA-POL-3	No
	Kerb and Gutter Construction	ENG-POL-4	No
	Non-Urban Fencing	DA-POL-12	No
	Off-Street Car Parking	ENG-POL-8	No
	Provision of Electricity Supply and Telecommunications Service for Subdivisions	DA-POL-17	No
	Road Naming	RD-POL-6	No

	Road Standards	RD-POL-9	No
	Temporary Accommodation	DA-POL-2	No
	Truck and Transport Depots in Rural Areas	DA-POL-11	No
	Water Supply in Rural Areas and Villages	WS-POL-2	No
<p><u>Comment</u></p> <p>Building Line – Urban DA-POL-4</p> <p>Council's <i>Building Line – Urban Policy DA-POL-4</i> requires class 10 structures such as sheds to be located behind the building line set by the dwelling house. The proposed development complies.</p> <p>Application Assessment and Decision Making DA-POL-8</p> <p>The application is report to Council for consideration due to the concerns identified in relation to the size of the proposed shed.</p>			

6.1 Development Application No. DA230294 - Shed with Amenities and Swimming Pool - 37 Camp Street, Murrumbateman
Attachment D Streetscape Views



Looking generally southwest from Fairley Street across 38 Middle Street to 37 Camp Street

<https://www.google.com/maps/@-34.9654783,149.0275692,3a,75y,240.22h,66.21t/data=!3m6!1e1!3m4!1suZ9Mp4VXuRwtfnEkMnnLYg!2e0!7i16384!8i8192?entry=ttu>

6.1 Development Application No. DA230294 - Shed with Amenities and Swimming Pool - 37 Camp Street, Murrumbateman
Attachment D Streetscape Views



Looking generally south to site of proposed shed

<https://www.google.com/maps/@-34.9654372,149.0272393,3a,75y,190.29h,87.85t/data=!3m6!1e1!3m4!1sfbTTJON9vG-GsA!2e0!7i16384!8i8192?entry=ttu>

6.1 Development Application No. DA230294 - Shed with Amenities and Swimming Pool - 37 Camp Street, Murrumbateman
Attachment D Streetscape Views



Looking generally southeast from Fairley Street to site of proposed shed

https://www.google.com/maps/@-34.965408,149.0270267,3a,75y,135.21h,84.38t/data=!3m6!1e1!3m4!1sESZzvDn2i_y1eGXQxWSHUG!2e0!7i16384!8i8192?entry=ttu



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27 September 2023

Our Ref: 5075_YVC1

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

Att: Emily Dawe,

RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION – DA230294

**PROJECT: Proposed Shed and Inground Pool
Lot 138 DP1226974 37 Camp Street, MURRUMBATEMAN**

In response to your email dated 12 September 2023, please find below comments addressing the issues raised in the Request for Additional Information received for the above-mentioned Development Application:

ITEM	RFI	RESPONSE
1.	<p>Height of Shed <i>The proposed shed is 4.8m to the gutter. For guidance in our assessment, we have reviewed State Environmental Planning Policy (Exempt and Complying Codes) 2008 Division 6 Subdivision 2 (SEPP) which states that the maximum height for any detached development is 4.8m above ground level (existing) if this was a Complying Development application. Furthermore, Yass Valley Council's draft Development Control Plan (DCP) also states that outbuildings should not exceed 4.2m in ridge height or 3.2m to the eaves. Assessment has also indicated that the shed is significantly higher than any shed on surrounding properties.</i></p> <p><i>To this end, it is recommended that consideration should be given to amending the proposed shed so that the maximum height is consistent with the provisions of the SEPP above – that is, maximum height of 4.8m to the ridge above ground level. Revised elevation drawings of the shed (which also show both the natural/ existing and proposed finished ground levels) will need to be submitted.</i></p> <p><i>However, if you would prefer that we continue the assessment of the proposal for the current height of the shed, the following will apply:</i></p>	<p>Firstly, the proposed application has been lodged as a DA not a CDC, assessment against the E&C SEPP 2008 does not apply in this instance.</p> <p>Secondly, to refer to a draft DCP that is not yet adopted by Council is inept and not relevant to this assessment.</p> <p>The subject site is not mapped on Councils LEP Height of Buildings Map that would indicate a height restriction. Further to that the proposed shed/ garage is located at the rear of the property and complies with Councils setback policy for an ancillary structure.</p> <p>It is noted the only potential impact to an adjoining owners visual amenity would be at the rear of the property. It is also important to point out and as indicated on the submitted Architectural Plans, the proposed location of the windows and doors are at ground level which do not create any privacy issues to adjoining neighbours.</p> <p>Further to that it is recognised the adjoining dwelling house is elevated over the existing dwelling house on the subject lot (see photos below).</p>

	<ol style="list-style-type: none"> <i>The application will now be subject to neighbour notification in accordance with Councils Community Engagement policy</i> <i>A statement should be provided which clarifies the proposed use of the shed (i.e. the proposed use which is requiring the size)</i> <i>The application will likely be reported to a meeting of Council for determination and the accompanying report may recommend that the application be refused.</i> 	<p>So, whilst the attached shed may seem slightly taller than some surrounding sheds, it is not out of character to the area and it creates an appealing visual amenity.</p> <p>It is noted the slope of the land should also be taken into consideration as part of the assessment process. The images below including the site survey shows the site falls by 2.5m from the front to the rear of the subject site. The proposed location of the garage/ shed is in the low point of the lot.</p> <p>In relation to neighbour notification, it is understood as part of the development assessment process, that correspondence with neighbours in the form of a Neighbour Notification Letter regarding the proposed development will be undertaken by Council.</p> <p>The intended use of the shed/ garage does not normally have to be detailed in a Development Application. However, for the purpose of answering Councils question, it will be for domestic residential use, more specifically for a home gym that will consist of climbing ropes etc that specify particular height requirements for effective use.</p> <p>The proposed shed is not a variation to any of Councils legislation or policies and to date there have been no objections as neighbour notification is yet to occur. On what merit does the proposed shed warrant being reported to a Council meeting with a recommendation for refusal at this stage of the assessment?</p>
2.		
	<p>Practical Vehicle Access Assessment has also identified uncertainty on how practical vehicle access will be achieved to the shed and whether a secondary access driveway onto Fairly Street is being proposed.</p> <p>Advice received from Councils Development & Standards Engineer has indicated that a secondary access driveway onto Fairly Street will not be supported due to the precedent this will set and the creation of an additional vehicle/ pedestrian conflict point it creates in this location. In this regard, details and a revised site plan are to be submitted which clarifies how practical vehicle access to the proposed shed will be achieved.</p>	<p>A garage/ shed does not have to have vehicle access. There are no legislative requirements that insist on an ancillary structure having to have practical vehicle access. In this instance the intended use of the shed does not require vehicle access nor is it desired.</p> <p>The storage of vehicles and practical vehicle access for the subject lot is via the existing two car garage and driveway accessed off Camp Street.</p>

This assessment concludes that the proposal is of an appropriate scale and mass and is consistent with the character of the area. It will have no unacceptable amenity impacts upon nearby residential development, nor any adverse impacts upon the natural environment.

It is concluded the approval of the Development Application on Lot 138 DP1226974 is an appropriate, orderly and compatible form of development when assessed under Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The environmental assessment of the proposed development has demonstrated that it will have minimal adverse environmental impacts. The proposal is permissible with Council's consent within the zone and meets the relevant objectives of the RU5 Village zone. Careful consideration has been given to the design of the proposed development to ensure that a high-quality outcome is achieved whilst also achieving an environmentally sustainable development that is compatible with and sympathetic to surrounding properties.

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

It has been considered that the proposal will not have a detrimental effect to the environment, and the proposal represents rational, orderly, economic and sustainable use of the land. It complies with all relevant legislation, and it is recommended that conditional development consent for the proposed development at Lot 138 DP1226974 37 Camp Street, MURRUMBATEMAN be granted by Council.

We recommend this proposed development 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



Rachel Doberer
SENIOR TOWN PLANNER
rachel@dpsyass.com.au

SUPPORTING PHOTOS



Image 1 – Showing House to the South overlooking the Subject Lot (Source: DPS Site Inspection, September 2023)



Image 2 – Showing House to the South overlooking the Subject Lot (Source: DPS Site Inspection, September 2023)



Image 3 – Footpath and Fence Line demonstrating Slope of the Subject Lot (Source: DPS Site Inspection, September 2023)

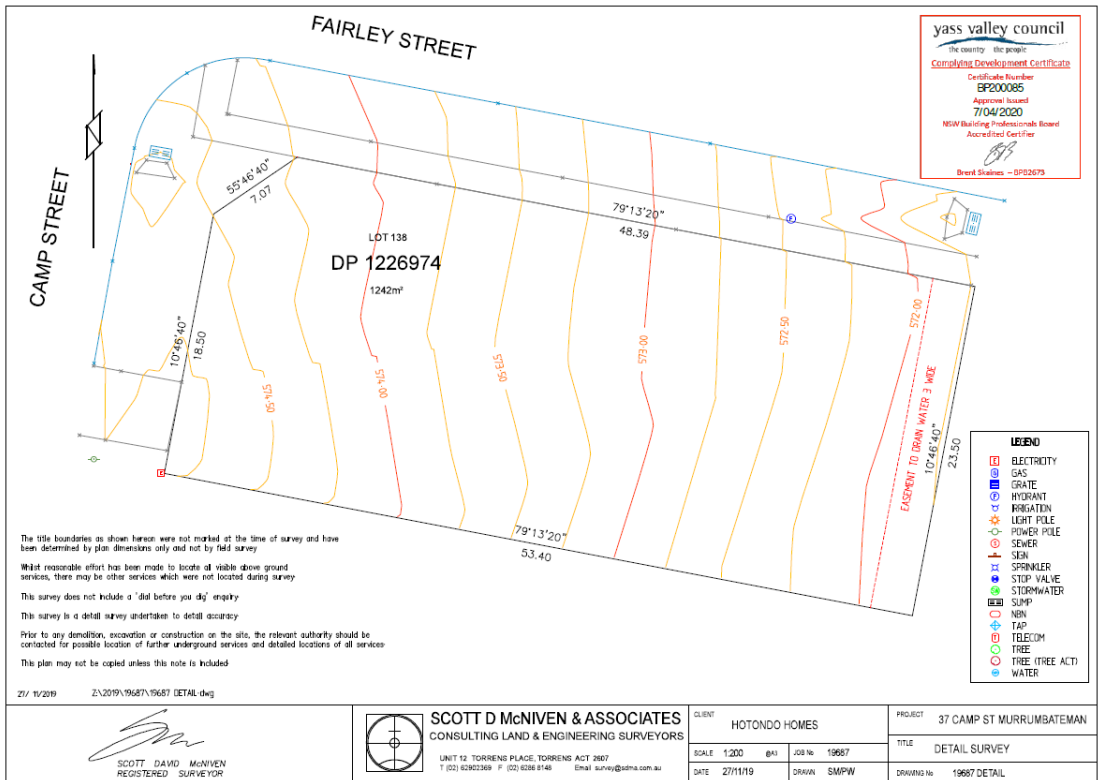


Image 4 – Approved Survey Plan with Contours (Source: Ashley Smith, September 2023)



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27 September 2023

Our Ref: 5075_YVC2

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

Att: Emily Dawe,

REQUEST TO VARY COUNCILS POLICY (DA-POL-04) – DA230294

**PROJECT: Proposed Shed and Inground Pool
Lot 138 DP1226974 37 Camp Street, MURRUMBATEMAN**

Following a review of Councils Urban Setback Policy (DA-POL-04) it has come to our attention that the interpretation of the secondary frontage setback requirements for Class 10 Structures is not clearly labelled for this type of development.

