

DA240159 - Submission Comments By Issue/Theme - 3 Turton Place, Murrumbateman

Initial Public Exhibition Period

See Page 4

Issue/Theme	Key	Submission #	Total # Submissions
Noise	N	1,2,3,4,5,6,7,8,10,11,12,13,16,17,18,19,20,21,22,23,24,27,28,29,31,32,33,34,35,37	30
Fire (BESS)	F	1,2,4,5,6,9,10,11,12,13,14,16,17,20,21,22,23,24,25,26,27,28,29,32,33,34,35,36	28
Bush Fire	BF	1,2,4,5,6,9,10,11,12,14,16,17,20,21,25,27,28,29,31,32,33,34,35,36	24
Context and Setting	C&S	3,4,6,10,11,14,17,18,19,20,22,23,27,31,32,34,35	17
Economic Impact	EI	4,6,11,12,14,17,18,22,23,26,27,28,31,32,33,34,35	17
Site Suitability (or alternate site)	SS	2,4,8,10,11,14,17,20,28,28,31,32,33	13
Community Consultation	CC	9,10,15,20,23,24,27,28,29,31,32,37	12
Toxicity	Tox	2,11,16,20,23,25,26,28,32,36,37	11
Zoning (including objectives and permissibility)	Z	2,10,17,18,19,22,23,27,31,34,35	11
Miscellaneous	Misc	7,9,12,14,17,20,25,26,27,34	10
Land Use Conflict	LUC	6,4,14,17,18,20,22,23,31,32	10
Smoke	S	2,11,16,23,26,28,32,36,37	9
Visual Impact	VI	17,18,19,22,27,31,32,34,35	9
Human Health	HH	2,3,16,23,25,28,32,37	8
Amenity	A	2,4,19,20,31,33,36	7
Supporting Documentation	SD	18,19,20,27,28,31,32	7
Insurance	Ins	2,14,23,26,28,32	6
Surface Water	SW	2,10,14,20,25,26	6
Value – Property	Val	3,16,20,21,28,37	6
Acoustic Barrier	AB	3,5,9,17,20,27	6
Ground Water	GW	2,14,16,20,25	5
Animal Health	AH	18,23,25,33,37	5
Firefighting Water	FFW	2,10,25,26	4
Landscaping	L	3,20,27,31	4
Development Control Plan	DCP	18,31,35	3
Explosion	Exp	2,20	2
Vibration	Vib	5,27	2
Yass Valley Settlement Strategy (including	YVSS	18,20	2

Murrumbateman Structure Plan)			
Strategic Planning	SP	19,20	2
Soil Contamination	SC	20,26	2
State Environmental Planning Policy (Resilience and Hazards) 2021	SEPP Hazards	31,36	2
Battery Type	BT	13	1
Dual Occupancy (Potential)	DO	19	1
Decommissioning (End-of-Life)	Dec	20	1
Design	Des	31	1
Compliance and Enforcement	C&E	20	1
Fuel Storage	FS	33	1

Public Exhibition Additional Information #1

See Page 94

Issue/Theme	Key	Submission #	Total # Submissions
Economic Impact	EI	2,3,4,6	4
Fire (BESS)	F	1,2,4	3
Bush Fire	BF	1,2,4	3
Context and Setting	C&S	1,4,6	3
Zoning (including objectives and permissibility)	Z	1,3,4	3
Site Suitability (or alternate site)	SS	1,3	2
Community Consultation	CC	3,4	2
Miscellaneous	Misc	3,4	2
Visual Impact	VI	4,6	2
State Environmental Planning Policy (Resilience and Hazards) 2021	SEPP Hazards	2,4	2
Noise	N	4	1
Toxicity	Tox	2	1
Smoke	S	2	1
Acoustic Barrier	AB	4	1
Landscaping	L	4	1
Development Control Plan	DCP	4	1
Decommissioning (End-of-Life)	Dec	3	1
Biodiversity	B	6	1

Public Exhibition Additional Information #2**See Page 119**

Issue/Theme	Key	Submission #	Total # Submissions
Bush Fire	BF	2,3,4,5	4
Noise	N	1,2, 3	3
Fire (BESS)	F	2,3,5	3
Soil Contamination	SC	2,4	2
Site Suitability (or alternate site)	SS	2,5	2
Ground Water	GW	2, 4	2
Firefighting Water	FFW	2,5	2
Acoustic Barrier	AB	1,3	2
Toxicity	Tox	4	1
Surface Water	SW	2	1
Supporting Documentation	SD	3	1
Strategic Planning	SP	2	1
Smoke	S	4	1
Miscellaneous	Misc	2	1
Lighting	Li	3	1
Landscaping	L	3	1
Insurance	Ins	4	1
Human Health	HH	4	1
Dual Occupancy (Potential)	DO	3	1
Context and Setting	C&S	5	1
Compliance and Enforcement	C&E	2	1
Community Consultation	CC	3	1

DA240159 - Submission Comments or Issues and Assessment Response Summary - 3 Turton Place, Murrumbateman

Prepared by Jeremy Knox (Development Planner) July 2025

Sub #	Comment or Issue	Key Issue(s)	Assessment Response
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Initial Public Exhibition Period

1	I am concerned by the noise generated by this development.	N	Refer to discussion under key issues in assessment report.
	and what safety measures are in place in the unlikely but catastrophic event of a fire either started at the batteries or in the surrounding area and that threatens the battery storage site.	F, BF	Refer to discussion under key issues in assessment report.
2	The Bushfire management plan provides a misleading figure on the distance from the Murrumbateman township. It lists the distance as 7km, rather than the 3 km as the crow flies. This therefore understates the risk to the town in a fire event. The fire management plan acknowledges risk of on-sight fires, and probable catastrophic results from this.	F, BF	Noted. Location clarified in section 1.2 in assessment report.
	The fire risk mitigation strategies ignore need for provision of water on site to fight fires.	F, BF	Refer to discussion under key issues in assessment report.
	The fire risk strategy ignores the risk of toxic gas release in a fire event.	S	Refer to discussion under key issues in assessment report.

The fire risk strategy ignores the risk of thermal runaway fires/explosions.	Exp	Refer to discussion under key issues in assessment report.
No information is provided on the size of the area impacted in the event of an explosion, in terms of toxic gas and demolition of nearby buildings.	Exp, S	A significant explosion is considered to have a very low likelihood of occurrence. Considered within scope of fire under key issues in assessment report.
No assessment made of how much the heightened bushfire risk to properties nearby would increase insurance premiums or result in refusal to insure.	Ins	Not a valid planning consideration.
Our property is in a designated bush fire prone zone. In Victoria, the Department of Environment, Land, Water and Planning (DELWP) provides guidance that facility siting for renewable energy projects should not lead to increased exposure of the area to fire. This guidance is useful in assessing this application	F, BF	Noted. Guideline was read during the assessment.
The site of the development application is inside the catchment for the stream running through our property, on which stock are dependant. This stream feeds into Murrumbateman Creek to the north, then into Yass River, upstream from the Yass dam, which provides water to the township of Yass. This water system also provides for local wildlife, such as echidnas, wallabies, the endangered Australian bittern, swift parrot, south eastern hooded parrot, Gang Gang Cockatoo, and Regent Honeyeater (critically endangered), etc. Our domestic and drinking water comes from a bore, where the groundwater and stream water interact, with the ground water feeding springs and the stream feeding into the groundwater	SW, GW	Refer to discussion under key issues in assessment report.
The siting of the proposed development makes the water supply vulnerable to toxic pollution stemming from leaks from the batteries. The probability of leaks rises to almost certain in the event of a fire,	SW, GW, Tox	Refer to discussion under key issues in assessment report.

	along with the leaking of toxic and flammable gases into the atmosphere		
	The fire management plan ignores the need to drain firefighting water to ensure it does not enter streams.	F, BF, FFW, SW	Refer to discussion under key issues in assessment report.
	No provisions are being made to ensure leaks do not enter the stream system or groundwater.	SW, GW	Refer to discussion under key issues in assessment report.
	The impact on human health in the event of a leak would be severe, given the vulnerability of the site and likely delays in warning residents not to drink water or wash.	HH, SW, GW, Tox	Refer to discussion under key issues in assessment report.
	The site of the facility is zoned small lot rural and the application does not fit in with the objectives of this zoning.	Z	Refer to discussion under LEP zone objectives in assessment report.
	A more appropriate siting would be in an area zoned unrestricted rural – where minimum acreages are large.	Z, SS	DA has to be assessed based on the proposed site, not another potential site.
	The predicted noise levels at night would make my property unsuitable for its current use as a home and as it is currently zoned, i.e. residential living.	N	Refer to discussion under key issues in assessment report.
	The World Health Organisation advises that 'Noise is an underestimated threat that can cause a number of short and long term health problems, such as for example sleep disturbance, cardiovascular effects, poorer work and school performance, hearing impairment, etc. The World Health Organisation advises that 'Noise is an underestimated threat that can cause a number of short and long term health problems, such as for example sleep disturbance, cardiovascular effects, poorer work and school performance, hearing impairment, etc.	N, HH	Refer to discussion under key issues in assessment report.

	The WHO guidelines for community noise recommend less than 30 A-weighted decibels (dB(A)) in bedrooms during the night for a sleep of good quality. The predicted (and recommended) night-time noise levels in the acoustic report significantly exceed WHO health guidelines, and thus could be expected to have a significant adverse effect on human health on those living in the currently zoned residential areas surrounding the proposed facility.	N, HH	Refer to discussion under key issues in assessment report.
	It is normally necessary in Murrumbateman to keep windows open in summer at night to reduce heat in the house. Artificial methods of cooling provide reduced amenity in comparison to natural fresh air methods and are costly and wasteful of energy.	N, A	Noted.
	In summary, the current development application is opposed on the grounds of negative impacts on surrounding land use (residential) including projected noise pollution at levels above WHO health guidelines, the high risk posed of causing catastrophic bushfires or intensifying them, and the significant risk of poisoning the waterways and groundwater sources on which we currently rely.	N, HH, F, BF, SW, GW	Summary noted.
3	My objection is made in relation to the noise emissions that will come from the proposed installation.	N	Refer to discussion under key issues in assessment report.
	The potential devaluation of my property and other properties within the area for the same reason.	Val	Not a valid planning consideration.
	I do not believe that this installation is in keeping with the ambiance of the rural properties within this area of Murrumbateman.	C&S	Refer to discussion in assessment report generally, including for noise under key issues.

	The noise emission from this proposed DBESS installation would be continuous and excessive especially in this rural location where noise carries over longer distances. The projected noise from the proposed installation would exceed the current noise levels and would be magnified during the stillness of evening and night disturbing sleep and potentially causing increased stress from the constant barrage of noise pollution residents will be subjected to.	N, HH	Refer to discussion under key issues in assessment report.
	The Watson Moss Growcott Acoustics Report makes a comparison to the highway noise and Murrumbateman Road traffic noise however the traffic on these roads does not continue 24 hours a day 7 days a week 365 days a year. Rather traffic on these roads is intermittent. This installation would be closer in proximity to my location than the highway or Murrumbateman Road therefore louder and as noted above constant.	N	Refer to discussion under key issues in assessment report.
	The proposed planting in the development application of two rows of trees at varying heights would not appear to be consistent with the sound barrier construction described in the Watson Moss Growcott Acoustics Report but rather appears to be a visual buffer.	N, L	It is a landscape buffer for visual purposes.
	There also appears to be no acoustic barrier across the entrance to the installation which the report indicates would need to be present.	AB	Refer to discussion under key issues in assessment report.
	Additionally should the application proceed against the wishes of the community what is the sound barrier solution during the growth period of the proposed planning.	AB	Refer to discussion under key issues in assessment report.
	The economic impact for local wineries is also likely to be affected from the constant noise drone from the installation. Visitors to the region seek out the tranquillity and rural atmosphere and are after a taste of rural life without underlying noise pollution.	EI	Refer to discussion under economic impact and key issues in assessment report.

4	I write to express my strong objection to the proposed approval of the battery storage facility. While I understand the need for sustainable energy solutions, this particular project raises several significant concerns that must be thoroughly assessed and discussed with the local community.	-	Noted.
	The risk of fire associated with battery storage facilities is a grave concern. These facilities have been known to catch fire, posing severe risks to nearby residents, properties, and the environment. The potential for a catastrophic event not only endangers lives but also places an undue burden on our local emergency services.	F, BF	Refer to discussion under key issues in assessment report.
	This risk is compounded by the facility's proposed location, which is in close proximity to residential areas and agricultural businesses, including our local wineries.	F, BF	Refer to discussion under key issues in assessment report.
	The loss of amenity is a pressing issue. The introduction of an industrial battery storage facility will undoubtedly alter the character of our rural setting. The aesthetic value and peacefulness of our community, which many residents and visitors cherish, will be significantly compromised. This transformation is not only detrimental to the quality of life for local residents but also threatens the attraction and viability of our local wineries, which rely on the serene and picturesque environment to draw visitors.	A, C&S, LUC, EI	Refer to discussion in assessment report generally, including for noise under key issues and economic impact.
	Excessive noise generated by the facility is another critical concern. The continuous operation of the storage units and the associated maintenance activities are likely to produce noise levels that are incompatible with the tranquil nature of our rural surrounding.	N	Refer to discussion under key issues in assessment report.

	In conclusion, while the pursuit of renewable energy is commendable, the specific location and nature of this battery storage facility present considerable risks and challenges. I urge you to reject this proposal and explore alternative sites or solutions that do not jeopardise the safety, livelihood, and quality of life of our community.	SS	Refer to discussion in assessment report generally, including under the suitability of the site.
	Thank you for considering my objections. I hope that the decision-makers will take these concerns seriously and prioritise the well-being of our community.		Noted.
5	We could not see any information set out in any of the application documents which considers the topography of the surrounding area and prevailing wind directions which will carry generated noise. There is a reference in the expert's report to 'meteorological effects' being considered, but we can't see any satisfactory analysis in the report. Four Winds Vineyard, for example, is much further away from our place but if the operators hold an evening function, we clearly hear the music and celebrations late into the night.	N	Refer to discussion under key issues in assessment report.
	With respect to potential noise impacts, we note that the evening and night project triggers set out in the expert's report are only 2 dBs above the expected noise levels for evening and night operation levels (33dBls). We regard this as a very narrow 'buffer', and feel that, if this project does proceed, approval should require an increased noise buffer level.	N	Refer to discussion under key issues in assessment report.
	Importantly, there is a gap in the acoustic barriers proposed for the south west corner of the proposed installation – which is the direction our house will be receiving noise from the installation. We also do not	N, AB	Refer to discussion under key issues in assessment report.

	understand why the acoustic buffers on the north and west of the site are at a different height to the buffers on the south and east side.		
	We note that the expert's report states that their report involved an assessment of potential noise issues only and they were specifically instructed not to address potential vibration issues. We have no idea whether battery storage systems, when operating, do create ground vibration issues, but we feel there needs to be some report which specifically addresses this potential risk as well.	Vib	The nature of the proposed development during operation and construction is unlikely to have any adverse impacts by way of vibration. There are no vibration intensive activities associated with the construction works.
	We note that the application proposes the use of (treated) timber around the proposed installation – we regard the risk of fire at the site as a major concern, and believe that only fire retardant materials should be used as an additional safety precaution.	F, BF	Materials to be Bushfire Attack Level (BAL) 40.
6	I wish to oppose this development for the following reasons:	-	Noted.
	a. It poses an unreasonable risk of noise nuisance to adjacent properties and properties further afield. In particular, I am concerned that noise nuisance will extend to my property.	N	Refer to discussion under key issues in assessment report.
	b. It poses an unreasonable fire risk to adjacent properties, and properties in the area surrounding the intersection of Patemans Lane and Murrumbateman Road. In particular, I am concerned that I will be exposed to elevated fire risk at my property given the nature of the local grasslands and forested areas.	F, BF	Refer to discussion under key issues in assessment report.

	c. It is inconsistent with the rural-residential and rural-tourism character of the area. A development of this nature will deter tourists visiting local businesses such as the Four Winds Vineyard and the Dionysus Winery, and so will negatively impact the local economy. It will deter the development of further businesses catering to tourism around Murrumbateman and it will make enjoyment of the local peace and quiet through amenities that have been recently constructed, such as the bike path, more difficult.	LUC, C&S, EI	Refer to discussion in assessment report generally, including under economic impact.
7	I am concerned with the noise level of the proposed battery storage facility proposed for Turton Place in Murrumbateman, my property is directly SW of the site.	N	Refer to discussion under key issues in assessment report.
	Also wondering where the power is to come from for storage?	Misc	The input electricity for storage is coming from the electricity grid.
8	I am concerned as to the noise level of the proposed construction for battery storage in Turton Place, and don't consider it a reasonable site for such a venture.	N, SS	Refer to discussion under the suitability of the site and key issues in assessment report.
9	I am writing to formally object to the proposed Development Application for a Distributed Battery Energy Storage System (DBESS) at 3 Turton Place Murrumbateman. I have serious concerns regarding the impact of this development on our community, particularly in relation to continuous noise, fire, hazards, and the complete lack of consultation by the developer.	N, F, BF, CC	Noted. Individual issues considered per below.

One of my primary concerns is the continuous noise generated by the DBESS. These systems involve the use of cooling fans and other machinery that operate 24/7. The constant hum and operational noise can significantly disrupt the peace and quiet of our rural area. This is especially concerning during night time hours when such noise can interfere with sleep and overall quality of life, to say nothing of the severe impact it is likely to have on the hospitality sector.	N	Refer to discussion under key issues in assessment report.
The impact on noise levels has not been adequately addressed in the application, and the noise mitigation measures are woefully lacking in any detail as to what the proposed acoustic barriers will be constructed from, and hence how effective they will be.	N, AB	Refer to discussion under key issues in assessment report.
The risk of fire associated with DBESS installations is another major concern. These systems involve high-energy lithium-ion batteries, which have been known to pose fire risks under certain conditions. A fire in such a system could have catastrophic consequences, particularly given the close proximity to residential homes and other infrastructure.	F, BF	Refer to discussion under key issues in assessment report.
It is imperative that the council consider the potential danger this development poses to residents and take into account the fire safety measures (or lack thereof) proposed by the developer.	F, BF	Refer to discussion under key issues in assessment report.
The safety of the community should be a paramount consideration in the evaluation of this application.	Misc	Refer to discussion under key issues in assessment report.
I note the Fire report states the facility should be closed on days of extreme heat and fire threat. This however may effectively mean the facility should be closed for a large portion of the Summer, yet there is no mention of whether that will actually happen.	BF	Refer to discussion under key issues in assessment report.

	Furthermore, I am deeply troubled by the complete lack of consultation by the developer with the local community. To date, there has been no attempt to inform or engage residents about what is quite a complex DA, let alone seek our input or address our concerns. This lack of transparency and community engagement is unacceptable and undermines the principles of fair and inclusive planning processes. Residents have a right to be informed and to have a say in developments that directly impact their lives and properties	CC	Refer to discussion under community consultation in assessment report.
	In light of these serious concerns, I strongly urge the Council to reject this Development Application.		Assessment report is presented for consideration by the SRPP as the consent authority.
	The potential negative impacts on the community, coupled with the developer's failure to engage with residents, make this proposal unsuitable for this location and despite the developers poor attempt to convince anyone otherwise, there is ZERO benefit to our community from this DA, and a large amount of risk involve.	-	Refer to discussion in assessment report generally.
	Thank you for considering my objection. I trust that that Council will prioritize the well-being and safety of its residents in making its decision.	-	Noted.
10	My concerns relating to the above proposal are:	-	-
	1. The proposal has had no public consultation where it could be, explained to the general public and explanations given in plain, non-technical terms. There is virtually no description of the, intended purpose for this development.	CC	Refer to discussion under community consultation in assessment report.

	2. The land is zoned RU4 “primary production, small lots”. The proposed development does not fit this description. If approved it will set the precedence for further developments of a “light industrial nature” which would be difficult to argue against should similar requests be made in the future and which would not meet the definition of “rural residential”.	Z, SS, C&S	Refer to discussion in assessment report generally, including under LEP.
	3. It is not clear whether or not the acoustic standards are those set for residential or light industrial developments.	N	The receivers are assessed as being residential. Refer to discussion under key issues in assessment report.
	4. I am assuming the batteries might well be lithium ion , in which case a fire would not be readily contained and may also be beyond the capabilities of the RFS in terms of equipment that might be required.	F, BF	The proposed BESS will use lithium-ion batteries, specifically newer lithium iron phosphate batteries.
	5. Is cooling water intended to be employed? If so what will be the source of the water and where will the run off be released? There is a natural creek running near Murrumbateman road and it is possible that run off, along with potential contaminants, would enter this creek and be further carried to water sources.	SW, FFW	Refer to discussion under key issues in assessment report.
11	I sincerely hope that this DA has been made public with the Council having full intention of opposing it, but needing to follow processes in the interim. The construction of such a development will have a very negative impact on many properties, both immediate neighbours and further away.	-	Noted. DA requires assessment and determination in accordance with s4.15 of the Act.
	As the owner of a property that is approximately 500m from the proposed location as the crow flies, I have a number of concerns.	-	Noted.

Predominantly I am concerned about the noise. The suggestion that the noise could be around 90db constantly concerns me. The constancy of the noise is concerning, being 24hrs a day 7days a week, 365 days a year. This is disruptive and not aligned with the peace that many residents move here seeking. Whilst some of the residences that will be most impacted are on the edge of Murrumbateman Road, there is not constant noise from this source like what is being suggested by this DA. Furthermore, the restrictions placed on the local dance studio in terms of noise and operating hours are quite significantly different to what this DA is proposing. Surely the impact of the dance school is minor in comparison, with harsher restrictions than this particular DA.	N	Refer to discussion under key issues in assessment report.
The potential fire hazards are also of concern to me. Whilst I understand that it is unlikely, should a fire begin at the site, it is alarming to think that many of our local fire resources will then be occupied rather than ready to help should the fire spread.	F,BF	Refer to discussion under key issues in assessment report.
Furthermore, should a fire begin, it is my understanding that these types of fires cannot be put out, but only contained.	F	Refer to discussion under key issues in assessment report.
The impact of this toxic fire smouldering away for an unknown length of time must not be disregarded. It would be devastating I'm sure, for the many local vineyards in the area. The impact on the wider environment must not be forgotten either, as these chemicals burning would benefit nothing and nobody.	S, Tox, EI	Refer to discussion under key issues in assessment report.
It seems to me that a development such as this one is only suited to an industrial area where private homes will not be disturbed by the noise and fire danger.	SS, C&S, F, N	Refer to discussion in assessment report generally, including under suitability of the site and key issues.
I wonder if any of the Councillors would like to live near such a development?	-	Not a valid planning consideration.

12	Whilst I can appreciate that the value of this development would enable Yass Council to receive a large financial gain from the DA fees, I fail to see how it will bring any benefit to Murrumbateman.	Misc	Not a valid planning consideration. DA fees paid in accordance with Council's Fees & Charges, which for DAs are set by the NSW Government. Unlikely in this instance there has been a cost-recovery on fees noting the significant use of various staff time with the complexity of assessment and the peer review of noise assessment cost.
	Firstly, the company, and the owners, developing the site are not local, and there is a high chance that all trades, employees etc will be sourced from out of area.	EI	Noted.
	As a resident who lives within very close proximity to this development, our concerns are for the noise this development will continuously create. Whilst we acknowledge that we do hear traffic from both Murrumbateman Road and the Barton Highway, it is irregular and not persistent. The noise from this development will be heard 24 hours a day, 7 days a week, 365 days a year.	N	Refer to discussion under key issues in assessment report.
	Whilst the application states that all necessary mitigation will be in place to reduce noise, what happens if, once established, the noise mitigation is insufficient. Is the council then responsible? If so, who pays? If it is the responsibility of the developer, what guarantees do we (Murrumbateman residents) have that it will be rectified, in a timely manner.	N	Refer to discussion under key issues in assessment report.

