



Ordinary Meeting of Council

Thursday 25 September 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

October 2025

Thursday 23rd

4:00 PM

Ordinary Meeting of Council

Ordinary Meeting of Council

A G E N D A

Open Forum

Page No.

Webcasting

This meeting is being webcast, a reminder to those in attendance that you should refrain from making any defamatory statements. Also a reminder to the gallery that the use of a recording device is a breach of the Code of Meeting Practice and anyone contravening or attempting to contravene will be expelled from the meeting.

Acknowledgement of Country

Yass Valley Council recognises the Ngunnawal people, the Traditional Custodians of the land, water, and sky. We pay our respect to their Elders past, present and future emerging leaders. We extend our respect to other Aboriginal and Torres Strait Islander people who live in the Yass Valley Local Government Area.

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Close of Meeting Time

Gayleen Burley
CHIEF EXECUTIVE OFFICER



Minutes of the Ordinary Meeting of Council

Thursday 28 August 2025

4:00 PM

Yass High School
Grampian Street, Yass

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DRAFT

Council Meeting - The Mayor declared the meeting open at 5.12pm and advised that the meeting would be webcast live.

Present

Councillors Jasmin Jones (Mayor), Cecil Burgess, Kristin Butler (Deputy Mayor – via teams), Alvaro Charry, David Carter (via Teams), Fleur Flanery, Adrian Cameron, David Rothwell Allan McGrath.

Officers also present were the Nathan Cooke (Acting Chief Executive Officer), Kate Baker (Acting Director of Planning & Environment), Terry Cooper (Acting Director of Infrastructure & Assets), Peta Gardiner (Acting Director of Corporate & Community) Jason McGuire (Chief Financial Officer), Tanya Whitmarsh (Governance & Risk Officer), Chloe Johnson (Executive Support Officer) and Katie Yeo (Learning & Development Officer).

Public Forum

The public forum held prior to the meeting heard from the following speakers in relation to the items on the agenda as listed.

At 4:18 pm Mayor Jones left the meeting for item 6.2 of the Open Forum and Councillor McGrath resumed the Chair for Open Forum.

No	Item No	Title	Name	For or Against
1	6.1	Development Application No. DA240266 – Dwelling House – 46 Malbec Drive Murrumbateman	David Piccolo	Against
2	6.2	Modification Development Consent No. DA230577 – Dance School – 26 Rose Street, Murrumbateman	Megan Colby-Sexton	Against
3	6.1	Development Application No. DA240266 – Dwelling House – 46 Malbec Drive Murrumbateman	Helen & Ian Chu	For
4	6.2	Modification Development Consent No. DA230577 – Dance School – 26 Rose Street, Murrumbateman	Mischa Calnan	For
5	6.2	Modification Development Consent No. DA230577 – Dance School – 26 Rose Street, Murrumbateman	Kate Caldow	For
6	6.4	Murrumbateman Pump Track Project – Focus Group Name Change & Project Plan	Annaliese Caston	For
7	6.5	Draft Planning Proposal – ‘The Fields’ Stage 4 – Isabel Drive, Murrumbateman	Doug Rogan	For
8	6.5	Draft Planning Proposal – ‘The Fields’ Stage 4 – Isabel Drive, Murrumbateman	Liz Densley	Against
9	6.5	Draft Planning Proposal – ‘The Fields’ Stage 4 – Isabel Drive, Murrumbateman	Paul Powderly	Against

At 4:44 pm Mayor Jones returned to the meeting and resumed the chair for Open Forum.

Acknowledgement of Country

Yass Valley acknowledges the Traditional Custodians of the land, the Ngunnawal people. We acknowledge and respect their continued connection to land, waters, skies and community.

We pay our respects to Elders past, present and emerging and extend that respect to all Aboriginal and Torres Strait Islander peoples in the Yass Valley LGA.

Prayer

1. Councillor Request for Attendance via Audio-Visual

Motion

RESOLVED that the requests for remote attendance by Cr Carter and Deputy Mayor Butler to be approved for the Council meeting via audio-visual link.

(Charry/Flanery) 271

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

2. Apologies

Nil

3. Declaration of Interest/Disclosures

Councillor Mayor Jones, declared Non-Pecuniary-Less than Significant Interest in Item 6.2 and elected to leave the meeting.

Reason: Family member attends the dance school.

Councillor Carter, declared a Non-Pecuniary-Less than Significant Interest in Item 10.1 and elected to leave the meeting.

Reason: My property in Shaw Street may benefit from the improved amenity.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 July 2025 covered by resolution numbers 233-263 inclusive, and Extraordinary Council Meeting held on 11 August 2025 covered by resolution numbers 264-270 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.

(Burgess/Flanery) 272

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

Motion

RESOLVED that the amended Extraordinary Council Meeting minutes to include Councillor Charry as present in the attendance of the meeting held on 11 August 2025 covered by resolution numbers 264-270 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.

(Charry/Flanery) 273

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

5. Mayoral Minute

5.1 MAYORAL MINUTE - DROUGHT SUMMIT MAYORAL REPORT

SUMMARY

Mayoral Report for the Drought Summit held on 4 August 2025.

RESOLVED that Council:

- 1. Receives and notes the Mayoral Report & Drought Summit Summary on the Southern NSW Drought Summit;***
- 2. Endorses the recommendations arising from the Summit, including the immediate establishment of a NSW Drought Taskforce, reinstatement of drought as a natural disaster, provision of direct financial relief, and urgent reform of support frameworks;***
- 3. Writes to the NSW Premier, Minister for Agriculture, and relevant Commonwealth Ministers, conveying the urgent need for coordinated action as outlined in this report;***
- 4. Advocates in partnership with other affected Local Government Areas to ensure that the voices of Southern NSW are central in shaping state and national drought policy responses.***

(Jones/Rothwell) 274

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

5.2 REQUEST FOR SUPPORT OF NOOSA FOR NEURO CHARITY EVENT

SUMMARY

Trent Robertson will be undertaking a challenge, raising money for charity running and riding from Parkdale, Victoria to Noosa, QLD, he will be covering 2000km in the space of 30 days. Trent will be coming through Yass on 8 and 9 September 2025 and has requested the donation of two nights' accommodation at the Yass Caravan Park.

RESOLVED that Council waives the fees for two nights' accommodation of a powered site at the Yass Caravan Park, totalling \$86 in support of the Noosa for Neuro Charity Event.

(Jones/Cameron) 275

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

5.3 MAYORAL MINUTE - NAMING OF THE CRAGO MILL PRECINCT BUILDING.

SUMMARY

Mayor Report for the naming of the Crago Mill Precinct building.

RESOLVED that :

- 1. Council officers will operationalise the process for public engagement, exhibition and opinion to provide community sentiment for Council to consider when determining the names.**
- 2. All shortlisted names that are not utilised be recorded for future possible opportunities (subject to grant of permission to do so) for civic recognition in council managed parks, open spaces, and buildings.**

(Jones/McGrath) 276

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6. Reports to Council

6.1 DEVELOPMENT APPLICATION NO. DA240266 - DWELLING HOUSE - 46 MALBEC DRIVE, MURRUMBATEMAN

SUMMARY

To present the assessment of development application no. DA240266 for the construction of a dwelling house at 46 Malbec Drive, Murrumbateman. The application attracted nine objections and relevant concerns can be address by conditions. Approval is recommended.

- 1. RESOLVED that of Development Application DA240266 for a dwelling house, rainwater tank and associated retaining walls and fencing at 46 Malbec Drive, Murrumbateman be deferred to enable the applicant to submit amended plans.**
- 2. The amended plans are to address the following matters:**
 - a) Reduce the bulk and scale of the dwelling to achieve consistency with the established and desired character of the locality.**
 - b) Demonstrate compliance with the objectives of Part B5 Neighbourhood Character of the Yass Valley Development Control Plan 2024.**
 - c) Modify the design and siting to minimise cut and fill in accordance with Part E.1 Siting of Buildings of the DCP.**
- 3. The application be reported back to Council following submission and assessment of amended plans.**

(Charry/Jones) 277

FOR: Councillors K Butler, A Cameron, D Carter, A Charry, F Flanery and J Jones

AGAINST: Councillors C Burgess, A McGrath and D Rothwell

At 5:59 pm Mayor Jones left the meeting and Deputy Mayor Butler declined the Chair due to being on the meeting via audio-link.

Motion

RESOLVED that Councillor McGrath take the Chair for item 6.2 of the Council Meeting Agenda.

(Charry/Flanery) 278

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, A McGrath and D Rothwell

AGAINST: Nil

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.

RESOLVED that :

- 1. Pursuant to section 4.55 of the Environmental Planning and Assessment Act 1979 (NSW), Council modify Development Consent DA230577 (26 Rose Street, Murrumbateman) by amending the 'Hours of Operation' condition as follows:***

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

- 2. With consideration of the matters required by section 4.15 of the Environmental Planning and Assessment Act 1979, the applicant's proposed hours of operation of 9:00am to 9:00pm, seven days per week, are not supported as it is considered they would 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. The amended hours are imposed in accordance with sections 4.15 and 4.17 of the Act to protect residential amenity.***

(Charry/Flanery) 279

FOR: Councillors C Burgess, D Carter, A Charry, F Flanery and D Rothwell

AGAINST: Councillors K Butler, A Cameron and A McGrath

At 6:19 pm Mayor Jones returned to the meeting and resumed the chair.

6.3 DEVELOPMENT APPLICATION UPDATE - JUNE AND JULY 2025

SUMMARY

To present details of council's performance against the expectations set by the NSW Department of Planning, Housing and Infrastructure and details of applications lodged and determined in June and July 2025.

RESOLVED that the report on applications for June and July 2025 be noted.

(Rothwell/Burgess) 280

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.4 MURRUMBATEMAN PUMP TRACK PROJECT - FOCUS GROUP NAME CHANGE & PROJECT PLAN

SUMMARY

To consider changing the name of the relevant focus group and to provide a project plan for the Murrumbateman pump track.

RESOLVED that :

- 1. Council accepts the change in name of the focus group to the Murrumbateman Pump Track Focus Group**
- 2. Council endorses the project plan for the Murrumbateman Pump Track.**

(Rothwell/Butler) 281

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.5 DRAFT PLANNING PROPOSAL - 'THE FIELDS' STAGE 4 - ISABEL DRIVE, MURRUMBATEMAN

SUMMARY

To present a report on a draft planning proposal to amend the Yass Valley Local Environmental Plan 2013 to reduce the minimum lot size applicable to eight lots within stage 4 of the "The Fields" development, located on Isabel Drive, Murrumbateman.

RESOLVED that Council supports the draft planning proposal to amend the Yass Valley Local Environmental Plan 2013 to reduce the minimum lot size applicable to eight lots within stage 4 of the "The Fields" development (Lot 2 DP1273254) located on Isabel Drive, Murrumbateman subject to the applicant providing satisfactory documentation that address/mitigate potential flooding impacts, cumulative impact of bore water draw and onsite effluent disposal.

(Jones/Rothwell) 282

FOR: Councillors C Burgess, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Councillors K Butler, A Cameron, D Carter and A Charry

6.6 DRAFT RENEWABLE ENERGY COMMUNITY-BENEFIT POLICY

SUMMARY

To present the draft Renewable Energy Community-Benefit policy.

RESOLVED that Council:

- 1. Endorses the draft Renewable Energy Community-Benefit policy.**

2. ***Note the requirement to establish a community consultative committee to advise Council on suitable purposes for which community benefit contributions can be made.***
3. ***Exhibits the draft policy for a public consultation period of 28 days and the matter revert to Council for consideration of final adoption at the end of the exhibition period.***

(Flanery/Rothwell) 283

FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.7 COUNCIL'S FINANCIAL FUTURE - FINANCIAL SUSTAINABILITY ROADMAP

SUMMARY

The Financial Sustainability Roadmap was placed on public exhibition for 28 Days. Following considerations of community submissions, the document was reviewed and updated.

This report progresses the Financial Sustainability Roadmap for adoption by Council.

RESOLVED that Council resolves to adopt the updated Financial Sustainability Roadmap.

(Carter/Charry) 284

FOR: Councillors C Burgess, K Butler, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Councillor A Cameron

At 7:05 pm Councillor Carter left the meeting and did not return to the meeting.

6.8 MONTHLY FINANCIAL REPORT

SUMMARY

This monthly financial report provides information about Council's financial position at the end of July 2025. The report also includes a variance analysis against the full-year budget and budget year to date (YTD).

Note an Investment and Borrowing Report is prepared and is presented to Council as a separate report.

RESOLVED that the Monthly Financial Report for July 2025 be noted.

(Butler/McGrath) 285

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.9 REVOTES AND CARRY FORWARD FROM FY2024-25 TO FY2025-26

SUMMARY

This report provides the proposed revotes and project costs to be carried forward FY2024-25 to the current FY2025-26.

RESOLVED that :

- 1. The budgets detailed in this report as Revotes from FY2024-25 to FY2025-26 be approved.**
- 2. The budgets detailed in this report as Carry Forward funds from FY2024-25 to FY2025-26 be noted.**

(Cameron/Flanery) 286

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.10 INVESTMENT AND BORROWING REPORT

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments for the period 1 to 31 July 2025. In accordance with paragraph (1) (b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RESOLVED that the Investment & Borrowings Reports, covering the period 1 to 31 July 2025 be noted.

(Charry/Rothwell) 287

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.11 CRAGO MILL PRECINCT BORROWINGS

SUMMARY

To provide advice of the annual review of the Crago Mill loan facility with Westpac Banking Corporation and seek approval to extend the interest only period of the loan for a further 12 months.

RESOLVED that :

- 1. Council notes that the annual review of the Westpac Loan facility has been completed.**
- 2. The Mayor and Chief Executive Officer be authorised to use the Council seal to sign the Business Finance Agreement with Westpac to extend the interest only period for a further 12 months.**

(McGrath/Burgess) 288

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.12 YVC/CC/15/2025 - DIGITISATION OF BUILDING FILES

SUMMARY

To provide advice and recommendations on the submissions received for the YVC/CC/15/2025 Digitisation of Building Files tender.

RESOLVED that item be classified CONFIDENTIAL in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied the information. Discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(Burgess/Flanery) 289

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.13 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2025

SUMMARY

Local Government NSW (LGNSW) hold a Conference annually. This year the conference will be held from 23 to 25 November 2025, Panthers Penrith and Western Sydney Conference Centre, Penrith. The purpose of the conference is to shape the advocacy agenda for 2026 and to vote on motions presented to the conference.

Council needs to elect two voting delegates for LGNSW Conferences.

RESOLVED that :

- 1. The Mayor, Councillor Charry and the Chief Executive Officer (or their delegate) attend the 2025 Local Government NSW Conference.***
- 2. That Mayor and the Councillor determined in 1. above, be the voting delegates for the Local Government NSW Conferences.***
- 3. Any motions to be submitted for consideration at the conference be determined by Council at the September 2025 Council meeting.***

(Charry/Cameron) 290

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.14 UPDATE ON COMPULSORY LAND ACQUISITION WITHOUT AGREEMENT FOR THE REPLACEMENT LOW LEVEL ROAD CROSSING ON GREENWOOD ROAD OVER MURRUMBATEMAN CREEK

SUMMARY

To provide Council with a summary of the background into the compulsory land acquisition (without agreement) for the Greenwood Road bridge over Murrumbateman Creek.

RESOLVED that item be classified CONFIDENTIAL in accordance with Section 10A(2)(g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance contrary to the public interest.

(Burgess/Flanery) 291

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.15 TENDER YVC.IA.20.2025 - FOOTPATH FROM WALKER PARK VIA JULIAN PLACE, SHAW AND PETIT STREETS TO BERINBA PUBLIC SCHOOL

SUMMARY

To provide details of organisations that provided tenders for this footpath project.

RESOLVED that item is classified CONFIDENTIAL in accordance with Section 10A(2)(dii) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance contrary to the public interest.

(Burgess/Flanery) 292

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.16 YASS WATER TREATMENT PLANT UPGRADE PROJECT - IMPLEMENTATION

SUMMARY

The Yass Water Treatment Plant Upgrade Project is an important and challenging project for Council. Bi-monthly update reports are a requirement of Council.

RESOLVED that Council notes the updated report and work completed on the Yass Water Treatment Plant Upgrade Project.

(McGrath/Burgess) 293

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

6.17 RE-CLASSIFICATION OF LAND - 1095 SPRING RANGE ROAD (NSW RURAL FIRE SERVICE SHED)

SUMMARY

Councils in NSW are responsible for providing the NSW Rural Fire Services (RFS) with suitable premises to operate from. Councils generally own the land and buildings from which RFS operate. This report is seeking Council's endorsement to re-classify the acquired land as "Operational".

RESOLVED that Lot 101 DP 1316928 be classified as "Operational land" in accordance with Section 31 of the Local Government Act 1993.

(Charry/McGrath) 294

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

In the meeting the Councillors would like to acknowledge and thank the Birtles family for their generous donation of the land.

7. Notice of Motion

7.1 LGNSW WATER MANAGEMENT CONFERENCE - 9-11 SEPTEMBER 2025

Councillor Adrian Cameron has given notice that at the Ordinary Council Meeting on 28 August 2025, he will move the following motion.

RESOLVED that Yass Valley Council send a minimum of two representatives, comprising at least one staff member and Councillor Cameron (alternate Cr Charry) to attend the LGNSW 'Water Management Conference' in Albury September 9-11, 2025.

(Cameron/McGrath) 295

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

8. Questions with Notice

8.1 YASS VALLEY COUNCIL - TREE MANAGEMENT

Question

What plans are in place to rebuild expertise in qualifications and expertise of YVC's arborist team as part of developing an effective tree management policy and what is the timeline for this?

In 8.2 of the July Business Papers, it appeared that the concentration of skills and personnel is in horticulture. Given the range of trees in our parks, reserves and verges and the need to work with electricity companies, we need tree expertise. When a highly experienced and qualified arborist left YVC after 29 years, that void has remained unfilled. Perhaps experienced people need to be borrowed from other councils in the short term to ensure we have the expertise we need.

Response

1. Council does not have, and has not historically had, an arborist 'team'.

2. No positions within Council currently or in the recent past have required an employee to have qualifications in arboriculture.
3. Council is considering the need for an arborist position as part of the current and ongoing organisational restructure. Currently, Council relies on a panel contract of arborists to undertake works as required.
4. For clarification, staff in horticulturist positions perform duties which are distinctly different to what is required for an arborist's role at Council and therefore the number of staff in horticulturist roles needs to be separated from the issue of arborist expertise within Council.
5. Item EN. 9.1.1 of Council's 2025-2026 Operational Plan requires that a Tree Management Strategy is developed this financial year.
6. A budget has been allocated in 2025-2026 for the engagement of a consultant to prepare a Tree Management Strategy for Council. The strategy is not contingent on the level of arborist expertise within Council.

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

9. Minutes and Recommendations of Council Committees

9.1 AMENDED MINUTES OF THE MURRUMBATMAN RECREATION GROUND FOCUS GROUP HELD ON 24 MARCH 2025

REPORT

Minutes of the Murrumbatman Recreation Ground Focus Group – 24 March 2025

The minutes of the Murrumbatman Recreation Ground Focus Group meeting held on 24 March 2025 require amendment, as detailed in the table below.

Draft Minutes	Amendment to Minutes
3.1 Committee Decision Future consideration to be given to the proposed BMX/Pump track and risk mitigation in regard to access, fencing, gates, traffic and parking	Future consideration to be given to risk mitigation regard to access, fencing, gates, traffic and parking the proposed all abilities playground is to be located over the southern sand arena.
<i>Items added only</i>	3.3 General Business – Additional Items <ul style="list-style-type: none"> Draft Murrumbatman Recreation Ground Focus Group Management to be distributed to Focus members groups for review and feedback. Murrumbatman Community Association that the Murrumbatman Recreation Ground capacity and other greenfield sites or locations should be considered for any future recreation facilities. Also noting the future loss of land at Grounds due to Barton highway duplication. Maps identified in 2021 Murrumbatman Recreation Ground Strategic Plan to be updated in the draft 2025 Strategic Plan to reflect current infrastructure.

The amended minutes of the Murrumbateman Recreation Ground Focus Group meeting held on 24 March 2025 are included in **Attachment A**.

From these minutes there are items that may require expenditure not provided for in the current Operational Plan. Any adjustment to the Operational Plan or Budget relating to actions identified in the Murrumbateman Recreational Ground minutes will be considered as part of usual budget process.

RESOLVED that amended minutes of the Murrumbateman Recreation Ground Focus Group meeting held on 24 March 2025 be noted.

(Cameron/Flanery) 296

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

9.2 MINUTES OF THE YASS POOL REDEVELOPMENT PROJECT COMMITTEE MEETINGS

REPORT

Minutes of the Yass Pool Redevelopment Project Committee Meeting – 11 June 2025

The minutes of the Yass Pool Redevelopment Project Committee meeting held 11 June 2025 required amendment, as outlined in the table below.

Draft Minutes	Amendment to Minutes
3.1 Committee Decision That: 3. The structural report be distributed to committee members out of session for review.	3.1 Committee Decision That: 3. The structural engineer's Stage 1 report quote for Stage 2, be distributed to committee members out of session for review and proceeding.
4. General Business Item 4: It was suggested that an initial concept plan would need to include: <ul style="list-style-type: none"> • A shovel ready plan • Address concerns over inadequacy of report • Include 6 lane pool to accommodate all community groups • Include all options for the entire facility (in addition to the 6-lane pool) 	4. General Business Item 4: It was suggested that a revised Concept Design need to include: <ul style="list-style-type: none"> • A shovel ready plan • Address concerns over existing Concept Design features • Include 6 lane pool to accommodate all community groups • Review options for the entire facility (in addition to the 6-lane pool)
4. Committee Decision Item 2: Share original Complete Urban report with committee	4. Committee Decision Item 2: Share background to original, Complete Urban procurement, including Council Pool Concept Design tender scope, number of applications received, and final Complete Urban Design report with committee

The amended minutes of the Yass Pool Redevelopment Project Committee meeting held on 11 June 2025 are included in **Attachment A**.

From these minutes there are items that may require expenditure not provided for in the current Operational Plan. Any adjustment to the Operational Plan or Budget relating to actions identified in the Yass Pool Redevelopment Project Committee minutes will be considered as part of usual budget process.

RESOLVED that amended minutes of the Yass Pool Redevelopment Project Committee meeting held on 11 June 2025 be noted.

(Charry/McGrath) 297

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

10. Confidential Matters

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

- 10.1 Tender YVC.IA.20.2025 - Footpath from Walker Park via Julian Place, Shaw and Petit Streets to Berinba Public School**
Item 10.1 is confidential in accordance with section s10(A)(2)(dii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance contrary to the public interest and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 10.2 Update on Compulsory Land Acquisition Without Agreement for Replacement Low Level Road Crossing on Greenwood Road Over Murrumbateman Creek**
Item 10.2 is confidential in accordance with section s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance contrary to the public interest and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 10.3 YVC/CC/15/2025 - Digitisation of Building Files**
Item 10.3 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance contrary to the public interest and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 10.4 Electric Vehicle Charging Stations - Crago Mill Precinct**
Item 10.4 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance contrary to the public interest and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(McGrath/Charry) 298

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

Closed Council commenced at 7.28pm.

At 7:28 pm Councillor Cameron left the Meeting.

At 7:32 pm Councillor Cameron returned to the Meeting.

10.1 TENDER YVC.IA.20.2025 - FOOTPATH FROM WALKER PARK VIA JULIAN PLACE, SHAW AND PETIT STREETS TO BERINBA PUBLIC SCHOOL

SUMMARY

To recommend to Council a tenderer to deliver the Shaw and Petit Streets footpath project.

RESOLVED that :

- 1. the tender submitted by R Con Civil Pty Ltd under Tender YVC.IA.20.2025 be accepted for a total cost of \$836,866.82 (excluding GST).**
- 2. the remainder of the grant funding be utilised for contingencies and/or additional works associated with the project.**

(McGrath/Rothwell) 299

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

10.2 UPDATE ON COMPULSORY LAND ACQUISITION WITHOUT AGREEMENT FOR REPLACEMENT LOW LEVEL ROAD CROSSING ON GREENWOOD ROAD OVER MURRUMBATEMAN CREEK

SUMMARY

To provide Council with a summary of the background into the compulsory land acquisition (without agreement) for the Greenwood Road bridge over Murrumbateman Creek and to obtain authority for Council to commence a commercially negotiated agreement with the landowner.

RESOLVED that Council adopts the recommendations in the council report.

(Rothwell/Flanery) 300

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

10.3 YVC/CC/15/2025 - DIGITISATION OF BUILDING FILES

SUMMARY

This report provides advice and recommendations on the submissions received for the YVC/CC/15/2025 Digitisation of Building Files tender.

RESOLVED that the tender submitted by TIMG for YVC/CC/15/2025 Digitisation of Building Files be accepted for a total cost of \$72,500.00 (Ex GST).

(McGrath/Flanery) 301

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

10.4 ELECTRIC VEHICLE CHARGING STATIONS - CRAGO MILL PRECINCT

SUMMARY

Proposal to commence a formal dialogue with the NRMA with a view to brokering an agreement for the installation of nine (9) NRMA electric vehicle charging stations within the Crago Mill Civic Precinct. Opportunity to secure a no cost and no operational liability approach to meeting an existing commitment of Council to include EV charging stations as part of the current delivery of Stage 1 of the Crago Mill Civic Precinct build. Potential realisation of significant short and long term savings to Council in provision of EV infrastructure.

RESOLVED that :

- 1. Council staff undertake an EOI process to determine interested parties for the installation, operation and maintenance of nine (9) electric vehicle (EV) charging stations in Adele Street in Yass as part of completion of Stage 1 of the Crago Mill Civic Precinct development.***
- 2. The Chief Executive Officer be authorised to engage in negotiations with the preferred EOI organisation to secure licensing arrangements for the installation, operation and maintenance of nine (9) electric vehicle (EV) charging stations in Adele Street in Yass as part of completion of Stage 1 of the Crago Mill Civic Precinct development.***
- 3. Such negotiations seek to achieve a fair and reasonable stream of income to Council based on due diligence on market rates for accommodating such facilities, and in consideration of the EV company covering start up and operating costs of the facilities.***
- 4. Negotiations propose that Council will not be burdened with any future costs for upgrade or decommissioning of infrastructure should the need arise during the life of the agreement.***
- 5. The Chief Executive Officer report back to the October 2025 ordinary meeting of Council on the outcome of negotiations.***

(Jones/Flanery) 302

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

RESOLVED that the meeting move into Open Council.

(McGrath/Cameron) 303

FOR: Councillors C Burgess, K Butler, A Cameron, A Charry, F Flanery, J Jones, A McGrath and D Rothwell

AGAINST: Nil

Open Council resumed at 7.20pm whereupon the Mayor made the resolutions passed during closed session public.

The meeting closed at 7.21pm.

DRAFT

5.1 STATE SIGNIFICANT RENEWABLE ENERGY PROJECTS WITHIN YASS VALLEY SUBMISSION

SUMMARY

Mayoral Minute to note and respond to an independent submission regarding the protection of our region's communities on high bush fire threat days considering the cumulative impact of proposed industrial scale energy projects in scope for Yass Valley.

RECOMMENDATION

That:

1. Council receives the submission on proposed State Significant Renewable Energy Projects within Yass Valley and the possible effects they might have with Fire Suppression on days where the Fire Behaviour Index (FBI) is 40 or above or during days of Total Fire Ban.
2. Council thanks retired NSW RFS Group Captain Michael Gray for this significant contribution grounded in the lived experience of fire fighting in our region, training, and skills totally more than 80 years accrued by Mr Gray and the peer reviewers.
3. Council utilises the submission and existing Council policies to inform representations requesting an immediate halt to the renewables roll out in Yass Valley to allow time for the safety of our citizens and the surrounding region including the ACT to be given due and proper consideration considering the seriousness of the identified risks.
4. Relevant ministers to include the NSW Premier, NSW Energy Minister, NSW Planning Minister, NSW Minister for Emergency Services, the Prime Minister, Federal Minister for Climate Change & Energy, Federal Minister for Emergency Management, Local Government & Territories & Regional Development, local state and federal members, ACT Chief Minister and The Australian Energy Commissioner.

ATTACHMENTS: A. Yass Valley LGA Renewable Energy Projects - Possible Impacts on Fire Suppression During Bushfire Events [↗](#)

5.2 FRIENDSHIP CITY PARTNERSHIP WITH WUZHOU, CHINA

SUMMARY

Yass Valley Council has a friendship city arrangement registered with the federal Government since 2019 with prearrangements dating back to 2016 as outlined in the attached media releases.

RECOMMENDATION

That Council:

1. *Acknowledge The YASS-WUZHOU Friendship City has been registered with the Federal Government since 2019 following two years of pre-arrangement correspondence.*
2. *Council notes a recent meeting was granted by Mayor Jasmin Jones to ACT China Council of Commerce President Mr Andrew Ng and Deputy President Mr Roger Hausmann, representing the interests of ACT CCC and Wuzhou of Guangxi Zhuang Autonomous Region, CHINA. YVC CEO Ms Gayleen Burley was also in attendance. Council notes Mr Ng has advised Mayor Jones he intends to visit Wuzhou, departing Australia on the 24th of September.*
3. *Council delegates to staff a due diligence check with the Australian Federal Government that Council has affirmation to continue the foreign arrangement prior to providing a letter of greeting and confirmation of the ongoing trade relations of our region and affirming the Friendship Agreement. The letter to be addressed to the Mayor of Wuzhou – friendship city partner to Yass.*
4. *Council notes the current financial constraints of Yass Valley Council and advises that in-person partnership acknowledgements from YVC will, out of necessity, be constrained to digital meetings unless otherwise funded independently by the Mayor, their delegate, or through Australian industry sponsorship eg wine and wool peak bodies.*
5. *Council will keep the Federal Member for Riverina The Hon. Michael McCormack and State member for Goulburn, The Hon. Wendy Tuckerman informed and be inclusive of diplomatic opportunities.*
6. *Council acknowledges the City of Wuzhou is a current trade partner for several local economies including wine and mushroom exports. Within the Canberra Region Joint Organisation of Councils surrounding the Canberra International Airport, opportunity exists for international tourism visitation expansion along with trade export expansion with plane cargo holds returning empty on international flights on Singapore Airlines as advised by the Canberra Airport delegate to the CRJO.*
7. *Council will ensure due diligence and transparency in communicating with local producers to ensure equal access to information about trade opportunities. Council notes Mr Ng has a previous business partnership with Shaw Wines and assisted YVC fee free during previous trade visits to China and escorted Chinese delegates to Yass in 2017 and 2019.*

REPORT

1. Background

President of ACT China Council of Commerce (CCC) Mr Andrew Ng recently corresponded with Council requesting a meeting to explore ways to reinvigorate this partnership. The Mayor and CEO met with Mr Ng and ACT CCC delegates on Friday September 12th September where Mr Ng advised Wuzhou officials have been in regular contact with the ACT CCC and hope to reaffirm and advance the partnership with Yass that went into hibernation following the international response to COVID.

Mr Ng has advised Mayor Jones he intends to visit Wuzhou city officials, departing Australia on the 24th of September and offered himself as a conduit to correspondence, a role he has performed free of charge for YVC in the past with support from Council's former Economic Development & Tourism Manager Mr Sean Haylan.

Yass Valley Council has a friendship city arrangement registered with the federal Government since 2019 with prearrangements dating back to 2016 as outlined in the attached media releases.

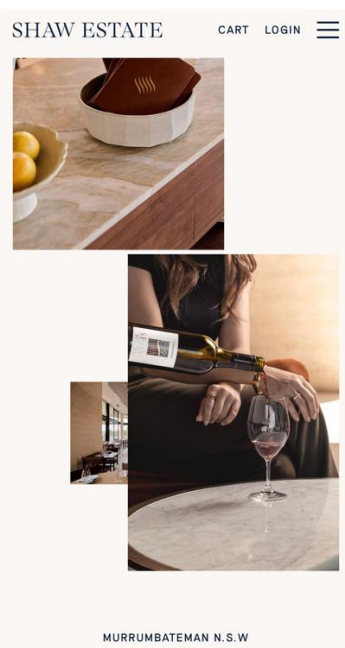
<https://www.foreignarrangements.gov.au/publicregister>

Council is required to comply with the Department of Foreign Affairs and Trade (DFAT) Foreign Arrangements Scheme (the Scheme) in relation to these types of arrangements.

The Scheme commenced on 10 December 2020 following the passage of *Australia's Foreign Relations (State and Territory Arrangements) Act 2020* (the Act). It regulates state and territory government, local government, and Australian public universities.

The Scheme requires local governments to notify the Foreign Minister (via DFAT) of written arrangements that they enter into with foreign entities. Arrangements are written agreements, contracts, understandings or undertakings between state and territory entities and foreign entities. They can include **Sister City Agreements and Memoranda of Understanding**. Failure to notify an arrangement is a breach of the Scheme and may lead to the arrangement being voided or cancelled by the Foreign Minister through their powers under the Act.

Yass Valley has done this but as Mayor I believe we should seek affirmation that this arrangement has the federal government's blessing to continue under the terms presented in the mayoral minute and our federal member then also notified.





MEDIA RELEASE

08.06.2017 - 3

Friendship City to be established with Wuzhou, China

With a population of 3.5 million people, Wuzhou is considered a small city by Chinese standards, but with a proud history of agriculture, it was the perfect fit to establish a "Friendship-City" partnership with Yass, for the benefit of the entire Yass Valley.

"Yass Valley has tremendous opportunities on our doorstep with international flights coming into Canberra, opportunities to increase tourism, trade and also promote our innovative agricultural practices to the world," said Yass Valley Mayor Rowena Abbey. "We have always been open to the idea of setting up a Friendship-City or Sister-City arrangement and welcome the invitation received from the city of Wuzhou."

Wuzhou is located approximately 400km south east of Hong Kong in eastern Guangxi, bordering the Guangdong province, with a total area of 12,588km². It is the intersection of three economic circles, which is the Pearl River Delta economic circle, the Bei Bu Bay economic circle and the Xi Jiang economic belt. It is one of the 28 major inland port cities in China.

"Establishing the friendship relationship with Wuzhou would be the first step for any promotion of trade or tourism in China for the Yass Valley," said Sean Haylan, Council's Tourism & Economic Development Manager. "Once established, Yass Valley would become a potential location for the citizens of Wuzhou to start visiting for tourism and trade, which would clearly provide opportunities for our growing wine and agricultural industries."

An official signing ceremony will be held with the Mayor of Wuzhou in the coming months when Council and the community welcomes the Wuzhou Government to Yass Valley to formalise the agreement.

ENDS

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MEDIA RELEASE

24.08.2017 - 5

Yass Valley Council welcomes Wuzhou delegation

Today Yass Valley Council welcomed the Vice Mayor of Wuzhou Municipal People's Government, Mr Huang Zhenrao, and a delegation of Chinese diplomats and business owners to the official signing of a Memorandum of Understanding (MoU) for a Friendship City Relationship between Yass and Wuzhou.

"This is a momentous occasion for Yass and the wider population of Yass Valley and we welcome this Friendship City Relationship with Wuzhou," said Yass Valley Mayor, Rowena Abbey. "This MoU will be a very positive step for our region and we look forward to exploring opportunities for increased tourism and business between our two cities."

"Today I and my delegation are very honoured to be invited to visit Yass Valley," said Vice Mayor of Wuzhou Municipal People's Government, Mr Huang Zhenrao. "With the signing of the Friendship City MoU, I look forward to tremendous opportunities in tourism, trade, culture and investments between Yass and Wuzhou."

With the signing of the MoU both parties agree to:

1. Establishing a Friendship City Agreement which will be conducive to a mutually beneficial relationship between Wuzhou and Yass.
2. Exploring potential cooperation, collaboration and exchanges in the fields of agriculture, tourism, trade, culture and education between Wuzhou and Yass.
3. Conducting cross-cultural exchanges, within the framework of a Friendship City Agreement, on the basis of mutual equality, mutual respect and mutual benefit.
4. Setting up a liaison mechanism to maintain an open dialogue to facilitate the process of the Friendship City Agreement between Wuzhou and Yass.

With the Chinese delegation in town for less than 24 hours they got to experience some of Yass Valley's biggest industries – agriculture, food and wine. The visitors were treated to a live cattle auction at the South Eastern Livestock Exchange (SELX), before witnessing a shearing demonstration at agricultural operation "Vale View", Murrumbateman. Lunch at Clementine Restaurant was a memorable experience with Chef Adam Bantock speaking to the party about the diverse food culture in Yass Valley, as well as his experience working and living in China. The delegation wrapped up their Yass Valley experience wine tasting at Shaw Vineyard Estate, Murrumbateman.