Having said that and to pre-empt a further RFI from Council, a request to vary Councils Policy (DA-POL-04) is detailed below. It is important to note this assessment is based on Council interpreting non-compliance.

Variation to Council Policy: BUILDING LINE - URBAN

DEVELOPMENT POLICY TO VARY - BUILDING LINE – RURAL AND RURAL RESIDENTIAL LAND (DA-POL-04)

1. INTRODUCTION

In urban residential zones and village zones building setback can assist with establishing and maintaining the character of an area.

2. POLICY OBJECTIVE

To provide setback guidelines for the erection of dwelling houses and ancillary structures on land zoned R1 General Residential, R3 Medium Density Residential and RU5 Villages under the Yass Valley Local Environmental Plan 2013

3. POLICY SCOPE

This policy applies to all land zoned R1 General Residential, R3 Medium Density Residential and RU5 Villages in Yass Valley.

4. POLICY PROVISIONS

Minimum building setbacks for dwelling houses and ancillary structures are as follows:

4.1 Class 1(a) Buildings

4.1.1 New Urban Areas:

Front Setback

6m

Side Setback

900mm



4.1.2 Existing Urban Areas:

Front Setback

Where an established building line exists all new development must comply with the established setback. If no established building line exists then a minimum setback of 6m shall apply.

Side Setback

900mm

4.1.3 Corner Lots:

Primary Frontage

Where an established building line exists all new development must comply with the established setback. If no established building line exists then a minimum setback of 6m shall apply.

Secondary Frontage

Where an established building line exists all new development must comply with the established setback. If no established building line exists then a minimum setback of 6m shall apply.

Side Setback

900mm

4.2 Class 10 Buildings

No class 10 buildings or structures are to be located forward of the building set by a dwelling house.

Side setbacks for all class 10 buildings or structures are to be in accordance with the Building Code of Australia (as amended).

The applicant seeks Council consent for the construction of a new garage/ shed and inground pool on Lot 138 DP1226974, at 37 Camp Street, MURRUMBATEMAN. The proposed development is situated on the site with a front setback that complies with Council's setback policy and a side setback that potentially does not comply with Council's setback requirements for a Class 10 structure (pool) resulting in a variation to Council's policy, the detail of which is set out in the table below. Conversely, we will be requesting a variation to Council's Policy 'DA-Pol-04' as discussed further below:

LOT ZONING	FRONT SETBACK	SIDE SETBACK	SECONDARY FRONT SETBACK
RU5 Village	Complies with Council Policy 'DA-Pol-04'	Complies with Council Policy 'DA-Pol-04'	<p>Does not comply with Council's Secondary Frontage/ Side Setback requirement</p> <p>The proposed variation is considered to be a good planning outcome that reflects the orderly development of the land.</p> <p>It is to be noted that whilst Council's policy would prefer to adopt an established building line the proposed location for the pool will not look out of place with the existing and future streetscape.</p> <p>The proposed pool will be screened by an existing timber paling fence (refer Image 1), further to that a pool fence as required by the regulations will also</p>

			<p>be installed creating further screening from the street.</p> <p>It is deemed that the anticipation of minimal environmental impact on the surrounding landscape and the public benefit of the proposed development is considered '<i>sufficient environmental planning grounds</i>' to justify a request to vary this Council policy.</p> <p>The proposed setback is in an area that is void of any significant vegetation and despite the variation to Council's setback policy the proposed development in it's current location will have no adverse environmental impacts.</p> <p>Having regard to all of the above, it is of the opinion that compliance with DA-Pol-04 is unnecessary in the circumstances of the case as the development meets the objectives of the standard and the zone objectives to which the subject land applies.</p>
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The proposal generally complies with the relevant planning controls, policies and guidelines with the exception to the setback policy residential land. By varying Council's policy we are not contravening the objectives of the RU5 Village zoned land, rather the development is expected to lay the foundation for more efficient/ functional utilization of the land.

The deviation to the policy is considered to be a minor variation when taking into consideration the public benefit of the development. The proposal offers an achievable outcome for the location of the development and the proposed pool will not look out of place or vary significantly from what currently exists in the area. The position of the proposed structure will not impact on the privacy of the neighbours due to the subject lot being a corner lot.

The objectives of the policy have been achieved albeit in a different way envisioned under DA-Pol-04. The proposed development is unlikely to generate any adverse impacts on the nearby properties or the amenity of the area. It is consistent with the zoning of the land and considered to be an appropriate, orderly and sustainably economic development.

We recommend this proposed development 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



Rachel Doberer
SENIOR TOWN PLANNER
rachel@dpsyass.com.au

SUPPORTING PHOTOS



Image 1 – Existing Timber Paling Fence (Source: DPS Site Inspection, September 2023)

DA230294 – Draft Conditions (Swimming Pool Only) – 37 Camp Street

CONDITIONS OF CONSENT

Part A General Conditions

1. Consent is granted generally in accordance with the plans and details submitted to Yass Valley Council (Council) with the Development Application. The plans and details have been stamped and attached to this consent. The development must be carried out in accordance with the stamped plans or as modified by these conditions.
2. **Work must not commence until a Construction Certificate has been issued.**

The conditions in Part B of this consent must be satisfied before a Construction Certificate can be issued.

If Council is the Principal Certifier the Construction Certificate application must be lodged on the NSW Planning Portal.

The Construction Certificate certifies that work completed in accordance with approved plans, specifications and/or standards will comply with the relevant requirements of the following:
 - *Environmental Planning and Assessment Act 1979 (EP&A Act)*
 - *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.*
 - National Construction Code/Building Code of Australia (NCC/BCA)
 - Council policies
3. This approval relates only to the development referred to in the Development Application and does not approve or accept any works or buildings already erected on the land, whether or not those works or buildings are the subject of a prior approval.
4. The capacity and effectiveness of runoff and erosion control measures, including techniques to suppress dust and the tracking of sediment onto existing sealed roads, must be maintained at all times to the satisfaction of Council.
5. All adjustments to existing utility services, whether caused directly or indirectly by the approved development, must be undertaken at no cost to Council.

Part B Before the issue of a Construction Certificate

6. An [Application for a Construction Certificate](#) must be lodged with the Principal Certifier.

If Council is the Principal Certifier the application must be lodged on the NSW Planning Portal.
7. The following information is required to be submitted to the Principal Certifier:

Cost of works	Required information
---------------	----------------------

Up to and including \$10,000	Licensed contractor's details or Owner builder declaration
More than \$10,000	Licensed contractor's details or Owner builder permit
More than \$20,000	Certificate of Insurance under the Home Building Compensation Fund (organised with licensed contractor) or Owner Builder Permit

8. A report prepared by a suitably qualified professional, stating the soil classification of the site as required by *AS 2870 Residential Slabs and Footings* must be submitted to the Principal Certifier.
9. Structural drawings, prepared by a suitably qualified and experienced structural engineer, must be submitted to the Principal Certifier.

The plans must detail (as applicable to the development):
 - (a) All reinforced concrete floor slabs and/or beams or raft slab, having regard to the possible differential settlement of the cut and fill areas
 - (b) Footings of the proposed structure/s
 - (c) Structural steel wall frames, roof framing members, beams, columns, bearers, joists and wall/roof bracing and
 - (d) Retaining walls greater than 600mm in height
 - (e) If footings are located adjacent to an existing sewer main
10. Plans which include all BASIX commitments must be submitted to the Principal Certifier.
11. Plans and details demonstrating compliance with the NCC/BCA must be submitted to the Principal Certifier.
12. Manufacturer's specifications of the swimming pool pump and filtration system must be submitted to and approved by the Principal Certifier and Council.

Part C Before the commencement of building works

13. Council must be informed of the following, no later than two days prior to works commencing:
 - Name and details of the Principal Certifier ([Form 214](#) to be submitted if Council is the Principal Certifier) and
 - Date construction work is proposed to commence ([Form 131](#) to be submitted).

If Council is the Principal Certifier the above forms must be lodged with your Construction Certificate application on the NSW Planning Portal.
14. A garbage receptacle must be provided at the work site before works commence and must be maintained until the works are completed.

The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

- 15.** Run-off and erosion control measures must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on 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.

- 16.** A sign must be erected in a prominent position on the site which indicates:

- (a) the name, address and telephone number of the Principal Certifier for the work, and
- (b) the name and after-hours contact phone number of the principal contractor (if any) for any building work, and
- (c) unauthorised entry to the site is prohibited.

This sign must be maintained while work is being carried out and must be removed upon completion of the work.

- 17.** Hoarding or temporary construction site fence must be erected between the site and adjoining properties, if the works:

- (a) could cause a danger, obstruction or inconvenience to the public, pedestrian and/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.

The hoarding or temporary construction site fence must be erected before works commence and be removed immediately after the work in relation to which it was erected has finished, if no safety issue will arise from its removal.

- 18.** Toilet facilities must be available or provided at the work site before works commence and must be maintained until the works are completed.

The toilets must be provided in accordance with the following:

- (a) at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site and
- (b) be a standard flushing toilet connected to a public sewer or
- (c) be connected to an on-site effluent disposal system approved under the *Local Government Act 1993* or
- (d) be a temporary chemical closet approved under the *Local Government Act 1993*.

- 19.** The building/s must be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries.

Evidence that the building/s were set-out and have been located in accordance with the approved plans must be submitted to the Principal Certifier or Council upon request.

20. In accordance with the *Plumbing and Drainage Act 2011*, each plumber and drainer that works on the development must submit to Council a Notice of Work (Form 11) notifying Council of their intention to carry out works.

The minimum amount of notice under this Act is two business days.

