



Ordinary Meeting of Council

LATE REPORTS

Thursday 28 August 2025

4:00 PM

Yass High School

Grampian Street, Yass

PRAYER:

All Stand:

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

Join me in the prayer or take this moment to reflect:

Almighty God, we ask your blessing upon this Council.

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

FUTURE MEETINGS

September 2025

Thursday 25th

4:00 PM

Ordinary Meeting of Council

Ordinary Meeting of Council

L A T E A G E N D A

Page No.

6. Reports to Council

- 6.2 Updated Report - Modification Development Consent No. DA230577 - Dance
School - 26 Rose Street, Murrumbateman4

Nathan Cooke

ACTING CHIEF EXECUTIVE OFFICER

6.2 UPDATED REPORT - MODIFICATION DEVELOPMENT CONSENT NO. DA230577 - DANCE SCHOOL - 26 ROSE STREET, MURRUMBATEMAN

SUMMARY

To present the assessment of an application to modify development consent no. DA230577 for a dance school at 26 Rose Street, Murrumbateman. The modification application relates to proposed changes to hours of operation and attracted 66 submissions, including 50 in support, 15 raising objection or concern, and one that was unclear. It is recommended that the hours of operation be amended, but not to the extent proposed by the applicant.

RECOMMENDATION

That:

1. *Development consent no. DA230577 be modified for the dance school at 26 Rose Street, Murrumbateman, by amending the hours of operation as follows:*

Day	Hours of Operation
Monday to Friday	9.00am to 9.00pm
Saturday	9.00am to 7.00pm
Sunday	10.00am to 4.00pm
Public holidays	No operation

2. *The applicant's proposed hours of operation of 9.00am to 9.00pm, seven days per week, is not supported as it is considered to unreasonably affect the amenity of the immediate and nearby residential receivers, noting that the site is located at an interface between business/commercial uses and residential uses.*

FINANCIAL IMPLICATIONS

Resources for development assessment are provided for in the 2025-2026 Operational Plan.

POLICY & LEGISLATION

Acts and Regulations

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021

Local Controls

- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Community Engagement Strategy

Guidelines

- Noise Policy for Industry

REPORT

1. Application Details

Date Received	-	5 July 2025
Land	-	Lot 1 DP 1291221, 26 Rose Street, Murrumbateman
Area	-	955m ²
Zoning	-	RU5 Village

2. Site Description and Locality

The site is located in an area characterised by the interface of residential and business/commercial land uses in the village of Murrumbateman. The site is located on the corner of Rose Street and North Street at the edge of the older village and the area known as Fairley. The site now contains the dance school building and car park with frontage and access to North Street.

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

3. Background

At its meeting held on 27 June 2024 council considered a development application for a proposed dance school at the site where it resolved to issue a deferred commencement development consent. The accompanying assessment report had recommended the development application be refused on a number of grounds, including that the site was not suitable for the proposed development and concerns in relation to suitable arrangements for vehicle access and car parking.

Conditions of the consent issued restricted the hours of operation for the dance school as follows (per the hours proposed in the submitted development application):

- Monday to Friday: 4.00pm to 9.00pm
- Saturday: 9.00am to 3.00pm
- Sunday and public holidays: No operation

4. Proposal

The applicant has proposed to increase the hours of operation to 9.00am to 9.00pm, seven days per week including Sundays and public holidays. The applicant has indicated that this is to accommodate the occasional private class, rehearsal, or student exam outside the current schedule, but there is no intention to expand the class timetable or increase general occupancy.

Further clarification was sought from the applicant to better understand the proposal. The applicant indicated the operation of the dance school during the additional hours would typically involve only one or two students, sometimes up to an absolute maximum of six, and on extremely rare occasions a full class (only on weekends). They further indicated that most of the proposed hours occur during school hours, and therefore it is evident these activities differ significantly in frequency and nature from the existing approved class times given that almost or all of the students are of school age. They further indicated that additionally once per year they hold private exams over a three-day period in the school holidays, usually being a Saturday to a Monday.

Details of the proposal are included in [Attachment B](#).

4. Public Exhibition

Public exhibition included notice to 10 adjoining and nearby landowners, as well as all persons who had previously made a submission to the original development application. There were 66 submissions received including 50 in support, 15 raising objection or concern, and one that was unclear (refer [Attachment C](#)).

5. Assessment

The proposed development has been assessed against the requirements of section 4.15 of the Environmental Planning and Assessment Act 1979 (the Act). It is important to note that this assessment is in relation to the aspects of the development proposed to be modified (i.e. the hours of operation) and is not a reassessment of the entire development.

It is considered that a modification of the hours of operation can be approved, however, not to the extent requested by the applicant, for the reasons outlined below and in the Assessment Report (refer [Attachment D](#)).

The following planning issues have been identified including responses to issues raised in submissions.

6.1 Hours of Operation

Conditions of the development consent issued restrict the hours of operation of the dance school as follows:

- Monday to Friday: 4.00pm to 9.00pm
- Saturday: 9.00am to 3.00pm
- Sunday and public holidays: No operation

This was consistent with the hours of operation that were proposed by the applicant in the original development application, as well as reflecting their traffic impact assessment (TIA) which had been underpinned by an argument that the operating hours of the dance school would be outside of the hours of operation of the nearby preschool (i.e. assisting in addressing potential traffic conflict and freeing up additional public car spaces within Rose Street).

The applicant has proposed to increase the hours of operation to 9.00am to 9.00pm, seven days per week including Sundays and public holidays. The applicant has indicated that this is to accommodate the occasional private class, rehearsal, or student exam outside the current schedule, and there is no intention to expand the class timetable or increase general occupancy.

Concern has been raised in submissions in relation to hours of operation generally in three key areas:

- (i) The submissions of support generally suggest the current condition is unnecessarily restrictive and adversely affect the ability of the dance school to reasonably run their business and provide the full range of dance services which benefit the community.
- (ii) The submissions of concern generally suggest that the proposed increase in hours will unreasonably and adversely impact the amenity of the neighbourhood, particularly to the nearby residential dwellings and
- (iii) That the proposed increase in hours will exacerbate the traffic and parking issues.

Business Operations

It is first recognised that the existing condition is unusually restrictive for a business. However, as outlined above, this was included based on the hours proposed by the applicant and how their TIA was presented. It is not unreasonable to revisit the hours of operation to determine whether they could be extended, noting that there is generally not an intention to unnecessarily restrict business activities and council's previous position in having determined to grant consent for the dance school at this site (i.e. determining it suitable). This needs to occur with consideration though of the impacts, particularly noise, traffic and parking in this instance.

The default hours of operation for businesses under NSW State Environmental Planning Policy (Exempt and Complying Codes) 2008 is generally 7.00am to 7.00pm, seven days, where there is no other conditions that have been imposed. Council does have the ability to impose conditions which restrict hours of operation to address impacts.

Noise and Amenity

The site is zoned RU5 Village under the Yass Valley Local Environmental Plan 2013 (the LEP). This zone is a mixed-use zone that applies across the Murrumbateman village and allows for a variety of residential and business/commercial land uses that support the village. The land uses on North Street and to the western side of Rose Street are primarily residential but it is also an interface area with more business/commercial land uses including preschools, Fairley Square, and the Rural Fire Services shed in nearby proximity.

The original assessment report presented to council outlined the NSW Planning Principle of the Land and Environment Court which provides guidance on the consideration of development at interfaces or transitions of different zones. Although in this instance the Murrumbateman village is zoned the same (RU5 Village), the planning principle still provides relevance as the location represents an interface or transition between business/commercial uses and residential uses.

The principle generally suggests that any development in one area needs to recognise and consider the existing development, which can therefore limit the extent of development potential.

However, it also suggests the type and form of development that can occur may have such impacts on nearby development which are greater than that of other areas (i.e. non-interface areas). Although impacts must be within reason, they can nevertheless occur and may be accepted as greater in an interface area. In this regard, some level of impact on residential uses can be expected.

The noise impact assessment (NIA) with the original development application demonstrated that noise impacts to nearby residential dwellings are within acceptable levels in accordance with NSW Noise Policy for Industry (NPfI). This was modelled based on the dance school operating at a full capacity, as well as 11 vehicles coming and going within 15 minutes from the carpark area. The proposed modification does not increase the noise *levels* beyond the original assessment or operation, rather it increases the potential *duration*. In this regard, from a noise level perspective, the proposed modification remains consistent with the NIA under which the development consent was granted.

However, from a broader amenity perspective, the applicant's proposed hours of 9.00am to 9.00pm seven days per week including public holidays and Sundays is not considered to be reasonable and does not reflect the fact that the site is at an immediate interface with residential uses, and it is a use which utilises amplified noise. There must be greater protection to residential amenity in this instance compared to a site that was not at this interface. There is reference within submissions in relation to the gym at Fairley Square which operates longer hours. This is noted, however, the gym site has the benefit of being located within the commercial complex and is not immediately adjoining residential receivers.

Traffic and Car Parking

Traffic and car parking were key issues identified in the original assessment. A TIA was submitted with the original development application and included the assumption that the operating hours of the dance school (4pm-9pm) are outside that of the operation of the Murrumbateman Preschool (closing 4pm) and therefore the public car spaces within Rose Street may act as overflow parking (seven spaces including one accessible space).

The modification application has been accompanied by a statement prepared by the same consulting engineer who prepared the original TIA. The consulting engineer states that they are of the opinion that the proposed change in hours will not result in any significant impact on road safety or road network efficiency for the following reasons:

1. *Based on the information provided, the additional traffic generated by the revised operating hours will be insignificant in relation to existing traffic on the network*
2. *The road network and intersections in the vicinity of the development have sufficient spare capacity to cater for the projected additional traffic*
3. *The vast majority of traffic generated by the dance school will still occur outside the hours of operation of the adjacent pre-school and as such would not be expected to overlap significantly with vehicle movements generated by this facility*
4. *Additional traffic generated by the dance school during the middle of the day will be minor, infrequent, and will generally occur outside of the peak periods for both the existing road network and the pre-school. There is not expected to be any increase in peak hour vehicle movements to/from the development*
5. *The existing parking arrangements at the site will not be impacted as there is not expected to be any increase in peak student numbers or peak vehicle movements to/from the site.*

Concern is raised in submissions received that this appears to be based on opinion rather than fact. There is also concern raised in relation to methodology that underpinned the original TIA including that it was based only a limited traffic count outside of peak time. There is suggestion within the submissions that a further TIA should be undertaken (particularly now with the dance school in operation). Furthermore, there is also concern raised in relation to the overall traffic and pedestrian environment in this locality, and suggestion that any additional increase in proposed hours will exacerbate these concerns.

In granting consent council accepted the methodology of the original TIA. Consideration now needs to be given in relation to the modification application as to whether the increase in hours of operation results in any significant changes or issues.

The statement from the consulting engineer relies on the assumption that the increased operating hours will be for the occasional private class, rehearsal, or student exam outside the current timetable – i.e. rather than additional classes. It is accepted that the peak time of vehicle movements to/from the site and the maximum number of students at any one time will not change as result of the increase in hours of operation – i.e. peak vehicle movements remaining after 4.00pm on weekdays. Based on the original TIA, there would remain operating capacity within the road network and intersection for additional traffic (even assuming a worst case scenario of the dance school operating at a full capacity before 4.00pm and overlapping with the preschool).

In relation to car parking, council has accepted the number of car spaces provided on site by the dance school. There had been recognition that existing public car spaces in Rose Street may provide additional capacity for overflow parking during peak operation of the dance school (i.e. which after 4.00pm would generally be outside the peak demand for parking from the other nearby land uses). If the dance school was operating at full capacity prior to 4.00pm on weekdays, then it would be likely in that scenario that the car parking issues already evident would be further exacerbated with the reduced number of additional overflow car spaces in Rose Street being available.

Prior to 4.00pm on weekdays, it is generally accepted there will only be small number of vehicle movements given their clientele overall are most likely school aged – i.e. therefore the full classes will occur inherently outside of school hours after 4.00pm on weekdays or on Saturday and Sunday. In this regard, there is generally not considered to be an additional adverse impact by way of traffic and parking because of the increased hours of operation proposed. In school holiday periods where full classes could potentially occur during the weekday, the potential traffic and parking issues are considered to be less likely due to the primary school, preschool and day care unlikely to be operating at the same capacity as during the school term, and there being a reduced afternoon traffic peak around when would be pick up time on a school day.

Advice has been sought from council's Road Safety Officer who highlighted that the potential for congestion around the busy pick-up and drop-off times of the nearby educational uses had been taken into consideration with the imposition of the current conditions restricting hours of operation. They also raised the original concerns of higher risks to parents and children (either by vehicle or by pedestrian paths) accessing the educational institutions during morning and afternoon peak are still valid, and it may be appropriate to continue to restrict hours of operation during those periods if council was of the view that this did present a concern with the additional hours of operation.

It is also noted that council was unsuccessful in a recent grant application to upgrade the Rose Street/North Street intersection including a raised pedestrian and shared path crossing. This remains a project earmarked for further grant applications as it would improve safety in this area.

Summary and Recommended Amendment

It is identified that the existing condition of consent is restrictive and was tied primarily to the traffic and parking assessment considerations in a simplified manner.

As identified above, the applicant's proposed hours of 9.00am to 9.00pm seven days per week including public holidays and Sundays are not considered to be reasonable and there needs to be a greater level of protection afforded to the amenity of the nearby residential uses. It is recommended that operation should not be permitted on public holidays and should be restricted to 7.00pm on Saturday and between 10.00am to 4.00pm on Sundays.

It is generally not considered possible to entirely ensure that the additional hours are only utilised for occasional private classes, rehearsals, or student exams outside the current timetable. A condition of consent, for example, which limits the number of students at any one time (such as before 4.00pm of weekdays) is likely, in reasonable practicality, unenforceable.

With consideration of the above, the hours of operation would be recommended to be amended as follows:

Monday to Friday: 9.00am to 9.00pm

Saturday: 9.00am to 7.00pm

Sunday: 10.00am to 4.00pm

Public holidays: No operation

6.2 Modification Application – s4.55 EP&A Act 1979

The modification application has been formally lodged and assessed pursuant to [s4.55\(2\)](#) of the Act ('Other modifications'), although there is some inconsistencies in the applicant's supporting documents which refer to it being lodged under s4.55(1A) ('Minor environmental impact').

s4.55(2) of the Act allows modifications to development consents in certain circumstances where the development remains substantially the same as that which was originally granted consent.

Within the submissions received it is suggested that the development is not substantially the same as that which was originally granted consent due to the extent of the increase in hours of operation. The 'substantially the same' test is a holistic one including qualitative and quantitative aspects. This includes appreciation of the context, as well as the circumstances, in which the development consent was granted.

In this instance, it is considered that the modified development remains substantially the same development overall. Whilst it does propose to significantly increase the hours of operation (i.e. the *duration* of the use), the use of the site remains for the purposes of a dance school, the overall maximum occupancy and maximum intensity of the use does not change, and there are no changes proposed to the built development.

6.3 Submissions of Support

There were 50 submissions received in support of the modification application. This indicates the level of support within the Murrumbateman community. Concern is however raised within other submissions received that the dance school may have facilitated or encouraged these submissions to be made in order to have a comparatively high number of submissions of support.

Whilst the submissions of support can be considered with relevant weight including under public interest, it is important to note that the number of submissions received is not a determining factor for the purposes of assessment under the Act – that is, more submissions of support or objection does not determine whether a proposal should be approved or refused. The assessment must include the full range of considerations under s4.15 of the Act, including, the impacts of the proposal.

6.4 Operational Non-Compliance and Car Parking Issues

Within the submissions received there are concerns in relation to potential operational non-compliance and car parking issues.

There is suggestion that since opening in late July, the dance school may have already been operating outside of their currently approved hours. This is outside the scope of the modification assessment and is currently subject to a separate compliance investigation.

There is also concern raised in relation to informal parking that is occurring particularly on North Street around the commencement/finish of classes. This includes in relation to parking on the footpath, the verge, the horse trail, and in the area which has had 'no parking' signs installed. The original assessment report had envisaged the potential for this issue to occur. Council staff are currently reviewing further options that may assist in managing this issue, which may require further discussions with the applicant and a request for minor additional works (such as installation of bollards). The dance school operator can also be encouraged to proactively provide communication to their patrons in relation to restricted and acceptable parking in the locality.

6.5 Non-Completion of Works and Occupation Certificate

Within the submissions received there is concern raised that required works as part of the development have not been completed or were not completed at time of occupation certificate issued on 22 July 2025. This includes:

- Landscaping
- Construction of pedestrian path – although this has now recently been completed
- Acoustic measures including validation by a suitably qualified person.

It is noted that a private certifier was the principal certifier for this development and with issuing an occupation certificate it suggests they considered works to be complete and the premises can now be lawfully occupied. Preliminary review has indicated concern that all works may not be complete nor all conditions of consent met to enable the occupation certificate to have been issued. This has now been raised with the certifier in the first instance and their attention to issues requested. If necessary, the matter may be escalated by council to the Building Commission NSW who oversee private certifiers.

7. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions, it is recommended that the hours of operation are amended as follows:

Day	Hours of Operation
Monday to Friday	9.00am to 9.00pm
Saturday	9.00am to 7.00pm
Sunday	10.00am to 4.00pm
Public holidays	No operation

STRATEGIC DIRECTION

CSP Theme	Our Environment (EN)
CSP Strategy Objective	We have a robust planning framework that protects and maintains our rural character and natural landscapes
Strategies	EN.6: Growth is strategically planned to ensure liveability
Delivery Program Action	EN 6.1: Forward planning is undertaken to integrate environmental, social, and economic factors for the benefit of the community and region.

- ATTACHMENTS:**
- A. Locality Plan [↓](#)
 - B. Modification Request and Supporting Documents [↓](#)
 - C. Submissions [↓](#)
 - D. s4.55 Assessment [↓](#)



yass valley council
the country the people

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Locality Plan
● Property Notified

Map Scale: 1:2053 at A4

Drawn By: Jeremy Knox
Projection: GDA94 / MGA zone 55
Date: 14/08/2025 11:11 AM

RE: MODIFICATION TO DEVELOPMENT APPLICATION DA230577 – 26 ROSE STREET, MURRUMBATEMAN

I am writing to request a modification under **Section 4.55(1A)** of the *Environmental Planning and Assessment Act 1979* to Development Consent **DA230577** for the approved dance school at **26 Rose Street, Murrumbateman**.