Yass Valley Council looks forward to welcoming Wuzhou's Mayor Mr Zhu Xueqing in 2018 for the official signing of the Friendship City Agreement with Yass.

ENDS

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ATTACHMENTS: Nil

5.3 PROPOSED BENDENINE WIND FARM

SUMMARY

Council notes correspondence from Wind Prospect, the scoping partner for construction company Mint Renewables, regarding their 90x 260M turbine 'Bendenine' project proposed for Bowning and Binalong. The company advises its intention to lodge its scoping report to the Department of Planning, Housing & Infrastructure (DPHI) in early January 2026.

RECOMMENDATION

That:

- 1. A Mayoral letter be sent to and a meeting requested of Wind Prospect and Mint Renewables, to urge the company and its construction partner to pause this action until 1 April due to community impact, marking the formal end of the Bush Fire Danger period for Yass Valley.*
- 2. A Mayoral letter be sent to the Minister and Secretary of the Department of Planning, Housing & Infrastructure, requesting an extended opportunity to respond to the scoping report lodged between January and 31 March 2026.*
- 3. A Mayoral letter be sent to and a meeting requested of the Australian Energy Commissioner and NSW Energy and Planning Ministers, detailing the impact on our community and council resources to date, along with the future impact on our community wellbeing of a project progressing during our highest bushfire danger season, and for some farming families who are still in the shearing cycle.*

REPORT

Less than five months ago, our community became aware of a State Significant sized turbine project proposed for prime agricultural land in proximity to the historic village centres and many clusters of rural dwellings between Binalong and Bowning.

While the use of the land for this purpose is prohibited under the Yass Valley Council LEP, Council is not the consent authority for SSD assessments.

Since May, the community and council have strongly objected to the project, demonstrating there is no social licence for this project to go ahead.

National media reported the project was indefinitely paused; however, recent correspondence suggests this is not the intention of the project partners, Wind Prospect and Mint Renewables.

This is a blow to our village farming communities, which have requested the company provide a 'mental reprieve' to allow the community to take a break from the impact of the scoping of this project in the lead-up to Christmas and the traditional holiday time, and through the most serious time of bush fire threat for our region.

This is particularly distressing as our farming families are physically, mentally, and financially exhausted, having endured a green drought and hard winter, working double their usual hours every day to hand-feed those stock that they can. Despite these efforts, they have also had to face significant stock loss in their lambing efforts due to the poor fodder conditions and frost. Yass Valley has been declared drought-impacted since May 2024.

January to March 2026 is the height of the fire season, where farmers are under significant mental health pressure to remain vigilant for themselves and for their neighbours.

It is also a time when farmers may be stretched across multiple properties while neighbouring families take short holiday breaks to the coast if the fire season allows. Shearing for some farmers continues into January as the rotation of shearing crews reaches their properties. Harvest and lambing work will be keeping farmers very busy in these last months of 2025.

Council has a policy position that Yass Valley is at capacity for turbine projects and advocates against further turbine projects, having considered the social, economic, and environmental impacts of the six State Significant Projects already approved and under construction.

There is a concerning power imbalance during the scoping phase of SSD projects, with long lead times and proponent-funded positions using 'experts' in their fields and foreign investor backing versus unpaid community members scrambling into voluntary action groups at the last minute, using up valuable personal productivity and family time, along with small, rural non-REZ councils with no capacity funding from the State Government to support staff, pay for legal advice, independent reports, or hire consultants to augment our already burdened staff.

ATTACHMENTS: A. Bendenine Wind Farm Community Update [🔗](#)

5.4 JOINT ADVOCACY - COMMUNITY BENEFIT SHARING PAYMENT - TRANSGRID POWER LINES

SUMMARY

This report recommends joint advocacy by the five councils impacted by Humelink infrastructure for an ongoing community benefit contribution payment scheme made to the councils in order to support the ongoing provision of infrastructure and services, therefore benefiting the whole community.

RECOMMENDATION

That Council:

1. *Formally write to the Australian Energy Regulator (AER), Chair Clare Savage and CEO Anthea Harris requesting a meeting with all five Mayors of Yass Valley Council, Snowy Valleys Council, Upper Lachlan Shire Council, Wagga Wagga City Council, and Cootamundra Gundagai Regional Council regarding the AER's immediate consideration and support to require or facilitate Transgrid's agreement to community benefit-sharing payments, with payments commencing in 2027 at the completion of the Humelink Project.*
2. *Advocate jointly with Upper Lachlan Shire Council, Snowy Valleys Council, Wagga Wagga City Council, and Cootamundra Gundagai Regional Council to Transgrid and the NSW Government for establishment of an annual payment of \$10,000 per kilometre indexed for the lifetime of the transmission lines.*
3. *Thank Minister Sharpe, Energy Commissioner Tony Mahar and Transgrid CEO Brett Redman for past meetings with the host councils and seek their ongoing support in advocating for fair and meaningful benefit-sharing arrangements for host communities. Council and communities are giving the cities power security while the amenity of the regions is being adversely affected for decades.*

REPORT

The HumeLink project will see approximately 365km of transmission lines constructed across five local government areas, including 51kms in Yass Valley.

While landowners are compensated under the strategic benefit payments scheme, no equivalent framework exists for councils, despite their responsibility for maintaining local infrastructure and delivering community services that will support and be impacted by the project.

Transgrid and Humelink's current Community Benefits and Investment Plan offers some grants and sponsorships, but these are short-term and fragmented, and do not deliver the ongoing net community benefit that host councils seek.

The host councils' proposal seeks contributions of \$10,000 per kilometre of transmission lines within each local government area, to be paid annually over the lifetime of the transmission lines being in the Council area with payments commencing in October 2027 at the completion of the Humelink Project.

These payments would be untied contributions for operational or capital costs of council infrastructure and services, including but not limited to:

- roads, bridges and drainage;
- water and sewerage;
- sporting, cultural, learning and community services;
- waste management and parks.

This approach ensures that communities hosting critical energy infrastructure receive a direct, ongoing benefit in recognition of their role in supporting projects that deliver for NSW and beyond.

Council notes the work undertaken by the Canberra Region Joint Organisation (CRJO) on behalf of Yass Valley Council, Snowy Valleys Council, Upper Lachlan Shire Council, Wagga Wagga City Council and Cootamundra Gundagai Regional Council (the host councils) in preparing a joint advocacy proposal.

ATTACHMENTS: Nil

6.1 LEAVE OF ABSENCE - CR DAVID CARTER

SUMMARY

Councillor Carter will be an apology for the 23 October 2025 Council Meeting and has submitted an application to Council for this Leave of Absence.

RECOMMENDATION

That:

- 1. Council approve the Leave of Absence application submitted by Councillor David Carter for the 23 October 2025 Council Meeting.*

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

This request is in accordance with clause 5.4 and 5.6 of Council's Code of Meeting Practice and section 234(1)(d) of the Local Government Act 1993, whereby Council may grant leave prior to or at any meetings concerned.

REPORT

Cr David Carter will be away overseas for the 23 October 2025 Council Meeting and has submitted an application to Council for this Leave of Absence.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.2: Governance provides a sound basis for decision making.
Delivery Program Action	CL.2.1: Decisions made in accordance with LG Act and Regulations

ATTACHMENTS: Nil

6.2 DEVELOPMENT APPLICATION NO. DA250398 - GEOTECHNICAL INVESTIGATIONS - 736 CHILDOWLA ROAD, BOOKHAM

SUMMARY

This report presents the assessment of development application no. DA250398 for the proposed geotechnical investigations at 736 Childowla Road, Bookham. The proposed geotechnical investigations are earthworks, including boreholes and test pits, and are to occur across 12 properties. The application is referred to Council as a total of 23 objections were received during the public exhibition period. Approval is recommended.

RECOMMENDATION

That conditional development consent be issued for development application no DA250398 for the geotechnical investigations at 736 Childowla Road, Bookham

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

Acts and Regulations

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Rural Fires Act 1997
- Rural Fires Regulation 2022

State Environmental Planning Policies-

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021

Local Controls

- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Development Contributions Plan 2018
- Yass Valley Community Engagement Strategy

Guidelines

- Planning for Bushfire Protection
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales

REPORT

1. Application Details

Date Received	-	2 June 2025
Land	-	
Area	-	Multiple Lots, Bookham Locality (Childowla Road)
Zoning	-	RU1 – Primary Production

2. Site Description and Locality

The proposed geotechnical investigations are to be undertaken across 12 separate landholdings located within the RU1 Primary Production zone in the locality of Bookham, NSW. The investigation area is situated within a predominantly rural landscape, characterised by active agricultural land uses, including broadacre farming and grazing. The surrounding area comprises a mix of large-scale rural properties and rural residential lots, with neighbouring properties situated to the north, east, south, and west of the investigation area.

The broader investigation area spans multiple privately owned rural properties, each exhibiting varying levels of existing development. Some properties contain rural buildings and agricultural infrastructure, such as sheds, fencing, internal access tracks, and water tanks. The topography is typical of the region, comprising open paddocks, undulating terrain, and intermittent vegetation, contributing to the area's agricultural productivity and rural character.

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

3. Proposal

The submitted development application involves earthworks comprising 43 test pits (maximum 150mm diameter) and 26 boreholes.

The Yass Valley Local Environmental Plan 2013 (the LEP) defines 'earthworks' as 'excavation or filling'. 'Earthworks' is permitted with consent in the RU1 Primary Production zone.

It is acknowledged that the development application submitted is in connection with the proposed future Bookham Wind Farm. Notwithstanding this context, the proposed geotechnical investigations are properly characterised as 'earthworks' on their own.

For the purposes of the Environmental Planning and Assessment Act 1979 (the Act), these earthworks are not considered to be ancillary to, nor an integral or necessary component of, electricity generating works associated with a future wind farm proposal. Accordingly, the geotechnical investigations are to be assessed on their own merits as a distinct category of development, for which council is the consent authority.

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

4. Public Exhibition

Public exhibition included notice to 25 adjoining and nearby landowners and 23 submissions have been received (refer [Attachment C](#)).

The applicant's detailed response to submissions is included in [Attachment D](#).

A planning forum was held on 11 August 2025 to provide an opportunity for submission authors and the applicant to address Councillors prior to completion of assessment and determination of the application.

The issues raised in the submissions and the applicant's response are discussed in the assessment sections of this report.

5. Assessment

The proposed development has been assessed against the requirements of section 4.15 of the Act. It is considered that the proposed development can be supported for the reasons outlined in the Assessment Report (refer [Attachment E](#)).

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

5.1 Risk of Scope Creep

Submissions have raised concern that the Statement of Environmental Effects (SEE) notes "further assessments may be required" based on the initial geotechnical results. This has been suggested as potentially enabling repeated or incremental applications, which could avoid comprehensive environmental scrutiny and undermine the intent of the Act.

This concern is acknowledged. The proposal is for temporary geotechnical investigations only, comprising a defined scope of 43 test pits and 26 boreholes across 12 rural properties. The works are limited in scale, duration, and impact, and do not include any associated infrastructure, permanent site modifications, or development that would facilitate future construction or operation of a wind farm.

While the SEE does state that further assessments may follow, this is not unusual for early-stage investigative works, particularly in the context of a future State Significant Development (SSD), which must undergo its own comprehensive assessment process under Part 4, Division 4.7 of the Act. Any subsequent development beyond the current geotechnical scope will be subject to a new and separate development application and will be classified as SSD.

5.2 Consistency with Zone Objectives

Submissions challenge the SEE claim that the proposed geotechnical investigations are consistent with the RU1 Primary Production zone objectives under the LEP. The concerns focus on land use compatibility, sustainable agriculture, soil stability, rural character, and potential land fragmentation.

It is acknowledged that the properties involved in the investigation are used for productive agricultural activities, including livestock grazing. The RU1 Primary Production zone seeks to protect and encourage sustainable primary production, including the use of land for agriculture and grazing.

The proposed geotechnical investigations are temporary and low scale in nature, comprising limited earthworks distributed across 12 properties. While minor disturbance to pasture may occur, the works are short-term, and the disturbed areas are required to be reinstated upon completion. No permanent infrastructure, land clearing, or change of land use is proposed as part of this application.

Clause 6.7 of the LEP requires consideration of the impact of development on highly erodible soils. The SEE does not specifically map or analyse soil erosion risk associated with the location of each borehole or test pit. However, the SEE acknowledges the presence of erosion-prone soils in the region.

To address this, conditions of consent can require:

- Run-off and erosion control measures must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding lands.
- Erosion control measures, such as sediment fencing or mulching, to be implemented where necessary.

The RU1 Primary Production zone aims to preserve the rural character of the locality while allowing compatible land uses. While the geotechnical investigations are linked to a future wind farm proposal, the current application does not authorise or facilitate any permanent development of that nature. The temporary nature and limited visual or structural footprint of the works ensure that rural character is maintained.

The assessment has considered the objectives of the RU1 Primary Production zone under the LEP, and it is acknowledged that agricultural productivity must be preserved. The temporary nature for the purposes of the earthworks is not expected to result in significant or lasting disruption to agricultural operations.

Further concerns regarding the broader visual and land use implications of the potential wind farm are noted, however, these matters will be assessed through any future SSD application.

5.3 Impacts on Rural Landscape and Agricultural Values

Submissions express concern that the proposed development undermines the rural and environmental character of the locality. The submissions note that the geotechnical

investigations, as a precursor to an industrial-scale wind farm development, conflict with the values and land use of the region.

The site and surrounding locality are zoned RU1 Primary Production under the LEP, with objectives that include the promotion of agricultural land use and preservation of the rural landscape.

The current proposal involves temporary geotechnical investigations only and does not include infrastructure associated with wind energy generation. While minor short-term impacts may occur due to earthworks and vehicle movement, these are not considered to result in permanent loss of agricultural land or character.

Potential impacts on soil, amenity, and land use compatibility have been assessed under clause 6.1 (Earthworks), and conditions of consent can be imposed to ensure the land is reinstated to its original condition following completion of works.

5.4 Misrepresentation of Access Tracks

Submissions have raised concern regarding the identification of access tracks within and adjacent to 736 Childowla Road noting that some tracks described in the SEE as “existing farm tracks” may not be established or authorised for farm use. The submissions further state that the proposed use of these tracks for geotechnical investigations could interfere with ongoing agricultural operations.

It is noted that the proposed development is for temporary geotechnical investigations only and does not involve the construction or formalisation of permanent access roads. The use of any tracks requires landowner consent, which has been submitted with the development application.

5.5 Potential Damage to Grassland and Access Tracks

Submissions have raised concern regarding potential damage to grassland and access tracks from the use of heavy machinery during the geotechnical investigations. Specific issues include soil compaction, erosion, and pasture loss, as well as the absence of a clear restoration or rehabilitation plan in the application documentation.

It is noted that the proposed development is limited to temporary geotechnical investigations, including the excavation of test pits and boreholes. These works are of short duration, low intensity and ground disturbance is limited to minor localised soil and vegetation impacts.

To address these concerns, conditions of consent can also require the following:

- (i) A construction environmental management plan (CEMP) to be submitted to council prior to works commencing to address waste management, details for minimising impacts on neighbouring properties, and road network, etc.
- (ii) Runoff and erosion control measures to be maintained at all times.

5.6 Bushfire Risk

Submissions have raised concerns about bushfire risks associated with the use of heavy machinery during the proposed geotechnical investigations. The concerns include the potential for sparks from tracked drilling equipment and excavators, the inadequacy of water spraying to suppress fire risk, and the lack of bushfire mitigation strategy.

It is acknowledged that the proposed development will involve the use of heavy machinery, and these will access various properties via farm tracks that is mapped as bushfire prone land (BFPL) under council’s bushfire prone land map.

While bushfire risk is a relevant consideration, the development is limited to temporary geotechnical investigations which are characterised as earthworks. In accordance with the Rural Fires Regulation 2022, developments involving “*the carrying out of earthworks or drainage works*” are excluded from requiring a Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997. Furthermore, there are no specific requirements triggered under Planning for Bushfire

Protection 2019. On this basis, a Bushfire Assessment Report is not mandated for the subject application.

Given the rural setting, history of grassfires and the nature of the equipment proposed, it is considered appropriate to include conditions of consent to mitigate potential bushfire risks during site operations.

Recommended conditions include:

- (i) All machinery and vehicles operating on site must be fitted with spark arrestors or appropriate fire suppression features.
- (ii) Portable fire extinguishers (minimum 9L water or dry chemical) must be available on all machinery and support vehicles.

5.7 Environmental Impacts – Biodiversity, Landscape Disturbance and Water Use

Submissions have raised concerns regarding the cumulative environmental impacts of the proposed development. It is acknowledged that the SEE describes the geotechnical investigations as having negligible environmental impact, with the SEE outlining a total water requirement of 300-500 litres per borehole.

While the total volume of water used is relatively low and unlikely to impact regional water resources, site specific effects such as runoff, ponding, or unintended overland flow onto adjoining land or toward drainage lines are valid considerations. Water use and disposal can be managed in a way that avoids adverse environmental or off-site impacts. This includes directing water away from drainage lines and minimising ponding in low-lying areas.

Regarding biodiversity, submissions note that the Flora and Fauna Assessment surveyed 169 vegetation plots across a 3,621ha area. Concerns raised that this survey effort may be insufficient to assess potential impacts on sensitive or seasonal species such as the Yass Daisey (*Ammobium craspedioides*).

It is noted that the current proposal does not involve any clearing of native woody vegetation, and all disturbance areas are temporary and localised. The current geotechnical proposal is considered limited in scope and duration, and with appropriate safeguards in place, it is unlikely to result in significant or irreversible environmental harm. However, it is expected that any SSD application will be subject to a comprehensive Biodiversity Development Assessment Report (BDAR) in accordance with the Biodiversity Conservation Act 2016, and will be required to address cumulative ecological impacts, seasonal survey adequacy, and long-term land use changes.

5.8 Groundwater Wells and Integrated Development Considerations

Submissions have raised concerns about the proposed retention of certain boreholes as permanent groundwater wells. Specifically, submissions notes that while the SEE refers to ongoing monitoring, it does not clearly address the environmental implications of retaining groundwater wells, nor whether this component of the development triggers requirements under the Water Management Act 2000.

Clarification has been sought in the assessment and the applicant has confirmed that the submitted development application is not seeking consent for groundwater monitoring wells.

It is understood however that section 4.41(3) of the Act exempts the need for approvals under certain sections of the Water Management Act 2000 where the works relate to complying with Secretary's Environmental Assessment Requirements (SEARs) in connection with an SSD application. This is outside of the subject development application for the geotechnical investigations as 'earthworks'.

5.9 Bore Site Proximity to Non-Host Boundaries

Submissions raise concerns regarding the proximity of some proposed test pits and boreholes to property boundaries, including within 300 metres of non-host land. The submissions identify

potential impacts to neighbouring agricultural operations, shared access tracks, and a lack of demonstrated consultation with or consent by adjoining landowners.

It is acknowledged that the proposed works occur across multiple rural holdings and, in some instances, may be sited near the boundaries of properties not directly involved in the development. While the application does not propose permanent structures or long-term land use change, the temporary use of drilling rigs, excavators, water trucks, and support vehicles may result in noise, dust, or operational disruption during the investigation period.

Formal neighbour notification was undertaken during the application assessment. This process provided affected landowners with the opportunity to review and respond to the proposal. The concerns raised are acknowledged and form part of the assessment.

Neither the LEP, the DCP, nor the Act prescribes minimum setback distances for temporary geotechnical investigations in rural zones.

5.10 Aboriginal Cultural Heritage Assessment

Submissions raise concerns regarding the adequacy of the Aboriginal Cultural Heritage Due Diligence Assessment, identifying the following issues:

- (i) Missing Figures: Figures 1, 2, and 3 referenced in the assessment are not included, limiting the ability to assess the spatial context of the Aboriginal heritage due diligence process.
- (ii) Lack of Consultation: The report does not indicate that consultation was undertaken with local Aboriginal stakeholders or knowledge holders, despite identifying moderate potential for unrecorded heritage along creek flats and other sensitive areas.
- (iii) Limited Monitoring Recommendations: The recommendation to monitor only during potential upgrades to access tracks is considered insufficient, with the submission requesting that a qualified heritage consultant inspect all test locations prior to ground disturbance.

The submitted information indicates that the applicant has undertaken a due diligence process consistent with the requirements of the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (the Code of Practice) for the purposes of this application.

Of the missing figures, Figure 1 is the proposed development plan included with the application, whilst Figure 2 and 3 contains the exact locations of Aboriginal objects which are generally not released in the public versions of reports.

To ensure that Aboriginal cultural heritage is appropriately protected during the geotechnical investigations a condition of consent is recommended to ensure that if a person reasonably suspects a relic or Aboriginal object has been discovered during site works (i.e. unexpected finds), all work in the area must cease immediately and relevant authorities are to be notified in accordance with the National Parks and Wildlife Act 1974.

5.11 Council Policy Position on Wind Energy Development

Submissions raise concerns that the proposed geotechnical investigation are inconsistent with council's adopted policy stance on wind energy development.

It is important to distinguish between preliminary geotechnical investigations and the future wind farm development which is subject to a separate SSD process.

This application does not seek approval for a wind farm, it is limited to temporary geotechnical investigation to inform future feasibility studies. Council's policy position on wind energy development therefore cannot be used as a basis for refusal of this application.

5.12 Poor Community Consultation and Social Division

Submissions raise concerns about a lack of broader community consultation, noting that engagement has focused primarily on landholders directly involved in the proposal.

There is no statutory requirement for the applicant to undertake consultation in relation to the subject application for geotechnical investigations. The application was publicly notified, and submissions received during this period form an important part of the assessment process.

Social impacts arising from division within the community are noted but are to be appropriately assessed during the future SSD process where formal stakeholder and community engagement is mandated.

5.13 Traffic and Road Safety – Childowla Road

Submissions raise concerns about the additional heavy vehicle movements associated with the proposed geotechnical work, particularly given existing impacts from the Humelink project. Specific concerns relate to road deterioration and safety risks for residents and agricultural operations along Childowla Road.

It is acknowledged that the proposed works will generate short-term traffic impacts due to the use of drilling rigs, excavators, flatbed trucks, and support vehicles. However, the scale and duration of the activity is limited, and no long-term or ongoing traffic generation is proposed.

To manage potential impacts on local road infrastructure and safety, conditions are imposed to ensure works are undertaken in a manner which does not impact the public or surrounding properties and public infrastructure.

5.14 Lack of Biosecurity and Public Liability Insurance

A submission highlights deficiencies in the application regarding risk management for biosecurity and public liability in the context of geotechnical works on agricultural land.

- (i) Biosecurity Risks: The movement of heavy machinery across multiple rural sites may facilitate the spread of weeds, pests, and pathogens. The SEE and supporting documents do not specify any protocols such as vehicle wash-downs or weed management plans to mitigate these risks, which is a notable omission given the agricultural sensitivity of the area.
- (ii) Public Liability Insurance: There is no confirmation within the application that appropriate public liability insurance is held to cover potential damages to neighbouring properties, infrastructure, or the environment, despite the use of heavy machinery near property boundaries.

It is recommended that conditions be imposed requiring the preparation of a Construction Environmental Management Plan (CEMP), which must include measures for waste management, strategies to minimise impacts on neighbouring properties, and details for managing and minimising impacts on the surrounding road network. Public liability insurance remains a matter for the proponent and the contractors and is outside of planning considerations.

5.15 Absence of Clause 4.6 Exception Request

A submission raises concern that the development may contravene development standards under the LEP, particularly clause 6.1 (Earthworks), suggesting the application has not included a written request under clause 4.6 to justify exception. It is also argued that the scale of works, including 43 test pits and 26 boreholes with associated water use may exceed thresholds for exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

It is confirmed that the proposed geotechnical works are not being pursued as exempt development. The applicant has appropriately submitted a development application, which seeks formal consent for earthworks under clause 6.1 of the LEP.

Clause 4.6 only applies where a proposal seeks exception to a development standard (e.g. lot size, maximum height of building). In this instance, no exception to a development standard has been proposed or is required. Clause 6.1 does not impose a development standard but rather establishes assessment criteria for earthworks. As such, a clause 4.6 exception is not required.

Council has assessed the proposal against the provisions of clause 6.1 and is satisfied that the works are acceptable in terms of soil stability, drainage, and impacts on existing land uses, subject to conditions of consent.

6. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions, it is recommended that a development consent be issued. Draft conditions are included in **Attachment F**.

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. Plans and Supporting Documentation ⇒
	C. Submissions ⇒
	D. Applicant's Response to Submissions ⇒
	E. s4.15 Assessment Report ⇒
	F. Draft Conditions ⇒

6.3 DEVELOPMENT APPLICATION NO. DA250320 - MULTI-DWELLING HOUSING - 7 HANLEY PLACE, YASS

SUMMARY

To present the assessment of development application no. DA250320 for multi dwelling housing (six dwellings) at 7 Hanley Place, Yass. The application attracted 10 submissions including one in support and nine raising objections or concerns. The proposal seeks a variation to a number of planning controls, including maximum height and minimum site area for multi-dwelling housing in the LEP, setbacks to side/rear boundaries in the DCP, the building envelope, and 88B restrictions. Refusal is recommended.

RECOMMENDATION

That development application no. DA250320 for multi dwelling housing (six dwellings) at 7 Hanley Place, Yass, be refused on the following grounds:

- 1. The proposal does not comply with the development standard contained in clause 4.1D(3)(a) of the Yass Valley Local Environmental Plan 2013 in relation to the minimum site area per dwelling. The development standard requirements a minimum site area of 400m² per dwelling. The proposal has a site area of 319.5m² per dwelling.*
- 2. The exception to the development standard contained in clause 4.1D(3)(a) pursuant to clause 4.6 of the Yass Valley Local Environmental Plan 2013 is not supported as the applicant's written request has not demonstrated that compliance with the development standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds. As such, development consent cannot be granted in accordance with clause 4.6(3).*

FINANCIAL IMPLICATIONS

- Resources for development assessment are provided for in the current Operational Plan
- The application does not propose any council-maintained assets

POLICY & LEGISLATION

Acts and Regulations

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993
- Roads Act 1993

State Environmental Planning Policies

- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Resilience and Hazards) 2021

Local Controls

- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Development Contributions Plan 2018
- Yass Valley Community Engagement Strategy
- Road Standard Policy RD-POL-09

Guidelines

- NSW Guide to Varying Development Standards

- Landcom Residential Density Guide 2011

REPORT

1. [Application Details]

Date Received	-	17 March 2025
Land	-	Lot 1 DP 1193382, 7 Hanley Place, Yass
Area	-	1,914m ²
Zoning	-	R1 General Residential

2. Site Description and Locality

The site is located generally on the western side of the Yass town in Hanley Place. The site is on the eastern or lower side of Hanley Place and is accessed via a battle-axe handle. Hanley Place is a 'no through' loop off Irvine Drive, which is in turn off Rossi Street.

The subject lot is 1,914m² in size and has considerable fall like most lots on this side of Hanley Place. The lot does not contain any significant vegetation but there is a large rocky outcrop in the middle.

The surrounding land uses are mainly residential including predominately single detached dwellings. There are however two pairs of what could be described as detached dual occupancy style dwellings on the northern side of Hanley Place, although these have been subdivided and are still on relatively large lots of between approximately 600m² and 800m² each.

There are several vacant lots nearby including 9A, 11, 13A and 13B Hanley Place. The adjoining lot to the west at 5 Hanley Place contains an established dwelling, whilst there is a heritage item (I274 – "The Manse") nearby to the south at 99 Rossi Street.

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

3. Proposal

The submitted application involves:

- Multi dwelling housing, including six dwellings of three bedrooms and two garage spaces each (two buildings with three dwellings in each)
- Earthworks
- Landscaping works
- Driveway and services

The proposal seeks an exception to the minimum site area per dwelling and maximum height of buildings development standards in clause 4.1D and clause 4.3 of the Yass Valley Local Environmental Plan 2013 (LEP).

Details of the proposal are included in **Attachment B**.

4. Public Exhibition

Public exhibition included notice to 25 adjoining and nearby landowners, including all of Hanley Place. There were 10 submissions, including one in support and in raising objections or concerns (**Attachment C**).

A planning forum was held on 3 June 2025 to provide an opportunity for submission authors and the applicant to address Councillors prior to completion of assessment and determination of the DA. There were two presentations made by residents at the planning forum as well as presentations by the applicant and their consultants.

The applicant's response to submissions and council additional information request is included as **Attachment D**.

5. Assessment

The proposed development has been assessed against the requirements of section 4.15 of the Environmental Planning and Assessment Act 1979. It is considered that the proposed development cannot be supported for the reasons outlined in the Assessment Report (refer **Attachment E**).

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

6.1 Housing Type - Support

There is a submission of support received that suggests that the type of housing proposed will be welcome in Yass, including to meet the needs to modern families or retirees and downsizers. Council's data from [idcommunity](#) (which sources from Census data) indicates that 11.6% of dwellings in Yass are currently considered medium density. In comparison, the Goulburn urban area has medium density of 15.8%.

Whilst there are other medium density developments within Yass, it is noted that the proposed development provides a variation of this and supports diversity of housing and the objectives of the R1 General Residential zone. This however needs to be considered within council's current planning intentions and settings which are established through the controls in the LEP and the Yass Valley Development Control Plan 2024.

Although a recent and specific study has not been undertaken at this time, for the purposes of this assessment report, council's planners have a general understanding that there is interest and demand for additional quality medium density housing within Yass. This is something that will be considered further as part of any future review of the Settlement Strategy and LEP.

6.2 Zoning and Purpose of the Land

A number of submissions received suggest that the lots within Hanley Place were created or they were envisaged for the purposes of single detached dwellings only. Whilst this may have formed consideration in the overall design and approval of the subdivision, ultimately the LEP determines the uses of land which are permissible in a particular zone. In this instance, the site is zoned R1 General Residential with permissible uses of land including single dwellings, dual occupancies, multi dwelling housing, and residential flat buildings. Proposals for any of these permissible uses are then subject to other planning controls as applicable in the LEP and the DCP.

6.3 Exceptions to LEP Development Standard

The applicant has requested an exception to two development standards contained in the LEP through use of clause 4.6:

Clause	Development Standard Requirement	Proposed Exception
Clause 4.1D - Minimum site areas for multi dwelling housing	Site area per dwelling must be at least 400m ² per dwelling (1,914m ² /400m ² = maximum 4 dwellings)	Site area per dwelling of 319.5m ² Exception: 20% based on proposed 6 dwellings
Clause 4.3 - Height of buildings	Maximum 8m above natural ground level	Maximum 9.5m above natural ground level Exception: 1.5m or 18.75% exception

Clause 4.6 allows for consideration of exception to development standard in certain circumstances, intending to allow a degree of flexibility and enabling development which achieves environmental planning objectives. Clause 4.6 is a key part of the planning system and the LEP, and a non-compliance with a development standard does not automatically mean that the development is not orderly or has an adverse planning outcome – this however, must be demonstrated.

Clause 4.6(3) of the LEP requires:

- (3) *Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*
 - (a) *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
 - (b) *there are sufficient environmental planning grounds to justify the contravention of the development standard.*

It is important to note that clause 4.6 was updated across all Standard Instrument LEPs by the NSW Government in November 2023. This change now specifically requires that council must not grant consent unless they are satisfied that the applicant's written request has demonstrated the above matters. It is not up to council as the consent authority to determine what is 'unreasonable or unnecessary' or whether there are 'sufficient environmental planning grounds' but whether the applicant's written request demonstrates this through supporting information and evidence as sufficient justification. The previous version of the clause required that council only consider the written request alongside public interest but now must be expressly satisfied the applicant has demonstrated it.

6.3.1 Clause 4.1D – Minimum Site Areas for Multi Dwelling Housing

The application requests an exception to the development standard contained in clause 4.1D of the LEP. This development standard requires a minimum site area of 400m² per dwelling in the R1 General Residential zone for multi dwelling housing with the objective of achieving the 'planned residential density'. As the site is 1,900m² in size, ordinarily compliance with clause 4.1D would allow four dwellings. The applicant is however seeking approval for six dwellings, representing one dwelling per 319.5m² or a 20% departure.

It is noted that council has not previously considered any exception requests in relation to clause 4.1D and that this is a local clause (i.e. not one which is included in NSW Standard LEPs). It is also noted that clause 4.1D only applies to 'dual occupancy' and 'multi dwelling housing' but not some other permissible residential uses such as 'residential flat buildings'.

The clause 4.6 request was subject to a peer review based on governance advice which was completed by Queanbeyan Palerang Regional Council (QPRC).

The peer review author concluded that they were not satisfied that the applicant's written request had adequately addressed the matters required by clause 4.6(3) – i.e. therefore development consent could not be granted.

A copy of the peer review was provided to the applicant to allow their reply, and if desired, provide a revised clause 4.6 written request for further consideration. The applicant has since provided a revised written request, town planning response letter, and a statement from their solicitor. Yass Valley Council is the consent authority so must therefore have consideration of all information in forming own view as to whether satisfied by the applicant's written request.

The applicant's written revised request is included as **Attachment F**, the peer review completed by QPRC of the original written request as **Attachment G**, and the record of assessment for the purposes of clause 4.6(4) is included as **Attachment H**.

Unreasonable or Unnecessary

The written request uses the commonly known five-part test (or 'Wehbe test') to justify that compliance with the development standard is 'unreasonable or unnecessary', relying on 'Test 1' on the basis of the objectives of the development standard being achieved notwithstanding the noncompliance with the numerical minimum site areas. The objective of clause 4.1D is as follows:

- (1) *The objective of this clause is to achieve planned residential density in certain zones.*

In summary, the justification in the written request includes:

- There are two aspects of residential development which inform the objective, being:
 1. The land use intensity of number of dwellings and number of bedrooms in a dwelling, which determine the number of persons that can be accommodated.
 2. The built form in terms of bulk, scale, and amenity.
- The proposed development in context of the Hanley Place subdivision and number of dwellings would still clearly remain within the planned residential development contemplated by the development standard, which based on an overall area of 26.8ha could allow for up to 67 dwellings.
- The proposed development is for construction of six dwellings as part of a multi dwelling housing development, with each containing three bedrooms and not being significant in terms of overall size (i.e. they are townhouses). The occupancy rate of three bedroom townhouses are less than a four-five bedroom houses which is generally the typical detached dwelling type in Yass. This results in a similar level of population in a development that complied with clause 4.1D but instead had four-five bedrooms in each dwelling. In this regard, it remains consistent with the planned residential density of the area and the broader R1 General Residential zone.
- The LEP under clause 4.4 prescribes a maximum floor space ratio of 0.5:1 – that is, a maximum gross floor space being up to 50% of the site area. The proposed development has a floor space ratio of 0.42:1. The proposed development therefore does not reach the maximum allowable floor space ratio which another development that might otherwise comply with clause 4.1D could, and therefore still achieves the planned residential density for built form.

It is noted that ‘planned residential density’ is not defined in the LEP and there are different measures that can be considered. The applicant’s written request references the [Landcom Residential Density Guide 2011](#) (the Landcom Guide) to obtain dwelling occupancy figures. The Landcom Guide also does provide an outline of the different ways in which density can be measured, separating population density and residential density:

- *“Population and activity densities measure the concentration of people”*
- *“Residential density measures the concentration of dwellings in a given land area”*

The Landcom Guide then further defines residential density at different scales using definitions of the Australian Model Code for Residential Development (AMCORD), which has been previously a widely accepted industry standard. The relevant definitions for this instance then include:

Gross residential density (‘the place’):	The ratio of the number of dwellings to the area of land they occupy. The area includes internal public streets, all areas of local open space (including parks, sports fields, drainage reserves, landscape buffers, bushfire asset protection zones) local or neighbourhood shops, primary and secondary schools, local community services, local employment areas and half the width of adjoining arterial roads.
Net residential density (‘the built form’):	The ratio of the number of dwellings to the area of land they occupy including internal public streets, plus half the width of adjoining access roads that provide vehicular access.
Site density* (‘the lots’):	The ratio of the dwellings to the area of the site they occupy. *Note: The Landcom Guide considers ‘site density’ as a type of ‘residential density’

The above definitions present different scales of residential density which can present differences in how ‘planned residential density’ could be understood for the purposes of clause 4.1D. In context of the whole clause, it is evident that it intended to achieve planned residential density through an individual ‘site density’ - that is, the ratio of dwellings to the area they occupy on

individual lots. This is evident in the name of the clause (“minimum site area”) and it achieves the objective of the planned residential by specifying a minimum site area requirement per dwelling on a lot.