Part D While building works are being carried out

Environmental Heritage

21. If an Archaeology object is discovered during the course of work:

- (a) All work must stop immediately and
- (b) The *Department of Planning, Industry and Environment* must be advised of the discovery.

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

22. If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of work:

- (a) All must stop immediately and
- (b) The *Department of Planning, Industry and Environment* must be advised of the discovery in accordance with s.89A *National Parks and Wildlife Act 1974*.

Depending on the nature of the discovery, an Aboriginal Heritage Impact Permit issued under the *National Parks and Wildlife Act 1974*, may be required before work can continue.

Earthworks, Internal Driveways and Importation of Material

23. 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*, unless otherwise approved by a condition of this consent or the stamped approved plans.

24. Any earthworks, including any structural support or other related structure for the purposes of the development:

- (a) must not cause 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*.

25. Any excavation must be carried out in accordance with Safe Work Australia's *Excavation Work: Code of Practice*, published 26 October 2018.

Inspections

To arrange a building or plumbing inspection with Council please use the on-line booking system on Council's website: yassvalley.nsw.gov.au > [Our Services](#) > [Planning and Building](#) > [Certification and Inspections](#) > [Inspections](#).

26. Critical stage inspections must be carried out by the Principal Certifier, as required by Part 8 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
If Council is nominated as the Principal Certifier, inspections must be undertaken at the following stages of construction (as applicable to the development):

Inspection	Hold Point
(a) Pool bond beam	Prior to pouring concrete and after the installation of sediment and erosion controls, signage and temporary pool fencing
(b) Steel work	Prior to pouring concrete and after the installation of sediment and erosion controls, signage and temporary pool fencing
(c) Pool fence and Final	On completion of pool fencing and prior to use.

27. As the local plumbing and drainage regulator Council must undertake inspections at the following stages of construction:

Inspection	Hold Point
(a) All internal sanitary drainage	Prior to backfill
(b) All external sanitary drainage	Prior to backfill
(c) At the completion of all plumbing and drainage works	Prior to occupation of the structure

28. Upon inspection of each stage of construction, the Principal Certifier is required to ensure that adequate provisions are made for the following measures (as applicable):

- (a) Run-off and erosion control
- (b) Provision of perimeter fence, hoarding or temporary construction site fence 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.

Construction

29. Work must be carried out in accordance with the plans and specifications to which the consent relates.

30. All building work must be carried out in accordance with the provisions of the NCC/BCA and all relevant Australian Standards.
31. Construction may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday. No construction is to be carried out at any time on a Sunday or a public holiday.
32. All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
33. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and disposed of at a waste management facility.
- Copies of receipts relating to the disposal of waste at a licensed waste management facility must be submitted to Council upon request.
34. 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.
35. 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.
36. At the completion of the works, the work site must be left clear of waste and debris.

Plumbing and Drainage

37. All plumbing and drainage work must comply with the provisions of the following:
- *Plumbing and Drainage Act 2011*
 - *Plumbing and Drainage Regulation 2012*
 - Plumbing Code of Australia
 - AS/NZS 3500:2018 Plumbing and Drainage
38. The *Plumbing and Drainage Act 2011* requires each plumber and drainer that works on the development to submit the following information to Council:
- Notice of Work (NoW)
 - Sewer Service Diagram (SSD)
 - Certificate of Compliance (CoC).
39. The sewer boundary riser must be located and exposed at all times.
- If there is no existing sewer boundary riser, a sewer boundary riser must be installed by a licensed plumber in accordance with *AS/NZS 3500.2:2018 Plumbing and Drainage - Sanitary Plumbing and Drainage*.

Stormwater Drainage

40. Stormwater drainage work must comply with *AS/NZS 3500.3:2018 Plumbing and Drainage - Stormwater Drainage*.

41. Stormwater collected from the development must not cause nuisance to adjoining landowners.
42. Where up-stream surface water flows through the lot the development must not redirect or divert this water in such a manner that would intensify flows onto adjoining properties.

Swimming Pool

43. A sign compliant with the requirements of Part 3 “Warning Notices” of the *Swimming Pools Regulation 2018* must be located in a prominent position in the immediate vicinity of the swimming pool.
44. Temporary fencing in accordance with *AS 1926-2012 Swimming Pool Safety* must be provided until such time as the proposed pool fencing is installed.
45. Pool fences, gates and window/door openings must comply with the following:
 - *Swimming Pools Act 1992*
 - *Swimming Pools Regulation 2018* and
 - *AS 1926-2012 Swimming Pool Safety*
46. The meter, filter, pump and all sound producing equipment or fittings associated with or forming part of the pool filtering system must be sound insulated or isolated so as to not create a noise nuisance.
47. Swimming pool/spa backwash water must be discharged to:
 - (a) Council’s sewer in accordance with *AS/NZS 3500.2:2018 Plumbing and Drainage – Sanitary Plumbing and Drainage* or
 - (b) a suitably vegetated area wholly located within the development site in a manner that does not affect adjoining properties.

Part E Before the issue of an Occupation Certificate

48. An Application for an Occupation Certificate must be lodged with the Principal Certifier.

If Council is the Principal Certifier the application must be lodged on the NSW Planning Portal.
49. The relevant parts of [s. 6.10](#) of the EP&A Act must be satisfied, including:
 - (a) a Construction Certificate has been issued for this development
 - (b) all conditions in this part of the consent have been complied with
 - (c) the completed building is suitable for occupation or use in accordance with its classification under the NCC/BCA.
50. In accordance with Part 5 Division 2 (42) of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, an Occupation Certificate authorising a person to commence occupation or use of part of a building, must not be issued unless the building will not constitute a hazard to the health or safety of the occupants of the building.
51. Certificates of Compliance for contractor’s work must be submitted to the Principal Certifier.

Where Council is nominated as the Principal Certifier, certificates are required for the following work, as applicable to the development:

- Air conditioning
- Electrical
- Framing (timber or metal)
- Gas fitting
- Glazing (windows, doors, shower screens)
- Insulation
- Photovoltaic electricity generating system
- Plumbing/drainage
- Refrigeration systems
- Smoke alarms
- Solid fuel heater
- Stormwater
- Structural adequacy
- Swimming pool, pump and filtration system
- Termite protection system
- Waterproofing
- Other work as relevant to the development.

Certificates must contain the following information:

- (a) name, address, licence/registration number, qualifications, professional memberships and insurance details of the individual issuing the certificate
- (b) development consent number to which the work relates
- (c) address of the land on which the development is being carried out
- (d) date of issue of the certificate
- (e) date and time of inspection of work
- (f) description of the inspection of work
- (g) Australian Standards or codes to which the certificate relates.

52. Any damage caused to Council owned infrastructure or property must be repaired or replaced at no cost to Council.
53. The applicant must certify that the development has been constructed in accordance with all commitments of the relevant BASIX certificate.

The certification must make reference the following:

- (a) Address of the development site
 - (b) Development consent number
 - (c) BASIX certificate number
54. A copy of the swimming pool/spa Certificate of Registration must be submitted to Council, certifying that the swimming pool/spa has been registered on the [NSW Government Swimming Pool Register](#).

Advisory Notes Accompanying Development Consent DA230294

1. This consent has been granted under Clause 2.3 of *Yass Valley Local Environmental Plan 2013*.

2. All fees and charges associated with this consent will be adjusted annually from the date of this consent in accordance with seasonal movements in the CPI for the Canberra region.
3. 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.
4. The applicant must ensure all sub-contractors are licensed by the NSW Department of Fair Trading.
5. All persons undertaking work in connection with this consent must ensure all required risk control measures and procedures are complied with.

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. 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.

Policy:	RENEWABLE ENERGY	SP-POL-7
Division:	Planning	
Responsible Officer:	Director Planning & Environment	

1. INTRODUCTION

For several years Council has wrestled with the impacts of large scale electricity generating works on the rural landscape and communities throughout Yass Valley.

On 13 June 2018 Council held a Planning Forum on windfarms with speakers for and against the land use.

On 18 June 2018 a Councillor Workshop was held regarding Council's approach to wind farms and other renewable energy projects.

From the Planning Forum and Workshop, Council has developed its policy position on renewable energy projects.

2. POLICY OBJECTIVE

To outline Council's position in relation to renewable energy projects proposed in Yass Valley.

To act as a guide on the likely impacts and concerns of the local community that Council expects to be addressed in any planning documentation.

3. POLICY SCOPE

This policy applies to all renewable energy projects proposed in Yass Valley.

4. POLICY PROVISIONS

The following policy statement has been determined by Council:

Having considered the social, environmental, economic and strategic planning impacts on the Yass Valley communities and the cumulative impacts of the four approved wind farm sites Council is of the view that it has reached the maximum number of industrial turbines for the local government area.

While supportive of renewable energy in general, Council opposes in principle, further large scale wind turbine sites in Yass Valley.

Despite Council's position on wind farms it will consider any further proposed renewable energy projects submitted for assessment on its individual merits with the following matters (in addition to the Department of Planning & Environment's Wind Energy Guide and Large Scale Solar Energy Guidelines 2022 or the like) to be taken into account:

- a) *The location being consistent with the Yass Valley Settlement Strategy*
- b) *The 5km buffer area along the NSW/ACT border identified in the Yass Valley Settlement Strategy has been identified as an area to protect and retain the existing environmental values and rural character of the area and is not suitable for renewable energy infrastructure*
- c) *The infrastructure (e.g. turbines, panels, substations) not being within view lines of villages and towns or clusters of rural dwellings*
- d) *The infrastructure not having an adverse impact on the amenity of other dwellings*
- e) *The impact of infrastructure (e.g. turbines, panels) on the rural landscape and tourism values of the Yass Valley*
- f) *Roads being used by any heavy vehicles being upgraded to the appropriate standard in Council's Roads Standards Policy prior to commencement of works on site*

- g) *A sharing the benefits scheme(s) with the host landowners, immediate neighbours and a Community Enhancement Fund (as per Council policy)*
- h) *Noise impacts at adjoining dwellings being consistent with the applicable standards*
- i) *The project to commence within 5 years of a Consent being issued and completed within 5 years of commencement*
- j) *The impacts of the infrastructure (e.g. panels, turbines) on the heritage values of the site and Yass Valley*
- k) *The economic and social impacts on local communities and Yass Valley*
- l) *Any community and Rural Fire Service concerns in relation to the bushfire risks and any impediments to firefighting operations*
- m) *Any impacts with land contamination as a consequence of a grass or bushfire and appropriate mitigation and rehabilitation measures*
- n) *The project to include the development of housing solutions for their workforce*

5. REVIEW

This policy will be reviewed once each term of Council or as needed in response to any change of circumstance including changes in legislation.