	In the recent development approval for a local dance studio, council has specified the hours of operation. The noise level for this dance studio would be considerably less and not constant, yet you have restricted their trading hours. How can you even consider approving this train wreck?	N	DA requires assessment and determination in accordance with s4.15 of the Act. Dance studio DA unrelated to this proposal, however it is noted they were restricted in accordance with those hours that had been proposed by the applicant in their application documents.
	Our other concern is the fire risk. As we all know, electrical fires are impossible to extinguish and emit extremely dangerous chemicals to the atmosphere and surrounding environments. The impact of such a catastrophe would not only destroy the livelihoods of the nearby businesses, but it would also be devastating for the people and animals that live nearby.	F, BF	Refer to discussion under key issues in assessment report.
	My question to each of you as representatives of the Murrumbateman Community: Would you like to live next door to it?	-	Not a valid planning consideration.
13	Firstly I commend AC energy for looking to contribute to a sustainable energy infrastructure focusing on use of renewable energy. I believe this development should go ahead with changes made which are outlined below.	-	General support noted.
	Looking at the proposed plan, battery infrastructure to be used & bushfire risk assessment. There are a couple of concerns which are outlined below:	-	-

	<p>1) bushfire risk: while LFP batteries are considered to be one of the safest battery chemistries. In the event of a thermal run away event these have been seen the problematic in terms of extinguishing & controlling with the need for specialised foam/ consist monitoring over days to ensure risk is mitigated. Alternative forms of battery chemistry such as vanadium redox, Zinc bromide flow or sodium aluminium batteries could be used to achieve the same outcome.</p>	BT, F	<p>Refer to discussion under key issues in assessment report. The battery has been queried with the applicant in response to this comment who indicated: "[t]he selection of Lithium Iron Phosphate (LFP) batteries was informed by a consideration of several factors including safety, reliability, environmental impact, and project-specific suitability. LFP batteries are widely recognised for their low risk of thermal runaway and absence of heavy metals, which significantly reduces the potential for hazardous contamination - particularly in the event of fire. In addition to these safety advantages, LFP batteries offer strong thermal and chemical stability with a long cycle life, provide a high energy density (reducing the overall footprint of land required), are widely available and cost effective, and offer consistent performance over time, making them well-suited for grid-scale energy storage." It is generally noted the lithium iron phosphate appears to be the type most regularly used for BESS.</p>
	<p>2) resources & infrastructure: Given the bushfire risk of Murrumbateman & the limited firefighting capability of the local community. The risk posed by the proposed battery chemistry in the event of a catastrophic fire would represent a significant risk in two ways.1) Consumption of limited firefighting resources. 2) Danger to the local community. Due to intensity & heat of the fire in the event of full</p>	BF	<p>Refer to discussion under key issues in assessment report.</p>

	destruction. These two factors lead to an increased risk for the local community.		
	While a non-flammable battery chemistry would remove both of these factors. Given fire fighters would not need to worry about protection of the plant in event of a fire. Resources can be focused elsewhere for containment.	BT, F, BF	Refer to discussion under key issues in assessment report.
14	Have significant concerns regarding the impact this facility will have on our local environment, quality of life, and the character of our community.	-	Noted.
	Our property is zoned residential, large lots and lies within the buffer zone of the development application proposal on Yass Valley Council website. This property would be approximately 700 metres from the infrastructure 'as the crow flies' even though 2 km by road. The application is misleading as to the distance from Murrumbateman village as it's 3 km 'as the crow flies' rather than 7km by road to Turton Place.	Misc	The different distances are understood and are stated in the assessment report.
	First and foremost, the continuous noise generated by such a facility is a serious concern. It is documented that these battery storage units can produce noise levels around 95 dB. Given that our home is situated just 700 meters away from the proposed site across open paddocks, we anticipate that this noise will be highly intrusive, particularly in our quiet rural setting. Based on calculations, we expect the noise level at our property to be approximately 38.1 dB, which, although not extremely high, is above the recommended levels for maintaining good sleep quality and could significantly impact our daily lives, especially considering the 24-hour operation of the facility	N	Refer to discussion under key issues in assessment report.

	Additionally, we are deeply concerned about the potential for water contamination. The proposed site is in close proximity to drainage channels that flow downhill, directly affecting our property, which is at the bottom of this valley between Clonakilla and Four Winds Wineries. Any accidental spills or leakage from the battery storage facility could result in harmful substances entering our water supply, posing a serious risk to our health and the local ecosystem	GW, SW	Refer to discussion under key issues in assessment report.
	The paddock on the map below provided in the application is fragile in relation to drainage as indicated in the enclosed photograph. The bore is located on that land and after heavy rain it becomes a dangerous torrent. Further water pressure onto that area could result in flooding or danger to the animals grazing there. The first picture shows the run off to our paddock, the second shows our paddock after continuous heavy rain.	GW, SW	Flood modelling has been provided and indicates there will not be an flood risk to neighbouring properties. Final hydraulic model would need to be run as part of the 'for construction' details provided as part of a Construction Certificate, including with consideration of the acoustic barrier.
	Furthermore, the proposed development is located near wineries in a designated tourist zone. The presence of a battery storage facility is incongruous with the existing character of the area, which is known for its scenic beauty and tranquil environment. This type of industrial development could deter tourists, negatively impacting local businesses and the broader community. This contradicts the purpose of the popular Winery Trail. The development could also have a negative impact economically on the valuation of properties in the surrounding area.	LUC, SS, C&S, EI	Refer to discussion in assessment report generally, including under economic impact and key issues.
	The area is a designated bush fire prone zone.	BF	DA assessed as such.
	There have been an estimated 40 incidents internationally that have impacted Battery Storage Units. Some incidents within large-scale batteries date back to 2012, but most have occurred in the past three years and include the Victorian fire near Geelong and four fires at	F	Noted. Refer to discussion under key issues in assessment report.

	three facilities in the United States. More recently there was a fire at Beijing while South Korea has reported multiple fires between 2017 and 2019.		
	The Bushfire Management Plan acknowledges the risk of on-sight fires and incidents have recorded thermal runaway fires and explosions. The fire risk strategy does not indicate the size of the area that would be impacted by one or ten of the units catching fire. There is no provision for water resources and firefighting resources in an area serviced by volunteers	F, BF	Refer to discussion under key issues in assessment report.
	No recognition of the financial impact of such a fire hazard on nearby properties in relation to insurance premiums or the risk that insurance companies may refuse to insure.	Ins	Not a valid planning consideration.
	In light of these concerns, I urge the Council to reconsider the approval of this development application.		Assessment report is presented for consideration by the SRPP as the consent authority.
	The potential negative impacts on noise levels, water safety, the local tourism economy and fire concerns far outweigh any perceived benefits.	N, GW, SW, EI, F, BF	Noted.
	I believe that alternative locations should be explored for such a facility, ones that are more suitable and less disruptive to residential areas and tourism zones.	SS	DA has to be assessed based on the proposed site, not another potential site.
	Thank you for considering my objection. I trust that the Council will take the necessary steps to protect the interests of the residents and preserve the unique character of our community.		Noted.

15	I would like to raise objections to the above mentioned development application DA240159 - 3 Turton Place, Murrumbateman. The reasons for my objection are:	-	Objection noted.
	1. Insufficient community consultation - a complete lack of public awareness. For a project of this size, scale and impact, there should be a community information.	CC	Refer to discussion under community consultation in assessment report.
	2. The information provided is aimed at electrical engineers, I have no idea what it is actually saying - a simply "community English" level document should be provided.	CC	Refer to discussion under community consultation in assessment report.
16	I have two concerns relating to DA240159	-	Noted.
	I am worried about noise pollution from this project. I see there will be attempts to mitigate noise down to ~50 decibels (per battery) or so (if I understand the paperwork). Cumulative, this may be comparable to a highway or loud music not too far away? Annoying noises from the Barton do carry to my residence, and I have heard party noises from neighbouring properties that are loud enough to be disturbing on occasion. In the case of the party noise I am happy enough to put up with it briefly, but this new noise source would be fairly constant. This development looks to be a similar distance to me from the Barton.	N	Refer to discussion under key issues in assessment report.
	So I do have a concern how much noise pollution would be put out by it and feel this facility may introduce a new source of noise irritation to the area.	N	Refer to discussion under key issues in assessment report.
	Therefore, I'd like for noise suppression to go beyond the basics please – this is a country area and not only do we live here, but lifestyle wise people move to the country expecting quiet	N	Refer to discussion under key issues in assessment report.

	If mishandled this could significantly affect saleability of property in the area.	Val	Not a valid planning consideration.
	I also feel this facility will significantly increases bushfire risk in this area, since if a fire did hit them, then these batteries would surely constitute a major new risk, bushfire plan or not. Is our fire service capable and resourced to rapidly deal with this sort of thing?	F, BF	Refer to discussion under key issues in assessment report.
	A recent battery fire in Queensland spewed out quite a bit of toxic smoke! Even without fire spreading onto neighbouring properties this could be catastrophic in an area where folk, including us, live!	S, Tox	Refer to discussion under key issues in assessment report.
	There are a lot of unknowns here, but I do find myself worried about impacts on my family's lifestyle, health and the value of our property, as well as the welfare of my neighbours.	HH, Val	Refer to discussion under key issues in assessment report. Impact on property value not a valid planning consideration.
	Please do closely consider these impacts before approving this proposal!	-	Noted. Impacts considered under s4.15 of the Act and presented in assessment report.
17	I would like to object to this DA for the following reasons:	-	Objection noted.
	1. The submission is overly technical in nature in relation to the noise outputs of the DBESS and associated cooling system. As a result, I don't know if the system will emit a sound like a whisper or a chainsaw on full throttle.	N	Refer to discussion under key issues and community consultation in assessment report.
	2. The fire risks have not been adequately addressed in the DA to assure me the risks will be minimal for my property.	F, BF	Refer to discussion under key issues in assessment report.
	3. The footprint of the DBESS appears to cross onto my property and the implications of this are not explained in the DA.	Misc	The proposed development is contained wholly within the boundaries of 3 Turton Place and does not extend into neighbouring properties.

4. While the risks to groundwater appear to be low, based on the DA, I'm totally reliant on groundwater for irrigation of my vines so any risk is a major concern for me.	GW	Refer to discussion under key issues in assessment report.
5. The noise, the appearance of the system and 4.5m high noise mitigation structures will be a negative for my winery business and for tourism in general. The structure will be visible from the newly completed winery trail which will be a negative for tourists moving around the region.	LUC, AB, EI, VI	Refer to discussion under key issues and economic impact in assessment report.
6. Placing an industrial system in a rural residential area is out of place with council planning policies.	SS, C&S, Z	Refer to discussion in assessment report generally, including under LEP, DCP, and suitability of the site.
7. Placing the DBESS where it is limits what I'm able to do with most of my land in terms of future construction related to tourism due to the noise and the view of the system.	LUC, EI, N, VI	Refer to discussion under key issues in assessment report.
8. In conversation with AC Energy, I discovered that this will be the first system of this nature they have constructed, this does not fill me with confidence that the DA documents will reflect the actual outcome.	Misc	An assessment of the individual proponent and their track record is not a planning consideration given the consent runs with the land and not the individual person or entity. The assessment is whether the development can reasonably be undertaken in accordance with the plans, details, and any measures proposed. This has been undertaken in accordance with s4.15 of the Act.
I would like these concerns further addressed and reviewed by Yass Council, in a standalone meeting, so I can be sure they have been satisfied.	Misc	Assessment report is presented for consideration by the SRPP as the consent authority. A public hearing will be undertaken by the SRPP.

18	We wish to lodge an objection to DA240159.	-	Objection noted.
	We have no confidence this proposal will provide positive outcomes benefiting the wider community, be sympathetic to existing streetscape and neighbourhood character, minimise the impact on current aesthetic, recreational and ecological values, or ensure hazards to life or property will be appropriately managed.	-	Refer to discussion in assessment report generally.
	We note the application claims to identify appropriate legislative support permitting the proposal within the current zoning. While acknowledging this technicality, we do not accept the proposal aligns with key guiding principles identified in the Yass Valley Settlement Strategy 2036, specifically that:	Z, YVSS	Refer to discussion under Settlement Strategy in assessment report.
	<ul style="list-style-type: none"> • Future development should complement existing settlement structure, character and uses and allow for the creation of legible and integrated growth; 		Refer to discussion in assessment report generally, including under Settlement Strategy.
	<ul style="list-style-type: none"> • Future development should strengthen the efficient use of infrastructure, services and transport networks and not overburden existing services elsewhere; and 		Refer to discussion in assessment report generally, including under Settlement Strategy.
	<ul style="list-style-type: none"> • Future development, particularly at the residential / agricultural and the residential / industrial interfaces should be planned for and managed to minimise potential conflict between adjacent land uses. 		Refer to discussion in assessment report generally, including under Settlement Strategy.
	Ongoing investment by the Yass Valley Council is generating significant positive change by creating growth in agritourism and associated activities throughout the Murrumbateman area. One relevant example of this is the construction of the Murrumbateman Winery Trail, a bike path linking local wineries including Four Winds and Dionysus, allowing visitors to explore the area and support local businesses.	EI	Noted.

	The proposed development is inconsistent with the Yass Valley Local Environmental Plan 2013 land use objectives for RU4 zoning. DA240159 proposes an industrial development, which is considered a prohibited development within section 4 of the RU4 Zoning Land Use Table. Whilst state policy may override this prohibition and permit the development within RU4 zoning, we feel industrial developments should be located within appropriately zoned industrial areas.	Z	Refer to discussion under LEP in assessment report.
	In our view, the proposal is likely to shift the focus of future investment in the area away from agritourism and viticulture towards more industrial developments. We believe this is likely to significantly change the character, rural amenity and vistas of the Murrumbateman area.	EI, VI, C&S	Refer to discussion in assessment report generally.
	The Statement Of Environmental Effects submitted with DA240159, on page 19, acknowledges the Yass Valley Council Developmental Control Plan 2024 and indicates the proposal is expected to be generally compliant with this plan. This statement does not appear to be supported by details included in the proposal. DA240159 fails to meet many of the objectives and controls identified within the Yass Valley Council Developmental Control Plan 2024:	DCP	Refer to discussion under DCP in assessment report.
	1) Part E- Rural, Large Lot and Environmental Zone Development p. 58 states: This part seeks to ensure that: <ul style="list-style-type: none"> • the siting of new development in the following zones maintain the low density, dispersed character, rural amenity and vistas of the Yass Valley; • ridgelines and scenic vistas are protected where buildings respect topography, use neutral non reflective materials and do not dominate the landscape; • separation distances are to be provided to ensure rural amenity and 	DCP	Refer to discussion under DCP in assessment report.

	right to farm is maintained by limiting the potential for land use conflict.		
	2) Section E.1 Siting of Buildings has the stated objective of ensuring developments are sited in a manner to not dominate the rural landscape and to minimise land use conflict potential. Control E.I (c) states all buildings shall have a setback of no less than 250 m from the boundary of a property where intensive plant agriculture, including vineyards and orchards, is conducted. Both our property and our neighbours property conduct intensive plant agriculture, namely a truffiere and vineyard respectively. The proposed development is situated within 250m of the boundary to Shifting the building 250m away from the boundary with will bring it to within 250m of our boundary.	DCP	Refer to discussion under DCP in assessment report.
	3) Section E3 addresses common rural based activities likely to occur and provides acceptable developmental design, siting and operation controls for RU4 zone including: a) E3.1(a) providing, among other things, that all potential stationary noise be sited as far away as possible from common property boundaries and sensitive use dwellings, and b) E3.1(b) that proposed development noise abatement measures ensure constant noise does not exceed 5dB(A) above background noise levels when measured at the boundary with any adjoining property. c) The Acoustic Report submitted with DA240159 does not provide guidance on the proposed level of noise generating, as measured at our boundary or any other area of our property including two residential dwellings. As dwellings are permitted development within RU4 zoning, we consider any acoustic impact activities on a 24 hour per day, 365 days per year basis to be unacceptable.	DCP	Refer to discussion under DCP in assessment report.

	<p>4) The proposed site and surrounding properties are classified Bush Fire Prone Land (BFPL) under the Yass Valley BFPL Map.</p> <p>a) DA240159 should be considered against Section E3.1(i) page 63, which states land uses which pose a fire hazard may not be supported if the land is mapped as Bushfire Prone.</p> <p>b) DA240159 should also be considered against Part H- Development in Hazard Affected Areas in particular section H2 Bushfire Prone on page 91, which states the objectives of preventing the loss of life and property by providing development compatible with the identified bushfire hazard.</p> <p>c) The Bush Fire Management & Emergency Response Plan submitted with DA240159 failed to include consideration of the Yass Valley Local Environmental Plan 2013, the Yass Valley Council Developmental Control Plan 2024 or consideration of specific land use in the surrounding properties.</p> <p>d) The Bush Fire Management & Emergency Response Plan submitted with DA240159 does not assess the risk or impact to key installations on our property including farm sheds and machinery, a residential dwelling (being located about 470m from the proposed installation), or our truffiere located about 340m from the proposed installation. The consequences of a fire to the surrounding dwellings and primary industries including our truffiere is significant.</p> <p>e) We are concerned the increased risk posed by this installation is also likely to have an ongoing financial impact on us and other neighbours through increased insurance premiums.</p>	DCP	Refer to discussion under DCP and key issues in assessment report. Insurance premiums is not a valid planning consideration.
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	<p>5) Whilst not a renewable Energy Development Project aspects of the controls sited in Part L section L6 page 138, could be considered persuasive. Part L6 describes an objective of providing guidance to developers on the local matters to be taken into consideration in addition to those in any state or national guidelines. DA240159 has not considered and/or adequately addressed relevant controls such as:</p> <p>a) L6(a) the location of development project shall be consistent with the Yass Valley Settlement Strategy.</p> <p>b) L6(c) infrastructure not being within view of clusters of rural dwellings.</p> <p>c) L6(d) infrastructure not having an adverse impact on the amenity of any dwellings.</p> <p>d) L6(e) the impact of infrastructure on the rural landscape and tourism values of the Yass Valley to be minimised.</p> <p>e) L6(f) a sharing of the benefits scheme with the host landowners, immediate neighbours and a community enhancement fund (as per Council policy) shall be identified in any development application. The application is not transparent in this regard.</p> <p>f) L6(g) the noise impacts at adjoining dwellings is not to exceed acceptable standards</p>	DCP	Refer to discussion under DCP in assessment report.
	<p>6) The proposed development in DA240159 is an industrial development with a footprint of 5000 square metres. As such, it would be more appropriate for it to be located on industrial zoned lands and complying with the requirements of Part F- Industrial and Commercial Development objectives and controls.</p>	SS, C&S	DA has to be assessed based on the proposed site, not another potential site.

	DA240159 and supporting documentation contain inconsistencies, unsupported or unexplained assumptions, clear omissions and misleading statements. For example, the introduction of the acoustic report states 'The subject site is currently vacant and is generally surrounded by vacant grassland which in some instances includes scattered residential premises.' The site and surrounding land is used for small holding primary production in accordance with the RU4 zoning. Each property surrounding the site has at least one and in some instances, like our property, two residential dwellings.	SD	Noted. Sensitive receivers have now all been identified and considered in revised acoustic report.
	The Statement Of Environmental Effects and other documents submitted with DA240159 do not identify the residential dwelling or the truffiere located on the northern area of our property, both of which are clearly visible on the maps and relevant to consideration of this proposed development. This page identified Dionysus Winery as being 650m to the east and fails to include relevant information that the winery holds land with a common boundary to the proposed development.	SD	Noted.
	The acoustic report is not accessible to the layman reader. It contains technical jargon and relies on units of measurement which are difficult to interpret. The report's assumptions are not clearly articulated, for example we have not been identified as a sensitive receptor, despite sharing a boundary with the projects land owner. This omission is not satisfactorily explained. Page 6 of the report notes the closest and therefore most critical sensitive uses with proximity have been considered. There is no explanation for the omission of a neighbour sharing a boundary with the project site.	N, SD	Noted. Sensitive receivers have now all been identified and considered in revised acoustic report.
	The report does not consider site specifics including the actual usage of neighbouring properties, the Murrumbateman community or the Yass Valley Council's development strategy and plan for the region. We	SD	Refer to discussion under key issues in assessment report.

	have no confidence in the reliability or validity of the report's findings or recommendations		
	Our family business operates in alignment with the Murrumbateman community's efforts to invest in and develop a local agritourism and viticulture region. As a Primary Production Small Holding we have invested in activities which align with the Yass Valley Local Environmental Plan 2013 land use objectives for RU4 zoning. The proposed development raises concerns relating to its impact on our past, current and future investment, business activities and opportunities.	EI	Refer to discussion under key issues, LEP and economic impact in assessment report.
	The truffière is located about 337m from the proposed development and has not been considered in any of the planning reports submitted with the development application.	SD	Proximity has been considered in the assessment.
	Operating as the Truffle Patch our activities enhance the regions reputation as an agritourism destination. The establishment of an industrial battery facility will have a material impact on our current and future activities as the Truffle Patch. Concerns include but are not limited to:	EI, LUC	Noted.
	1) Impact on Harvest - We are concerned the sustained noise created by the facility will have a direct impact on our ability to harvest produce from our truffière. Our ability to harvest truffles relies on the use of dogs. Dogs can hear sound at four times the distance and detect a greater range of frequencies than the human ear (Cole, 2009). According to Barber et al (2020) dogs may also be more negatively impacted by sounds than humans due to the greater amplification of their hearing mechanisms.	EI, LUC	Refer to discussion under key issues in assessment report.

	2) Agritourism, Impact on Truffle hunts – this season we have begun taking people through the truffière on truffle hunts. Important to the experience is the picturesque and tranquil nature of the truffière and surrounds. The development of an industrial scale battery facility visible and audible from the truffière will have a significant negative impact on the truffière as an agritourism destination of choice.	El, LUC, N	Refer to discussion under key issues in assessment report.
	3) Agritourism, Impact on Farm Stay – our future planning, investment and development includes consideration of the potential for farm stay or bed and breakfast accommodation leveraging our truffière and ideal location amongst the regions wineries. An industrial scale battery facility on the adjacent property, creating a constant auditory emission and being a visual eyesore, will diminish the desirability and amenity of any future accommodation offerings on our property.	El, LUC, N	Refer to discussion under key issues in assessment report.
	4) Risk of Fire – as stated above, the establishment of a truffière is a long term commitment. The heightened risk of fire within close proximity creates a significant risk to our investment. If a fire does result and the trees are destroyed it will take over a decade to return the truffière to its current state and further delay achieving maximum harvest potential from our investment. Should the truffière be destroyed it is not possible for us to achieve full harvest potential within our working lifespan.	F, BF	Refer to discussion under key issues in assessment report.
	In conjunction with our truffière we are registered breeders of Lagotto Romagnolo, Italian Truffle Dogs.	-	Noted.
	We offer a boutique agritourism experience for families seeking to purchase a Lagotto Romagnolo. Our families are personally engaged in their puppy's journey from meeting the sire and dam through visiting their puppy during the eight weeks prior to collecting.	-	Noted. Refer to discussion generally in assessment report. Also noted that a review of Council's files has been unable to find any details of development consent for 'animal breeding and training establishment' for this property.

