



AGENDA

Ordinary Council Meeting

Date: Monday, 23 October 2023

Time: 5pm

**Location: Cowra Council Chambers
116 Kendal Street, Cowra**

**Paul Devery
General Manager**

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I INTRODUCTION

I.1 Recording & Publishing

In accordance with the Local Government Act (1993), Cowra Council is recording this meeting and will upload the recording to Council's website. By speaking at this meeting, you agree to being recorded and having that recording published in the public domain. Please ensure that when you speak at Council meetings you are respectful to others and use appropriate language at all times. Cowra Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this meeting.

I.2 Acknowledgement of Country

We acknowledge the traditional custodians of the land on which we gather, the Wiradjuri people, and pay our respects to elders both past and present.

I.3 Apologies and Applications for Leave of Absence by Councillors

List of apologies for the meeting.

I.4 Disclosures of Interest

Councillors and staff please indicate in relation to any interests you need to declare:

- a. What report/item you are declaring an interest in?
- b. Whether the interest is pecuniary or non-pecuniary?
- c. What is the nature of the interest?

I.5 Presentations

I.6 Public Forum

I invite any member of the public wishing to speak on an item in the agenda to please come to the lectern, introduce yourself, state the item you wish to speak on and allow time for any councillor or member of staff if they have declared an interest in the item to manage that conflict which may include them leaving the chamber during your presentation.

2 CONFIRMATION OF MINUTES

Confirmation of Minutes of Ordinary Council Meeting held on 25 September 2023



MINUTES

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Monday, 25 September 2023**

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**MINUTES OF COWRA COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 25 SEPTEMBER 2023 AT 5PM**

PRESENT: Cr Bill West (Mayor), Cr Judi Smith (Deputy Mayor), Cr Sharon D'Elboux, Cr Cheryl Downing, Cr Ruth Fagan, Cr Nikki Kiss, Cr Paul Smith, Cr Erin Watt, Cr Peter Wright

IN ATTENDANCE: Mr Paul Devery (General Manager), Mr Michael Jones (Director - Corporate Services), Ms Larissa Hackett (Director-Environmental Services), Ms Philippa Childs (Acting Director-Infrastructure & Operations)

I INTRODUCTION

1.1 Recording & publishing

The Mayor advised that the meeting was being recorded.

1.2 Acknowledgement of Country

The Mayor delivered the Acknowledgment of Country.

1.3 Attendance, Apologies and Applications for Leave of Absence by Councillors

RESOLUTION 158/23

Moved: Cr Erin Watt

Seconded: Cr Ruth Fagan

That the apology received from Mr Dirk Wymer, Director-Infrastructure & Operations be accepted and leave of absence granted.

CARRIED

1.3.1 Audio-Visual Attendance

RESOLUTION 159/23

Moved: Cr Judi Smith

Seconded: Cr Cheryl Downing

That Councillor Sharon D'Elboux be permitted to attend and participate in the ordinary council meeting held on Monday 25 September by audio-visual means as she will be travelling overseas and unable to attend in person.

CARRIED

1.4 Disclosures of Interest

Cr Ruth Fagan declared a non-pecuniary interest in relation to item 6.10 "Donation – Cowra Rugby Club – Waiving of Tip Fees" due to being a member of Cowra Rugby Club.

Cr Ruth Fagan declared a non-pecuniary interest in item 6.13 “Donation – Cowra Tourism” due to being a Council delegate to Cowra Tourism Corporation.

Cr Erin Watt declared a non-pecuniary interest in relation to item 6.13 “Donation – Cowra Tourism” due to her appointment as Independent Chair of Cowra Tourism.

Cr Erin Watt declared a non-pecuniary interest in relation to item 7.1 “Progress Report on the Planning Agreement Associated with Development Application No. 73/2007, Lots 35 & 44 DP 752935, 483 Battery Road Cowra, S4.55(2) Modification to continuation & expansion of production at Glenella Quarry (modify condition 14) Mod I, lodged by Glenella Quarry Pty Ltd due to a close relationship with the applicant and will leave the Chambers.

Cr Erin Watt declared a non-pecuniary interest to item 8.5 “Development Application No. 10.2023.11.2, Lot 1 DP 581299, 5 Kendal Street Cowra, s4.55(1A) modification to alterations to restaurant (widen eastern doorway, reinstate brickwork to western doorway, and relocate internal access ramp) Mod I, lodged by C J Owen due to the matter involving a close member of family and will leave the chambers.