6. LEGISLATIVE & LEGAL FRAMEWORK

This policy is to be read in conjunction with the following:

- *Local Government Act 1993*
- *Environmental Planning & Assessment Act 1979*

Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Renewable Energy Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

7. DEFINITIONS

Under the Yass Valley Local Environmental Plan 2013:

electricity generating works means a building or place used for the purpose of making or generating electricity

8. RESPONSIBILITIES

The following Council Officers are responsible for the implementation and adherence to this policy:

- Director Planning & Environment
- Manager Development Control
- Manager Strategic Planning
- Planning Staff

Development assessment staff are required to take into account the provisions of this policy in relation to any Development Applications.

9. HISTORY

<i>Review Date</i>	<i>Report to Council</i>	<i>Minute No.</i>	<i>Exhibition Period</i>	<i>Adoption</i>	<i>Rescission Date</i>
9/2018	24/10/2018	290	11/2018	19/12/2018	
11/09/2019	23/10/2019	245	N/A	23/10/2019	
8/8/2023	24/8/2023		N/A	24/8/2023	

Document No: SP-POL 07	Created/Revised: 11/09/2019	Review date: 2023
Version No: 2	Author: Director Planning	Doc Type: 30
File Name: Renewable Energy	Approved By: Council Meeting 23/10/2019	

Renewable Energy Policy.

Currently, this policy seems to focus primarily on large scale energy projects being driven by State and Federal Governments and possible perceived negative impacts of these on Yass Valley. It fails to look at the opportunities renewable energy could offer Yass Valley.

It is important that in formulating any policy, that YVC makes an assessment of the legislative environment in which it is placed together with the challenges and opportunities these provide.

Given both State and Federal governments, with the clear evidence of climate change, which can be seen in massive fires and floods both in Australia and the world, are firmly focused on replacing our current energy sources with renewables. And we have seen this locally too. Damage to Yass Valley infrastructure bridges and roads has already been a huge cost to ratepayers.

So anything done by YVC must be done within this reality, irrespective of personal views about State and Federal policies. Anyone wishing to change these must direct their concerns to the relevant level of government directly, not use the YVC's limited resources, time and energy in pursuit of their own political goals.

This current policy is doing exactly this. That is, arguing about issues completely outside its power, or indeed levels of responsibility. State and Federal governments will continue to develop large scale renewable energy projects wherever their research says these are needed for the future energy requirements of Australia. Some residents of Yass Valley already receive payments as these are on their properties.

A Future Renewable Energy Policy would include:

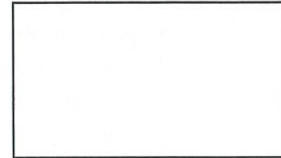
- using appropriate planning controls and process, including a Development Control Plan to deal with visual impacts, disruptions during building phase, habitat impacts, effects on local housing supply, etc the same that would apply to any large scale development.
- assisting commercial buildings to become more energy and water efficient.
- supporting community initiatives like the community built solar farm in Goulburn which is to go by the rail line, an already existing industrial precinct.
- in our master plans for our villages, Yass, North Murrumbateman ensure that energy efficiency is built in in these in the planning stages.
- build on existing initiatives like solar panels on our Depot by developing renewable energy initiatives that can be used by YVC that can reduce energy costs to ratepayers and be energy efficient like what has been done by Bega Council. It built a solar energy plant next to its waste treatment plant to operate the plant, significantly lowering its overall energy bill. Such local initiatives may limit the need for huge projects like Humelink.

Where there are concerns about huge new above ground power lines, we can work with neighbouring councils to work for a better outcome for our environment and for renewables. We can choose to work with others to look for greater rigour and protections within State and Federal planning systems and environmental laws.

In my view, a forward looking renewable energy policy would assist everyone in Yass Valley take control of our transition to a new renewable energies future. And it would place YVC in a much better position to argue for the best outcomes when new large scale projects are proposed in our area. And, where we are unable to get our preferred outcome, we would then be in a better position to to work with develops for appropriate compensation which could be invested in community resources.

Looking backwards simply deals us out of the game.

October 8, 2023.



Mr Chris Berry
General Manager
Yass Valley Council
PO Box 6
YASS NSW 2582
council@yass.nsw.gov.au

Dear Mr Berry

Submission on the draft revised Renewable Energy Policy

Please accept this letter as a submission on the above 'policy'.

I have real concerns with this 'policy' and believe that Council can do far better in leading and promoting a positive agenda and forward program for Yass Valley and its residents in relation to renewable energy.

My particular areas of concern are detailed below.

1. *The overwhelming negativity of the 'policy'.*

The 'policy' is a NIMBY statement, simply stating the reasons why Yass Valley Council does not want to see such developments in its backyard. This NIMBYism has no sense of proportion, ignoring for example, the fact that the Yass Valley LGA is not even one of the NSW State Government's prescribed 'Renewable Energy Zones' where renewable energy projects are being more actively focussed and developed.

There is no leadership in the document. It contains nothing positive, no forward-looking activities, measures or approaches that would actively assist the community to transition to renewable energy. It sets no targets to become more energy efficient or secure its energy from 'green' sources. It does not seek to work with the community to implement the renewable energy future. Nor does it have any measures to support those in the community wanting to reduce their energy bills, while working to help the environment.

The 'policy' entirely fails to recognise that the world has changed around Yass Valley since 2018 when it was originally adopted. The existing 'policy' that is being revised is based upon limited consultations conducted 5 years ago, when large wind turbine projects were under development. The 'revised' document has resulted from internal discussions by Yass Valley Councillors alone, assuming they know what the community wants.

Renewable energy is a reality that is happening, and is supported at all levels of government and across all communities. Councils across NSW and the country are playing strong and valuable leadership roles in transitioning to the new energy future. This document does none of that forward thinking, forward planning or vision-setting.

2. *The purpose of the document is questionable.*

The reality is that it is the State Government that assesses and determines the implementation of the large scale energy projects that this 'policy' addresses. In the statutory development assessment framework, there is no obligation for the State Government to consider any content of this 'policy'; it therefore has very little, to no, merit or standing in relation to large-scale renewable energy projects.

3. *It ignores the leadership role Council can play in supporting positive economic, environmental and social outcomes from renewable energy projects in the community.*

Rather than focussing on large-scale projects that it cannot influence the outcome of, it would be more sensible for Yass Valley Council to focus on the positive outcomes that can be gained from renewable energies. There are many councils across NSW that are actively engaging in the renewable energy market, and that are earning income from renewable energy projects while assisting their communities to transition to, and benefit from, cheaper energy sources.

I would refer you to just two examples of NSW local councils acting positively for their communities, although there are many more that could be referred to.

- Bega Valley Council's *Climate Resilience Strategy* sets out a large number of positive renewable energy activities the Council will undertake, ranging from promoting energy efficiency in new buildings to developing its own renewable energy sources with community groups, in order to reduce its own costs, save ratepayers money and transition to the inevitable clean energy future.

In 2014 Bega Valley Shire Council formed a partnership with a community group called Clean Energy for Eternity - CEFE - to develop one of Australia's first community solar farms. CEFE is a local, not-for-profit, registered organisation that focusses on community action to tackle climate change, raising money to install solar panels on community organisation properties like RFS sheds, community halls, churches and preschools.

The result of that collaboration is the Tathra Community Solar Farm that was built and opened in 2015. Its 120 solar panels (owned by Council) generate about 40MWh each year and are maintained by CEFE. Co-located with the Tathra Water Treatment Works, the electricity generated is used primarily to operate that facility, saving Bega Valley Council some \$4000 per year in electricity costs. After recouping its initial investment of \$25000, the Council now passes its additional savings onto CEFE who use that money to fund other solar projects in the local area.

- Albury City Council's 'Renewable Energy Hub' which has been in place for about ten years, takes a two-pronged approach to maximising renewable energy.

Firstly, it has a 4000 panel solar farm providing 1.1MW of capacity. Secondly, Council's Food Organics Waste Organics (FOGO) system creates renewable energy by capturing the output from the anaerobic digestion of the compostable waste Council collects. This is done in partnership with a specialist business called LMS Energy. Council uses the energy generated for its own activities, providing long-term and real savings for it and ratepayers.

The Albury Renewable Hub produces enough green energy to power 1900 homes or recharge an electric car some 225,000 times. It's also stopping some 54,000 tonnes of CO² from being

released. An equally important offset is that it saves some 25 million litres of water that would otherwise be used in creating the same amount of coal-fired energy.

Similar developments in Yass Valley, embedding capacity in a local electricity network, would not only provide an additional much-needed revenue source but could limit the need for new ugly and intrusive transmission and distribution infrastructure that this 'policy' appears to be aimed at stopping.

4. *Political impacts.*

When this policy was first adopted in 2018, it led directly to Yass Valley Council's expulsion from a national organisation of local governments, the Cities Power Partnership (CPP). The CPP consists of 180+ local councils across Australia sharing expertise and resources in support of the move to net-zero emissions. Yass Valley Council is locked out of the collaborative learnings and the economic, community and environmental benefits of being part of such organisations.

It is clear that governments at state and federal level are moving to, and strongly investing in, renewable energies. Arguably, to stand in the NIMBY corner while the rest of the country is moving on, is to place Yass Valley Council in a poor political position, particularly where Council is so reliant on grant funding and where funding opportunities are increasingly being linked to sustainable outcomes.

A genuine up-to-date policy would work with the Yass Valley community to lead its transition to the inevitable renewable energy future, shaping the look, scale and benefits of renewables in the Valley. It could, for example, support the deployment of community batteries or other energy sources in our villages, as other councils have done, and support local businesses to upgrade commercial buildings to become more energy efficient, create savings and improve their long-term viability. Such a policy would also open up various new funding opportunities for Council and the community, where grants are tied to the pursuit of net-zero objectives.

5. *Landscape and other impacts*

I noted a Councillor's comments at the September 2023 Council meeting, that the undergrounding of the Humelink transmission line would result in additional electricity costs to Yass Valley residents.

If Councillors are so concerned about the cost, visual, noise and other impacts on residents of energy infrastructure, then a renewable energy policy that focussed on smaller, lower-scale and less visually intrusive energy developments would be the answer. That is not to diminish the validity of residents' concerns that include visual impacts, build-phase disruptions, habitat loss, and local housing supply impacts. It is simply to say that lower scale, locally focussed and community driven renewable energy projects are less likely to deliver such impacts. A proper, forward-thinking, positive and coordinated renewable energy policy that supported community driven, renewable energy development would work to better mitigate residents' concerns than a 'policy' that has no relevant status.

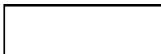
In objecting to renewable energy infrastructure, the irony is that a 'traditional' energy distribution project like Humelink has far larger impacts, including in the landscape, than would wind turbines or solar panels.