However, the applicant’s written request has taken a broader view of planned residential density considering the Hanley Place subdivision, similar to the ‘net residential density’ definition presented above. This does indicate that within the Hanley Place subdivision the overall residential density of dwellings is much lower than envisaged by clause 4.1D at minimum 400m² per dwelling. The potential weakness in the way this is presented however is in relation to how the five undeveloped lots within the subdivision are accounted for, noting they represent approximately a quarter of the lots within that area. Whilst the written request presents two scenarios of assuming that each vacant lot is developed for either a single dwelling or a dual occupancy, it does not present a third theoretical scenario of each vacant lot being developed at the same site density as proposed as part of this development (i.e. one dwelling per 319.5m²). The approach presented by the applicant has some merit in this particular case, but there is broader reservation with the soundness for to determining planned residential density for the purposes of the objectives of clause 4.1D as it can be significantly influenced by vacant lots and assumptions that are made. The Landcom Guide does also note caution with this approach:

“As a general rule, the larger the area you choose, the more density becomes useful only as an average statistic. Comparing the net residential density of a single lot against an entire precinct is usually meaningless.”

There is also reservation with the approach in the applicant’s written request in comparing minimum site area per dwelling to gross floor area as the basis for achieving the planned residential density of the built form. The LEP is evidently seeking to regulate density of the built form though the two separate development standards – i.e. both a floor space ratio and the minimum site area per dwelling in the case of dual occupancy and multi dwelling housing. These two controls may work together or separately to achieve overall density of the built form depending on the typology and specifics of the residential development. There is also no guarantee that a development that complies with the floor space ratio would be approved on this site as there are other considerations and controls that apply in conjunction.

The applicant’s written request has continued to use the 2011 Landcom Guide data for occupancy rates of dwelling types which was identified as a concern in the QPRC peer review due to age. This has however been bolstered in the revision by relevant census data. Whilst the Landcom Guide data is now aging, it is considered that in conjunction with the census data, it is reasonable for the purpose of the theoretical analysis being presented. It is generally accepted that townhouses in Yass will have a lower occupancy rate, and that based on the information presented in the written request, the population density of the proposed development compared to an otherwise compliant development (i.e. with less dwellings but more bedrooms in each) is likely to be similar but not exactly the same. On this particular site, the proposal does however result in a population of more than a development that is compliant. This is a difference of approximately two persons, but this is accepted as not being significantly different.

Whilst the written request provides consideration of difference in population between dwelling types and how that relates to planned residential development, it does not provide consideration of differences as a result number of ‘households’ (i.e. each in separate dwellings) and how that may relate to planned residential density, including for services which was a factor underpinning the original planning proposal that introduced clause 4.1D.

In summary, with examination of the applicant’s revised written request/supporting information and the QPRC peer review, overall it is considered that the written request has not demonstrated that compliance with the development standard is unreasonable and unnecessary in the circumstances. However, it may not be unreasonable for a different view to be formed under this part if council took the broader interpretation or scale of applicant’s for planned residential density and determined that it is primarily clause 4.4 floor space ratio that is intended to control the regulate density of the built form (rather than clause 4.1D and 4.4 regulating density separately or together).

Environmental Planning Grounds

The environmental planning grounds presented in the written request to justify the convention of the development standard include:

- That the development has maximum floor space ratio which is below the maximum permitted by the LEP and therefore does not result in a physical increase in terms of bulk and scale.
- Whilst the development proposes an increase in the number of dwellings provided on the site, the number of persons likely to be accommodated does not differ significantly from a complaint development.
- The amenity that is required for multi dwelling housing can all be accommodated, resulting in appropriate degree of amenity for occupants.
- The development does not have an adverse impact on adjoining properties by overshadowing or privacy impacts.
- There are no identified traffic impacts.
- Development contributions will be payable and will satisfy the demand for community infrastructure generated as a result of the development.

The environmental planning grounds further detail the absence of impacts by way of overshadowing and privacy.

A review has indicated that the written request does not adequately demonstrate that are sufficient environmental planning grounds to justify contravention of the development standard.

The reservation in relation to interaction of floor space ratio and minimum site area is discussed under 'unreasonable and unnecessary' further above.

The written requests notes - and largely relies on - that the avoidance of impacts can be considered environmental planning grounds as these can promote good design and amenity of the built environment, which is one of the objects of the Act. However, the avoidance of impact must arise as a result of the contravention of the development standard. In this instance, the written request focuses on an avoidance of impacts of the development as a whole, rather than on the aspects of the development which contravenes the standard – i.e. how the reduced minimum site area per dwelling results in the avoidance of impacts. The written request correctly identified the test required in relation to avoidance of impacts but then has not correctly applied it. The applicant's supporting solicitor's letter also appears not to correctly apply this either, referring to "minimal impacts of the non-compliance".

The environmental planning grounds presented in relation to numbers of persons likely accommodated and payment of development contributions are just factual assertions in this instance and not environmental planning grounds.

It is noted that more broadly within the written request there are other matters which could be considered environmental planning grounds, but these are not being relied upon by the applicant to demonstrate under this part, so have therefore not been considered further.

6.3.2 Clause 4.3 – Height of Buildings

The application also requests an exception to the development standard contained in clause 4.3 in relation to the maximum height of buildings. Clause 4.3(2) requires the height of a building not to exceed the maximum height for the land as shown on the Height of Buildings Map, which in this instance is maximum 8m, measured above natural ground level. The proposal has a maximum height of 9.5m above natural ground level, representing a 1.5m or 18.75% exception.

Whilst outside of the matters included in the applicant's written request, it is noted that exceptions to the maximum height of buildings development standard have previously been approved on this side of Hanley Place.

The applicant's written revised request is included as **Attachment I** and the record of assessment for the purposes of clause 4.6(4) is included as **Attachment J**.

Unreasonable or Unnecessary

The applicant's request is relying on basis of the objectives of the standard being achieved, notwithstanding the noncompliance with the numerical height development control. There are five parts of the objective with the most relevant in this instance being:

- (a) *to ensure that the heights of buildings are consistent with the existing streetscape or character of the area in which the buildings are to be located;*

[...]
- (e) *to minimise the loss of solar access and privacy for neighbouring development.*

In summary, the justification in the written request includes:

- The subject site has an irregular shape with a minor access handle providing access to the body of the site. Given the access handle, the nearest building form is setback approximately 31m from the front property. That part of the development which can be viewed from the streetscape is single storey in form. These conditions and the orientation of building form within the site result in a development that does not have a significant streetscape presence and remains consistent with the prevailing heights.
- With respect to the character of the area, this part of the subdivision substantially slopes towards the southeast. Existing dwelling houses at this location are generally two storeys, comprising a single storey form at the street level and a two-storey form down slope in response to the topography.
- The proposed development adopts a two-storey building form with only the very north-eastern part of the development exceeding the maximum height of building. The building design is modern in nature with the parapet and roof form comprising the majority of the height exceedance.
- Despite the exceedance that is sought it is considered that the development and its response to the site conditions remains consistent with the character of the area.

It is accepted that based on the above the applicant has demonstrated that compliance with the development standard is unreasonable and unnecessary as the objective has been nonetheless achieved.

Environmental Planning Grounds

The environmental planning grounds presented in the written request to justify the convention of the development standard include:

- The design responds appropriately to the topography with a stepped design comprising a single storey form at the highest point of the site, increasing to a two-storey form down slope. The height exceedance is limited to the north-eastern part of the site where the slope is most significant.
- The multi dwelling housing development adopts a consistent architectural design language across the dwellings resulting in a harmonious development. To require compliance would disrupt the harmonious design that has been achieved across the development and would also raise practical issues with vehicular access with changes to design levels.
- The development has been carefully designed to not adversely impact adjoining properties with respect to overshadowing or privacy impacts.

It is accepted that due to the first two points the applicant has demonstrated that there are sufficient environmental planning grounds. The considerations around avoidance of impacts has the same issue in this written request as under the minimum site area per dwelling request in that the avoidance of the impact must arise as a result of the contravention of the development

standard. However, that is not fatal in this instance as the sufficient environmental planning grounds are substantiated by the first two points.

6.4 Building Envelope and Section 88B Instrument Restrictions

The proposal involves several variations in relation to the building envelope and section 88B restrictions applicable to the lot to which council is the benefited authority and power to vary. It was understood that these were imposed at the time of the original subdivision, and prior to both the current LEP and DCP.

6.4.1 Building Envelope

There is a proposed minor encroachment outside of the defined building envelope. This is not any fundamental concern with this and is more appropriately considered in relation to setback compliance with the DCP.

6.4.2 Section 88B Instrument Restrictions

It is noted that a section 88B restriction limited the number of dwellings on some lots within the subdivision to one only, but this does not apply to the subject lot.

The following are the key items non-compliance and proposed variations:

House Size

The restriction requires a minimum house size to be a minimum 205m² and a maximum of 450m². It appears this restriction has been primarily drafted in relation to anticipated dwelling or dual occupancy type development as being the most likely to occur.

Each dwelling has a gross floor area (GFA) of 133m² but are paired together with only the garages being adjoined. It could be said that each building has a GFA of 266m², but then arguably the whole building as joined exceeds 450m².

In assessing a proposal for multi dwelling housing which is a permissible use of the land, it is considered that the control contained in this restriction does not provide clarity or purpose. It is more appropriate to now assess a multi dwelling proposal under the LEP and DCP provision, which have the statutory weight for the purposes of assessment under s4.15 of the Act.

Roof Design/Pitch

The restriction requires a roof design of the main building to be at 30 or 23 degrees and that skillion roofs are not permitted. The major ridgeline is also to be at 90 degrees to the slope of the land. The proposal does not comply predominant roof form is a modern low pitch roof which is screened by a parapet, and this forms part of the overall architectural design of the development, which overall is a quality architectural design.

It noted that the majority of the dwellings in Hanley Place do largely comply with the intention of this restriction.

Council's heritage advisor, whilst providing specific heritage advice in relation to the adjoining property (as discussed in section 6.11) also provided broader commentary around heritage impact noting the site is quite prominent on the hillside from within the Yass heritage conservation area further below in town. The heritage advisor was not privy to the 88B restrictions for these lots. The heritage advisor commended the design quality of the proposal, although indicated some concern that the very urban design character is somewhat unsympathetic to the prominent hillside location in a rural town. The concerns were in relation to the hard-edged parapet lines of the roof. The heritage advisor suggested that using a gable roof of an appropriate pitch (e.g. minimum 25 degrees) could assist in addressing this. It was noted that the actual roof design of the proposal uses a low-pitched roof for each of the buildings but conceals these behind a parapet. The parapet could be deleted and the pitch increased, with a flat roof being retained over the garages and entries. The commentary from the heritage advisor is consistent with the assumed intention of the 88B restriction.

Overall, the flat pitched roof is not considered to have a significant impact noting the location of this particular lot at the corner of the subdivision and behind the street. However, if council had particular concern with this issue, further consideration of this with the opportunity for change of design could be requested prior to making any determination. This change could have further implications for the maximum height.

6.5 Yass Valley Development Control Plan 2024 (DCP)

An assessment has been completed against the provisions of the DCP and there are some areas identified of non-compliance with the specific controls. These include:

Part/Control	Nature of Non-Compliance with Control
B4.1(a) - Crime Prevention and Safety	Limited passive surveillance to the driveway due to the battle-axe shape of the lot and orientation of the dwellings.
B5(b) - Neighbourhood Character	Pitch of roof which is a low-pitched roof whilst the majority of the existing development nearby has steeper pitched roofs.
D.2 - Privacy	Setback distance to first storey balcony to boundary. Minor exceedance of size of balcony based on setback distance without a privacy screen being provided.
D2.1 - Site Frontage and Area	Minimum site area per dwelling refers to clause 4.1D of the LEP. Clause 4.6 request has been sought for an exception.
D2.2.2 - Side and Rear Setbacks	Distance to eastern boundary and southern boundary. It is noted that there is some variation for how the setback controls could be applied depending on which boundaries are considered to be the side or rear.
D2.4 - Building Height	Maximum height of building refers to clause 4.3 of the LEP. Clause 4.6 request has been sought for an exception.
D2.5 - Character and Built Form	The front dwelling does not face the street (although noting that this is a battle-axe lot and the development is set back from the street). Limited passive surveillance to the driveway due to the battle-axe shape of the lot and orientation of the dwellings. Potential overlooking from first storey balcony into the required 40m ² of private open space of eastern courtyards.
D2.5 - Character and Built Form	The development achieves a total of 665m ² of landscaped area which equates to 35% instead of 40%.
I6 - Residential Carparking	Double garage dimensions are slightly shorter in length than required but slightly wider. The length dimension still complies with Australian Standard.
D2.9 – Adaptable and Accessible Housing	Insufficient information to determine compliance of providing one adaptable dwelling (Class C). Anticipated however that it can be made to comply and could be addressed with conditions.

A full assessment of the DCP controls is included in Appendix A of **Attachment E**.

It is considered that the main DCP compliance issues relate to the side and rear setback distances and the roof pitch. The applicant's justification to the proposed setbacks are considered to have met the objective of the control despite the non-compliance, whilst roof pitch is discussed in the above under the section 88B instrument restrictions.

It should be noted that in accordance with s4.15(3A) of the Act, council must be flexible in applying DCP provisions to allow reasonable alternative solutions that achieve the objective of prescriptive development controls.

6.6 Access

6.6.1 Access Driveway

Concern has been raised in submissions received and identified during the assessment in relation to the access driveway with Hanley Place, with the battle-axe handle creating an acute angle for entry.

A certification assessment prepared by a traffic engineer was submitted with the application. This was reviewed by council's development engineer and further clarifications sought. Additional swept path diagrams were requested and have been provided, including for up to a 6.4m small rigid truck. These demonstrate compliance with the relevant Australian Standard.

However, in the absence of an onsite turning area and wider driveway being available, vehicles over 6.4m long should not enter the site. By-laws for the development will need to limit and make owners aware that removalist and delivery vehicles can only be to a maximum of 6.4m.

All vehicles will need to enter and leave the site in a forward direction. A sign worded "No Reversing Across Footpath" will need to be provided adjacent to the vehicular entry and can be required as a condition in any consent if issued.

Despite this, in the event of an emergency, there is opportunity for a fire truck larger than 6.4m to reverse down the driveway.

The required minimum sight distances at the access for the speed environment are met.

6.6.2 Access Driveway Relationship with 5 Hanley Place

It has been identified during the assessment that the access driveway for adjoining 5 Hanley Place (Lot 1 DP 1193382) crosses over the battle-axe handle of 7 Hanley Place (Lot 1 DP 1193382) before reaching the road reserve. This means that the current access driveway for 5 Hanley Place does not enjoy a continuous corresponding legal and physical access – i.e. travelling along the current access driveway requires crossing over the private land associated with 7 Hanley Place. The access driveway for 5 Hanley Place should have been located further to the west where the lot has direct frontage to the road reserve.

A review of the file indicates that this may have been due to a number of factors, including the way the plans were drawn for the dwelling at 5 Hanley Place which were assessed and approved by council, the presence of a right of way that did exist at the time over the battle-axe handle and which was shown on the plans (but that did not actually benefit 5 Hanley Place), and error by the original builder in likely not having the driveway properly surveyed before construction. This is an existing issue regardless of any development proposal on 7 Hanley Place.

There is however opportunity for the access driveways of both 5 Hanley Place and development on 7 Hanley Place to function adequately and satisfy relevant engineering standards. The applicant has indicated a willingness to provide a legal right of way to the benefit of 5 Hanley Place as part of their development to ensure they enjoy corresponding legal and physical access in perpetuity. The existing driveway is proposed to be replaced to integrate with the new driveway as a single shared access point. This is fair offer and solution in the circumstances presented and can be included as a condition of any consent that may be issued.

6.7 Car Parking and Traffic

6.7.1 Car Parking

Concern has been identified in submissions received in relation to car parking as Hanley Place has no street parking available other than two spaces at Laidlaw's Grave. It is also noted that on the eastern (subject) side of Hanley Place the footpath immediately adjoins the road pavement with a roll-over kerb. Photos of Hanley Place are included as **Attachment K**.

Each dwelling is provided with a two car garage and there are two visitor car spaces for the six dwellings. This meets the minimum requirements of the DCP.

In reality, the minimum requirement is a rate based on an assumed level occupancy and car usage. Street parking generally provides additional capacity in instance where demand requires. It is foreseeable that there will be instances where there is additional demand for car parking which cannot be provided on site or in the street. This could result in informal parking on the adjoining footpath, on the limited verge on the western side of Hanley Place, within the Laidlaw's Grave open space, or further towards Irvine Drive. It is understood this already occurs at times with the existing dwellings.

As the proposal complies with the car parking requirements of the DCP, council could not refuse the application on the basis of car parking provided. If the development is approved, council will need to monitor street parking and if issues are presenting, consider options in conjunction with the traffic committee for management which may include establishing a 'no parking' environment for the length of Hanley Drive.

6.7.2 Vehicle Traffic

Concern is raised in a submission that the proposed development will result in additional traffic generation which the road network of Hanley Place is not able to accommodate. An assessment indicates that there is capacity within the road network to accommodate the additional traffic vehicle volume generated.

6.7.3 Pedestrians

Concern is also raised in submissions that there are inadequate pedestrian links available to service the development. There is an existing footpath on the eastern side of Hanley Place which terminates at Irvine Drive, and there is a missing link along this section of Irvine Drive to Rossi Street.

Although preferable, there is no requirement in the DCP for a continuous pedestrian link to be available to Yass town. There are a number of other multi dwelling developments where this is not available, including a recent approval for a site on Orion Street.

There is already a potential need for the missing pedestrian link to service to service the existing dwellings in Hanley Place and it is not being triggered by the proposed development. In this regard, would be unreasonable in this instance require it be constructed by the developer as a condition of any consent if issued.

6.8 Amenity

Concern is raised in the submissions that the proposed development and the number of dwellings will result in an adverse privacy and amenity impact. With the current location of development, it is primarily only potentially 5 Hanley Place that is likely to be impacted.

There is not considered to be any significant or unreasonable privacy impact as:

- The orientation of the proposed dwellings including outdoor areas are away from 5 Hanley Place with only the garages fronting that boundary.
- The difference in levels which places the proposed development at 7 Hanley Place below 5 Hanley Place.
- There is no overlooking into private open space or habitable rooms.

It is also unlikely that there would be any significant amenity impact by way of noise. The noise generated as a result of the development is likely to be consistent with similar residential development. The largest and most frequent noise source will be as a result of vehicle movements. Noise impacts associated with private vehicles moving at low speeds is also likely to reduce in time with further adoption of electric and hybrid vehicles which make limited noise at low speed.

There is some amenity impact likely from the headlights of vehicles entering the site of a night time as the angle of the driveway results in vehicle turning across the front of 5 Hanley Place, however, it is not a bedroom located at the front which significantly lessens the impact compared to if it was.

It is also noted that the nearby properties are currently afforded a particularly high level of amenity and privacy due to the number of vacant lots.

6.9 View Impacts

Concern is raised in submissions received in relation to the loss of view.

The site is tucked into the southern edge of the subdivision. The predominant views for the subdivision are to the northeast towards the Yass River Corridor and generally east towards the town centre.

The view impact is primarily considered to be to 5 Hanley Place. The orientation of the dwelling on 5 Hanley Place results in the view being from a side boundary. The applicant in their response to submissions noted the planning principle of the Land and Environment which is generally used to consider view impacts. The planning principle does indicate that the side views are generally harder protect, but it is noted that the potential view impact is from living areas and outdoor alfresco, which are considered the more valuable areas for views to be experienced.

It is noted that the proposed development does present as single storey on the top side, then being stepped down to two storeys on the lower side. There ends up a height difference between the dwelling at 5 Hanley Place and the proposed development at 7 Hanley Place. The finished floor level of 5 Hanley place is at approximately the same level as the roof of the garage on the single storey top side. This suggests that there will be the ability for 5 Hanley Place to generally look over the top of the proposed buildings.

In this instance, it is also considered that any development on the site which is to the northern edge of the building envelope is likely to have some or similar view impact in that area. The proposed building extent (i.e. length) does create a visual 'presence' along that boundary, but that is different to a view impact.

The proposed plantings along the driveway include trees which grow up to 6m at maturity. The submissions request that these be changed to a smaller species to allow continuation of the northern view and sun to the outdoor alfresco area. The proposed tree plantings may have benefit by way of privacy, but the request is not unreasonable and a planting of a smaller maturity (i.e. fence height) can still achieve suitable landscaping for the driveway. This can be included as a condition of consent if approval is issued.

Overall the view impact is not considered to be significant or unreasonable in this instance, particularly as it is primary from a side boundary.

6.10 Mailboxes and Bin Placement

Concern is raised in the submissions received in relation to the location of mailboxes and the placement of bins for collection on Hanley Place due to the battle-axe handle which has a limited frontage to the street.

Mailboxes are not shown on the site plan, however an assessment indicates that there is sufficient width at the driveway to include these. If consent is granted, conditions can require details of mailboxes to be provided at construction certificate.

An assessment including inspections by council's resource and waste team has indicated that there is space within the road reserve area to accommodate the bins at approximately the location of the battle-axe handle, as shown on the submitted site plan. In practice, bins could end up being placed further along and outside the front boundary of adjoining properties. It is important to note that property owners do not own their adjacent road reserve and therefore some placement of bins further along the road reserve is not unreasonable. A hardstand pad at the location of the driveway (with a plate indicating for bin placement) would however assist in addressing this issue, similar to that which has been included at the [townhouse development on McKenna Place](#) in Yass which also a battle-axe lot.

6.11 Impact on Adjoining Heritage Item

There is a heritage item (I274 – “The Manse”) nearby to the south at 99 Rossi Street. The lots adjoin at a corner only. The Manse is a historic dwelling located on a relatively large lot, sitting behind lots which front Hanley Place and Rossi Street. Concern was raised within a submission received that having a multi dwelling housing development located on the site may detract from the heritage significance of the heritage item.

The application was referred to council’s specialist heritage advisor and a site inspection was undertaken. The advice received indicates that there is limited visual relationship between the two properties (particularly with the presence of established vegetation) and that, in their opinion, the character of the proposed multi dwelling housing would not have an impact on an appreciation of the heritage item or its significance.

6.12 Construction Impacts

A submission received raises concern in relation to the impacts of construction of six dwellings. It is suggested that this will lead to extended disruption for all surrounding residents, including as a result of construction vehicles, road blockages, dust, noise etc. It especially highlights this with concerns with the limited space in the street for manoeuvring.

Broadly, multi housing is a permissible use of land in the zone and on the site, and the subdivision is still developing with a number of vacant lots. The majority of the constructions impacts referenced are not unanticipated with any construction project and can be managed in accordance with standard practices, conditions of any consent if issued, and compliance with other relevant legislation.

The main constraint in this instance however is the issues associated with the space within the road reserve, limited parking, one way nature of Hanley Place, and the shape of the lot with the battle-axe handle. The applicant was requested to provide preliminary details on how would anticipate this being managed and they advised:

- Construction workers would be required to park within the western part of Hanley Place where it is a full width road and does not impede traffic.
- Works would be undertaken within the standard days and hours which we expect to form part of the conditions of consent.
- A Construction Traffic Management Plan (CTMP) would be prepared as part of the Construction Certificate and once a contractor has been engaged to undertake the works.
- A CTMP would also include a traffic control plan which details how site access would be managed.
- Traffic control that would be implemented particularly with respect to deliveries of materials onto the site including a concrete truck; and the staff needed to manage the safe operation of Hanley Place.
- All construction materials are to be located within the subject site and not within the road reserve.

This is generally considered to be consistent with expectation and industry practice. Where consent is granted, a full Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP) will be required. As part of this, a strategy for consultation and communication with surrounding residents should be developed and implemented (e.g. for forewarning of any major impediments, process for receiving/responding to concerns, etc.)

6.13 Bushfire

Concern was raised in representations at the planning forum in relation to the suitability of the development and potential bushfire risks. It is noted that the land is not identified as being on ‘bushfire prone land’ and therefore the development does not trigger consideration of the requirements of Planning for Bushfire Protection 2019 under the legislative assessment framework.

6.14 Water, Sewer and Stormwater Infrastructure

A submission received suggest that the proposed development will place strain on local infrastructure of water, sewer and stormwater. Assessment by council engineers has indicated that the proposed development can be adequately serviced by each of these provisions, subject to standard design considerations and requirements.

6.15 Impact on Property Values

The NSW Land and Environment Court has consistently maintained that reduction in property values is not a valid planning consideration under the Act.

7. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions it is recommended that the application be **refused**.

Draft conditions are included as **Attachment L** for if council are of the mind to grant development consent.

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. 8: Plan for the provision of a variety of affordable and quality and housing types
Delivery Program Action	EN 8.1 Forward planning is undertaken to integrate environmental, social, and economic factors for the benefit of the community and region.

ATTACHMENTS:

- A. Locality Plans [⇒](#)
- B. Plans and Supporting Documents [⇒](#)
- C. Submissions [⇒](#)
- D. Applicant Response to Submissions and Additional Information Request [⇒](#)
- E. s4.15 Assessment [⇒](#)
- F. Applicant Revised Clause 4.6 Request and Solicitor Letter - Minimum Site Area [⇒](#)
- G. QPRC Clause 4.6 Peer Review - Minimum Site Area [⇒](#)
- H. Clause 4.6 Record of Assessment - Minimum Site Area [⇒](#)
- I. Applicant Clause 4.6 Request - Height of Buildings [⇒](#)
- J. Clause 4.6 Record of Assessment - Height of Building [⇒](#)
- K. Hanley Place Photos [⇒](#)
- L. Draft Conditions [⇒](#)

6.4 DEVELOPMENT APPLICATION NO. DA250371 - DWELLING HOUSE - 600 CHILDOWLA ROAD, BOOKHAM

SUMMARY

To present the assessment of development application no. DA250371 for a dwelling house at 600 Childowla Road, Bookham. The application is referred to Council as it involves an exception (by greater than 10%) to the minimum lot size development standard for a dwelling in the RU1 Primary Production Zone. The application did not attract submissions. Refusal is recommended.

RECOMMENDATION

That development application no. DA250371 for a proposed dwelling house at 600 Childowla Road, Bookham be refused on the following grounds:

1. *The subject land does not benefit from a dwelling entitlement under Clause 4.2B of the Yass Valley Local Environmental Plan 2013.*
2. *The exception to the development standard contained in clause 4.2B(3)(a) pursuant to clause 4.6 Yass Valley Local Environmental Plan 2013 is not supported as the applicant's written request has not demonstrated that compliance with the development standard is unreasonable and unnecessary in this instance and that there are sufficient environmental planning grounds. As such, development consent for the exception to the development standard to allow a dwelling house cannot be granted in accordance with clause 4.6(3).*

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

Acts and Regulations

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Local Government Act 1993
- Roads Act 1993

State Environmental Planning Policies

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021

Local Controls

- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Development Contributions Plan 2018
- Yass Valley Community Engagement Strategy
- Yass Valley Settlement Strategy
- Road Standard Policy RD-POL-09
- Water Supply for Rural Areas & Villages Policy WS-POL-02

Guidelines

- Planning for Bushfire Protection 2019
- NSW Guide to Varying Development Standards – November 2023

REPORT

1. Application Details

Date Received	- 9 May 2025
Land	- Lot 222 DP 39689, 600 Childowla Road, Bookham
Area	- 8.435ha
Zoning	- RU1 – Primary Production

2. Site Description and Locality

The site is in an area characterised by generally rural development, including uses associated with primary production and a number of dispersed properties with dwelling houses.

The site is 8.435ha in area, with frontage to Childowla Road to the east and Jugiong Creek to the west. The site contains an existing farm building constructed as 'exempt development', an unapproved ablution building, and unapproved truck-trailer used as temporary accommodation for seasonal farm work. The latter supports an existing berry farm operation to the site. There are scattered eucalyptus trees across the site and areas of managed grassland. Legal and physical access to the site exists from Childowla Road.

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

3. Proposal

The submitted development application (DA) involves:

- The installation of a two-bedroom manufactured dwelling house
- The installation of an onsite sewage management system
- Demolition/removal of the existing unapproved structures prior to occupation of the proposed dwelling house.

The proposal seeks an exception to the minimum lot size (MLS) development standard (i.e. 40ha) for the erection of a dwelling on land zoned RU1 Primary Production.

Details of the proposal are included in [Attachment B](#) and a copy of the Applicant's written request to vary clause 4.6 is included in [Attachment C](#).

4. Public Exhibition

Public exhibition included notice to five adjoining and nearby landowners and no submissions have been received.

5. Assessment

The proposed development has been assessed against the requirements of section 4.15 of the Environmental Planning and Assessment Act 1979. It is considered that the proposed development cannot be supported for the reasons outlined in the Assessment Report (refer [Attachment D](#)).

The following planning issues have been identified:

5.1 Exception to Development Standard

The proposal seeks an exception to the MLS development standard for a dwelling on land zoned RU1 Primary Production pursuant to clause 4.6 of the LEP. The site is 8.435ha and the prescribed MLS is 40ha. This represents an exception of 79% to the development standard.

Clause 4.6 allows for consideration of exception to development standards in certain circumstances, intending to allow a degree of flexibility and enabling development which achieves environmental planning objectives. Clause 4.6 is a key part of the planning system and the LEP, and a non-compliance with a development standard does not automatically mean that the development is not orderly or has an adverse planning outcome – this however, must be demonstrated.

Clause 4.6(3) of the LEP requires:

- (3) *Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*
- (a) *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
 - (b) *there are sufficient environmental planning grounds to justify the contravention of the development standard.*

It is important to note that clause 4.6 was updated across all Standard Instrument LEPs by the NSW Government in November 2023. This change now specifically requires that council must not grant consent unless they are satisfied that the applicant's written request has demonstrated the above matters. It is not up to council as the consent authority to determine what is 'unreasonable or unnecessary' or whether there are 'sufficient environmental planning grounds' but whether the applicant's written request demonstrates this through supporting information and evidence as sufficient justification. The previous version of the clause required that council only consider the written request alongside public interest but now must be expressly satisfied the applicant has demonstrated this.

The applicant's original written request accompanying the DA was deficient and opportunity was provided for a revised written request to be submitted. In summary, the revised written request seeks exception on the following basis:

- The dwelling would serve as a residence to support ongoing primary production activities associated with the existing berry farming operation on the site.
- The site's rural context and substantial setbacks from adjoining properties support a residential use that is ancillary to farming, without compromising the rural character of the area.
- The proposed dwelling is of modest scale, with minimum 50-metre setbacks from boundaries, which avoids fragmentation and aligns with the Community Strategic Plan (CSP) Objective EN.3 – Sustainable Development.
- The site is unique due to its proximity to the Bookham Wind Farm, localised ecological threats, and the specific nature of the agricultural use, and therefore the approval would not set a precedent for other small lots.
- The proximity of the Bookham Wind Farm (13 turbines within 2.5 km, including one within 950 metres) creates environmental pressures such as soil moisture decline and pollinator disruption. A dwelling is proposed as necessary to facilitate negotiations with Squadron Energy regarding turbine setbacks and compensation to protect the site's agricultural viability and local biodiversity.
- Compliance with the 40ha MLS is unreasonable given the pattern of development in the Bookham area.

An assessment of the applicant's written request pursuant to the relevant provisions of the LEP and the guidelines for varying development standards is included in **Attachment E**. Whilst clause 4.6 allows flexibility to achieve sound planning outcomes, the assessment has indicated that it does not demonstrate with substantiated basis that compliance with the development standard is unreasonable and unnecessary, and that there are sufficient environmental planning grounds. This is detailed below.

Unreasonable or Unnecessary

The written request uses the commonly known 5-part test (or 'Wehbe test') to justify that compliance with the development standard is 'unreasonable or unnecessary'. Whilst only one of the tests needs to be used to demonstrate this, the written request attempts to demonstrate that all five tests have been satisfied. This approach appears to have presented difficulty in forming a succinct argument based on clear evidence to demonstrate that it is unreasonable and unnecessary.

Each test has however been considered in council's review of the applicant's written request and are discussed below.

- *Test 1 - Objectives of the development standard are achieved notwithstanding the non-compliance.*

The relevant objective of the development standard is to minimise unplanned rural residential development. The written request notes that this is an existing lot and provides history of how it was created and came to be in separate ownership. It further relies on the suggestion that the site is suitable for the development (e.g. compliance with setback requirements, planning for bushfire protection etc.), and that it supports the use of the land as a berry farm. However, it also does not articulate a clear linking justification between the berry farm, the dwelling, and unplanned rural residential development. The written request does not sufficiently demonstrate that the objectives of the development standard are achieved – i.e. that the proposal does not represent unplanned rural residential development.

- *Test 2 - Underlying objective or purpose is not relevant to the development.*

The underlying purpose of the development standard is to minimise unplanned rural residential development, minimise fragmentation of rural land, and maintain the rural character of the Yass Valley. These remain relevant in relation to the proposed development.

- *Test 3 - Underlying objective or purpose would be defeated or thwarted if compliance was required.*

The justification in the written request centres around primarily personal circumstantial matters and a potential misunderstanding based on verbal advice from the Shire Clerk in 1987. This does not demonstrate that the underlying objective of the development standard would be defeated if compliance was required.

- *Test 4 - Development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard.*

The written request cites several properties in the vicinity which have dwellings on lots of less than 40ha, suggesting that the development standard is therefore abandoned. Under this test an applicant must provide supporting analysis to demonstrate. There is no further information presented to consider the circumstances around these dwellings to demonstrate that it has been council's actions in granting consents departing from the standard (e.g. when, under which LEP, whether these lots do have dwelling entitlements etc.).

There are many dwellings in the RU1 Primary Production zone across the Yass Valley which are located on lots less than 40ha but are considered to represent *planned* rural residential development in having dwelling entitlements. There are also many lots less than 40ha that do not attract dwelling entitlements and do not contain dwellings.

- *Test 5 - Zoning of the land on which the development is proposed was unreasonable or inappropriate.*

The reasons presented in relation to site constraints and proximity to a potential wind farm do not demonstrate that the RU1 Primary Production zoning is unreasonable or inappropriate. The site is surrounded by RU1 Primary Production zoned land which is the appropriate zoning.

Environmental Planning Grounds

The environmental planning grounds presented in the applicant's written request include:

- (i) The Bookham Wind Farm
- (ii) The potential miscommunication with the Shire Clerk in 1987 in relation to dwelling entitlements
- (iii) Historical intent, family dispute, and heritage. This includes in relation to a family dispute regarding land ownership which now prevents opportunity for consolidation of lots

(>40ha) to otherwise achieve a dwelling entitlement, as well as the proposal not being motivated by profit and allowing ongoing family heritage connection to the land.

- (iv) A commitment to amalgamate lots if additional land becomes available following settlement of a family dispute
- (v) Site specific agricultural viability

Of these, only the latter could be considered an environmental planning ground, but the written request does not clearly demonstrate how this relates to the proposed exception to the development standard as 'sufficient environmental planning grounds'.

It is noted that the written request includes several references to the potential Bookham Wind Farm, including that the proposed development is necessary to leverage potential negotiations with Squadron Energy. This must not be considered in the assessment as it is not relevant under clause 4.6 or section 4.15 of the Act (noting the Bookham Wind Farm is not operational nor approved and has its own assessment process).

The written request also includes other circumstantial matters which, whilst unfortunate, are not planning considerations under clause 4.6 of the LEP or section 4.15 of the Act.

Whilst clause 4.6 exception request must be considered in relation to the particular development and a previous decision does not result in a precedent effect being established, regard may be had to the previous decisions. In this regard, approval of this exception to development standard request may have undesirable implications for further development of undersized lots within the RU1 – Primary Production zone, both in the Bookham locality and more broadly across the Yass Valley local government area.

Late Addendum to Written Request

On 11 September 2025 after the completion of the body of this report and the assessment attachments, a late addendum to the applicant's written request was submitted (refer **Attachment F**). This provided further justification in relation to the proposed exception, including:

- The necessity of the dwelling for berry farming viability.
- The risk of a forced sale of the property if the DA is not approved.
- Unique circumstances due to the Bookham Wind Farm.

The potential forced sale of the property if the DA is refused are personal circumstances and not planning grounds, and the Bookham Windfarm is discussed above.