Proposed Modification to Condition 94 – Operating Hours

Current Condition 94:

Monday to Friday: 4.00pm to 9.00pm
Saturday: 9.00am to 3.00pm
Sunday and public holidays: No operation

Proposed Condition 94:

Monday to Sunday: 9.00am to 9.00pm (including public holidays)

Reason for Modification

The extended hours are proposed to accommodate **occasional private classes, rehearsals, or student exams** outside the current schedule. These sessions will be low-impact and intermittent, and there is no intention to expand the class timetable or increase general occupancy.

Noise Compliance

This request **does not involve any changes to the approved use, intensity, or noise levels** associated with the operation. The development will continue to comply with the **existing noise impact criteria** outlined in the approved **Noise Impact Assessment** and related conditions of consent. Doors and windows will remain closed during operation, in line with **Condition 95**.

I trust this minor modification can be considered and approved accordingly. Please do not hesitate to contact me should you require any additional information.

Traffic & Parking Impacts

As outlined in the original **Traffic Impact Statement** prepared by **Genium Civil Engineering**, the proposed development was found to have **no significant impact on local traffic flows or parking availability** due to:

- Operating hours being outside normal traffic and preschool hours,
- On-site provision of 11 parking spaces (including short-term pickup/drop-off), and
- Access from North Street with adequate sight lines and safe manoeuvring areas.

This modification to extend operating hours does **not increase capacity or visitor volume**, and **will not result in any foreseeable increase in traffic generation or parking demand** beyond what has already been assessed and approved.

See attached statement from Genium Civil Engineering clarifying this



4 July 2025

The General Manager
Yass Valley Council
YASS NSW 2582

Attn: Jeremy Knox

Dear Jeremy

DA 230577 26 Rose Street Murrumbateman – Murrumbateman Dance School – Proposed revised operating hours – Traffic impacts

I refer to the Traffic Impact Statement dated 11 April 2024, prepared by Genium Civil Engineering in relation to DA230577 for the Murrumbateman Dance School development.

I understand that an application is being prepared to modify the existing conditions of consent to allow for revised operating hours as follows:

Current approved operating hours:

Monday to Friday: 4.00pm to 9.00pm
Saturday: 9.00am to 3.00pm
Sunday and public holidays: No operation

Proposed operating hours:

Monday to Sunday: 9.00am to 9.00pm (including public holidays)

I understand from information provided by the proponent that the extended hours are proposed to accommodate occasional private classes, rehearsals, or student exams outside the current schedule, and these sessions are expected to be intermittent and low-impact due to the one on one nature of the classes. It is not expected that the current class timetable will be expanded.

Our Traffic Impact Assessment assessed the likely traffic impacts of the original proposal and concluded that subject to implementation of a number of mitigation measures, the proposed development was not likely to have any significant impact on road safety or road network efficiency.

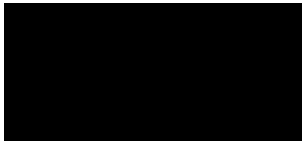
In considering the proposed revised operating hours and operating schedule for the Dance School I am of the opinion that the change will still not result in any significant impact on road safety or road network efficiency for the following reasons:

1. Based on the information provided, the additional traffic generated by the revised operating hours will be insignificant in relation to existing traffic on the network;
2. The road network and intersections in the vicinity of the development have sufficient spare capacity to cater for the projected additional traffic;
3. The vast majority of traffic generated by the dance school will still occur outside the hours of operation of the adjacent pre-school and as such would not be expected to overlap significantly with vehicle movements generated by this facility;

4. Additional traffic generated by the dance school during the middle of the day will be minor, infrequent, and will generally occur outside of the peak periods for both the existing road network and the pre-school. There is not expected to be any increase in peak hour vehicle movements to/from the development;
5. The existing parking arrangements at the site will not be impacted as there is not expected to be any increase in peak student numbers or peak vehicle movements to/from the site.

I trust this satisfactorily addresses any concerns Council may have in relation to traffic impacts resulting from the proposed changes to operating hours.

Yours Sincerely



Simon Cassidy
Director
CPEng NER

SUBMISSION #1

From:	[REDACTED]
To:	YVC Customer Service Team
Subject:	Objection to DA230577 Modification – Dazzle Dance School
Sent:	28/07/2025 1:30:36 PM

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

The General Manager
Yass Valley Council

RE: Objection to Modification of Development Application DA230577 – Dazzle Dance School, 26 Rose Street, Murrumbateman

Dear Sir/Madam,

I am writing to **formally object** to the proposed modification of Development Application DA230577 under Section 4.55 of the **Environmental Planning and Assessment Act 1979 (EP&A Act)**. The requested extension of operating hours from the current approval (Mon–Fri 4.00pm–9.00pm, Sat 9.00am–3.00pm, no operation on Sundays or public holidays) to **9.00am–9.00pm, seven days per week including public holidays** is neither minor nor reasonable, and it fails to satisfy the criteria for approval under the EP&A Act.

1. Breach of Existing DA Conditions

Section 4.55 of the EP&A Act requires that any modification be consistent with the intent of the original development consent. However, **Dazzle Dance School is already operating in breach of the current DA conditions:**

- The school's **published timetable** on its website shows classes outside the approved hours.
- Between **Thursday 24 July 2025 and Sunday 27 July 2025**, the school was repeatedly observed operating outside the hours permitted by DA230577.

This behaviour indicates a **deliberate disregard for the conditions of consent**, with the operator effectively attempting to normalise non-compliance and then retroactively seek approval. Council should not condone such behaviour by approving this modification.

2. Intensification of Use & Adverse Amenity Impacts

Extending operations to 12 hours per day, 7 days per week, constitutes a **substantial intensification of the land use** that will have a **material impact on the amenity of surrounding residents**, contrary to the principles of the EP&A Act.

The following adverse impacts are already occurring under the current approval:

- **Traffic and Safety Hazards:** Cars are parking in “no parking” zones, obstructing visibility, and idling with headlights on at night, creating safety hazards and noise pollution.
- **Damage to Infrastructure:** Cars have been seen driving along the **median strip and Murrumbateman horse trails**, causing ongoing damage to community assets.

- **Residential Amenity Impacts:** Increased evening activity, including traffic and headlights, disrupts the peaceful enjoyment of nearby homes.

An extension of hours will only **worsen these impacts**, which have not been properly addressed by the applicant.

3. Non-Compliance with Traffic and Parking Assumptions

The original Traffic Impact Statement (TIS) submitted with DA230577 was based on limited operating hours and low traffic generation outside peak times.

- With the current unauthorised operations, the assumptions underpinning the TIS have already been proven **inaccurate**.
 - Extending the hours will **increase traffic generation during busy daytime periods**, creating conflicts with existing road users, pedestrians, and horse riders in the area.
-

4. Conflict of Interest

It is noted that the **current Mayor of Yass Valley Council may have children attending Dazzle Dance School**. To maintain public trust and the integrity of the planning process, the Mayor should **recuse themselves from any consideration of this DA or future modifications**. Failure to do so would represent a clear conflict of interest under standard council governance principles.

5. Request for Enforcement Action

Before any modification is considered, the Council should:

- **Investigate and enforce compliance** with existing DA conditions.
 - Require the operator to demonstrate a history of **adherence to planning approvals**, which they currently lack.
-

6. Conclusion

This application does not satisfy the requirements of Section 4.55 of the EP&A Act. It represents a **major departure from the original approval**, will increase adverse impacts on traffic and amenity, and seeks to **legitimise ongoing breaches** of the current consent.

I respectfully request that Council:

1. **Refuse the proposed modification to DA230577.**
2. Take immediate action to **enforce compliance with the current consent conditions**.
3. Ensure any councillor or mayor with a personal connection to the applicant is **excluded from decision-making** on this matter.

Please acknowledge this objection and keep me informed of any future developments regarding this DA.

Kind regards,



SUBMISSION #2

Confidential

29 July 2025

Re: Development Application DA230577B

Address: 26 Rose Street, Murrumbateman NSW

Proposal: Modification to Approved Development – Design and Operational Variation (Dance School)

Dear Jeremy,

I am writing to object to the proposed modification to the above development application and request that Council **refuse the amendment** for the following reasons:

1. Inadequate On-Site Parking and Vehicle Manoeuvring

The original parking compliance strategy is questionable, particularly when comparing it to the applicant's existing operations at the Rec Grounds in Murrumbateman. On weekends, far more vehicles are observed than the applicant claims will attend the Rose Street site. It is difficult to accept the assertion that significantly extended operating hours will somehow not result in greater traffic volumes. This lack of transparency raises concerns.

I note in the 4 July Submission from Genium Civil Engineering, that "It is not expected that the current class timetable will be expanded". This is hypothetical and does not preclude expansion of classes to 9am-9pm 7 days a week by the operator.

This needs to be clarified. The Genium report is written purely on information provided by the applicant and is therefore not independent as it does not consider current usage of the school at the Rec grounds, noting that the current hours of operation are unverified (as the site is not yet fully operational). There is no evidence that the operators are able to comply with the existing DA requirements.

I also note that points 3,4,5 of the report are subjective and have no evidence to support the claims, and on that basis cannot be considered for the assessment.

The report also wrongly only considers the MECCA pre-school across the road. It ignores the other residents of Rose Street, the RFS Station, the Fairley Daycare and preschool, and the shops and medical centre. All of these groups will be affected by this change. Indeed, a full assessment considering all of these users would most likely demonstrate a significant increase in traffic, reduced pedestrian safety (as there are currently limited footpaths in the area) and increase in associated ambient noise due to traffic and people accessing the facility.

In particular:

- The proposed daytime classes, especially for adults, are likely to increase reliance on individual car travel, significantly increasing parking demand.
- The site is in a low-density residential area with limited on-street parking and no public transport access. Overflow parking would likely spill onto Rose Street, North Street and surrounding streets, causing congestion, pedestrian safety concerns, and loss of amenity for residents.
- The lack of footpaths in the area further exacerbates pedestrian safety risks, especially for children.

2. Overdevelopment and Intensification of Use

The cumulative extended operating hours, represent a clear intensification of use that is not appropriate for this residential setting.

The development:

- Exceeds the typical scale for educational or recreational use within the RU5 Village zone, irrespective of the site zoning,
- Is inconsistent with the existing and desired future character of the surrounding neighbourhood,
- Lacks sufficient mitigation measures to manage the increased intensity,
- Seeks substantial operational changes **before** any period of use under the existing approval—raising concerns about a staged approach to approval that undermines the integrity of the original assessment process.

It is important to note:

- The original approval was granted with restricted hours to reflect the residential context and nature of use. Seeking to extend these before operations have commenced appears to be an attempt to secure approval for something that likely would not have been supported in the original application.
- Surrounding residents have not had an opportunity to experience the development operating under the approved conditions, and therefore no objective data exists regarding actual noise, traffic, or parking impacts.
- Any variation to operating conditions should be considered only after a **minimum 12-month operational period**, across all seasons, supported by independent, evidence-based monitoring of impacts.

3. Unacceptable Impacts from Extended Operating Hours

The proposed change in hours from 4:00 pm–8:00 pm to 9:00 am–9:00 pm, seven days a week, represents a significant departure from the original approval and would have serious implications for local amenity.

This would result in:

- An increase in traffic and pedestrian movements throughout the day and into the evening, depending on the number of supplementary uses during the proposed extended times,
- Elevated noise levels from music, voices, and vehicle activity during times typically expected to be quiet in a residential area,
- Greater conflict with surrounding residential land uses, particularly without any new mitigation measures being proposed.

Furthermore:

- The updated technical assessments submitted by the applicant are theoretical and not based on any operational data under the current approval. There is no evidence base to confirm the proposed hours would not adversely impact the environment or residential amenity.

4. Not in the Public Interest

The cumulative impacts of increased parking demand, traffic, noise, and scale of use render the proposed modification contrary to the public interest. Specifically:

- The proposal does not reflect reasonable community expectations for development in a residential area,
- It fails to balance the applicant's commercial ambitions with the rights of residents to a safe, quiet, and low-impact neighbourhood.

While the use remains a "dance school," the proposed expansion of hours represents a substantial change in how and when the site is used.

Key concerns include:

- The proposed hours create a different usage profile, with greater numbers of adult users likely to drive themselves, increasing car traffic and parking pressure,
- All-day activity will generate significantly more site traffic and noise than previously approved,
- No evidence-based traffic or acoustic assessments—grounded in actual data under current conditions—have been submitted to justify the proposed change,
- This is not a minor adjustment; it amounts to a substantial operational escalation that has not been previously assessed and is inconsistent with the local planning context.

For the reasons outlined above, I respectfully submit that the proposed modification to Development Application DA230577B should be refused. The impacts on parking, traffic, residential amenity, and neighbourhood character are unacceptable, and the application lacks the evidence base required to support such a significant variation.

I trust Council will give this matter serious consideration in line with its responsibility to protect the amenity and interests of the local community.

Should you wish to discuss my objection further, please don't hesitate to contact me directly.

Sincerely,

A solid black rectangular box used to redact the signature of the author.

SUBMISSION #3

From:	
To:	YVC Customer Service Team
Subject:	DA 230577B 26 Rose St Murrumbateman NSW
Sent:	1/08/2025 4:34:04 PM

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

Re: Development Application DA 230577B
Address: 26 Rose St, Murrumbateman NSW
Proposal: Modification to Approved Development - Design and Operational Variation (Dance School)

Dear Jeremy,

I am writing to object to the proposed modification to the above development application and respectfully request that Council refuse the amendment for the following reasons:

1. We received notification of this modification to operating hours on Thursday 24th July, the same day that Dazzle Dance commenced using their premises. They conducted classes on Saturday 26 July from 9-6:30 pm on and Sunday 27 July 9-4:30 pm. This was a **breach of their approved operating hours**. Who will monitor this situation until there is a determination about this application?

2. The traffic and parking has been disruptive to us.

- Cars are parking on the verge in North St. This was a recognised concern of the residents of North St prior to the initial DA. Council addressed this by installing '**NO Parking**' signs. These signs are often ignored by school pickup parents and tradies and now the patrons of Dazzle Dance.
- Cars are parking with their headlights on and engines running. I have a recording of the noise that I can hear from inside my garage of a large diesel utility that was parked across from my driveway for an extended period of time.
- I have witnessed two cars reversing out of the driveway, across the pedestrian /equestrian pathway. This would indicate that the car park has not been adequately designed to ensure safe and easy maneuvering of the cars using it. This poses a very real threat to pedestrian safety and will encourage the larger cars to park illegally on the verge.

(e) A sign worded "**No Reversing Across Footpath**" has been installed but is clearly being ignored.

- The certificate of occupancy was granted without the landscaping being completed. The pedestrian access to the building from the footpath has not been completed. This means that all pedestrian traffic has no choice but to walk through the carpark to join waiting vehicles in the carpark and those parked in front of MECCA and Fairley Square. This is very unsafe given the inadequate lighting. Form work has been laid as of yesterday, but occupancy should not have been granted until all conditions of the DA had been met.

" (f) Provision of all abilities accessible path from the building to the existing shared concrete path on North St to facilitate safe access for unaccompanied children and accompanying adults with mobility issues."

- The carpark is too small for the volume and size of the vehicles using it. One of the lighting bollards on the entrance to the carpark has been knocked over already.
- There has been opportunistic parking occurring in the carpark, at school drop off and pick up times and also throughout the day. This was to be expected. This DA was approved to be used as a private car park and not for use by the general public unless given permission from the owner. Should the car park be fenced and gated like the MECCA carpark to prevent this?
- Operational Hours are outside the business hours of the Council Ranger. How will this area be monitored and parking restrictions enforced to safeguard and protect pedestrians and road users?

3. Light pollution.

- The external lighting on the building facing the car park is very bright.
- The external lights have been left on all night.
- The curtains in the studio do not block the light that is emitted from the 24 hour Emergency Exit lighting inside the building.
- There aren't any curtains on the entrance door/ window and light emits from that space at night.
- We have lost the amenity of using our front room during the hours of operation because of noise and light pollution. We don't really want to sit in our room and count the cars by the headlights that shine into it. We pleaded for the access to be from Rose St for that very reason. Our amenity was disregarded.
- It would have been better to have sacrificed one car space (the offset one closest to Rose St) and have entry from North St and the exit from Rose St. That would prevent the headlights from beaming directly into our house and remove the temptation/ necessity to reverse out of the car park. This is a Modification that I would fully support. Parents with large vehicles should be encouraged to park in Farley Square and escort their children into the facility.

4. Variance from DA 230577 "Childrens Dance School".

- It is evident that the intention of the applicant was to downplay the scope of this business's intended activity in their original DA. This is demonstrated by us receiving notice about the lodgement for a modification on their first day of occupancy!
- The original DA was granted approval with restricted hours to reflect **the residential context** and nature of use.
- Applicant has stated previously that they had **no plans to increase capacity**. So why the need to extend their hours?
- Applicant has increased the timetable from the hours of use at the Recreation Centre hall from Tuesday to Saturday to the current timetable which is Monday to Saturday. My suggestion is that the proprietor of Dazzle Dance uses that addition to 'hours of use' to incorporate student exams etc and adjust her timetable accordingly. Or substitute class times on a Saturday to enable other necessary requirements.
- There is also the **potential** for the Applicant to not only extend their classes to day time lessons to both adults and pre school children, but to want to use their facility to **host birthday or dance parties and also provide school holiday programs**. These types of activities were not included in the original DA. and are not permissible under the current consent.
- The proposed change in hours from 4:00pm- 9:00pm to 9:00 am -9:00 pm, seven days a week, represents a significant change from the original approval and would have serious effects on local amenity.