	<p>Our kennel has drawn visitors to the region from NSW, ACT and Victoria. Our clients located further away have opted to travel to Murrumbateman spending at least one weekend taking advantage of the local agritourism and viticulture options when collecting their puppy.</p>	-	<p>Noted. Refer to discussion generally in assessment report. Also noted that a review of Council's files has been unable to find any details of development consent for 'animal breeding and training establishment' for this property.</p>
	<p>Our activities enhance the regions reputation as an agritourism destination. Likewise the location and the ability to offer agritourism activities increases our competitiveness against other kennels. The establishment of an industrial battery facility will have a tangible negative impact on our current and future activities. Concerns include but are not limited to:</p>	C&S, LUC, EI	<p>Noted. Refer to discussion generally in assessment report, including under economic impact. Also noted that a review of Council's files has been unable to find any details of development consent for 'animal breeding and training establishment' for this property.</p>
	<p>1) Impact on Dog Health - We are concerned the noise created by the facility 24 hours a day, 7 days a week, 365 days a year will have a negative impact on the health and wellbeing of our dogs. Research has indicated consistent exposure to loud sounds can result in stress associated with fear and anxiety and negatively impact dogs health, welfare, behaviour and lifespan (Grigg et al, 2021).</p>	AH, N	<p>Refer to discussion under key issues in assessment report.</p>
	<p>2) Impact on Competitive Pricing – Part of the appeal of [our kennel] is the location. Clients tell us our location amongst the wineries of Murrumbateman encourages them to visit, spend the weekend and collect their puppies. When viewed on Google Earth the scale of the proposed development directly adjacent to our property will negatively impact on our clients decision to attend Murrumbateman and collect their puppies. This will result in increased costs due to the need to transport puppies across the country to their new owners. This will have a tangible impact on our competitiveness with other kennels.</p>	EI	<p>Refer to discussion generally in assessment report, including under economic impact.</p>

	<p>3) Agritourism, Impact on visitors experience – Clients of are seeking a boutique agritourism experience. They visit our property and spend time with our dogs and their puppy in a tranquil and beautiful setting. An industrial scale battery facility on the adjacent property, creating a constant auditory emission and being a visual eyesore, will diminish our ability to deliver this boutique experience.</p>	<p>C&S, LUC, N, V, EI</p>	<p>Refer to discussion generally in assessment report, including under economic impact and key issues.</p>
	<p>4) Agritourism, Impact on Truffle Dog Training – This season we have begun working with our clients and their puppies through truffle hunt training. Important to the experience is the picturesque and tranquil nature of the truffière and surrounds. We are concerned the sound in particular will impact on the ability of visiting dogs to focus and learn. The development of an industrial scale battery facility that will be visible and audible from the truffière will have a significant negative impact on the ability of [our kennel] to offer truffle dog training as an agritourism activity.</p>	<p>C&S, LUC, N, V, EI</p>	<p>Refer to discussion generally in assessment report, including under economic impact and key issues. Also noted that a review of Council's files has been unable to find any details of development consent for 'animal breeding and training establishment' for this property.</p>
	<p>5) Impact on Animal Boarding – our future planning, investment and development includes consideration of the potential for offering dog boarding. An industrial scale battery facility on the adjacent property, creating a constant auditory emission and being a visual eyesore, will diminish the desirability and amenity of any future animal boarding offerings on our property.</p>	<p>C&S, LUC, N, V, EI</p>	<p>Refer to discussion generally in assessment report, including under economic impact and key issues.</p>
	<p>Summary - We consider the proposed development will have significant negative impacts on our current and future activities, investment and development opportunities. The proposal appears to be in conflict with existing investment in the region by Council and private business, including ourselves. We further consider the proposal to be prejudicial to future planning within the RU4 zone surrounding the facility by setting a precedent encouraging investment in industrial</p>	<p>Z, EI, LUC</p>	<p>Refer to discussion generally in assessment report, including under economic impact, LEP and key issues.</p>

	development in the region at the expense of existing agritourism and viticulture activities.		
	We respectfully request the proposal not be supported by Council	-	Assessment report is presented for consideration by the SRPP as the consent authority
19	I wish to make an objection to the development proposal the subject of DA 240159 on the following grounds	-	Objection noted.
	The Noise Emission Assessment report by Watson Moss Growcott is fundamentally flawed in that it fails to take into account the potential future development of the subject and surrounding properties. Given that the life of the power storage plant is projected to be 40 years this is a serious error.	N, SD	Refer to discussion under key issues and Yass Valley Settlement Strategy in assessment report.
	The report proceeds on the basis that the site (and surrounding land) is 'currently vacant grassland which in some instances includes scattered residential premises' (p4). The report identifies that residual noise levels at RO1 and RO4 receptors (nearby residences) have the potential to be higher than the Project Trigger Noise Levels during the evening and night (p14) – identified as an unacceptable level of noise. Its solution to mitigate this is to build 4.5 and 3.4 metre high walls around the storage site (p15). The report goes on to identify potential emission of noise with a tonal character audible to nearby residences but relies on the 'spatial separation' (distance) of location of residences from the site to justify a conclusion that this will not be a problem (p16). These analyses, including the potential impact of noise emissions on residences, rely heavily on the present locations and distances of current residences from the power storage site.	N, SD	Refer to discussion under key issues in assessment report.

	This approach fails to take into account the fact that the current land use zoning of this land (RU4) provides for these properties to be developed for dual occupancy with consent. Dual occupancy development on any of the surrounding properties will make the conclusions in the report relying on distances from nearby residences invalid and supporting analysis redundant.	N, DO	Refer to discussion under key issues in assessment report.
	The modelling and analysis should take into account each potential house site supporting a second residence in each property, or failing that, adopt an analysis using distances from the storage site to the nearest boundary of each neighbouring property. If this were to be done it would be highly likely that the potential noise emission impacts on surrounding residences would be much greater than reported here and be considered completely unacceptable.	N	Refer to discussion under key issues in assessment report.
	Further, it is conceivable that in consideration of a development application for dual occupancy by a neighbouring property owner, Council may be constrained in granting the DA on the basis that a power storage facility exists on 3 Turton Place and that the impact of noise emissions will be prejudicial. This has the potential to not only undermine the intent of the current RU4 planning zone, but to deliver a manifest injustice to property owners who would otherwise have a DA for dual occupancy considered free of the prejudice of the effects of the power storage plant.	N, DO, Z	Refer to discussion under key issues and LEP in assessment report.
	Granting approval for this development will significantly reduce Council's flexibility in making decisions about managing future development of land in this area in the medium to longer term including the potential to rezone from RU4 as Murrumbateman grows over the next 40 to 50 years.	SP	Whilst the area may be subject to more intense large lot residential development in the future, this is likely to be on a long-term timescale, consistent with the 40-50 years mentioned in the submission. This is beyond the anticipated life of the BESS.

Prohibited development. It should be noted that a Power Storage Plant is a prohibited development under RU4.	Z	Refer to discussion under LEP in assessment report.
The Statement of Environmental Affects report prepared by Premise identifies a legal work around this LEP prohibition by reference to State Environmental Planning Policy (Transport and Infrastructure) 2021 (p17) which permits development of electricity generating works by consent on the basis that this land is zoned RU4 and therefore it is 'non-residential land'. This is purely a technical legal analysis which ignores the on-ground reality in this case that with the relatively small land plots of the surrounding properties (16 Hectares) there are people (my family included) living in relatively close proximity within 550 metres of the proposed plant who will be subject to unacceptable levels of residual noise emissions as identified by the Acoustic report. This problem is further compounded when one takes into account the potential establishment of second residences on each property under dual occupancy development permitted with consent under the LEP for RU4 zone as discussed above.	Z, N	Although legalistic, the permissibility is correctly determined in this manner as outlined under SEPP and LEP in assessment report.
The SEPP merely changes the status of the proposed development from 'prohibited' (as provided by the LEP to one 'permitted by consent'). Council has the ability to withhold its consent to the power storage plant proposed in the DA.	Z	Refer to discussion under SEPP and LEP in assessment report. Matters for consideration in determining whether to grant consent are specified in s4.15 of the Act.
In my submission, the local circumstances on the ground at surrounding properties discussed above and the potential future use of this land for dual occupancy provided by the LEP for zone RU4 are compelling reasons for Council to reject this DA and the proposed development for electrical storage plant on the basis that an electrical storage plant is likely to significantly negatively impact existing and future residents for the next 40 years.	DO, Z, SP	Refer to discussion in assessment report generally, including under key issues, LEP and Settlement Strategy.

	Compromised visual amenity. The proposal to build walls 4.5 and 3.4 metres high around the power storage plant to mitigate noise emissions will serve to negatively affect the visual amenity of this small valley. One of the great attractions valued by the people who live in and visit this community is the unique rural landscape and views it affords.	VI, AB, A	Refer to discussion under key issues in assessment report.
	The storage site and walls will be visible in a direct line of sight from the front door of my house about 550 metres away which sits on a moderately elevated site. It will also be visible from our neighbour's house which is much closer. I therefore entirely disagree with the comments at paragraph 5.8 of the Statement of Environmental Affects report prepared by Premise. Contrary to the report's conclusions, the topography of the site, the separation distance from affected properties and vegetation surrounding the site will not obscure direct views of the site of the plant walls from my veranda or my neighbours home. In fact there is a direct line of sight from my residence to the proposed power storage plant walls if the development proposal proceeds.	VI	Refer to discussion under key issues in assessment report.
	I note our residence was not included in the Noise Emission report as an affected residence which in itself represents methodological error potentially producing skewed results and invalid conclusions.	N, SD	Noted. Sensitive receivers have now all been identified and considered in revised acoustic report.
	Reduction in land value. The existence of a power storage plant has the very real potential to reduce the value of surrounding properties as a result of the unattractive prospect to potential purchases of being located next to an industrial power storage plant carrying the amenity disadvantages discussed here. This has the potential to significantly penalise existing landholders financially.	Val	Not a valid planning consideration.

	I have discussed these issues with my neighbour who has asked me to note here that he agrees with and fully supports the submissions contained in this letter	-	Noted.
20	I am the titleholder of [nearby property] which shares a boundary fence approximately 400 metres from the proposed industrial development site. I purchased the block in 2014 and, as always planned, I will build a residential dwelling on my 27-hectare property and commence the DA process later in 2024.	-	Noted. No existing dwelling on this lot.
	My planned residence has not been afforded any consideration within the battery development application, and yet my residence will be located at a roughly similar proximity as other residential dwellings that have been specifically considered in the proposed battery development application and acoustic management. The proposed acoustic barriers to the industrial site are not orientated to shield a residence on – specifically, there is a large gap in the proposed acoustic barriers facing my property.	N	Acoustic report peer review and the revised acoustic report considered noise in relation to a potential dwelling on this lot.
	I also wish to raise concerns about the inadequacy of the process. The application was only brought to my attention by a neighbour, and I am concerned that the period for making a submission has been inadequate (less than 28 days)	CC	This property was not an immediately adjoining land owner, and therefore was not picked up in the original public exhibition extent by direct neighbour notification letter. The submission has been considered in the assessment and they have received notification in subsequent public exhibition periods. Refer to discussion under community consultation in assessment report.

	The application process does not constitute genuine community engagement on what is a highly technical development application and a significant proposed change in land use for the area.	CC	Refer to discussion under community consultation in assessment report.
	The proposed industrial project is self-described as ‘pioneering a first of its kind solution’, and the technologies require a more robust planning assessment process that recognises risks, costs and liabilities over the lifetime of the project in its currently proposed location. I urge the Council to thoroughly review the consultant reports, which provide the veneer of rigor and credibility but are largely based on assumptions and include inconsistencies – for example, a two-row landscape area is proposed in one attachment and a one-row landscape area is proposed in another attachment.	SD	Landscape plan has been revised during the assessment to address the inconsistency.
	1. Approval of the development application would represent an ad-hoc planning approval and an unpredictable change of land use that is contradictory to the Yass Valley Settlement Strategy 2036 (the Strategy).	YVSS, SP	Refer to discussion under Settlement Strategy in assessment report, and more generally including LEP in relation to land use conflict.
	a. The Strategy recommends that: ‘Future development, particularly at the residential/agricultural and residential/industrial interfaces should be planned for and managed to minimise conflict between adjacent land uses’.	YVSS, SP, LUC	Refer to discussion under Settlement Strategy in assessment report, and more generally including LEP in relation to land use conflict.
	b. This recommendation should be upheld, such that residents, developers and the community have confidence in planning processes, especially where a proposed change of land use would affect land values, amenity of residents and the development potential of surrounding land uses.	YVSS, SP, LUC, Val	Refer to discussion generally in assessment report.

c. The proposed development is an ad-hoc and unpredicted proposed change of land use, which has not been 'planned for or managed' to minimise conflict with adjacent land uses.	LUC	Refer to discussion under Settlement Strategy in assessment report, and more generally including LEP and key issues.
d. The landholder of 3 Turton Place could never have purchased their property with the expectation or intention of using the land for the purpose proposed in the application. In contrast, surrounding landholders would find their land uses, amenity, and land value (including development potential consistent with established land uses) negatively affected.	A, LUC, Val	Refer to discussion generally in assessment report.
e. Conflicts between land uses within the Murrumbateman area are well-explored within the Strategy. Indeed, p. 67 of the Strategy identifies that 'it is a priority that a specific area is set aside for industrial and commercial uses' to address the loss of amenity to residential properties from industrial and commercial uses.	LUC, YVSS, A, SS	Refer to discussion under Settlement Strategy in assessment report, and more generally including LEP and key issues.
2. Approval of the development application would undermine the credibility and intended function of the Murrumbateman Masterplan 2031, which identifies the proposed development area as within a "Winery Precinct with a minimum 16-hectare lot size".	YVSS, C&S	Refer to discussion under Settlement Strategy in assessment report.
a. In effect, the proposed application amounts to a change of zoning or a sub-division in terms of the significant change in land use and scale of impacts on surrounding landowners (including land values, amenity and development potential for more compatible land uses consistent with the Primary Production Small Lot and 'Winery Precinct' zoning). Specifically, the approval of the application would result in two unrelated land uses, with two separate access roads, inconsistent building structures across two distinct locations, and two discrete land use operators (with a complex array of contracts for construction, operation and maintenance over the lifetime of the project).	Misc	Refer to discussion generally in assessment report. There are many instances on rural properties where there may be two distinct land uses within a lot.

b. Lot 23 DP 248413 is inadequately sized to be (effectively) subdivided into two 16-Ha minimum sized lots, while any re-zoning to change the Primary Production Small Lot and 16-Ha minimum lot holding would require significantly more onerous community consultation and detailed consideration of the implications.	Misc	There is no subdivision proposed and the proposed development is not considered an effective subdivision.
c. The proposed development application is akin to a sub-division and has the potential to harm the objectives of the Yass Valley LEP 2013 regarding minimum subdivision lot size, which include: to minimise likely impact on the amenity of neighbouring properties; give appropriate regard to characteristics of the land and rural environment (in this instance, a Winery Precinct); to ensure subdivision occurs in a planned and sustainable way; and to avoid negatively influencing the layout of future urban areas.	Z, SP	There is no subdivision proposed and the proposed development is not considered an effective subdivision. The objectives of the zone have been considered in the assessment report under LEP in relation to the proposed development. Whilst the area may be subject to more intense large lot residential development in the future, this is likely to be on a long-term timescale.
d. The Murrumbateman Masterplan 2031 identifies more compatible land use areas for industrial battery facilities, including: 19. Industrial; 20. Land retained for industrial expansion; and 9. to 11. Field Exhibition, Recreation Reserve and open space areas. These alternative areas represent more compatible land uses for the proposed development, including with underground access to nearby electricity transmission.	YVSS	DA has to be assessed based on the proposed site, not another potential site.
e. Approval of the proposed development would undermine more compatible development and investments that will generate income within the Winery Precinct. For example, the proposed development would change the character and amenity of the Winery Precinct and deter more sympathetic investment in short-stay tourist accommodation. The Masterplan recognises the limited availability of short-stay accommodation at present.	EI	Refer to discussion under Settlement Strategy, economic impact, and key issues in assessment report.

	The development proposal would foreclose future land uses and planning options that may need to be considered to accommodate Murrumbateman's forecast 10,000 population and would be contradictory to the Yass Valley's LEP core planning principle: 'to avoid negatively influencing the layout of future urban areas'.	SP	The site is located in the RU4 Primary Production Small Lots area, but towards the eastern (outer) edge of that zone. Whilst the area may be subject to more intense large lot residential development in the future, this is likely to be on a long-term timescale. It is not in an area which is intended for urban purposes within the life of the BESS.
	3. The proposed development application does not represent efficient infrastructure investment – as per the recommendations of the Yass Valley Settlement Strategy.	YVSS	Noted. However, efficiency of investment decision in private infrastructure by an individual proponent is generally beyond the scope of consideration as a valid planning issue.
	a. Investment in commercial scale batteries should be coordinated in partnership with, or directed by, the licenced Distribution Network Service Provider (DNSP), the local council, and with the developers of new residential or industrial areas (including in conjunction with the scoping of the North Murrumbateman development).	Misc	Noted and this could be preferred. However, the proposal presented in the application must be considered and determined, not another alternate proposal. The investment decision in private infrastructure by an individual proponent is generally beyond the scope of consideration as a valid planning issue. More broadly, this is a policy issue.
	b. DNSPs are in a superior position to rollout community scale batteries, with knowledge of where best to locate them and easy access to existing assets, infrastructure and know. DNSP-led battery solutions avoid more costly infrastructure upgrades across the network and benefits accrue to all electricity consumers.	Misc	As above.

c. Conversely, big battery developers are pursuing projects for their own investment returns, they are not community-owned or regulated, unlike DNSPs, to deliver the greatest net benefits to electricity consumers. Requiring a bespoke, uncoordinated and uncertain development application for each of these projects raises the costs of development, especially when proposed in established residential areas where land use conflicts arise, which ultimately makes such battery solutions more expensive for electricity users.	El, Misc	Refer to discussion in assessment report generally, including economic impact. The investment decision in private infrastructure by an individual proponent is generally beyond the scope of consideration as a valid planning issue. More broadly, this is a policy issue.
4. The change of land use proposed by the applicant would represent an unpredicted and substantially different land use to anything currently within the "Winery Precinct", which requires more thorough planning and management of risks over the lifetime of the development- particularly acoustic, fire and groundwater risks and end-of-life project costs.	C&S, N, F, GW, Dec	Refer to discussion in assessment report generally, including under Settlement Strategy, LEP, and key issues.
a. The application states that the proposed facility 'will include electrical infrastructure which will generate noise emissions with the potential to impact on the acoustic amenity of the surrounding environment including at residential receptors'.	N	Refer to discussion under key issues in assessment report.
The planned location of my future residential dwelling has not been evaluated as a 'noise sensitive receptor location' and was omitted from the 'noise mitigation strategies' that have been proposed to reduce adverse impacts at nearby residential locations. Figure 2 shows a large gap in the proposed acoustic barrier, which has been oriented towards [my property].	N, AB	Acoustic report peer review and the revised acoustic report considered noise in relation to a potential dwelling on this lot.
c. The application identifies that 'based on the nature of the development, there is the potential for fires to initiate from the components within the site'. The technologies incorporate some precautions to contain the fire, however, the risk of toxic chemical	F, T, Exp	These individual risks are discussed within the assessment report.

	escape, thermal runaway and an uncontained explosion cannot be ruled out.		
	d. The real-life operating performance of battery facilities is still being evidenced, with many projects malfunctioning in real-world conditions and more affected by human and system errors than would be predicted by controlled test settings. This reality demands a cautious approach to approval of proposed sites in established areas with distinctly different land uses. If approved in the current location, stronger planning conditions and compliance requirements are necessary.	-	Noted. Recommended draft conditions have been presented to the SRPP for consideration.
	e. Given the potential for an intense, self-sustaining fire and chemical leakage, any approval needs to impose greater planning precautions and conditions.	F, Misc	Individual risks are discussed within the assessment report. Recommended draft conditions have been presented to the SRPP for consideration.
	i. The proposed distance between the batteries and the landscaped area is approximately 10-13 metres, consisting of grass less than 100 millimetres mown in height. It is implausible that this height of grass will be maintained year-round and, if it were, gravel solutions would likely be both more effective and less costly overall. The proposed bi-annual auditing would be insufficient.	BF	Refer to discussion under key issues in assessment report.
	ii. I question whether the 10-13-metre distance from the batteries to the landscaped area is sufficient to contain a fire initiating from within the facility, especially with an intense fire and the proximity of trees planted within the landscaped area. I note that the development plans are misleading, or inconsistently detailed, as to whether there would be a single or double row of trees within the landscaped area.	BF, L	Amendment to proposed APZ was made in response to advice received from the RFS. The relationship between the proposed landscaping and the APZ has also been clarified. Landscape plan has been revised during the assessment to address the inconsistency.

	<p>iii. Chemicals may not be fully contained, and there could be potential for runoff or leakage into the groundwater. My sole permanent water source is a spring-fed dam (supplied directly from the groundwater), which is in close proximity of the proposed development. The fact that my dam is predominantly supplied by an underground water reservoir and the nearby bore access point (GW416988) naturally discharges underground water is inconsistent with the claims of the consultant's report attached to the development application. The report claims that bore GW416988 has a standing water level 20 meters below ground level, which does not accord with the natural overflow of water from the groundwater access point and the near-permanent sustainment of the dam from a groundwater reservoir. This is also evident from satellite imagery, which shows the distinctly different colour of the dam water at , in contrast to other dams in the area that are supplied by water runoff (Figure 3). Given this apparent inaccurate characterisation of the surrounding groundwater properties, insufficient regard is given to chemical risks in the development application.</p>	GW, SW	Refer to discussion under key issues in assessment report.
	<p>f. Such a substantial change in land use requires a thorough and involved process of engaging the local community (including professionals within or independently contracted by the Council) to appraise the nature of the proposed development and associated risks. I urge the Yass Valley Council to consider the risks and full potential costs to the proponents, nearby landholders and current and future ratepayers over the lifetime of the development.</p>	CC, EI	Refer to discussion generally in assessment report.
	<p>i. This should include costs in the event of malfunction, fire/explosion, chemical leakage into soil, runoff and groundwater, and remediation.</p>	SC	Refer to discussion under key issues in assessment report.

	ii. The application did not substantially address facility closure and remediation arrangements.	Dec	Refer to discussion under key issues in assessment report.
	iii. In the event of a malfunction, it is unclear from the application what remediation would be required, what costs could be involved, and who would be liable and have adequate financial security.	Misc	Refer to discussion under key issues in assessment report. Issues of liability and financial security are not valid planning considerations.
	5. The applicant and operator essentially propose to self-assure compliance within construction and operating safety limits. The enforceability and consequences of non-compliance are unclear within the application, while the extreme consequences of any inadequate maintenance and real-life system faults could be borne by nearby landowners. A more appropriate planning process would:	C&E, Misc	Noted.
	a. Allow the Council to assure surrounding landholders of robust risk controls and compliance and enforcement procedures, having regard to multiple options to manage risks within the risk appetite of the community and surrounding landholders.	C&E, Misc	Noted.
	b. Consider the risk of unsafe and cost-minimising practices and decisions.	Misc	Noted.
	i. The proponent intends to contract out the operation and maintenance of the facility, potentially increasing risks if not well-managed through contract terms.	Misc	Not a valid planning consideration.
	ii. The proponent is investing in an uncertain market, in which battery investments could occur more efficiently through Distribution Network Service Providers (DNSPs) and community-led solutions integrated into new developments. There is a risk that the battery asset is less profitable than expected, which could compromise incentives to strictly observe safety and maintenance procedures without stronger audit, compliance and enforcement requirements	Misc	Not a valid planning consideration.

c. Require stronger safety assurance mechanisms around extreme and catastrophic fire risk days, to guarantee that the facility is not in use and not reliant on human involvement (as proposed in the application).	F, BF	Refer to discussion under key issues in assessment report.
6. Noting that I have raised significant concerns and oppose the approval of the application, if it were to be approved, an acoustic barrier would need to be incorporated to shield sound travelling towards my residence.	N, AB	Refer to discussion under key issues in assessment report.
a. Currently, the acoustic mitigations fail to include a barrier oriented towards the location of my proposed residential site.		Refer to discussion under key issues in assessment report.
I request that the Council provide a version of the policy (Planning Framework) that will be used to assess the project in its current proposed location. A policy to specifically address land use conflict associated with such energy proposals in the Yass Valley is required and should be developed in close consultation with the community in advance of any ad-hoc project approvals. The planning process must identify how such projects will provide lasting community benefits within the Valley, enhance environmental assets and sustainable development in the region, and protect agricultural land and water resources.	Misc, LUC, CC	The application has been assessed under the framework of the Act, specifically s4.15. The assessment report follows this framework. It is not appropriate for Council to develop and apply a policy retrospectively to the development application as requested. It is also noted that in the event of inconsistency, the provision of the NSW SEPP prevails. Also refer to further discussion in relation to the applicability of Part L of Council's DCP in relation to 'renewable energy development projects'.
Lastly, concerns of Murrumbateman community members should be weighted considerably higher than any support for the application that may be expressed from those residing in more distant locations not directly affected by the proposal.	Misc, CC	Noted.

21	I am writing to ask that if you approve the application to place a large storage battery at Turton Place Murrumbateman, you impose certain conditions upon the project.	-	Recommended draft conditions have been presented to the SRPP for consideration.
	I am concerned about the negative impact that the proposal will have on the values of close by properties. It is not fair that people may suffer a windfall loss. Please speak with licenced values and facilitate appropriate compensation from the proponent for properties impacted.	Val	Not a valid planning consideration.
	The negative impacts are mainly driven by the prospect of noise and risk of fire.	N, F, BF	Noise and fire have been considered in assessment report.
	I live out of the range of noise and wouldn't seek any compensation but I am well within the area that would likely be impacted by any fire that starts east of the Barton Highway. Fires do a lot of damage and they frighten people and they absorb a lot of resources to control them and rehabilitate areas affected.	N, F, BF	Noted.
	Therefore I request that you impose the following condition: "The manager of the battery storage system shall, as well as meeting all conditions to minimise and contain any fire on site, organise an on-site meeting in October each year. Attendees at the meeting shall include at least a Southern Tablelands RFS manager and the Captains of Murrumbateman, Springfield, Yass River Nanima and Back Creek brigades. The meeting shall determine what maintenance work is to be undertaken urgently before the most dangerous part of the bushfire season commences."	F, BF	Noted. Condition of this exact nature was not recommended by the NSW RFS in their response; however, the required consolidated management plan can include for coordination with the local RFS prior to the beginning of each bushfire season.
22	I am writing to object to the DA proposing a battery storage facility at 3 Turton pl Murrumbateman for the following reasons.	-	Objection noted.