The relationship between the proposed dwelling (on a lot less than 40ha) and residential use and the berry farm on the site are potentially environmental planning grounds that have relevance in a proposed exception to the development standard. The addendum provides further details of a business plan relating to the berry farm and other small agricultural and agritourism uses, some of which is existing and some to be in the future. It suggests that a dwelling on site is necessary to support these uses due to the following reasons:

- Livestock management
- Weed and grass control
- Crop oversight
- Berry processing
- Agritourism and immersive experience
- Security and emergency response
- Business viability

It is considered that there are some aspects of the above which could lead to establishing sufficient environmental planning grounds. There are however aspects such as future agritourism (including serviced apartments and or primitive campground) that are speculative at this stage as require development consent which is not in place or does not form part of this overall application.

Regardless, the addendum in conjunction with the applicant's original written request, still does not clearly demonstrate that compliance with the development standard is 'unreasonable and unnecessary' for the purposes of clause 4.6(3)(a) to enable consent to be granted. In this regard, it is not considered to change the overall assessment and recommendation presented.

5.2 Unapproved Structures on the Subject Land

A site inspection, review of council records and correspondence with the applicant has confirmed the presence of two structures on the subject land that have been erected and/or are being used without the required approvals. These include:

- An ablution building with a toilet and shower installed without consent.
- A truck trailer being used as temporary accommodation for seasonal farm workers.

Neither of these structures have been authorised through a development consent or complying development certificate. The use of the truck-trailer for human habitation requires approval.

If development consent is granted, conditions would be necessary to require the applicant to demolish/remove both the unapproved structures.

6. Conclusion

From the assessment of the proposal, it is recommended that the DA be refused.

Draft conditions are included as **Attachment G** for if Council formed the view that the required matters of clause 4.6 of the LEP are satisfied to allow consent to be granted.

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. 8: Plan for the provision of a variety of affordable and quality and housing types
Delivery Program Action	EN 8.1 Forward planning is undertaken to integrate environmental, social, and economic factors for the benefit of the community and region.

ATTACHMENTS:

- A. Locality Plan ➡
- B. Proposed Plans ➡
- C. Clause 4.6 Exception - Applicant's Request ➡
- D. Assessment Report ➡
- E. Clause 4.6 Exception - Assessment ➡
- F. Clause 4.6 Exception - Request Addendum ➡
- G. Draft Conditions ➡

6.5 DEVELOPMENT APPLICATION NO. DA250311 - DUAL OCCUPANCY DWELLING HOUSE WITH ATTACHED GARAGE/WORKSHOP - 6 DISCOVERY DRIVE, YASS

SUMMARY

To present the assessment of development application no. DA250311 for a dwelling house (creating dual occupancy) with garage/workshop, and earthworks and stormwater realignment works at 6 Discovery Drive, Yass. The application attracted five objections, and relevant concerns cannot be addressed by conditions. Refusal is recommended.

RECOMMENDATION

That development application no. DA250311 for a dwelling house (creating dual occupancy) with garage/workshop, and earthworks and stormwater realignment works at 6 Discovery Drive, Yass, be refused as the form and the design of the proposed building, especially by way of size and scale, is:

- *Inconsistent and incompatible with the surrounding development and neighbourhood character of the locality. The proposed development will therefore have an adverse and unacceptable impact on the neighbourhood character, including the streetscape and landscape; and*
- *Inconsistent with the following merit-based objectives and controls of the Yass Valley Development Control Plan 2024:*
 - *B5 Neighbourhood Character*
 - *Part D Residential Development Objectives, specifically in relation to ensuring that buildings respect the topography and neighbourhood in which they are located, and encouraging new and infill residential development that responds to site constraints, streetscape and neighbourhood character*
 - *D1.6 Residential Building Design, specifically in relation to (a) dwelling design must have regard for the character of the locality, and (b) dwellings should be of similar scale and character to existing dwellings in the general locality*

FINANCIAL IMPLICATIONS

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

There are no new assets proposed to be dedicated to council.

POLICY & LEGISLATION

Acts and Regulations

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017

State Environmental Planning Policies-

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022

Local Controls

- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Development Contributions Plan 2018
- Yass Valley Community Engagement Strategy
- Road Standard Policy RD-POL-09
- Yass Built Form Study 2011

Guidelines

- Planning for Bushfire Protection
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales

REPORT

1. Application Details

Date Received	- 10 March 2025
Land	- Lot 7 DP 1071431, 6 Discovery Drive, Yass
Area	- 2.7ha
Zoning	- R1 General Residential

2. Site Description and Locality

The site is located in an area characterised by primarily residential development on the edge of the Yass urban area.

The site is a large lot of 2.7ha adjoining a traditional residential subdivision of the Discovery Drive/Settlers Court to the north. The subject lot is approximately 27 times larger in size than the individual residential lots in the adjoining subdivision. The land to the immediate south is the Oak Hill Reserve (former) (Aboriginal place of heritage significance). Primary legal access is from a battle-axe handle off Discovery Drive but informal access is being used from Orion Street/Reddall Street.

An existing dwelling house is located in the southeast corner of the lot. There is a large dam located on the site as well as a drainage line. An easement covers approximately one third of the site for stormwater drainage purposes, reflective of why the lot was created at time of the adjoining subdivision. The site generally falls along the drainage line towards the southwest corner where there is an existing stormwater pit. Scattered remnant eucalyptus trees are located across the site and more recently 'Leighton Green' conifers/pines have been planted along boundaries.

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

3. Background

At its meeting held on 28 March 2024 council considered a similar development application for the site (DA230073) for the construction of a building for use as a dwelling house (creating a dual occupancy) and garage/workshop, earthworks and stormwater drainage realignment works, and importation of approximately 980m³ of fill material. Council resolved (**Res. 50**):

That:

1. *Development Application No DA230073 for a dwelling house (creating a dual occupancy) and garage/workshop, earthworks, stormwater realignment works, and importation of approximately 980m³ fill material at 6 Discovery Drive, Yass, be refused on the following grounds:*
 - *The form and the design of the proposed building, especially by way of size and scale, is inconsistent and incompatible with the surrounding development and character of the locality. The proposed development will therefore have an adverse and unacceptable impact on the streetscape and landscape of the locality.*
 - *There is insufficient information shown on the elevation drawings to conclusively determine the maximum building height above existing ground level for the purposes of clause 4.3 Yass Valley Local Environmental Plan 2013. Based on the information available from the elevation drawings and the bulk earthwork plans, it would suggest that the building exceeds the maximum permitted building height of 8m.*
2. *The 'Leighton Green' conifers/pines (Cupressocyparis leylandii) that have been planted within and in proximity to the easements for services be removed and relocated a minimum of 6m from the centre line of the easement in order to reduce potential damage to infrastructure and to ensure ongoing access for maintenance purposes.*

4. Proposal

A new development application has been submitted and involves:

- Erection of a two-storey building used for purposes of a two bedroom dwelling house (creating a dual occupancy) with mezzanine, veranda/balcony, and garage/workshop
- Earthworks and stormwater drainage realignment works
- Tree removal
- Retaining wall
- Internal driveway

The habitable floor area of the building of the dwelling component is approximately 165m².

Details of the proposal are included in **Attachment B**.

The main changes made to the proposal in the new application include:

- Reduction in the maximum height of the actual building which has been reduced by approximately 735mm.
- Reducing the finished floor level of shed (i.e. increasing site cut).
- Shifting the location of the building slightly to the east to move outside of easement.
- Reduction of width of building by approximately 500mm, reducing the overall building footprint from 781.5m² to 767.2m².
- Reduction in volume of fill material to nil.

5. Public Exhibition

Public exhibition included notice to 18 adjoining and nearby landowners (excluding council owned land) and the Onerwal Local Aboriginal Land Council. Five submissions have been received raising objections or concerns (refer **Attachment C**).

6. Assessment

The proposed development has been assessed against the requirements of section 4.15 of the Environmental Planning and Assessment Act 1979. It is considered that the proposed development cannot be supported for the reasons outlined in the Assessment Report (refer **Attachment D**).

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

6.1 Maximum Height LEP

The earlier development application was refused, in part, on the basis that there was insufficient information to conclusively determine the maximum height of the building above existing ground level for the purposes of the LEP, but it was believed not to comply. The initial plans submitted with the current application also indicated that it still did not comply.

This has since been addressed in revised plans which reduced the overall height of the building by approximately 735mm and through site cut rather than fill. The proposal now complies with the maximum height requirement of 8m of the LEP.

6.2 Built Form – Size, Scale, and Compatibility with Surrounding Development

The earlier development application was also refused based on the form and design of the proposed building, especially by way of size and scale, being inconsistent and incompatible with the surrounding development and character of the locality. The proposed development was considered to therefore have an adverse and unacceptable impact on the streetscape and landscape of the locality.

The revised proposal includes minor changes only including reduction in height as identified above, reduction in overall footprint from 781.5m² to **767.2m²** and slight change in location.

For purposes of comparison to assist in understanding the size of the proposed building:

Address	Development	Size (Building Footprint) – Approx.
Council - Crago Precinct	Library Building	970m ²
46 Malbec Drive, Murrumbateman	Dwelling proposal (deferred by council August 2025)	2,100m ²
9 Settlers Court, Yass	Single storey dwelling	400m ²
10 Settlers Court, Yass	Two storey dwelling	280m ²
15 Cadell Place, Yass	Two storey dwelling	400m ²
Cnr Laidlaw Street & Orion Street	MA Steel commercial shed	530m ²

Pre-lodgement Background

Following the refusal and prior to lodgement of the new application, staff met with the applicant to discuss issues of concern and potential options. It was discussed that the reasons for refusal include the merit-based planning considerations under the Act (which are in addition to specific controls such as height and floor space ratio). It was discussed that whilst this is an unusual site in size and location, it also adjoins the immediate residential area which as a more traditional built form. It was agreed that this proposal would likely be acceptable if it was in, for example, Archer Close (being the rural residential subdivision further to the north), but the subject site is different and therefore the same outcome may not be acceptable in comparatively two different contexts, settings, and zones.

The applicant was advised that the Yass Valley Development Control Plan 2024 (the DCP) had also recently been introduced and strengthened the merit-based considerations and requirements around scale, character of neighbourhoods, etc.

Staff indicated that the larger lot size does provide opportunity for a proposal which may be different to a traditional residential form, but it needs to be compatible with the adjoining. The options suggested included separating the dwelling and garage/workshop/shed into different buildings to reduce the overall size and scale. This would also assist in providing architectural distinction between the dwelling and the shed. It was also suggested that a rural barn-dwelling style dwelling (with elements similar to the proposal) could also still be appropriate but at a more modest scale. This could be combined in conjunction with another separate shed/outbuilding.

The applicant indicated the current proposal best suits their personal requirements including for storage of up to 30 cars with a hoist. Advice was provided on the information that should accompany the application to allow full assessment by staff and council.

Yass Valley Development Control Plan 2024

The land is zoned R1 General Residential and therefore is subject to the residential development controls of the DCP (not the rural and rural-residential). The relevant controls of the DCP in relation to the merit-based assessment (i.e. non-numerical) include:

Part	Relevant Controls
B5 Neighbourhood Character	<p>Each neighbourhood is unique and its characteristics assist people in finding their way and contribute to a sense of community and belonging. It is important that development is respectful of, and responsive to, the individual character of each neighbourhood.</p> <p>Objective: To encourage development which responds to and contributes positively to the character and topography of the existing streetscape. Ensure that new subdivisions establish a high quality of neighbourhood character and amenity.</p> <p>Controls:</p>

	<ul style="list-style-type: none"> a. development should respect the scale, patterns and predominant building characteristics within a streetscape. b. The design should consider how the building/s will respond to the predominant characteristics of the neighbourhood such as dominant land uses, construction types and materials, roof pitch, setbacks, location and proportion of windows and doors, verandahs, vehicle parking/garaging, landscaping of public and private areas. c. New development should not dominate the streetscape. d. Building materials and finishes should reinforce or complement the dominant pattern within the streetscape.
Part D Residential Development Objectives	<p>The objectives of this part are to:</p> <ul style="list-style-type: none"> • Achieve the objectives of the land use zones to which the chapter applies. • Provide diversity of housing choice, opportunities and residential lifestyles. • Optimise opportunities for residential development to meet the housing needs of the community of Yass Valley. • Ensure that buildings respect the topography and neighbourhood in which they are located. • Ensure high quality residential development opportunities which provide for a diversity of housing and lifestyle choices. • Encourage new and infill residential development that responds to site constraints, streetscape and neighbourhood character.
D1.6 Residential Building Design	<p>New development shall complement the existing streetscape and be respectful of the dominant character and themes of the locality. Visual interest via a mix of dwelling sizes and styles provides housing choice for the community.</p> <p>Objective: To ensure that dwellings address public areas in a visually pleasing manner</p> <p>Controls:</p> <ul style="list-style-type: none"> a. Dwelling design must have regard for the character of the locality and any controls contained with Part J (village statements). b. Dwellings should be of similar scale and character to existing dwellings in the general locality.
D3.1 Outbuildings	<ul style="list-style-type: none"> g. Generally outbuildings should be setback a minimum of 900mm from the side and rear boundaries. h. The total area of outbuildings should not be greater than 10% of the lot area. i. Outbuildings should not exceed 4.5 metres in ridge height or 3.5 metres to the eaves.

An assessment of the above controls has indicated that the development may not be considered to respect the scale and predominant building characteristics, and that it is not of a similar scale and character to the existing dwellings and development in the locality, which is discussed further under the Yass Built Form Study 2011 below. It is however noted that the proposal does provide for a diversity of housing type (albeit unique) and for the applicant's lifestyle choices as part of a mix of dwelling sizes and styles.

The overall building has been considered a 'dwelling' for the purposes of the DCP, but it is also noted that if the garage/workshop component was being treated as an 'outbuilding' it would exceed maximum size requirements for height (although it would comply with the total floor area for outbuildings based on the percentage of the size of the lot).

Yass Built Form Study 2011

The applicant's supporting documentation suggests that there have been recent approvals for similar development within the Discovery Drive/Reddall Street precinct (including properties on Orion and Hope Streets) which are comparable in height and scale. It suggests that therefore precedents have been set, and the proposed building is consistent in height and scale of local development patterns. It refers largely to the Yass Built Form Study 2011 (the Study), which was a study undertaken to inform the LEP. The Study defined and considered 'precinct' areas, including the 'Discovery Drive and Reddall Street precinct' (refer **Attachment E**). This precinct was the northern edge of Yass town, including the Discovery Drive subdivision, the land around Reddall Street, and the light industrial area on Laidlaw Street generally north of Orion Street.

The study noted [emphasis added]:

"This precinct displays a disparate built form character and there are no strong built form features which characterise the precinct as a whole, although the residential area of the precinct has more commonality. The number of undeveloped lots and the variety of zones which apply to the precinct add to this disparity."

In relation to future character of the residential part of the precinct, it noted:

"With new residential zoned land arising from the Town and Villages Study, the residential part of the precinct will increase in size and prominence due to its location on higher land. These houses will tend to be large in size as commonly occurs in new development in Yass and either two storey or split level due to the changes in slope."

At that time, the only residential development within the precinct was the Discovery Drive subdivision. Additional land was zoned as residential in the LEP and the Caddell Street subdivision to the immediate west has since been developed from around 2019, approximately doubling the number of residential lots within the precinct.

The Caddell Street subdivision has developed in similar manner to Discovery Drive with dwellings which are generally on the larger size but still have a consistent form, size and scale, typical of traditional detached residential construction of the last two decades. This has reinforced the commonality of the residential area which was already being identified in the Study. With the development of the Caddell Street subdivision there is now two distinct areas within this precinct, the residential area and the light industrial area, consistent with the current zoning of the land.

The applicant's supporting documentation includes several examples of sheds within the precinct. These are primarily on the western end around the area which is light industrial. When viewed through the lens of the residential area, the proposed building is significantly different in size, scale and form with the surrounding. The site, whilst also significantly larger than the surrounding residential lots, is still located within the residential area of the precinct and not at the edge with the light industrial (i.e. where this building likely would be considered more consistent with the surrounding development). The location of the proposed development within the lot is also in the area where it converges with the adjoining traditional residential development.

The drone photographs included in the applicant's supporting information show the generally consistent nature of residential built form and character of Discovery Drive (refer **Attachment B**).

Discussion

With consideration of the above, the applicant's supporting information and the minor revisions, a similar conclusion has been reached to the previous application.

The location of the proposal on the site does not necessarily have direct frontage to an existing formed street. This does partially obscure it from the street; however, it remains clearly visible

within the streetscape and landscape from the end of the Discovery Drive/Settlers Court, from Orion Street, and from Oak Hill, and the adjoining dwellings. The longest elevation will be visible from Orion Street, with tree removal proposed increasing the visibility until such time as the Leighton Greens along the southern boundary (which are outside the sewer easement and can remain) mature to assist with screening. The presence may be further reduced from Discovery Drive/Settlers Court if additional development in Stage 3 of the Discovery Drive occurs, but that remains unknown at this time.

It is again recognised that the unique characteristics of the site presented opportunity for a development that may be outside of traditional residential design, subject to it being compatible with the surrounding development. The proposal as presented remains at a size and scale which is significantly greater than anything nearby in the residential area. The largest of the nearby dwellings have a footprint of approximately 400m² (single storey) or around half of the proposed building's footprint.

The building does not provide a transition of scale or form between the adjoining and nearby development. The building could be described as industrial in design, form and proportions with limited architectural features or articulation in comparison to the traditional residential form. This is generally contrary to the merit-based controls and objectives of the DCP.

The conclusions in the Built Form Study 2011 study provide limited supporting weight for the applicant's proposal, with assessment 14 years later indicating that distinct residential and light industrial areas have developed, with increasing commonality of built form in the residential area.

In this regard, the form and the design of the proposed building, especially by way of size and scale, remains inconsistent and incompatible with the surrounding development and character of the locality. The proposed development will therefore have an adverse and unacceptable impact on the streetscape and landscape of the locality.

6.3 Earthworks, Stormwater Realignment Works and Importation of Fill Material

The proposed development involves a relatively large amount of earthworks and stormwater realignment works in order to achieve a level building pad for the 767m² footprint of the building.

The development application proposed the importation of approximately 900m³ of fill material as part of the earthworks, consistent with the earlier development application. The proposal has since been revised to not require the importation of fill material because of the changes in levels to reduce the height of the building to comply with the LEP.

Concern was raised within the submissions received that the proposed building is located within a natural drainage way, suggesting that this may cause adverse impacts by way of flooding to neighbouring properties. The proposal has been revised so the building is outside of the easement which covers a large part of the site for stormwater drainage purposes (although there remain some earthworks and the stormwater realignment works within the easement area).

Detailed concept design drawings prepared by a qualified civil engineer have since been prepared. The proposed earthworks and stormwater realignment works are acceptable from a technical engineering perspective. However, the work required to accommodate the large footprint of the building with the site characteristics and the drainage considerations are reasonably significant. The reconfiguration of levels to avoid the need for importation of fill material is generally preferable, although it does result in additional depth of cut in this instance.

6.4 Flood Impacts and Considerations

Concern has been raised in the submissions in relation to the earthworks and stormwater realignments works and whether this may result in an adverse impact on neighbouring properties through the redirection of flood waters.

Concept engineering design plans have been provided and indicate that it is intended to redirect overland flow through use of a swale drain. The details indicate that the swale drain can accommodate the estimated flow through the site for the 1% annual exceedance probability (AEP) event without adverse impacts on either the proposed building or neighbouring properties.

The proposed finished floor level of the building (at 526.41m AHD) has been determined to meet the required flood planning level of +0.3m freeboard above the 1% AEP flood level under revised site conditions.

6.5 Privacy Impacts

Concern has been raised in the submissions received that the proposed development may result in an adverse privacy impact by way of overlooking onto adjoining properties.

The proposed building is orientated with the balcony facing generally to the west, with the outer edge at approximately halfway along the boundary of 9 Settlers Court (with the location having been further setback in the revision).

The internal upper storey of the building is set in from the lower storey with a balcony. The windows in the northern elevation of the upper level (facing towards 5, 7 and 9 Settlers Court) are high set, with the room located on that side being a bedroom (rather than a living space). The predominant view from the balcony is to the west, however when viewing to the north there could be potential for some overlooking into the rear yards but at a distance of approximately >20m to the boundaries of these properties. This complies with the privacy requirements of the DCP.

6.6 Use of the Building

Within the submissions received the use of the building is questioned, referencing an ABN number and business name allegedly associated with the owner.

The proposal is for a residential dwelling house with associated garage/workshop for the owner's private vehicle collection and hobbies (i.e. associated with the residential use of the land).

There is no proposal for associated business use. If council are of the mind to grant development consent, appropriate conditions can be included which restrict the use of the building accordingly.

6.7 Number of Dwellings

A submission questions how another dwelling can be proposed when there is already a dwelling located on the land. The proposal is to create a 'dual occupancy (detached)' which is permissible with development consent in the R1 General Residential zone under the LEP. There is no subdivision proposed.

6.8 Traffic Generation

A submission received suggests that the storage area for approximately 30 cars will increase traffic generation in the locality, which is a concern with many young families and children playing.

The proposal is to be assessed as residential (i.e. a dwelling) and therefore the additional traffic generation is based on the use of the land and the number of additional trips that generates, not the number of cars that could be stored. In this instance, the available storage area for cars is indicated as being for the purposes of private collection of the owner/residents only. The additional traffic generation is therefore assessed as equivalent of a two-bedroom dwelling (which is approximately nine vehicle trips per day).

The proposal is not considered to result in any significant traffic generation or associated impacts.

6.9 Aboriginal Cultural Heritage

A submission received notes that the proposed development is located adjoining to land that is a place of Aboriginal cultural heritage significance, being the Oak Hill Reserve (former). It further questions whether there has been appropriate consultation with the local Aboriginal community.

The Applicant provided with their earlier application details of the 'due diligence' process they have undertaken in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (the Code of Practice). This identified known places and objects of Aboriginal significance nearby, however, relied on the assessment undertaken at the time of the subdivision to determine the low likelihood for additional objects to be located on the development site, as well as there being no additional site features which trigger the need for further assessment.

This previous due diligence process undertaken is satisfactory for the purposes of the new application and is consistent with the requirement of the Code of Practice. Standard conditions could be applied in relation to the management of unexpected finds in accordance with legislative requirements.

The application was also referred to the Onerwal Local Aboriginal Land Council during the public exhibition period and there was no submission received.

6.10 Leighton Green Trees

The Applicant has planted 'Leighton Green' (*Cupressocyparis leylandii*) confiners/pines along the property boundaries, suggesting that this will assist in providing screening of the proposed development and privacy with neighbouring properties. Concern was identified in the assessment of previous application that the planting of Leighton Greens within and in proximity to the sewer easement is unacceptable. The root systems are invasive and presents the potential for significant risk to the sewer infrastructure. Furthermore, the potential size of the trees will result in an obstruction to the sewer easement for access and maintenance and purposes. Sydney Water and Queanbeyan-Palerang Regional Council both suggest these are a species to avoid in or near easements and should be located a minimum of 6m away from the location of the pipe.

The March 2024 resolution of council required the Leighton Greens to be removed and relocated a minimum 6m from the centre line of the easement in order to reduce potential damage to infrastructure and to ensure ongoing access for maintenance purposes. It is noted that council's infrastructure and assets division sent an initial letter of direction in May 2024, with the landowner then seeking further clarification from council, to which a response has not yet been provided. Tree removal and relocation has not occurred. Legal advice is currently being sought in relation to the clarifications with intention to recommence and escalate as appropriate.

6.11 Access – Discovery Drive/Orion Street

The subject land is known as 6 Discovery Drive, with primary legal access handle to Discovery Drive. Another access is now informally being used from Orion Street, crossing unformalised sections of Ford Street and Reddall Street road reserves, as well as across Lot 7010 DP 1026236 which is the Oak Hill Reserve (former) (Aboriginal place of heritage significance). This informal access is not believed to constitute a corresponding legal and physical access across Lot 7010 – i.e. there is no legal right of way or easement to the benefit of 6 Discovery Drive. Within the submissions received it is suggested that council should take steps to prevent use of this informal access.

If council are of the mind to grant consent, appropriate conditions of must be included to restrict this informal access arrangement, unless otherwise appropriately approved and legal access being demonstrated.

6.12 Reduction in Property Values

The NSW Land and Environment Court has consistently maintained that reduction in property values is not a valid planning consideration under the Act.

7. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions it is recommended that the application be refused.

Draft conditions are included in **Attachment F** if council were to be satisfied that the form and design of the proposed building, especially by way of size and scale, was appropriate and therefore were of the mind to grant consent.

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. 8: Plan for the provision of a variety of affordable and quality and housing types
Delivery Program Action	EN 8.1 Forward planning is undertaken to integrate environmental, social, and economic factors for the benefit of the community and region.

- ATTACHMENTS:**
- A. Locality Plan [⇒](#)
 - B. Plans and Supporting Documents [⇒](#)
 - C. Submissions [⇒](#)
 - D. s4.15 Assessment Report [⇒](#)
 - E. Yass Built Form Study 2011 Precinct Map [⇒](#)
 - F. Draft Conditions [⇒](#)

6.6 DEVELOPMENT APPLICATION NO. DA250138 - MULTI DWELLING DEVELOPMENT AND STRATA TITLE SUBDIVISION - 141 MEEHAN STREET, YASS

SUMMARY

To present the assessment of development application DA250138 for the development of 141 Meehan Street, Yass resulting in four dwellings and a five lot Strata title subdivision. The application attracted four objections and relevant concerns can be addressed by conditions. Approval is recommended.

RECOMMENDATION

That conditional development consent be issued for development application no. DA250138 for the development of 141 Meehan Street, Yass resulting in four dwellings and a five lot Strata title subdivision.

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

Acts and Regulations

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993
- Roads Act 1993

State Environmental Planning Policies

- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Resilience and Hazards) 2021

Local Controls

- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Development Contributions Plan 2018
- Yass Valley Community Engagement Strategy
- Road Standard Policy RD-POL-09

Australian Standards

- AS 4299 - 1995 Adaptable Housing
- AS 1428 – 2009 Design for Access and Mobility

REPORT

1. Application Details

Date Received	-	14 February 2025
Land	-	Lot B DP 153884, 141 Meehan Street, Yass
Area	-	1,432.63m ²
Zoning	-	R3 Medium Density Residential

2. Site Description and Locality

The site is located on Meehan Street in the Yass town. It has an area of 1,432.63m² and is irregular in shape. It contains an existing dwelling house, shed and a small amount of exotic vegetation.

The northern boundary of the site directly adjoins an existing multi dwelling housing development containing 10 dwellings. Surrounding developments on Meehan Street include a multi dwelling development containing three dwellings, a single dwelling, Yass Ambulance Station and Yass District Hospital. The site is within walking distance to Comur Street.

The site is located within the Yass Heritage Conservation area and is adjacent to a heritage building identified as “The Cabin” in Schedule 5 of the Yass Valley Local Environmental Plan 2013 (the LEP).

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

3. Proposal

The submitted application involves:

- Demolition of the existing verandah and shed
- Removal of two exotic trees
- Alterations and additions to the existing dwelling (Residence A)
- Construction of a dwelling (Residence B) attached to Residence A. This is proposed to be a ‘post adaptable’ dwelling to allow for future modification to become accessible for occupants and visitors with disabilities or changing needs without requiring major structural changes to the building.
- Construction of two detached dwellings (Residences C and D)
- Upgrade of existing property access crossing from Meehan Street
- Construction of an internal driveway
- Provision of four covered parking spaces
- Provision of three open visitor car parking spaces
- Construction of a communal letterbox
- Landscaping works
- Construction of front and internal fencing
- Five lot Strata Title subdivision as detailed in the table below:

Lot No.	Lot Name	Development	Size
1	Common Property	Internal driveway, four carports, three visitor car parking spaces, letter box and landscaping	442.12m ²
2	Lot A	Residence A, associated courtyard and boundary fencing	214.94m ²
3	Lot B	Residence B, associated courtyard and boundary fencing	213.72m ²
4	Lot C	Residence C, associated courtyard and boundary fencing	379.88m ²
5	Lot D	Residence D, associated courtyard and boundary fencing	233.33m ²

Strata Title subdivision allows for the division of a single property into individual lots that share ownership of common property, such as driveways, landscaping and letter box areas. Each lot receives its own title and can be bought, sold and rented independently of other lots created by the subdivision.

Upon the registration of a strata plan, an owner’s corporation or body corporate is created. This is a separate legal entity made up of all owners, but not tenants. The owner’s corporation is required to maintain the common property, collect levies each year and to generally run the corporation. Essentially, the body corporate ensures the development is maintained throughout its life.

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

4. Public Exhibition

Public exhibition included notice to 18 adjoining and nearby landowners and four submissions were received (refer [Attachment D](#)). The applicant’s response to submissions is included in [Attachment E](#).

5. Assessment

The proposed development has been assessed against the requirements of section 4.15 of the Environmental Planning and Assessment Act 1979. It is considered that the proposed development can be supported for the reasons outlined in the Assessment Report (refer **Attachment F**).

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

5.1 Previous Development Application

The site was the subject of development application (DA) DA210165 for a boarding house, which was refused by council at the meeting held on the 28th September 2023 (**Res. 185**). Submissions question if the current DA is seeking to covertly run as a boarding house or similar, if approved.

The current DA proposes the construction of three new dwellings and Strata Title subdivision to create five lots. The previous DA is unrelated to the assessment of this application and does not require further discussion. Any consent granted will be for the abovementioned development only.

5.2 Number of Dwellings

Concern has been raised about the number of dwellings proposed and potential overdevelopment of the site. Clause 4.1D of the LEP requires 150m² of site area per dwelling, with the intent of achieving suitable residential density. The site is 1,432.6m² and four dwellings are proposed, resulting in an area of 358m² available per dwelling.

For context:

- (i) The development proposes a lower density than that required by the LEP, providing an additional 208m² per dwelling.
- (ii) A maximum of eight dwellings on the site would meet the requirements of clause 4.1D.
- (iii) The multi dwelling development adjoining the site to the north contains 10 dwellings, each with an area of 167m².

It is therefore considered that the proposal will not result in overdevelopment of the site.

5.3 Architectural Design

Submissions raise concern that the materials and roof pitch of the proposed dwellings are incompatible with the existing dwelling and with the neighbourhood character. In response to this concern, the applicant has explained that the materials and roof pitches are sympathetic to the multi dwelling development to the rear and the nearby heritage item, while remaining consistent with the existing dwelling on the site.

The site is within the Yass heritage conservation area and opposite a heritage listed item as per Schedule 5 of the LEP. The site is located at 116 Meehan Street and comprises “the Cabin” (Item No. I234). The DA was referred to council’s Heritage Advisor who concluded that the development will not have any significant impact to the heritage significance of the item opposite the site as the proposed forms, materials and colours are sympathetic to the character of the neighbourhood.

In addition to the comments above, the new dwellings (Residences C and D) are single storey, located behind a fence and behind the building line set by the existing dwelling. It is therefore considered that any potential impact of the development on the streetscape and the neighbourhood will be acceptable.

5.4 Adaptable Dwelling

A submission raised concern that the nominated ‘post adaptable’ dwelling (Residence B) does not meet the relevant requirements and highlights that a post adaption floor plan was not provided in the original architectural plans.

Section D2.9 of the Yass Valley Development Control Plan 2024 (the DCP) requires that one dwelling in the development must have the provision to meet the requirements of ‘adaptable house class C’ in accordance with Australian Standard AS4299 – 1995 Adaptable Housing.

Upon request, the applicant provided a post adaption floor plan which demonstrates compliance with AS4299 – 1995, which includes:

- (i) The access path to the adaptable dwelling has been designed with no steps from the car parking space and the hard surface approach will allow for the installation of a ramp, if required.
- (ii) The doorways throughout have a width of 870mm allowing for use by 80% of wheelchair users, if required.

5.5 Car Parking Spaces

Several concerns are raised in the submissions about the number of on-site car parking spaces proposed and the potential increase of cars parking on Meehan Street. One submission states that there are not enough spaces, however another suggests that too many spaces are provided.

The DCP requires:

- (i) one parking space per two-bedroom dwelling and
- (ii) one visitor parking space per three dwellings.

The development proposes one parking space per dwelling and three visitor parking spaces, resulting in a total of seven parking spaces on the site. This exceeds the minimum requirement of five parking spaces.

It is considered that the number of parking spaces proposed on the site will adequately service the development and limit the potential of visitors and residents parking on Meehan Street.

5.6 Site Access and Egress

Submissions raise concerns about the safety of vehicles accessing and exiting the site. The development is to utilise the existing vehicular access from Meehan Street. Council's Development and Standards Engineer inspected the site and found the location of the existing access to be suitable. A development consent issued can include conditions for the widening and upgrade of the crossing to meet council's Road Standards Policy RD-POL-9, for the ongoing safety of users.

Other submissions raise concerns about vehicles reversing out of the site and onto Meehan Street. Vehicle movement plans for cars and rigid trucks (removal trucks or similar) have been provided upon request. The plans demonstrate that these vehicles can safely enter and exit the site in a forward direction. Notwithstanding the above, a sign stating "No Reversing Across Footpath" is to be placed at the entrance of the site.

It is therefore considered that the vehicular access crossing is in a suitable location, can be upgraded to meet council's requirements and vehicles of varying sizes can enter and leave the site in a safe manner.

5.7 Stormwater Management

Submissions raise concern about stormwater flows from the site and the impacts on surrounding sites. Submissions highlight that there are existing stormwater issues in the area which was intensified by the development of the Yass Ambulance Station.

Upon request, the applicant provided stormwater management plans which indicate that a stormwater drain is to be installed at the lowest point of the site and roof areas are to be connected to this drain, to decrease runoff. The plans have been reviewed by council's Development and Standards Engineer where it was concluded that, with the provision of additional details, the development will not create adverse impacts to the flow of stormwater.

Conditions can be included in any consent for the provision of final engineering construction details for the discharge of stormwater off the site. It is considered that with the inclusion of conditions, stormwater management can be improved and will work to minimise impacts on adjoining developments.

6. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions, it is recommended that a Development Consent be issued. Draft conditions are included in **Attachment G**.

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. 8: Plan for the provision of a variety of affordable and quality and housing types
Delivery Program Action	EN 8.1 Forward planning is undertaken to integrate environmental, social, and economic factors for the benefit of the community and region.

- ATTACHMENTS:**
- A. Locality plan [⇒](#)
 - B. Strata Title subdivision plan [⇒](#)
 - C. Proposed plans [⇒](#)
 - D. Submissions [⇒](#)
 - E. Applicant's response to submissions [⇒](#)
 - F. s.4.15 Assessment [⇒](#)
 - G. Draft conditions [⇒](#)

6.7 DRAFT PLAN OF MANAGEMENT - MURRUMBATEMAN RECREATION GROUND

SUMMARY

To present the draft Plan of Management for the Murrumbateman Recreation Ground.

RECOMMENDATION

That:

- 1. Council forwards a copy of the draft Plan of Management for the Murrumbateman Recreation Ground to NSW Crown Lands as the landowner, pursuant to s.39 Local Government Act 1993.*
 - 2. Council forwards a copy of the draft Plan of Management for the Murrumbateman Recreation Ground to the NSW Minister for Lands and Property seeking endorsement to publicly exhibit the draft plan, pursuant to s.3.33 Crown Land Management Act 2016.*
 - 3. Subject to any direction and endorsement received from the NSW Minister for Lands and Property, Council publicly exhibit the draft Plan of Management for the Murrumbateman Recreation Ground for a minimum 28 days and invites the public to make submissions over a period of 42 days.*
 - 4. The draft Plan of Management for the Murrumbateman Recreation Ground is presented to a future meeting of Council (inclusive of any changes made as a result of community consultation) for consideration and adoption.*
-

FINANCIAL IMPLICATIONS

Staff resources to prepare and process the plans of management are allocated in council's 2025/26 budget.

POLICY & LEGISLATION

- Crown Land Management Act 2016
- Crown Land Management Regulation 2018
- Local Government Act 1993

REPORT

1. Background

Council is required to prepare a Plan of Management (PoM) for Crown Land for which it is the appointed land manager, in accordance with the Crown Land Management Act 2016 (the CLM Act) and the Local Government Act 1993 (the LG Act). A PoM outlines how the land can be used, developed and managed and provides a framework for council in relation to the leasing, licencing, and permit processes for the land. The land is to be managed as if it were classified as 'community land' pursuant to the LG Act.

Accordingly, a draft PoM has been prepared for the crown land portion of the Murrumbateman Recreation Ground. **Attachment A** identifies the land to which the draft PoM applies, and a copy of the draft PoM is included in **Attachment B**.

2. Native Title

Each parcel of crown land is given a categorisation and associated purpose under the CLM Act. In April 2021 the Minister for Planning, Industry and Environment – Crown Lands approved the categorisation of 'General Community Use' with the purpose of 'War Memorial'. In September 2023 an additional purpose of 'public recreation' was granted.