Preserving our rural lifestyle doesn't mean we simply ignore the reality of a world that is changing around us. The climate is changing for the worse; more droughts, more intense rain events, more intense temperature variations, more bushfires – these are just the start. It is impacting Yass Valley residents now and the repair bill is an ongoing drain on Council's resources.

A sensible, revised renewable policy that faces the reality of the coming renewable energy world, will not deliver more large-scale wind or solar farms in Yass Valley. An up-to-date renewables policy that seeks to take advantage of the economic and other opportunities renewable energies offer, would put Yass Valley Council and its residents in a position to better argue for funding and for better outcomes where new large-scale projects are proposed in our area.

This 'policy' takes Yass Valley Council and its residents out of the renewable energy game altogether and refuses to provide leadership and options for cheaper, community-driven, resource-saving energy systems.

Yours faithfully



Chris Berry

From: Yass Valley Council <no-reply@wufoo.com>
Sent: Sunday, 8 October 2023 11:02 AM
To: YVC Customer Service Team
Subject: Public Consultation online submission [#598]

[EXTERNAL] Please exercise caution when clicking on links or attachments from external sources.

Name *

[REDACTED]

Address *



[REDACTED]

Murrumbateman, New South Wales 2582
Australia

Email *

[REDACTED]

Phone

[REDACTED]

Number *

What item Draft – SP–POL–07 Renewable Energy Policy
are you
making a
submission
on? *

Submission *

I am very concerned about this draft policy.

It's tone is highly negative against renewable energy when a highly positive approach is being adopted by other Councils and levels of government.

It does not include anything about the potential benefits of renewable energy to the environment and our local community. For example, many other Councils are working with their local communities to introduce renewable energy to help them reduce their energy bills.

It seems to focus on large-scale renewable projects that it cannot control (because these are under the control of State

government anyway) and does not mention the small scale projects that many other councils are implementing to the benefit of their communities.

I strongly recommend that the draft policy be amended to include plans by YVC to deliver these benefits to our community.

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The Chief Executive Officer
Yass Valley Council

9 October 2023

Dear Mr Berry

The Sustainability Advisory Committee considered Yass Valley Council's draft Revised Renewable Energy Policy at its meeting on 19 September 2023 and has authorised me to make this submission on the Committee's behalf.

The Committee would like to thank councillors for agreeing to place the revised policy on public exhibition, given this is a matter of importance to the people and communities of the Yass Valley.

The Committee also extends an offer to brief councillors on any of the matters raised below. Further, and recognising Council's limited resources at this time, the Committee would also be happy to assist in the drafting of a new comprehensive updated policy, if so wished, and to this end has outlined below the key points which could potentially be covered in such a new, comprehensive policy.

In summary, the Committee offers the following observations in respect of both the current policy and the proposed revision:

- The policy statement is not a "renewable energy policy" as such. Renewable energy policies at the local government level typically set targets to become more energy efficient or 'green' and detail what the organisation will do to meet those targets, eg. buying only renewable energy, converting away from gas, improving the heating efficiency of community buildings, etc. The better policies also detail measures to support those in the community wanting to both reduce their energy bills and help the environment, eg. making appropriate provisions within planning instruments, providing administrative support to community groups wanting to promote or build renewables, disseminating within the community educational materials, managing small scale grants and loans, etc.
- The existing policy rather appears to be a 'political' statement responding directly to parts of the community which were upset about several large-scale wind turbine developments under consideration in 2018. However, the Committee feels that the language used in the policy and its overall negative framing of the issue is likely to adversely impact upon Council's ability to get traction with relevant parties – developers and the DPE - when it comes to negotiating results that mitigate the impacts of large-scale developments. In short, the policy is self-defeating and places Council in a poor negotiating position when arguing for the best outcomes.

While it might be claimed that the current approach has secured support for Council's community enhancement funds, other local councils do as well, occasionally with much greater levels of contribution per turbine, eg. the Collector Wind Farm contribution is \$5000 per turbine compared to \$2,825 for Bango Wind Farm. Moreover, a review of the approvals and 'Statements of Commitment' in respect of other wind turbine projects such as Taralga, Biala, Gullen Range, and Collector suggests that in matters such as transport impacts, noise minimisation, environmental and heritage protection etc. Yass Valley Council's policy approach has secured no better outcomes than have been obtained elsewhere.

- The decision-making authority for renewable projects deemed 'state-significant' rests with the State Government of course. Yet the policy makes no acknowledgement of this fact. Rather, the minimal influence that Yass Valley Council has in determining large-scale development projects in its area is misrepresented in the policy wording and is being misinterpreted to the community as suggesting the Council has some greater level of authority, when it does not.
- The minutes of June 2018 in relation to the development of a renewable energy policy included a decision that ***"Council will, following consultation with the community, develop a comprehensive policy on renewable energy generation within the Yass Valley and the matters Council should focus on"***. The June 2018 resolution also identified 11 considerations to be taken into account ***"until a more detailed policy position is developed"***.

However, the policy as presented to Council four months later in October 2018 was in substance no different from the June 2018 resolution which identified the 11 specific considerations. The covering report of October 2018 gave no details as to what consultations had occurred with the community, what issues had been raised during those consultations, where those views aligned or were in contradiction. As such, it might be reasonable to conclude that nothing happened in fulfilment of Council's resolution between June and October 2018 to genuinely engage the community on this important topic.

(The subsequent public exhibition in December 2018 of the unamended document, which elicited only 5 submissions, cannot be considered either as the fulfilment of the undertaking to "develop a comprehensive policy" or proper effort to identify what matters to the community or what "Council should focus on" in formulating a "detailed policy position").

- The adoption of the policy in 2019 saw Yass Valley Council expelled from the Cities Power Partnership; a collection of some 180+ local councils across Australia sharing expertise and resources in support of the move to net-zero emissions. This was an embarrassing outcome which has impacted upon - and still impacts – Yass valley Council's reputation within the Local Government industry and environment sector. A revised, positively-framed policy could provide Council a path back to membership, if it so desired.
- The issues that are identified in the current policy reflect the concerns of some members of the community with wind and solar farms – the visual impact, disruptions during the build phase, habitat impacts, the effect on local housing supply etc. These are no different to impacts which come with many large-scale developments and are properly dealt with through planning processes and controls. The singling out of 'renewables' as a particular source for such impacts is extraordinary, particularly as Council has not adopted a Development Control Plan (DCP) to secure better environmental outcomes from the developments it has under its control.

In wishing to support those citizens impacted adversely by large scale renewable projects – and be recognised for doing so - Council would arguably be better served by directing its efforts towards advocating for greater rigour and protections in State and Federal planning processes and environmental laws, as well as progressing its own DCP, given its explicit acknowledgement and relative weight in the formal assessment process (s.4.15 (1)(a)(iii) of the EP&A Act), compared to policy statements which may be considered under the public interest criteria (s.4.15(1)(e)) but are otherwise unrecognised in the assessment process.

- A revised policy should acknowledge and respond to broader and growing community concerns over climate change and the belief that all levels of government need to respond to the climate crisis.

Whilst there is no data specific to Yass, it is worth noting that the Lowy Institute 2023 Poll found that 56% of the national population agreed with the statement *“Global warming is a serious and pressing problem. We should be taking steps now even if this involves significant costs”*. The 2022 Lowy Poll found that 90% of the sample agreed with *“providing subsidies for the development of renewable energy technologies”*. In 2021, 74% agreed that *“the benefits of taking further action on climate change will outweigh the costs”*.

A Climate Council survey conducted with Beyond Blue found in 2022 that most Australians (80%) reported *“experiencing some form of disaster at least once since 2019”*. And more than half (51%) of Australians are *“very (25%) or fairly worried (26%) about climate change and extreme weather events in Australia”*.

Such sentiments are likely to be shared by the people of Yass Valley, given we have been subject to significant weather and flooding events in the past two years. Events that have also severely impacted Council’s operations and budget and the policy should respond accordingly.

- In developing a response to expected future climate events, Council’s 2022 *Climate Change and Natural Disaster Risk Assessment* identified the vulnerability of the energy network in the Local Government Area as a major risk. The recommended response was to opt for “local renewable energy generation” in the interest of diversified supply (see pages 5, 20 and 55 of the report). The updated policy should both reference this finding and respond to it accordingly.
- Grant funding for local governments is increasingly being tied by the Federal and NSW Government to the fulfillment of their climate change / net zero objectives. Examples include the previous State Government’s Climate Change Fund, the current NSW Government’s \$1.8 billion commitment to energy security, and the \$400m Federal ARENA Community Batteries Fund.

The Australian Local Government Association itself has been advocating for a \$200m Climate Response Partnership Fund and this proposal is in fact is referenced and supported by Yass Valley Council in its October 2022 *Advocacy Paper for Funding Priorities*. LGNSW’s policy platform highlights the need for greater funding in support of climate change mitigation measures as well as legislative and regulatory change in support of environmental objectives.

Yass Valley Council arguably needs a policy position which allows it to access these current and future funding sources, not one which is likely to work counter to its financial interests. Even if the policy does not directly disqualify Yass Valley Council from these funding sources, the reputational damage it has suffered by virtue of its current policy position reduces the chances of success.

- The policy wrongly, if indirectly, implies that there is a significant likelihood of additional wind and solar farms in Yass. Apart from the Engie and Wallaroo proposals, which have both been ‘on the books’ in one form or another for several years, it is understood no new wind or solar farms are currently proposed. Yass valley Council is not in one of the five Renewable Energy Zones established by the State Government as loci for renewables. As such, further large-scale

renewables in the Valley are unlikely and this should be communicated to the community, rather than their being made anxious without good cause.

- An up-to-date policy would allow the Yass community to take a greater level of control over its transition to a new renewables energy future and there is significant potential to shape both the look and scale of renewables in the Yass Valley through the policy. Council could support the deployment of community batteries and the upgrading of commercial buildings to become more energy efficient, consistent with its own 2021 decision to introduce a trial program of Environmental Upgrade Financing. It could invest itself – or support others to invest - in solar farms that blend with our environment. This is happening now in Goulburn-Mulwaree with its community-led and community-built \$5m community-built solar farm. There are further examples, in Bega, Albury and beyond.

Such developments in Yass Valley would not only provide an additional revenue source but could limit the need for new transmission and distribution infrastructure like Humelink; noting that network costs now represent the largest percentage of power bills and reducing these, through embedded capacity, presents generators and retailers with the greatest opportunity to find a competitive advantage.

- Finally, the renewables policy should commit Council to building energy efficient carbon-neutral communities henceforth when designing new developments like North Murrumbateman. Several examples of how this can be done are available in both the ACT and NSW. For example, the Narara Eco-Village on the Central Coast provides an interesting model. This could and should be reflected in Yass Valley Council's master-planning processes and the long-delayed Development Control Plan that guides local development outcomes.