A battery farm does not appear to come under permitted development for this zone.	Z	Refer to discussion under LEP in assessment report.
Rather than "minimise conflict between land uses within this zone", I think that it will potentially cause considerable conflict with the adjoining properties. The area is not suited to an industrial operation as the location is in a highly valuable wine growing area.	LUC, C&S	Refer to discussion generally in assessment report, including under LEP.
The proposed site is in close proximity to established vineyards, namely Dionysu and Four Winds. There has been no acknowledgement made as to the impact that this battery storage will have on surrounding businesses.	LUC, C&S, EI	Refer to discussion generally in assessment report, including under economic impact and key issues.
Murrumbateman is a very unique area that survives on Agritourism. It needs to be preserved.	LUC, C&S, EI	Noted.
I feel that a development of this scale will have a detrimental impact on the rural landscape and will not be disguised by a bit of landscaping.	VI	Refer to discussion under key issues in assessment report.
In recent years the Australian wine industry has suffered economic loss from China's trade embargoes, loss of business from Covid lockdowns and has suffered from extremes in climate. It's an industry that needs our continued support.	-	Noted.
The applicant has noted that the facility will be in the 'public interest'. I don't understand how this facility will benefit me? Energy will be stored from the grid.. then who is it sold to? Why store energy from the grid to sell it back to the grid? I would have a better understanding of its purpose if it was connected to a solar or wind farm and it was storing renewable energy. I don't understand the necessity to invest \$5.6 millions in this project...in this location.	Misc	Refer to discussion under public interest and economic impact in assessment report.

	The noise impact statement is based on assumptions and bears no relevance to what may occur at the actual site. This report is irrelevant and should be disregarded.	N	Refer to discussion under key issues in assessment report.
	I am very concerned about the potential fire risk to the area. The fire report downplays the risk to surrounding properties and the township of Murrumbateman. How would the local RFS deal with a fire from this source?	F, BF	Refer to discussion under key issues in assessment report.
	To conclude: To have a battery farm of this capacity, in this beautiful location, is not in keeping with the zoning criteria. It is potentially damaging to existing primary industries in its immediate locality.	Z, LUC, C&S, EI	Assessment report is presented for consideration by the SRPP as the consent authority
23	We are writing this letter in objection to the proposed Murrumbateman Distribution Battery Energy Storage System.	-	Noted.
	We moved here for the peace and quiet and so I could be with my animals as I have mental health issues which include anxiety, OCD and depression.	-	Noted.
	I rarely leave the property due to not been able to deal with ppl and noise etc, the proposed Battery Storage Systems noise will impact not only my life but my families as well.	-	Refer to discussion under key issues in assessment report.
	I take in rescue horses that have had extremely traumatic lives and get distressed and anxious just from noise and strong winds, I work with them to try and overcome their issues and gain their trust so they can have some kind of normal life again, they don't handle any noises well and I feel that this Battery storage system will only add to their already nervousness and anxiety. I also take in other rescue animals as well as	AH, N	Refer to discussion under key issues in assessment report.

owning 4 dogs, a therapy pig and sheep which also don't tolerate noise.		
I have also looked into other places where the Battery Energy Storage Systems are located and found the insurance policies increase which are already becoming unaffordable to families.	Ins	Not a valid planning consideration.
If a fire was to start it's a hazmat situation and our local rural fire brigade cannot even attend, it would have to be Yass fire Brigade that would have to attend, which by the time they arrived it would be too late to save anything and that's without the environmental impact it has. A fire that started at a facility in Bouldercombe near Rockhampton residents were told it could burn for days and to stay in doors to avoid hazardous fumes.	F, BF, S, Tox	Refer to discussion under key issues in assessment report.
Who is going to be liable if this has an impact on my mental health which I am already medicated for? Who is liable for my family's mental health when it impacts them? Who is liable if anything happens and causes issues to my horses and other animals?	HH	Not a valid planning consideration.
If there was going to be no impact on people's lives that live in this area, why did we only find out about it happening today the 21 st July 24? And I know of other residents in the area that have only just been told, how many others don't know still?	CC	Refer to community consultation in assessment report.
Yass Valley Council there is a lot of questions that need answering before this goes ahead and also local residents in the area need to be made aware of the proposed project and not kept in the dark to only find out after the date has passed to object.	-	-
I would appreciate a reply to my letter of concern as soon as possible due to having anxiety attacks over this proposal.	-	Updates have been provided during the course of the assessment.

24	I am writing to object to this development for the reasons set out below.	-	Objection noted.
	The address subject to the application, 3 Turton Place Murrumbateman, is zoned RU4. YVC must reject this proposal as the LEP does not explicitly state that a battery farm is permissible on this site.	Z	Refer to discussion under LEP in assessment report.
	The area is not suited to an industrial operation of this nature due to the impact on critical tourism drivers to this region, including Four Winds and Dionysus wineries. This part of Murrumbateman is predominantly used for small hobby farms in a large lot rural residential setting. The proposal is completely incongruent with this surrounding use.	C&S, EI	Refer to discussion generally in assessment report, including under LEP, economic impact, suitability of the site, and key issues.
	Its impacts on surrounding properties (noise and fire) has not been appropriately articulated nor mitigated in the application.	N, F, BF	Refer to discussion under key issues in assessment report.
	As I live within three kilometres of this development I am concerned that no proper consultation has been undertaken to explain the detail of the proposal and what measures have been planned to minimise impacts.	CC	Refer to discussion under community consultation in assessment report.
	I am deeply concerned about noise and the erosion of the rural residential nature of the eastern part of Murrumbateman.	N, C&S	Refer to discussion under key issues in assessment report.
	Not all residents receive or read the local news so they would be unaware of this development proposal which will have tangible impacts on surrounding communities. I only heard about it through a letterbox drop from a concerned resident. This is appalling given the	CC	Refer to discussion under community consultation in assessment report.

	scale and impacts this development will have on the local community (not just immediate neighbours).		
	In particular it is not clear how the applicant proposes to manage fire risks associated with a battery farm noting that this area is subject to high winds and drought.	F, BF	Refer to discussion under key issues in assessment report.
	YVC should reject this proposal on the basis that:	-	Assessment report is presented for consideration by the SRPP as the consent authority
	It is not permissible under the current local environment plan	Z	Refer to discussion under LEP in assessment report.
	Insufficient consultation with the community has taken place and that insufficient detail has been provided as to how noise and fire risks will be managed and mitigated.	CC, N, F, BF	Refer to discussion under community consultation and key issues in assessment report.
	The proposal is not in keeping with the rural lifestyle and setting of the surrounding community and will ultimately detract from Murrumbateman being seen as a premier tourism and residential destination.	C&S	Refer to discussion generally in assessment report, including under LEP, economic impact, suitability of the site, and key issues.
25	I have lived in the Murrumbateman area for approx. 41 years and have seen the broader area change significantly over these years. I understand that change and development is inevitable, and in principle I am in support of change and progress overall. I also understand that if it were not the case, the majority of us would not reside here now. I have also been an active member /volunteer firefighter with the Springfield Rural Fire Brigade (SRFB) for approx.. 40 years to the present, including the role of Captain on 2 previous occasions. DA	-	Noted.

240159 is within the SRFB boundaries and is approx. 1.5km from the SRFB Northern Station.		
I have a few questions and concerns/comments (in bold) for clarification please.	-	-
1. Assuming the proposal is approved does this “green light” any future expansion of the site/ BESS system without the need for further DA’s.	Misc	Any request for expansion would be subject to consideration of a further development application.
2. Aerosol fire extinguishing system. Therefore, a container will automatically suppress an internal fire in the first instance..... What is plan B should the automatic Aerosol fire extinguishing system fail and/or reignition occur post deployment of the system?	F, BF	Refer to discussion under key issues in assessment report.
3. The battery type is a lithium-Ion phosphate (LFB) which are considered to be one of the safest battery chemistries within the industry.....What are the Bi products if/should combustion/ fire of these batteries occur?	F	Refer to discussion under key issues in assessment report.
4. And if so, what are the Evacuation Considerations first responders should consider and implement ? What are the minimum PPE considerations given that none of the local NSW RFS Brigades have breathing apparatus or Hazmat Capabilities ?	F, Tox, HH	This is a matter which is more appropriately considered by the relevant emergency services agencies outside of the development application planning considerations.
5. A minimum of 20,000L of static water should be located within the development site.....Should be or will be? If so what’s the proposed location and how will this be supplied and replenished? I could not see the location on any of the drawings submitted within the DA.	F, BF	20,000L is proposed and is required as per draft recommended conditions.

	6. From my experience and in my opinion the proposed native vegetation buffer plantings are far too close to the proposed assets to provide defensive protection safely and effectively from an approaching/ impacting fast moving grass fire. In addition, the drawings only show one point of entry and egress into the proposed fenced compound area on the SE corner. I believe one access/egress point to be unwise and potentially unsafe when surrounded by the vegetation buffer consisting of native species.	BF	Amendment to proposed APZ was made in response to advice received from the RFS. The relationship between the proposed landscaping and the APZ has also been clarified. Landscape plan has been revised during the assessment to address the inconsistency. Extend of entry/exit into the compound has increased with reduced acoustic barrier.
	7. Worst case scenario, the proposed BESS facility catches fire from within (nongrass/bushfire related) and the automatic suppression system fails.. my understanding is that significant amounts of water (greater than 20KL) is/are potentially required to cool and eventually extinguish . The contaminated water runoff is generally always an afterthought for hazmat jobs..... Would it not be an environmentally friendly “green” proactive approach to consider contour drains, catchment ponds, bunding’s etc in the construction phase?..... Rather than the alternative of the scrambling reactive approach to contain runoff during /or after the fact.	F, BF, FFW, GW, SW	Refer to discussion under key issues in assessment report.
26	The following questions, I feel need to be addressed in relation to the above DA	-	-
	In the event of a fire, will the suppression system extinguish the fire?	F	Refer to discussion under key issues in assessment report.
	If toxic smoke is released into the atmosphere how will it affect people, pet's, livestock, grapes, vegetables,birds,bees, insects and other living creatures?	S, Tox, HH, AH	Refer to discussion under key issues in assessment report.

	If firefighting efforts create vast amounts of water as runoff, how will it affect the soil and waterways?	FFW, SW, SC	Refer to discussion under key issues in assessment report.
	Would compensation be paid in the event of a fire?	-	This is not a valid planning consideration.
	Would insurance policies be affected by the BESS, with or without an incident?	Ins	This is not a valid planning consideration.
	Are more of these BESS in the pipeline?	Misc	The application is only in relation to the BESS proposed at 3 Turton Place, Murrumbateman.
	Who profits from this facility?	Misc, EI	Refer to discussion under economic impacts in assessment report.
27	I am writing to object to the DA proposing a battery storage facility at 3 Turton Place Murrumbateman for the following reasons.	-	Objection noted.
	1.The address 3 Turton Place comes under RU4 NSW zoning. A battery farm does not appear to come under permitted development for this zone and I am unsure as to why this is even being considered. The applicant has noted that electricity generating works are allowed under the LEP however, specifics of this are not noted on the application and it is not clear to the layperson of what this entails from the Yass Valley LEP 2013. Therefore this does require clarification to the community at large because it lacks transparency.	Z	Refer to discussion under LEP in assessment report.

	<p>2. The area is not suited to an industrial operation as the location is in a highly valuable wine growing region, in particular on the boundary of Dionysus Vineyard and Four Winds across on the corner, measuring 300m and 576m respectively. Other vineyards are 2.1 km - 2.6 km distance and zero acknowledgement has been made in any of the impact statements as to the effect this battery storage facility will have on these businesses. Murrumbateman is a town which relies on agritourism and given that 2.5 million dollars has been invested in bringing the vision of a cycle path to life and encourages visitors to the region, a battery power storage plant being seen from Murrumbateman Road will do nothing to enhance this. Therefore landscape, visual and viewpoint sensitivity have really not been considered and no panoramic baseline photographs have been provided by the applicant to show a genuine overall landscape impact.</p>	C&S, EI, VI	<p>Refer to discussion generally in assessment report, including under LEP, economic impact, suitability of the site, and key issues.</p>
	<p>3. The applicant has noted that the facility will be in the public interest. This needs to be quantified as to who this benefit is because to note 'public interest' is a broad and sweeping statement. Again the comment is ambiguous and lacks context for the Murrumbateman community.</p>	Misc, EI	<p>Refer to discussion under public interest and economic impact in assessment report.</p>
	<p>4. The noise impact assessment was based on assumptions and generalisation as no site visit has been conducted. Therefore without an actual physical assessment the report is irrelevant.</p>	N	<p>Refer to discussion under key issues in assessment report.</p>
	<p>5. The applicant is also noted to have advised that vibration intense activities will not form part of the project construction or operational phase and therefore not considered within the assessment. Again this remains unclear as to whether or not it should or should not be considered. As a layperson I would argue that anything relating to power generation and industrial use must have a proper and full noise</p>	Vib, N	<p>Refer to discussion under key issues in assessment report. The nature of the proposed development during operation and construction is unlikely to have any adverse impacts by way of vibration. There are no vibration intensive activities associated with the construction works.</p>

	and vibration assessment done given the proximity to residential and tourist properties.		
	6. I am concerned that the fire report again downplays the risk that this industrial facility poses for the area. The prevailing easterly winds will ensure any contamination will propagate across the whole of Murrumbateman in the event of a fire. Therefore the report is again called into question.	F, BF	Refer to discussion under key issues in assessment report.
	7. Noise mitigation strategies are noted in the report however, nothing is specified. It's also noted that an acoustic barrier is recommended but again there are no details and therefore remains ambiguous in its delivery because the community does not know how this will appear and how it will benefit the area.	N, AB	Refer to discussion under key issues in assessment report.
	8. It is also noted that vegetation is going to be planted and again a photo montage must be provided to enable the community surrounding the proposed facility to determine the effect and visual impact. Again this has not been properly provided and is limited in detail.	VI, L	Refer to discussion under key issues in assessment report.
	As a local resident I am concerned that there has been no proper public consultation with the applicant to better understand their proposal. I have read in the local news articles that the applicant notes that the residents needn't worry about the construction of the facility and that residents can speak to them directly should they have any concerns which while superficially appears helpful, has not been widely advertised. The residents in the area beyond the 1km written notification drop, were unaware that they could do this and nothing is noted on the application or on the YVC website. The applicant has also noted that the facility did not require to have public consultation ie Q & A, which I would disagree with.	CC	Refer to community consultation in assessment report.

	The reports are confusing to the layperson and offer no clarity.	SD	Refer to community consultation in assessment report.
	As we all know reports are written in favour of applicants and the community is rarely given any opportunity to have their concerns answered.	SD	Noted. External advice was sought in relation to review of applicant's information, including key areas of noise (peer reviewed engaged) and bushfire (referral to RFS for advice).
	To have a battery farm of this size in the midst of this area is not only incongruous but not in keeping with the objectives of the zoning criteria.	Z	Refer to discussion under LEP in assessment report.
	I would strongly urge the council to not approve this industrial operation in an area which provides economic benefit for Murrumbateman and the shire as a whole.	-	Assessment report is presented for consideration by the SRPP as the consent authority.
28	I would like to submit an objection to the development application DA240159 at 3 Turton Place Murrumbateman, I do not believe the location is appropriate.	SS	Objection noted.
	It will have a financial impact on homes and businesses in the area from the continuous noise produced from the batteries, as well as health impacts and increased fire risk.	EI, N, HH, F, BF	Refer to key issues and economic impact in assessment report.
	I feel that there should have been an opportunity for community consultation, a longer period for people to review the development application, and the reports within the application cannot be understood by the average reader due to the high level of technical information within the reports	CC	Refer to community consultation in assessment report.

	While the site is in a rural location, there are many homes and some businesses within the area that will be subjected to continuous noise.	N	Refer to discussion under key issues in assessment report.
	Our home is 1.3km from the site, and within the radius that can be affected by noise when the battery storage is operational. The anticipated noise levels can cause health effects, which are likely to have a negative impact on sleep and cause headaches. This sort of noise can be a migraine trigger for myself and others, and cannot be avoided in a location like this that produces noise 24 hours a day. This noise can cause insomnia and disrupted sleep patterns, which are also recognised as migraine triggers, and can increase anxiety and depression in people. These sort of health issues are known to be factors in road accidents that cause injury or death, which is concerning for many users of the Barton Highway.	N, HH	Refer to discussion under key issues in assessment report.
	There are two local businesses that are next door and across the road from the site that will be exposed to the constant noise from the batteries. Four Winds Vineyard is open 7 days a week for wine tastings and wood fire pizza for locals and tourists, and may suffer a financial impact from customers that no longer visit due to the noise. Many people have sensitivity to noise, ie migraine sufferers, neurodivergent people and others, and will avoid visiting businesses that have this sort of noise pollution.	N, EI	Refer to discussion under key issues and economic impacts in assessment report.
	The site and surrounding area does not have access to piped water supply, this increases the risk of uncontrolled fire that is a recognised risk from battery storage, and important to prevent fire spreading if started at the site or from a bush fire. Battery fires can burn for days, the locally stored water on site will not be adequate to manage a fire, and there is no piped water access nearby to supplement this. This increases the risk spreading to neighbouring properties, and will likely result in damage or loss of homes, businesses and other buildings on	F, BF	Refer to discussion under key issues in assessment report.

	properties, as any available water will be used to This may increase potential loss of life or permanent injury to others, who will risk their lives to save their homes if the RFS is using all or most of their resources at the battery storage site.		
	Fumes released from battery fires are extremely toxic, and cause great harm to people and livestock, as well as crops at wineries in the Murrumbateman area (which creates award winning cool climate wines). Many of the local wineries lost all or most of their crops in the 2019/2020 summer due to smoke taint from one of the worst bushfire seasons. This location is extremely unsuitable for battery storage due to this risk.	S, Tox	Refer to discussion under key issues in assessment report.
	There may be a decrease in number of volunteer fire fighters due to concern and fear of toxic smoke produced by fires at battery storage sites.	F, BF, S, Tox	Refer to discussion under key issues in assessment report.
	If there is a fire at the site that spreads to nearby properties and moves quickly up the hill that is between the site and the Ambleside Estate, this could make evacuation of Broughton Circuit/Ambleside Avenue properties due to having only one entry/exit to the estate. Our home would be one that could be impacted by fire in these circumstances, particularly in a day with strong winds which are common in this area.	F, BF	Refer to discussion under key issues in assessment report.
	House values will be significantly affected due to noise levels, fire risk, and health issues from the battery storage. It will also be more difficult to sell homes as people won't want to move close to batteries emitting noise and the risk of fire that is difficult to put out, and toxic smoke produced.	Val	Not a valid planning consideration.

	Insurance premiums will be severely impacted due to the fire risk, and the related expectation of damage or loss of property and lives if there is a fire at the site or a bushfire.	Ins, F, BF	Not a valid planning consideration.
	The site will be a priority for RFS and emergency services to protect, and nearby homes and businesses will be lost as a result both from lack of water in the area, and limited fire trucks and personnel.	F, BF	Refer to discussion under key issues in assessment report.
	I am a very strong supporter of renewable energy to help manage climate change, but this location is not appropriate for battery storage. There is already one new housing estate planned nearby that will increase the number of nearby homes, and there will likely be more subdivisions in the future that will increase the population in the area.	SS	May be referring to the subdivision at 80 Murrumbateman Road, approximately 1.6km from the site. Whilst the area may be subject to more intense large lot residential development in the future, this is likely to be on a long-term timescale.
	The battery storage site should be developed in an area that will be more rural than this site in Murrumbateman, and in a location with greater access to water.	SS	DA has to be assessed based on the proposed site, not another potential site.
29	We hereby formally object to DA240159 concerning 3 Turton Place, Murrumbateman, for the Proposed Installation of Distribution Battery Energy Storage System.	-	Objection noted.
	Our residence at [adjoining property] has been entirely disregarded in assessing the impacts of this development.	SD	Sensitive receivers have now all been identified and considered in revised acoustic report. Impacts to this property have been considered as part of the assessment.
	We lack confidence that this proposal will yield positive outcomes for the broader community or that planners have taken the appropriate	CC	Refer to discussion in assessment report generally, including under community consultation.

	steps to inform surrounding residents of impacts and hazards arising from DA240159.		
	The supporting documentation and plans for DA240159 are inadequate for several reasons, including but not limited to:	SD	-
	Mischaracterisations: The assertion that the surrounding area comprises "vacant grassland with scattered residential premises" is incorrect. Our property is fully utilised under RU4 zoning and we reject any assertions that it be considered vacant grassland for planning purposes.	SD	Noted.
	Omission of From Planning: Despite being a separate and inhabited dwelling, (circled in yellow below) has been glaringly omitted from all planning and reporting processes. This omission leaves us uninformed about the potential impacts of the development on our residence.	SD	Sensitive receivers have now all been identified and considered in revised acoustic report. Impacts to this property have been considered as part of the assessment.
	Noise Disturbance: The acoustic report acknowledges 1 Turton Place as the second closest dwelling to the proposed development but fails to identify it as a sensitive receptor. This omission is not adequately explained. 1A Turton Place, is clearly identifiable as being closer than both 1 Turton Place and 5 Turton Place to the proposed development site however has not been assessed for the impact of noise admissions made from the proposed development.	SD, N	Sensitive receivers have now all been identified and considered in revised acoustic report. Impacts to this property have been considered as part of the assessment.
	Bushfire Management: The bushfire management plan demonstrates that the proposed development poses an unacceptable risk level for a residential area. We adamantly oppose the establishment of permanent medium-risk infrastructure situated in high-risk vegetation in such close proximity to neighbouring properties, residences, and agricultural land. Namely, our home, animals and property would face catastrophic consequences in the event of a fire.	F, BF	Refer to discussion under key issues in assessment report.

	In light of these concerns, we respectfully request that the Council does not support this proposal. We appreciate your consideration and welcome any further clarification you may require regarding our objections.	-	Assessment report is presented for consideration by the SRPP as the consent authority.
30	The submission raised concern that the proposed development was actually regionally significant development rather than local development in accordance with State Environmental Planning Policy (Planning Systems) 2021 due to the new definition of estimated development cost.	Misc	Correct. Discussed in assessment report under SEPP (Planning Systems) 2021. The application is RSD and the SRPP is the consent authority.
31	We make the following submission opposing the proposed Distribution Battery Energy Storage System (DBESS) on 3 Turton Place Murrumbateman.	-	Objection noted.
	The proposed development is completely inappropriate for this location and inconsistent with the gazetted Yass Valley Local Environmental Plan 2013 (LEP)	Z	Refer to discussion in assessment report generally, including specifically under LEP.
	This submission includes relevant diagrams, statutory references and reasoning which clearly establish why this development application should be rejected. This reasoning includes the proximity to the Murrumbateman Winery Trail, adjacent truffle and vineyard operations, impact on neighbouring properties and scenic agricultural location.	-	Noted.
	Further to the above is the fact that the proposed development does not and cannot comply with Yass Valley Council Development Control Plan 2024 (DCP).	DCP	Refer to discussion under DCP in assessment report.