Council received Native Title Manager advice stating that:

"The acts proposed by the Plan of Management are valid. The uses authorised by the Plan of Management for development and the leases, licenses, permits or other estates of facilities (as listed in the Plan of Management) which do not require further native title manager advice will either have no impact on native title or will be valid under Sections 24JA and/24LA of the Native Title Act, 1993. Where the proposed act is the establishment or construction of a public work, native title will be extinguished over the footprint and curtilage of the works."

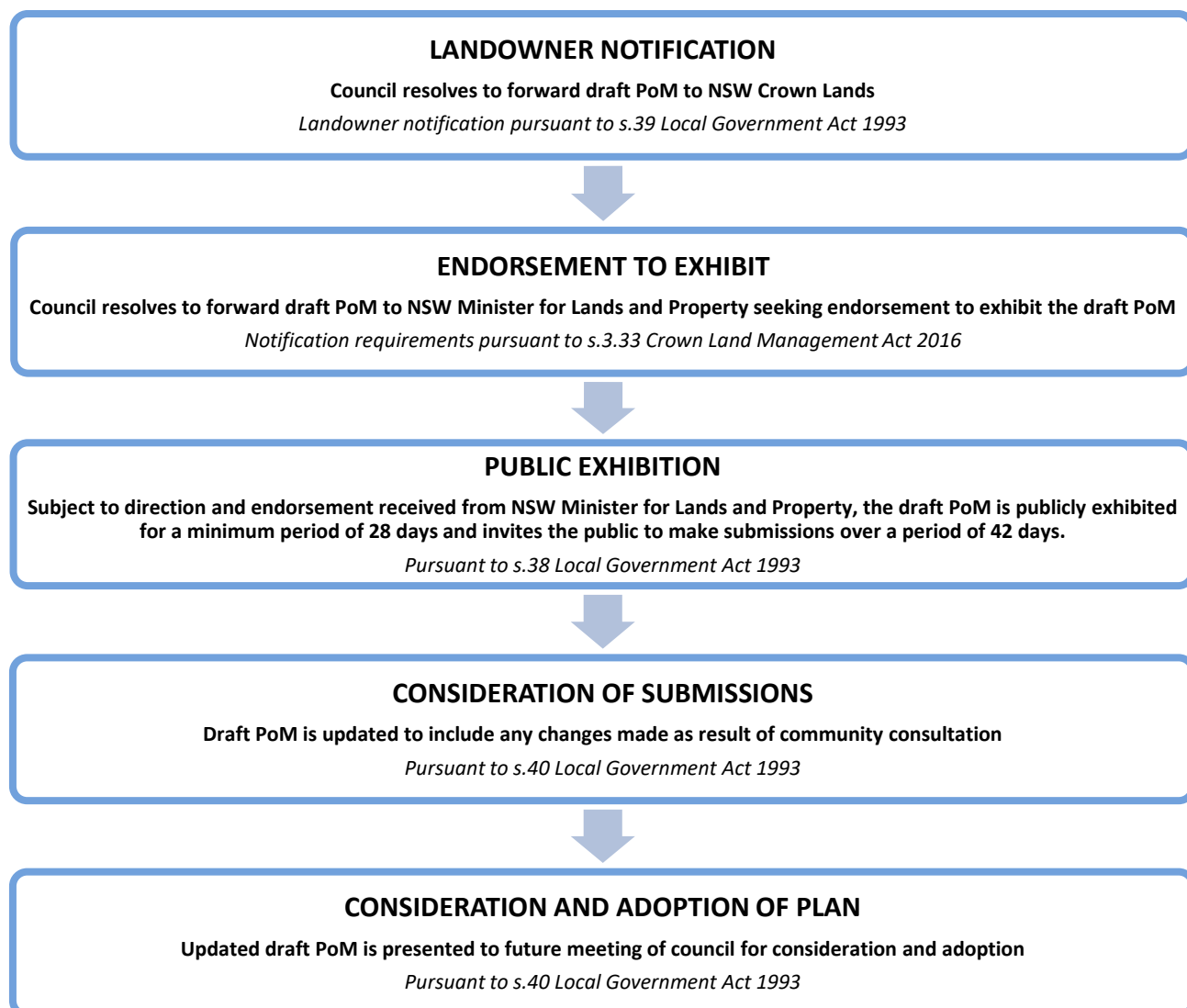
In this regard, NTS Corp, the Native Title service provider for Aboriginal Traditional Owners in NSW, were notified in November-December 2024 of the draft PoM and no submissions were received. NTS Corp will be notified prior to the commencement of any physical works on land to which the PoM applies.

3. Aboriginal Land Claim

There is an outstanding Aboriginal Land Claim on the site of which Council was notified on 14 April 2025. This does not preclude Council from drafting a PoM for the site whilst the claim is undetermined.

4. Public Exhibition Process

The process required to enable the public exhibition and future adoption of the draft PoM for the Murrumbateman Recreation Ground is detailed below.



5. Recommendation

It is recommended that the draft PoM is forwarded to NSW Crown Lands as the landowner and the NSW Minister for Lands and Property, for endorsement to publicly exhibit the draft plan, noting that a subsequent report will be presented to Council for consideration prior to adopting the PoM.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure (IN)
CSP Strategy Objective	We are proud of our liveable and accessible local places and spaces.
Strategies	IN.5: Ensure community facilities are comfortable, accessible and meet diverse residents' needs
Delivery Program Action	IN 5.2 Manage and facilitate the use of community, sport, recreation and open space facilities through Plans of Management

ATTACHMENTS:

- A. Locality Plan [⇒](#)
- B. Draft Plan of Management - Murrumbateman Recreation Ground [⇒](#)
- C. Submissions [⇒](#)

6.8 DRAFT MURRUMBATEMAN RECREATION GROUND STRATEGIC PLAN 2025

SUMMARY

To present the draft Murrumbateman Recreation Ground Strategic Plan 2025 for endorsement to be publicly exhibited for 28 days.

RECOMMENDATION

That:

1. *Council endorses the draft Murrumbateman Recreation Ground Strategic Plan 2025 to be placed on public exhibition for a minimum period of 28 days.*
 2. *The draft Murrumbateman Recreation Ground Strategic Plan 2025 is presented to a future meeting of Council (inclusive of any changes made as a result of community consultation) for consideration and adoption.*
-

FINANCIAL IMPLICATIONS

Actions identified in the strategy will require approval by Council prior to any commitment or adjustment to the Operational Plan is made.

POLICY & LEGISLATION

- Local Government Act 1993
- Murrumbateman Recreation Ground Strategic Plan 2021

REPORT

1. Background

Council at its ordinary meeting on 23 June 2025 adopted its suite of Integrated Planning and Reporting (IP&R) documents, including the Delivery Program 2025-2029 and Operational Plan 2026/27.

A review of the Murrumbateman Recreation Ground Strategic Plan 2021 (2021 Strategic Plan) (**Attachment A**) was undertaken to ensure alignment with the adopted IP&R documents, which identified the following revisions:

- (i) Removal of projects completed within the last four years
- (ii) Inclusion of projects identified in Council's Delivery Program 2025-29
- (iii) Inclusion of projects identified by the Murrumbateman Recreation Ground user groups
- (iv) Introduction of new document sections such as vegetation and tree management, sports field remediation program and alignment to Councils policies, strategies and plans.

The draft Murrumbateman Recreation Ground Strategic Plan 2025 (2025 Strategic Plan) has now been developed (**Attachment B**).

2. Consultation with Murrumbateman Recreation Ground Focus Group

Council staff presented the 2025 Strategic Plan to members of the Murrumbateman Recreation Ground Focus Group at its meeting held on 30 July 2025 with feedback to be provided to Council by 5pm on Friday 29 August 2025. Four submissions were received (**Attachment C**) and the 2025 Strategic Plan was revised accordingly.

3. Public Exhibition of Draft Plan

If endorsed by Council, the 2025 Strategic Plan will be publicly exhibited for a 28-day period, after which a subsequent report will be presented to Council which presents:

- (i) Copies of submissions received
- (ii) Responses to comments made in submissions received
- (iii) Revised 2025 Strategic Plan for consideration and adoption.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure (IN)
CSP Strategy Objective	We are proud of our liveable and accessible local places and spaces.
Strategies	IN.6: Preserve and enhance green open spaces, ensuring accessibility, maintenance and natural beauty
Delivery Program Action	IN 6.1 Plan for community facility, sport, recreation, play, open space infrastructure provision and support project delivery

ATTACHMENTS:

- A. Murrumbateman Recreation Ground Strategic Plan 2021 [⇒](#)
- B. Draft Murrumbateman Recreation Ground Strategic Plan 2025 [⇒](#)
- C. Submissions from Focus Group [⇒](#)

6.9 CROWN LAND MANAGER - WEE JASPER MEMORIAL HALL AND TENNIS COURTS TO WEE JASPER COMMUNITY ASSOCIATION

SUMMARY

Through mutual agreement between NSW Crown Lands, Yass Valley Council (YVC) and the Wee Jasper Community Association (WJCA), Council is relinquishing the Crown Land Manager role, of Wee Jasper Memorial Hall and Tennis Courts, situated on LOT:1 DP:515956, 6426 Wee Jasper Road, Wee Jasper, Reserve: 86113.

Following discussions between NSW Crown Lands, the WJCA and Council, the WJCA have agreed to be appointed as Crown Land Manager for Reserve 86113.

RECOMMENDATION

That:

1. *The advice from the Wee Jasper Community Association be noted.*
2. *The Minister for Water, Property & Housing be advised that Yass Valley Council relinquishes all interest and management of Lot 1 DP 515956, 6426 Wee Jasper Road, Wee Jasper, Reserve: 86113 (i.e. Wee Jasper Memorial Hall and Tennis Courts site).*

FINANCIAL IMPLICATIONS

There will be financial savings realised for Council with the relinquishment of being the Crown Land Manager for this reserve. Once relinquished by Council, the new Crown Land Manager will be responsible for all operational, maintenance and capital costs for the reserve.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Crown Land Management Act 2016*
- *Crown Land Management Regulation 2018*
- *Leasing /Licensing of Council Land & Buildings*

REPORT

1. Background

As reported to Council on 27 July 2022, a review of existing user agreements has been ongoing with community groups that use or lease Council-owned or managed land.

As part of this review, Council has been in discussions with the Wee Jasper Community Association (WJCA) and Crown Lands, regarding various options for the continued use and management of Crown Land Reserve 86113 (Wee Jasper Memorial Hall and Tennis Courts site). The following options were considered by the Association:

Option 1: - WJCA becomes the Crown Land Manager

Option 2: - Council remains as the Crown Land manager and WJCA Leases the land from Council.

Option 3: - Council remains as the Crown Land manager and WJCA licence the land from Council.

Option 4: - Hire Agreement (Through Councils Check Front software).

WJCA in agreement with Yass Valley Council and NSW Crown Lands, agreed to Option 1 that WJCA becomes the Crown Land Manager of the Wee Jasper Memorial Hall and Tennis Courts to the WJCA, as per the *Crown Land Management Act 2016*.

The Wee Jasper Community Association, at its General Meeting held 17 May 2025, resolved the following:

“That the Wee Jasper Community Association becomes manager of the Hall”.

The WJCA preference is Option 1, which would see the association becoming the Crown Land Manager for the reserve. All parties are in support of the above recommendation to have the WJCA become the Crown Land Manager. A joint letter of acceptance from WJCA and Council will be forwarded to Crown Lands requesting that Council be un-appointed as the Crown Land Manager and that the WJCA be appointed Crown Land Manager.

With WJCA becoming the Crown Land Manager for this site, all operational, maintenance and capital costs for the site, including insurances for this Reserve will be the responsibility of the Wee Jasper Community Association. The WJCA will then work with Crown Lands and be responsible for the management of who uses the Reserve and for what purpose. It will also allow the association to directly apply for grants for improvements to the site.





STRATEGIC DIRECTION

CSP Theme	Our Infrastructure (IN)
CSP Strategy Objective	We are proud of our liveable and accessible local places and spaces.
Strategies	IN.5: Ensure community facilities are comfortable, accessible and meet diverse residents' needs
Delivery Program Action	IN 5.2 Manage and facilitate the use of community, sport, recreation and open space facilities through Plans of Management

ATTACHMENTS: Nil

6.10 YVC.PE.29.2025 YASS MEMORIAL POOL POWER UPGRADE

SUMMARY

To provide details of organisations that provided tenders for the Yass Memorial Pool power upgrade project.

RECOMMENDATION

This item be classified CONFIDENTIAL in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance contrary to the public interest.

FINANCIAL IMPLICATIONS

Council has received a grant of \$332,191.80 under the Crown Reserves Improvement Fund (CRIF) to fund this project.

POLICY & LEGISLATION

- NSW Local Government Act 1993
- NSW Local Government (General) Regulation 2021

REPORT

1. Background

Yass Valley Council has been successful in obtaining grant funding through the Crown Reserves Improvement Fund to upgrade the power supply within the Victoria Park Precinct for the Yass Memorial Pool.

Council has completed a masterplan for Victoria Park which identifies upgrades to the pool that are planned to be made in coming years, the power upgrade will support these future improvements.

2. Tender

Tenders were called on 12 August 2025 and closed on 9 September 2025. Two tenders were received from the following organisations:

Organisation	Address
Ecowise Services	17 Paspaley Street HUME ACT 2620
Pateman Power Solutions	PO Box 558 YASS NSW 2582

A report on the tender evaluation is included in the Closed Session of this meeting for consideration.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure (IN)
CSP Strategy Objective	We are proud of our liveable and accessible local places and spaces.
Strategies	IN.8: Invest in quality sports and recreation facilities that promote active lifestyles across all ages
Delivery Program Action	IN.8.1: Undertake projects to improve recreation facilities, public toilets and sporting grounds and facilities

ATTACHMENTS: Nil

6.11 DRAFT YASS VALLEY CEMETERIES MANAGEMENT PLAN AND MASTERPLAN

SUMMARY

Presenting the Draft Yass Valley Cemeteries Management Plan and Masterplan and recommending both documents be placed on public exhibition for 28 days.

RECOMMENDATION

That:

1. *Council endorses the draft Yass Valley Cemeteries Management Plan and Yass Valley Cemeteries Masterplans to be placed on public exhibition for a period of 28 days.*
 2. *The draft Yass Valley Cemeteries Management Plan and Yass Valley Cemeteries Masterplans be presented to a future meeting of Council (inclusive of any changes made as a result of community consultation) for consideration and adoption.*
-

FINANCIAL IMPLICATIONS

The development of both the Management Plan and Masterplan has been covered in the current budget. Funds will need to be allocated for the implementation of any recommended actions outlined in the adopted Management Plan and Masterplan.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Crown Lands Management Act 2016*
- *Yass Valley Open Space Strategy 2024*
- *Cemeteries and Crematoria Regulation 2022*

REPORT

1. Background

The Cemeteries and Crematoria Regulation 2022 introduced a scheme of licensing conditions for all providers of burials and interments. As part of the introduction of this scheme, Council was required to develop a Management Plan for the seven cemeteries it is licensed to operate to comply with the new regulations.

Sala4D – landscape architecture and urban design, were engaged to prepare both the Management Plan and Masterplan on behalf of Council.

The draft Management Plan and Masterplan will provide a strategic framework for the enhancement and development of all cemeteries in the Local Government Area, that is realistic, achievable and within reasonable resources available to Council and the community. A key aim of the Masterplan was to strengthen sense of place and utilise its inherent natural features and views, thereby promoting the desirability of each cemetery, as well as being an inviting place for people to mourn and reflect, well into the future.

The Masterplan will also inform the development of each cemetery over the next many decades. It also recognises current trends in terms of burials and associated bereavement services.

2. Consultation

Consultation was undertaken with key user groups, listed below, via an evening session, drop-in day sessions, an online session as well as an online survey:

Binalong Cemetery Committee	St Augustine's Parish
Binalong Progress Association	Yass Vine Church
Bookham Community Association	Yass Community Baptist Church
Bookham Auxiliary Hospital	Yass Uniting Church, Yass
The Lions Club of Bowning & District Inc	Encout3r Church, Yass
Bowing & District Progress Association	Eagles Nest Christian Centre
Gundaroo Community Association	Murrumbateman Community Church
Gundaroo & District Historical Society	All Saints Anglican Church, Murrumbateman
Murrumbateman Community Association	St Joseph's Church, Gundaroo
Murrumbateman Lions Club	Bookham Community Church
Yass & District Historical Society Inc	Onerwal LALC
Yass Lions Club	Masjid Al Rahma Yass
Yass RSL Sub Branch	W T Dennis
Yass Rotary Club Inc	M H O'Rourke Funeral Directors
St Clements Anglican	Patterson Brothers Young
Lovat Chapel	Yass Valley Bronze

The following issues were raised during the consultation period:

- General maintenance of all cemeteries
- Need for more niches in columbarium wall
- More trees
- More seating
- Paths and internal vehicular access
- Maintenance/restoration of heritage graves
- Rabbit controls
- Garbage bins
- Signage
- QR codes introduced to assist in finding graves

All of the concerns identified have been addressed in the plans.

3. Draft Management Plan

The Management Plan (**Attachment A**) has been developed to comply with the new regulations which covers:

- a. Consumer Contracts
- b. Cemetery Maintenance
- c. Pricing Transparency
- d. Customer Service
- e. Religious, Cultural and Spiritual Principles
- f. Reporting Obligations

The plan deals with the new regulations for the seven (7) cemeteries Council operates under its Category 2 Cemetery Operator Licence which was issued on 15 March 2024. Landscape and Asset Maintenance Cycles are also provided for each cemetery. Policies and procedures to assist Council in meeting these regulations are currently being developed.

As part of the Management Plan, Council has reviewed its licence conditions for Consumer Contracts as recommended by Cemeteries and Crematoria NSW (CCNSW) in accordance with *Cemeteries and Crematoria Regulation 2022*.

4. Draft Masterplan

The draft Masterplan is included in **Attachment B** and includes recommendations for improvements and upgrades to each cemetery. Additional graves and columbarium spaces have been included in the Masterplans for the following cemeteries:

- Binalong – 792 new graves, 96 new columbarium spaces
- Bookham – 1,264 new graves
- Bowning – 1,271 new graves, 96 new columbarium spaces
- Gundaroo – 803 new graves, 54 new columbarium spaces
- Murrumbateman – 764 new graves, 66 new columbarium spaces
- Yass lawn – 4,846 new graves, 96 new columbarium spaces

The proposed Masterplans are to strengthen sense of place and utilities of each cemetery and provide a respectable place for people to mourn and reflect, well into the future.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure (IN)
CSP Strategy Objective	We are proud of our liveable and accessible local places and spaces.
Strategies	IN.5: Ensure community facilities are comfortable, accessible and meet diverse residents' needs
Delivery Program Action	IN.5.1: Maintain community facilities to be safe and functional.

- ATTACHMENTS:**
- A. Draft Yass Valley Cemeteries Management Plan [⇒](#)
 - B. Draft Yass Valley Cemeteries Masterplan [⇒](#)

6.12 CRAGO MILL STAGE 2 REVIEW

SUMMARY

In line with the Financial Sustainability Roadmap, Council has completed a review of Stage 2 of the Crago Mill Precinct Project, to assess whether to proceed with Stage 2 of the project. This report presents the findings of the review and recommendations regarding Stage 2 of the Crago Mill Precinct Project.

RECOMMENDATION

That Council resolves:

- 1) *To discontinue the full completion of Stage 2 of the Crago Mill Precinct Project as currently endorsed, primarily not to proceed with redevelopment of the historic Crago Mill building and building of new commercial premises, due to the impact on the Council's financial position and ongoing sustainability in the short and long term.*
- 2) *To demolish the existing administration building as contemplated in Stage 2 of the current project plan.*
- 3) *To allocate up to \$350,000 for the beautification of the open space as shown on the site plan, incorporating a yarning circle.*
- 4) *To allocate up to \$100,000 to apply turf and construction of a fence around the proposed Commercial Building site.*
- 5) *To allocate up to \$50,000 to construct a fence around the site for the Historic Crago Mill Building.*
- 6) *That the structural assessment and design work related to the Historic Crago Mill Building progresses, allocating \$400,000 for this work.*
- 7) *That a report progresses to Council should funding be sourced to undertake further work to the Historic Crago Mill Building.*
- 8) *Council staff to investigate and progress the subdivision of the proposed land area identified for the new commercial building, to potentially sell this site.*

FINANCIAL IMPLICATIONS

The funding for the Crago Mill Precinct Project is included within the Council Operational Plan. The funding for the Crago Mill Precinct Project is primarily from an external loan facility.

Yass Valley Council engaged an external consultant, AEC Group, to review the financial implications across seven scenarios, with the impact on the Operating Result outlined in Table A. The AEC report is at **Attachment A**.

Table A - Extracted from the AEC report – Table 3.1. Operating result from Continued Operations (page 6 of AEC report)

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Base	2,380,595	(212,265)	197,700	282,710	816,097	1,182,609	683,364	729,478	795,227	1,109,114
Scenario 1 - Full project delivery	2,380,595	(1,232,227)	(809,311)	(710,273)	(161,707)	221,211	(324,526)	(260,902)	(176,191)	158,209
Scenario 2 - Stage 1 and demolition of existing admin	2,380,595	(231,557)	178,768	264,162	797,961	1,164,914	666,141	712,759	779,047	1,093,511
Scenario 3 - Stage 1, demolition of existing admin and land sale	2,380,595	(227,021)	183,416	268,927	802,845	1,169,920	671,272	718,018	784,438	1,099,036
Scenario 4 - Stage 1, Mill and demolition of existing admin	2,380,595	(619,348)	(206,173)	(117,610)	419,696	790,521	274,443	325,203	396,069	715,576
Scenario 5 - Stage 1, Mill, demolition of existing admin and land sale	2,380,595	(614,812)	(201,524)	(112,846)	424,580	795,527	279,574	330,463	401,460	721,101
Scenario 6 - Stage 1 + Delayed Stage 2 (5 Years)	2,380,595	(287,057)	122,058	206,217	738,753	1,104,415	(481,696)	(422,030)	(341,550)	(11,672)
Scenario 7 - Stage 1 + Delayed Stage 2 (10 Years)	2,380,595	(267,057)	142,458	227,025	759,977	1,126,064	626,404	672,116	737,477	1,050,991

Source: AEC

The Net Operating Result before Grants and Contributions removes capital revenue from the result, hence the reported position reflects the profitability of Council's normal business operations. While the net operating result reports a worse outcome for Council, Table 3.2 below shows the same impact from the project as outlined in Table 3.1 for each scenario.

Key Findings outlined by AEC (report page ii) include:

- **Financial Performance:** All scenarios involving Stage 2 development negatively impact Council's net operating result, cash balances, and sustainability indicators compared to the base LTFP (including Stage 1). Scenario 1 (full delivery) causes the largest deterioration, with operating results declining by more than \$1.0 million in 2027.
- **Cash Flow:** Every development scenario produces an unacceptable negative unrestricted cash balance. Even with Land Sales (scenarios 3 and 5 – land for commercial building), the position remains negative, albeit slightly improved relative to full delivery.
- **Sustainability Indicators:** Each scenario that progresses Stage 2 worsens operating performance and debt service cover ratios, though Own Source Revenue Ratio shows a modest improvement due to expected commercial income.

POLICY & LEGISLATION

- *Local Government (General) Regulation 2021*
- *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023*

REPORT

The Crago Mill Precinct Project is a \$53 million redevelopment initiative in Yass, delivered in two stages. Stage 1, already underway, includes a new administration building and library. Stage 2 proposes demolition of the existing administration building located at 209 Comur Street, refurbishment of the historic Crago Mill building, and construction of a new commercial building.

Council has a significant financial sustainability challenge that has been clearly identified in its current Integrated Planning and Reporting suite of documents, including its 2025-26 Budget and 2025-35 Long Term Financial Plan. The NSW Office of Local Government (OLG) also identified Council's financial position and has advised Council to 'pull all levers' to improve its financial position and sustainability. A Financial Sustainability Roadmap (FSR) was developed, with drafts provided to OLG. The FSR was adopted by Council at its August 2025 meeting. The FSR included a "Review of Crago Mill Stage 2 Operating Model to assess whether to proceed with Stage 2 of the Project."

In August 2025, Yass Valley Council engaged AEC Group to review the financial implications of proceeding with Stage 2 of the Crago Mill Precinct project, including modelling the project profitability (profit/loss), cash flow and the impact on Council's Long Term Financial Plan (LTFP).

Seven scenarios were modelled by AEC:

1. Stage 1 + Full Stage 2 completion.
2. Stage 1 + demolition of the existing building.
3. Stage 1 + demolition of the existing building + Land Sale (commercial site).
4. Stage 1 + demolition of the existing building + Crago Mill refurbishment.
5. Stage 1 + demolition of the existing building + Crago Mill refurbishment + Land Sale (commercial site).
6. Stage 1 + 5-year delay to Full Stage 2 delivery.
7. Stage 1 + 10-year delay to Full Stage 2 delivery.

To enable the assessment of Stage 2 only, the '2025-35 Long-Term Financial Plan' adopted by Council needed to be adjusted to remove any components of Stage 2 – the Statement of Comprehensive Income, State of Financial Position and the Statement of Cashflows. This provided a base projection of the Council's financial position with only Stage 1 components included.

In their analysis, AEC applied updated costings which when compared to previous financial modelling included higher operating expenses, and capital renewal allowances. Notably, AEC excluded the optimistic 3% per annum operational uplift, that assumed that Council would benefit with an increase in cash associated from operations, previously assumed in earlier modelling, citing insufficient certainty to include cash expected from a range of indirect benefits.

The review found:

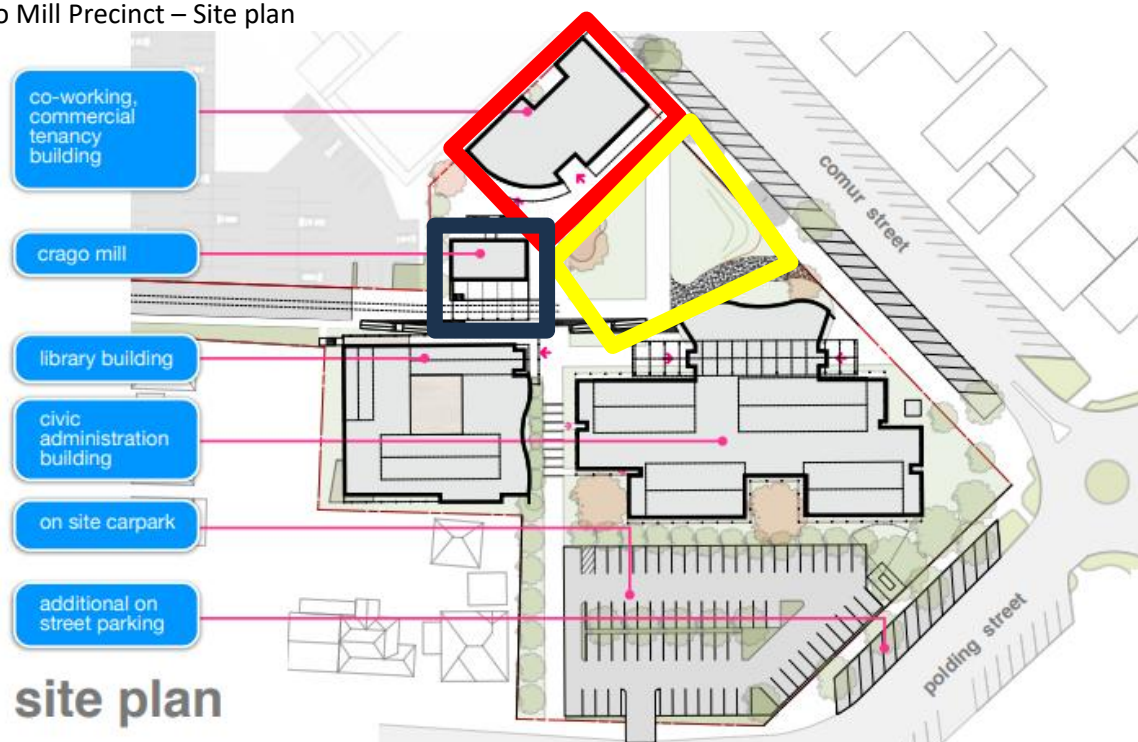
- 1) proceeding with full Stage 2 delivery significantly increases financial risk, constraining cash reserves and undermines Council's sustainability indicators (AEC report pages 8-10).
- 2) Options (scenario 1 and 5) which involved the sale of the land identified for the Commercial building offer some mitigation, but they do not fully resolve the negative impacts.
- 3) Deferral of Stage 2 (scenario 6 and 7) may provide fiscal relief and flexibility, allowing Council to reassess delivery in more favourable economic conditions.

Council must carefully weigh the cultural, heritage, and community benefits of the Crago Mill Precinct against the financial sustainability risks. Without securing additional grant funding, asset sales, or alternative financing, **continuing with the full implementation of Stage 2, drawing, at a minimum, up to a further \$11 million from the loan facility, is likely to erode Council's current financial position creating unacceptable risk.**

In determining what action to take, particularly if Council determine not to continue with Stage 2 of the Crago Mill Precinct project as currently contemplated, some key factors should be considered:

- The location of the site: The Crago Mill Precinct is situated on the main street. The Yass Main Street Masterplan includes components for consideration when making a decision about a change to the Crago Mill Precinct.
- The original objectives of the Crago Mill Precinct project, which included:
 - o Re-use and highlighting of the Historic Crago Mill.
 - o Architecturally sympathetic with the main street "*bookend the main street*".
 - o Provision of flexible and multi-purpose community spaces.
 - o Providing a street facing public space and views through to Crago Mill becomes part of the overall streetscape.

Crago Mill Precinct – Site plan



Existing Administration Building

Demolition of the existing Administration building is estimated to cost approximately \$255,000. There is the option *not* to complete the demolition, instead leaving the current Administration Building in-situ with the demolition being undertaken at a later stage once the overall Precinct project is realised.

Should demolition occur as planned, this will ensure a greater proportion of the proposed community benefit is realised through the Crago Mill Precinct project – specifically with respect to the open spaces and improving the streetscape.

Open Space

The open space area identified in the site plan adds amenity to the entire area. Beautification of this area will offer valuable environmental, social, and recreational benefits, such as improving offering public access for leisure and community activities and creating aesthetic appeal that contributes to a higher quality of life for residents.

To complete the area landscaping as planned, will cost approximately \$350,000, incorporating the yarning circle.

Commercial Building

The Commercial Building will cost approximately \$7.4 million to complete. This is a significant investment by Council, funded entirely through a loan facility.

If Council were not to proceed with the Commercial Building, this would reduce its level of borrowings from the loan facility by \$7.4 million. This will mean over the 10-year period of the 2025-35 Long Term Financial Plan Council it is estimated that it will improve Council's cash flow management and operating costs by not paying:

- \$5.8 million in interest
- \$4.2 million in principal repayments

It is proposed that the Commercial Building site be fenced, and consideration be given to a Development Application which would seek to subdivide the site. This would give this parcel of land a separate title, providing the option to potentially sell this parcel of land with the approved Development Application. Fencing the Commercial Building site will protect the site for any future development, sale or use of the operational site. Laying turf and fencing the site will cost approximately \$100,000.

Historic Crago Mill Building

The Historic Crago Mill building is a locally listed historic building. This building requires significant work and investment to make safe. A previous report to Council in April 2023 identified that the estimated cost to undertake a structural upgrade and façade restoration of the Historic Crago Mill Building, would cost approximately \$1.2 million.

The construction costs to complete the works to the Historic Crago Mill as contemplated in the current project plan will cost approximately \$3.7 million. If Council were to proceed with this component of the Stage 2 of the project it will mean over the 10 year period of the 2025-35 Long Term Financial Plan it will result in estimated costs:

- \$2.9 million in interest
- \$2.1 million in principal repayments

It is important to progress the structural assessment and design work as, this work will provide critical information which will inform a decision around next steps. The cost for this work is approximately \$400,000, which is in addition to the \$3.7 million costs above.

Consideration also needs to be given to an additional \$1.4 million for structural remediation of the historic building. In summary, for full refurbishment and remediation of the historic Crago Mill Building could cost up to \$5.5 million (\$3.7m plus \$400K plus \$1.4 million). If this was to proceed, it will mean the project will have minimal contingency.

Grant funding may become available through both State and Federal governments for the restoration, reconstruction or preservation of heritage items. Completion of the structural assessment and design will ensure that the Historic Crago Mill building Project is 'shovel ready' should Council be successful in a grant application.

Other Factors

Currently Council has submitted a partnership grant application through the Regional Precincts and Partnerships Program (rPPP) with the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications, Sports and the Arts. Should Council resolve to cease the progression of Stage 2 of the Crago Mill Precinct Project as currently contemplated then further discussion with the funding body will be required as this may impact the grant application.

STRATEGIC DIRECTION

Key Pillar Our Civic Leadership (CL)

CSP Strategy Council is an effective, responsible, and innovative organisation.

Delivery Program Action CL.2: Governance provides a sound basis for decision making.

Operational Plan Activity CL.2.1: Decisions made in accordance with LG Act and Regulations

ATTACHMENTS: A. AEC Report - Yass Valley Council - Crago Mill Stage 2 Review [🔗](#)

6.13 DRAFT POLICY - INTERACTION BETWEEN COUNCIL OFFICIALS

SUMMARY

The *Draft Interaction Between Council Officials Policy* provides best practice guidance for positive and effective working relationships between councillors and other council officials working for Yass Valley Council. It is proposed as a subordinate policy to the prevailing Code of Conduct adopted by Council.

RECOMMENDATION

That Council:

1. *Endorse the draft Interaction Between Council Officials Policy for public exhibition for a minimum of 28 days and if no submission are received, the policy be adopted.*
2. *Authorises the CEO to independently make periodic changes to the table contained within the Interaction Between Council Officials Policy, in line with changes to organisation design and related operational arrangements.*

FINANCIAL IMPLICATIONS

Optimisation of effective working relationships enhances the productivity of officers through

POLICY & LEGISLATION

- *Yass Valley Council Code of Conduct (2025)*
- *Yass Valley Council Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (2025)*
- *Yass Valley Council Social Media Policy (2024)*

REPORT

1. Background

The *Draft Interaction Between Council Officials Policy* provides better practice guidance for positive and effective working relationships between councillors and other council officials working for Yass Valley Council. It is proposed as a subordinate policy to the prevailing Code of Conduct adopted by Council. The policy is consistent with the aspirations expressed in the *Model Councillor and Staff Interaction Policy* released by the NSW Office of Local Government in 2022.

2. Discussion

Appropriate conduct is a central tenet of good governance. It is essential for building and maintaining positive and productive working relationships within an organisation. A good relationship between councillors and officers is vital to the exercise of council functions and so too is the cultivation of mutual understanding and respect for the roles and responsibilities of each group.

In broad terms, the role of a councillor is a strategic one. Councillors are responsible for representing the whole community, setting strategic direction and keeping the performance of the council under review. The role of officers, under the leadership of the Chief Executive Officer, is to run the day-to-day operations of the council. Officers are focused on implementing the decisions, plans, programs and policies adopted by the collective body of councillors.

Given the role of elected council and individual councillors in setting strategic direction, it is reasonable for them to seek information and advice about a range of issues that council may be concerned with. In

requesting such information or advice, councillors are not expected to immerse themselves in the operational detail of service delivery. Nor are they to direct or influence officers in conducting their duties. The only exception to this is when dealing with officers in a private capacity as a customer of council services. When dealing with officers in a private capacity, councillors must not use their official position to obtain a private benefit or be seen to be exerting pressure on officers or other councillor for such benefit.

Though significant sections of the proposed policy include details from the parent Code of Conduct policy, this has been done to clearly establish the context for key messages about standards of ethical behaviour. The community is highly sensitised to issues around ethical behaviour of public officials, therefore it is important for them to also be able to see and understand what is expected.

3. Proposal

The proposed policy seeks to provide a balanced view of ‘council officials’ – an umbrella term that covers both councillors and officers – to reflect the core relationship between the two groups. Achievement of information access outcomes in the parent Code of Conduct instrument is better served through the development of business documentation that provides clear guidance on support systems for information access. It does this by providing rules of engagement between officials.

The draft instrument includes a table that makes the ‘who’ and ‘what’ clear in relation to sourcing of information by councillors. Incorporating such content in such a public document increases visibility and places accountabilities in clearer context. Under this policy, the Chief Executive Officer continues to remain accountable under the *Local Government Act 1993* for operational arrangements such as the allocation of responsibilities and granting of powers to council officers.