Given these above points, the Committee has outlined below what a comprehensive updated renewable energy policy might incorporate:

INTRODUCTION:

- Acknowledgement of diverse community concerns / interests but which properly describes the planning context and the overall desire of the community to support action on climate change.
- Statement that Council works to ensure local government has greater say in planning decisions that impact communities and advocates for greater rigour and protections in State and Federal planning systems and environmental law.
- Acknowledgement of role of Community Enhancement Funds and that Council will direct those funds to mitigate impact on those who are affected; not just people but flora and fauna.
- Recognition of work to date, LED street lighting, solar on Council buildings, etc. Also, that the policy is consistent with other initiatives to reduce carbon footprint, eg. FOGO implementation, support for the Circular Economy, adoption of EV's and provision of EV infrastructure within the Valley.
- Note that Council, consistent with its Sustainability Policy, will use the Sustainability Assessment Framework to balance competing economic, social, environmental, and cultural interests in its decision-making around renewable energy.

POLICY OBJECTIVES:

- Support Council's vision of a sustainable Yass Valley
- Contribution to carbon neutrality
- Make financial savings
- Reduce vulnerability to future price shocks
- Leverage external funding sources

POLICY SCOPE

Council-specific initiatives:

- Audit and reporting regime for energy usage across all Council facilities and activities.
- Based upon the above, the setting of appropriate stretch-targets.
- Consideration of 'offset arrangements' where Yass Valley Council cannot reduce its own impact, ie. when Council opts for non-renewable energy sources
- Establish a timeframe for entering into Power Purchasing Agreement noting that the CRJO expect to have negotiated such an agreement for its member councils with the next few months. (These agreements are increasingly common in NSW local government and typically provide a secure fixed energy price for the long-term with supply guaranteed to come from renewables alone).
- Establish a timeframe for the conduct of a program of building energy-efficiency upgrades.
- Incorporate all initiatives into an 'energy saving action plan' released with the annual budget.
- Investigate and report within established timeframe on options for a Council-led or Council-supported solar farm or other embedded environmentally-friendly generation capacity including possible co-location with WTP / STP and Waste facilities.
- Ask to rejoin the Cities Power Partnership in due course.

Community-related initiatives:

- Incorporate requirement for renewables and carbon-neutrality into Development Control Plan and planning policies.
- Establish administrative capacity to support community renewable energy co-ops.
- Consider supplementing Community Energy Funds akin to that which has been done in Albury / QPRC / Wingecaribbee and others
- Promote small scale wind farms as per guidelines and as is happening in the Southern Highlands
- Establish and promote Environmental Upgrade Financing consistent with Council's 2021 decision
- Develop and disseminate education materials through website, new residents pack etc.

REPORTING

- Establish annual report as part of proposed energy savings account plan and under Sustainability Assessment Framework.

Yours sincerely

Councillor Adrian Cameron
Chairman
Sustainability Advisory Committee

Renewable Energy Development Policy

1. Introduction

For several years Council has wrestled with the impacts of large scale electricity generating works on the rural landscape and communities throughout Yass Valley.

On 13 June 2018 Council held a Planning Forum on windfarms with speakers for and against the land use.

On 18 June 2018 a Councillor Workshop was held regarding Council's approach to wind farms and other renewable energy projects.

From the Planning Forum and Workshop, Council has developed its policy position on renewable energy projects.**Policy Objectives**

To outline Council's position in relation to renewable energy projects proposed in Yass Valley.

To act as a guide on the likely impacts and concerns of the local community that Council expects to be addressed in any planning documentation.**Policy Scope**

This policy applies to all renewable energy projects proposed in Yass Valley.

4. Policy Provisions

The following policy statement has been determined by Council.

Having considered the social, environmental, economic and strategic planning impacts on the Yass Valley communities and the cumulative impacts of the four approved wind farm sites Council is of the view that it has reached the maximum number of industrial turbines for the Local Government Area.

While supportive of renewable energy in general, Council opposes in principle, further large scale wind turbine sites in Yass Valley.

Despite Council's position on wind farms it will consider any further proposed renewable energy projects submitted for assessment on its individual merits with the following matters (in addition to the Department of Planning & Environment's *Wind Energy Guide* and *Large Scale Solar Energy Guidelines 2022* or the like) to be taken into account:

- a. The location being consistent with the *Yass Valley Settlement Strategy*
- b. The 5km buffer area along the NSW/ACT border identified in the *Yass Valley Settlement Strategy* has been identified as an area to protect and retain the existing environmental values and rural character of the area and is not suitable for renewable energy infrastructure
- c. The infrastructure (e.g. turbines, panels, substations) not being within view lines of villages and towns or clusters of rural dwellings
- d. The infrastructure not having an adverse impact on the amenity of other dwellings
- e. The impact of infrastructure (e.g. turbines, panels) on the rural landscape and tourism values of the Yass Valley
- f. Roads being used by any heavy vehicles being upgraded to the appropriate standard in Council's Roads Standards Policy prior to commencement of works on site
- g. A sharing the benefits scheme(s) with the host landowners, immediate neighbours and a Community Enhancement Fund (as per Council policy)
- h. Noise impacts at adjoining dwellings being consistent with the applicable standards
- i. The project to commence within 5 years of a Consent being issued and completed within 5 years of commencement

- j. The impacts of the infrastructure (e.g. panels, turbines) on the heritage values of the site and Yass Valley
- k. The economic and social impacts on local communities and Yass Valley
- l. Any community and Rural Fire Service concerns in relation to the bushfire risks and any impediments to firefighting operations
- m. Any impacts with land contamination as a consequence of a grass or bushfire and appropriate mitigation and rehabilitation measures
- n. The project to include the development of housing solutions for their workforce

5. Review

6. Legislative and Legal Framework

This policy is to be read in conjunction with the following:

Legislation	<i>Local Government Act 1993</i> <i>Environmental Planning & Assessment Act 1979</i>
Policies and procedures	DPE Wind Energy Guideline Dec 2016 DPE Large Scale Solar Energy Guidelines 2022

7. Definitions

Under the *Yass Valley Local Environmental Plan 2013*:

Term	Meaning
<i>electricity generating works</i>	means a building or place used for the purpose of making or generating electricity

8. Responsibilities

The following Council Officers are responsible for the implementation and adherence to this policy:

- Director Planning & Environment
- Manager Development Control
- Manager Strategic Planning
- Planning Staff

Development assessment staff are required to take into account the provisions of this policy in relation to any Development Applications.

9. Approval History

<i>Review Date</i>	<i>Report to Council</i>	<i>Minute No.</i>	<i>Exhibition Period</i>	<i>Adoption</i>	<i>Rescission Date</i>
9/2018	24/10/2018	290	11/2018	19/12/2018	
11/09/2019	23/10/2019	245	N/A	23/10/2019	
8/8/2023	24/8/2023	160	24/8/2023		

10. Ownership and Approval

Responsibility	Role
Author	
Owner	
Endorser	
Approver	Council

Common Commitment to Work, Health and Safety for Transport for NSW and NSW Regional Councils

Purpose:

In line with the expectations of our communities, this is a common commitment to work together to build a safer workplace environment. This commitment is a foundation to build on together with the aim of improving safe work practices and leadership particularly in relation to temporary works on NSW roads and bridges. This document compliments our individual legal obligations – it does not extend or replace them.

The common commitment helps us support each other to enhance our health and safety systems, build trust between organisations and upskill our workers by sharing information and having genuine safety conversations.

This is in line with the NSW Work Health and Safety Act, Regulations, specified Australian Standards and Codes of Practice and industry best practice.

Through making this commitment, senior leadership in all organisations are making a tangible commitment to safety excellence and leadership.

Our common commitment:

Together we will take reasonable steps to provide a healthy and safe workplace for all workers, contractors, suppliers and visitors involved in our work sites across NSW.

We will deliver our common commitment by:

- Fostering a positive, no blame, safety culture across our organisations through pro-active safety leadership
- Building collaboration between our organisations by being willing to share safety knowledge, systems and experiences
- Promoting continuous improvement in our operations through constructive review of safety performance
- Enhancing safety maturity and capability across regional NSW by creating and sharing training resources that enhance safety standards, safe work practices and upskill our workers.

We look forward to working together to achieve a positive safety culture.

Yass Valley Council

Quarterly Budget Review Statement
For the period 01/07/2023 to 30/09/2023

Table of Contents	page
1. Responsible Accounting Officer's Statement	1
2. Income & Expenses Budget Review Statement's	
Council Consolidated by Type	2
Variation Detail	3
3. Capital Budget Review Statement	
Council Consolidated	4
Variation Detail	5
4. Cash & Investments Budget Review Statement	
Cash & Investments Variations	6
5. Key Performance Indicator (KPI) Budget Review Statement	
Industry KPI's	7
6. Contracts & Other Expenses Budget Review Statement	8
7. Additional Statements	
Consultancy & Legal Expenses Review Statement	9

Yass Valley Council

Quarterly Budget Review Statement
For the period 01/07/2023 to 30/09/2023

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Yass Valley Council for the quarter ended 30/09/2023 indicates that Council's projected financial position at 30/06/2024 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____

Date: 17/10/2023

Lynette Safranek
Responsible Accounting Officer

6.6 2023/24 First Quarterly Budget Review Statements
Attachment A 2023/24 First Quarterly Budget Review Statements

Yass Valley Council

Income and Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2023
Income and Expenses - Council Consolidated