I have conducted an audit on the Operating Hours of Dance Studios in Canberra, in an attempt to quantify the Operating Hours for similar Dance Studios.
Please read my summarised observations:

- Total number of Dance Studios considered = **12**
- Dance studios in Commercial zoned areas = **9**
- Dance studios in Community Halls = **2**
- Dance studio in Church Hall = **1**
- Location of studios: **Mitchell** x 3, **Hume** x 3, **Phillip** x 2, **Fyshwick** x1, Weston x 1 (Uniting Church), Kaleen x1 (Community Centre), Red Hill x 1(Pre School).
- There are **ZERO Dance Studios in residential zones**.
- Dance studios **closed** on SUNDAY = **10** (the 2 studios open on Sunday have very reduced hours).
- Dance studios open on Public Holidays = **1** (only occasionally in preparation for annual concerts).
- Dance studios offering Holiday Programs = **3**
- Dance studios hosting Birthday Parties = **1** (Saturday afternoon only).
- Dance studios offering midweek morning classes = **4**
- Dance studio offering day time adult classes = **1** (in Civic)
- These figures do not represent the total number of Dance Studios in Canberra, but there is enough evidence to suggest that Dazzle Dance Academy **does not require** an extension to their current Operating Hours.

It is apparent that even in a city the size of Canberra there is little demand for Dance Studios to be operating 9 - 9pm, seven days a week, inclusive of Public Holiday. and only three studios offer Holiday Programs.

This proposal fails to balance the applicant's commercial ambition with the rights of residents to a safe, quiet and low impact neighbourhood. In the interest of the children of the Yass Valley, I would be agreeable to allowing Dazzle Dance to host limited School Holiday programs during the daytime, but **not in addition** to their regular classes. With only three other studios offering these types of programs, it can be assumed that the nine other studios are **closed during school holidays**.

5. Effect on the health and well being of the neighbouring residents.

I attended the Bowning & District Progress Association meeting on 16 July. Mayor Jones advocated strongly against the increase in renewable energy infrastructure in Yass Valley. She voiced concern about the impact these developments have on the mental health of surrounding residents as evidenced by the Rye Park community and others.

At the YVC Meeting on 26 July, Mayor Jones and Deputy Mayor Butler both expressed very valid concerns about the **health and wellbeing of the residents** who would be impacted by the proposed DA - BESS in 3 Turton Place Murrumbateman. The residents also complained about the **lack of community engagement** surrounding the project. There were more than **10** objections to DA 230577 and no effort was made to hold a public consultation in accordance with YVC Community Engagement Strategy. Why were we denied that opportunity?

At the Public Determination Meeting PPSSTH-461 - YASS - DA 240159 on 29 July, Mayor Jones and Cr Carter both advocated strongly against the proposal and heavy weighting was placed on the potential impact that this DA, if granted, would have on the nearby resident's amenity.

The following comments were made:

- The need to acknowledge the very real stress and anxiety that the community had been subjected to.
- Underlying well being - deeper mental health impact
- Sharing the burden. The immediate land owners will have the burden.
- Land owners have the right to quiet and peaceful enjoyment of their land.

All of the comments that were made are equally applicable to the residents in neighbouring properties to this development. The psychological impact that the approval of this DA has had on the residents of Rose and North St cannot be measured or understated. We are all very aware that we invested in properties that are in a school precinct. The trade off for tolerating the noise, traffic and parking issues that we **carry the burden** of for the amenity of others in the community, is that we would get some reprieve from that on the weekends, public and school holidays. We could also **"Escape the Noise"** as suggested on the billboard on Barton Highway. If this Modification to Operating Hours is approved we will **lose that amenity entirely**.

We are not farmers, winemakers or business owners. We are just everyday, hardworking residents. So whilst I have to commend the Mayor and Councillors for their strong advocacy regarding potential severe loss of amenity for those communities, I have to ask. Where was the consideration by Councillors with regard to the impact that this type of business, its size, its opening hours, its noise, would by its very nature cause to local residents. Weren't we already **"carrying the burden?"**.

The DA was **Recommended for Refusal** by YVC Planning Dept for very valid reasons. Now that the studio has been built and is operational, those concerns have not been dealt with and now there is every likelihood that they will be **intensified**. Who is advocating for us?

Only Cr Cameron advocated for us, primarily because he was on the Traffic Committee and was very aware of the strain that this locale was already under. The very poor condition of Rose St at that intersection. The school and local traffic, the inadequate parking provision and the lack of safe pedestrian pathways. His reasons for recommending this

DA's rejection were ignored. Cr Turner changed his opinion about the DA once he was alerted to the fact that the proposal was going to be very close to the RFS depot. He was concerned about the "little dancers being so close to the fire trucks". The residents were also concerned, their objections overlooked.

6. Personal impact that the approval of DA 230577 has had on myself and family members.

This is not the first occasion when an approved DA has had a very detrimental and disastrous impact on my mental health. In 2011 the ACT Gov approved a DA to build two-storey medium density housing around my single level dwelling on a 730m2 block in Yarralumla. The initial plan was for 8 townhouses to be built on two Lots, across an easement. We were able to have that reduced to 2 semi-detached 2 storey dwellings on each Lot. The build took over 4 years to complete because builders kept pulling out of the contract due the owner/builders being particularly difficult to work with. We lived in a construction zone for four years. We had invested \$70k to upgrade our outdoor entertainment area with a swim spa and extensive decking. This area was now overshadowed by the new buildings.

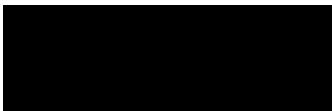
The stress of living in that environment caused me to have a mental breakdown, which contributed to the complete breakdown of my twenty year marriage. My teenage children lost access to their father (he moved interstate) and I was forced to sell my home which I had loved and intended to spend the rest of my life in. My daughter was about to enter Year 12 and my father had been diagnosed with terminal cancer. I was able to sell my house (below my expectation) and move before the house on the other side of my property was demolished and a very large two storey dwelling was built on that site. So to move to beautiful, quiet Murrumbateman after living in an apartment for seven years was truly refreshing until we were informed about DA 230577 just weeks after we had settled on our new home in an established area...was absolutely **devastating** to say the least.

My new husband and I are conflicted about our ability to stay here now. He is a very private person, and the lack of privacy is affecting his ability to relax in his own home. He wants to sell. This house was perfect for us ,but now our level of enjoyment has been **significantly reduced**. Our privacy has been violated, as we now have an audience parked all around our house most days of the week. I am retired after 30+ years of Nursing, we can't afford to take a financial hit on this property. The applicant's view that we would get used to it, is seriously devoid of his ability to understand the **negative impact** that this development has had and **will continue** to have on our daily life.

I have joined the Yass Historical Society (I volunteer at the History Museum), the MCA (I have volunteered for their stall at the markets), and the Spinners and Weavers group. I have been to the View Club meetings in Yass. I have met about 30 people in a short time and am already part of a women's social group. The community has been very welcoming. Our guests have expressed their horror and sympathy for what was allowed to occur at 26 Rose St. They don't understand how this was allowed so close to residential houses and quite frankly, neither do we! We can demonstrate that we too are active and committed members of this community. Our contribution to Murrumbateman and wider Yass Valley deserves the same level of acknowledgement that the Dazzle Dance Academy has been given.

I kindly request that you and the YVC Councillors acknowledge the **loss of amenity, the stress and anxiety** that their decision to approve this DA on 27th June 2024, has had and **will continue to have** on myself, my family and my neighbours when considering this Modification to Approved Development and to please **reject the proposed modification**, or at the very least, require a thorough compliance review and community consultation before any changes are considered.

Kind regards



SUBMISSION #4

From:	[REDACTED]
To:	YVC Customer Service Team
Subject:	Objection to DA230577B
Attachments:	IMG_6633 (002).jpeg ; IMG_6632 (002).jpeg ;
Sent:	1/08/2025 6:55:57 PM

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

To: Yass Valley Council

Re: Objection to Development Application DA230577B – Proposed Modification of Operating Hours for Dance School

Dear Sir/Madam,

I am writing as a concerned resident of the local area regarding the proposed modification to the operating hours of the dance school located at Rose St Murrumbateman.

The current approved hours of operation are:

Monday–Friday: 4:00pm–9:00pm

Saturday: 9:00am–3:00pm

No operation on Sundays or public holidays

The applicant is now seeking to extend these hours to:

9:00am–9:00pm, seven days a week, including public holidays.

I object to this proposal for several reasons, including recent evidence of non-compliance with existing conditions and the likely negative impact on the broader community.

1. Unauthorised Operation and Resulting Traffic Impacts

It is concerning that the dance school recently operated outside of its approved schedule on both **Saturday, 26 July and Sunday, 27 July**, which are not currently permitted. I personally witnessed activity at the premises on both days and observed noticeable traffic and parking impacts in the surrounding streets.

These included increased vehicle movement, congestion, and a lack of available on-street parking, contributing to local disruption and raising safety concerns for pedestrians.

This disregard for current conditions raises questions about how further extended hours would be managed and whether compliance could be reasonably expected if approval were granted.

2. Noise and Amenity

While I do not reside immediately next to the premises, my daughter, son in law and grandson reside next door. I have experienced the level of noise generated during active periods, which can be substantial.

Amplified music, group instructions, and general activity from patrons all contribute to noise levels that are out of character with the quiet, residential setting. Extending this to 12 hours a day, 7 days a week—including Sundays and public holidays—would significantly diminish the amenity and tranquillity valued by my family and other local residents.

3. Increased Traffic and Safety Concerns

The nature of the dance school—serving children and families—means frequent car trips, pickups, and drop-offs. Operating seven days a week will result in persistent traffic pressure on local streets, many of which are narrow and not designed for this level of ongoing activity. This increases the risk to pedestrian safety and reduces the quality of life for local families. I drove to the local Fairley shops on Sunday and witnessed cars parked in front of the pre-school and chaos as cars were trying to enter and exit the dance school car park at the same time. A child who exited a car from the front of the pre-school ran out in front of my car as she dashed across Rose St to the dance school. Please see attached photo's taken on Sunday morning at 11:00am showing the number of cars in the dance school car park and in front of the Preschool.

4. Incompatible with Residential Character

This area is primarily residential in nature. The proposed extension of hours is more suited to a commercial zone and represents a level of intensity that is incompatible with the established character and planning intent of the neighbourhood. Sundays and public holidays in particular should be preserved as quiet, low-activity times for the benefit of the wider community.

5. Risk of Precedent

Approving this application could open the door to further commercial or semi-commercial operations seeking extended hours, leading to a cumulative erosion of residential amenity.

While I appreciate the importance of local arts and education providers, such activities must operate in a way that respects the broader community. The current approved hours already provide a reasonable balance between business needs and residential expectations. The proposed changes would upset that balance to the detriment of local residents.

I urge Council to consider the demonstrated non-compliance, the potential for ongoing disruption, and the need to preserve residential amenity when assessing this application. I respectfully request that the application be refused.

Yours sincerely,





EXH-11680

Reference number: SUB-12157

Submission-Received

✓ Submission

SUBMISSION #5

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Murrumbateman

I have made a reportable political donation

☐

☐ I agree to the Privacy statement

submission

The gym, in the same street, has much longer operating hours than these proposed changes. The dance school is an integral part of our community and benefits many young residents of Murrumbateman both physically and emotionally. Flexibility in the operating hours to support these young community members makes sense, especially as the dance studio exists in a commercial area of the town.

Reference number: SUB-12159

Submission-Received

✓ Submission

Case details

Documents

Action summary

Submission Type

SUBMISSION #6

I am making a personal submission

☐ Name withheld

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Email

Suburb/ Town

Murrumbateman

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submission

I believe Dazzle Dance Academy is an asset to the town of Murrumbateman and to the local businesses that will obtain business from the dancers that use the school. Increasing the hours will give more opportunity to the dancers that compete at regional and national competition level that reflects positively on our town. Dazzle as a community have given so much to the young members of the yass valley region and deserve their operating hours to be extended to broaden and open up more opportunities for more dancers. It's time as a community, we rally behind something that gives so much to so many children! They have worked tirelessly to build a dream in our town and keep it there for our children and should have no restraints on their business similar to the other businesses in the direct vicinity.
THANKYOU for your support.

Reference number: SUB-12161

Submission-Received

✓ Submission

SUBMISSION #7

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☒ Name withheld

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Email

Suburb/Town

Murrumbateman

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submission

I support the extended use of the Dazzle Dance Academy dance school.

11680

Reference number: SUB-12162

Submission-Received

Submission

Case details

Documents

Action summary

Submission Type

SUBMISSION #8

I am making a personal submission

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

Yass

I have made a reportable political donation

☐

☐ I agree to the Privacy statement

submission

Thank you for considering this submission. Based on my long term engagement with this business as the parent of a participating child, the additional hours being requested do not constitute a material increase in community impact. They are being requested for occasional use only but those sporadic and intermittent uses are an important part of operating this business. The current restrictions on operating hours induce unreasonable hardship on the business operator and by rights should never have been implemented in the first place as they do not align with the hours other businesses in the same precinct are permitted to operate. Furthermore, based on my early experiences with the operation of the business in its new premises, the noise impact is negligible to nil due to the outstanding build quality. I urge council to see reason and support this application to vary hours for this wonderful business that contributes so much to the lives of children in our local community.

80

Reference number: SUB-12163

Submission-Received

✓ Submission

SUBMISSION #9

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

2582

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

Great idea to extend the hours, gives the young kids more time to dance and less screen time

1680

Reference number: SUB-12164

Submission-Received

✓ Submission

SUBMISSION #10

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Murrumbateman

I have made a reportable political donation

☐

I agree to the Privacy statement

submission

I support this fully.

Reports to Council – Page 34 of 127

1680)

Reference number: SUB-12165

Submission-Received

✓ Submission

Case details

Documents

Action summary

Submission Type

SUBMISSION #11

I am making a personal submission

Title

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

2582

I have made a reportable political donation

☐

☐ I agree to the Privacy statement

submission

I fully support the application for Dazzle Dance to extend operating hours.

It is essential they can operate for the extended times requested so that the dancers can undertake important events like exams, which are a fantastic way to develop their skills and resilience.

The use of the studio during the extended hours is for limited events like private classes or exams and so will not have an impact on surrounding residents.

We love having a safe and well built studio in the heart of murrumbateman and look forward to our child being able to use the facilities for years to come.

680

Reference number: SUB-12166 Submission-Received

✓ Submission

SUBMISSION #12

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

2582

I have made a reportable political donation

☐

☐ I agree to the Privacy statement

submission

I wholly support Dazzle Dance Academy's proposal to have more business hrs. This will greatly support murrumbateman youth to be more active. Allow them to extend their current classes to service a wider range of the community eg a mums and bubs dance group. And movement classes for the older generation. Dance is for everyone.

Reports to Council – Page 36 of 127

80

Reference number: SUB-12168

Submission-Received

Submission

SUBMISSION #13

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Murrumbateman

I have made a reportable political donation

☐

☐ I agree to the Privacy statement

submission

Dazzle dance academy has created a wonderfully welcoming community within Murrumbateman and surrounds. It brings children and families together in a safe and supportive environment. Having the opportunity to access a studio that is safe and equipped with the required needs is important for the development of each dancer. Whilst it won't be often, there are times during the year that the dancers need extra access to the studio but I know how respectful the staff, dancers and families are within the dance school and I believe the extra days of access will not negatively effect the community.

6801

Reference number: SUB-12167

Submission-Received

Submission

SUBMISSION #14

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

Murrumbateman

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

Please support the extended hours for this dance school that supports our local community. We need access to facilities to support fitness and find ways to be active to reduce mental health concerns in local kids. It is unclear why this limitation has been placed on a business, dazzle is reasonable in its request to operate in typical business hours ie 9am to 9pm. Consider that the other fitness businesses within 50m have extended opening hours 4am to 10pm.

Reports to Council – Page 38 of 127

Reference number: SUB-12169

Submission-Received

Submission

SUBMISSION #15

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Maccgregor

I have made a reportable political donation

I agree to the Privacy statement

submission

Dazzle dance academy is an invaluable resource to the children and families of the wider murrumbateman community. It has provided years of support and service to the community, and it could be granted the opening hours to ensure that this can continue. It is also to be noted that Dazzle Dance Academy is a fitness studio, and therefore should not have such implications as opening times imposed on it when the gym in murrumbateman does not have the same conditions

Reference number: SUB-12170 Submission-Received

Submission

SUBMISSION #16

Case details Documents Action summary

Submission Type

I am making a personal submission

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

2582

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

Dazzle is one of the biggest local sporting activities for the children in the area. The dance school provides many opportunities to the children that otherwise wouldn't be possible for the children to access.

First Name **SUBMISSION #17**

☐ Name withheld
Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town
Marchmont

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

Dear Planning Team,

I am writing in support of the proposed modification to Development Consent DA230577, which seeks to amend Condition 94 relating to the operating hours of the approved dance school at 26 Rose Street, Murrumbateman.

As a member of the Yass Valley community, and a Dazzle Dance Parent for the past 11 years, I wish to express my strong support for this change and highlight the significant value that Dazzle Dance brings to the wellbeing and development of local children and families.

Support for Proposed Modification to Condition 94

The requested change proposes an extension of operating hours to:
Monday to Sunday: 9.00am to 9.00pm (including public holidays)
This is in place of the currently approved hours of:
Monday to Friday: 4.00pm to 9.00pm; Saturday: 9.00am to 3.00pm; Closed on Sundays and public holidays.

This change is modest in scope and does not increase occupancy or expand the regular class schedule. Rather, it provides flexibility for the studio to occasionally host:

- Individual private lessons,
- Rehearsals and mock exams,
- Student assessments and examinations (which occur annually), and
- Holiday workshops or special guest-led activities during school breaks.

With more than a decade of involvement with Dazzle Dance I can confirm that these uses are intermittent, low-impact and pre-scheduled, and will not result in increased foot traffic, noise, or parking demand beyond what has already been approved.

Why This Matters: Community and Child Development Benefits

Access to extracurricular activities is vital for children's physical, social and emotional development – particularly in rural areas where recreational opportunities are limited. Numerous studies support that participation in structured activities such as dance:

- Enhances self-discipline, social connection and resilience,
- Improves mental health and academic performance,
- Reduces antisocial behaviour and supports long-term wellbeing.

Dazzle Dance has been a consistent and positive presence in the community, providing a safe and inclusive environment for local children to express themselves, stay active, and build confidence. The proposed flexibility in hours will enable the studio to better support its existing students, especially during exam periods, and during school holiday periods – without changing the nature or scale of its operations.