Given the ebb and flow of workplace transformation it is recommended that the Chief Executive Officer be authorised to independently make periodic changes to the table in the proposed policy without the need to refer the entire policy back to elected Council for remaking each time. Nonetheless, the policy should also be subject to periodic review by elected Council like every other public policy that it adopts.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.2: Governance provides a sound basis for decision making.
Delivery Program Action	CL.2.1: Decisions made in accordance with LG Act and Regulations

ATTACHMENTS: A. Draft YVC Interaction Between Council Officials Policy [↗](#)

6.14 PUBLIC INTEREST DISCLOSURES POLICY AND COMPLIANCE WITH PUBLIC INTEREST DISCLOSURES ACT 2022 (NSW)

SUMMARY

The *Public Interest Disclosures Act 2022* (PID Act) commenced on 1 October 2023. The PID Act is designed to develop a 'speak up' culture by encouraging public officials to report serious wrongdoing and to protect them when they do, often referred to as 'whistle-blower' protections.

Under the PID Act, Council was required to have in place a Public Interest Disclosures Policy in place by 1 October 2023. It is noted that Yass Valley Council was not compliant with this requirement and therefore this is a priority of the newly appointed Senior Advisor Governance to implement alongside the CEO. The NSW Ombudsman's Office oversees the compliance relating to PID across all Agencies and Council has annual reporting requirements relating to PID Complaints/Disclosures, along with a self-assessment on the culture of the Organisation relating to 'speaking up.'

RECOMMENDATION

That Council:

1. *Endorses the draft Public Interest Disclosures Policy for public exhibition for a minimum of 28 days and if no submissions are received, the policy be adopted.*
2. *Undertakes mandatory training on requirements under the Public Interest Disclosures Act 2022 (NSW) by all Councillors and Staff prior to 31 December 2025.*

FINANCIAL IMPLICATIONS

There are no additional financial implications as a result of the endorsement and application of this policy at Yass Valley Council. The cost of implementation training will be accommodated within existing resources by being built into internally run leadership programs and training sessions.

POLICY & LEGISLATION

This Policy captures the intent and obligations contained within the *Public Interest Disclosures Act 2022* (NSW). The former *Public Interest Disclosures Act 1994* (NSW) has been repealed.

REPORT

The *Public Interest Disclosures Act 2022* (the PID Act) was passed by Parliament in 2022 but had a delayed commencement to enable the NSW Ombudsman's Office to prepare guidelines and work with agencies to prepare for the commencement of the new Act. On commencement, the new PID Act repealed and replaced the previous version of the Public Interest Disclosures Act 1994.

The key features of the PID Act are:

- The Act applies to all public sector agencies, which includes local councils.
- The Act outlines the different types of disclosures that may be made and how they are to be handled.
- Rather than an Agency only have the CEO and a single Disclosure Officer able to take complaints about serious wrongdoing, the new Act pushes that responsibility further down and across organisations so there are far more reporting options available for someone wanting to make a disclosure.
- Every permanently maintained worksite now must have a Disclosure Officer in the form of the most senior employee at the site.
- Every employee considered a 'Supervisor' with one or more direct report, is now considered a Disclosure Officer in accordance with the Act.
- The Act enables Council to receive disclosures about other councils or public sector agencies

- The Act also outlines the protections available for those who make a disclosure, commonly known as ‘whistle-blower’ protections.
- The Act continues to require periodic reporting on disclosures made to Council.
- The Act outlines mandatory training requirements that must be met, with the aim of embedding a ‘speak up’ culture.
- Section 42 of the Act requires Council to have a PID Policy in place and Section 43 mandates the information that must be covered by that policy. The Act provides for a Model Policy that Council may adopt, if it does not want to develop its own policy based on Section 43 of the Act.
- The Act also provides for the Ombudsman’s Office to issue guidelines and Council must take those guidelines into account when preparing its policy.

A Public Interest Disclosure is a report of serious wrongdoing that may constitute one or more of the following forms of misconduct:

1. Corrupt Conduct
2. Serious Maladministration
3. Government Information Contravention
4. Local Government Pecuniary Interest Contravention
5. Privacy Contravention
6. A serious and substantial waste of public money

The Model Policy released by the Ombudsman’s Office includes a mix of policy and procedural information, which does not assist practical implementation and maintenance over time. The Model is also not ideal for a local government context, where strategic policy is the responsibility of the elected Council and detailed operational procedures are the responsibility of the CEO. In order to achieve compliance with these statutory obligations in the most efficient time, it is proposed that a policy substantially based on the Model Policy be adopted.

The proposed Policy is contained in [Attachment 1](#). It is substantially based on the Model Policy, with appropriate additions for the Yass Valley Council context. The proposed policy excludes the two annexures of the Model Policy that are to provide names and contact details for Disclosure Officers and for the Integrity Agencies defined in the PID Act. Those details will be published alongside the policy as separate documents, facilitating easier updating as staffing or contact details change. This approach is consistent with Section 43(4) of the PID Act.

The PID Act does not require the draft policy to be publicly exhibited. However, given the nature of the policy, the transparency layer this policy seeks to achieve, and its relevance to those interacting with Council, it is proposed that the policy be publicly exhibited for a period of 28 days inviting submissions.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.1: Council resources, practices and processes are undertaken in a manner that meets legislative requirements.
Delivery Program Action	CL.1.2: Support and drive the identification of business improvement opportunities and service reviews

ATTACHMENTS: A. Public Interest Disclosures Policy [⇒](#)

6.15 DISRUPTION TO FINALISATION OF 2025 REVISION OF CODE OF MEETING PRACTICE

SUMMARY

Council is obliged to under section 360 of the *Local Government Act 1993* (the Act) to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Code of Meeting Practice (the Model Code) as prescribed by the *Local Government (General) Regulation 2021*. The Act also requires Council to review its adopted Code within 12 months of coming into office. Council endorsed a revised Code in July 2025 subject to final adoption following public exhibition. That finalisation cannot proceed as planned due to the recent release of a new Model Code with substantial changes that will need to be in place by 31 December 2025.

RECOMMENDATION

That:

1. *The revised Yass Valley Council Code of Meeting Practice endorsed by Council in July 2025 for public exhibition and return to Council for final adoption be*
 - a) *stood down without final adoption*
 - b) *used as the basis for another round of revision work to incorporate mandatory changes from the September 2025 Model Code of Meeting Practice for Local Councils in NSW*
2. *A fresh revision of the Yass Valley Council Code of Meeting Practice be considered at the ordinary meeting of Council in October 2025 in preparation for meeting public consultation obligations and the foreshadowed statutory deadline of 31 December 2025 for final implementation*
3. *The report to the October meeting of Council includes a detailed assessment of the change implications arising from new, altered and retired mandatory provisions under the 2025 version of the Model Code of Meeting Practice for Local Councils in NSW.*

FINANCIAL IMPLICATIONS

Nil – This standard governance instrument obligation is managed within the existing budget framework for supporting the civic governance function.

POLICY & LEGISLATION

- *Local Government Act 1993* – section 360
- *Local Government (General) Regulation 2021* – section 232
- *Circular 25-20 – 2025 Model Meeting Code* [from the NSW Office of Local Government]

REPORT

1. Context

Council considered a redrafted version of the *Yass Valley Council Code of Meeting Practice* at its ordinary meeting in July 2025. It resolved to place that instrument on public exhibition in anticipation of final adoption no later than September 2025. This revision work was done in accordance with a statutory obligation to review and remake such a code within 12 months of a general election of Council.

A locally adopted Code must incorporate mandatory provisions from the prevailing *Model Code of Meeting Practice for Councils in NSW* (the Model Code). Non-mandatory provisions may be included in a local code if they do not conflict with requirements of the mandatory provisions of the Model Code.

The revised Yass Valley Code that was considered in July 2025 was prepared in the knowledge that a new Model Code was under development. However, it was understood at that time that the revised

Model Code would not be completed in time for councils to meet their existing statutory obligation to review their local code within 12 months of taking office.

There was no public feedback on the publicly exhibited revision of the *Yass Valley Council Code of Meeting Practice* considered by Council in July 2025.

2. Discussion

The NSW Office of Local Government released a revised *Model Code of Meeting Practice for Local Councils in NSW* on 29 August 2025. A Circular announcing this appears as Attachment A to this report. The Circular incorporates a Frequently Asked Questions supplement that reflects key changes that were foreshadowed in a December 2024 discussion paper on the review of the Model Code.

Yass Valley Council made a detailed submission in February 2025 to the NSW Office of Local Government on the December 2024 discussion paper. Like many other local government stakeholders, its feedback raised concerns about a lot of the proposed changes to mandatory components of the Model Code.

The 2025 version of the Model Code now reflects much of what was proposed in the December 2024 discussion paper. The changes have very significant implications for meeting preparations as well as the conduct of business at meetings.

Officers are conscious of the 31 December 2025 deadline for compliance with the new Model Code. They are also acutely aware of the need to consider all the changes very carefully before giving councillors a detailed assessment of the change implications. Failure to adopt a local code that is consistent with all mandatory provisions in the Model Code would mean that inconsistent provisions would be automatically overridden by mandatory provisions under the Model Code.

3. Proposal

Council officers have already commenced a detailed review of the changes being introduced under the 2025 version of the Model Code. This assessment needs to be completed in time for a reworked revision of the *Yass Valley Council Code of Meeting Practice* to be presented to the ordinary meeting of Council in October 2025. Such timing is necessary so that public exhibition and comment can be accommodated in line with statutory requirements.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.2: Governance provides a sound basis for decision making.
Delivery Program Action	CL.2.1: Decisions made in accordance with LG Act and Regulations

ATTACHMENTS: A. Circular 25-20_NSW Office of Local Government_2025 Code of Meeting Practice [↗](#)

6.16

FINAL ADOPTION OF REMADE CODE OF CONDUCT AND SUPPORTING PROCEDURES FOR ADMINISTRATION

SUMMARY

Council has a statutory obligation under the NSW *Local Government Act 1993* to review its previously adopted Code of Conduct and supporting procedures within 12 months of being elected. In July 2025 Council resolved to remake its Code of Conduct and supporting procedures for administration of the Code in line with model instruments issued by the NSW Office of Local Government. Those documents were placed on public exhibition throughout July and August with a view to referral back to Council for final adoption no later than in September 2025.

RECOMMENDATIONS

That:

1. *The Yass Valley Council Code of Conduct appearing in the published report on that matter to the September 2025 meeting of Council be adopted.*
2. *The Yass Valley Council Procedures for the Administration of the Code of Conduct appearing in the published report on that matter to the September 2025 meeting of Council be adopted.*
3. *Council notes that further review of each of these instruments will be necessary well before the end of the current term of Council, if action on the reform initiatives announced by the NSW Minister of Local Government in December 2024 proceeds as anticipated.*

FINANCIAL IMPLICATIONS

Nil – This standard governance instrument obligation is managed within the existing budget framework for supporting the civic governance function.

POLICY & LEGISLATION

Local Government Act 1993 – sections 440 (7) and 440AA

Local Government (General) Regulation 2021 – sections 180 and 181

REPORT

1. Background

The *Model Code of Conduct for Local Councils in NSW* (Model Code) and the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (Model Procedures) are prescribed under the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021*. Under section 440 of the Act, a council must review its adopted code and supporting procedures and make such adjustments as it considers appropriate that are consistent with requirements under the Model Code and Model Procedures. Such review must be completed within 12 months after each ordinary election of councillors.

When Council considered each of these instruments at its ordinary meeting of July 2025, it was noted that existing instruments were simply copies of the model instruments without any corporate branding or removal of extraneous background content not directly relevant to utility of the documents at Yass Valley Council. It noted the importance of sending a clear signal to the community about Council ownership and commitment to this statutory obligation and good governance principles underpinning it.

2. Revision of the Model Code and Supporting Procedures

Council is permitted to make additions and alterations to these instruments as it sees fit. The only constraint is that their substance must be consistent with requirements under model instruments issued by the NSW Office of Local Government. In practice, councils rarely make anything more than minor adjustments. The model instruments are quite comprehensive and well understood throughout the NSW local government sector by both specialist local government practitioners, and independent specialists appointed to Code of Conduct Reviewer supplier panels that support those practitioners.

As reported to Council in July 2025, the NSW Minister for Local Government foreshadowed plans in December 2024 to review of the *Model Code of Conduct for Local Councils in NSW* and companion procedures. The reform announcement was launched in conjunction with a reform announcement concerning the *Model Code of Meeting Practice for Local Councils in NSW*. (Note that release of the new model meeting code on 29 August 2025 is the subject of separate report to the September 2025 meeting of Council.) No specific discussion paper or draft instruments related to conduct matters have yet emerged for industry and public review.

The announcement concerning reform of the Model Code of Conduct and its administration appeared to be principally focused on conduct matters involving councillors. It remains unclear if there is an intent to move away from a universal model instrument covering conduct of all classes of persons involved in fulfilling or supporting council functions. Feedback from the NSW Office of Local Government representatives at various industry forums continues to indicate that changes to Model Code of Conduct provisions are “imminent”.

3. Obligations on Council to Proceed with Review of Existing Instruments

Despite indications that new model instruments will soon emerge, Council remains bound by statute to remake its local versions of these key documents. There was no feedback from the public in response to exhibition of the model instruments that were to be subsequently subjected to corporate branding and formatting more in line with local publishing conventions.

Branding and formatting of the instruments has now been completed. Minor adjustments to clarify local terminology arrangements, remove extraneous content and update legislative references to the *Local Government (General) Regulation 2021* and the *Public Interest Disclosures Act 2022* have now been completed.

4. Proposal

Council should proceed with final adoption of instruments that appear as Attachment A and Attachment B to this report, in order to meet existing legislative compliance obligations. Officers will continue to remain alert to anticipated changes to model instruments upon which they must be based.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.2: Governance provides a sound basis for decision making.
Delivery Program Action	CL.2.1: Decisions made in accordance with LG Act and Regulations

- ATTACHMENTS:**
- A. YVC Code of Conduct 2025 [↗](#)
 - B. Procedures for the Administration of the YVC Code of Conduct 2025 [↗](#)

6.17 REVIEW OF COUNCIL INTERNAL AUDIT CHARTER

SUMMARY

A review of the Internal Audit service model was completed by Canberra Region Joint Organisation (CRJO) earlier this year. This review led to a change in operating model for the Internal Audit and Audit, Risk and Improvement Committee (ARIC) going forward, shifting to an outsourced internal audit function.

This report seeks endorsement of the updated internal Audit Charter, to ensure alignment with the new arrangements for the Internal Audit service provided by CRJO to Yass Valley Council.

RECOMMENDATION

That Council endorse the YVC Internal Audit Charter – September 2025 - Final.

FINANCIAL IMPLICATIONS

The funding for the internal audit function is included within the Council Operational Plan.

POLICY & LEGISLATION

- *Local Government (General) Regulation 2021*
- *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023*

REPORT

A shared arrangement for an internal audit function has been entered into between Upper Lachlan Shire Council, Goulburn Mulwaree Council, Yass Valley Council (the participating councils) and Canberra Region Joint Organisation (CRJO) since October 2022 and was an in-house internal audit function until June 2025 (**Attachment A**).

Following a service review in 2024/25, the Internal Audit Manager position was removed from the CRJO structure and from 2025/26 financial year onwards, the shared internal audit function will be provided through an outsourced internal audit function with internal audits conducted by an external provider shared across CRJO and the participating councils (the shared external IA provider).

The updated Internal Audit Charter (**Attachment B**) provides the framework for the Council's Internal Audit function and considers the advice of the Council's independent members forming the Audit, Risk and Improvement Committee (ARIC). The updated Internal Audit Charter is based on the OLG Model Internal Audit Charter and is required to be endorsed by Council after the changes made since adoption on 23 May 2024.

The CRJO has developed roles and responsibilities matrix for the ARIC members, Council CEO, Directors and Internal Audit Coordinator under the new shared arrangement for an external agency outsourced internal audit function (**Attachment C**).

Council has delegated and nominated the Internal Audit Coordinator to the position of Senior Governance Advisor.

CRJO will conduct a request for quotation (RFQ) via the Local Government Procurement (LGP) Vendor Panel for provision of an external agency supplier of internal audit services functions to Yass Valley Council, Goulburn Mulwaree Council, Upper Lachlan Shire Council and the Canberra Region Joint Organisation (CRJO).

STRATEGIC DIRECTION

Key Pillar Our Civic Leadership (CL)

CSP Strategy Council is an effective, responsible, and innovative organisation.

Delivery Program Action CL.2: Governance provides a sound basis for decision making.

Operational Plan Activity CL.2.1: Decisions made in accordance with LG Act and Regulations

ATTACHMENTS: A. Current YVC Internal Audit Charter - September 2025 - with tracked changes [⇒](#)
 B. YVC Internal Audit Charter - September 2025 - FINAL [⇒](#)
 C. Internal Audit Roles and Responsibilities Matrix [⇒](#)

6.18 INVESTMENT AND BORROWING REPORT

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments for the period 1 to 31 August 2025. In accordance with paragraph (1) (b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RECOMMENDATION

That the Investment & Borrowings Reports, covering the period 1 to 31 August 2025 be noted.

FINANCIAL IMPLICATIONS

The investment portfolio assists with Council's cash flow and funding of projects identified in the Operational Plan and is accordance with Council's Investment Policy.

POLICY & LEGISLATION

- s625 *Local Government Act 1993*
- Clause 212 *Local Government (General) Regulation 2005*
- Council's Investment Policy

REPORT

1. Council Loans

Council has five loans with a balance of \$37.2M owing on 31 August 2025. Council commenced drawing down funds for the Crago Mill project during October 2024. Refer to Table A for details.

Table A – Council Loans

General Loan	Principal as at	Interest rate	Comment
*Sewer - CBA Loan for Sewer Infrastructure	2,927,497.97	4.82%	20 years, repaid in 2035/36 20 years amortisation, 10 years term
*Water - NAB Westpac Dam Wall	7,555,954.23	5.36%	Aug 2032
*Water - Yass to Murrumbateman water supply (Tcorp)	982,283.34	2.55%	10 years, full repaid in 2029
*Water main and pump station upgrades (Tcorp)	536,711.64	2.55%	10 years, full repaid in 2029
Crago Mill funding facility (Westpac)	25,237,874.41	5.80%	20 years, full repaid 2043 - Variable rate (2.17%+BBSR)
Total balance as at 31/08/25	37,240,321.58		

*Interest Rates are fixed.

2. Summary of movements in Council Investments

Council Cash, Cash Equivalent, and Term Deposit Investments at 31 August 2025 are detailed in Table B.

Table B – Council Investments

Investment Type	Acc/Deal	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
Cash Working Accounts	Ref.						
NAB Working Account1	082-939 51	10,347,297.83	A1+/AA-	n/a	n/a	at call	RBA Cash Rate
Tcorp Strategic Cash Facility	778	5,602,466.84	AAA	n/a	n/a	3 day call	
		15,949,764.67					
Term Deposits < 12 Months							
Investment Type	Acc/Deal	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
My State Bank	CN079005	1,000,000.00	A2	04/09/24	04/09/25	365	5.10%
Bank of Queensland	CN082412	1,000,000.00	A2	11/03/25	08/09/25	193	4.60%
Great Southern Bank	CN082413	1,000,000.00	A2	11/03/25	07/10/25	210	4.69%
Great Southern Bank	CN082550	1,000,000.00	A2	17/03/25	13/10/25	210	4.64%
NAB	10958330	1,000,000.00	A1+	07/05/25	04/09/25	120	4.40%
Bank of Queensland	CN093753	1,000,000.00	A2	16/05/25	12/11/25	180	4.35%
NAB	10960550	1,000,000.00	A1+	26/05/25	26/05/26	365	4.20%
NAB	10960551	1,000,000.00	A1+	26/05/25	26/05/26	365	4.20%
NAB	10960552	1,000,000.00	A1+	26/05/25	26/05/26	365	4.20%
NAB	10961906	1,200,000.00	A1+	02/06/25	30/09/25	120	4.30%
MyState Bank	CN094085	1,000,000.00	A2	03/06/25	01/12/25	181	4.35%
MyState Bank	CN094246	1,000,000.00	A2	10/06/25	08/12/25	181	4.30%
My State Bank	CN094449	1,000,000.00	A2	18/06/25	17/12/25	182	4.40%
NAB	10966457	1,000,000.00	A1+	03/07/25	31/10/25	120	4.20%
Judo Bank	CN094787	1,000,000.00	A2	03/07/25	30/12/25	180	4.30%
Heartland Bank	CN094933	1,000,000.00	A-3/BBB	16/07/25	12/01/26	180	4.40%
Heartland Bank	CN095282	1,500,000.00	A-3/BBB	30/07/25	29/10/25	91	4.20%
Heartland Bank	CN095281	1,000,000.00	A-3/BBB	30/07/25	27/04/26	271	4.20%
NAB	10974278	1,000,000.00	A1+	18/08/25	15/05/26	270	4.10%
Bank of Queensland	CN095880	1,000,000.00	A2	28/08/25	24/02/26	180	4.20%
Heartland Bank	CN095881	1,000,000.00	A-3/BBB	28/08/25	25/05/26	270	4.20%
Heartland Bank	CN095882	1,000,000.00	A-3/BBB	28/08/25	28/08/26	365	4.20%
		22,700,000.00					
Total Short Term		38,649,764.67					

The value of term deposits in August decreased by \$500,000 with the following movements:

- One term deposit with a value of \$1,000,000 matured and was re-invested with the same institution.
- Three term deposits with a value of \$3,500,000 matured and were not re-invested with the same institution.
- Three new term deposits with a value of \$3,000,000 were invested with Bank of Queensland and Heartland Bank.

The summary of Term deposit Movements is outlined in Table C.

Table C – Term Deposit Movements

Term Deposit Movements August 2025				\$
Balance as at 31 July 2025			%	23,200,000.00
Term Deposits Reinvested				
	Old Ref	New Ref		
NAB	10959710	10974278	4.10%	1,000,000.00
				1,000,000.00
Term Deposits Matured				
NAB	10960206			1,500,000.00
Judo	CN093984			1,000,000.00
NAB	10953668			1,000,000.00
				3,500,000.00
New Term Deposit				
Bank of Queensland		CN095880	4.20%	1,000,000.00
Heartland Bank		CN095881	4.20%	1,000,000.00
Heartland Bank		CN095882	4.20%	1,000,000.00
				3,000,000.00
Balance as at 31 August 2025				22,700,000.00

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.1: Council resources, practices and processes are undertaken in a manner that meets legislative requirements.
Delivery Program Action	CL.1.5: Council Financial Sustainability Improvement Strategy to ensure improvement in the short and long term

ATTACHMENTS: Nil

6.19 2025-26 FINANCIAL ASSISTANCE GRANT ADVICE OF ESTIMATED ENTITLEMENT

SUMMARY

To advise Council of the 2025-26 Estimated Financial Assistance Grants allocated to Council as outlined in the letter to the Mayor from the Chair of the NSW Local Government Grants Commission in August 2025.

RECOMMENDATION

That Council:

1. *Note, the letter from the Chair of the local Government Grants Commission (Commission) advising of the Estimated 2025-26 Financial Assistance Grants for Yass Valley Council.*
2. *Note, the changing nature and timing of advance payments and the impact it may have on budgeting and cash flow management.*
3. *Note, the methodology for 'resuming the annual negative floor on the General-Purpose Component' is being reviewed and that the Commission will undertake consultation with respect to the review.*

FINANCIAL IMPLICATIONS

The estimated allocation of the Financial Assistance Grant to Yass Valley Council for 2025-26 is \$4.5 million, a 6.1 per cent increase from the 2024-25 allocation of \$4.3 million. Council received 50 per cent of the estimated entitlement for 2025-26 as an advance payment in June 2024-25. Council received 85 per cent as an advance payment in June 2023-24 for 2024-25.

Council needs to be aware of the timing of advance payments that impacts its annual and long-term budgeting and cash flow management. The Commission has highlighted that it is concerned about the unpredictability that the practice of advance payments creates and is advising Councils to not rely on the availability and the value of advances if received.

POLICY & LEGISLATION

Local Government Act 1993

REPORT

1. Background

The Chair of the NSW Local Government Grants Commission (Commission) wrote to Yass Valley Council Mayor, Cllr Jones, in August 2025 thanking the Mayor and the Council's engagement with the Commission in order to support the allocation of the Commonwealth Government's Federal Assistance Grants. A copy of the Letter is attached at **Attachment A**.

The summary of calculations for Yass Valley Council's estimated Financial Assistance Grant entitlement for 2025-26 is outlined in **Attachment B** and summarised in the Table below:

Year	General Purpose	Local Roads	Total
2024-25 Final	\$2,439,404	\$1,839,094	\$4,278,498
2025-26 Est	\$2,602,950	\$1,938,452	\$4,541,402

The Estimated Financial Assistance Grant of \$4,541,402 for 2025-26 represents an increase of 6.1 per cent to the final amount allocated for the prior year, 2024-25.

The NSW Schedule of payments for 2025-26 to all NSW Councils is provided in **Attachment C** and a 2025-26 Fact Sheet is provided in **Attachment D**.

2. Advance Payments

Council, along with all NSW Councils, received 50 per cent of the estimated entitlement for 2025-26 as an advance payment in June 2025 (\$2.249m). This is compared to receiving 85 per cent (\$3.622m) as an advance payment in June 2024 for 2024-25.

Council needs to be aware of the timing of advance payments as this impacts annual and long-term budgeting and cash flow management. The Commission has highlighted that it is concerned about the unpredictability that the practice of advance payments creates and is advising Councils to not rely on the availability and the value of advance payments.

In this respect, Council needs to be aware of the impact of the timing of the Financial Assistance Grants in terms of its budgeting and in particular cash flow management.

3. Distribution of General Purpose Component and resumption of negative floor

The Commission has been investigating ways to direct funds to Councils with greatest relative need. Information about the methodology review and subsequent transition has been previously provided to councils. The Commission commenced the pathway out of transition, resuming the 'negative floor in 2025-26' and has identified that it is no longer sustainable to protect those councils with greatest relative advantage.

There is no guarantee that a council will receive an increased Federal Assistance Grant each year. The Commission is proposing to review the methodology for 2026-27, this review will include consultation.

Yass Valley Council need to be conscious of the review and developments in this area, with results of the methodology review and its impact of grant funds allocated.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.1: Council resources, practices and processes are undertaken in a manner that meets legislative requirements.
Delivery Program Action	CL.1.5: Council Financial Sustainability Improvement Strategy to ensure improvement in the short and long term

- ATTACHMENTS:**
- A. Local Government Grants Commission - Letter to Yass Valley Council [↗](#)
 - B. Summary of YVC Estimated Federal Assistance Grant 2025-26 [↗](#)
 - C. Schedule of NSW Council Payments 2025-26 [↗](#)
 - D. Federal Assistance Grant - Fact Sheet [↗](#)

6.20 2024/25 DRAFT FINANCIAL STATEMENTS REFERRAL TO AUDITOR GENERAL

SUMMARY

In accordance with s413 *Local Government Act 1993*, approval is sought to refer the Draft 2024/25 Annual Financial Statements to Council's external auditor, the NSW Audit Office.

RECOMMENDATION

That the draft 2024/25 Annual Financial Statements be signed in accordance with s413 (1), (2) and (3) Local Government Act 1993 and referred to the NSW Audit Office.

FINANCIAL IMPLICATIONS

This is an annual financial reporting requirement.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

This report deals with the following items that highlight Council's financial performance and financial position for the financial year of 2024/25 (FY2025) outlined in the Draft 2024/25 Financial Statements:

- Operating results for the year ended 30 June 2025,
- Financial position as at 30 June 2025,
- Cash and investments position as at 30 June 2025, and
- Financial performance indicators as at 30 June 2025.

1. Income Statement – Operating Results

The income statement before audit represents all items of income and expense recognised in the financial year resulting from its operating activities together with the equity accounted investments. A summary of Council's operating result for the financial year ended 30 June 2025 is as follows:

Budget	Continuing Operations (\$'000)	FY2025	FY2024	Change +/-
56,266	Total Income	60,583	63,129	(2,546)
47,072	Total Expenses	39,433	44,448	(5,015)
9,194	Net Operating Result for the Year	21,150	18,681	2,469
(4,761)	Net Operating Result before Capital Income	2,522	(4,469)	6,991

Council's net operating result for the year has generated a surplus of \$21,150k, an increase of \$2,469k or 13.22% from \$18,681k of FY2024, primarily attributable to the major material items, including:

- Total rates and annual charges increased by \$1,057k as compared with last year, resulting from a \$741k increase in ordinary rate income primarily due to the 4.50% IPART rate peg determination and a \$317k increase in annual charges primarily attributable to the growth of service delivery in accordance with the Revenue Statement in the 2024/25 Operational Plan.
- Total grants and contributions for operating purposes increased by \$560k and total grants and contributions for capital purposes decreased by \$4,522k as compared with last year, due to the specific grant provided from the government departments and the contributions received.

- Total employee benefits and oncosts for the year decreased by \$596k, mainly attributable to the employee leave entitlements (ELE) decreasing by \$254k due to the level of staff turnover and vacancies during the year offset by a 3.50% increase to salaries from 1 July 2024 in accordance with the Local Government (State) Award 2023. Workers compensation insurance decreased by \$352k in 2024-25 compared to 2023-24.
- Total materials and services decreased by \$2,893k, reflected in a reduction of the overall operating costs of goods delivered and services rendered for the operational activities of Council.
- Total other expense decreased by \$1,329k in 2024-25 when compared to 2023-24 primarily due to an increment of \$1,027k to the Landfill Assets Remediation provision in 2023-24 due to the comprehensive revaluation of this provision undertaken in 2023-24.
- Total rates and annual charges increased by \$1,057k as compared with last year, resulting from a \$741k increase in ordinary rate income primarily due to the 4.50% IPART rate peg determination and a \$317k increase in annual charges primarily attributable to the growth of service delivery in accordance with the Revenue Statement in the 2024/25 Operational Plan.
- Total grants and contributions for operating purposes increased by \$560k and total grants and contributions for capital purposes decreased by \$4,522k as compared with last year, due to the specific grant provided from the government departments and the contributions received.
- Total employee benefits and oncosts for the year decreased by \$596k, mainly attributable to the employee leave entitlements (ELE) decreasing by \$254k due to the level of staff turnover and vacancies during the year offset by a 3.50% increase to salaries from 1 July 2024 in accordance with the Local Government (State) Award 2023. Workers compensation insurance decreased by \$352k in 2024-25 compared to 2023-24.
- Total materials and services decreased by \$2,893k, reflected in a reduction of the overall operating costs of goods delivered and services rendered for the operational activities of Council.
- Total other expense decreased by \$1,329k in 2024-25 when compared to 2023-24 primarily due to an increment of \$1,027k to the Landfill Assets Remediation provision in 2023-24 due to the comprehensive revaluation of this provision undertaken in 2023-24.

A detailed analysis of Council's financial performance for the year ended 30 June 2025 as compared with FY2024 is provided below.

1.1 Total Income from Continuing Operations

Total income from continuing operations decreased by \$2,546k or 4.0% as compared with FY2024.

The major changes by revenue type are summarised below:

Income from Continuing Operations (\$'000)	FY2025	FY2024	Change +/-
Rates and annual charges	23,155	22,098	1,057
User charges and fees	6,231	5,900	331
Other revenues	681	613	68
Grants and contributions – Operating purposes	9,161	8,601	560
Grants and contributions – Capital purposes	18,628	23,150	(4,522)
Interest and investment income	2,309	2,010	299
Other income	418	757	(339)
Total	60,583	63,129	(2,546)

Rates and Annual Charges

Total rates and annual charges increased by \$1,057k or 4.78% as compared with FY2024, resulting from a \$741k or 5.83% increase in ordinary rate income and a \$317k or 3.38% increase in annual charges, attributable to the following:

- The IPART determination a 4.50% of rate peg for FY2025 (2024: 4.20%) increased the permissible ordinary rate by \$589k (2024: \$514k).
- The annual charges for waste management (domestic and non-domestic), water supply services, sewerage services, collectively increased by \$317k or 3.38% as compared to FY2024, primarily attributable to the growth of service delivery in accordance with the Revenue Statement in the 2024/25 Operational Plan.

User Fees and Charges

User charges and fees increased by \$331k or 5.61% as compared with FY2024, mainly attributable to the following:

- specific user charges from water supply, sewerage services and trade waste services increased by \$611k,
- adjusted by a \$279k PayPal account of prior year receipts for the user charges and fees from other business activities recognised in FY2024.

Other Revenue

Other revenue increased by \$68k or 11.09% as compared with FY2024, due to a range of factors including workers compensation insurance recoveries and premium adjustment.

Grants and Contributions provided for Operating Purposes

Grants and contributions provided for operating purposes increased by \$560k or 6.51% as compared with FY2024, mainly attributable to the following:

- A \$917k decrease in Financial Assistance Grant (FAG), resulting from a \$2,249k of FAG advance payment almost 50% for following financial year allocation received from the NSW Local Government Grants Commission in June 2025, whereas the previous \$3,622k of 85% FAG advance received in FY2024 as part of the Federal Budget,
- A \$1,478k increase in operating grants for emergency roads and bridges repairs and maintenance which were accounted for as the contract liabilities in FY2024 in accordance with the new AASB standard adopted in 2021 and recognised as grant revenue when the project works were completed in the year.

Grants and Contributions provided for Capital Purposes

Grants and contributions provided for capital purposes decreased by \$4,522k or 19.54% as compared with FY2024, mainly attributable to the following:

- A reduction of \$5,709k specific capital grants from the government departments due to a high level of the transport infrastructure projects for the storm and flood damage events in last two years.
- A reduction of \$2,670k non-cash contributions to the gifted assets from the subdivision dedications (not developer contributions).
- An increase of \$3,859k developer contributions s7.11 and s7.12 EP&A and s64 LGA for the year.

Interest and investment income

Interest and investment income increased by \$299k or 14.88% as compared with FY2024, mainly attributable to the Reserve Bank of Australia (RBA) retained the cash rate of 4.35% over most of the FY2025 period (2024: 4.10% to 4.35%).

Other Income

Other income decreased by \$339k or 44.78% as compared with FY2024, mainly attributable to revaluation of the investment properties resulting in the same fair value (\$7,000k) at the reporting date (the 2024 revaluation resulted in an increment of \$312K to the fair value the investment properties).

1.2 Total Expenses from Continuing Operations

Total expenses from continuing operations decreased by \$5,015k or 11.28% as compared with FY2024. The major changes by revenue type are summarised below:

Expenses from Continuing Operations (\$'000)	FY2025	FY2024	Change +/-
Employee benefits and oncosts	13,295	13,891	(596)
Materials and services	13,020	15,913	(2,893)
Borrowing costs	718	720	(2)
Depreciation and amortisation	10,059	9,869	190
Other expenses	1,119	2,448	(1,329)
Net loss from assets disposal	1,222	1,607	(385)
Total	39,433	44,448	(5,015)

Employee benefits and oncosts

Total employee benefits and oncosts for the year decreased by \$596k or 4.29% as compared with FY2024, indicated the items below:

Employee benefits and oncosts (\$'000)	FY2025	FY2024	Change +/-
Salaries and wages	10,824	10,841	(17)
Employee leave entitlements	1,024	1,278	(254)
Superannuation	1,343	1,236	107
Workers' compensation	221	573	(352)
Fringe benefits tax	5	52	(47)
Less: capitalised costs	(122)	(89)	(33)
Total	13,295	13,891	(596)

The major contributions to the decrease in employee costs were the following:

- Salaries and wages maintained a similar value to FY2024, with the value in FY2025 being slightly below \$17k or 0.16% from the prior year. This is mainly attributable to a 3.50% salary increase from 1 July 2024 based on the Local Government (State) Award 2023 (2024: 4.50%), offset the level of staff turnover and vacancies during the year.
- Employee leave entitlements (ELE) decreased by \$254k or 19.87% compared with last year, mainly attributable to adjustment of a \$377k to the provision for the annual leave and long service leave due to a number of staff leaving the organisation and provision calculations as at the reporting date.
- workers compensation was \$352k lower than the prior year due to a lower level of staff costs for FY2024 compared to the estimate that in a reimbursement from StateCover.

Materials and services

The materials and services represent all operating expense types not covered under employee, borrowing, depreciation and other costs. These costs include expenses for materials and the cost of external resources and contractors relating to Council normal operational maintenance and service costs, and administration and governance costs.

The materials and services expenses would therefore rise and fall directly in relation to Council budgeted work programs and movements in the cost of sourced materials and contracts in accordance with the adopted Operational Plan each year.