Quarterly Budget Review Statement

For the period 01/07/2023 to 30/09/2023

(\$000's)	Original Budget 2023/24	Approved Changes						Revised Budget 2023/24	Recommend changes for Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Other than by QBRs		Carry Forwards	Sept QBRs	Dec QBRs	Mar QBRs					
		Amended	Balance									
Income												
Rates and Annual Charges	20,451	0	20,451	0	0	0	0	20,451	0		20,451	21,625
User Charges and Fees	7,207	0	7,207	0	0	0	0	7,207	0		7,207	879
Other Revenues	408	0	408	0	0	0	0	408	0		408	201
Grants and Contributions - Operating	2,029	0	2,029	0	0	0	0	2,029	20	1	2,049	108
Grants and Contributions - Capital	14,853	0	14,853	0	0	0	0	14,853	1,000	2	15,853	1,531
Interest and Investment Revenues	981	0	981	0	0	0	0	981	0		981	395
Other Income	606	0	606	0	0	0	0	606	0		606	152
Fair Value increment on Investment Property		0	0	0	0	0	0	0	0		0	0
Net Gains from Disposal of Assets		0	0	0	0	0	0	0	0		0	0
Total Income from Continuing Operations	46,535	0	46,535	0	0	0	0	46,535	1,020		47,555	24,892
Expenses												
Employee Costs	16,975	0	16,975	0	0	0	0	16,975	15	3	16,990	3,706
Materials & Services	1,914	0	1,914	0	0	0	0	1,914	345	4	2,259	3,536
Borrowing Costs	14,884	0	14,884	0	0	0	0	14,884	0		14,884	169
Depreciation	9,500	0	9,500	0	0	0	0	9,500	0		9,500	2,375
Other Expenses	966	0	966	0	0	0	0	966	0		966	307
Total Expenses from Continuing Operations	44,239	0	44,239	0	0	0	0	44,239	360		44,599	10,093
Net Operating Result from Continuing Operations	2,296	0	2,296	0	0	0	0	2,296	660		2,956	14,798
Discontinued Operations - Surplus/(Deficit)								0			0	0
Net Operating Result from Continuing Operations	2,296	0	2,296	0	0	0	0	2,296	660		2,956	14,798
Net Operating Result before Capital Items	(12,557)	-	(12,557)	-	-	-	-	(12,557)	(340)		(12,897)	13,267

Yass Valley Council

Quarterly Budget Review Statement
For the period 01/07/2023 to 30/09/2023

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	To adjust for actual WHS Incentive actual grant funding received (REF 000018) (\$2,423)
1	To adjust for State Library Grant updated amount (17,618)
2	To adjust for Stronger country Communities Round 5 Grant (\$1,000,000)
3	To adjust for increase of 2.69% as per flat rate interest charge for HunterPremium Funding for instalment payment plan (\$15,220)
4	To reallocate funds from project - Yass Mainstreet Street Space Plan to project Village Masterplans (\$10,722.70)
4	To reallocate funds from project - Yass Mainstreet Street Space Plan to project Village Masterplans (\$-10,722.70)
4	To include new operating project - Active Transport Strategy (\$65,000)
4	To include new operating project - North Murrumbateman Masterplan (\$50,000)
4	To include new operating project - Settlement Strategy Murrumbateman Land Investigation (\$54,735)
4	To include new operating project - Engineering Design Standards (\$50,000)
4	To include new operating project - Riverbank Park Vegetation Management Plan (\$20,000)
4	To include new operating project - Public Tree Management Strategy (\$25,000)
4	To include new operating project - Planning Portal Integration (\$80,000)

6.6 2023/24 First Quarterly Budget Review Statements
Attachment A 2023/24 First Quarterly Budget Review Statements

Yass Valley Council

Quarterly Budget Review Statement

For the period 01/07/2023 to 30/09/2023

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2023

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes						Revised Budget 2023/24	Recommend changes for Mar Qtr	Notes	Projected Year End Result	Actual YTD figures
		Other than by QBRs		Carry Forwards	Sept QBRs	Dec QBRs	Mar QBRs					
		Amended	Balance									
Capital Expenditure												
New Assets												
- Plant & Equipment								0			0	
- Land & Buildings				52				52			52	
- Roads, Bridges, Footpaths	3,366							3,366	214	1	3,581	34
- Stormwater								0	90	2	90	
- Water Supply Network				1,030				1,030			1,030	
- Other Open Space/Recreational Assets	726			20				746	1,080	3	1,826	
- Sewerage Network								0			0	
- Waste				387				387			387	
Renewal Assets (Replacement)												
- Plant & Equipment								0			0	
- Land & Buildings	12,500			418				12,918			12,918	88
- Roads, Bridges, Footpaths	11,380			5,253				16,634	-1,512	1	15,122	775
- Stormwater								0			0	
- Water Supply Network	885			843				1,728			1,728	21
- Sewerage Network	1,750			255				2,005			2,005	67
- Other Open Space/Recreational Assets	2,265			1,431				3,697			3,697	262
- Waste								0			0	
Loan Repayments (Principal)								0			0	
Total Capital Expenditure	32,873	0	0	9,689	0	0	0	42,562	-128		42,434	1,247
Capital Funding												
Rates & Other Untied Funding	15,884							15,884	-1,129		14,755	455
Capital Grants & Contributions	13,967			5,459				19,426	2,061		21,488	557
Reserves:												
- External Restrictions/Reserves	110			2,046				2,156			2,156	89
- Internal Restrictions/Reserves	2,911			2,184				5,095	-1,060		4,035	146
Total Capital Funding	32,873	0	0	9,689	0	0	0	42,562	-128		42,434	1,247
Net Capital Funding - Surplus/(Deficit)	-	-	-	-	-	-	-	-	-		-	

Yass Valley Council

Quarterly Budget Review Statement

For the period 01/07/2023 to 30/09/2023

Capital Budget Review Statement

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Combined effect of a reduction on roads CAPEX due to Yass River Bridge Replacement project and Murrumbateman Creek Bridge Replacement project being delayed due compulsory land acquisition, and increase in CAPEX dues to natural disaster funding, Get NSW Active, and CPTIGS.
2	Increase in CAPEX due to unexpended grant reserve related to LG Recovery 2023 Grant.
3	Increase in construction costs for Murrumbateman Rec grounds Dog park (\$80,000). Grant funded projects: Wee Jasper Reserve Carpark Upgrade Recreational Assets (\$200,000), Victoria Park Skate Park Extension SCCF 0232 5 Rec Assets (\$500,000), Murrumbateman Recreation Ground Sports Storage Shed SCCF 5 (\$150,000), and Murrumbateman Sports Field Irrigation Installation SCCF 0232 (\$150,000).

Yass Valley Council

Quarterly Budget Review Statement
For the period 01/07/2023 to 30/09/2023

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 \$34,740,267.82

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.

The date of completion of this bank reconciliation is 30/09/2023

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows

\$ 000's

Cash at Bank (as per bank statements)	6,130
Investments on Hand	28,610
Reconciled Cash at Bank & Investments	34,740

Mass Valley Council

Quarterly Budget Review Statement
Budget review for the quarter ended 30 September 2023

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2023

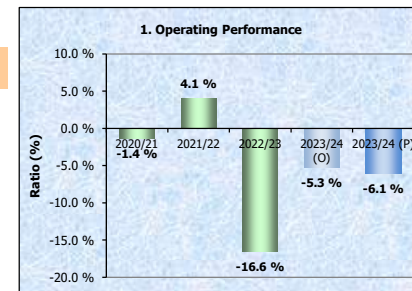
\$000's)	Current Projection		Original Budget 23/24	Actuals Prior Periods	
	Amounts	Indicator		22/23	21/22
	23/24	23/24			

ISW Local Government Industry Key Performance Indicators (OLG):

1. Operating Performance

Operating Revenue (excl. Capital) - Operating Expenses	- 2,555	-6.1 %	-5.27 %	-16.57 %	4.07 %
Operating Revenue (excl. Capital Grants & Contributions)	42,044				

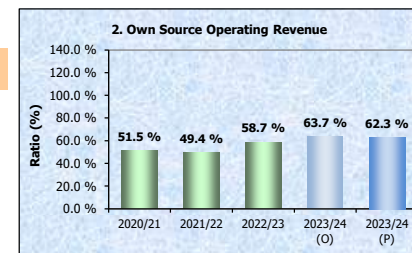
This ratio has decreased to be under the benchmark primarily due to the volume of Capital Grants the council has obtained. These are one off grants that the State and Federal Governments have offered to stimulate the economy due to the impacts of COVID-19. These funds will be used to fast track Councils capital works program. It is important to note that the value of Capital Grants in 2020/21 is double the amount received in 2019/20.



2. Own Source Operating Revenue

Operating Revenue (excl. ALL Grants & Contributions)	29,622	62.3 %	63.66 %	58.73 %	49.40 %
Total Operating Revenue (incl. Capital Grants & Cont.)	47,555				

In the 2020/21 Financial year, Council has been able to secure approximately \$20M in grant funding to fund the Capital Works program. This funding has been provided by the State and Federal Government as part of their initiative to stimulate the economy due to the impact of COVID-19. The majority of these grants are one off grants and will allow Council to fast track the capital works program.



6.6 2023/24 First Quarterly Budget Review Statements
Attachment A 2023/24 First Quarterly Budget Review Statements

Yass Valley Council

Quarterly Budget Review Statement
For the period 01/07/2023 to 30/09/2023

Statement

Budget review for the quarter ended
30 September 2023

Part A - Contracts Listing - contracts entered into during the financial Year to date.

Contractor	Contract detail & purpose	Contract Value (excl GST)	Start or Awarded Date	Duration of Contract	Budgeted (Y/N)	Notes
Lentro Earthworks P/L	Sutton Road Seg 35 Rehabilitation	\$1,021,262	1-Nov-23	8 months	Y	
Murray Constructions P/L	Back Creek Road Low Level Crossing Replacement	\$2,143,248	1-Nov-23	6 months	y	
Complete Civil P/L	Natural Disaster - renewal of culvert Woolgarlo Road	\$166,880	1-Nov-23	6 months	y	

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever 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.

Yass Valley Council

Quarterly Budget Review Statement
For the period 01/07/2023 to 30/09/2023

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	55,276	Y
Legal Fees	24,130	Y

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.