	The LEP does not provide any consideration in respect to developments of this type. The development application is within the RU4 zone (Primary Production small lots).	Z	Refer to discussion under LEP in assessment report.
	The proposed electrical generating facility is a permitted use under the SEPP (Transport and Infrastructure). This is due to RU4 being identified as a prescribed non-residential zone, in which electrical generating facilities are permitted with consent. Despite local council provisions, the SEPP (Transport and Infrastructure) takes precedence, which defines RU4 as “prescribed non-residential use”, therefore the electrical generating facility is a permitted use.	Z	Correct. Refer to discussion under LEP and SEPP in assessment report.
	While the land use is permitted due to the SEPP, the Yass Valley Local Environment Plan, as formulated by Yass Valley Council, clearly concluded this specific area was unsuitable for the use. This is due to the unique conditions which are present in this council’s RU4 zoned land – of which there is very little. In this it is noted the SEPP provisions only override the controls that are inconsistent with the SEPP. Just because the use is permitted in the zone, does not mean that it warrants approval against all applicable legislation.	Z	Noted. Refer to discussion under LEP in assessment report. Requires full consideration under s4.15 of the Act.
	The surrounding area is largely residential use, with Murrumbateman town centre located West and North-West, shown as R2 and R5 zones. Subsequently, the RU4 zone acts as a transition between zones, specifically between residential zones to the West and North (R2 and R5) and Production Zones to the East (RU1).	Z	Noted.
	This is evident in the zone objectives for this zone within the Yass Valley Local Environmental Plan, specifically “To minimise conflict between land uses within this zone and land uses within adjoining zones.	Z	Refer to discussion under LEP in assessment report.

Further evidence of RU4 acting as a transitional zone between prescribed non-residential zones (RU1) and prescribed residential zones (R2 and R5 within the Murrumbateman town centre) is the higher dwelling density, and smaller lot sizes. This is particularly evident when comparing the proposed design and siting of the electrical generating facility, and an alternative design and siting on the same block (see Figure 4) and again on adjacent RU1 zoning to the East This demonstrates that:	Z	Refer to discussion under LEP in assessment report.
(1) The specific RU4 sites in act as prescribed residential use, and the development should not be permitted on this RU4 site.	Z	A 'prescribed non-residential zone' for the purposes of SEPP (Transport and Infrastructure) 2021 includes the RU4 zone, and therefore permissibility is enabled. The suitability of the particular site and impacts etc. in context are then subject to further considerations elsewhere under s4.15 of the Act.
(2) The development is far better suited to adjacent RU1 zones (or more suitable RU4 zones), which protects residential amenity.	Z	DA has to be assessed based on the proposed site, not another potential site.
(3) The development is far better suited to adjacent RU1 zones (or more suitable RU4 zones), which protects the amenity of wineries and orchards.	Z	DA has to be assessed based on the proposed site, not another potential site.
The closest dwelling on an adjoining block is located North-west. Adversely, the alternate design siting on the same lot shows that should the electrical facility be moved further East, this could result in no dwellings using an identical buffer (to the nearest dwelling) from the original design and siting. As a result, it is clear that the design can further mitigate noise impact.	Des, N	Refer to discussion under site design and internal design, and key issues in assessment report.

In conclusion, the RU4 zoning in this site context acts as a prescribed residential zone, where the RU4 acts as a transitional zone between prescribed non residential zones (RU1) and prescribed residential zones within the Murrumbateman town centre (R2 and R5).	Z	A 'prescribed non-residential zone' for the purposes of SEPP (Transport and Infrastructure) 2021 includes the RU4 zone, and therefore permissibility is enabled. The suitability of the particular site and impacts etc. in context are then subject to further considerations elsewhere under s4.15 of the Act.
It is clear the original design prioritises residential amenity on the subject site, rather than providing adequate setbacks to adjoining lots.	Des	Noted.
Therefore, the development should not be permitted, as the local context results in this RU4 zone acting like a prescribed residential zone	Z	A 'prescribed non-residential zone' for the purposes of SEPP (Transport and Infrastructure) 2021 includes the RU4 zone, and therefore permissibility is enabled. The suitability of the particular site and impacts etc. in context are then subject to further considerations elsewhere under s4.15 of the Act.
Notwithstanding this, the local context also shows the proposed development is unlikely to be able to comply with the Development Control Provisions that apply.	DCP	Refer to discussion under DCP in assessment report.
RU4 is a permitted zone for electricity generating works under the SEPP (Transport and Infrastructure) but not the Yass LEP. The Yass DCP controls for all development (Part B of the DCP) and RU4 zones (Part E of the DCP) still apply where there are no inconsistencies.	DCP	Refer to discussion under DCP in assessment report.

	<p>Within the acoustic report submitted alongside the DA, section 4.2.1 'Noise Prediction Methodology' outlines that the noise predictions considered a source-to-receiver approach, or noise directly from the electrical generating facility (source) and the receiver (dwelling). Additionally, this option is considered the 'worst case' scenario, as stated: "a conservative approach that considers source-to-receiver wind vectors for all receivers" and stated again: "is often considered conservative as it represents a worst case operation scenario."</p>	N	Noted.
	<p>Furthermore, within the Part E of Yass Valley Council Development Control Plan (DCP) 2024 (section relating to RU4), the following is stated: "separation distances are to be provided to ensure rural amenity and right to farm is maintained by limiting the potential for land use conflict.", and "In rural areas it is particularly important that consideration is given to the siting of dwellings and outbuildings to minimise land use conflicts.", and, "Development applications should detail what noise attenuation or abatement measures are proposed to ensure that constant noise does not exceed 5dB(A) above background noise levels when measured at the boundary with any adjoining property or public road."</p>	DCP, LUC	Refer to discussion under DCP in assessment report.
	<p>Furthermore, under Part B of the DCP (section relating to all developments), the following is stated "In determining whether a site is suitable for the proposed development the following need to be considered [...] Adjoining land uses, this is particularly important for intensive agricultural and industrial uses which may require physical separation from residential areas and existing dwellings;"</p>	DCP, SS, LUC	Refer to discussion under DCP and discussion generally in assessment report.
	<p>Evidently, the DCP outlines multiple provisions that consider site suitability, and setbacks to protect rural and residential amenity, and limit land use conflict.</p>	DCP, SS, A, LUC	Refer to discussion under DCP and discussion generally in assessment report.

	<p>The acoustic report seems to effectively suggest that placement of the battery location has been chosen to share the noise evenly between all the closest sensitive receptors. We find this is totally unacceptable as the RO1 landholder has chosen to have this facility on their land. Therefore, as RO1 derives the economic benefit of having this facility on their land, the battery units should in fact be facing South, so that RO1 receives the heaviest impact of the noise (should the DA be approved)- which we do not believe should be the case.</p>	N, Des	Noted. DA has to be assessed based on the proposed site, not another potential site (including for within the property).
	<p>The acoustic report does not adequately demonstrate that the development is consistent with the Yass DCP 2024, as the acoustic report explicitly states that noise amenity is measured from the receiver (dwelling) and not the boundary, as required under the Yass DCP. Subsequently, the 345m setback/buffer to the closest adjoining dwelling (apart from the dwelling that exists on the site of the proposed electrical generating facility) is not adequate, particularly when compared to the current 13m setback to the western boundary, as defined by the requirements of the DCP.</p>	DCP, N	Discussed in assessment report under DCP.
	<p>A partially better noise buffer to adjoining boundaries can be achieved on the same site, and an adequate noise buffer to boundaries can be achieved on another nearby RU1 site. As a result of the lot size, dwelling density, and planning context, the RU4 small lots cannot adequately mitigate noise, a partially better noise buffer to adjoining boundaries can be achieved on the same site, and an adequate noise buffer to boundaries can be achieved on another nearby RU1 site. As a result of the lot size, dwelling density, and planning context, the RU4 small lots cannot adequately mitigate noise.</p>	DCP, N, Des	DA has to be assessed based on the proposed site, not another potential site (including for within the property).

	To further mitigate noise, the development should be sited further east, to achieve adequate noise mitigation, should be sited within the RU1 zone	N, Des	DA has to be assessed based on the proposed site, not another potential site (including for within the property).
	The acoustic report prepared by Watson Moss Growcott also states; "The findings of the assessment indicate that in the absence of noise control, residual noise levels at the RO1 and RO4 receptors have the potential to be higher than the Project Trigger Noise Levels during the evening and night periods. In consideration of the above, WMG has amended the noise model to include acoustic barriers around the equipment to provide noise shielding in the direction of the critical receptors". In layman's terms, this means that the battery is too noisy to be approved in this location on this site without the addition of sound barriers.	N, AB	Noted.
	The proponent is suggesting they will be approximately 140 lineal meters in length (almost one and a half football fields long) around the enclosed batteries, and rise to an effective height of 3.5m to 4.5m. This is a massive structure. For the purpose of clarity, these sound barriers are not part of a normal DBESS structure and play no part in its function of storing electricity. They are only included here because without them, the noise emissions from these batteries will exceed NSW Environment Protection Authority Project Intrusiveness Noise Levels.	N, AB	The acoustic barrier is ancillary development and not a separate land use. Discussed in assessment report under key issues.
	There is no detail included in this DA submission that states any detail of either the engineering, construction or component details of this sound barrier.	AB, SD	Discussed in assessment report under key issues.
	THEREFORE- these sound barriers require separate approval which would not fall under the SEPP (T&I) guidelines where there appears to be no reference to them at all.	Z, AB	The acoustic barrier is ancillary development and not a separate land use. Discussed under key issues in assessment report.

	On that basis, the LEP would prevail, however the erection of sound barriers of this size (for any cause) is not a permitted use in this RU4 zone, therefore it is prohibited. And if for any reason it was permitted, it would not meet the requirements of the Yass Valley DCP 2024 for many of the reasons already discussed. Again for the purposes of clarity these sound barriers would be both a prohibited use and inconsistent with SEPP, LEP and DCP controls if the Proponent were seeking to build these barriers in this location on their own (without the DBESS) On that basis alone, this DA should be rejected as it is clear the DBESS will fail to meet legislative requirements for approval in its own right without mitigation works.	Z, AB	The acoustic barrier is ancillary development and not a separate land use. Discussed under key issues in assessment report.
	Furthermore, as per 'Part E.1 Siting of Buildings' of the Yass DCP, "All buildings shall have a setback of no less than 250 meters from the boundary of a property where the following activities exist: [...] intensive plant agriculture (including vineyards and orchards) and 50 metres from any other boundary. The development is not setback 250m from the Northern boundary where Dionysus Winery is located, the Eastern boundary where a truffle farm is located. Therefore, the development does not meet the requirements of the Yass DCP2024.	DCP	Refer to discussion under DCP in assessment report.
	It is evident the development cannot be adequately setback to the winery, cannot be adequately setback to the nearest adjoining dwellings, and cannot be adequately setback to the dwelling on site. This provides further evidence that this specific RU4 site is not suitable.	DCP, SS	Refer to discussion under DCP in assessment report.
	Furthermore, as the development is zoned RU4, the setbacks from side and rear boundaries within table 12 within Part E of the Yass DCP apply.	DCP	Refer to discussion under DCP in assessment report.

In addition, the lot is divided into two parts, as per the DA submission. This includes the electrical generating facility site, and the residential site.	-	Noted.
The development is required to be consistent with Table 12 of the DCP, which outlines 50m setback to all side and rear boundaries. As the lot is divided in to two parts, consideration should be given to all other areas not within the infrastructure and easement exclusion zone to be considered a separate site. Therefore, each of these sites should be treated as separate, particularly regarding the required 50m setback to all rear and side boundaries.	DCP	Refer to discussion under DCP in assessment report. Table 12 only applies to dwellings and outbuildings.
To further demonstrate the developments inconsistencies with the DCP and required 50m setbacks, diagrams have been provided. These show a 50m setback to all boundaries, including both sites within the lot, and a 50m setback in conjunction with the required 250m setback to vineyards and orchards.	DCP	Refer to discussion under DCP in assessment report.
Part E of the Yass DCP outlines that reflective materials should be avoided, stating: “ridgelines and scenic vistas are protected where buildings respect topography, use neutral non reflective materials and do not dominate the landscape;”, and within character and built form stating, “Only nonreflective material shall be used for the construction of outbuildings”.	DCP, VI	Refer to discussion under DCP and key issues in assessment report.
The development currently proposes some level of visual screening via two rows of planting. However, the 1m external fence, 1.8m galvanised steel security fence, and white energy storage container can still be visible. This is evident in the landscape plans, which show visibility of the batteries, fences, and lack thereof adequate screening.	VI, L	Refer to discussion under key issues in assessment report.

	Furthermore, the colours palette and materials used are considered reflective, including galvanised steel fencing and white energy storage batteries. Reflective materials, including the materials and colours proposed, are prohibited by the DCP.	DCP, VI	Refer to discussion under key issues in assessment report.
	Given these structures are still visible, and materials and colours considered reflective, the development is therefore inconsistent with the Yass DCP.	DCP, VI	Refer to discussion under key issues in assessment report.
	Also, the plants proposed in the landscape plan as represented by the render above draw a very long bow at best. The plants (including the 5 metre small trees) are Hiko pot size. Approximately 150mm- 200mm high. These plants will take 10 to 15 years to reach the maturity suggested in this render. This means that most of the reflective material will be visible for many years.	L	Refer to discussion under key issues in assessment report.
	Given proposed structures will be highly visible, and materials and colours considered reflective, the development is inconsistent with the DCP and should be rejected.	DCP, VI	Refer to discussion under key issues in assessment report.
	The proposed development is at the centre of the Yass Valley Murrumbateman Winery Trail. This area accommodates industry leading wineries and features bike paths for visitors and residents to use for relaxation and recreation. The proposed development which includes inadequate noise setbacks to dwellings and wineries, and deficient visual screening will adversely impact the Murrumbateman winery trail and should be rejected. Construction of this DBESS in this location has a high possibility of not only harming the current local tourism industry, but of also inhibiting further growth and investment in the future.	C&S, EI	Refer to discussion generally in the assessment report, including economic impact, suitability of the site, and key issues.

	Due to the residential context of this specific RU4 site, and the required setbacks to the boundary and existing dwellings, bushfire mitigation on site would be become an even more significant threat is this development is allowed.	BF	Refer to discussion under key issues in assessment report.
	The Bushfire Management and Emergency Response Plan does not appear to have taken into consideration the presence of the proposed acoustic wall, as it is not shown on the detailed site plan included in this Response Plan. An almost entirely enclosed perimeter wall approximately 140 lineal meters in length and ranging between 3.5m and 4.5m high will have a huge impact on how a fire would behave, and possibly even more so if the wall is constructed of timber. Further independent professional advice should be sought in respect to how this acoustic wall will influence the associated fire risks should there be a catastrophic event.	BF, AB	Refer to discussion under key issues in assessment report.
	This advice should also include an assessment of the specific training, experience, capacity and equipment the local Springfield Bushfire brigade has in respect to responding to a DBESS fire.	BF	Refer to discussion under key issues in assessment report.
	We also note the entrance to the facility is through the break in the acoustic wall on the Western side, yet the driveway to the site approaches from the East. Logically the entrance should also be on the Eastern side so Emergency vehicles can get in and out easily as well as having a visual perspective of activity inside the facility as they approach, rather than having to drive around to the Western side where manoeuvrability is much more limited.	BF, AB	Refer to discussion under key issues in assessment report.
	When reviewing 'The Hazards SEPP' and 'Hazardous and Offensive Development Application Guidelines – Applying SEPP 33', the development of the 10 Electric Batteries exceeds the listed 'Manifest Threshold Quantities' (10,000L) for Class 9 dangerous goods	SEPP Hazards	Refer to discussion under SEPP Hazards in assessment report.

	Where dangerous goods are used or stored in volumes greater than the threshold quantities detailed below, WorkCover NSW must be notified, and manifests and emergency plans must be developed”	SEPP Hazards	Refer to discussion under SEPP Hazards in assessment report.
	The development is therefore inconsistent with the SEPP, and likely poses a Bushfire Risk. This is supported by NSW Fire Australia, in which they outline lithium ion batteries as highly flammable, and subject to combustion.	SEPP Hazards, F, BF	Refer to discussion under SEPP Hazards and key issues in assessment report.
	As outlined in this submission, the development application does not comply with the Yass Valley Council DCP. For this reason, the development should be rejected. Yass Valley Council should conduct significant research, engage independent experts and the community on the potential suitability of this and related developments as the risks to the community cannot be understated.	DCP	Refer to discussion under DCP in assessment report.
	Furthermore, the existing site/s that the development is proposed within, may be further developed, and cause more adverse impacts, such as adverse noise impacts, bushfire impacts and impacts on residential amenity, rural amenity, and the amenity of local wineries.	N, N, BF, A	Refer to discussion under key issues in assessment report.

	<p>In summary, we believe this DA should be rejected for the following reasons;</p> <ul style="list-style-type: none"> • This RU4 location at 3 Turton place is unsuitable for a DBESS • The block is too small to adequately mitigate noise issues • Noise issues themselves have not been adequately addressed • Proposed sound barriers have no detail and cannot be approved in this location against any applicable legislation. They do not form any operational part of a DBESS • DBESS cannot be approved in this location without mitigating works (sound barriers) • Conflicts with DCP in relation to all setbacks • Conflicts with DCP in relation use of visual screening and reflective materials • Conflicts with Yass Valley strategic plan- winery trail and tourism destination • Bushfire and hazardous material risk in Bushfire prone area 	Z, N, AB, DCP, SP, C&S, EI, F, BF	Conclusion noted. Individual issues considered above.
	<p>Finally, it is worth pointing out the complexity of this development application. A total of 236 pages of a highly technical reports were included. There was no summary, and no way for the average person to understand what the acoustic impact of this proposal would be. Then there is the need to cross reference those 236 pages with hundreds more pages of relevant state and local legislation. Of course, all needing to be done in 14 days. Whilst we are appreciative of the addition few days to respond to this DA, the reality is we have had to divert much time and resources away from our business and personal life to deal with this. In normal circumstances, one would also expect the proponent to engage in some level of community consultation. In this instance, we believe the proponent has treated the Murrumbateman community, affected residents and the Yass Council with total disregard and lack of respect by giving out zero information</p>	CC	Noted. Refer to discussion under community consultation in assessment report.

	on this DA to the public before it was lodged. Despite repeated attempts to get any information at all, none was forthcoming until after the DA was lodged.		
	And finally we need to consider all the time, effort, energy and money that everyone including Yass Council has put into growing Murrumbateman into an outstanding food and wine destination- and one worth fighting to preserve. One which is now all put at risk for next to no benefit to the wider community. It just doesn't make sense.	-	Noted.
	We urge Yass Valley Council to reject this development application as it is completely unsuitable to this location, fails to meet the requirements of current planning legislation and is already causing high levels of concern and anxiety in the community.	-	Assessment report is presented for consideration by the SRPP as the consent authority.
32	I am writing to formally object to the Development Application for the proposed battery storage facility in Murrumbateman. As the owner of a winery and vineyard, my agritourism business is intertwined with the serene rural environment that Murrumbateman is renowned for. The following points highlight my primary concerns:	-	Objection noted.
	The council has invested over \$2 million in developing a winery trail aimed at attracting cycling tourists to experience the tranquil rural countryside. Agritourism is one of Murrumbateman's most significant industries, contributing substantially to the local economy. Introducing industrial operations within this prime agritourism area would undermine the very essence that attracts visitor and sustains local businesses.	EI, C&S	Refer to discussion generally in the assessment report, including economic impact, suitability of the site, and key issues.

The proposed battery storage facility threatens to disrupt the peaceful rural environment, through noise and visual aspects, which our agritourism businesses depend on, potentially leading to a decline in tourist numbers and negatively impacting our local economy.	A, N, VI	Refer to discussion generally in the assessment report, including economic impact, suitability of the site, and key issues.
Lithium battery storage facilities are known to pose a high fire risk. Current firefighting advice indicates that such fires are challenging to extinguish and can burn for extended periods. The Bushfire report only has a small section at para 6.8 dealing with the risk of fire from within the facility and this does not provide enough information for Council to be able to state that the risk of a fire from within the facility has been considered and mitigated.	F	Refer to discussion under key issues in assessment report.
A fire occurring during the grape season (September to April) would be catastrophic for local grape growers and wineries, destroying crops from smoke taint and jeopardising livelihoods.	S	Refer to discussion under key issues in assessment report.
Significant water resources would be required to combat such fires, and the local Rural Fire Service (RFS) does not have the capacity to handle this as they use water from surrounding dams and tanks to fight fires. It is crucial that the RFS be consulted to provide expert advice on this risk, in particularly in regards to their capacity to manage a fire at such an establishment and the potential fire safety implications for the area.	BF	Refer to discussion under key issues in assessment report.
I note that an increased fire risk may then affect neighbouring properties insurance premiums.	Ins	Not a valid planning consideration.
The region is characterised by an afternoon easterly wind, which was responsible for bringing smoke from the 2019-20 coastal bushfires into the Canberra region. In the event of a fire at the proposed facility, the village of Murrumbateman, situated to the east of the development, would likely be engulfed in smoke from the facility, posing significant	S, T, HH	Refer to discussion under key issues in assessment report.

	health risks to residents. The toxicity of such smoke should be elaborated on by the applicant.		
	The noise report for this application is difficult to interpret for the average layperson and I am not aware of any consultation/discussions that has been undertaken by the applicant with affected residents which is disappointing and shows a lack of respect for impacts on the region and neighbours.	N, SD, CC	Refer to discussion under key issues in assessment report.
	I note that the report was prepared using environmental noise modelling software and does not appear to have required a site visit by the acoustic experts. Issues with such modelling include that they rely on simplified assumptions and generalisations about sound propagation, which may not account for complex real-world scenarios. As a grape grower I am acutely aware that the environmental conditions in this region are unique with climate extremes unlike anywhere else in the country. Environmental factors such as wind speed and direction, temperature, humidity, and atmospheric pressure can significantly impact noise propagation. Many models use average conditions, which may not reflect the actual variability in this environment. For instance, this region is prone to extreme temperatures and temperature inversions which unfortunately increase spray drift damage (of which our vineyard has suffered from in recent years) and can also increase and travel noise over long distances. Which this in mind there is a reasonable risk that residences further away than what has been considered in this report will be affected by this noise	N	Refer to discussion under key issues in assessment report.

	Furthermore, the cumulative effects of noise disturbance have not been considered. While residents in the area may already experience some noise from traffic on Murrumbateman Road and the highway, this noise is currently bearable due to its infrequency and short-term nature. However, the addition of constant noise from the proposed facility is likely to significantly disrupt the peaceful environment valued by both residents and tourists in this region.	N	Refer to discussion under key issues in assessment report.
	Finally, it is evident that the facility will generate significant noise, as the report recommends installing a substantial acoustic barrier around the site. The concern remains whether this barrier will be sufficient to mitigate the noise. Since the effectiveness of the acoustic barrier has only been determined through modelling, there are again concerns that this may not adequately account for the specific environmental factors of the region. These factors include temperature, climatic conditions, and the distinct lack of tree or shrub coverage in the surrounding area which would reduce noise, particularly to the west of the facility.	N	Refer to discussion under key issues in assessment report.
	The proposed location is unsuitable due to its proximity to valuable wine-growing regions and rural residential housing estates. Such industrial operations should be situated in areas that do not compromise the existing agritourism industry or rural residential communities which are significant to the Murrumbateman region in particular.	SS, C&S, LUC	Refer to discussion generally in the assessment report, suitability of the site, LEP, economic impact, and key issues.
	In conclusion, I urge the council to reconsider the approval of this Development Application. The proposed battery storage facility poses significant risks to the agritourism industry, local economy, and the safety of residents. A more suitable location should be sought that	-	Assessment report is presented for consideration by the SRPP as the consent authority.

	does not jeopardise the prosperity and well-being of the Murrumbateman community.		
33	I have no objection to the overall intent of the project, but I have some concerns over the fire risks of the project and those are the only terms on which I am lodging this objection.	F, BF	Noted.
	The “Bush Fire Management & Emergency Response Plan” and the general information in the remainder of the documentation indicates that there is no fuel stored on site, however the “Flood and Groundwater Assessment Report” indicates there will be 100 litres of fuel stored on site. The reports should be consistent and the “Bush Fire Management & Emergency Response Plan” should explicitly address the 100 litres of fuel stored on site	F, BF, FS	Refer to discussion under key issues in assessment report.
	The “Bush Fire Management & Emergency Response Plan” suggests that onsite wardens and personnel will report a fire occurring at the site, however the remainder of the documentation indicates that there are no staff onsite once it is operational. The “Bush Fire Management & Emergency Response Plan” needs to account for there being no staff onsite and address how the local fire services will be notified should a fire begin within the site. It would certainly be possible for an automatic fire detection system which notifies the local fire services to be installed on site.	F, BF	Refer to discussion under key issues in assessment report.