Traffic, Parking, and Noise Considerations

Importantly, this proposed amendment does not involve any increase in student numbers, traffic generation, or duration of high-volume activity.

- As noted in the original Traffic Impact Statement (Genium Civil Engineering), 11 on-site parking spaces are provided, and the studio's operating patterns remain compatible with local traffic and neighbouring uses.
- There is no change to noise output, and the studio remains committed to complying with all acoustic conditions, including maintaining closed doors and windows during operation (Condition 95).

Conclusion

This is a well-reasoned, minor modification that will allow Dazzle Dance to better serve its existing community without altering the character or intensity of the approved use. I respectfully ask that Council approve the proposed amendment to Condition 94 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979.

Thank you for your consideration

0)

Reference number: SUB-12172 Submission-Received

✓ Submission

SUBMISSION #18

Case details

Documents

Action summary

Submission Type

I am submitting on behalf of my organisation

Title

☐ Name withheld

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Email

Suburb/ Town

Murrumbateman

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submission

Dazzle dance academy hours of service to go ahead.

Reports to Council – Page 42 of 127

680

Reference number: SUB-12173 Submission-Received

Submission

SUBMISSION #19

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

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Email

Suburb / Town

Murrumbateman

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submission

Dazzle Dance is a wonderful, inclusive and respectful organisation which allows local children a safe environment to express themselves through dance.

680

Reference number: SUB-12174 Submission-Received

Submission

SUBMISSION #20

Case details Documents Action summary

Submission Type
I am making a personal submission

Name withheld

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Email

Suburb/Town
Murrumbateman

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submission
Dazzle is a highly regarded community dance academy providing children a creative outlet in their love of dance. The intend of this application will not impact traffic as the exams are only undertaken by a select few students, showing that minimum cars will be required at those times, plus majority of people car pool restricting the number of cars even further. The times suggested are outside school times so there is no duplication of traffic at those peak times, with provided onsite parking ample requirements.

Reference number: SUB-12176 Submission-Received

Submission

SUBMISSION #21

Case detailsDocumentsAction summary

Submission Type

I am making a personal submission

☒ Name withheld

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Email

Suburb/ Town

Murrumbateman

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submission

I am supportive of this application as the amendment would have minimal adverse impact on the neighbourhood while providing benefit for the community, especially school-aged individuals.
Having walked past the facility on Saturday, the busiest day for the studio, I can confirm there was minimal noise issues and no issues of traffic congestion.

Reference number: SUB-12179

Submission-Received

✓ Submission

SUBMISSION #22

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☒ Name withheld

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Email

Suburb/Town

Murrumbateman

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submission

Please allow Dazzle Dance to have more hours available for extra lessons and practice time for exams and concert preparation.

Thankyou

Reports to Council – Page 46 of 127

SUBMISSION #23

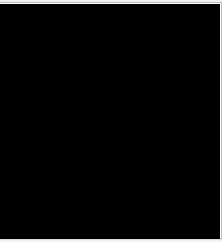
Case details

Documents

Action summary

Submission Type

I am making a personal submission



☐ Name withheld

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Email



Suburb/ Town

Murrumbateman

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submission

To Whom It May Concern,

I am writing to express my strong support for Dazzle Dance Academy's application to extend their hours of operation.

As a parent of a child who attends Dazzle Dance Academy, I can personally attest to the enormous value this studio brings to our community. Prior to enrolling our daughter at Dazzle, we were making a two-hour round trip to Canberra so that my child could access the same level of high-quality dance training and performance opportunities. Having a professional and well-run academy like Dazzle in our area has been life-changing – not only for our family's time and wellbeing, but also for my child's development and confidence.

Extending the Academy's hours would allow for greater flexibility in scheduling, which is especially important for families juggling school and other commitments. The extended hours are not intended to expand the regular class timetable or increase general occupancy. Instead, they are proposed to accommodate occasional private lessons, rehearsals, and student exams that may need to take place outside of standard class times.

It's also important to consider that other fitness-based facilities in Murrumbateman, such as Elements4Life gym, are currently permitted to operate from 4:00am to 10:00pm. Dazzle Dance Academy is simply requesting permission to operate between 9:00am and 9:00pm – a significantly narrower window. Given that both businesses fall under the same general fitness category, it seems reasonable and consistent that Dazzle be granted the same operational flexibility, especially considering the limited and low-impact nature of the additional use.

Dazzle Dance Academy has always demonstrated a high level of professionalism and respect for the surrounding community. I am confident they will continue to operate responsibly and with consideration for their neighbours.

For these reasons, I respectfully urge the relevant authorities to approve this application. Dazzle Dance Academy is an asset to our region, and supporting its ability to function efficiently benefits not just its students, but the wider Murrumbateman community.

Sincerely,



SUB-12205 Submission Received

SUBMISSION #24

Submission

Case details Documents Action summary

Submission Type
I am making a personal submission

☐ Name withheld

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Email

Suburb/Town

Murrumbateman

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submission

To whom it may concern, I am writing in support of this submission. I believe that this dance school adds significant value to the community and extending hours to be able to offer dance students and the community more access to services makes complete sense. My daughters attend this dance school and have done for the past 11 years. There are often one-off events such as ballet exams or end of year concert practice, or solo/private lessons that occur outside of the current approved hours, these have always happened to accommodate the needs of the students and I believe they should continue to do so. It does not make sense for someone to be paying a mortgage on a building but then still have to hire a different venue to be able to provide these lessons, it is simply not fair and does not make sense at all when they can be done in the current premises.

This dance studio is on a street that is zoned for commercial properties, along this street and only a few 100m down the road, I believe a premise has already been set with the gym able to be open from 4am weekdays, 6am weekends and open until 10pm EVERY night. I do not understand why then a dance studio has to have restricted opening hours that do not even come close to the gym opening hours. Both companies are under the health and fitness banner, both companies are on the same street, both companies are on a block of land zoned for commercial use. So, if the dance studio is restricted with the opening hours, I believe it could only be viewed as discrimination.

I understand there are residence in the street that are not happy with the dance studio's new location. When buying a block of land, we did our research and were happy with our purchase. It is very clear that this area/street is zoned for commercial buildings and already has some small shops, a gym, a childcare Centre and a preschool. If you are not happy with cars coming and going and lots of people in the area, then perhaps don't buy a block of land/house in this area! Why should children and small business owners be punished for this and miss out when they are doing nothing wrong.

Dazzle Dance Academy has been part of the Murrumbateman for such a long time. It builds a sense of community, draws people to come and live in Murrumbateman and helps to keep Dance in Murrumbateman. Without it, we certainly would have moved into Canberra as there is no way our girls could keep dancing if there isn't a local studio that is meeting their needs. It is a privilege to have such a high-quality dance school in a small county town and I can only see it as a positive. These children need to be able to dance after school hours and on the weekends, otherwise it just isn't viable for anyone. Please I urge you to accept this submission, for the sake of the wider community.

Kind regards

01

Reference number: SUB-12215

Submission-Received

Submission

SUBMISSION #25

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Family name

☐ Name withheld

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Email

Suburb/ Town

Evatt

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☐

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submission

As a teacher and former student at Dazzle, changing the time restrictions will greatly benefit the students of the dance studio by creating more opportunities for growth and nurturing their passion for dance. I understand concerns, but how is it any different to the preschool, gym or cafes on the same street?

80

Reference number: SUB-12228 Submission-Received

Submission

SUBMISSION #26

Case details Documents Action summary

Submission Type

I am making a personal submission

☐ Name withheld

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Email

Suburb/ Town

NANIMA

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submission

I fully support the proposed modification to the operating hours of Dazzel Dance Academy, extending them to Monday through Sunday, 9:00 am to 9:00 pm, including public holidays. This change will allow the Academy to maximise the use of its excellent new facility, creating greater opportunities for both staff and students. Beyond regular dance classes, the extended hours would enable the space to be used for a variety of important activities, such as exams, workshops, additional rehearsals, private lessons, staff training, meetings, and essential administrative work. Expanding the operating hours will ensure the facility is used efficiently and meaningfully throughout the week, supporting the continued growth and success of the Academy. I expect these extended hours to have minimal impact on the surrounding community, as the activities are generally quiet and well-managed.

#: SUB-12232

Submission-Received

Submission

SUBMISSION #27

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

First Name

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Yass

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submission

I currently have a business near this dance school. I was approached to review the modification application. After reading the modification I have to say it is grossly obvious that the reasoning behind the change will not be adhered to. I quote "The extended hours are proposed to accommodate occasional private classes, rehearsals, or student exams outside the current schedule" if you review their timetable you can see this will be filled consistently and there are no conditions to make them adhere to being "intermittent".

The school has only just opened in this street so approving this change would be premature, as the full impact of these extended hours on traffic and parking patterns cannot be accurately assessed in one week.

The potential for ongoing conflict and disruption to the residential community is a real issue. While the proposal claims the sessions will be "low-impact and intermittent," this is subjective and not guaranteed. The approval of extended hours could set a precedent that makes it difficult to address noise, traffic and continual trade issues if they do arise. 9-9 7 days a week is going to have excessive traffic in a small road area. It appears that residents who live there are not being considered on how the increase of traffic will impact them and already has been impacting people who live very close by.

The proposed extended hours, particularly on Sundays and public holidays, are excessive for a "small" dance school. The blanket approval for every day from 9 a.m. to 9 p.m. is disproportionate to this stated need. Also it car spaces for the amount of students enrolled, and the amount of classes that's listed, is woefully inadequate.

Specific conditions must be put in place to limit the frequency of these extended hours. For instance, Saturday night and Sunday operations should not be permitted on a regular basis. Instead, they should be tied to the specific, infrequent events mentioned in the proposal, such as exams or special rehearsals.

Also a clear and accessible process for residents to lodge a formal breach of these conditions is essential. If the dance school operates outside these newly-defined limits, residents need a direct way to report it to council. The council must then commit to taking appropriate and swift action against any confirmed breaches to ensure the conditions are respected and the amenity of the neighborhood is protected. Without such measures, the proposed conditions are effectively unenforceable and the "occasional" use could quickly become a regular occurrence, undermining the community's right to peace and quiet.

1680

Reference number: SUB-12233

Submission-Received

✓ Submission

SUBMISSION #28

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

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Email

Suburb/ Town

Murrumbateman

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☐

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submission

I support the application as it gives our kids a place to dance and meet with friends and have fun, please don't deny them having fun.

Reports to Council – Page 52 of 127

Reference number: SUB-12234

Submission-Received

Submission

SUBMISSION #29

Case detailsDocumentsAction summary

Submission Type

I am making a personal submission

Title

First Name

Family name

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

MURRUMBATEMAN

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submission

We strongly believe the community is super excited to have the honour of having a dance studio, and will benefit the whole community through it. Many of the students have all started from a young age and have formed great friendships along the way. Having reduced times and restrictions greatly hinders the growth of everyone involved! We now have a safe studio for everyone to enjoy.

Submission-Received

Submission

SUBMISSION #30

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

Casey

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submission

I wholeheartedly support this application.

Dazzle Dance Academy provides a fantastic service to the Yass Valley, helping young people to stay fit and healthy, engaged and socially connected in positive, supportive and safe environment.

The modification to operating hours being sought offers many benefits without any detrimental impact to surrounding businesses and homes. It is only fair, given that the hours of operation being sought do not differ from that approved for nearby businesses, in particular, the Elements 4 Life gym just metres down the road who advertise opening hours from 4am to 10pm everyday of the year. It's incomprehensible to think that one business would be afforded a financial and competitive advantage over another.

The young people at Dazzle Dance Academy have contended with subpar facilities for years now and they have earned their right to participate in their chosen endeavour in the safe and appropriate facility that the new studio at Rose St, Murrumbateman provides.

I urge Yass Valley Council to approve this application in the interest of fairness and as a way of promoting good health for the young people of the Yass Valley.

Reference number: SUB-12236

Submission-Received

Submission

SUBMISSION #31

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

First Name

Family name

☒ Name withheld

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Email

Suburb/Town

Murrumbateman

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submission

This proposal will be great for the community bringing in revenue from nearby towns and supporting other local businesses within the community. It will also give locals the opportunity to be active and encourage people to socialise and strengthen the local community spirit. After many years of back and forth between different locations for everyone. We finally have a studio. All with the support of many people of the surrounding areas and community of Murrumbateman.

101

Reference number: SUB-12237

Submission-Received

✓ Submission

SUBMISSION #32

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

First Name

Family name

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

Murrumbateman

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submission

The dance studio would be great for our community.

SUB-12238 Submission-Received

Documents

Submission

Submission Type

SUBMISSION #33

I am making a personal submission

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

MURRUMBATEMAN

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☐ I agree to the Privacy statement

submission

To Whom It May Concern,

I am writing in regard to the proposed modification to Condition 94 of Development Application DA230577 for the approved dance school at 26 Rose Street, Murrumbateman. I strongly object to the request to extend operating hours to 9:00am-9:00pm, seven days a week, including Sundays and public holidays. This is a residential area, and such an extension poses significant concerns:

Noise Impact:
While the applicant claims there will be no increase in noise levels, the very nature of extended use—even for private rehearsals or exams—creates additional disturbance. Sundays and public holidays are valued quiet times in residential communities, and these should remain free from non-essential commercial activity.

Traffic and Activity Levels:
Increased hours inevitably mean increased movement—vehicles, drop-offs, pickups, and general activity. Even if the overall number of visitors does not increase, extending the available timeframe extends the presence of non-residents in the area, disrupting the amenity of our neighbourhood.

Community Expectations:
The originally approved hours reflect a fair balance between the needs of the dance school and the expectations of local residents. The current schedule already allows operation six days per week, with evening hours on weekdays. This should be sufficient for effective scheduling.

Public Holidays and Sundays:
These days are traditionally quiet, family-focused times in residential areas. Commercial operations during these periods set a concerning precedent and are not appropriate for our community. I am strongly opposed to any operation on Sundays and public holidays.

That said, I would be open to a modest extension of Saturday hours to 5:00pm, should the business demonstrate a genuine need. This maintains community respect while offering the applicant some flexibility.

In conclusion, I ask that the Council reject the proposed expansion of hours to seven days a week and public holidays and instead preserve the original intent of the operating conditions: to balance business use with residential amenity.

ber: SUB-12240

Submission-Received

Submission

I am making a personal submission

Title

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

Yass

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submission

Submission in support of Modification to DA DA230577

Address: 26 ROSE STREET, MURRUMBATEMAN

I am writing in support of the application for a modification to the approved DA for a dance school in Murrumbateman, Dazzle Dance Academy.

I understand that the application is to modify the approved hours of operation beyond the limited hours imposed in the original development consent, which limited operational hours based on historic dance class schedules. The application involves a request to expand operating hours to include weekday business hours and extended hours on weekends to accommodate occasional additional classes, rehearsals and other activities essential to the operation of a dance school such as examinations.

Dazzle Dance Academy is a highly regarded dance school providing dance and fitness classes for students in the Yass and Murrumbateman communities from the ages of three to adults. It provides a unique opportunity for local children and adults to access dance tuition in a safe, friendly and inclusive environment. Teaching is tailored to age and ability, with dance training offered to students ranging from those with physical and learning difficulties to advanced students seeking a career in dance. Dazzle Dance Academy provides a valuable asset to the local community, fostering health, fitness, dance skills, confidence and friendship. It is more than just a dance school. It is a place of community, and one which embodies everything residents love about country living: family values, inclusiveness, opportunity and a point of difference from competitive city dance schools.

Dazzle Dance Academy has operated out of community facilities (the Murrumbateman Recreation Hall, and the Church Hall) for several years, but has now relocated to a brand-new purpose-built studio. The new studio is a very considerable upgrade in facilities, with sound proofing, fit for purpose flooring, larger rooms, and safe, private toilets and change rooms. The new studio represents a significant investment in the provision of dance classes to the community. The new studio is located in a commercially zoned precinct, in close proximity to a pre-school, day-care centre, fire station, and the Fairley Square retail complex which includes a bakery, café, tobacconist and gym. The nearby gym is advertised as operating from 4am to 10pm on weekdays, and from 6am to 10pm on weekends, and the retail outlets collectively operate across all of the weekday and weekend hours sought by Dazzle Dance Academy for its expanded hours of operation.

However, the arbitrary conditions imposed by Yass Valley Council in limiting the studio's operating hours is negatively impacting on Dazzle Dance Academy's ability to operate a fully functioning service. It is also a restraint on trade for a local small business, and inconsistent with the operating hours available to other local businesses, including the local gymnasium which is located within metres of the new dance studio.

Expanding the studio's operating hours will benefit the local community, and have minimal or no further impacts on local traffic, noise or other adverse outcomes. I support the application for a modification to the DA to expand the studio's operating hours and implore Yass Valley Council to approve the application for the benefit of our local community.

10

Reference number: SUB-12243

Submission-Received

Submission

SUBMISSION #35

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

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Email

Suburb/ Town

Murrumbateman

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submission

I support the Dazzle dance academy

Reports to Council – Page 59 of 127

Reference number: SUB-12244

Submission-Received

✓ Submission

SUBMISSION #36

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

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Email

Suburb/ Town

Murrumbateman

I have made a reportable political donation

☐

☐ I agree to the Privacy statement

submission

I strongly support the application for Dazle Dance School to modify their hours.

680

Reference number: SUB-12245

Submission-Received

Submission

SUBMISSION #37

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

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Email

Suburb/Town

Murrumbateman

I have made a reportable political donation

☐

☐ I agree to the Privacy statement

submission

I find it ridiculous that Yass council is putting this many hurdles in front of a small business that will benefit the community.

380

Reference number: SUB-12246 Submission-Received

Submission

SUBMISSION #38

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

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Email

Suburb/ Town

Murrumbateman

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submission

Yass council should not be putting this many roadblocks in front of a small business that provides this community with a much needed space for young girls and boys.