Seniors 2023 Spring Program



6.7 Spring Seniors, School Holiday, and NAIDOC Programs
Attachment A 2023 Spring Seniors Program Wrap Up





YASS VALLEY COUNCIL
Seniors Program
September 2023

September 13 Yecca performing to Eccles Thomas Gardens 9.30 - 11.00am	September 14 Men's Shed Open Day Gundaroo 11.30 - 2pm	September 15 DFO Day at the shops Fyshwick 10am - 2pm	September 15 Origami Session Yass Valley Library 10.am - 12pm
September 18 Bird Feeder and Natural Fibre Knitting 10am - 1pm	September 19 Men's Shed Open Day Yass 11.30 - 2pm	September 20 Tulip Top Garden Sutton Lunch 9.30am - 2.30pm	September 21 Men's Shed Open Day Murrumbateman 12.30 - 2pm

2023 NAIDOC WEEK









Monday 18 September
9.30am - Flag Raising
10.30am - Morning Tea - Memorial Hall

Thursday 21 September
4pm - Bran Nue Dae - Movie
Yass Valley Library

Saturday 23 September
11am - Scar Tree Commentary
followed by a BBQ Lunch

For Our Elders

yass valley council
the country the people



Onerwal Local Aboriginal Land Council
ABN: 98 164 512 188

2023 Spring School Holiday Program











SPRING SCHOOL HOLIDAY PROGRAM 2023

<p>SEP 25 Monday</p>	<p><u>BICYCLE SAFETY AT YASS BIKE PARK</u> Learn to ride session Age 6-11 1: 10:00am 2: 12:30pm 3: 3:00pm</p>
<p>SEP 26 Tuesday</p>	<p><u>NATIVE PLANT AND TOOL WORKSHOP</u> 11:00am - 1:00pm Age 6-18 Banjo Patterson Park</p> <p><u>GEL PLATE PRINTING</u> 9:30am - 12:00pm Age 9-18 Sutton Village Gallery</p>
<p>SEP 27 Wednesday</p>	<p><u>QUESTACON BUS TRIP</u> 10:00am - 3:00pm Free transport and lunch provided Age 12-18 Questacon Canberra</p> <p><u>MOBILE LIBRARY CRAFT KITS</u> Order craft kits when you register and pick up on the day Murrumbateman 11:00am Gundaroo 1:30pm Sutton 3:00pm Age 6-12</p> <p><u>KIDS MOVIE - Super Mario Bros</u> 10:30am - 12:00pm Age 6-18 Yass Valley Library Children under 12 must be accompanied by an adult</p>
<p>SEP 28 Thursday</p>	<p><u>KITE MAKING AND DECORATING</u> 10:30am - 12:00pm Age 6-12 Child must be accompanied by adult Yass Soldiers Memorial Hall</p> <p><u>MOBILE LIBRARY CRAFT KITS</u> Order craft kits when you register and pick up on the day Wee Jasper 2:30pm Age 6-12</p>
<p>SEP 29 Friday</p>	<p><u>CRAFT FOR THE LITTLES</u> 10:30am - 11:30am A Creative Holiday Craft Activity Age 4-10 Yass Valley Library Children must be accompanied</p>
<p>OCT 3 Tuesday</p>	<p><u>CRAFT FOR THE LITTLES</u> 10:30am - 11:30am A Creative Holiday Craft Activity Age 4-10 Yass Valley Library Children must be accompanied</p> <p><u>LAWN BOWLS</u> 10:30am - 1:30pm Come learn to play lawn bowls Lunch included Yass Bowling Club Age 12-18</p>
<p>OCT 4 Wednesday</p>	<p><u>MOBILE LIBRARY CRAFT KITS</u> Order craft kits when you register and pick up on the day Bowning 11:00am Age 6-12</p> <p><u>PINHOLE PHOTOGRAPHY</u> 10:00am - 4:30pm Learn Photography Age 12-18 Sutton Village Gallery</p> <p><u>MOVIE AND PIZZA FOR OLDER YOUTH</u> 3:00pm - 7:00pm Spider-Man: Across the Spider-Verse Age 13-18 Soldiers Memorial Hall</p>
<p>OCT 5 Thursday</p>	<p><u>WHAT'S YOUR SUPERPOWER?</u> 10:30am - 12:00pm Story Time and Craft Age: 5-12 Yass Valley Library Children must be accompanied</p> <p><u>FISHING COMPETITION</u> 11:00am - 2:00pm Age 12-18 O'Connor Park Yass</p>
<p>OCT 6 Friday</p>	<p><u>AIR DRY CLAY WORKSHOP</u> 1:30pm - 3:00pm Explore and play with Airdry Clay Age 10-18 Yass Valley Library</p>

All events

FREE

bookings essential



For more information on events visit Eventbrite
www.eventbrite.com/cc/spring-school-holidays-program-2631679



YASS VALLEY LIBRARY

yass valley council
the country the people



NSW GOVERNMENT



Minutes of the Aboriginal Consultative Committee Meeting

Thursday 7 September 2023

2.00pm

Council Chambers

209 Comur Street, Yass

Minutes of the Aboriginal Consultative Committee Meeting held on 7 September 2023

Table of Contents

1.	Apologies	2
2.	Declaration of Conflict of Interest.....	2
3.	Confirmation of Minutes	2
4.	Staff Reports.....	2
5.	Next Meeting.....	2

Minutes of the Aboriginal Consultative Committee Meeting held on 7 September 2023

Present

Cr K Turner, R King, K Denny, C Cronan

Also Present

L Safranek – Director Corporate & Community, R Zwar – Acting Community/Grants Officer

1. Apologies

Cr Mike Reid

2. Declaration of Conflict of Interest

Nil

3. Confirmation of Minutes

RECOMMENDATION

That the minutes of the Aboriginal Consultative Committee Meeting held on 18 May 2023 be taken as read and confirmed.

4. Staff Reports

Council's acting Community/Grants Officer provided a verbal update on the planned NAIDOC Week activities. During the discussion, it was determined to move the activities by one week for various reasons, to commence on Monday 18 September 2023 with a Flag Raising event, followed by morning tea at the Yass Memorial Hall and NAIDOC Storytime at the Yass Library. The program will also include the Scar Tree recognition event on Saturday 23 September 2023.

5. Next Meeting

7 December 2023 at 2.00pm at the Council Chambers.

The meeting closed at 2.56pm



Minutes of the Murrumbateman Playground Project Committee

Monday 16 October 2023

5.00pm

Function Room, Murrumbateman Country Inn

Minutes of the Murrumbateman Playground Project Committee held on 16 October 2023

Table of Contents

1. Apologies 2

2 Declarations of Interest..... 2

3. Confirmation of Minutes 2

4. Staff Reports..... 2

4.1 Election of a Chair2

4.2 Code of Conduct, Committee Guidelines & Media Policies.....2

4.3 Murrumbateman Playground Request for Quote3

5. Next Meeting..... 3

Minutes of the Murrumbateman Playground Project Committee held on 16 October 2023

Present

Crs K Butler, J Jones and M Reid, A Caston, S Helm and H Rosser

Also Present

J Rogers – Director Planning & Environment, P Harvey – Manager Recreational Assets and M Cooke – Senior Parks Projects Officer Recreational Assets

1. Apologies

Nil

2 Declarations of Interest

Cr Jones advised that she has children participating in Scouts and Dazzle Dance both in Murrumbateman.

3. Confirmation of Minutes

Nil – first meeting of Committee

4. Staff Reports

4.1 ELECTION OF A CHAIR

SUMMARY

To provide a framework for the election of the Committee Executive. Under Council's *Guidelines for Advisory Committees and Committees of Council (March 2023)* a Councillor is the Chair of the Committee.

COMMITTEE DECISION

That the Councillor Jones be elected as Chair of the Murrumbateman Playground Project Committee.

(Reid/Butler)

4.2 CODE OF CONDUCT, COMMITTEE GUIDELINES & MEDIA POLICIES

SUMMARY

A presentation will be given to Committee Members on the operation of the Committee.

COMMITTEE DECISION

That the presentation on Code of Conduct, Committee Guidelines, Terms of Reference and Media Policies be noted.

(Butler/Reid)

Minutes of the Murrumbateman Playground Project Committee held on 16 October 2023

4.3 MURRUMBATEMAN PLAYGROUND REQUEST FOR QUOTE

SUMMARY

To present a report on the request for quotation for the establishment of an all abilities playground in Murrumbateman.

Notes from Discussion

- Consultancy work as detailed in the report is funded by the General Fund
- Investing in Our Communities Program grant – if successful must be expended by 31 December 2026
- Discussion around how the project will run and interaction between the consultant and this Committee
- Timeline – aiming to have a consultant selected and a project inception meeting with the Committee by end of 2023
- Previous community consultation surveys etc to be provided to consultant
- Include sustainability options for playground in design requirements
- Group chat through Teams to be established for communication purposes

COMMITTEE DECISION

That the report on the request for quotation for the establishment of an all abilities playground in Murrumbateman be noted.

(Reid/Butler)

5. Next Meeting

Date of next meeting to be advised.

The meeting closed at 6.20pm



Meeting Notes of the Public Art Focus Group Meeting

Monday 9 October 2023

4.00pm

Council Chambers

209 Comur Street, Yass

Minutes of the Public Art Focus Group Meeting held on 9 October 2023

Table of Contents

1. Apologies 2

2. Declarations of Interest..... 2

3. Confirmation of Minutes 2

4. Staff Reports..... 2

4.2 Bus Shelter Public Art.....2

4.1 Public Art Register 2023.....3

4.3 2022/23 Annual Report.....3

5. Next Meeting..... 3

Minutes of the Public Art Focus Group Meeting held on 9 October 2023

Present

Cr Calya Pothan, Cr Jasmin Jones, Michelle Thornely, Ria Tierney, Rose Marin (STARTS) (via Teams)

Also Present

Chris Berry, Chief Executive Officer, Shirree Garland – Corporate Planning & Executive Support Officer

1. Apologies

Al Phemister, Roger Buckman

NOTE: *As there was no quorum these are notes only.*

2. Declarations of Interest

3. Confirmation of Minutes

COMMITTEE DECISION

No Quorum – minutes not confirmed.

4. Staff Reports

4.2 BUS SHELTER PUBLIC ART

SUMMARY

A site inspection of bus shelters in Yass Valley has been completed. The outcomes from the inspection is now presented for consideration.

There was general discussion on the report with the following suggestions:

- *Onerwal Local Aboriginal Land Council to be consulted in relation to any bus shelters which may be located in a significant area. CEO has asked that there are some artists available to undertake work.*
- *List to be forwarded to members 'out of session' to develop a priority list. List to then be reported to Council for their endorsement.*
- *Rose advised that STARTS can look for funding.*
- *Council to potentially doing preparation prior to painting, if resources available.*
- *Murrumbateman Recreation Grounds toilets mural needs refreshing. Was originally done by Youth Council. Suggested that may be a project for new Youth Council.*

ACTION: *Introduction email to new CEO Onerwal to be sent by Chair to Rose Marin.*

List of bus shelters to be forwarded to members for 'out of session' prioritisation.

Minutes of the Public Art Focus Group Meeting held on 9 October 2023

4.1 PUBLIC ART REGISTER 2023

SUMMARY

To present an updated Public Art Register.

There was general discussion on the Public Art Register. The following suggestions were made:

- *Yass Public School mural, Kim Nelson's chair by the river, satellite dish at Wee Jasper School, and artwork in Shrine area inside Memorial Hall to be included on register.*
- *Riverbank art on now removed toilet block to be amended to say building has been removed.*
- *Rose advised that STARTS had a directory available through their website that the register could be included on.*

ACTION: Updated Register to be provided to STARTS.

4.3 2022/23 ANNUAL REPORT

SUMMARY

The Standard Committee Constitution & Instrument of Delegation provides for the preparation of an Annual Report.

The CEO advised that the report was a standard report developed for all Committees. Report to be included with Council's Annual Report.

ACTION: *Timing of Fagan Street sculpture, Bookham to be looked at and included in Annual Report if within the financial year.*

5. Next Meeting

February 2024

The meeting closed at 4:56pm