	<p>The “Bush Fire Management & Emergency Response Plan” relies largely on the battery manufacturer’s statements that the batteries are the safest available to minimise the risks of a fire spreading from the site. There are no other measures described in relation to preventing a fire occurring or spreading from the site. The “Bush Fire Management & Emergency Response Plan” also indicates that an area of grassland 100mm high would be sufficient to prevent an incoming fire impacting the site (which is very unlikely to be the case, the grass will simply burn). In addition, there is no assessment of how this would prevent a fire spreading from the site. In high summer with no staff and no remote callout of fire services, this would be insufficient to prevent fire spreading. The fire report should address these circumstances. An area completely devoid of vegetation containing non flammable material should surround the area at a minimum, rather than 100mm high grassland in the Asset Protection Zone.</p>	F, BF	Refer to discussion under key issues in assessment report.
	<p>As any fire starting within the site would need to be dealt with by the local fire services, the operational company should be required to fund the local fire services (Springfield RFS and Murrumbateman RFS) to provide training and equipment to combat a Lithium/Electrical fire for the lifespan of the installation. Without this the community would have to fund this training and equipment, and this burden should not be placed upon the community</p>	F, BF	Refer to discussion under key issues in assessment report. There is no mechanism available to require this funding to be provided. However, condition can require consolidated management plan can include for coordination with the local RFS, including prior to the beginning of each bushfire season.
34	<p>We wish to lodge an objection to DA240159 - 3 Turton Place, Murrumbateman – Proposed Installation of Distribution Battery Energy Storage System.</p>	-	Objection noted.

We love the region's small farms and wineries and want to keep it this way. We feel the AC Energy Pty Ltd Batteries will be unsightly, impact wineries and reduce tourism in the area.	VI, C&S, EI	Noted. Refer to discussion generally in the assessment report, including suitability of the site, LEP, economic impact, and key issues.
There are many equine properties in the area, including ourselves. The reports submitted do not provide advice on what impact the constant noise will have on horses.	N, AH	Refer to discussion under key issues in assessment report.
The area includes many small farms and wineries and has a rural culture we would like to keep.	C&S	Noted.
Fire risk to the area will be increased by the batteries. The fire danger in summer in the area is very high. We have concerns as to whether a fire at the battery facility should could be contained by the Springfield Rural Fire Brigade in come to prevent catastrophic damage to property.	F, BF	Refer to discussion under key issues in assessment report.
The past and current investment in the area has been small farms, residential, wineries and tourism. We are concerned future investment will move toward more industrial developments.	C&S	Refer to discussion generally in the assessment report.
The proposed development is large and will change the look in the area. We worry it will be unsightly and not fit with the country scenery. We do not want to be looking at a huge power battery.	C&S	Noted. Refer to discussion generally in the assessment report, including suitability of the site, LEP, economic impact, and key issues.
The proposal is not in line with the zoning of our area. This area was meant to be for small rural and residential. The area has a character and feel that we love and want to keep.	Z, C&S	Noted. Refer to discussion generally in the assessment report, including suitability of the site, LEP, economic impact, and key issues.
The noise impact 24 hours a day could impact local wildlife, dogs, horses and families living close by. This too is not in keeping with the feel of our community	N, AH	Refer to discussion under key issues in assessment report.

	We have been in the area for 45 years. We established the Murrumbateman Butchery in 1992 and owned and operated it until 2023. We are very familiar with this community and understand the character and culture of Murrumbateman. We are concerned the introduction of industrial facilities like this proposal will negatively impact the character and feel of our community.	C&S	Noted. Refer to discussion generally in the assessment report, suitability of the site, LEP, and key issues.
	We have bred and trained horses for the 45 years we have been here. We are now engaged with breeding and training trotters as full time hobbyists. We value our experience with harness horses and people and are concerned this development may encourage other similar developments in the region, making it progressively less suitable for harness racing activities.	Misc	Noted.
	We believe this development will significantly impact the regions activities, investment and development opportunities. The proposal does not align with current zoning activities or investments by Council or private business.	Z, EI	Noted. Refer to discussion generally in the assessment report, including suitability of the site, LEP, economic impact, and key issues.
	We respectfully request the proposal not be supported by Council.	-	Assessment report is presented for consideration by the SRPP as the consent authority.
35	We strongly oppose the proposed installation of a distribution battery energy storage system at 3 Turton Place Murrumbateman (DA240159)	-	Object noted.
	Murrumbateman has built a reputation over five decades as a centre of high-quality wine and food production. In the immediate vicinity of the proposed battery site there are internationally famous vineyards, olive groves, a truffle farm, a cider apple orchard restaurants, cafes and boutique accommodation.	C&S	Refer to discussion generally in the assessment report, including suitability of the site, LEP, economic impact, and key issues.

[Our winery] alone attracts an average of 20,000 visitors a year into the council area, offering visitors a taste of world class wines grown within the Yass Valley in a picturesque natural setting. The Yass Valley Council has for many years been highly supportive of the vision of Murrumbateman as a centre of food and wine tourism. The recently installed cycle paths connecting numerous vineyards are one example of the priority the council has placed on focussing attention on the tourism draw of the developing wine and food culture of Murrumbateman.	C&S	Refer to discussion generally in the assessment report, including suitability of the site, LEP, economic impact, and key issues.
It is entirely inappropriate that an industrial battery complex be placed in the middle of a wine and food precinct.	C&S, SS	Refer to discussion generally in the assessment report.
The proposal is for 10 large distribution batteries running 24 hours a day all year round producing high noise levels. Apart from the perpetual noise pollution, large scale lithium batteries are known for their capacity to catch fire, presenting an unacceptable fire risk	N, F	Refer to discussion under key issues in assessment report.
As well as the potential for bush fires, toxic smoke and fumes pouring from a burning industrial battery would taint grapes in the vicinity through the sensitive Summer ripening period.	BF	Refer to discussion under key issues in assessment report.
In addition, an industrial development of this nature, to be built it seems with no apparent reference to the Yass Valley Council development control plan, would be a blot on the landscape in direct line of sight of all our winery visitors as they drive down our driveway.	DCP, VI	Refer to discussion under DCP and key issues in assessment report.
A combination of negative community impact, persistent noise, fire risk, visual pollution and damage to the vision of Murrumbateman as a wine and food tourism hub make this proposal an entirely bad one. Given the council's long-standing support for and investment in the	N, F, VI, C&S, EI	Noted and individual issues considered above. A submitted development application must be assessed.

	wine tourism focus of this area it is deeply surprising to me that this proposal is being considered at all.		
	I earnestly request that the council reject the application.	-	Assessment report is presented for consideration by the SRPP as the consent authority.
36	The proposed development should not proceed without further consideration of its potential to degrade amenity for Murrumbateman residents and businesses by introducing a significant new fire hazard (and associated toxic smoke) risk.	F, Tox, S, A	Refer to discussion under key issues in assessment report.
	Recent battery storage fires in Victoria and Queensland have highlighted the risks posed by these developments	F	Refer to discussion under key issues in assessment report.
	In July 2021 a fire at a battery storage facility in near Geelong spread toxic smoke over nearby areas and took 150 firefighters four days to get under control (https://www.abc.net.au/news/2021-09-28/fire-at-tesla-giantbattery-project-near-geelong-investigation/100496688).	F	Refer to discussion under key issues in assessment report.
	A fire at a battery storage facility near Rockhampton in September 2023 produced hazardous smoke that lingered over neighbouring areas. The ABC reported that “Fires caused by lithium batteries are expected to increase over the coming years as use of the highly flammable product continues to rise, an energy storage expert has warned” (https://www.abc.net.au/news/2023-09-28/fire-large-scale-battery-storage-sitesbouldercombe-ev/102907664).	F, Tox, S	Refer to discussion under key issues in assessment report.
	The Financial Times reported in August 2021 that there had been 38 large lithium-ion battery fires since 2018 (https://www.ft.com/content/8c9c3d50-98a3-4cdf-907f-901f8c328b90). The FT noted that in April 2021 “In Beijing, a fire at a	F	Refer to discussion under key issues in assessment report.

	lithium-ion battery installation in April killed two firefighters and took 235 firefighters to control”.		
	The FT noted that: “Lithium-ion batteries can catch fire after a process called “thermal runaway”, which results when a battery is overcharged or crushed. Heat as well as a mixture of gases are produced, which when released form a vapour cloud that can ignite or cause an explosion.” Lithium-ion battery fires are not able to be extinguished by conventional firefighting methods.	F	Refer to discussion under key issues in assessment report.
	A recent US study found that “One quarter of large-scale batteries have built-in fire risks caused by manufacturing defects in components. Audits over six years found that 26 per cent of battery energy storage systems (BESS) have quality problems with their fire detection and suppression systems, says advisory firm Clean Energy Associates. These faults include fire alarm abort buttons and smoke and temperature sensors not being correctly wired in” (US study says defects create fire risk in one quarter of big batteries RenewEconomy)	F	Refer to discussion under key issues in assessment report.
	In relation to the more widely used small lithium-ion batteries, The Guardian reported in March this year that “Fire and Rescue NSW has tackled 63 fires from lithium-ion batteries in 2024, at an average of nearly six a week. Seven people have been injured and two have died” (Growing safety concerns over lithium-ion batteries after four fires in one day in NSW New South Wales The Guardian).	F	Refer to discussion under key issues in assessment report.
	The Statement of Environmental Effects for the proposed development does not address these fire risks other than to assert that the battery containers “will automatically suppress an internal fire in the first instance”. No doubt this was also the expectation in relation to the Geelong and Rockhampton projects that experienced catastrophic fires.	F	Refer to discussion under key issues in assessment report.

	The Statement of Environmental Effects claims that according to the Hazardous and Offensive Development Application Guidelines – Applying SEPP 33, lithium batteries “pose little threat to people or property”. But this assessment is clearly inadequate as the relevant guidelines date from 2011, before large scale lithium batteries had begun to be deployed in Australia.	SEPP Hazards	Refer to discussion under SEPP in assessment report.
	The Statement of Environmental Effects notes that: “The subject site is classified Bush Fire Prone Land (BFPL) under the Yass Valley BFPL Map”. The proposed development adds to the existing bush fire risk, which is of particular concern to vineyards nearby because of the potential for damage to grape crops from smoke taint.	BF, S	Refer to discussion under key issues in assessment report.
	Based on the documented incidences of fires associated with large lithium-ion battery installations in Australia and elsewhere, there are clear risks to residents and businesses of Murrumbateman from the proposed development. The proposal provides no indication of how these risks might be mitigated if the development were to proceed.	F	Refer to discussion under key issues in assessment report.
	The developer should be required to demonstrate that these risks can be managed adequately and subject the proposed approach to a further round of consultations before the proposal is considered for approval.	-	Refer to discussion under key issues in assessment report. Two additional periods of public exhibition have been undertaken.
37	I would like to submit my concerns for the battery station planned for 3 Turton Place.	-	

I would like to firstly inform you that considering we own three of the homes directly opposite the planned site that we will be affected and 80 acres of land that this station will impact. We were not approached by the company or the council to have a discussion about this. Three homes, a vineyard and livestock within a one-kilometre range of the station is absolutely significant enough to warrant a discussion with us. It would be appreciated if you could please explain why the council or the company did not feel the same given the sheer significant impact this will have on us.	CC	Concern noted.
Could you please explain how this submission falls under our zone of R4 small farming lots?	Z	Refer to discussion under LEP in assessment report.
During summer evenings the valleys are so clear that I can hear our tenants at and our tenants at even clearer. I don't believe the drone of the station will remain at 35 -40 dB during the summer months. As you can appreciate it will be consistently annoying and more so for our animals.	N	Refer to discussion under key issues in assessment report.
We have run sheep across around 60 acres of the properties for the last 6 years. We currently have around 200 sheep on the property. As you would be aware sheep have acute hearing. The noise range is estimated to be around 40dB from our property to 35dB at 138 Patemans Lane. But the World Health Organisation suggests this is an unsafe noise level for sheep if it is of a consistent nature. Several studies have been carried out in regards to noise level in a sheep's environment that show consistent noise can create pain and health issues including suckling issues between ewes and lambs. If this is the case and the noise level is consistently 35-40dB we cannot in good conscious keep sheep on the farm.	N, AH	Refer to discussion under key issues in assessment report.

	<p>The WHO guidelines for community noise recommends intermittent periods of less than 30 A-weighted decibels for a healthy life style. The submission states this will not be the case admitting we will be subjected to continuous noise levels 24/7 for years to come. In the Compendium of WHO and other UN guidance on health and environment 2022 update. It notes that consistent noise that is continued for a prolonged period of time over 30 A-weighted decibels can cause annoyance and mental health problems. In addition, research around consistent noise shows increasing evidence for other health impacts.</p>	N, HH	Refer to discussion under key issues in assessment report.
	<p>One of our tenants at has sensitivities to noise, she also has anxiety issues which means she is home most of the time and as a part of her mental health she takes on and cares for rescue animals. She rents around 15 acres from us. My concern is if this impacts her and we lose her as a Tenant it will be a financial loss for us. Our Tenants at who only rent the house and house paddock is directly across the road from the planned station. Making his home subjected to constant 40 dB noise level. If this impacts them and we lose them as tenants this is also a financial loss for us.</p>	N, Misc	Noted.
	<p>The other concern is we know that battery stations lower land value due to the constant drone and increase insurance due to the impact of fire risk.</p>	Val	Change in land value and insurance premiums not a valid planning consideration.
	<p>The Rockhampton battery facility that caught fire in October 2023 emitted toxic smoke. I know it says they are different but they are both lithium batteries but I did not read anything in the multiple complicated pages you placed on your site on what this toxic smoke would do to human inhalation and vineyard grapes.</p>	F, Tox, S	Refer to discussion under key issues in assessment report.

	I have had a site visit and a site mapped and plans drawn up by Alpine log and timber homes with the future intention of one day having a Canadian style log accommodation and event centre.	-	Refer to discussion under key issues in assessment report.
	I hold a large Christmas event in Canberra and last year we made numbers of over 10,000 in my 2nd year of this event. When I get a good loyal following every year, I intend on brining this event to Murrumbateman. Would the noise impact an accommodation lodge and event centre if it was across the road from the plant?	N	Refer to discussion under key issues in assessment report.
	Can you please inform us if it will be council or ACEnergy who will compensate us of weekly rent if one or both of our tenants move out? Will it be Council or ACEnergy who will compensate us our yearly income if we can no longer run sheep on our property? Will it be Council or ACEnergy who will compensate us if the station reduces the land value of both our properties? Will it be Council or ACEnergy who will compensate us if insurances go up? Will it be Council or ACEnergy who will compensate us if it impacts our grapes. Will it be Council or ACEnergy who will compensate us if we cannot go ahead with our accommodation and event centre plans? Will it be Council or ACEnergy who will compensate us if we do go ahead with our accommodation plans and the noise effects our business?	-	Matter of compensation is not a valid planning consideration. Individual issues have been generally discussed in the assessment report.

DA240159 - Submission Comments or Issues and Assessment Response Summary - 3 Turton Place, Murrumbateman

Prepared by Jeremy Knox (Development Planner) July 2025

Sub #	Comment or Issue	Key Issue(s)	Assessment Response
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Additional Information #1 Public Exhibition Period

1	I wish to lodge a I objection to DA240159 - 3 Turton Place, Murrumbateman. I acknowledge that additional information has been received, however it does not, in my opinion, sufficiently address the concerns that I raised earlier.	-	Noted.
	1. This is a tourism area. The pictures provided are absolutely useless as to showing what the EXACT view of the battery storage unit will be from Murrumbateman Rd and Pateman's Lane. Council have spent considerable time and money on the yet to be completed wine trail in order to encourage tourism. What possible benefit could putting a battery in this location be. There are numerous other locations, close to the power lines that could be used that are not in the middle of rural residential, tourism and viticulture area.	VI, C&S, SS	Refer to discussion in assessment report generally, including under key issues, site suitability, and economic impact.
	2. The fire risk, prevention and action has been completely minimised. The comment about the APZ is below critical limits is simply not satisfactory. The fact that the ECO lists a number of "roles" that will be responsible if there is a fire, it doesn't state where these "roles" will be located. If a fire starts and ECO members do not reside within the close vicinity, what use are they going to be? Saying that they live in Canberra - or worse are remote and will manage via zoom etc, is simply not good enough. There is no plan for how often the area would be	F, BF	Refer to discussion under key issues in assessment report.

	mown and other such battery installations are built on massive concrete pad or large cleared earth plots with extensive clear non flammable surrounds. Whilst there is detail in the plan it is very generic and would provide little comfort to residents immediately in the path of a fire.		
	3. This type of project does not fit with the zoning of the area.	Z, C&S	Refer to discussion under LEP in assessment report.
2	By way of objection to the development proposal the subject of DA 240159 we make the following further submissions.	-	Objection noted.
	The conclusions drawn in the Response to Request for Additional Information by Premise Australia on behalf of the proponent AC Australia are often flawed and misleading.	-	Noted.
	At paragraph 4.5.3.1the Premise report concludes “The proposed development is therefore considered unlikely to pose a significant hazard or risk associated with the use of lithium batteries”. This statement is drawn from the Department of Planning NSW 2011 document Applying SEPP 33 Guideline which makes a similar statement on the basis that Lithium batteries fall into Class 9 dangerous goods under the Australian Dangerous Goods code (ADG code). This statement is self serving, misleading and carries no validity on the following basis	SEPP Hazards	Refer to discussion under SEPP (Resilience and Hazards) 2021 in assessment report.
	The Premise report fails to include the very next sentence @p33 Applying SEPP33 – “They [class 9 dangerous goods] may be substances which pose an environmental hazard and the consent authority should consider whether or not a potential for environmental harm exists.”	SEPP Hazards	Refer to discussion under SEPP (Resilience and Hazards) 2021 in assessment report.

	The ADG code at p187 defines class 9 substances as “substances and articles which during transport present a danger not covered by other classes”. Class 9 includes Lithium batteries, asbestos, fire suppressants etc. the ADG code sets out strict compliance requirements for the transport of such dangerous goods. Nowhere in the ADG code does it say that the use of lithium batteries is unlikely to present a substantial hazard or risk to people property or the environment as the Premise report states.	SEPP Hazards	Refer to discussion under SEPP (Resilience and Hazards) 2021 in assessment report. It is noted that the statement referred to in relation to Class 9 substances is contained in the NSW Department Planning's guideline.
	The NSW Fire and rescue website states “Lithium-ion batteries are the fastest growing fire risk in New South Wales. The website sites overheating or exposure to extreme temperatures as a cause of catastrophic failure of Lithium batteries and states “When lithium-ion batteries fail they can undergo thermal runaway. This involves violent bursting of one or multiple battery cells, hissing and release of toxic, flammable and explosive gases, and an intense, self-sustaining fire that can be difficult to extinguish”.	F, SEPP Hazards	Noted.
	In our time here Turton Place has not directly suffered bush fires. However the risk of grass fire and therefore resultant damage to the proposed Lithium batteries is ever present . Should this occur the placement of a bank of industrial scale Lithium batteries in Turton Place represents the insertion of a significant increased risk of damage to environment, people and property resulting from an intense lithium self sustaining fire with consequent release of toxic flammable explosive gases.	F, BF, SEPP Hazards	Refer to discussion under SEPP (Resilience and Hazards) and key issues in assessment report.

	<p>The risk of a Lithium enhanced self sustaining spreading fire is of immense concern to nearby residents and commercial operators. For example,</p> <ul style="list-style-type: none"> • adjacent wineries are at risk of losing their livelihood, their grape vines in such a fire • there is the likely consequence of huge increases in commercial insurance premiums which is a significant financial impost. • Even if a fire can be contained the release and spread of toxic gases poses a significant risk of tainting wine grapes and ruining a harvest as occurred when bushfire smoke spread across local wineries in the 2020 bushfires. These issues have not been addressed in the reports concerning fire risk. • Nearby residents are at risk of losing their homes and small farm infrastructure to say nothing of the obvious enhanced risk to personal injury and life. 	F, BF, S, Tox, EI	Refer to discussion under key issues and economic impact in assessment report. Insurance premiums are not a valid planning consideration.
	The risk of Lithium enhanced fire posed by the proposed siting of the Lithium Battery Energy Storage plant and consequent potential damage and loss to local residents and winery businesses their property and the environment through fire is totally unacceptable	SEPP Hazards, F	Refer to discussion under SEPP (Resilience and Hazards) and key issues in assessment report.
	The conclusions drawn by the Premise Report that the placement and use of Lithium batteries at 3 Turton Place Murrumbateman is unlikely to pose a significant hazardous risk is inherently misleading, invalid and false and as such casts doubt on the reliability of Premise report generally.	SEPP Hazards	Refer to discussion under State Environmental Planning Policy (Resilience and Hazards) 2021 and key issues in assessment report.
3	I wish to raise significant concerns with the proposed battery Development Application (DA 240159) at 3 Turton Place, Murrumbateman. This is further to my original submission (Attachment	-	Noted.

	A), which provides extensive reasons as to why the DA should not be approved.		
	The additional information provided by the applicant has failed to address these concerns or instil any confidence in the proponent's appreciation of the sensitivity of the development, risks and impacts on the community over the project's estimated 40-year lifespan	Dec	Noted.
	The community's trust has further diminished through poor local engagement and revisions to the proposal that disregard valid concerns raised regarding the loss of amenity and irreversible impacts of the project.	CC	Refer to discussion generally in assessment report, as well as specifically under Community Consultation.
	It is also unclear why the existing 'associated' residence on 3 Turton Place and its surrounds have now been identified as an 'infrastructure and easement exclusion zone'. Does this reflect a privately negotiated outcome to reduce the impacts of the development on them personally, and instead locate the development on a boundary line as an entirely distinct development and incompatible land use?	Misc	This may likely be the case, however, not a relevant consideration as DA has to be assessed based on the proposed site, not another potential site.
	I continue to maintain that any approval of the proposed project, even with conditions imposed by the Southern Regional Planning Panel, would:	-	-
	<ul style="list-style-type: none"> • Represent an incompatible and unforeseeable change in land use, which is contradictory to local planning processes under the LEP and SEPP. In practice, any approval would amount to an ad-hoc change, at least as significant as re-zoning the area and without the expected level of community engagement. 	Z	Refer to discussion generally in assessment report, as well as specifically under LEP.

<ul style="list-style-type: none"> • Inappropriately prioritise a passive income for the landholder of 3 Turton Place, despite uncompensated and irreversible impacts on surrounding residential and rural lifestyle holdings. 	Misc, EI	
<ul style="list-style-type: none"> • Inappropriately prioritise the so-called status of 'Regional Significance', despite wanting evidence of the regional significance, not being located within a Renewable Energy Zone, and over-stepping the more appropriate and regulated role of Distribution Network Service Operators. The 'regional significance' and broader potential benefits of the project (consistent with the objectives of the SEPP) are tenuous and should not be assumed to exist or automatically over rule consideration of the well-balanced objectives of the Yass Valley LEP. 	Misc, Z	Regionally significant development is a prescriptive trigger include in SEPP (Planning Systems) which determines the consent authority.
<ul style="list-style-type: none"> • Inappropriately subvert robust end-of-life, site remediation and financial obligations that would be ordinarily imposed on electricity generators and other major projects with contamination, explosion and fire risks, leaving the community facing a potential future liability. The application proposes such risks would be managed only through the goodwill of the operator and a private contract with the landowner. The Additional Information provides the unhelpful guidance that a decommissioning plan would be prepared just prior to decommissioning. Instead, if the project were to proceed, full liability for restoration of the site and compensation for any impacts on surrounding properties and the community (including from fire or explosion) should be legally enforceable and, at minimum, imposed ex-ante through appropriate conditions and a covenant (or similar restriction) on any future sale of the property. 	Dec, F, Exp	Refer to discussion under end-of-life and decommissioning in assessment report.
<ul style="list-style-type: none"> • Foreclose future potential residential development in the area to meet expected population growth and the need for affordable housing in the district. 		Refer to discussion under Yass Valley Settlement Strategy 2036 and strategic planning officer referral in assessment report.