Reference number: SUB-12249 Submission-Received

Submission

SUBMISSION #39

Case details Documents Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

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Email

Suburb/Town

Murrumbateman

I have made a reportable political donation

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submission

I fully support the proposal to alter the operating hours for Dazzle Dance Academy so that the studio can operate in a way that best supports the needs of its dancers. Given both Dazzle Dance Academy and Murrumbateman Elements4Life Gym are in the same street, it is ludicrous that Dazzle operates under restricted hours when the gym is open from 4am to 10pm seven days a week including public holidays. Yass Valley Council should do all it can to support this business but more importantly these young people and their families by providing local opportunities to develop talent, hobbies, healthy habits and emotional well-being

801

Reference number: SUB-12248

Submission-Received

Submission

SUBMISSION #40

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

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Email

Suburb/Town

Murrumbateman

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☐

☐ I agree to the Privacy statement

submission

I fully support the proposal to alter the operating hours for Dazzle Dance Academy so that the studio can operate in a way that best supports the needs of its dancers. Given both Dazzle Dance Academy and Murrumbateman Elements4Life Gym are in the same street, it is ludicrous that Dazzle operates under restricted hours when the gym is open from 4am to 10pm seven days a week including public holidays. Yass Valley Council should do all it can to support this business but more importantly these young people and their families by providing local opportunities to develop talent, hobbies, healthy habits and emotional well-being

1680

Reference number: SUB-12250

Submission-Received

Submission

SUBMISSION #41

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Murrumbateman

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

I fully support the proposal to alter the operating hours for Dazzle Dance Academy so that the studio can operate in a way that best supports the needs of its dancers. Given both Dazzle Dance Academy and Murrumbateman Elements4Life Gym are in the same street, it is ludicrous that Dazzle operates under restricted hours when the gym is open from 4am to 10pm seven days a week including public holidays. Yass Valley Council should do all it can to support this business but more importantly these young people and their families by providing local opportunities to develop talent, hobbies, healthy habits and emotional well-being

01

Reference number: SUB-12252

Submission-Received

✓ Submission

SUBMISSION #42

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

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Email

Suburb/Town

Murrumbateman

I have made a reportable political donation

☐

I agree to the Privacy statement

submission

I support the DA modification for the operating hours as per the submission above. Traffic during this time is very limited being on a Sunday with the daycare and schools not operating.

10)

Reference number: SUB-12254

Submission-Received

Submission

SUBMISSION #43

Case details

Documents

Action summary

Submission Type

I am submitting on behalf of my organisation

Title

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

Murrumbateman

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

We live in the Murrumbateman community and I have two daughters who attend. We are thrilled with the new studio. It is great our community has been given the same opportunities as other Canberra studios. These extra hours will greatly assist our family, we are fully supportive

11680

Reference number: SUB-12255 Submission-Received

Submission

SUBMISSION #44

Case details Documents Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Murrumbateman

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

I support the extension of the Dazzle dance academy studio operating additional hours. My daughters love their little community here in murrumbateman and the dance school is what our dancers needed. The extended hours aren't going to be used regularly this will only be for exams or a one off here and there additional class that is required. Us as parents and dancers of the dazzle community in no way wish to make any annoyance to the neighbours of the studio. We are just asking that our children be able to enjoy this new space when required to follow their hopes and dreams of becoming a professional dancer with their friends.

411690

Reference number: SUB-12256 Submission-Received

Submission

SUBMISSION #45

Case details Documents Action summary

Submission Type

I am making a personal submission

Title

☒ Name withheld

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Email

Suburb/Town

Murrumbateman

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

My family & I support the proposal to alter the operating hours for Dazzle Dance Academy so that the studio can operate in a way that provides support to families & dancers. I understand that Dazzle Dance Academy and Murrumbateman Gym are in the same street but that Dazzle operates under restricted hours while the gym is open from 4am to 10pm seven days a week including public holidays. Yass Valley Council should support this business, young people and their families by providing local opportunities to develop talent, hobbies, healthy habits and emotional well-being.

Reference number: SUB-12257 Submission-Received

Submission

SUBMISSION #46

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

First Name

☒ Name withheld

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Email

Suburb/ Town

Murrumbateman

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

I am writing to support the proposal to alter the operating hours for Dazzle Dance Academy so that the studio can operate in a way that best supports the needs of its dancers. The Dance Academy and Murrumbateman Gym are in the same street but the dance studio operates under restricted hours when the gym is open from 4am to 10pm seven days a week including public holidays. Can Yass Valley Council please do all it can to support these young people and their families by providing local opportunities to develop their talent, hobbies, healthy habits and emotional well-being. thank you

reference number: SUB-12262

Submission-Received

Submission

Submission Type

SUBMISSION #47

I am making a personal submission

Title

Mrs

First Name

☐ Name withheld

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Email

Suburb/ Town

Yass

☐ I have made a reportable political donation

☐ I agree to the Privacy statement

submission

To whom it may concern,

I am writing in support of Dazzle Dance Academy and their Development Application (DA230577B - 26 Rose Street, Murrumbateman).

Dazzle Dance Academy has long provided a vital and enriching service to the young people of the Yass Valley. Their programs foster not only physical activity and creative expression but also confidence, discipline, and a sense of community. It has been incredibly positive to see them grow to the point of establishing a dedicated studio space.

It is disappointing to see opposition to the studio, especially given its location within an existing mixed-use area. Nearby businesses include a gym that operates into the evening, a busy weekend café, a preschool, and a childcare centre. In this context, Dazzle's presence is entirely in keeping with the existing character of the area. Concerns about noise or traffic seem disproportionate — particularly as the studio has only been operating for a week, and any minor disruptions are likely just part of the natural settling-in period.

There is frequent commentary about the lack of opportunities for children and teens in Yass and Murrumbateman. Removing or limiting services like Dazzle would only worsen that issue. Rather than opposing such initiatives, we should be celebrating and supporting them — for what they offer now, and for the positive impact they'll have on our community's future.

Please consider this a strong endorsement of Dazzle Dance Academy and their application. I urge Council to support their continued operation and growth in Murrumbateman

number SUB-12263

Submission-Received

Submission

SUBMISSION #48

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Yass

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

To Yass Valley Council,

I'm writing to support the Development Application for Dazzle Dance Academy at 26 Rose Street, Murrumbateman (DA230577B).

Our daughter is a proud Dazzle dancer, and over the years we've seen her grow in confidence, responsibility, and determination. The team at Dazzle fosters more than just dance — they've built a positive space that builds life skills and self-belief in young people.

It's disheartening to see this development opposed, particularly when the studio is located in an area that already includes a gym (open until 10pm), a busy weekend café, a preschool, and childcare. It's also just one street back from Murrumbateman's main thoroughfare, which includes a pharmacy, petrol station, and mechanic. In that context, the studio hardly stands out as a source of disruption.

Any minor traffic issues or movement around the area are well within reason — especially in these early weeks while the studio is still settling in.

We regularly hear concerns that there's "nothing for kids" in our region. Well, here's a high-quality local service meeting that exact need — and doing it brilliantly. To limit it would be to punish the very thing we should be supporting.

I strongly encourage Council to approve this application and show support for services that genuinely benefit local families.

Reference number: SUB-12266

Submission-Received

Submission

SUBMISSION #49

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

—

First Name

—

Family name

—

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

Murrumbateman

I have made a reportable political donation

—

☐ I agree to the Privacy statement

submission

I support the proposal to change the hours for DazzleDance Academy.
I don't see why they have to operate under restricted hours.
YVC should provide their support for this business, the families and the young people who use this facility to develop their talents.
We need this in our community.

ber: SUB-12267

Submission-Received

Submission

SUBMISSION #50

Case details

Documents

Action summary

Submission Type

I am making a personal submission

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Harrison

I have made a reportable political donation

☐

I agree to the Privacy statement

submission

To Yass Valley Council,

I'm writing to express my full support for Dazzle Dance Academy's Development Application (DA230577B) at 26 Rose Street Murrumbateman.

I don't have children attending Dazzle, but I've seen the positive impact it has on local families and the broader community. Their recent move into a dedicated studio is a big milestone — and something that should be celebrated.

The location seems entirely appropriate. The area already includes late-night businesses like a gym, a busy café, and is one street back from Murrumbateman's main drag, which has a petrol station, pharmacy, and other commercial activity. Dazzle is not out of place in that setting.

This is exactly the kind of local service we should be encouraging. It gives young people a reason to stay connected, active, and engaged — right here in our region.

Please support the application and give Dazzle the chance to keep growing.

Kind regards,

Reports to Council – Page 74 of 127

1680

Reference number: SUB-12269 Submission-Received

Submission

SUBMISSION #51

Case details Documents Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

murrumbateman

I have made a reportable political donation

☐ I agree to the Privacy statement

submission

The services offered by this business provide a valuable contribution to the Murrumbateman community. The proposed changes to operating hours would enable optional additional services, such as ballet examinations, that recognise and uplift technique and delivers improved outcomes that benefit the individual and ultimately the community.

80

Reference number: SUB-12268

Submission-Received

Submission

SUBMISSION #52

Case details

Documents

Action summary

Submission Type

I am making a personal submission

Title

—

First Name

—

Family name

—

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/ Town

Yass

I have made a reportable political donation

—

☐ I agree to the Privacy statement

submission

I support the additional hours which can accomodate those who are not restricted by school hours.

Ref: SUB-12274 Submission Received

SUBMISSION #53

Submission

Case details Documents Action summary

Submission Type

I am making a personal submission

☒ Name withheld

Please tick this box if you do not want your name published in the list of submitters on the department's website

Email

Suburb/Town

Murrumbateman

☐ I have made a reportable political donation

☐ I agree to the Privacy statement

submission

I wish to object to the proposed extension of trading hours for the dance school to 9am-9pm, seven days a week including public holidays.

There are already unresolved issues with noise and parking overflow from the current operations, which affect nearby residents and patrons of the neighbouring shops and other businesses. Parking in this precinct is already at a premium, creating significant safety risks for vehicles and pedestrians – particularly children – during peak times such as school, preschool, and daycare drop-off and pick-up periods around 9am. I understand that the police have already been on-site several times to respond to parking conflicts as well as conflicts between the dance school patrons and neighbours. Extending the hours will only increase this conflict by increasing traffic during these sensitive times, as well as in the evenings, and lead to further congestion.

This location is also in close proximity to our local RFS fire shed, and it is essential that emergency service access remains unimpeded at all times. Any intensification of traffic and parking demand in this area has the potential to compromise this. Extended operations until 9pm on weekends and public holidays would also intrude on times that residents reasonably expect peace and rest, further impacting the quiet enjoyment of their homes and exacerbating existing conflicts.

While I note the applicant states the extended hours are to accommodate occasional classes, there is no practical way to monitor or enforce this. Approval must be considered on the basis that classes could operate throughout all approved hours, meaning the impacts on parking, noise, and traffic would be ongoing rather than occasional.

When considering any change to operating hours, the key question should be whether the extended use is compatible with the surrounding environment and the capacity of local infrastructure. In this case, the existing conflicts over parking, traffic, and noise suggest that the current arrangements are already at the limit of what the applicant can manage and what the location can reasonably sustain. Extending hours would intensify these impacts and further erode residential amenity and pedestrian safety, rather than improve the balance between business needs and community wellbeing.

SUBMISSION #54

Date: 3 August 2025

Subject: Objection to Development Application DA230577B - 26 Rose Street, Murrumbateman

Dear Sir/Madam,

I am writing to lodge a formal objection to the Development Application DA230577B, which seeks to extend the operating hours of the dance school facility at 26 Rose Street, Murrumbateman.

My family and I reside at [REDACTED]. Our property is located directly opposite the frontage of the facility, and we are therefore uniquely and significantly impacted by its current and proposed operations.

Our objection is based on the grounds that the proposed extension of hours represents a significant and unacceptable intensification of use that will have a severe and detrimental impact on traffic safety, parking availability, and the residential amenity of our neighbourhood. The application is supported by a flawed Traffic Impact Assessment (TIA) that fails to represent the real-world conditions and lived experience of residents, and it ignores the history of non-compliance and procedural failings associated with this development.

Fundamental Objections to the Application Process

The history of this facility's approval process is deeply concerning. The original Development Application was approved despite at least 16 submissions from local residents and, critically, against the recommendations of both the Yass Valley Council's own internal report and the EPA report. Specifically, the council minutes dated 27 June 2024 at 1600 show that under section 6.6, the recommendation was to **refuse** the original DA because "relevant concerns cannot be addressed by conditions". It should also be noted that the applicant had stated in the original DA that there were no plans to increase capacity; this current application is a direct contradiction of that assurance. Further, contentious approval was granted on the condition of additional community consultation, which never eventuated. For the applicant to now seek a significant intensification of use, in direct opposition to their previous statements and official recommendations, fundamentally undermines the integrity of this entire process.

Rebuttal of the Traffic Impact Assessment (TIA)

The TIA presents a sanitised view of traffic and parking that does not align with the daily reality of living along North Street, nor the daily use of the North Street and Rose Street intersection.

1. On the Independence and Accuracy of the Assessment:

- **My Rebuttal:** The TIA's credibility is undermined by its reliance on prior, now out-dated data, and the only input into it appears to be from the applicant. It fails to take into account the reality of the current operations and environment.
 - **Unsupported Claims:** The report's foundation lacks any verifiable evidence to back up the claims and opinions made within it. It reads as a collection of unsupported assertions rather than a factual analysis. For instance, the original traffic survey was conducted at a time specifically chosen to avoid peak traffic—after the Primary School drop-off period—rendering its data unrepresentative of real-world conditions.
 - **Outdated Data:** The assessment fails to account for the significant growth in vehicular and pedestrian traffic resulting from the now fully populated local shops, or the traffic generated by the local primary school, daycare facility, and community pre-school. Critically, it also fails to consider the operational requirements of the Murrumbateman Rural Fire Service station, which conducts regular training on Wednesday evenings. The safe and unimpeded operation of this essential emergency service is significantly more important to the community than a commercial dance school and must be prioritised.
 - **Omission of Cumulative Impact:** This report and the previous report submitted under the original DA, omits any analysis of the school's previous activities at the Murrumbateman Recreation Grounds. This is a significant oversight, as it ignores the total traffic impact of the business on the village, proving the TIA is neither comprehensive nor accurate.

2. On Road Network Capacity and Safety:

- **The TIA's Claim:** The TIA asserts that, "The road network and intersections in the vicinity of the development have sufficient spare capacity to cater for the projected additional traffic."
- **My Rebuttal:** This claim is dangerously inaccurate. While the intersection might theoretically cope with the volume, it is completely unsuitable and dangerous in its current state.
 - **Poor Maintenance:** The road surface at the intersection of Rose and North Street is consistently in poor condition, frequently developing significant potholes that remain for weeks or months, creating hazards for all road users.
 - **Failure to Account for Existing Facilities:** The TIA completely fails to acknowledge the significant pre-existing traffic generators at this intersection, including the Murrumbateman Primary School, the Murrumbateman Rural Fire Service station, the MECCA community pre-school, and another daycare facility. The traffic from these essential services is already substantial without the additional traffic as a result of the facility now in operation, leading to an exponential difference between the TIA and current traffic conditions (See **Unsupported Claims**, and **Outdated Data**).
 - **Unsafe Pedestrian Environment:** The intersection serves as a major de-facto pedestrian crossing, particularly for the local primary school, as the pedestrian footpath leads to a rear pedestrian-only entrance. Despite this critical function, it

has no safety infrastructure whatsoever—no zebra crossing, no signage, no refuge islands. Adding more traffic to an already unsafe pedestrian environment used heavily by children in particular, is irresponsible and reckless. This extends to patrons of the facility, the majority of which are children or young adults. While this is not the responsibility of the facility, Yass Valley Council has a clear duty of care. This duty is not just a matter of policy but is also aligned with legal and human rights obligations. Under frameworks promoted by the Australian Human Rights Commission and as a signatory to the UN Convention on the Rights of the Child, government bodies have a responsibility to take all reasonable steps to ensure the safety of people using public spaces. This is especially true for vulnerable road users like students, for whom safe access to public schools must be a priority. To ignore the hazardous state of this intersection is to fail in that fundamental duty.

3. On Peak Hour Traffic Generation:

- **The TIA's Claim:** The assessment argues that the proposed hours fall outside of traditional road network peak times, and therefore the impact is minimal.
- **My Rebuttal:** This claim is contradictory and flawed. The application seeks extended hours to accommodate classes, exams, and recitals—events that generate significant, concentrated traffic, not minimal 1-on-1 sessions. Furthermore, the amended hours will now significantly overlap with the peak drop-off and, particularly, pick-up times for the local Primary School, compounding existing congestion.

4. On Parking Availability and Impact:

- **The TIA's Claim:** The assessment claims sufficient parking capacity at its onsite car park.
- **My Rebuttal:** This claim is fundamentally incorrect and ignores Council's own planning controls. The **Yass Valley Development Control Plan 2024** clearly states the parking requirement for a "Dance studio" is **1 space per 100m² of Gross Floor Area (GFA)**. The provision of only 11 on-site spaces is almost certainly insufficient and non-compliant with this requirement for a facility of this nature. This non-compliance is the direct cause of the vehicle spillage onto North Street. Furthermore, the design of the car park, which encourages unsafe reversing across a pedestrian footpath, by leaving many patrons no choice but to reverse out of the car park, appears to be inconsistent with the safety principles of **Australian Standard AS/NZS 2890.1: Parking facilities**. The current operations, with cars parked haphazardly on grass verges obstructing footpaths, creating blind spots, and forcing children to compete with vehicles on a pedestrian footpath, are a direct result of this insufficient and poorly designed car park.

5. On Vehicle Movements and Driver Behaviour:

- **The TIA's Claim:** The TIA likely quantifies vehicle movements as a simple number, suggesting a low impact.

- **My Rebuttal:** This fails to capture the nature of the traffic. The reality is an intense burst of arrivals and departures every 45 minutes, going by the currently advertised timetable of the facility, characterised by dangerous U-turns, three-point turns, and children crossing the street between erratically parked cars regularly ignoring existing "No Parking" signage. Extending this to overlap with primary school pickup will lead to increased chaos and presents an unacceptable safety risk. The facility's current driveway intersects an existing pedestrian footpath and horse trail, with the size and design of the car park effectively encouraging vehicles to reverse out regularly with low visibility of pedestrians. This is despite signage stating not to reverse out of the car park.