Materials and Services (\$'000)	FY2025	FY2024	Change +/-
Raw materials and consumables	653	1,177	(524)
Consultancy costs	222	361	(139)
Contractor costs	5,597	6,713	(1,116)
Vehicle and plant expense	1,236	1,704	(468)
Other (details refer Note B3-2)	5,312	5,958	(646)
Total	13,020	15,913	(2,893)

Total materials and services decreased by \$2,893k or 18.18% as compared with FY2024, indicating the actual costs of goods delivered and services rendered for the continuing operational activities of Council over the two financial years:

- Raw materials and consumables reduced by \$524k mainly attributable to the lower level of local roads repairs and maintenance for the storm and flood damage events than last year.
- Consultancy costs reduced by \$139k mainly attributable to the consultancy of the a \$109k incurred in the water plant projects last year.
- Contractor costs reduced by \$1,116k, mainly attributable to the delivery for the infrastructure maintenance and services caused by the unanticipated storm and flooding natural occurrences in the year, and the engagement of contractors to assist with staff vacancies decreased for the year.
- Vehicle and plant running costs reduced by \$468k mainly attributable to the decrease of fuel costs and the repair and maintenance services.
- Other materials and services reduced by \$646k reflected in the activities of the overall operating costs in the year, such as legal costs \$64k, computer expense \$87k, general repair and maintenance \$97k, training and education \$279k, fire control and emergency service \$134k.

Borrowing costs

Total borrowing costs slightly decreased by \$2k or 0.24% as compared with FY2024 as indicated in the table below:

Borrowing costs (\$'000)	FY2025	FY2024	Change +/-
Interest bearing (bank loan and lease) costs	1,461	820	641
Less: Capitalised	(840)	(100)	(740)
	621	720	(99)

Unwinding discount on landfill remediation provision	97	0	97
Total	718	820	(2)

Interest costs of \$840k relating to the borrowings for the Crago Mill Precinct development project were capitalised as part of the project for the year (2024: \$100k).

Depreciation and amortisation

Total depreciation and amortisation increased by \$190k or 1.93% as compared with FY2024, mainly due to the high level of infrastructure assets renewal in the last two years, and the water supply and sewerage supply network revaluation together with the indexation of the infrastructure assets undertaken in FY2024, which impact on current year's depreciation result.

Other expenses

Total other expenses decreased by \$1,329k or 54.29% as compared with FY2024, mainly attributable to:

- A \$217k decrease in the provision for impairment of water charges and fees receivables, and
- A \$1,027k decrease in the landfill asset remediation provision resulting from the comprehensive revaluation undertaken in FY2024.

Net loss from asset disposals

Total net loss from the asset disposals decreased by \$385k as compared with FY2024, mainly attributable to the disposals of the net residual value of infrastructure asset from the asset register resulting from the respective asset renewals.

2. Financial Position

Statement of financial position represents the current and non-current assets and liabilities, equity and reserves as at the reporting date. A summary of Council's financial position is as follows:

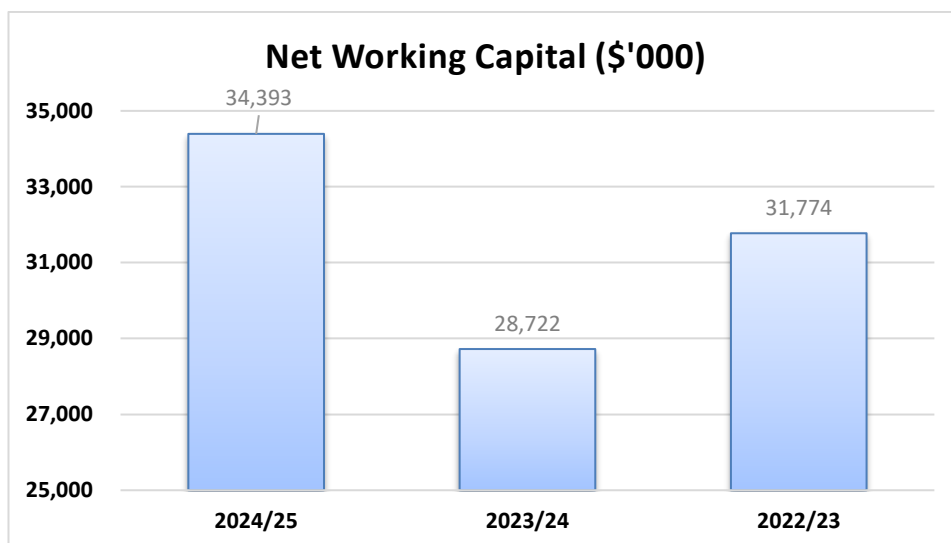
Financial Position (\$'000)	FY2025	FY2024	Change +/-
Current Assets	49,654	43,798	5,856
Current Liabilities	(15,260)	(15,076)	(184)
Net Working Capital	34,394	28,722	5,672
Non-current Assets	690,859	596,880	93,979
Non-current Liabilities	(31,675)	(14,991)	(16,684)
Total	693,578	610,611	82,967

Council net asset position as at 30 June 2025 increased by \$82,967k (2024: \$47,750k) when compared with FY2024, primarily attributable to the following:

- A \$5,672k increase in net working capital (net current assets and current liabilities),
- A \$93,979k increase in non-current assets, and
- A \$16,684k increase in non-current liabilities.

2.1 Net Working Capital

Working capital measures the working fund available to Council, which is used in the day-to-day continuing operations, calculated as total current assets minus total current liabilities.



As at the reporting date, the net working capital position increased by \$5,672k or 19.75% (2024: -\$3,052k) as compared with FY2024, mainly attributable to the following:

- Cash and investments position has soundly kept at the similar level as compared with FY2024, giving a \$8,864k increase in cash at bank and cash equivalents, and \$4,000k decrease in investments of short-term deposits maturity within 12 months, resulted in a \$4,864k additional cash and investments position at the reporting date.
- Receivables increased by \$1,368k mainly attributable to the increase in rates and annual charges and water supply charges for the year.
- Contract assets decreased by \$340k for the recovery of the grant funded projects incurred by Council from the grant providers under the new AASB standard adopted in 2021.
- Account payables and accruals increased by \$2,849k due to the timing difference of the creditors pay run at the reporting date as compared with FY2024, especially including the payable for Crago Mill precinct development project.
- Contract liabilities decreased by \$2,268k due to prior years' unspent grants for roads and bridges maintenance caused by higher than anticipated rain and flooding, assessed under the new AASB standard adopted in 2021.
- Employee benefit provisions decreased by \$254k, including \$377k attributable to the annual leave and long service leave provision calculations as at the reporting date.

2.2 Non-current Assets

Total non-current assets increased by \$93,979k or 15.75% from FY2024 (2024: \$51,984k) primarily attributable to the following:

- A \$4,000k reduction from the investment for the term deposits with a maturity over 1 year.
- A \$98,036k increase in infrastructure, property, plant and equipment (IPPE) resulting from the revaluation and indexation of \$61,817k, and a net increment of \$36,219k IPPE net fair value, representing additions \$47,941k offset by disposals \$1,473k, depreciation \$10,002k and other adjustments \$247k during the year.

2.3 Non-current Liabilities

Total non-current liabilities increased by \$16,684k or 111.29% from FY2024 (2024: \$1,182k) primarily attributable to the following:

- A \$16,839k increase in borrowing from the drawn down of bank loan for the Crago Mill Precinct development, and
- A \$149k decrease in other provisions for landfill asset remediation and rehabilitation.

3. Cash and Investments Position

An important measure of Council's finance sustainability is the cash and investment position at the end of the reporting date. Cash received by Council for expenditure on specific projects or activities such as tied grants, water and sewer fund, stormwater levy, domestic waste management, and developer contributions, if not expended in the year, must be held as an externally restricted asset reserve. Cash assets not subject to the external restrictions may be internally allocated in accordance with Council resolution or policy. These funds are held by Council along with other funds and set aside for future expenditure as an internally restricted asset reserve. The total reserve assets are held in the form of either cash and cash equivalent or investment assets.

The table below indicates the result of cash and investments position as at 30 June 2025.

Cash and Investments Position (\$'000)	FY2025	FY2024	Change +/-(-)
Cash and Investment Assets at July 1	37,017	36,433	584
Net cash inflow/(outflow) for the year	864	584	280
Total cash and investments at June 30	37,881	37,017	864
Less: Externally restricted assets	(30,005)	(27,612)	(2,393)
Less: Internally restricted assets	(7,243)	(9,350)	2,107
Net unrestricted cash & investments at June 30	633	55	578

Council has sustained its cash and investment assets position over the two financial years. The total cash and investment assets increased by \$864k to \$37,881k (2024: \$584k) as at the reporting date from FY2024's position of \$37,017k.

After allowing for restricted assets, both externally imposed by legislation and set aside for specific internal purposes, Council has a net cash and investment surplus of \$633k (2024: \$55k) as at the reporting date, which conforms to the Operational Plan for 2024/25 based on the adopted Long Term Financial Plan.

3.1 Externally Restricted Reserve Funds

As at 30 June 2024, the total externally restricted reserve funds of \$30,005k (2024: \$27,612k) are set aside in the cash and investment assets, comprised of the following items:

Externally Restricted Reserve Funds (\$'000)	FY2025	FY2024	Change +/-(-)
Specific purpose unexpended grants	2,162	4,430	(2,268)
Developer Contributions (s.11.2 and s.64)	18,303	14,510	3,793
Water Fund	2,797	2,211	586
Sewerage Fund	4,793	4,283	510
Domestic Waste Management	1,932	2,144	(212)
Stormwater Management	18	34	(16)
Total	30,005	27,612	2,393

Specific purpose unexpended grants

The specific purpose unexpended grants of \$2,162k (2024: \$4,430k) externally restricted to reserve fund at the reporting date relates to the unspent grants received by Council from government departments, funding to construct infrastructure assets under the enforceable contracts or agreements which will be under Council's control on completion. For further details refer to contract liabilities (Note C3-2) in the financial statements.

Development Contributions

The developer contributions under the Developer Contribution Plan of \$18,303k (2024: \$14,510k) externally restricted to reserve fund at the reporting date are the balance of the developer contributions for the provision or improvement of amenities or services received by Council in accordance with Section 7.11 and Section 7.12 of the EPA Act 1979 and Section 64 of the LG Act 1993. Details refer to Statement of Developer Contributions (Note G4-1).

Water Fund

The externally restricted water reserve fund of \$2,797k (2024: \$2,211k) at the reporting date is to preserve for the provision of Council water network infrastructure operations. Refer Statement of Financial Position by Fund (Note D1-2).

Sewerage Fund

The externally restricted sewerage reserve fund of \$4,793k (2024: \$4,283k) at the reporting date is to preserve for the provision of Council sewerage network infrastructure operations. Refer Statement of Financial Position by Fund (Note D1-2).

Domestic Waste Management

The externally restricted domestic waste management reserve fund of \$1,932k (2024: \$2,144k) at the reporting date is derived from the annual charges to all rateable properties to preserve for the provision of transfer stations and the management of environmental waste matters, provision for additional infrastructure and improvements to accommodate waste disposal at all transfer stations, and provision for the purchase, maintenance and upgrade waste and recycling bins and infrastructure throughout Council area.

Stormwater Management

The externally restricted stormwater management reserve fund of \$18k (2024: \$34k) at the reporting date is levied under Section 496A of the LG Act 1993 to preserve for the provision and maintenance of the drainage infrastructure operations.

3.2 Internally Allocated Reserve Funds

Other than the cash, cash equivalents and investments not subject to externally restrictions, Council has allocated the remaining cash and investment assets as the internally restricted reserve funds at the reporting date in accordance with the resolutions and management plan policy.

These internal allocations are at the discretion of Council, they are not necessary to be subtracted from the "Total cash, cash equivalents and investments" as reference to the NSW OLG Code of Accounting Practice and Financial Reporting 2024/25.

As at 30 June 2025, Council has set aside the total internally allocated reserve funds of \$7,243k (2024: \$9,350k) from the cash and investment assets, which are comprised of the following items:

Internally Restricted Reserve Funds (\$'000)	FY2025	FY2024	Change +/-
Plant and vehicle replacement	1,174	1,125	49
Employees leave entitlements	1,035	993	42
Carry over works	-	653	(653)
Binalong pool	22	22	-
Comur street rehabilitation	20	20	-
Land and assets	1,452	1,452	-
Council election	58	188	(130)
Murrumbateman Library School ground	123	123	-
Quarry rehabilitation	766	690	76
Roads	45	45	-
Victoria Park	202	320	(118)
Electricity savings reserve	97	97	-
Financial assistance grant (2,249	3,622	(1,373)
Total	7,243	9,350	(2,107)

Council has received an advance payment of the preliminary Financial Assistance Grant (FAG) from the Commonwealth Government to the range of 50% to 100% entitlement for the following financial year since 2014. An advance payment of \$2,249k or 50% of the estimated entitlement of the FAG for FY2026 was received by Council in June 2025 and is recognised as FY2025 grant income even though it relates to 2025/26 financial year (2024: \$3,622k or 85% entitlement). This FAG advance is internally allocated to the reserve fund at the reporting date.

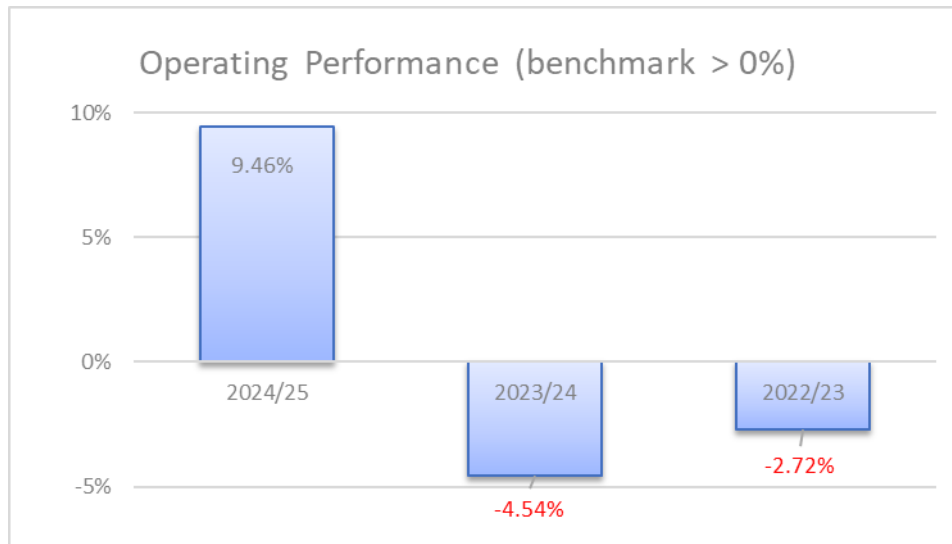
4. Financial Performance Indicators

Council financial performance indicators (other than operating performance ratio) are broadly favourable, as compared with the generally accepted industry benchmarks.

Performance Measurements	FY2025	FY2024	FY 2023	Benchmark
Operating performance ratio	9.46%	(4.54%)	(2.72%)	> 0.00%
Own source operating revenue ratio	54.13%	49.45%	49.84%	> 60%
Unrestricted current ratio	1.61x	2.78x	2.52x	> 1.50x
Debt service cover ratio	5.93x	4.75x	5.45x	> 2.00x
Rate and annual charges outstanding ratio	15.03%	10.19%	9.27%	< 10%
Cash expense cover ratio (month)	14.90	12.58	11.78	> 3.00
Building and infrastructure renewals ratio	108%	85%	230%	> 100%

4.1 Operating performance ratio

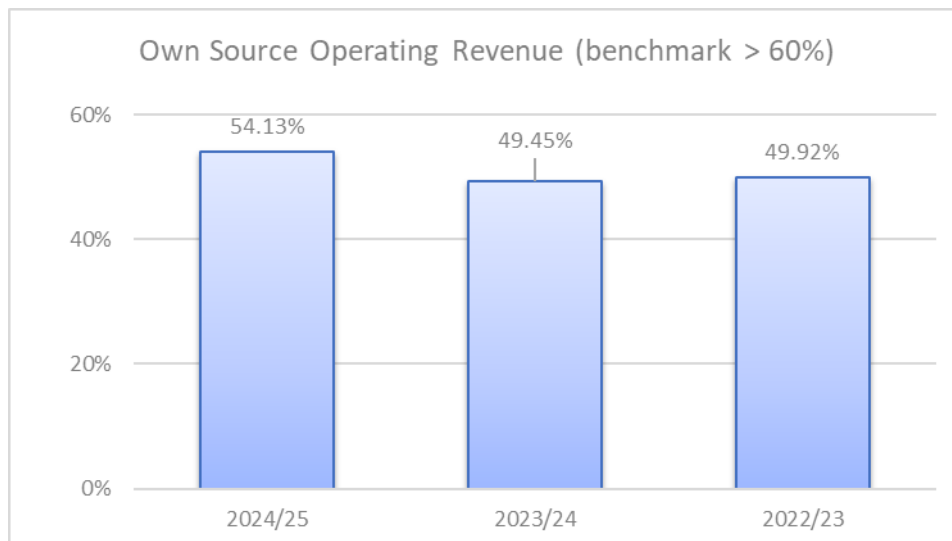
The operating performance ratio measures the extent to which Council has succeeded in containing operating expenditure within operating revenue, excluding capital grants and contributions, fair value adjustments and revaluation decrements.



For the financial year ended 30 June 2025, Council recorded the net operating result (excluding capital grants and contributions, net loss on asset disposals, investment property revaluation, and other noncash items) of \$3,970k (2024: -\$1,799k) and the total operating revenue before the capital grants and contributions of \$41,957k (2024: \$39,666k), giving the operating performance ratio to 9.46% (2024: -4.54%), above the OLG benchmark >0.0%. It is mainly attributable to the total operating expenses significantly decreased by \$5,015k as compared with FY2024, whereas the total operating revenue only dropped by \$2,546k from FY2024, which gives a rise of \$2,469k net operating result for the year from FY2024.

4.2 Own source operating revenue ratio

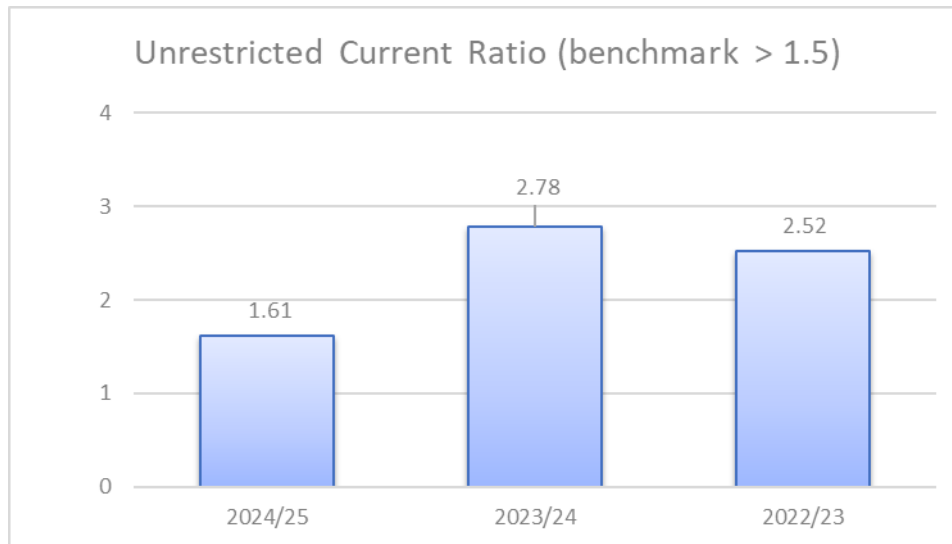
The own source operating revenue ratio measures Council's financial flexibility on the degree of reliance on its own source revenue to the external funding sources, both operating and capital grants and contributions.



As at the reporting date, the unrestricted current ratio achieved the OLG benchmark >1.5x with a ratio of the unrestricted current assets 1.61 times (2024: 2.78 times) over the unrestricted current liabilities. The reduction of the ratio to 1.61x of the year from 2.78x of FY2024 mainly attributable to the increase in the externally restricted funds by \$2,393k. This ratio reflects a sound liquidity and cash flow of the short-term financial position of Council as at the reporting date.

4.3 Unrestricted current ratio

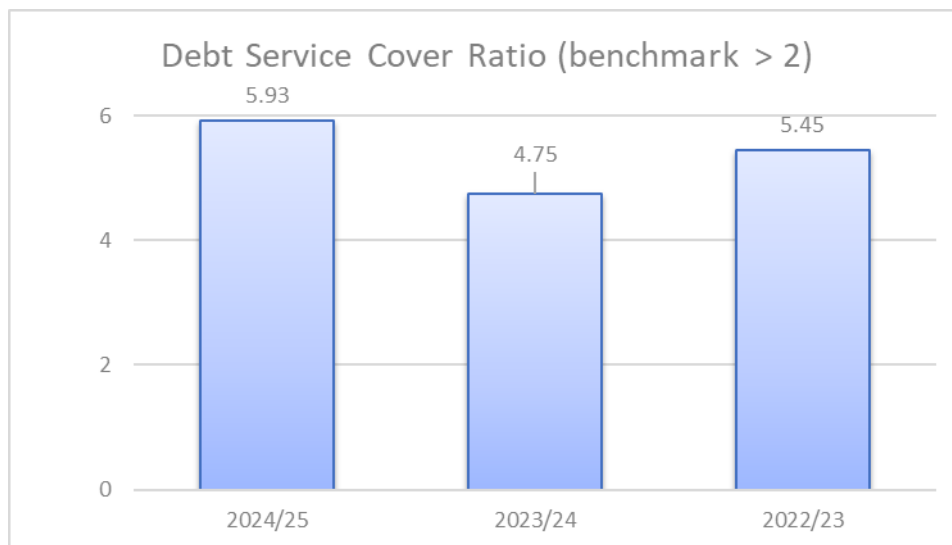
The unrestricted current ratio is a measure of the adequacy of working capital to satisfy obligations in the short term for the unrestricted activities of Council, excluding external restrictions.



As at the reporting date, the unrestricted current ratio achieved the OLG benchmark >1.5x with a ratio of the unrestricted current assets 1.61 times (2024: 2.78 times) over the unrestricted current liabilities. The reduction of the ratio to 1.61x of the year from 2.78x of FY2024 mainly attributable to the increase in the externally restricted funds by \$2,393k. This ratio reflects a sound liquidity and cash flow of the short-term financial position of Council as at the reporting date.

4.4 Debt service cover ratio

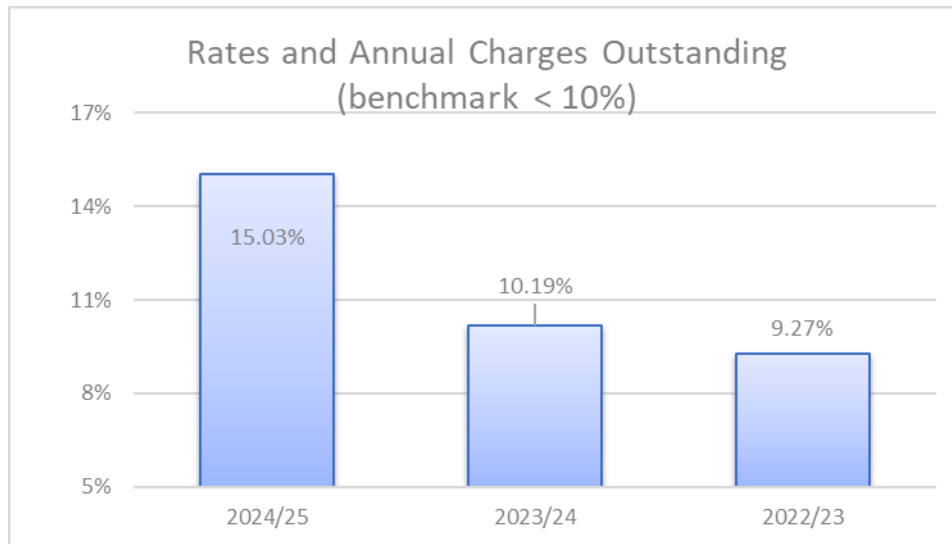
The debt service cover ratio is a measure of the degree to which revenues from operating activities excluding capital items and specific purpose grants and contributions are committed to the repayment of debt.



As at the reporting date, the debt service cover ratio achieved the OLG benchmark >2.0x with a ratio of operating result before capital revenue excluding interest and depreciation (EBTDA) 5.93 times (2024: 4.75 times) over the net debt service costs

4.5 Rate and annual charges outstanding ratio

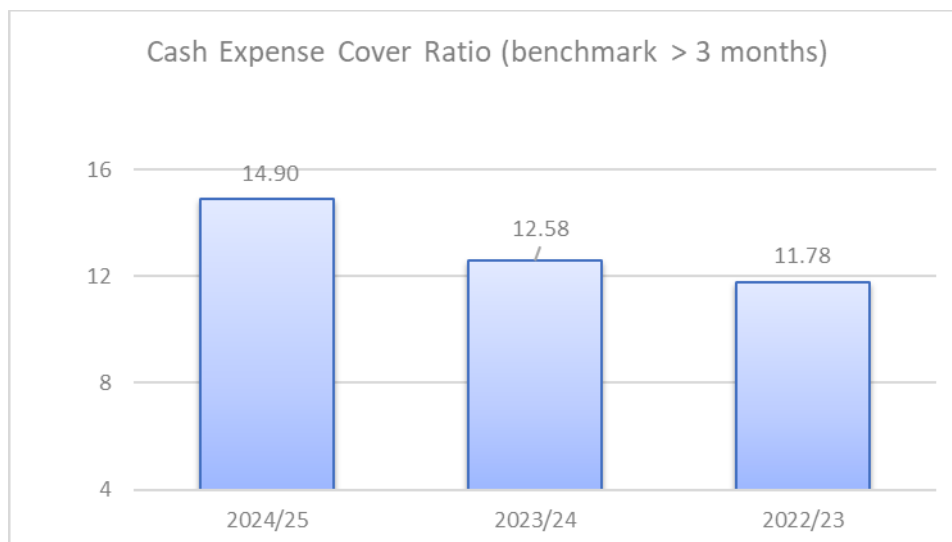
The ratio is to assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.



As at the reporting date, the rates and annual charges outstanding ratio of 15.03% (2024: 10.19%) is above the OLG benchmark <10%. The increase in the ratio to 15.03% from 10.19% of FY2024 is mainly attributable to the increase in the rates and annual charges receivables by \$1,236k (2024: \$509k) and factored by the prior year outstanding balance carry forward to current year. Council finance has undertaken the debt recovery action to the outstanding debt of rates and annual charges in the year.

4.6 Cash expense cover ratio (month)

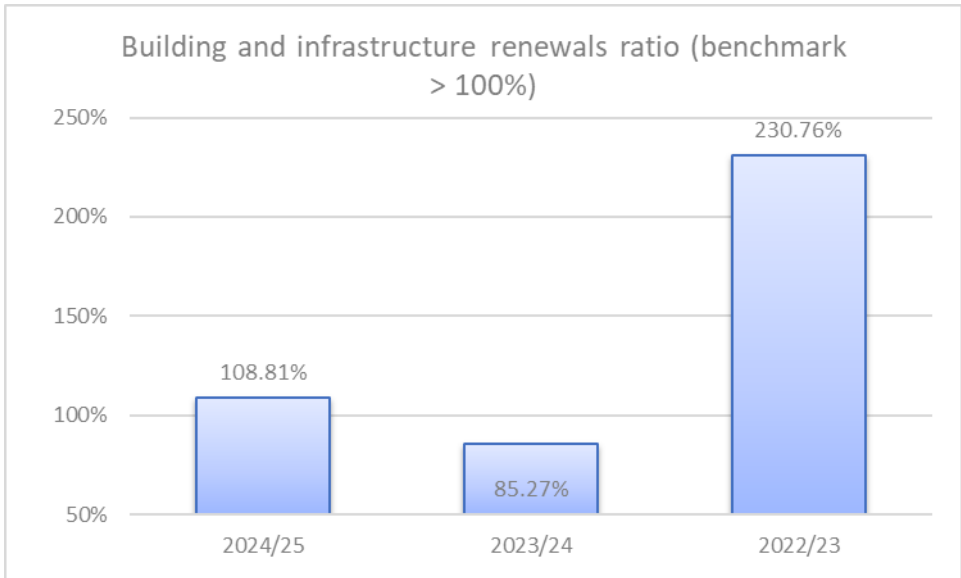
The cash expense cover ratio indicates the number of months Council can continue paying for its immediate expenses without additional cash inflow.



As at the reporting date, the cash expense cover ratio has achieved the OLG benchmark with a ratio of cash, the cash equivalents, and short-term deposits 14.90 months (2024: 12.58 months) over the monthly payments from cash flow of operating and financial activities for the year.

4.7 Building and infrastructure renewals ratio

The building and infrastructure renewals ratio is an indication of the ratio of asset renewal to the annual depreciation of buildings and infrastructure at the reporting date. It reflects the percentage at which these assets are being renewed relative to the rate at which they are depreciating or amortising over the period.



The building and infrastructure renewals ratio of 108.81% resulted for the year. The high level of buildings and infrastructure renewal ratio resulted from the completion of major contractual capital projects of roads, water and sewerage networks over the two financial periods.

5. Summary

Council’s financial performance resulted in a ‘net operating surplus’ of \$21,150k (2024: \$18,681k) for the year ended 30 June 2025. In addition, the total cash, cash equivalents and investment assets increased by \$864k to \$37,881k (2024: \$584k to \$37,017k) as at 30 June 2025.

Removing the level of grants and contributions provided for capital purposes shows a net operating result for the year before grants and contributions provided for capital purposes’ of a \$2,522k surplus as compared to a deficit in FY2024 of (\$4,469k).

Apart from the rate and annual charges outstanding ratio, the financial performance indicators for 2024/25 demonstrate almost all Council performance KPIs achieved the OLG benchmarks. In view of the financial performance and financial position highlighted in the above analysis, Council’s current financial position and cash flow is considered sound and stable as at the reporting date. The overall operating performance of Council’s functions and activities are in line with the 2024/25 Operational Plan and Budget.

However, as previously reported to Council with the adopted 2025-35 Long Term Financial Plan and 2025-26 budget, unless opportunities to increase Council’s revenue base are identified and secured, expenditure reviewed and contained within operating revenue received, 2the future financial pressures identified will present significant challenges and risk Council’s current sound financial position.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.1: Council resources, practices and processes are undertaken in a manner that meets legislative requirements.
Delivery Program Action	CL.1.4: Manage Councils systems, processes and projects in a sustainable way that maximises value for money for ratepayers.

- ATTACHMENTS:
- A. Annual General Purpose Financial Statements 2024-25 (Draft) [⇒](#)
 - B. Annual Special Purpose Financial Statements 2024-25 (Draft) [⇒](#)

6.21 MONTHLY FINANCIAL REPORT

SUMMARY

This monthly financial report provides information about Council's financial position at the end of August 2025. The report also includes a variance analysis against the full-year budget and budget year to date (YTD).

Note an Investment and Borrowing Report is prepared and is presented to Council as a separate report.

RECOMMENDATION

That the Monthly Financial Report for August 2025 be noted.

FINANCIAL IMPLICATIONS

This report shows the council's year-to-date financial position for the 2025-26 Financial Year, as at the end of the reporting month.

POLICY & LEGISLATION

Local Government Act 1993.

REPORT

1. Consolidated Income Statement

Operating Result from Continuing Operations:

This result includes capital grants and contributions. The Actual Year to Date (YTD) result is a \$19.8M surplus and is approximately the same as YTD budget.

Net Operating Result Before Capital Grants and Contributions:

This result excludes capital grants and contributions. The Actual YTD result is a \$18.9M surplus and is \$0.7M lower (unfavourable) when compared to the YTD budgeted surplus.

Results are shown with the recognition of Rates and Annual Charges revenue for the full year. Calculating this revenue on a pro-rata basis to the end of August, the results would show a Net Operating Result Before Capital Grants and Contributions as a deficit of \$1.2M.



August 2025 Report								
Income Statement								
Consolidated	Budget 25-26	Budget 25-26	Actual 25-26	Budget YTD x Actuals		Budget Full Year x Actuals		
	Full Year	YTD		\$	%	\$	%	
Income from continuing operations	51,739,133	28,172,674	26,028,268	2,144,406	-7.6%	25,710,865	-49.7%	
Rates and Annual charges	24,038,021	24,125,621	24,069,122	56,499	0.2%	31,101	0.1%	
User charges and fees	6,417,739	834,893	798,830	36,064	-4.3%	5,618,909	-87.6%	
Other revenues	463,690	110,448	38,810	71,637	-64.9%	424,880	-91.6%	
Grants and contributions provided for operating purposes	12,853,310	2,546,610	5,988	2,540,622	-99.8%	12,847,322	-100.0%	
Grants and contributions provided for capital purposes	4,895,757	252,000	1,006,256	754,256	-299.3%	3,889,500	-79.4%	
Interest and investment income	1,318,989	219,831	26,723	193,108	-87.8%	1,292,265	-98.0%	
Other income	751,627	83,271	82,539	733	-0.9%	669,089	-89.0%	
Net gain/loss from the disposal of assets	1,000,000	0	0			1,000,000	-100.0%	
Expenses from continuing operations	48,609,385	8,346,193	6,166,514	2,179,678	-26.1%	42,442,870	-87.3%	
Employee benefits and on-costs	15,925,377	2,447,591	2,064,870	382,721	-15.6%	13,861,507	-87.0%	
Materials and services	17,578,784	3,509,383	2,020,467	1,488,916	-42.4%	15,558,317	-88.5%	
Borrowing costs	3,225,245	556,497	272,037	284,459	-51.1%	2,953,208	-91.6%	
Depreciation, amortisation and impairment of non-financial assets	10,812,132	1,802,022	1,802,022		0.0%	9,010,110	-83.3%	
Other Expenses	1,065,847	30,700	7,118	23,582	-76.8%	1,059,729	-99.3%	
Operating result from continuing operations	3,129,748	19,826,481	19,861,754	35,273	0.2%	16,732,006	534.6%	
Net Operating Result Before Capital Grants and Contributions	1,765,009	19,574,481	18,855,498	718,984	-3.7%	20,621,506	-1167.7%	

All figures in this table are shown as they appear in the council's management accounting system. **Income is shown as negative**, and **expenses are shown as positive** numbers. The green figures indicate a favourable variance against the budget, while the red figures indicate an unfavourable variance against the budget. Note that favourable and unfavourable variances do not mean a change to the budget is required at this stage.

2. Income Statement Variance Analysis

2.1 Income

Operating Grants and Contributions is \$2.5M below the YTD budget primarily due to \$2.5M Transport grants budgeted but not yet received.

Capital Grants and Contributions is \$0.8M higher than the YTD budget and is primarily due to higher developer contributions received to date.

Interest and Investment Income is \$193k below the YTD budget primarily due the timing of interest recognition.

2.2 Expenses

Employee benefits and on-costs are \$382k below the YTD budget due to timing of recruitment.

Materials and Services are \$1.4M below YTD budget due to timing of expenses:

- \$365k for Contractors
- \$113k for Insurance
- \$324k for Equipment hire
- \$92k for Consultants
- \$104k for Repair and maintenance
- \$64k Raw materials and consumables

Borrowing Costs are \$0.3M below the YTD budget due to the timing of drawdowns of loans compared to the budgeted expectations and lower interest rate on loans than budgeted.

3. Income Statement Variance Analysis

The following Income Statements are for each Council Fund.