	I query the status of the DA as a Regionally Significant Development under the State Environmental Planning Policy (SEPP) 2021. Typically, state-based approval is reserved for genuinely significant development (greater than \$30 million). Alternatively, if eligible on the basis of exceeding a \$5 million threshold, this would be because the project is directly for the State of NSW; a council; an eco-tourism development; or a private infrastructure and community project. The proposed project is antithetical to each of these criteria and prioritised approval under the SEPP. Moreover, just because a project may be deemed eligible for approval with consent under the SEPP does not mean that approval would be appropriate or consistent with the broader objectives of the SEPP and its underpinning legislation.	Misc	It does not need to be both private infrastructure and a community facility at the same time. Development that has an estimated development cost of more than \$5 million for any of the following purposes— (a) [...] electricity generating works [...].
	<ul style="list-style-type: none"> The project is not a community project. It is a private, purely profit-making, project that is facilitated through overseas investors. The project's supporting material masquerades as a community project, but the only basis for the project is to deliver financial returns to investors. 	EI, Misc	Noted.
	<ul style="list-style-type: none"> The project undermines the mandate of regulated electricity Distribution Service Operators (DSOs) who must adhere to consumer benefit principles, which are written into the objectives of the legislation that governs them. 	Misc	This is outside of the planning considerations.
	<ul style="list-style-type: none"> The project is not located within a designated Renewable Energy Zone, which are identified precincts in which the benefits of renewables-related infrastructure development are assessed as high and of strategic importance for the state. In such cases, community engagement is prioritised and embedded early into the designation of an area and the rigorous process involves upfront land-use planning and coordinated community consultation. Development outside of 	SS, Misc	Noted, however, scale of this proposal is also considered to small and permissibility enabled by SEPP (Transport and Infrastructure) in the RU4 zone outside of REZs.

	Renewable Energy Zones should not become a means of circumventing robust community engagement and forward-looking planning.		
	<ul style="list-style-type: none"> • No forward-looking planning process has occurred in the Murrumbateman region or Yass Valley and ad-hoc projects, such as this Battery DA, would bypass and undermine genuine community engagement and exploration of the best investment option (and its location) for the community and state. 	Misc	Noted.
	<ul style="list-style-type: none"> • Any approval of this ad-hoc project could irrevocably jeopardise responsible future developments and community acceptance of the climate transition and related infrastructure investments. 	Misc	Noted.
	<ul style="list-style-type: none"> • If the area was a residential zone, the Yass Valley LEP would prevail over the SEPP. However, only very recently, part of the RU4 zone and Winery Precinct of Murrumbateman was rezoned to R5 – Large Lot Residential -- consistent with the growing population of Murrumbateman. Any approval of the battery project on the urban fringe would foreclose potential future residential development, failing to service the need for affordable housing and the increasing demand for rural lifestyle lot holdings. <ul style="list-style-type: none"> – My holding, and the proposed battery location are more proximate to the Murrumbateman town centre than existing residential (R5 zoned) development. – Within the estimated 40-year life of the battery project, it is estimated that the Murrumbateman population will need to expand rapidly. 	Z	Refer to discussion under Yass Valley Settlement Strategy 2036 and strategic planning in assessment report.

	<ul style="list-style-type: none"> • If the project is deemed eligible for assessment under the SEPP process, which technically takes precedent over the project's incompatibility with the Yass Valley's LEP, the assessment should not favour approval of the project at the expense of the local community and forecast population growth. In effect, doing so would disregard robust planning processes underpinning the Yass Valley LEP and create extreme uncertainty for more appropriate land uses and future development. 	Z, Misc	Refer to discussion in assessment report generally, and specifically discussion under LEP, Yass Valley Settlement Strategy 2036 and strategic planning officer referral.
	A conservative approach to planning approval is appropriate given the new and uncertain nature of the technology and the highly technical and untested claims within the application. Real-world experiences of such developments are still in their infancy, and many have been marred with miss-haps that was not predicted by detailed specifications and manufacturer guidance. The Murrumbateman township and its role in the region is too important to be left to a risky experiment. On the other hand, the proposed project is purely for the benefit of a profit-making energy investor and landowner looking for a passive income at the expense of their neighbours' land values and amenity.	-	Refer to discussion in assessment report generally, including under key issues, economic impact, and objects of the Act in relation to the precautionary principle.
4	Yass Valley Council has received additional information in relation to the above DA. Whilst we retain our view of this DA as per our original response, we also make the following comments to the updated information as follows.	-	Noted.

	<p>Revised SEE @ 3.1 Development description states “The project will be designed to provide grid flexibility services. It will support the efficiency of the electrical network by charging from the grid during periods of low demand and discharging back to the grid during periods of high demand”. To be clear- this is not the purpose of the project, it is a by-product. This is not a renewable energy source (according to the proponents themselves), and nor are they investing \$5 million + just to help add efficiency to the electrical grid. This is a commercial investment by a multi-national company designed to make a return on their money. Which is perfectly fine, however lets just make sure we view this in the correct context here as there is very little upside for anyone in the local community, other than the landholders.</p>	<p>El, Misc</p>	<p>Refer to discussion under economic impact in assessment report.</p>
	<p>The proponent also states “The project would include implementation of mitigating measures considered necessary to minimise risks posed by and to the development”. This appears to be a common theme throughout much of this DA. Whenever something is non-compliant, the response appears to often be “we can fix it with mitigation measures considered necessary at the time- after we get approval”. And just like the mitigation measures considered necessary to minimise risk posed by the development, there is little acknowledgment of what the risks are, and no detail of what the mitigation measures entail.</p>	<p>Misc</p>	<p>Refer to assessment report generally.</p>
	<p>Revised SEE @ 4.5.1.1 States “The proposed DBESS is not antipathetic to the objectives of the RU4 land zone. The implementation of appropriate mitigating measures (again) as part of the design of the project and during construction and operational phase would seek to minimise significant impacts to the objectives of the land zone and surrounding land uses. If the project is not antipathetic to the objectives of the RU4 land zone why does it require undetailed appropriate mitigating measures, and why would its significant impact</p>	<p>Z</p>	<p>Refer to discussion under LEP in assessment report.</p>

	need to be minimised? Revised SEE The simple answer is because the proposed DBESS is actually in conflict with the RU4 land zone use and is not suitable for this particular RU4 block.		
	Revised SEE @ 4.5.3.1 Chapter 3 Hazardous and Offensive Development. The proponent states “The dangerous goods associated with DBESS are lithium batteries which are a class 9 dangerous good under the ADG code. Class 9 goods do not exceed the screening thresholds under the guidelines under applying SEPP 33 guideline as they pose little threat to people or property.(Dept of Planning 2011, p.33). The proposed development is therefore unlikely to pose a significant risk or hazard associated with the use of lithium batteries”.	SEPP Hazards	Refer to discussion under SEPP (Resilience and Hazards) and key issues in assessment report.
	The Murrumbateman community, and we would hope Yass Council would take the issue of the threat to life and property seriously. By taking a 14 year old quote issued in 2011 that lithium batteries are safe and pose little threat to people or property is comparable to quoting a 14 year old report suggesting vaping is a much healthier alternative to smoking and is considered safe. This demonstrates that the proponent has in fact very little regard for the safety and well being of our community and is more intent on maximising the return on their \$5M investment than our safety.	SEPP Hazards	Refer to discussion under SEPP (Resilience and Hazards) and key issues in assessment report.

	<p>A simple Google search for dangers of lithium batteries will show hundreds of results with examples of the danger of lithium batteries as reported by numerous Fire Departments, Universities, Worksafe and other government departments. The fire danger (particularly in a rural bushfire prone area) and toxic fallout when these batteries catch fire cannot be underestimated. The Proponent and all their consultants continue to assure us these batteries are safe. We assume the residents of Bouldercombe in Queensland were told the same thing when their local grid scale battery caught fire and they were told to stay indoors for days and keep respiratory medication close by because of the toxic smoke as the fire eventually burned itself out. Should such a catastrophic event happen in a bush fire prone area such as Murrumbateman, we would like to know who will be responsible and how will they be held accountable given the clear and abundant evidence of the danger of these batteries</p>	F, BF	<p>Refer discussion under key issues in assessment report. It is also understood that the BESS at Bouldercombe in Queensland is 50mW or 10x the size of the proposal BESS.</p>
	<p>Revised SEE @ 4.5.6 Development Control Plan. We will combine our comments here together with the Proponents Appendix B responses for simplicity. The proponent states that "On the basis of the assessment in Appendix B, it is considered that the proposed development is consistent and capable of achieving the relevant objectives of the DCP". We however, disagree strongly with this statement.</p>	DCP	<p>Noted.</p>

	<p>It is noted that Part A of the DCP includes a Land Use Matrix to detail the applicability of each part to different types of development, and Part A,B,H,I,K and L apply. We agree that Part E still applies given the subject site is zoned RU4. The point to made here is that Part E of the DCP was not included in the Electricity Generating Works (EGW), as it was never intended or envisaged that EGW would be carried out in RU4 zoned land. Given however that EGW is a Permitted Use under the SEPP, the broader objectives of Part E should still apply. In practical terms, there is currently no suitable description for a EGW structure in Part E, therefore in keeping with the intentions of Part E- either the Guidelines for Farm Buildings or Outbuildings, or Residential Dwellings should apply. After all, if you cannot build a dwelling or farm building in a particular location, then surely common sense would suggest you cannot build an industrial or commercial building in the same location- and still keep the intent of Part E of the DCP where “Separation distances are to be provided to ensure rural amenity and right to farm is maintained by limiting the potential for land use conflict”.</p>	DCP	Refer to discussion under DCP in assessment report.
	<p>E.1 Siting of Buildings. E.1.C States “All buildings shall have a setback of no less than 250metres from the boundary of a property where intensive plant agriculture including vineyards and orchards exist”. The Proponent has acknowledged the DA is non compliant as the subject site is only 140 meters from the boundary of a property that undertakes such intensive plant agriculture, however it believes that as the closest vines are approximately 270m away it should be given flexibility. This does not allow for the fact that the intention of the vineyard owners is to increase planting up to the boundary at some future point. The DCP makes no mention of where on the property the agriculture takes place, only that it is used for the purpose and the boundary shall be the point of measure. It is once again proposing the</p>	DCP	Refer to discussion under DCP in assessment report.

	use of mitigation measures of which we still have no significant detail (such as noise walls) yet again.		
	E.1.1 Siting of dwellings and setbacks refers to dwellings and outbuildings, and as previously stated, by implication should also apply to structures containing EGW. The Objective is “To minimise land use conflict potential and respect the rights of adjoining properties to use the land for rural [purposes]”. The proposed setback of approximately 11 meters from the Western boundary is completely unacceptable and causes total conflict with adjoining land use which is what the DCP seeks to avoid.	DCP	Refer to discussion under DCP in assessment report.
	Table 12 shows Setbacks for Rural Areas in RU4 Primary Production Small Holding having a minimum setback to side boundaries of 50 metres. The proponent continues to argue that the current location is best position for the subject proposal , taking all factors into account. However the reality is that it is only the best location for the current landowner who, in conjunction with the Proponent are the ones who are deriving the economic benefit from this proposal and in doing so have shown complete disregard for the local community. This further demonstrates however, that this particular RU4 block is not suitable for this proposal as the siting requirements cannot be met if the intent of the DCP is applied.	DCP	Refer to discussion under DCP in assessment report.
	E2.i Farm Buildings and Outbuildings, whose objectives are to provide guidance on the placement of rural buildings also confirms “Setbacks from side boundaries shall be no less that 5 metres for allotments less that 5ha or 50 metres for allotments with a greater area than 5 ha”, which should therefore apply to the subject site. Whilst acknowledging that EGW is not an agricultural or rural industry, when located in an RU4 zone, the same intentions must apply.	DCP	Refer to discussion under DCP in assessment report.

E3.1 Intensive agriculture and rural industry- whose Objective is “To ensure that agricultural activities limit off site nuisance as much as practical”.	DCP	
E.3.1.b states “Development applications should detail what noise attenuation or abatement measures are proposed to ensure that constant noise does not exceed 5dB(A) above background noise when measured at the boundary of any adjoining property or road”. For the purpose of clarity, we could not get approval for a 81dB(A) pump, or any other similar machinery located 11 metres from the side boundary running 24 hours a day / seven days a week, but that is exactly what the proponent is seeking approval for. The fact that the noise generates from EGW as opposed to a rural pump should be irrelevant. This is a commercial enterprise no different to any other and should be held to the same standards in an RU4 zone which is that it should not be intrusive or dangerous to the rest of the community. Again the Proponent argues that compliance can be achieved through the implementation of mitigating measures which they will consider if necessary after it has been built. Unfortunately based on experience, we have absolutely no faith or trust in the proponent doing what they say will do. And the repeated use of “implementation of mitigating measures if and when appropriate” is wearing thin.	DCP	Refer to discussion under DCP and key issues in assessment report.
On the basis of assessment against the DCP, the proposal is both non-compliant and inconsistent and should be rejected.	DCP	Refer to discussion under DCP and key issues in assessment report.
Revised SEE @ 5.10 Noise and Vibration. Again for simplicity we will combine our comments here with the Acoustic Report Appendix I.	-	Noted.
It is noted that a new Acoustic Report (AC) dated 18th November 2024 has now been submitted in place of the original one dated 6th May 2024 by the same author. In response to the original AR we stated that	N, AB	Refer discussion under key issues in assessment report.

the DA should be rejected as the proposed sound wall was neither a functional part of the DBESS, nor was it approvable. Further there was absolutely no detail around the construction of the wall which was deemed necessary for the DBESS to be approved. Council has also asked the proponent for more construction detail on the proposed sound wall in their Request For Information letter. We then fast forward to the new all improved AC, and now almost by magic- a sound wall is no longer required. And yes, you guessed it should a sound wall actually be required after it has been built because the modelling wasn't quite accurate.....Implementation of appropriate mitigating measures will be undertaken.		
It appears however that the only thing that has actually changed has been the inputs given to the author of the AR by the Proponent. The Proponent now states that the MVPS inverter will run at 88dB(A) instead of the original 92dB(A), and that the Battery Cabinet liquid cooling- per unit (x 10) will run at 81dB(A) per unit instead of the original 95dB(A) per unit.	N	Refer discussion under key issues in assessment report.
All of that theoretically sounds reasonable until you compare it to the Proponents response to council in Attachment 1-Tabular response to Council RFI letter, page 1 which states "The final specification of electrical components including their potential to generate noise impacts and the requirement for noise mitigating measures would be subject to the completion of detailed design and the final selection and commissioning of electrical equipment".	N	Refer discussion under key issues in assessment report.
In other words, they have not yet selected the equipment they intend to commission so how can they possibly reassess the acoustic modelling other than for their own convenience.	N	Refer discussion under key issues in assessment report.

	It would be very easy for a reasonable person looking at this from a distance to suspect that the proponent either has no idea, or doesn't want to deal with the issues of noise abatement. It seems quite remarkable that one of the bigger issues of this DA is expected to be brushed aside simply because the proponent has given the author of the AR some new inputs and now there is "nothing to see here- just move along". Our local community expects much better.	N, AB	Refer discussion under key issues in assessment report.
	We also note that Council has asked for actual measurement of background and ambient noise levels at the site in order to properly determine the acoustic environment- however none has been forthcoming.	N	Refer discussion under key issues in assessment report.
	We assume implementation of appropriate mitigating measures will be put in place if required. If however, actual acoustic measurements are ever undertaken, we would request they are taken at the boundary points- as per DCP requirements.	N, DCP	Refer discussion under key issues in assessment report.
	Revised SEE @ 5.17 Social Impact. With due respect to the authors of the Revised Statement of Environmental Effects, they clearly have no idea of the impact developments such as this have in local communities. If they genuinely believe this proposal has minimal social impact which can be overcome by the benefits of the works providing greater flexibility for the electrical network, then they really need to get out in the real world. There are countless people in the neighbourhood who are already suffering extreme anxiety over this DA, including some who have had to seek medial assistance to deal with it. This DA has turned peoples lives upside down already and it has barely started its journey. The Proponents in particular have shown zero regard for the community.	SI	Noted.

	<p>Their one attempt at community consultation after the notice period for the DA had closed was a complete farce. They had virtually no information and could answer very few questions. They certainly had no interest in any community feedback or looking at our points of view. They made promises to get back to people with information within a two week period, and now months and months later- we still have had no response. And just for the record, we are not aware of a single person who genuinely believes that this project will give them a better or more consistent electricity supply, or that it will reduce energy costs which is what the proponents have claimed to us (in writing). All of this is reinforced by the proponents seeking to make this DA very complex and technical (with no layman's summary), not answering any real community concerns, and refusing to show any flexibility- such that most people will just throw their hands up in the air and walk away. Fortunately, we are a resilient community that will not give up that easily.</p>	CC	<p>Noted. Also refer to discussion under community consultation in assessment report.</p>
	<p>Revised SEE @ 5.17 Economic Impact. We agree that the proposed development will have a minor local economic benefit for the month or so during construction. No doubt the Murrumbateman Country Inn and the local take away will pick up some increased turnover. The long term maintenance opportunities for the contractors turning up once a fortnight however is not detailed in any way, and there is certainly no guarantee that any locals would get this work. The likelihood is high that the proponent would have a specialised team traveling to most of their sites, who could be based anywhere in the country, or they would be contactors from Canberra. The economic benefits associated with improving the reliability and flexibility (whatever that may mean) of the electrical network would be extremely difficult to predict or measure,</p>	EI	<p>Refer to discussion under economic impact in assessment report.</p>

	and is aspirational at best. On the other hand, the economic detriment to the local economy is a lot easier to contemplate.		
	Yass council and local businesses have invested huge amounts of time effort and money in building the Murrumbateman Wine Trail as a food and wine destination. We have world class wineries such as Clonakilla (who would look directly over the proposed site) and the adjacent Four Winds Winery who late last year won the coveted Jimmy Watson trophy which is regarded as the most prestigious award in the Australian wine industry. Tourists come from all over Australia (and the world) to visit this beautiful, serene and quiet country location to experience all we have on offer. We are aware of many people (ourselves included) who are contemplating further development to add to the vibrancy of our beautiful village. The subject site at 3 Turton Place sits almost in the centre of the Murrumbateman Winery Trail. A development such as this has the potential to cause great economic harm as tourists will rapidly avoid being anywhere near a development that buzzes 24 hours a day for 365 days a year. We have absolutely no confidence that the proponent is capable of achieving anything that will be sympathetic to our local environment, and thus all future potential investment in the area will be at risk if this proposal proceeds.	EI, C&S	Refer to discussion in assessment report generally, including specifically under economic impact and Council referrals - economic development and tourism.
	The other economic impact that has not been addressed is the potential devaluation of land values on all adjoining and nearby landholders. There is zero chance that adjoining landholders will not suffer some level of economic loss with the value of their properties if this DA is approved. If you had the option of buying two similar properties- one next to a DBESS, and one that was not, the one next to the DBESS is always going to achieve a lower price.	Val	Not a valid planning consideration.

	<p>And why will this happen? Simply because the proponent and the landholder are seeking to build an industrial / commercial EGW business on their land in an RU4 zone so that they can make an economic gain, and everyone else around them suffers an economic loss. Remember, this is not renewable energy. Its simply a business model that allows the proponent to buy cheap electricity, store it through the day and then sell it for a profit at night. RU4 zoned land was never designed for this type of industry, and 3 Turton Place reinforces that because this DA is unable to comply with the DCP as well as the intent of the DCP and the LEP, and as such should be rejected.</p>	DCP, Z, EI, C&S	Noted.
	<p>Revised SEE @ 5.22 The Public Interest. he proponent claims the proposed development is in the Public Interest on the following grounds;</p> <p>1) It is permitted with consent via the Infrastructure SEPP and is not inconsistent with the objectives of the RU4 zone as per LEP. We completely disagree. For clarity, the objectives of the RU4 zone in the LEP are shown below. There is absolutely nothing that is consistent between the proposed DA and the objectives of the RU4 zone as per the LEP. All it shows is the conflict.</p>	PI	Refer to discussion under LEP and public interest in assessment report.
	<p>(2) "Will have minimal impacts to short term traffic, public domain, air and microclimate, waste and noise and vibration impacts during the construction phase. These impacts are capable of being managed through the implementation of standard management measures as outlined throughout this report and summarised in Section 5.19" Just because something is manageable does not make it in the Public Interest. There is nothing here that is in the Public Interest.</p>	PI	Noted. Also refer to discussion under public interest in assessment report.

3) "Is within a suitable site for the proposed works which is generally level, located within a rural environment and unconstrained in terms of significant soils, heritage, watercourses, vegetation or hazards such as bushfire or flood events".	PI	Refer to discussion under public interest in assessment report.
Again, none of that makes it in the Public Interest. It just means its easier for the proponent to get their DA approved.	PI	Noted.
The Public Interest is defined as "The welfare of the general public and society. It is a broad concept that considers the needs of the community as a whole, rather than the interests of individuals.	PI	Noted. Also noted though that public interest is not defined in the Act and is multi-faceted when taken in context of consideration of development applications. Refer to discussion under public interest in assessment report.
The proponent continues to refer to the benefit of this DA as the stability of the electrical grid. Our local grid is not unstable. We can count on one hand the number of blackouts we have had over the last 14 years, and most have been from lightening strikes during storms. The proponent is not here to do the community any favours.	PI	Noted.
Yes, we absolutely need to work on our energy supply across Australia (and the world)- but this proposal is about commercial return, not energy stability, which is certainly in the proponents interest. Not the Public Interest.	PI	Noted.
We would also like to make a brief comment in relation to Appendix F, the Landscape Plan. We reiterate our previous comments that this landscape plan will do very little to blend this eyesore into the landscape. The montage photos provided by the proponent provide very little context. To that extent, we have included pictures taken in front of the subject site at a height of 3 meters looking back to Murrumbateman Road and Crisp Lane. These show that the site will be quite visible the other way unless this addressed. We acknowledge	L, VI	Refer to discussion under key issues in assessment report.

	these photos were taken in front of the site which means it will have some addition tree coverage, but certainly nowhere near enough to stop the built form sticking out like a sore thumb. After all, it is 88 metres long.		
	The Landscape plan shows all plants as Hiko size, which are generally 150mm high. Therefore it must be noted the revised rendering of the typical vegetation buffer issued 22nd November 2024 will most likely take 10 to 15 years to reach that stage (if ever). A much more appropriate render would be to show what the vegetation buffer will look like on potential completion of the project, which will be vastly different to the current render.	L, VI	Refer to discussion under key issues in assessment report.
	<p>Conclusion: We thank Yass Council for the opportunity to view the updated information for DA 240159 at 3 Turton Place Murrumbateman and provide further feedback. Unfortunately after reviewing the updated information we have only strengthened our view that this proposal is completely unsuitable for this particular block for the following reasons;</p> <ul style="list-style-type: none"> • Although EGW is a permitted use in RU4, this particular site is unsuitable as it is unable to comply with neither the provisions, nor the intention of the Yass Valley DCP, whose setbacks cannot be achieved. • Potential noise issues have not been adequately addressed and the proponent appears to be unable to clearly articulate how they will be dealt with. The attitude seems to be “Just let me build it and trust me to make it work in the end”. • It is clear from both the LEP and DCP that neither a dwelling, nor a farm outbuilding would be approved in the current proposed location of this DA. Based on the intent of RU4 zoning, it would then be ludicrous to allow a large noisy industrial complex that operates 24/7 	-	Noted. Refer to consideration of individual issues above.

	<p>for 365 days a year to be built in that exact same location. That is the very definition of conflict of use.</p> <ul style="list-style-type: none"> • There is a conflict with the DCP in relation to visual screening and reflective materials. • There is a conflict with the Yass Valley strategic plan as a Winery Trail and Tourism Destination. • The potential dangers and risk of Lithium Batteries fires to the community have not been adequately addressed. • There is very little to no benefit to the Murrumbateman community directly with this DA. Even the electricity stored on this site is not designated specifically for Murrumbateman. • This DA is not in the Public Interest by any definition. • The adverse social and economic impact on the local community is high, and the only beneficiaries of this commercial venture are the landholders and the proponent • This is NOT a renewable energy project and should not be treated as one. <p>We would once again urge Council support the local community by rejecting all support for this proposal, which is completely unsuitable for this particular site.</p>		
5	<p>We refer to our objection made on 21 July 2024. The additional information provided has not addressed any concerns raised. The objections outlined in our correspondence of 21 July 2024 and our position to the proposed development remains unchanged.</p>	-	Objection noted.