6. On Cumulative Impact and Site Suitability:

- **The TIA's Claim:** The assessment views the application in isolation.
- **My Rebuttal:** The intensification of use, combined with the existing traffic from multiple community-focused facilities and the poor state of the infrastructure, demonstrates that this location is not suitable for a commercial operation of this scale. The road network cannot safely support the traffic profile of another busy enterprise.

Impact on Residential Amenity

Beyond traffic, the proposed extension of hours will further degrade the amenity of our home and neighbourhood. The current operating hours (Monday to Friday 1600-2100, Saturday 0900-1500) already create significant noise intrusion from car doors, engines, and conversations, which can be clearly heard inside our home, particularly in our bedroom of an evening when we are trying to sleep. The proposed increase to 0900-2100, seven days a week including public holidays, represents a severe intensification. I particularly object to any increase in operating hours on Sundays and Public Holidays. These are days when residents are entitled to expect peace and quiet, free from the noise and traffic of a school, particularly one which is a commercial enterprise. This change would mean there is no longer any reprieve or respite from the commercial operation's impact, fundamentally altering the quiet character of our residential street and prioritising business activity over the wellbeing, safety, and amenity of established permanent residents.

A Note on Council Precedent and Consistency

It is a matter of public record that Councillors have raised significant objections to a separate Development Application for a Distributed Battery Energy Storage System (DA240159). At the Public Determination Meeting on 29 July, Mayor Jones and Councillor Carter both advocated strongly against that proposal, with heavy weighting placed on the potential impact on nearby residents' amenity.

The comments made in that meeting are directly applicable to our situation and highlight the principles we are asking Council to uphold:

- The need to acknowledge the **very real stress and anxiety** that residents are subjected to by intrusive developments.
- The consideration of **underlying wellbeing and deeper mental health impacts**.
- The principle that immediate landowners should not be forced to bear the entire **burden** of a development's negative impacts.
- The fundamental right of landowners to the **quiet and peaceful enjoyment of their land**.

The case for upholding these principles is far stronger for our situation. The battery storage system is proposed for a location surrounded by farmland, whereas this dance school is operating in the heart of a suburban residential street, directly bordered by at least 5 family homes. If these are valid grounds for objection in a rural-zoned farmland area, they must be considered with even greater weight in a residential zone where the expectation of peace and quiet is paramount. We ask that the Council apply its own stated principles consistently and afford the same level of protection and consideration to our residential amenity as is being argued for elsewhere in the same local government area.

Conclusion

In conclusion, this Development Application is demonstrably not in the public interest. It fails to balance the applicant's commercial ambitions with the rights of residents to a safe, quiet, and equitable neighbourhood.

The application is predicated on a flawed and unreliable Traffic Impact Assessment, contradicts the applicant's own previous assurances, and ignores the history of the site's contentious approval process, which included a formal council staff recommendation to refuse the original DA.

The proposal will worsen an already dangerous traffic and parking situation, directly threatening the safety of vulnerable pedestrians, particularly the many children who use these streets to access the local primary school, pre-school and daycare. It will completely eliminate any period of respite for residents by extending the noise and disruption across evenings, weekends, and public holidays, causing an unreasonable and unacceptable loss of amenity.

As demonstrated by the Council's own recent deliberations on other matters, the protection of resident wellbeing and the right to peaceful enjoyment of one's property are paramount. Given the procedural failings, the significant safety risks, and the severe impact on residential amenity, we strongly urge Yass Valley Council to act in the best interest of its residents and **refuse** this Development Application in its entirety.

Thank you for your time and consideration of this serious matter.

Yours sincerely,



DA Online (PAN-548251) > Exhibition (EXH-11650)

Online Public Submission

Reference number: SUB-12242 Submission Received

Submission

SUBMISSION #55

Case details Documents Action summary

Submission Type

I am making a personal submission

Title

☐ Name withheld

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Email

Suburb/ Town

Yass

I have made a reportable political donation

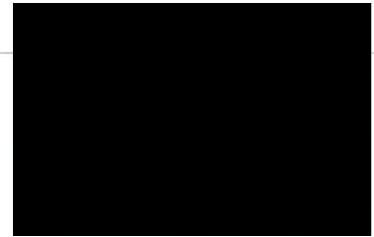
☐ I agree to the Privacy statement

submission

We kindly ask your consideration and permission in permitting Dazzle Dance Academy to retain its use of studio space on Mondays and Sundays when necessary for the purpose of special activities like ballet exams and private lessons. This continues to allow the development of its students in their growth as people and dancers alike. The use of this studio is an experience that the students, teachers and families of dazzle continue to enjoy and thrive with. The use of the studio of Mondays and Sundays would only be in special circumstances.

Thanks

SUBMISSION #56



30 July 2025

CONFIDENTIAL

Yass Valley Council
209 Comur St
YAS NSW 2582

Re: DA230577B proposal for “Modification to Operating hours”

Dear Jeremy,

[REDACTED] is writing to register objection to the proposed ‘modification to operating hours’ of the dance school business at Lot 5 Section 6 DP 758736 – 26 Rose Street Murrumbateman.

- The impacts of operation under the original approved hours are not yet established as the business has been open for less than one week.
- The applicant’s requested changes are potentially significant to the operation of our preschool as the new hours encompass preschool operational hours every weekday.
- Road safety and traffic infrastructure need independent, thorough assessment under current operating hours to ensure an evidence-based decision is made.

This dance school business is located directly opposite the premises of Murrumbateman Preschool, a community not-for-profit registered Early Childhood Education and Care service catering for 3-5yo children under the framework and funding of NSW Education Department. The preschool premises has operated as a community early childhood education provider from this location for 42 years.

The approved DA operating hours for the dance school business (Mon-Fri 4pm to 9pm and Saturday 9am to 3pm) had minimal overlap with preschool operating hours, but the requested change to operating hours (including Mon-Fri 9am to 9pm) would impact every day of preschool operation.

Preschool arrival and departure are not as structured as the neighbouring primary school. Individual family circumstances see the arrival and departure of children at preschool vary considerably between the hours of 8am and 4pm. Highest arrivals are between 8.30 and 11.30 and highest departures are between 2.30pm and 4pm, however significant variation is common.

During the day the preschool car park caters for visitors, deliveries, educational services, emergency drills, genuine emergencies, student activities (such as Yass Library Bus) where car park gates are closed and clear of vehicles.

Preschool policies and risk assessments require offsite parking by staff. The preschool car park is short term, for drop off and collection of children and delivery of good or services. The carpark area needs to be able to be vacated of all cars to provide a safe zone for children in our care.

Key Concerns

██████████ would like to highlight that the proposed changed DA230577 Dance School operating hours creates a realistic likelihood of increased traffic which will present new risks and exacerbate existing concerns.

- **Pedestrian safety – traffic increases risks for children and young people in this area.**
The lack of footpaths on Rose Street already presents an environment of ad hoc pedestrian access, including to and from the new dance school premises along its Rose St boundary. There is no dedicated pedestrian crossing supporting children accessing preschool and the other two education facilities.
- **Traffic infrastructure – outdated, needing upgrade, to safely supporting more traffic.**
Conditions of Rose St, near the intersection with North St, there are reoccurring potholes and an outdated concrete chicane both present hazards that result in vehicles often taking the 'wrong side' of the road to avoid.
Current 'reduce speed' signage is minimal and doesn't include 'on road' markers usually associated with school zone crossings. This a busy alternate road for traffic looking to avoid the Hercules – Barton interaction at peak times.
- **Parking capacity – inadequate designated parking.**
The lack of formal parking places in the vicinity of the dance school, long daycare, primary school and preschool already results in high levels of 'informal' parking on verges and areas of public space surrounding the Rose and North St intersection, particularly at peak times on school days as well as during special events at the schools. This informal parking creates significant safety risks for children as the movement of cars is not easy to predict. In the few days of operation, it is already evident that dance school arrival and departures are also making use of informal parking to drop off and collect dance students. While currently outside preschool hours, the change of dance school operating hours has the potential to expose preschool access and egress zones to this risk daily.

Informed decisions

Existing traffic, road safety and pedestrian issues are an important part of decisions that potentially impact future road use. Where improvements and safety features like footpaths and pedestrian crossings are needed, but not yet installed, decisions should be cautious and maximise safety.

██████████ wants the safety of children in our community to be given adequate consideration via accurate information and assessment of risks.

Information provided in the initial (April 2024) Traffic Impact Statement included assumptions that were not well researched in relation to the use of the preschool car park. It was suggested the use of street parking was a matter of 'choice' as the preschool car park was not at capacity during the day. It is due to preschool policies and risk management (including emergency and evacuation procedures) that preschool staff are required to park off-site.

Information in the July 2025 Letter by Gerium Civil Engineering appears based on opinions and lacking factual evidence. There is a reference to additional traffic generated by the revised operating hours being 'insignificant' in relation to the existing traffic on the network. Preschool would prefer those decisions potentially impacting the safety of children and families accessing the preschool be based on actual data, not opinion.

Considerations moving forward

- Operating hours remain as approved in the original Development Application and accepted by the applicant in undertaking the development. Without a meaningful period of operation under the approved business hours, there is no baseline to assess impacts of these operating hours prior to extending them.
- Completion of a current, detailed, independent, Traffic Impact Assessment and Road Safety Audit, including the existing dance school current operating hours, be completed to inform decision-making before extension to dance school operating hours. The traffic and pedestrian zone adjoining the dance school premises immediately feeds into three separate educational facilities dedicated to children under the age of 13 years. The highest portion of these children are under the age of 8 years which is significant in terms of road safety guidelines.
- No changes to business operation hours be approved prior to completion of required road safety upgrades (including the previously identified pedestrian/bridlepath crossing). The volume of vulnerable young pedestrians warrants a particular duty of care in making decisions with the potential to increase the risks children face navigating this currently unstructured zone of pedestrian-traffic interaction.
- The applicant applies for 'one-off' variation of operating hours as an 'event request' for interim exception from original DA operating hours. Supplied documentation supporting the modification request identifies that the extension of hours is only required to meet 'occasional' needs. Applying for each separate occasion would enable case-by-case assessment and risks to be mitigated by providing the details of the date, time and participant numbers (traffic and parking implications).

As highlighted by the NSW Government, road safety is a shared responsibility. It is a collective effort which includes us as educational providers, but also local government.

The decision to modify the operating hours of DA230577B needs to be made without causing direct or indirect increase in any risk of harm to pedestrians, including the unique road safety needs of younger children.

Critical road safety infrastructure is needed in the precinct of existing preschool, long daycare and primary school areas to support the safety of children before decisions that open the way for increased traffic in this community area.

Thank you for the opportunity to highlight the concerns [REDACTED] sees in relation to the current operation and proposal to extend operating hours of the dance school business.

Please don't hesitate to contact us if you wish to discuss any points raised in more detail.

Kind regards,

[REDACTED]

SUBMISSION #57

From:	[REDACTED]
To:	YVC Customer Service Team
Subject:	Objection to DA230577B 26 Rose Street Murrumbateman
Sent:	5/08/2025 4:48:09 PM

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

Re: Development Application DA230577B
Address: 26 Rose St Murrumbateman NSW
Proposal: Modification to Approved Development - Operational Variation (Children's Dance School)

Dear Jeremy,

I am writing to strongly object to the proposed modification to the above development application and respectfully request that the Council refuse the amendment for the following reasons:

1. Operational Hours:

This amendment endeavours to modify the previously approved operational hours, originally set from Monday to Friday, 4:00pm to 9:00pm and Saturday 9:00am to 3:00 pm, to the proposed schedule of Monday to Sunday 9:00am to 9:00pm, seven days per week (including public holidays). This proposal alteration raises concerns regarding its compatibility with the near neighbours in a primarily residential area. Furthermore, it increases the level of commercial activity that appears incongruent with the predominantly residential area.

In particular:

The proprietor of Dazzle Dance has owned this business for several years and would have known of the need to conduct "occasional private classes, rehearsals, or students exams" on Sundays and/or public holidays when the original DA was submitted. In my opinion the actual timetable requirements were deliberately **underestimated** in an attempt to minimise what the actual operating requirements were currently at the Murrumbateman Recreation Centre and what the requirements would be in the new studio.

- Monday 4:00pm to 9:00pm has been added to the new timetable, so there has already been an expansion of operating from the usage at the Recreation Hall.
- I note that although Saturday is 9:00am to 3:00pm, the current timetable on their website states classes to 4:00pm.
- Saturday 26 July, they closed the studio at 6:30pm and on Saturday 2 August, 2025 they closed at 4:30pm.
- Sunday 27 July, they were open from 9:00am to 4:00pm
- There was an intention to hold exams on Sunday 3 August, 2025 and I believe that they moved to the Recreation Centre instead.
- This is a clear **breach of their approved Deferred Commencement Consent** issued on 5 July 2025.

Condition #94. Operating hours

During the ongoing use of the premises, the hours of operation are restricted to:

Monday to Friday: 4:00pm to 9:00pm
Saturday: 9:00am to 3:00pm
Sunday and public holidays: No operation

Furthermore, on the 18th September, 2024 in response to a letter to Mr Jared Calnan, the applicant, (through Darren Bick, Bick and Steele Solicitors) stated:

(i) Group classes and examinations are **currently not proposed** to be held on Sundays as per the condition #94 of Development Consent.

A Dance Studio that has been operating for 10+ years would have a full understanding of its requirements for assessments, examinations and rehearsals and lodge a Development Application that was specific to its current need and standards of education, to ensure that its student's achievements could be supported with the appropriate amount of hours that are required to do so. It seems to be a gross oversight to be applying for a Modification of Application from a well established Dance School.

2. Neighbourhood Character and Impact on Residential Dwellings:

Amplification of Noise and Traffic:

Extending the operating hours will undoubtedly result in increased noise and traffic congestion, particularly affecting residential areas, including our own. The application letter appears to overlook this aspect and given that the studio has only been open since Thursday 24 July, 2025, and no assessment has been conducted to measure the actual noise from this business and in particular the substantial increase in traffic and parking to this generally very quiet area (during approved hours of operation). The noise generated from patrons and staff entering and exiting, coupled with the related vehicle noise, **is disturbing** the serene environment that residents currently appreciate. The traffic and acoustic assessments need to be conducted in real time and during the current hours of operation to fully assess the impact that this business is currently having on nearby neighbours before any consideration regarding an extension to the operating hours.

Impacts on Amenity and Health:

The proposed amendment erroneously claims that the additional noises won't be any more disruptive than the existing noise. However, extending the operating hours will undoubtedly subject residents to prolonged noise and disruptions affecting the health and residential comfort. This will be particularly disruptive if Sunday and public holidays opening is permitted. Murrumbateman Primary School, MECCA Community Pre School and Fairley Childcare Centre are very close to our house, the only reprieve we get is on weekends, public holidays and school holidays. The approved operation hours have already taken our Saturdays, if the modification is approved we will lose our Sundays and public holidays also. This is grossly unfair on the near neighbours who are already burdened by the traffic and noise currently being generated in this school precinct Monday to Friday. The childcare centre opens Mon-Fri 7:00 am to 6:00pm without a break for school holidays, only public holidays. The Council is obligated to consider the "effect on the environment, human health, and area amenity." The potential expansion of operating hours is a contradiction, as it **will have adverse impacts** on the local environment and the physical and mental wellbeing of residents, like myself, due to increased noise and traffic.

3. Certificate of Occupancy:

Consent Orders item 87. Completion of landscape and tree works.

"Before issue of an occupancy certificate, the principal certifier must be satisfied that **all landscape** and tree-works have been in accordance with approved plans and documents and any relevant conditions of this consent."

No landscaping has been undertaken at this site except the hard landscaped concrete carpark and driveway. Form work was laid late last week for the all abilities accessible footpath.

Deferred Commencement 2(e) Provision of all abilities accessible path from the building to the existing shared concrete path on North Street to facilitate safe access for unaccompanied children and accompanying adults with mobility issues.

Why was the Certificate of Occupancy granted without these conditions being met? As a result the patrons and staff of the Dance studio are forced to access the studio via the car park. This exposes them to unnecessary risk. Due to the lack of off street parking, patrons are parking on Rose Street in front of the preschool and in Fairley Square. There has been an increase in illegal parking along North Street on the pedestrian path. There is also a street light out further up Rose St and my neighbour reported that she

nearly hit a group of children who were crossing Rose St to get to cars parked outside the preschool. This is very unsafe, as the intersection of Rose Street and North Street was particularly dark last week with the rain.

Council Action: Replace the blown bulb in the street light and expedite the proposed improvement to Rose St by removing the chicane, fixing the much deteriorated road surface and installing a raised pedestrian crossing. The anticipated road safety measures were part of the issues that were identified and discussed prior to the original DA and influenced its approval by Council. To date we are not aware of any time frame for this necessary improvement to pedestrian safety will be done and is subject to Council's current budgetary constraints.

4. Revised plan for carpark and access:

Extract from the Deferred Commencement Consent 27 June, 2024

- (a) "No Parking zone on the frontage to the development on North Street
- (b) Car parking area must include 11 spaces with one (1) space for people with special needs (disabled/accessible) and turning areas.
- (c) A bollard on the clearance area adjacent to the disabled parking space with adequate access path from the parking area to the building for people with special needs.
- (d) Designated short-term car spaces for drop off and pick up only
- (e) Provision of all abilities accessible path from the building to the existing shared concrete path on North Street to facilitate safe access for unaccompanied children and accompanying adults with mobility issues.

Reason: To ensure that suitable and safe access for vehicles and pedestrians can be provided and to demonstrate adequate number of car spaces within the car park can be provided, including disabled /accessible car space with clearance and vehicle turn areas.

It all sounds good on paper but the reality is:

- Cars having difficulty manoeuvring in the car park. One of the lighting bollards has already been knocked over and is lying on the ground with live wires. Another one has also been knocked by a car.
- Cars reversing out of the car park, ignoring the "No Reversing Across Footpath". Posing a serious risk to all pedestrians/cyclists.
- A car entering the car park before the car trying to exit the car park was clear of the driveway.
- Drop off/ pick up car parks are being occupied for longer than intended.