General Fund



August 2025 Report							
Income Statement							
General fund	Budget 25-26	Budget 25-26	Actual 25-26	Budget YTD x Actuals		Budget Full Year x Actuals	
	Full Year	YTD		\$	%	\$	%
Income from continuing operations	-38,606,452	-20,484,704	-17,237,108	3,247,596	-15.9%	21,369,344	-55.4%
Rates and Annual charges	-16,552,996	-16,552,996	-16,289,719	263,277	-1.6%	263,277	-1.6%
User charges and fees	-3,536,917	-803,893	-698,543	105,351	-13.1%	2,838,374	-80.2%
Other revenues	-463,690	-110,448	-38,795	71,652	-64.9%	424,895	-91.6%
Grants and contributions provided for operating purposes	-12,853,310	-2,546,610	-5,988	2,540,622	-99.8%	12,847,322	-100.0%
Grants and contributions provided for capital purposes	-2,575,000	-252,000	-94,800	157,200	-62.4%	2,480,200	-96.3%
Interest and investment income	-884,911	-147,485	-26,723	120,762	-81.9%	858,188	-97.0%
Other income	-739,627	-71,271	-82,539	-11,267	15.8%	657,089	-88.8%
Net gain/loss from the disposal of assets	-1,000,000	0	0			1,000,000	-100.0%
Expense from continuing operations	36,764,947	6,670,750	4,747,346	-1,923,405	-28.8%	-32,007,601	-87.1%
Employee benefits and on-costs	13,313,102	2,045,549	1,654,003	-391,546	-19.1%	-11,659,099	-87.6%
Materials and services	11,898,347	2,848,393	1,579,538	-1,268,854	-44.5%	-10,318,809	-86.7%
Borrowing costs	2,650,143	441,691	202,268	239,422	-54.2%	-2,447,875	-92.4%
Depreciation, amortisation and impairment of non-financial assets	7,826,508	1,304,418	1,304,418		0.0%	-6,522,090	-83.3%
Other Expense	1,066,847	30,700	7,118	-23,582	-76.8%	-1,059,729	-99.3%
Operating result from continuing operations	-1,851,505	-13,813,953	-12,489,762	1,324,191	-9.6%	-10,638,257	-574.6%
Net Operating Result Before Capital Grants and Contributions	723,495	-13,561,953	-12,394,962	1,166,992	-8.6%	-13,118,456	-1813.2%

Sewer Fund



August 2025 Report

Income Statement				Budget YTD x Actuals		Budget Full Year x Actuals	
Sewer	Budget 25-26 Full Year	Budget 25-26 YTD	Actual 25-26	\$	%	\$	%
Income from continuing operations	-3,476,620	-2,972,669	-3,334,580	-361,911	12.2%	142,040	-4.1%
Rates and Annual Charges	-2,875,956	-2,915,556	-2,991,632	-76,076	2.6%	-115,676	4.0%
User charges and fees	-144,000	-24,000	-57,752	-33,752	140.6%	85,248	-59.9%
Other revenues	0	0	0				
Grants and contributions provided for operating purposes	0	0	0				
Grants and contributions provided for capital purposes	-257,988	0	-285,196	-285,196		-27,208	10.5%
Interest and investment income	-198,676	-33,113	0	33,113	-100.0%	198,676	-100.0%
Other income	0	0	0				
Net gain/loss from the disposal of assets	0	0	0				
Expenses from continuing operations	2,951,779	424,588	274,412	-150,176	-35.4%	-2,677,368	-90.7%
Employee benefits and on-costs	648,219	99,726	33,443	-66,283	-66.5%	-614,776	-94.8%
Materials and services	1,232,239	133,330	117,133	-16,197	-12.1%	-1,115,106	-90.5%
Borrowing costs	143,770	36,940	-30,756	-67,696	-183.3%	-174,526	-121.4%
Depreciation, amortisation and impairment of non-financial assets	927,552	154,592	154,592		0.0%	-772,960	-83.3%
Other Expenses	0	0	0				
Operating result from continuing operations	-524,840	-2,548,081	-3,060,168	-512,087	20.1%	-2,535,328	483.1%
Net Operating Result Before Capital Grants and Contributions	-266,852	-2,548,081	-2,774,972	226,891	8.9%	-2,508,120	939.9%

Water Fund



August 2025 Report

Income Statement				Budget YTD x Actuals		Budget Full Year x Actuals	
Water	Budget 25-26 Full Year	Budget 25-26 YTD	Actual 25-26	\$	%	\$	%
Income from continuing operations	-7,320,061	-2,379,302	-3,056,137	676,835	28.4%	4,263,924	-58.2%
Rates and Annual Charges	-2,273,068	-2,321,068	-2,387,327	-66,259	2.9%	-114,259	5.0%
User charges and fees	-2,736,822	-7,000	-42,535	-35,535	507.6%	2,694,287	-98.4%
Other revenues	0	0	-15	-15		-15	
Grants and contributions provided for operating purposes	0	0	0				
Grants and contributions provided for capital purposes	-2,062,769	0	-626,260	626,260		1,436,509	-69.6%
Interest and investment income	-235,402	-39,234	0	39,234	-100.0%	235,402	-100.0%
Other income	-12,000	-12,000	0	12,000	-100.0%	12,000	-100.0%
Net gain/loss from the disposal of assets	0	0	0				
Expenses from continuing operations	5,290,427	725,493	706,123	-19,370	-2.7%	-4,584,303	-86.7%
Employee benefits and on-costs	883,961	135,994	157,726	-21,732	-16.0%	-726,235	-82.2%
Materials and services	2,259,349	225,669	161,908	-63,761	-28.3%	-2,097,441	-92.8%
Borrowing costs	431,332	77,866	100,525	-22,659	-29.1%	-330,807	-76.7%
Depreciation, amortisation and impairment of non-financial assets	1,715,784	285,964	285,964		0.0%	-1,429,820	-83.3%
Other Expenses	0	0	0				
Operating result from continuing operations	-2,029,634	-1,653,809	-2,350,014	696,205	42.1%	-320,379	15.8%
Net Operating Result Before Capital Grants and Contributions	33,134	-1,653,809	-1,723,754	69,945	4.2%	-1,756,888	-5302.3%

Stormwater Management



August 2025 Report

Income Statement				Budget YTD x Actuals		Budget Full Year x Actuals	
Stormwater Management	Budget 25-26 Full Year	Budget 25-26 YTD	Actual 25-26	\$	%	\$	%
Income from continuing operations	-60,000	-60,000	-59,425	575	-1.0%	575	-1.0%
Rates and Annual charges	-60,000	-60,000	-59,425	575	-1.0%	575	-1.0%
User charges and fees	0	0	0				
Other revenues	0	0	0				
Grants and contributions provided for operating purposes	0	0	0				
Grants and contributions provided for capital purposes	0	0	0				
Interest and investment income	0	0	0				
Other income	0	0	0				
Net gain/loss from the disposal of assets	0	0	0				
Expense s from continuing operations	495,018	81,189	39,018	-42,171	-51.9%	-456,000	-92.1%
Employee benefits and on-costs	175,706	27,032	0	-27,032	-100.0%	-175,706	-100.0%
Materials and services	85,204	15,139	0	-15,139	-100.0%	-85,204	-100.0%
Borrowing costs	0	0	0				
Depreciation, amortisation and impairment of non-financial assets	234,108	39,018	39,018		0.0%	-195,090	-83.3%
Other Expense s	0	0	0				
Operating result from continuing operations	435,018	21,189	-20,407	-41,596	-196.3%	-455,425	-104.7%
Net Operating Result Before Capital Grants and Contributions	435,018	21,189	-20,407	-41,596	-196.3%	-455,425	-104.7%

Domestic Waste



August 2025 Report

Income Statement				Budget YTD x Actuals		Budget Full Year x Actuals	
	Budget 25-26 Full Year	Budget 25-26 YTD	Actual 25-26	\$	%	\$	%
Domestic waste management							
Income from continuing operations	-2,276,000	-2,276,000	-2,341,019	-65,019	2.9%	-65,019	2.9%
Rates and Annual charges	-2,276,000	-2,276,000	-2,341,019	-65,019	2.9%	-65,019	2.9%
User charges and fees	0	0	0				
Other revenues	0	0	0				
Grants and contributions provided for operating purposes	0	0	0				
Grants and contributions provided for capital purposes	0	0	0				
Interest and investment income	0	0	0				
Other income	0	0	0				
Net gain/loss from the disposal of assets	0	0	0				
Expense s from continuing operations	3,117,214	444,173	399,616	-44,557	-10.0%	-2,717,598	-87.2%
Employee benefits and on-costs	905,390	139,291	219,699	80,408	57.7%	-685,691	-75.7%
Materials and services	2,103,644	286,862	161,887	-124,965	-43.6%	-1,941,757	-92.3%
Borrowing costs	0	0	0				
Depreciation, amortisation and impairment of non-financial assets	108,180	18,030	18,030		0.0%	-90,150	-83.3%
Other Expense s	0	0	0				
Operating result from continuing operations	841,214	-1,831,827	-1,941,403	-109,576	6.0%	-2,782,617	-330.8%
Net Operating Result Before Capital Grants and Contributions	841,214	-1,831,827	-1,941,403	-109,576	6.0%	-2,782,617	-330.8%

4. Statement of Financial Position

The Council's consolidated statement of financial position as at 31 August 2025 shows the following;

- total cash and cash equivalents of \$15M,
- investments of \$22.7M, and
- total borrowings of \$37.2M (includes the \$25.2M loan for the Crago Mill Precinct project).

This financial position is preliminary due to the Statutory end of Financial Year Statements for 2024-25 being finalised. This may result in some end of year adjustments impacting final 2024-25 balances that then may change some opening balances for 2025-26.

August 2025 Report – Consolidated

**August 2025 Report**

Statement of Financial Position	Consolidated
Asset	760,691,811
Current assets	66,859,367
Cash and cash equivalents	14,924,028
Investments	22,700,000
Receivables	25,264,888
Contract assets and Contract cost assets	3,852,042
Inventories	118,410
Non-current assets	693,832,444
Infrastructure, property, plant and equipment	686,832,444
<i>Capital work in progress</i>	42,207,703
<i>Plant and equipment</i>	4,422,676
<i>Land</i>	73,130,578
<i>Infrastructure</i>	565,383,914
<i>Other assets</i>	1,687,572
Investment properties	7,000,000
Liabilities	-47,253,231
Current liabilities	-7,993,366
Payables	-1,648,756
Borrowings	-695,353
Contract Liabilities	-3,203,883
Employee benefit provisions	-2,445,374
Non-current liabilities	-39,259,866
Borrowings	-36,541,319
Employee benefit provisions	-298,326
Provisions	-2,420,221
Net Assets	713,438,580
Equity	-713,438,580
Accumulated surplus	-354,866,840
IPPE revaluation reserve	-358,571,740

5. Reserves Balances

The reserves balance report shows the current balance for each of the council's reserves based on the available information at the time of reporting. It should be noted that the statutory end of financial year statements for the 2024-25 financial year are being finalised, meaning some end-of-year adjustments may impact the final balances for 2024-25 in turn impacting some opening balances for 2025-26.

Externally restricted reserves are those that are only available for specific use by the Council due to a restriction placed by legislation or third-party contractual agreement. Internally restricted reserves are internally allocated by the resolution or policy of the elected Council.

Total cash and investments totalled \$37.7M at the end of August 2025. Total restricted (external and internal) reserves totalled \$41.5m at the end of August. The Crago Mill Reserve was originally established to separately identify and report excess funds drawn down from the loan facility. These excess funds have

now been fully utilised. The total of Externally restricted, Crago Mill and internally restricted reserves is showing more than the level of cash on hand.

Reserve	\$M
Externally restricted funds	\$36.6*
Crago Mill Reserve	(\$0.8)**
Internally Restricted funds	\$5.7
Total	\$41.5

*External restricted funds include the recognition of \$6.7M advanced annual charges for Sewer, Domestic Waste and Water. Calculating this revenue on a pro-rata basis to the end of August, the results would show \$31M external restricted funds and \$35.9M total Reserve, which is within the \$37.7M total cash and investments.

** Crago Mill Reserve includes \$0.8M capitalised interest and \$0.1M capitalised staff cost.

August 2025 Report Consolidated

**August 2025 Report****Reserves balance report**

	Balance	
	Jun-24	Aug-25
External restrictions	29,597,653	36,636,183
Domestic waste management	2,092,218	4,049,651
S64 Developer contributions – sewer fund	3,494,851	3,780,047
S64 Developer contributions – water fund	8,496,429	9,122,689
S7.11 Developer contributions – general	4,988,006	4,989,413
S7.12 Developer contributions – general	1,303,287	146,225
Sewer fund	4,658,587	7,165,414
Specific purpose unexpended grants – general fund	2,305,741	3,347,652
Stormwater Management	18,255	77,680
Water Fund	2,240,280	3,957,413
Crago Mill Reserve	-2,552,791	-769,500
Internal restrictions	7,731,163	5,697,275
Binalong pool	21,475	21,475
Carry over works	652,834	652,834
Comur street rehabilitation	20,362	20,362
Electricity Savings Reserve	96,720	96,720
Employees leave entitlement	1,034,756	1,039,830
Land and assets	1,452,451	1,452,451
Murrumbateman Library School Ground	123,179	123,179
Plant and vehicle replacement	1,174,426	1,368,912
Quarry rehabilitation	766,203	766,203
Roads	44,818	44,818
Victoria Park	95,087	110,491
Financial Assistance Grant (received in advance)	2,248,851	0
External + Internal restriction + Crago Mill	37,328,816	41,563,959
Total cash, cash equivalents and investments	37,017,000	37,624,028
Unrestricted and unallocated cash, cash equivalents and investments	-311,816	-3,939,931
External restriction + Crago Mill Reserve	27,044,862	35,866,684
Total cash, cash equivalents and investments less External restriction + Crago Mill Reserve	9,972,138	1,757,344

6. Capital Expenditure

The total capital expenditure (CAPEX) budgeted for the year is \$38.6M. The year-to-date (YTD) budget for August 2025 was \$8.5M, and actual expenditure was \$4.8M. This is due to timing of the capital works.

Refer Attachment A

7. Crago Mill Progress Report

Refer Attachment B

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Council is an effective, responsible, and innovative organisation.
Strategies	CL.1: Council resources, practices and processes are undertaken in a manner that meets legislative requirements.
Delivery Program Action	CL.1.5: Council Financial Sustainability Improvement Strategy to ensure improvement in the short and long term

ATTACHMENTS:

- A. Capital Expenditure to 31 August 2025 [⇒](#)
- B. Crago Mill Progress Report (CMP) [⇒](#)

6.22 SUBMISSION ON YASS VALLEY COUNCIL - AUSTRALIAN GOVERNMENT PRODUCTIVITY COMMISSION'S INVESTING IN CHEAPER, CLEANER ENERGY AND THE NET ZERO TRANSFORMATION REPORT - 15 SEPTEMBER 2025

SUMMARY

To advise of Council's Submission on Yass Valley Council - Australian Government Productivity Commission's Investing in cheaper, cleaner energy and the net zero transformation report - 15 September 2025), as further advocacy for the protection of Yass Valley from turbine renewable energy projects as per Council's Renewable Energy Development policy.

RECOMMENDATION

That Council notes the submission made.

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

Yass Valley Council Renewable Energy Development Policy

Environment Protection and Biodiversity Conservation Act 1999

REPORT

1. Background

Despite Yass Valley not being an NSW designated Renewable Energy Zone, our community is experiencing an unprecedented level of prospecting from developers looking to construct more renewable energy infrastructure including Wind Turbines, Battery Energy Storage System (BESS), and transmission line components. This is likely a result of the imminent construction of HUMELINK East Transmission line development which involves the expansion of the existing Bannaby 500kV substation as well as a new 500kV double circuit transmission line connecting the Bannaby substation through to Wondalga interface point with Humelink West. Council has become aware of several prospective developers in various stages of scoping in Wee Jasper, Binalong, Bookham, Burrinjuck, Bowning and Yass, from companies Neoen, Squadron, Goldwind, and Wind Prospect

Council previously reached a Renewable Energy Development Policy position stating:

Having considered the social, environmental, economic, and strategic planning impacts on the Yass Valley communities and the cumulative impacts of the four approved wind farm sites, the Council is of the view that it has reached the maximum number of industrial turbines for the Local Government Area. While supportive of renewable energy in general, Council opposes, in principle, further large-scale wind turbine sites in Yass Valley.

This gives Council a strong base to advocate that:

1. there is no further social license for additional turbine renewable energy projects; and
2. any renewable energy project proposed to be located within the Yass Valley, undergoes a rigorous planning assessment process which considers, such as but not limited to:
 - a. the accumulative impact of renewable energy projects that are constructed, approved under assessment and investigation;
 - b. social impacts
 - c. environmental impacts
 - d. land use conflicts

Submission on Yass Valley Council - Australian Government Productivity Commission's Investing in cheaper, cleaner energy and the net zero transformation report - 15 September 2025

The Productivity Commission (PC) was asked by the Australian Government to conduct an inquiry into *Investing in cheaper, cleaner energy and the net zero transformation*. As part of this work, they were tasked with identifying priority reforms and developing actionable recommendations.

In this interim report, the PC presents draft recommendations focused on three key policy reform areas:

- Reducing the cost of meeting emissions targets
- Speeding up approvals for new energy infrastructure
- Addressing barriers to private investment in adaptation.

Submission on Yass Valley Council - Australian Government Productivity Commission's Investing in cheaper, cleaner energy and the net zero transformation report - 15 September 2025 submission is attached to this report (Attachment A).

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Our community is informed and engaged in decision making
Strategies	CL.5: Residents have access to timely, relevant and accurate information about issues that affect them
Delivery Program Action	CL. 5.1 Ensure our community is actively informed about Council's news and activities

ATTACHMENTS: A. YVC Submission to Australian Productivity Commission's Investing in Cheaper, Cleaner Energy & the Net Zero Transformation Report [➡](#)

6.23 2025 LOCAL GOVERNMENT NSW CONFERENCE MOTIONS

SUMMARY

At the Council Meeting of 28 August 2025, Council resolved (**Resolution 290**) that:

1. *The Mayor, Cr Charry and the CEO (or their delegate) attend the 2025 Local Government NSW Conference.*
2. *That the Mayor and Councillor determined in 1 above, be the voting delegates for the Local Government NSW Conference.*
3. *Any motions be submitted for consideration at the conference be determined by Council at the September 2025 Council Meeting.*

This report seeks consideration on Motions to be put to this upcoming Conference.

RECOMMENDATION

That:

1. *Council submit to LGNSW the following motions for consideration at the 2025 LGNSW Annual Conference:*
 - *National Messaging System for targeted emergency alerts (Motion 1)*
 - *Restoration of Funding for The Green Army or similar grassroots program supporting First Nations & Council collaborations (Motion 2)*
 - *Establishment of a NSW Drought Taskforce and the reinstatement of drought as natural disaster (Motion 3)*
 - *Protect rural and regional communities from the impacts of State Significant Electricity Projects as afforded to cities and the emerging need for review to adequately assess cumulative projects impact on bushfire protection (Motion 4)*

FINANCIAL IMPLICATIONS

There are no financial implications to Council as a result of submitting Motions to LGNSW for inclusion on their Business Paper.

POLICY & LEGISLATION

The following Motions align with the LGNSW Policy Platforms:

05 Drought

06 Natural Disaster & Emergency Management

11 Renewable Energy Development

21 First Nations

REPORT

The Annual conference is attended by LGNSW member organisations and is considered the policy-making body of LGNSW. It is also an opportunity for Councillors to come together to share ideas and debate issues that shape the way LGNSW is governed.

Each year, LGNSW members are invited to submit motions for possible debate at the Annual Conference. A motion that is endorsed at the Annual Conference by a majority of voting delegates becomes a resolution. Resolutions eventually form LGNSW policy and will guide LGNSW's advocacy for the year to come.

Motions can be accepted by LGNSW for inclusion in the Conference Business Paper up to 26 October 2025.

After each Conference, LGNSW reviews the endorsed motions and amends the LGNSW Policy Platform as required.

The actions and outcomes of the LGNSW Conference resolutions are published on the LGNSW website as an annual Action Report. The way in which Motions are to be submitted have been prescribed by LGNSW and the presentation below conforms to this requirement.

The following Motions are to be considered to be put forward by Yass Valley Council:

MOTION 1

Motion Category:

Social and community policy

Motion Subject:

Advocate for Council access to the National Messaging System for targeted emergency alerts

Motion Wording:

This Local Government NSW Conference calls for the inclusion of Local Government access provision to the National Messaging System currently in development through the National Emergency Management Agency (NEMA).

NSW Objective:

Local Government access would enable timely and geo-targeted SMS notifications through the NMS to residents and visitors regarding immediate health and safety risks, as well as unplanned urgent infrastructure works with likely adverse impacts

An example of use: Boil Water Alerts issued by Council's responsible for Water Treatment Plant Infrastructure that due to storm impacts has failed to meet the treated water for human consumption benchmarks.

Councils regularly manage local emergencies and face considerable challenges in rapidly and effectively community risks to residents. Facilitating rapid communications to a community during an emergency assist in protects communities, manages risks and building robust and resilient communities. Councils typically communicate via media releases, social media, opt-in text messaging, electronic roadside displays and limited direct phone calls from council to institutions with known vulnerable users, such healthcare facilities, schools, preschools, aged care facilities. Allowing councils to access the National Messaging System would broaden its ability to inform its communities of emergencies such as boil water alerts, natural disasters affecting infrastructure

Summary of key arguments:

The benefits of Local Government access to the NMS include:

- Speed and efficiency: simultaneous alerts to millions of devices in near real-time.
- Increased reliability: cell-broadcast technology functions even during network congestion.
- Geospatial/location targeting: messages are sent to mobile devices within defined geographic areas with accuracy to within 160 meters, notifying only those in the affected area.
- Data privacy: no collection or retention of phone numbers or location data.
- Security: messages can only be sent through an authorised server, protecting against scammers.
- No opt-in needed: alerts are received by all compatible devices without requiring registration.
- Scheduling: the ability to schedule message delivery, ensuring anyone entering the area after the initial message is sent will also receive the emergency message

Currently, councils typically communicate via media releases, social media, opt-in text messaging, electronic roadside displays, and limited direct phone calls from council staff to institutions with known vulnerable users, such healthcare facilities, schools, preschools, and aged care facilities.

Private, fee-based opt-in SMS services are insufficient for relaying vital health and safety messages to all residents and visitors, including vulnerable populations such as home dialysis patients in a Boil Water Alert.

The NMS is expected to be used for:

- * Natural hazards (fire, flood, cyclone, tsunami)
- * Public safety and security threats (public violence, terrorism)
- * Biosecurity incidents (biohazards, animal and plant disease outbreaks)
- * Health emergencies (pandemics or other national public health issues)

NEMA contracted the system in February 2025, with system build now underway. The initial delivery date for system testing is projected for mid to late 2026, with full operational status expected by mid to late 2027. The existing Emergency Alert system will continue as the nation's primary warning system through 2024-25 and 2025-26.

Access to this system will enhance Council's ability to preserve and enhance citizen safety.

MOTION 2

Motion Category:

Social and community policy

Motion Subject:

Restoration of Funding for The Green Army or similar grassroots program supporting First Nations & Council collaborations

Motion Wording:

Local Government NSW advocates for the restoration of federal funding for the Green Army or similar grassroots program that supports environmental action in collaboration with First Nations people and Councils, and associated regional social, economic, and environmental benefits.

NSW Objective:

The sustained management of remnant areas of biodiversity within council-controlled bush land and the issue of noxious weed infiltration into state and local government areas of significance such as critically endangered natural temperate grassland, of which there is 1% left in the state should be of concern to us all. These grasslands and woodlands provide vital migratory corridors and breeding locations from Kosciusko to the Coast. As example The Yass Gorge saw significant removal of willows, blackberry, prickly pear, protection of significant aboriginal landmarks, native plantings, and trail creation as a result of the Green Army
Summary of key arguments:

Summary of key arguments:

The Green Army Indigenous Environmental program was a successful, hands-on, practical environmental action program that supported local environment and heritage conservation projects across Australia from willow removal and track creation to fox baiting. The Green Army program was beloved across regional Australia and saw First Nations youth engaged with important work and making connections with caring senior volunteers, creating resilience and understanding in both socio-cultural groups while helping to achieve local councils' environmental goals and get youth job ready. The Green Army program was terminated by the former federal government in 2016/17, although existing contracts were honoured.

Minister, will you consider re-establishing the Green Army or similar grassroots programs which support environmental action by Indigenous people and associated regional economic benefits?

MOTION 3

Motion Category:

Environmental policy

Motion Subject:

LGNSW advocates for the establishment of a NSW Drought taskforce & the reinstatement of drought as a natural disaster

Motion Wording:

That LGNSW advocate for:

1. The establishment of a NSW Government-led, Producer-informed Drought Taskforce
2. Reinstate drought as a natural disaster under national policy to better inform NSW Government response plans.
3. Call for the provision of direct financial relief including interest free loan periods, then interest-only loan periods during and following drought and for the extended drought beyond 18 months – direct freight and fodder subsidies from the NSW Government as per other states recent aid to their farmers.
4. Expand and secure rural mental health and business support services.
5. Fund restocking, pasture recovery and regional fodder reserves and consider austerity reserves.
6. Upgrade freight routes and local infrastructure
7. Introduce tax incentives for drought resilience
8. Reinstate the Rural Investment Fund for concessional loans and recovery support.

NSW Objective:

At the end of August, 44% of NSW is in one of the Combined Drought Indicator Categories according to DPI and across the previous 18 months, as high as 49%. Policy change and preparation for ongoing or future drought is imperative.

NSW producers are disadvantaged compared to states offering direct drought subsidies.

- Mental health and community wellbeing are deteriorating.
- Feral animals and weeds are compounding recovery costs.
- There is a clear disconnect between policy and on-ground reality.
- Drought must be recognised again as a natural disaster.
- Infrastructure and eligibility barriers are restricting access to support.

Summary of key arguments:

Even resilient producers this past winter had reached breaking point. There is a clear disconnect between policy and on-ground reality and differing responses between states provided added hardship for NSW farmers.

Drought must be recognised again as a natural disaster. The only difference is the speed of the disaster, but drought has all the same impacts as a natural disaster on farmers mental health, wellbeing and ability to produce the food and fibre our nation needs and for the farmers and the farming community's economic survival.

The proposed Taskforce will:

- Coordinate immediate response across agencies
- Define practical and regionally relevant resilience expectations
- Monitor implementation of drought response measures
- Drive policy reform including National Drought Agreement revision
- Report directly to government and ensure regional voices are central to decisions.

MOTION 4

Motion Category:

Environmental policy/social and community policy

Motion Subject:

To protect rural and regional communities from the impacts of State Significant Electricity Generating Projects as afforded to cities;

Emerging need for review to adequately assess cumulative projects impact on bush fire protection

Motion Wording:

LGNSW calls for the NSW Government to review its planning instrument to ensure all regional and rural communities within and surrounding towns and villages are afforded the same opportunity for protection under the NSW SEPP 2.42 when assessing electricity generating, storage & transmission state significant development projects.

LG NSW also requests the NSW Government review and implements a more robust assessment process of the cumulative impacts including the bushfire risk to rural and regional communities from multiple SSD projects in 'known scoping phase' and already approved or under assessment for Electricity Generating, Storage & Transmission

NSW Objective:

Regional and Rural Australia is currently doing the heavy lifting on Australia's Renewable Energy Rollout with the greater balance of the projects currently outside of State designated Renewable Energy Zones.

Only cities and regional cities (as defined and listed under the NSW SEPP) currently have their residents' amenity, existing agri-economies/agritourism, significant tourism vistas and landscape characters considered for reduction of SSD project scope to avoid, mitigate or reject applications.

As councils are not the approving authority, many of these projects are overriding local LEP's and DCP's that prohibit the use and outside of REZ's and indeed within some, do not necessarily have the social license of the host communities nor are communities necessarily adequately compensated for the impact to established existing agri-tourism economies, resident amenity impact and potential for population growth

Summary of key arguments:

Balance EPBC Act changes: Require equal consideration of food security, agriculture, and rural impacts.

Regional Cumulative Impact Statements: Mandate these before designating renewable "go zones." To include the impact of energy generating projects (turbines, solar panels) and associated infrastructure (BESS, transmission lines, sub stations and poles) on fire suppression on days where the Fire Behaviour Index (FBI) is 40 or above or during days of total fire ban

Rural areas are now host to or soon will be host to clusters of hundreds of turbines and associated transmission lines and Battery Energy Storage Systems of never before seen quantity and heights with aerial and ground exclusion zones on FBI Index days greater than 40 or complete fire ban days expected to impact on firefighting capacity in bush fire prone regions.

The Protection of community capacity and resilience to suppress bush fires and protect human life from the cumulative impact of State Significant Electricity Generating and Storing projects infrastructure NSW SEPP Electricity Generating - include the protection of regional and rural towns and villages amenity, tourism and population growth values as regional cities and cities are afforded protection.

Protect prime farmland: Implement national standards to safeguard agricultural land.

Fund councils and communities: Establish a local Capacity Fund to support councils in managing proposals and compliance.

Fair benefit-sharing mechanisms: Develop systems that ensure host communities benefit fairly from renewable energy projects.

These actions aim to ensure that the energy transition is fair and sustainable for regional communities.

NSW SEPP relevant instrument:

2.42.42 Determination of development applications for solar or wind electricity generating works on certain land

(1) This section applies to development in a regional city for the purposes of electricity generating works using a solar or wind energy source that is-

- (a) State significant development, or
- (b) Regionally significant development

(2) Development consent must not be granted unless the consent authority is satisfied that the development-

- (a) is located to avoid significant conflict with existing or approved residential or commercial uses of land surrounding the development, and
- (b) is unlikely to have a significant adverse impact on the regional city's-
 - (i) capacity for growth, or
 - (ii) scenic quality and landscape character

(3) In determining whether to grant development consent, the consent authority must consider measures proposed to be included in the development to avoid or mitigate conflicts referred to in subsection (2)(a) or adverse impacts referred to in subsection (2)(b).

(4) In this section-

Regional Cities Map means the [State Environmental Planning Policy \(Infrastructure\) 2007 Regional Cities Map](#)

Regional city means an area of land identified as "subject land" on the [Regional Cities Map](#).

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership (CL)
CSP Strategy Objective	Our community is informed and engaged in decision making
Strategies	CL.4: Our community is empowered to access engagement opportunities and provide input into the future direction of the region.
Delivery Program Action	CL.4.2: Engage with the community with respect to service reviews and discuss options to ensure future financial sustainability

ATTACHMENTS: Nil

7.1 NOTICE OF MOTION - CR ALLAN MCGRATH

Councillor Allan McGrath has given notice that at the Ordinary Council Meeting on 25 September 2025 he will move the following motion.

MOTION

That a report and recommendations be prepared addressing the feasibility and likely benefits of establishing a 40km/h speed limit and/or other traffic calming measures for Mont Street, part Cliff Street, part Links Road, and all of Weemilah Street Yass.

ATTACHMENTS: Nil

8.1 QUESTIONS WITH NOTICE - CR ADRIAN CAMERON

Question – Our Environment

Members of our Community have commented upon the considerable resources of the Yass Valley Council which are invested in maintaining our existing parks, gardens and sporting reserves. However, community members are asking in the light of their changing climate what resources are being devoted to investing in our environment, our reserves streets and highways for the future.

Over the past two years, how many trees have been chopped down in the Yass Valley LGA by our council staff or its contractors and for what reasons; and how many trees have been planted by our council staff or its contractors in our LGA in the past two years?

Response

The removal of trees within the Yass LGA on council owned/managed land has been the result of:

- (i) An immediate risk to public safety – the tree is dead, dying or dangerous; or
- (ii) An identified risk of damage to council infrastructure (i.e. water and sewer pipes, stormwater drains, footpaths, buildings or playground equipment); or
- (iii) Incompatible tree species that have been identified as a risk to critical infrastructure (i.e. underground services or powerlines); or
- (iv) Delivery of a roads project and/or maintenance issue (i.e. road re-alignment, reduction in line of sight).

Council has removed approximately 70 trees within the local government area as a result of the above-mentioned circumstances.

To ensure that appropriately identified species are planted in a way that complements the local area, heritage, and environment, Council has postponed offset plantings until the development of Council's Tree Management Strategy is complete.

Question - Our Planned Tree Management Strategy

Community members are asking what is happening with regard to this project as they are enthusiastic to see its implementation and some to assist with the project.

Please advise on the timeline for this, how community input will be incorporated into the brief for the project, and will there be a project committee [similar to the Yass Pool Redevelopment Project Committee] including community members from various groups and with expertise to drive this Tree Management Project?

Response

The scope of work for the Tree Management Strategy has been finalised and the procurement process for the engagement of a suitable consultant to develop the strategy can now commence. It is council's intention to engage a consultant in November 2025.

A component of the scope of work requires community and stakeholder engagement to capture the knowledge and expertise of community members and groups. This information will be used to inform the strategy.

The community and stakeholder engagement process will comprise:

- (i) Engagement with community groups and individual community members
- (ii) Engagement with stakeholders including utility providers
- (iii) Workshops/drop-in sessions
- (iv) Engagement with relevant council staff

There is not intended to be a committee established for the development of the strategy.

ATTACHMENTS: Nil

9.1 MINUTES OF THE YASS POOL REDEVELOPMENT PROJECT COMMITTEE HELD ON 17 JULY 2025

REPORT

The minutes of the Yass Pool Redevelopment Project Committee meeting held on 17 July 2025 are included in **Attachment A**.

From these minutes there are items that may require expenditure not provided for in the current Operational Plan. Any adjustment to the Operational Plan or Budget relating to actions identified in the Yass Pool Redevelopment Project Committee minutes will be considered as part of standard budget process.

Accordingly, the minutes are presented for information.

RECOMMENDATION

The minutes of the Yass Pool Redevelopment Project Committee meeting held on 17 July 2025 be noted.

ATTACHMENTS: A. Minutes - Yass Pool Redevelopment Project Committee 17 July 2025 [↗](#)

9.2 MINUTES OF THE LOCAL TRANSPORT FORUM HELD ON 19 AUGUST 2025

REPORT

The minutes of the Local Transport Forum meeting held on 19 August 2025 are included in **Attachment A**.

As per the Terms of Reference, the Local Transport Forum provides advice and recommendations to Council only, with no decision-making delegations. Therefore, actions identified in the attached minutes will require the formal approval by Council before any commitment or adjustment to the Operational Plan/Budget is made.

Accordingly the minutes are presented for information.

RECOMMENDATION

That the minutes of the Local Transport Forum meeting held on 19 August 2025 be noted and adopt the following recommendations:

1. MURRUMBATEMAN FIELD DAYS 2025

That the 2025 Murrumbateman Field Days event (18-19 October 2025) and its associated management plans, procedures and plans be approved subject to the following conditions:

- The event organiser shall supply Council with a copy of their public risk insurance for at least \$20M, which notes Yass Valley Council, NSW Police Force and Transport for NSW (TfNSW) as interested parties;
- The event organiser shall implement the Temporary Traffic Management Plan (TTMP) prepared by Territory Traffic Engineering updated on 11/4/2025;
- Event marshals and event participants will at all times obey the provisions of NSW Transport Legislation;
- Event organisers, event marshals, parking marshals and event participants shall ensure vehicles entering the site are parked as soon as possible to minimise any vehicle back logs and queuing on Murrumbateman Road;
- All entrances/exits to the site are to be clearly and prominently marked;
- Event marshals and/or parking marshals shall ensure vehicles entering the site have priority over vehicles exiting the site to minimise queuing;
- The event organiser is to arrange for a TfNSW Road Occupancy Licence and Speed Zone Authorisation for the Barton Highway;
- The event organiser is to arrange the supply and installation/removal of appropriate signs identified in the TTMP. All personnel involved must be appropriately accredited;
- That the event organiser is responsible for public notification of the road closure;
- Event organisers, event marshals, volunteers and event participants are to take all possible actions to minimise the effect of the event on the non-event community, throughout the event;
- The event organiser is to obtain separate approval from NSW Police - Hume Command;
- The event organiser is to ensure any local traffic and emergency services vehicles can safely and efficiently access/egress any property impacted by the TTMP;
- Event organisers shall comply with the above conditions and the undertakings in its submission. Failure to comply will immediately void this approval.

2. SAFETY CONCERNS COOKS HILL ROAD NEAR YASS WTP

That:

1. Yass Police consider active monitoring of the area.
2. Council considers opportunities to improve line marking etc.

3. SAFETY CONCERNS INTERSECTIONS LACHLAN VALLEY WAY, BURLEY GRIFFIN WAY AND BOWNING ROAD WITH THE HUME HIGHWAY – Late Report

That the safety concerns be referred to TfNSW for their consideration and action as appropriate, which may include:

- Vehicle activated signs
- Reducing speeds at major intersections on both the highway and side roads
- Improved intersection lighting particularly to deal with fog
- Improved directional signs and possible use of gantry signs on the Hume Highway
- Permanent interactive managed VMS's for warning of changed conditions (e.g. like the VMS on Yass Valley Way near Rayner Place)

4. Get NSW Active Grant 2025

That Council endorse a proposed new footpath and associated pedestrian crossings from West Street to the Murrumbateman Public School as a priority project for Council to submit an application for funding under the current Get NSW Active program round.

ATTACHMENTS: A. Minutes of the Local Transport Forum held on 19 August 2025 [⇒](#)

10 Confidential Matters

RECOMMENDATION

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

10.1 YVC.PE.29.2025 Yass Memorial Pool Power Upgrade

Item 10.1 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance contrary to the public interest and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.