6	My submission against this DA still stands even with the additional information provided. The additions are poor and the applicant still has not provided all the necessary details originally requested. This type of business has no place on that site and should not be accepted just to tick a box for the NSW government.	-	Objection noted.
	The Zoning is totally inappropriate for this DA.	Z	Refer to discussion under LEP in assessment report.
	With recent discoveries of flora and fauna in other areas of Murrumbateman, I for one am not confident that due process has been done by the consultants engaged in this report.	B	Satisfied that the site is primarily highly modified grassland.
	The photographs taken do not show the true impact of these ten container sized batteries onto the Murrumbateman Road. Added to which the amateurish sketch of a blue box plonked in a paddock to depict the ten batteries, is to be blunt, is laughable.	VI	Refer to discussion under visual impact in assessment report.
	All we can see as a community is that not one shred of evidence has been provided by AC Energy to give due consideration for those who will be affected by this business, be it the vineyards or families living in this area of Murrumbateman	-	Noted.
	Ultimately the Murrumbateman Road provides tourist access (of which over 2.4 million dollars was spent to upgrade and provide a stunning trail around the area) and stunning scenery for those travelling through or staying for a break. This specific area epitomizes this wine region which provides a huge financial support for the Yass Valley Shire and the community must be supported in continuing to do so. The matter should have been immediately dismissed by Yass Council from the get go.	EI, C&S	Refer to discussion in assessment report generally, including specifically under economic impact and Council referrals - economic development and tourism. Development application cannot just be dismissed and requires assessment under s4.15 of the Act.

	I hope that we will get an opportunity to present at the Southern Regional Planning Panel and they will support us against this matter. I'd be grateful if you would keep us all informed.	-	Assessment report is presented for consideration by the SRPP as the consent authority.
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DA240159 - Submission Comments or Issues and Assessment Response Summary - 3 Turton Place, Murrumbateman

Prepared by Jeremy Knox (Development Planner) July 2025

Sub #	Comment or Issue	Key Issue(s)	Assessment Response
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Additional Information #2 Public Exhibition Period

1	By way of objection to the development proposal the subject of DA 240159 we make the following further submissions.	-	Objection noted.
	[Our property] is located diagonally opposite adjacent to 3 Turton Place on its south western boundary corner. The home is located 670 metres from the proposed Battery Energy Storage Site (BESS) The front door of the house lies in direct line of sight to the south west of the BESS. We consider that our house will be significantly impacted by the proposed development but has been omitted from consideration in the assessment reports as being a sensitive receptor.	-	Noted.
	[Our tenants] referred to in the reports as R03. Their property shares the western boundary of 3 Turton Place and their residence is located 365 metres to the west of the proposed BESS. Bruce and Diana point out that the BESS is proposed to be located right on the boundary between the two properties which has the effect of minimising the distance between the BESS and their residence (thus enhancing the potential impact on their property and lifestyle) and maximising the distance between the BESS and the land owners residence at 3 Turton Place to minimise impact on the land owners.	-	Noted.

	The previous report of Watson Moss Growcott (WMC) dated 24 May 2024 at section 4.2.3 of the report recommended the configuration of the acoustic barrier be along the southern and eastern site boundary at 3.4 meters high and the northern and western boundary at 4.5 metres high (effectively enclosing the electrical equipment) on the basis that this was necessary to “provide noise shielding in the direction of the critical receptors”.	N, AB	Noted.
	However, in the WMC report of 16 April 2025 (at section 5.2.4) the dimensions of the proposed acoustic barrier have been drastically reduced. The proposal is now a barrier of 3 metres high along the south boundary and 3 metres high along two thirds of the east boundary only. This reduction in proposed barrier dimensions has not been specifically identified in the latter report or justified by reference to estimated noise emissions. On the contrary the latter report states that this barrier will reduce the noise impacts on the basis that “the barrier will effectively block line of sight between the receptors and the electrical infrastructure”.	N, AB	Refer to discussion under key issues in assessment report.
	1. It is reasonable to expect that the proposed barrier reduced in size in April 2025 report would be far less effective in mitigating noise emissions than the original proposed acoustic barrier measuring 3.4 m high on south and east boundaries and 4.5 metres high on the west and north boundaries.	N, AB	Refer to discussion under key issues in assessment report.
	2. The removal of the north and west barrier walls in the latter proposal will expose residents at R03, and residents at R04 and at and future residence at R08 to unmitigated noise emissions from the site.	N, AB	Refer to discussion under key issues in assessment report.

	<p>3. The statement in the report of 16 April 2025 that the barrier, reduced in size, will effectively block line of sight between the receptors and the electrical infrastructure is a self evident falsehood in respect of these homes and is not capable of supporting the assertion made in the 2025 report "hence will reduce noise impacts". One needs only to stand at each of these locations on site or from the desktop draw a straight line from the site to each receptor location on the aerial photograph included in the report to see that there is a direct line from the north and western boundary of the site to each receptor and house.</p>	N, AB	Refer to discussion under key issues in assessment report.
	<p>RECOMMENDATIONS</p> <p>1. That the development application be refused.</p> <p>2. If the DA receives consent then a strict condition of consent be that the dimensions of the acoustic barrier wall proposed in the report dated 24 May 2024 be reinstated.</p>	-	Refer to discussion under key issues in assessment report. Assessment report is presented for consideration by the SRPP as the consent authority.
2	<p>In response to Additional Information 2 regarding the proposed Battery Development (DA240159), I wish to raise significant concerns. My original submission to the YVC and further submission to the Panel (in response to Additional Information 1) outline the scope of my concerns, as a nearby affected landowner at Murrumbateman [nearby property] (R08)</p>	-	Noted.

	<p>My concerns continue to be fundamental. I encourage the Panel to prioritise the valid and fundamental concerns about the proposed project:</p> <ul style="list-style-type: none"> • The site is inappropriate for the development. • The project is not regionally significant. • The BASS would jeopardise future residential development and foreclose future land uses. • The technology and operation of such large-scale battery projects are emergent, requiring a cautious approach to site selection and approval at this phase of their maturity and real-world testing. 	SS, Misc, SP	Refer to discussion in assessment report generally, including under suitability of the site, Yass Valley Settlement Strategy 2023 and strategic planning officer referral, and objects of the Act. The proposal is regionally significant development for the purposes of SEPP (Planning Systems).
	<p>In terms of Additional Information 2, the adjustments proposed are insignificant and do not provide adequate protections to nearby affected landowners. The Panel should recognise the unproven lifetime operating limits and risks associated with the technology, the inexperienced record of the proponent, and the inherent fire and safety risks faced by the surrounding residents when assessing such projects. There is currently no place for such projects within an established residential and small rural lot zone, which is a dedicated winery precinct that is considered positive for amenity, tourism and land values. Alternative sites should be evaluated by the proponent, restoring trust in the YVC's well-engaged planning framework and the prioritised purpose of the SEPP to advance projects that are genuinely regionally significant</p>	F, Misc, SS	<p>Refer to discussion in assessment report generally, including under key issues, suitability of the site, Yass Valley Settlement Strategy 2023, and economic impact. The proposal is regionally significant development for the purposes of SEPP (Planning Systems).</p> <p>Assessment of the individual proponent and their track record is not a planning consideration given the consent runs with the land and not the individual person or entity. The assessment is whether the development can reasonably be undertaken in accordance with the plans, details, and any measures proposed.</p>
	<p>I request that the Panel (seek the proponent to) provide the following for the community's clarification:</p>	-	-

	<ul style="list-style-type: none"> • A list of relevant state-based regulations that would enforce compliance with operational and maintenance requirements of the project. In the event of noncompliance, what penalties would apply? 	Misc, C&E	This is a request rather than a valid planning consideration. Broadly, Environmental Planning and Assessment Act 1979 and associated regulations for the purposes of the development consent. In most instances, Council will be the regulatory authority for the purposes of the development consent.
	<ul style="list-style-type: none"> – For example, if the facility is operated on an extreme weather day, what regulatory framework and official authority would have responsibility to enforce noncompliance? I note that wholesale prices typically peak on such days and the opportunity cost of feeding-back power could be extremely material to the profitability of the project 	C&E, BF	This is a request rather than a valid planning consideration. Broadly, Environmental Planning and Assessment Act 1979 and associated regulations for the purposes of the development consent. In most instances, Council will be the regulatory authority for the purposes of the development.
	<ul style="list-style-type: none"> – For example, if the grass in the Asset Protection Zone is not maintained at a <100mm height, what official authority would have responsibility to monitor compliance and administer enforcement? 	C&E, BF	This is a request rather than a valid planning consideration. Broadly, Environmental Planning and Assessment Act 1979 and associated regulations for the purposes of the development consent. In most instances, Council will be the regulatory authority for the purposes of the development consent.
	<ul style="list-style-type: none"> • Relevant indemnities, applicable to all contractually related parties, in the event that the project imposes demonstrable harm on surrounding landholders. 	Misc	Not a valid planning consideration.
	<ul style="list-style-type: none"> – For example, if the facility gives rise to a fire or causes contamination, what risks are insured against and what contributory negligence could 	Misc	Not a valid planning consideration.

	void that coverage? What solvency risks would the project operator face in bearing all potential liabilities?		
	Any failure to specify the above requirements and financial protections would fall short of community expectations, creating the impression that the Panel is not appropriately evaluating the risks associated with the ongoing project. The Panel has a stewardship role to ensure that the objectives of the planning framework are carried out over time. Evaluation of such risks lends itself to a cautious and meticulous approach to planning, preventing mishaps during the experimental phase of new technology projects.	Misc	Not a valid planning consideration. It is also noted that any development consent runs with the land and the not the individual entity.
	I request that the Panel confirm that the RFS response to Additional Information 1 included expert advice – that is, advice that is familiar with the unique and complex fire risks associated with large-scale battery systems, which demand specialist and pro-active input into safety and compliance.	BF	The RFS are the appropriately experienced authority in relation to providing advice on bush fire associated risks in accordance with requirements of Planning for Bushfire Protection 2019.
	A complex array of commercial incentives, legal exposure, and regulatory frameworks govern the successful operation of a large-scale battery system. The full lifetime commercial, legal and regulatory picture must be within the scope of the Panel's assessment.	Misc	Assessment of the development application in accordance with s4.15 of the Act.
	Regulatory, compliance and risk management are still being bedded down, adapting to incidences, real world testing and technology improvements. A cautious approach to the selection of a suitable site, installation, operation and maintenance should be adopted	SS, C&E, Misc	Noted.

	Overseas, BASS technologies have faced evolving regulator requirements to manage newly identified or misunderstood risks. In just one year, 23 BESS fires were reported in South Korea, with a 5-month investigation finding deficiencies in protection systems to stop short circuits; poor maintenance (including management of dust, humidity and temperature swings) that increased fire and explosion risk; poor installation quality; and insufficient monitoring and control systems.	F	Noted. Refer to discussion under key issues in assessment report.
	My property (identified as receptor R08 for the purposes of the revised sound assessment), is only 2 units short of breaching the nominated project trigger thresholds. Respecting the inherent error in such calculations, including the necessary simplifying assumptions, the somewhat arbitrary nature of a 'project trigger threshold' should be treated a guide, to inform but not determine design considerations. Should the project be contemplated by the Panel, it would be appropriate that an acoustic barrier on the western side of the development is incorporated at an early stage of the planning process.	N	Refer to discussion under key issues in assessment report.
	<ul style="list-style-type: none"> • Firstly, any sound disturbance emanating from the project is significant to a surrounding landowner, especially where it is reducible and is so near to breaching the rubbery guide of the project trigger threshold. 	N	Refer to discussion under key issues in assessment report.
	<ul style="list-style-type: none"> • Second, the western side of the project has now incorporated a slightly wider APZ (following the advice of the RFS), which is yet to afford space for an acoustic barrier. 	BF	The increased APZ is provided for in revised plans.

	The apathy of the project proponents to engage in more comprehensive risk management is demonstrated by their explicit non-commitment to the installation of a basin to mitigate contamination risks. They have referred to mere space considerations at the small site. If the project was indeed suitably located, there would not be a space constraint. The proponents also appeal to a deep clay soil layer protecting against chemical infiltration. However, the construction site would foreseeably disturb this layer, including to anchor the batteries and associated large-scale equipment, creating deep cracks more amenable to infiltration than some other soil types.	SW, SC	Refer to discussion under key issues in assessment report.
	It is also unclear what groundwater bores would do to address the infiltration of chemicals into a connected groundwater aquifer. Please clarify this aspect. I also encourage the Panel to re-assess the quality of the groundwater assessment. The initial report failed to identify that my principal dam is in fact fed from an aquifer below the surface. The groundwater and aquifers are likely to be more complex than the desktop research revealed.	GW	Refer to discussion under key issues in assessment report.
3	The revised acoustic report has been provided following a request from the Planning Panel. Premise notes that “A copy of the Peer Review report is attached for your reference”, however the Peer Review report is not included in the additional information supplied to us. We would like the opportunity to read the Peer Review report, with the option to make further comment if it is warranted.	N	The peer review report will be publically available with the assessment report.

	<p>We note the third Acoustic report provided by WMG is still using the lower Adopted Noise Level's for their modelling as compared to the original report, however it appears that the proponent has still not selected the actual equipment they intend to use yet (there any many reference which still refer to needing to make final design and selection of equipment- including battery equipment). We find it quite extraordinary that the proponent appears to be just cherry picking numbers to suit their modelling, which is reflective of the attitude they seem to have consistently taken with this DA. "Just get an approval under any circumstances and then work the details out afterward.</p>	N	Refer to discussion under key issues in assessment report.
	<p>The Sound Barrier still has insufficient design detail. Pulling a few possible options from a suppliers website and telling us it is "subject to final design" gives absolutely no comfort to us or our neighbours as to what we are likely to end up with should this industrial development be approved. We have been asking for this acoustic wall detail for almost 18 months now, and still we have nothing. To make matters even worse, it now appears the on again, off again, on again acoustic wall is only being proposed to be built on the Eastern and Southern sides. We assume that means that for everyone looking at it from the North, or West (which is most people other than the landholder) we will be looking at the back of the wall and instead of the clean lines of a finished wall, we will be looking at.....well don't know because we have no detail of what the inside of the wall will look like. Subject to final design I assume?</p>	N, AB, SD	Refer to discussion under key issues in assessment report.
	<p>And we reiterate our view that the proposed landscaping design is completely unsuitable for any visual relief as 150mm hiko sized plants will take more than a decade to grow to maturity.</p>	L	Refer to discussion under key issues in assessment report. Draft recommended conditions include for larger pot sizes.

	The Acoustic report also references the EPA Noise Policy for Industry numerous times and goes to great lengths to explain how this DA will comply with this policy.	N	Refer to discussion under key issues in assessment report.
	We note however that one important part of this policy has been completely ignored by the proponent. Section 3.2 of NPfI titled Community Engagement states “The management of industrial noise impacts requires effective public involvement and communication strategies to help everyone understand the impact of industrial noise on the community. This is best approached by proponents/ owners of industrial premises providing the community with amongst other things; “The opportunity where appropriate, for input and /or involvement in activities that may effect it”.	N, CC	Refer to discussion under key issues in assessment report.
	There has been zero opportunity for the community to have any consultation or give any feedback on this DA. The one opportunity to engage the community where the proponents held an “information session” was one where no information was handed out, very few questions were answered, and there has since been absolutely no opportunity to have any input into this DA. Some of high levels of anxiety and stress in the community could well have been alleviated if this process had been handled more appropriately.	N, CC	Refer to discussion under community consultation in assessment report.
	Bushfire/ Firefighting Water Contamination Risk and Mitigation Strategies. Yet again here, the proponent fails to respond to legitimate concerns from both Council and the community about how they might deal with risks of extreme concern to all stakeholders. “The evaluation of contamination risks associated with firefighting water is dependent on the final sizing and layout of the facility, the implementation of site management plans and the procurement of battery equipment, including embedded safety devices and battery technology”. Really? The reasonable person test here	FFW, SD	Refer to discussion under key issues in assessment report.

	would likely deduce a less than flattering response. It seems obvious that the safety of local resident and the environment comes very much second to the commercial outcomes of this project which is being designed to ensure profitability first, and everything else second.		
	This is evidenced by the response to; “Secondary Control Measures- Managing Larger Incidents”- Firefighting Strategy. A defensive “controlled burn” approach is intended for fire management and would allow battery units to consume themselves. This approach would restrict the application of firefighting water to surrounding areas cooling nearby exposures outside of effected battery containers. The application of water directly to effected battery units is considered to have minimal effect , is unlikely to extinguish a BESS fire, and would only likely delay the combustion of an effected unit”	F	Refer to discussion under key issues in assessment report.
	So it appears that when one of these units catch fire its either option A- fill Murrumbateman and surrounds with toxic smoke for days on end until it burns out, or B- Given permanent retention basins are impractical for small scale DBESS (equates to too expensive), we will live in hope that temporary containment measures such as impermeable surfaces, bunding and portable spill barriers can be put in place before the local fire brigade starts hosing any fire down. We are fairly certain that a reality check here would find that no one in their right mind would be happy with a solution like this for a battery that they had to live next door to.	F, FFW	Refer to discussion under key issues in assessment report.
	Once again we must say that the potential fire risks posed to our community by this DBESS cannot be underestimated. The threat is high and based on what we have seen so far, we have no confidence that adequate safety measure will be put in place.	F	Refer to discussion under key issues in assessment report.

	<p>Bush Fire Management and Emergency Response Plan. Figure 4- page 11 shows a 140m Bushfire Prone Vegetation Setback. This setback is of concern for two reasons. Firstly, there appears to be no reference to it other than in the Legend. We would like to get an explanation of what this means. Secondly, this 140m setback encroaches into 3 adjoining properties other than the subject property. Clearly neighbouring properties cannot have any responsibilities for vegetation setback from the subject property?</p>	BF	<p>The 140m is the area of assessment for the purposes of determining vegetation hazard classification in Appendix 1 of Planning for Bushfire Protection 2019.</p>
	<p>Lighting. There has still been no detail about how this industrial facility will be lit at night. We are led to believe there will probably be some type of lighting, but this like so many things, will clearly be “subject to final siting and design”!!! In a rural setting such as this, bright lights can become an issue. Not just for the humans but also for the many native animals including Kites and Hawkes that nest in the adjacent pine trees (which were not noted in the Fauna and Flora report)</p>	Li	<p>Draft recommended conditions require for lighting associated with the development to remain switched off outside of maintenance periods and any emergencies. The design of the lighting will need to comply to Australian Standards.</p>
	<p>Further information. We also wish to advise that due to a change in circumstances, we are now considering applying to build a second residence on our land for one of our adult children and their family in the not too distant future. Their preferred location on the property is in the South East corner to provide adequate separation from our current residence. Whilst the DCP mandates a minimum 50m setback from both boundaries, it is most likely that this potential new residence would be the closest receptor to the proposed DBESS should it be approved. We wish to ensure that similar to the situation at 4 Crisp Lane, this is adequately allowed for to minimise impact on such a dwelling.</p>	DO	<p>Refer to discussion under key issues in assessment report.</p>

	<p>The final point we wish to make in this submission is a fact that has been completely missed by the Proponent and the authors of the Acoustic report. All of the discussion about noise generated by this industrial DA has been about the impact of noise at the sensitive receptors- The houses where we live. The point that is missing here is that people choose to live in rural communities so that they can have the quiet enjoyment a rural lifestyle offers. That doesn't mean being confined to your home all day. People living on RU4 rural properties are generally out and about on their properties for much of the day. In our case, we walk our dogs along the boundary adjoining the proposed batteries on almost a daily basis and spend considerable time in that vicinity. Ten batteries shrieking away at 81dB 12 meters from our boundary is just unacceptable. Hence, the intent of section E of the Yass Valley DCP states a requirement of no more than 5dB increase in sound level when measured at the boundary. Again, this is obviously a requirement so that any DA approval does not interfere with the quiet enjoyment of neighbouring properties, or cause land use conflict.</p>	N	Refer to discussion under key issues in assessment report.
	<p>The landholder (who will derive much of the economic benefit) will have a Sound Barrier effectively shielding the whole of their property from any real noise impacts yet we and our other neighbours will be afforded no such protection across other parts of our property.</p>	N, AB	Refer to discussion under key issues in assessment report.
	<p>We do not believe that this DA should be approved at all for the reason already stated, however if the Proponent does succeed in gaining approval we would respectfully ask that a condition of such approval includes construction of a Sound Barrier around the entire facility (which is what the proponent had promised from day one).</p>	AB	Refer to discussion under key issues in assessment report.

4	Whilst I not the new information, I do still have some queries.		Noted.
	1. Whilst I note the RFS response, from looking at other such installations, the size of the concrete apron around the battery storage does not appear to provide a sufficient area of “cleared and non flammable” space in order to stop embers and a fast moving grass fire.	BF	
	2. What is the county of manufacture of the batteries?	Misc	The battery model is not confirmed at DA stage.
	3. Is there a 100% guarantee of no fire from the batteries?	F	No. Refer to discussion under key issues in assessment report.
	4. As the batteries are composed of highly toxic material, what studies have been undertaken to show the impact of the smoke fall out if there is a fire. As we know these batteries are located right in the middle of wine growing and production. The fallout onto the grape vines has not been discussed. What are the toxic effects? What about near by residents’ health?	Tox, S, HH	Refer to discussion under key issues and economic impact in assessment report.
	5. Is there insurance coverage incase of fallout?	Ins	Not a valid planning consideration.
	6. Where is the modelling of the fallout area?	Misc	It is unclear on what is being referred to as the fallout area for the purposes of this statement.
5	Objections: <ul style="list-style-type: none"> • Noise • Fire and Ground Pollution 	N, F, GW, SC	Objections noted.

Whilst I object to this development for several reasons, the noise that will be generated by the proposed battery energy storage system (BESS) is of significant concern. This whole area is residential with a few sites used for grape vines and livestock. I would call the area residential. It is noted in the submission that the proposed BESS “will generate noise emissions with the potential to impact on the acoustic amenity of the surrounding environment including at residential receptors”. I note that a peer review was conducted on the initial acoustic report, and that as a result of this review an acoustic barrier is required.	C&S, SS	Noted.
It is evident that this development will generate noise, and the noise generated will be constant, and of a level that is heard by all neighbouring properties. This is unacceptable. Whilst you hear traffic throughout the day and night, it is spasmodic, not constant and on a still day or night, I do not want the continual noise that the BESS will generate.	N	Refer to discussion under key issues in assessment report.
I note that a recommendation was that when a development application is submitted by 4 Crisps Lane, a new acoustic report should be conducted. If the BESS is already built, it is way too late for a new report. This raises another question: if once built, the noise is too loud, what will be done to correct it?	N	Refer to discussion under key issues in assessment report.
The Bushfire Assessment provided details as to how the planted vegetation would assist in fire management, sizes of the fire barriers around the BESS, and some details that appear to be irrelevant, considering the proposal. What I could not understand was water accessibility, water storage and water runoff. Whilst we know that water does not work for battery type fires, how would any suitable chemicals to extinguish a fire be stored? Where would any chemical runoff be cap.	BF, FFW	Refer to discussion under key issues in assessment report.

	The report states that “Site Layout and Design: Strategic site planning incorporates safety measures, including asset protection zones, fuel-free zones, static water tanks, site access, battery separations, and setbacks, to minimize fire spread”. The fact that such redundancies minimise fire spread, cause me concern. A fire can spread quickly, and with the location being close to residential homes, this is a huge risk.	F, BF	Refer to discussion under key issues in assessment report.
	An article in the Canberra Times on 13 May 2025, noted that a proposed solar farm for Yass had been shelved due to the residents in the area noting the fire risk it created.	F	Noted.
	Many residents in the area have horses and some of these are of high value. Others have had hours of training that has developed them into being of high value. This is also applicable for other livestock in the area. Ground contamination is a huge concern to these residents. Many have spent large sums of money improving the grasses that grow in their paddocks, removing any toxic weeds.	GW, SC	Noted.
	If there was a fire and either water or chemicals were used to extinguish it, how would such an event be managed and the water or chemicals be contained?	F, FFW, GW, SC	Refer to discussion under key issues in assessment report.
	At the initial meeting held at the Murrumbateman Recreation Ground, the residents were told that any electric stored at this site would not be used here, it would be used elsewhere. When I asked why not develop this where the electricity was going to be used, I was not given an answer.	Misc	Noted. It is understood the electricity goes back into the overall grid.

	<p>I found it interesting in the documents provided to see the following quoted several times. “The applicant has no objection to a condition of consent requiring the provision of this information to Council’s satisfaction prior to issue of a construction certificate”. I read this as we are unsure what we are doing, but if you tell us we’ll do it. From this statement alone, the answer should be no.</p>	Misc	Noted.
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