The inadequacies of this poorly designed car park are evident and this causes patrons to park illegally in "No Parking" designated areas on North Street. This causes considerable distress to the residents of North Street. Cars are parking with their headlights on and engines running. This results in unacceptable noise and light pollution into resident's houses.

Mr Simon Cassidy (Genium Projects) stated in the Modification of Application.

"Our Traffic Impact Assessment assesses the likely traffic impacts of the original proposal and concluded that subject to implementation of a number mitigating measures, the proposed development **was not likely to have any significant impact on the road safety or road network efficiency**" this is in fact a gross understatement. Since the opening of the Dance School on 24 July, the residents of North Street (and 24 Rose Street) have been severely impacted by the excess traffic that this commercial enterprise has generated in an otherwise quiet street that was mainly used only by residents after the peak hours.

4. Lack of Community Engagement:

It states in the Council papers 16 submissions were made against DA230577. No effort was made to hold a public consultation in accordance with YVC Community Engagement Strategy. Despite initial reassurance from the applicants declaring their willingness to "work with the community" regarding this DA, no attempt had been made to engage with the residents who live nearby. We also were not informed that the Certificate of Occupancy had been issued, despite there being no all abilities accessible path to access the entry of the

building and no landscaping to the exterior areas. Nor were we informed of their due date to commence using their facility.

5. Lack of Accountability:

- The existing breaches suggest a lack of effective oversight or enforcement by YVC.
- Permitting this request could be viewed as rewarding clear breaches of DA Consent Conditions.
- Without clear mechanisms to monitor and enforce adherence to Operating Hours, the proposed changes risk further deterioration of neighbourhood amenity.
- Applicant understating the actual hours of operation that they had been conducting their business under prior to the opening of the new studio, in an attempt to minimise the real impact that this Dance Studio would have on the surrounding residential area. They have been monopolising the Community Hall at the Recreation Grounds for several years prior to this, without impacting anyone other than other community groups who were unable to book the facility due to Dazzle Dance having monopolised the bookable hours.

Conclusion:

In conclusion, the proposed amendment seeking to extend the operating hours of the development at 26 Rose St, Murrumbateman goes against the core objectives of a residential area. It has adverse effects on the neighbourhood's character, residential comfort, and leads to increased noise, traffic, and light pollution.

- This modification has been submitted under Section 4.55(2) of the Environmental Planning and Assessment Act 1979. While the use remains a "children's dance school", the proposed expansion of operating hours represents a substantial change in how and when the site is used.
- No evidence- based traffic or acoustic assessments performed in actual data under current conditions to support the proposed intensification of use at the site.
- The proposed hours are significant deviation from the original DA ie Children's Dance School and create a different usage profile, with greater numbers of adult users likely to drive themselves, increasing car traffic and parking pressure.

It is crucial for Yass Valley Council to carefully consider the substantial negative impacts this development is having on residents. I urge the council to reject this amendment in order to safeguard the peace, wellbeing, and overall quality of life for the residents of Rose and North Street, Murrumbateman.

Sincerely



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SUBMISSION #58

From:	[REDACTED]
To:	Jeremy Knox
Subject:	DA230577B Dazzle Dance Modification of business hours
Attachments:	IMG_0.MOV
Sent:	6/08/2025 11:28:12 AM

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

Dear Jeremy

I've attached my submission against this modification. I misunderstood the dates, believing that the end date was the 7th August but rereading details it noted the 5th.

I'm on the road and struggled with downloading further details on the portal. Given that I contacted you last week to raise concerns - I hope this will be accepted.

Kind regards

[REDACTED]
Private and Confidential

Please redact my personal information. Thank you

Date: Sun, 3 Aug 2025 at 9:51 pm

To Whom It May Concern,

I am writing to formally object to the proposed modification of Development Application DA230577B under Section 4.55(2) of the Environmental Planning and Assessment Act 1979.

History:

YVC planning staff did not recommend for approval:

Ordinary Council Meeting 27 June 2024

6.6 DEVELOPMENT APPLICATION NO. DA230577 - DANCE SCHOOL, 26 ROSE STREET, MURRUMBATEMAN

SUMMARY

To present the assessment of Development Application No DA230577 for a dance school at 26 Rose Street, Murrumbateman. The application attracted 16 submissions over two public exhibition periods. Relevant concerns cannot be addressed by conditions. Refusal is recommended.

RECOMMENDATION

That Development Application No DA230577 for a dance school at 26 Rose Street, Murrumbateman, be refused on the following grounds:

- 1. The site is not considered to be suitable for the proposed development in the current form based on the information available.*
- 2. Suitable arrangements for vehicle access driveway location in conjunction with providing adequate onsite car parking has not been demonstrated. The proposed number of car parking spaces to be provided on site at 10 is considered to be inadequate and is likely to create adverse situation in the area through increased potential for traffic and pedestrian conflict, general parking issues (such as other informal parking), which in turn may also adversely affect amenity of nearby residential uses.*
- 3. The noise impact assessment has calculated based on nine car spaces only, whereas the traffic impact statement is recommending a minimum 10, and this assessment is recommending minimum 12. As the current modelled noise for the carpark is only just at acceptable criteria for nearest sensitive receiver, updated noise assessment (and potentially consideration of additional attenuation measures) is necessary.*

However Cr Butler provided an alternate motion, which was approved by four against two councillors. Legal issues resulted due to issues of error of these however, due to financial constraints for local residents, the matter was unable to be brought to the LEC.

Ordinary Council Meeting 27 June 2024

6.6 DEVELOPMENT APPLICATION NO. DA230577 - DANCE SCHOOL, 26 ROSE STREET, MURRUMBATEMAN

SUMMARY

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No public consultation took place either by the applicant & councillors with the local residents, businesses, primary and preschool, & RFS impacted by this DA. Cr Butler did meet with the applicant and both Cr Pothen and she referred to submissions in favour of this DA received after the end period of consultation. The CEO advised that this was acceptable.

To date:

I wish to raise several serious concerns regarding the operation of the newly opened Dazzle Dance Studio. From the very first day of operation Thursday 24th July '25, which residents were not notified of, there have been multiple breaches of the Development Application (DA) conditions that were originally approved. These issues have significantly impacted local residents and demonstrate a concerning lack of regard for the agreed terms and for community relations.

1. Breach of Operating Hours:

The studio has operated outside the approved operating hours on the weekends. This behaviour shows a complete disregard for the DA conditions and for the peace and wellbeing of neighbouring residents.

2. Parking Violations and Traffic Nuisance:

Parents and patrons frequently park in "no parking" or "no waiting" zones, leaving vehicles idling with engines running and headlights on. This creates ongoing noise, air pollution, and disruption, especially during evening classes, directly impacting the quiet enjoyment that residents are entitled to.

3. Non-Compliance with DA Conditions (Landscaping and Footpath):

To date, the required landscaping has not been completed, nor has the footpath to the studio been constructed—both of which were clear conditions of the DA approval.

4. Lack of Community Engagement:

Despite claims that the studio is “part of the community,” there was no notification to nearby residents regarding the official opening of the business. Moreover, there has been no direct engagement or consultation with adjacent homeowners.

5. Hostile Behaviour and Intimidation:

There have been multiple reports of troubling interactions between studio patrons and residents. Furthermore, residents have been told to “sell up and move” if they do not like the studio, and those who raise valid concerns have been unfairly labeled as unsupportive.

These incidents reflect not only a lack of compliance with planning conditions but also a broader disregard for community standards and mutual respect. The business’s operation in its current form appears to be encouraging a culture of entitlement, rather than fostering the inclusive, respectful environment that is expected within a residential neighbourhood.

Which leads me to the Modification submission made on the same day Dazzle Dance’s first day of operation at 26 Rose Street.

While the use remains classified as a “dance school,” the proposal to extend operational hours from 4:00 pm–9pm (Monday - Friday) 9:00 a.m 3:00pm Saturday & no use on Sunday or PH to now 9:00 am–9:00 pm, seven days a week including PH which constitutes a significant change in the nature, scale, and intensity of use. I respectfully submit that the modification should be refused for the following reasons:

1. Questionable Traffic and Parking Assumptions

The traffic and compliance strategy provided by the applicant lacks credibility when compared to current usage patterns at the Murrumbateman Recreation Grounds. On weekends, far more vehicles are observed at that location than the applicant claims will attend the Rose Street site.

The suggestion that significantly expanded operating hours will not result in increased traffic is unsubstantiated and implausible.

Furthermore, the report by Genium Civil Engineering (dated 4 July) states that “it is not expected that the current class timetable will be expanded.” This is a hypothetical assumption and does not preclude future class expansion. Without enforceable conditions, there is nothing to prevent the facility from operating at full capacity 9:00 am to 9:00 pm, seven days a week.

Crucially, the Genium report:

- Is not independent, relying solely on applicant-provided information.
- Does not account for existing usage at the Recreation Grounds.
- Ignores several nearby sensitive uses, including:
 - The Rose Street & North Street residential properties,
 - The RFS Station plus their training days
 - Fairley Daycare and Preschool, Murrumbateman Primary School

- Local shops, Cafes, Gym and the medical centre.

A comprehensive traffic assessment that includes these stakeholders would likely reveal:

- Increased vehicular volumes,
- Overflow parking and congestion,
- Reduced pedestrian safety due to lack of footpaths,
- Elevated noise levels from traffic and people.

Key Concerns:

- Adult users are more likely to drive, increasing parking pressure.
- The area lacks public transport and has limited on-street parking.
- Overflow traffic will significantly affect residential amenity.
- Pedestrian safety risks will increase, particularly for children.

2. Overdevelopment and Intensification of Use

The proposal represents a clear intensification of use that is incompatible with the site's RU5 Village zoning and residential context.

The development:

- Exceeds the typical scale for educational/recreational use in a village zone.
- Is inconsistent with the current and desired neighbourhood character.
- Lacks sufficient mitigation measures for impacts related to traffic, noise, and parking.

Critically, the applicant seeks these expanded hours before any operational period under the original approval. This raises concerns about a "staged" approval strategy to circumvent proper assessment.

Important Points:

- The original restricted hours were designed to align with the residential context.
- Residents have not had an opportunity to observe real impacts under the current approval.
- No baseline data exists for noise, parking, or traffic impacts.
- Any expansion should only be considered after a minimum 12-month operational period, supported by independent evidence-based monitoring.

3. Unacceptable Impacts from Extended Hours

The increase to a 12-hour daily operation, seven days a week, will have significant negative implications:

- Increased traffic and pedestrian movements during all hours, including evenings.
- Elevated noise levels from music, voices, and car activity—during times typically expected to be quiet.

- Greater land-use conflict in a residential area without any new mitigation proposed.

The technical assessments provided are theoretical only, relying on assumptions rather than real-world data. This is inadequate for such a substantial modification.

4. Contrary to the Public Interest

The cumulative impacts of increased operating hours, traffic, noise, and parking stress do not align with public interest or reasonable community expectations.

The proposal:

- Prioritises the applicant's commercial goals over residential amenity,
 - Undermines confidence in the original assessment and staged application process,
 - Has not been justified by operational evidence or community support.
-

Conclusion

This modification is not minor; it represents a substantial escalation in operations that has not been properly assessed and is inconsistent with the local planning context.

For the reasons outlined, I strongly urge Council to refuse the proposed modification to DA230577B. The impacts on residential amenity, traffic, pedestrian safety, and neighbourhood character are unacceptable, and the application lacks the evidence necessary to support such a significant variation. The applicant has also shown in my opinion a complete disregard for the residents directly impacted by their business.

I trust that Council will act in accordance with its responsibility to safeguard the interests of the local community and uphold the integrity of its planning framework.

Kind regards



Murrumbateman resident.

Photos of car park in Fairley estate 1.30pm ..limited spaces.



Video attached as an example of noise from Murrumbateman Primary School during daytime hours.

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SUBMISSION #59

From:	[REDACTED]
To:	YVC Customer Service Team
Subject:	DA230577B 26 Rose Street Modification Application
Sent:	7/08/2025 2:47:47 PM

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

Subject: DA230577B 26 Rose Street Modification Application

Private and confidential - Please redact my personal details.

To Whom It May Concern,

I write to formally object to the proposed modification of Development Application DA230577B under Section 4.55(2) of the Environmental Planning and Assessment Act 1979.

This modification seeks to extend operating hours for Dazzle Dance Studio from limited weekday use to 9:00 am–9:00 pm, seven days a week, including public holidays. This represents a significant intensification of use that is incompatible with the RU5 Village zoning and surrounding residential character. The applicant is looking to increase their operating hours from 38 per week to 84 per week. **This is an increase of 221% which by any reckoning is substantial with its immediate flow on effect and impact to local residents.**

From its first day of operation on 24 July 2025, the studio has **already breached original DA conditions**—operating outside approved hours, causing parking and traffic issues, and failing to complete required landscaping and footpaths. Residents were not notified of the opening and have experienced ongoing disruption, with no community consultation or engagement. Reports of hostile interactions and dismissive attitudes toward local concerns are especially troubling.

Key objections to the modification include:

1. **Traffic & Parking Impacts:** The applicant's traffic report is based on unverified assumptions and ignores nearby sensitive uses including three schools, the RFS, shopping precinct with cafe/gym and residential areas. There is insufficient parking, no pedestrian infrastructure, and significant safety risks for children and locals. Patrons are already participating in routine and excessive illegal parking despite prohibition signs often parking on verges with engines running for considerable periods of time and causing disruption to local residents.
2. **Overdevelopment:** The proposal increases scale and intensity without baseline data on existing impacts. It appears to be a staged approach to avoid full scrutiny. Expansion should only be considered after at least 12 months of compliant operation and independent review.
3. **Unacceptable Amenity Impacts:** Daily 12-hour operations, seven days a week, will increase noise, traffic, and land-use conflicts, eroding local amenity and quiet enjoyment expected in a residential area.
4. **Not in the Public Interest:** The proposal prioritises commercial interests over community residents' wellbeing, undermines trust in the planning process.

This is not a minor modification—it is a fundamental and significant change to the original approval. I respectfully urge Council to refuse this application in order to protect the amenity, safety, and integrity of our local neighbourhood as well as the mental well being of those who live here - there has been zero consideration for the impact on the broader community in North St and Rose St.

Sincerely,

[Redacted Signature]

SUBMISSION #60

Jeremy Knox

From: [REDACTED]
Sent: Friday, 1 August 2025 2:29 PM
To: Jeremy Knox
Subject: Doc 843271 Re: DA230577B - Modification Application - Hours of Operation - 26 Rose Street

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

Hi Jeremy,

I am writing to **further** formally object to the proposed modification of operating hours under Development Application DA230577B for the premises at 26 Rose Street, Murrumbateman.

As the **closest neighbouring residents to the facility**, I wish to express my deep concern regarding the proposed extension of operating hours to **9:00am–9:00pm, seven days a week including public holidays**. Not only does this represent a significant departure from the originally approved hours, but it also exacerbates ongoing issues that have already arisen under the current conditions.

Breach of Existing Conditions

- The facility has **already been operating outside the approved hours**, in breach of the current DA conditions. This has caused considerable disruption to our household and undermines confidence in the applicant's ability or willingness to comply with future restrictions.
- Despite the current limits (Monday–Friday 4:00pm–9:00pm, Saturday 9:00am–3:00pm, no operation on Sundays/public holidays), we have observed activity occurring outside these times, specifically after 9pm most evenings and on Sunday's.

Impact on Neighbouring Amenity

- As one of the **closest neighbours**, we are directly affected by the noise, traffic, and general disruption caused by the facility's operations. The cement sheeting barrier along our shared boundary fence line where the car park is, currently does nothing to block out the noise of car park activity and loitering children and this activity is happening immediately outside my 5 year olds bedroom window. The current hours operating after 9pm every night is having an impact on my son falling asleep at his bedtime of 7pm every night.
- The cumulative impact of extended hours would further erode our ability to enjoy our home peacefully, particularly during weekends and holidays which are traditionally reserved for rest and family time.
- Furthermore, it should be mentioned that there has been vehicle activity in the car park during times where they claim to not be operating and therefore, given this is not a public carpark it should have a restrictive barrier or gate locking the ability to park on the site unless during operating hours, similar to what the preschool has had to do to prevent any liability of incidents occurring outside of their responsibility.

Lack of Accountability

- The existing breaches suggest a lack of effective oversight or enforcement, and approving extended hours would only reward non-compliance.

- Without clear mechanisms to monitor and enforce adherence to operating conditions, the proposed changes risk further deterioration of neighbourhood amenity.
- People in the community have passed on comment that the current occupants are certain that this is a 'numbers game' and that if their 100+ clients write to council in support of extending the hours of operation then it will have bigger pull over the neighbouring residents who have to live with the inconvenience - I think this is a disgusting mentality to have and shows that they disregard council consideration.

Community Character

- The proposed modification is inconsistent with the residential character of the area and sets a concerning precedent for future commercial encroachment.

For these reasons, I strongly urge the consent authority to **reject the proposed modification** or, at the very least, require a thorough compliance review and community consultation before any changes are considered.

Best regards,

From: Jeremy Knox <JKnox@yass.nsw.gov.au>

Sent: Thursday, 24 July 2025 11:53 AM

Subject: DA230577B - Modification Application - Hours of Operation - 26 Rose Street

Dear Sir/Madam

Development Application DA230577B – 26 Rose Street, MURRUMBATEMAN

Council has received the following development application:-

Applicant Name: J Calnan

Property Description: Lot 5 Section 6 DP 758736 - 26 Rose Street, MURRUMBATEMAN

Description of Proposal: Modification to operating hours

The development application, including plans and other supporting documentation will be on public exhibition from 24 July 2025 until 7 August 2025.

The development application including supporting documentation is available for viewing at <https://www.planningportal.nsw.gov.au/daexhibitions> located on the “DA Exhibitions” page on the NSW Planning Portal website.

If you wish to make a submission in relation to the proposal, these will be received up until 5.00 pm on 5 August 2025. Important information including how to make a submission is attached.

Please be aware that any personal information you include in your submission will remain confidential and will not be shared with the applicant or made public.

Please do not hesitate to contact me on (02) 6226 1477 or email council@yass.nsw.gov.au if you wish to discuss the application further.

Kind regards

Submission 61

North Street was previously a quiet residential street with very little traffic, we regularly walk our dogs down North Street, and as the access to this commercial property at 26 Rose Street can only be made from North Street it has created a traffic hazard for pedestrians going to the nearby cafe and shops, with multiple drop offs and pick-ups. Access to this commercial property should be from Rose Street, however it appears that this has not been considered in the original approval. I believe that the nearby residents are entitled to the quiet enjoyment of their residential properties and in the interests of safety to pedestrians including children that commercial operation of this property from Monday to Sunday including public holidays from 9am to 9pm should not be approved, and definitely not Sundays and Public Holidays. It is apparent that the intent of the business owners to open these extended hours would have been known to them at the time of their original development application and I believe as this new application coincides with the very recent opening of the business operations this supports my view that the intention of the business to operate during these extended hours was withheld at the time of the original approval. The outcome may have been very different with the commercial property appropriately being accessed from Rose Street

Submission 62

this should be a problem.

Submission 63

Approving the request of this DA application is paramount to the many children in Yass and Murrumbateman (and beyond) to allow them to develop their skills in dance. The dance school has been in operation for a long time and is valued by our community as one of only a handful of local businesses that provide quality extra curricular activities to our children. I do not see that the dance school will impact on the area any more than the current local school, preschool, cafes and shops will. I am in full support of the request of this DA amendment.

Submission 64

I support this application as it allows for the dance studio to operate like other studios. The change allows for occasional extra dance lessons or rehearsals that would have minimal impact on local residents or traffic flow.

Submission 65

Supporting Submission to DA230577B – 26 Rose Street, Murrumbateman, NSW

Businesses operating in close vicinity of 26 Rose Street, are as follows, including their operating hours:

Elements 4 Life	4am – 10pm (Mon – Fri) 6am – 10pm (Sat – Sun & Public Holidays)
Murrumbateman Pre School	8am – 4pm (Mon – Fri)
Fairley Early Childhood Service	7am – 6pm (Mon – Fri)
Murrumbateman Local Grocer and Convenience Store	7.30am – 6.30pm (Mon – Sun)
Two before Ten	7am – 3pm (Mon – Fri) 8am – 2pm (Sat – Sun)
Thyme to Taste Beer and Wine Emporium	11am – 6.30pm (Wed – Thur) 11am – 6pm (Fri) 11am – 5pm (Sat) 10.30am – 3pm (Sun)

My understanding is that the initial Development Application was submitted stating that the business was one which would fall into the category of fitness, and with that in mind, I will note the comparisons between the dance studio and the gym.

Dazzle Dance is requesting amended hours of 9am – 9pm (Mon – Sun) including Public Holidays. They have noted that it is not their intention to extend the class timetable, however it would be beneficial to be able to hold the occasional private lesson, rehearsals or student exams. All of which they are unable to do now due to their limited hours.

I fail to understand how the change in the hours of operation would have any adverse effect on the surroundings of the dance studio.

Elements 4 Life is open at 4am Monday to Friday, and 6am Saturday and Sunday. It is clearly obvious that their building has some form of noise management installed as when nearby there is minimal noise.

However, at 4am in the morning when everything is quiet and still, the closing of car boots / doors etc can be easily heard from some distance away. It should also be noted that it is early in the morning and late in the evenings when vehicle headlights tend to light up the nearby residential areas.

I deliberately parked next to the dance studio, 15 minutes into a dance lesson, and intentionally got out of the car to listen, and apart from the normal noises of a residential street (dogs barking, faint chatter), I heard nothing.

It was mentioned to me that the headlights of cars exiting the dance studio car park late at night is very disturbing for the residents living nearby. I found this to be confusing. If you choose to reside in a residential area (homes built on town size blocks), surely the likely event of car lights coming into your home at any hour of the day or night is a very high possibility. The latest the dance studio is open is 9pm, so you could anticipate that there would be minimal, if any car lights from the location after 10pm.

My next question is in regard to disturbing the residents of the area. What would they have expected if 26 Rose Street was built as a home. There would be no hours of operation, open

24 hours a day, 365 days of the year with no noise restrictions, and the real possibility of dogs barking.

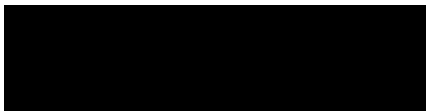
The majority of blocks within Rose Street are listed as commercial blocks. If you start from the beginning of Rose Street, the businesses are:

- 13 Rose Street - Murrumbateman Water Deliveries,
- 9 Rose Street, is Bill Wheatley Motors,
- 8 – 10 Rose Street, is due to commence the construction of Storage Units,
- Lefthand Corner of Rose & Hercules Street – Murrumbateman Tobacconist, Calista Hair & Beauty, and Elders Real Estate,
- Righthand Corner of Rose & Hercules Street – Murrumbateman Pharmacy & Medical, 316 Café, Rustic Candles, Murrumbateman Takeaway and Murrumbateman Physiotherapy.
- 39 Rose Street – Murrumbateman Rural Fire Service,
- 43 Rose Street – Murrumbateman Pre School,
- 47 Rose Street – Fairley Square Early Childhood,
- Units within Fairley Square – Two before Ten, Elements 4 Life, Thyme to Taste Beer and Wine Emporium, Murrumbateman Local Grocer and Convenience Store, and Clementine Bakery.

Dazzle Dance is a private organisation that has been operating in Murrumbateman for the past 15 years. If you get the opportunity, I encourage you to go into the new dance studio and have a look at the number of trophies on display, and listen to the pride in the dancer's voices as they explain what the trophies were won for, hear how one of their dancers is now studying dance in Sydney, and watch their eyes light up when they talk about the friends they have made through Dazzle Dance.

I am confused as to why council would punish a small business with such limited operating hours, when within very short distances (approximately 50 – 300 metres) you have a similar business (Elements 4 Life) operating with significantly different opening hours.

Come on Council, please don't discriminate against Dazzle Dance.



Murrumbateman NSW 2582

Submission 66

SUBMISSION on DA230577B Modification Development Application – 26 Rose St Murrumbateman

1. This submission is an objection to the modification to change the hours of operation of a dance school at 26 Rose St Murrumbateman.

Current Condition 94 (approved)
Mon-Fri: 4.00pm to 9.00pm
Saturday: 9.00am to 3.00pm
Sunday and public holidays: No operation

DA230577B Modification
Proposed Condition 94
Monday to Sunday: 9am to 9pm (including public holidays)

2. The proposed changes to hours of operation in DA230577B are requested under section 4.55(1A) of the Environment Planning and Assessment Act 1979 for a modification that purports to involve 'no or minimal environmental impact'. The modification has wide impacts (not just traffic impacts) and the whole gamut of environmental and social considerations must be considered.

3. This submission contends the proposed modification constitutes a major environmental impact and represents a substantial change to the original development approval and its conditions.

4. The reasons and justifications provided to support of the modification cannot be substantiated and do not demonstrate that the modification is a minor impact.

5. Genium Civil Engineering's statement supporting the modification only focusses on traffic impacts and claims that sessions held during the extended operative hours will only be "occasional, low impact, and intermittent." These claims cannot be substantiated and Genium has not shown first-hand knowledge of the operations of this business.

6. This modification is also not a minor error, misdescription, or miscalculation. Rather, is a substantial matter with major impact.

7. The current approved original application Condition 94 explicitly restricted the hours of operation to protect amenity of the local area and surrounding residents, in response to the original DA application and supporting documentation. Allowing this modification would undermine the protections for the local area and surrounding residents to permit additional activities contrary to the originally approved intent. If this modification is accepted, the proponent would be able to operate during those extended hours without restriction.

8. This modification will adversely impact the amenity and lives of the surrounding residents and community. It will

- increase the allowable times of operation (7 days a week)

o increase the duration and elevation of the underlying noise (includes music, infrastructure, people and vehicle noises)

- increase the frequency of occurrence of the activities
- increased traffic and illegal parking during peaks and other times
- longer nature of site parking
- increase the safety risk of pedestrians and cyclists of all ages
- detrimentally affects the nature and amenity of the surrounding local residential and community area.

9. Changing the hours of operation means more inconvenience, more traffic and more impact on amenity as this business will be operating in peak traffic times! The original DA application stated that operation would not occur during peak traffic times and therefore no impact on resident - even though Council staff recommended the original DA be refused, the specific wording and the restricted operating times aimed to get the original DA application through approved. This modification, just submitted with the opening of these premises, changes the whole nature of the business operation and its impacts.

Amenity expectations

10. This modification does not provide any confidence that amenity for surrounding residents has been considered.

11. Residents, whether homeowners or tenants, have a right to quiet enjoyment of their property, which includes reasonable peace, comfort, and privacy. This residential area enjoyed peace and tranquillity prior to approval of construction of this commercial dance school.

12. Businesses (and their patrons) operating within residential and community area have a legal and social obligation to act with common courtesy and be considerate to ensure disruptions are not caused to neighbours and other community members.

13. The extension of operating times in this location is not considerate to surrounding residents and community and will constitute substantial increase in background noise and vibration, as well as extended gathering of persons in the carpark speaking in loud voices.

14. The existing approval operating hours provides for reasonable community expectations for surrounding local residents, retaining certainty for their right to enjoy peaceful evenings, weekend activities, Sundays and public holidays. The amenity of this area not only on the senses of those residents but also the subjective perception of the locality. This makes for a comfortable and pleasant life rather than a mere existence.

15. The proponent has not considered this right in this modification. Any extended hours of operation beyond the current approved condition 94 will directly have unreasonable detrimental impacts on all the surrounding residential and community uses.

My personal impact

16. I am a regular pedestrian (walker/cyclist) within Murrumbateman and have for 20+ years regularly passed by this location (even before Fairley was built). Since pathways were built along North St and part Rose St, I transverse this way 2-3 times per week.

17. The dance school only recently opened and already I have encountered personal risk from vehicles attending the premises with inattentive drivers rushing in and out of the driveway to the parking area. Many vehicles are parking illegally on the concrete footpath and the horse path creating extra risk for me (and others) negotiating around this area. Already there is traffic safety congestion coupled with some aggressive drivers.

18. I have also noticed the increase in background noise and vibration, as well as gathering of persons in the carpark speaking in loud voices. This noise will get worse as the weather warms up and if the hours of operation are extended.

19. It is a very disappointing situation that the nature and actions of some persons are not considerate of the wider community.

Final comment

20. Council is urged to ensure they are concerned with the local community's welfare and interests, and not just the commercial interests of the applicant. This modification is not consistent with community interests and will contribute to additional conflict both tangible and non-tangible.

21. Council is requested consider this submission and decide to refuse the modification application DA230577B.

Section 4.15 Evaluation – Section 4.55 Modification

Summary of Application

Recommendation	Modified Conditional Approval
Modification Application No.	DA230577B
Type of Development	Local Development
Development Site	Lot 1 DP 1291221 26 Rose Street MURRUMBATEMAN NSW 2582
Owner / Applicant	Jared Calnan
Type of Modification	4.55 (2) Other Modification
Description of Approved Development	Dance school including: <ul style="list-style-type: none">• Demolition of existing structures• Construction of a new building to be used for the purposes of a with two studio spaces• Construction of a carpark• Tree removal onsite and in the road reserve (public land)
Description of Modification	Amendment of the hours of operation to 9.00am to 9.00pm seven days per week including Sundays and public holidays.

<p style="text-align: center;">Consideration Under s4.55(2)</p> <p>4.55(2) of the Environmental Planning and Assessment Act 1979 states:</p> <p><i>A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:</i></p>	
<p>(a) <i>it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and</i></p>	<p>Satisfied that the development to which the consent as modified related is substantially the same development for which consent was originally granted. Whilst it does propose to significant increase the hours of operation (i.e. the duration of the use), the use of the site remains for the purposes of a dance school, the overall maximum occupancy and maximum intensity of the use does not change, and there are no changes proposed to the built development.</p>
<p>(b) <i>it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and</i></p>	<p>N/A</p>
<p>(c) <i>it has notified the application in accordance with:</i> <i>(i) the regulations, if the regulations so require, or</i> <i>(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and</i></p>	<p>The modification application was placed on public exhibition between 24 July 2025 until 7 August 2025 in accordance with Council's Community Engagement Strategy and the Yass Valley Development Control Plan 2024. There were 66 submissions received.</p>
<p>(d) <i>it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.</i> <i>Subsections (1) and (1A) do not apply to such a modification</i></p>	<p>The issues raised in the submissions received are considered in the accompanying Council report.</p>
<p style="text-align: center;">Consideration Under s4.55(3)</p> <p>4.55(3) of the Environmental Planning and Assessment Act 1979 states:</p> <p><i>"In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application."</i></p>	

All relevant matters in section 4.15 have been considered below. The proposed modification will result in substantially the same development as the development for which the development consent was originally granted. The key planning issues identified are discussed in the accompanying Council report.

Section 4.15 – Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument

Integrated Development

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

Comments

The modification application and the original development application are not integrated development.

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>No changes from the original/previous assessment.</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>No changes from the original/previous assessment.</p>	
Clause 2.3 Zone and zone objectives	The land is zoned RU5 Village. No changes from the original/previous assessment.
Clause 2.3 Land Use Table	The proposed development as modified remains permitted with consent in the zone.
Clause 2.6 Subdivision consent requirements	N/A
Clause 2.8 Temporary use of land	N/A
Clause 4.1 Minimum subdivision lot size	N/A
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	N/A
Clause 6.1 Earthworks	No changes from the original/previous assessment.
Clause 6.2 (repealed)	N/A
Clause 6.3 Terrestrial biodiversity	N/A
Clause 6.4 Groundwater vulnerability	No changes from the original/previous assessment.
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	No changes from the original/previous assessment.

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

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>The Yass Valley Development Control Plan 2024 has been adopted since the original development application was determined. The proposed modification is not contrary to any requirements of the DCP.</p> <p>The modification application must be reported to meeting of Council for determination in accordance with A.10 of the DCP as there were 66 submissions received.</p>	

Contributions Plans	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?
<u>Comment</u> No changes from the original/previous assessment.	

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	Details of Agreement
<u>Comment</u> Nil. No changes from the original/previous assessment.	

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> No changes from the original/previous 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
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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
<p><u>Comment</u></p> <p>No changes from the original/previous assessment.</p>	
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>Refer to discussion in accompanying Council report in relation to traffic and car parking.</p> <p>No other changes from the original/previous assessment.</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>No changes from the original/previous assessment.</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>No changes from the original/previous assessment.</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 changes from the original/previous 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 changes from the original/previous 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>No changes from the original/previous assessment.</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

<u>Comment</u> No changes from the original/previous assessment.	
Waste	Impact of the proposed development on waste: <ul style="list-style-type: none"> • solid, liquid and gaseous wastes and litter • the generation, collection, storage and disposal of waste
<u>Comment</u> No changes from the original/previous assessment.	
Energy	Impact of the proposed development on energy: <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 Where relevant the development also complies with the Building Sustainability Index (BASIX).
<u>Comment</u> No changes from the original/previous assessment.	
Noise and Vibration	Whether the development has potential to generate noise pollution or vibration including during construction and potential impacts.
<u>Comment</u> Refer to discussion in accompanying Council report in relation to noise and amenity impacts as a result of the proposed increase in hours of operation.	
Natural Hazards - Geological	Risks to people, property and the physical environment as a result of geologic/soil instability - subsidence, slip, mass movement has been considered.
<u>Comment</u> No changes from the original/previous assessment.	
Natural Hazards - Flooding	Where the development is located on land identified as flood affected: <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.
<u>Comment</u>	

No changes from the original/previous assessment.	
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>No changes from the original/previous assessment.</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 changes from the original/previous 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 changes from the original/previous assessment.</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>There is potentially a positive social impact for the broader community as a result of the hours of operation and the dance school being able to provide increase dances services. It is noted that the dance school provide important social benefits to the Murrumbateman community. This however needs to be balanced with consideration of other impacts, such as noise and amenity.</p> <p>No other changes from the original/previous assessment.</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>There is potentially a positive economic impact to the business operator through increase hours of operation and the economic activity that this generates.</p> <p>No changes from the original/previous assessment.</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><u>Comment</u></p> <p>No changes from the original/previous assessment.</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><u>Comment</u></p> <p>No changes from the original/previous assessment.</p>	

The suitability of the site for the development

Primary Matters	Specific Consideration
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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>Refer to discussion in accompanying Council report in relation to traffic and car parking and noise and amenity as a result of the proposed increase in hours of operation in context of compatibility with existing development in the locality.</p> <p>No changes from the original/previous assessment. It is noted that Council considered the development to be compatible with the existing development in the location in the earlier determination to grant development consent.</p>	
Site conduciveness to the development	<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>No changes from the original/previous assessment. It is noted that Council considered the site to be conducive to the development in the earlier determination to grant development consent.</p>	

Any submissions made in accordance with this Act of the regulations

Primary Matters	Specific Consideration
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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.
<u>Comment</u> <p>The modification application was placed on public exhibition between 24 July 2025 until 7 August 2025 in accordance with Council's Community Engagement Strategy and the Yass Valley Development Control Plan 2024. There were 66 submissions received including 50 in support, 15 raising objection or concern, and one that was unclear. The key issues raised in the submissions received are discussed in the accompanying Council report.</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
<u>Comment</u> <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	Government and community interests have been considered and are satisfied as:		
	<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		
<u>Comment</u>			
The public interest is served by the consistent application of requirements of the relevant Environmental Planning Instruments and by the consent authority (in this case Council) ensuring that any adverse effects on the surrounding area and the environment are minimised. The proposal has been assessed against the relevant environmental planning instruments as detailed.			
Council Policies	Policy	Code	Applicable
	Building Over Sewer Mains	SEW-POL-1	No

	Filling Policy	DA-CP-22	No
	Holiday Cabins – Micalong Creek Subdivision	DA-POL-3	No
	Kerb and Gutter Construction	ENG-POL-4	No
	Road Naming	RD-POL-6	No
	Road Standards	RD-POL-9	No
	Truck and Transport Depots in Rural Areas	DA-POL-11	No
	Water Supply in Rural Areas and Villages	WS-POL-2	No
<u>Comment</u> No changes from the original/previous assessment.			