Cr Erin Watt declared a non-pecuniary interest to item 13 “Confidential General Manager” due to owning a business at Cowra Airport and will leave the chambers.

Cr Nikki Kiss declared a non-pecuniary interest to item 6.6 “Section 355 Committee Draft Minutes – Cowra Youth Council” as her son is a member of the Cowra Youth Council and her involvement with CINC and will remain in the Chambers.

Cr Sharon D’Elboux declared a non-pecuniary interest to item 6.11 “Donation – Leonard King High Performance Basketball Coaching” as she is a Board Member of the PCYC and will leave the meeting.

Cr Peter Wright declared a non-pecuniary interest in item 11.1 “Request for Water Account Adjustments – Assessment Number 49851” as he is the Chair of the NRM Committee and worked with the applicant. Cr Wright will leave the chambers.

Mr Paul Devery declared a pecuniary interest in Items 12.1 “Mayor Minutes – Annual Performance Review to 30 June 2023” and 12.2 “Mayoral Minutes – General Manager Renewal of Contract 2023-2029 and Performance Agreement 2023-2023” and will leave the chambers.

Cr Bill West declared a non-pecuniary interested in 6.12 “Donation – Cowra Japanese Garden & Cultural Centre” due to his position of Chair of the Japanese Garden and will leave the chambers.

1.5 Elections

1.5.2 Term of Deputy Mayor

RESOLUTION 160/23

Moved: Cr Nikki Kiss

Seconded: Cr Cheryl Downing

That the Deputy Mayor be elected for a 12-month term to end in September 2024 when the next Council election is scheduled to be conducted.

CARRIED

1.5.3 Election of Mayor and Deputy Mayor**RESOLUTION 161/23**

Moved: Cr Judi Smith

Seconded: Cr Nikki Kiss

That the process to elect the Mayor and Deputy Mayor be by open voting in the event of two or more nominations being received for either position.

CARRIED

The General Manager as Returning Officer conducted the elections for Mayor and Deputy Mayor.

Election of Mayor

The General Manager announced that three (3) valid nominations had been received for the position of Mayor, being from Cr R Fagan, Cr S D'Elboux and Cr P Wright.

Following the casting of votes, the result of the counting of the first round was declared as follows:-

Cr R Fagan - 5 votes

Cr S D'Elboux – 3 votes

Cr P Wright -1 vote

Having the lowest number of votes, Cr P Wright was excluded from the next round.

The result of the counting of the second round was declared as follows:

Cr R Fagan - 5 votes

Cr S D'Elboux – 4 votes

Cr R Fagan was duly declared elected as Mayor of Cowra Shire Council until September 2024.

Election of Deputy Mayor

The General Manager announced that two (2) valid nomination had been received for the position of Deputy Mayor, being from Cr P Smith and Cr P Wright.

Following the casting of votes, the result of the counting was declared as follows:-

Cr P Smith - 5 votes

Cr P Wright - 4 votes

Cr P Smith was duly declared elected as Deputy Mayor of Cowra Shire Council until September 2024.

1.6 Public Forum

Mr Scott Vickary addressed Council regarding concerns raised in Item 7.2 – Materials Recycling Facility Operations.

Mr Ray Walsh addressed Council in regard to Item 1.5.3 – Election of Mayor and Deputy Mayor.

2 CONFIRMATION OF MINUTES**RESOLUTION 162/23**

Moved: Cr Nikki Kiss

Seconded: Cr Judi Smith

That the minutes of Ordinary Council Meeting held on 28 August 2023 be confirmed.

CARRIED

3 MAYORAL MINUTES3.1 Mayoral Minute - Central NSW Joint Organisation Board Meeting 23-24 August 2023**RESOLUTION 163/23**

Moved: Cr Bill West

Seconded: Cr Nikki Kiss

That Council note the Mayoral Minute regarding the Central NSW Joint Organisation Board meeting held on 23 August 2023 and the Ministerial Roundtable discussions held on 24 August 2023.

CARRIED

3.2 Mayoral Minute - Passing of Mr Murukami**RESOLUTION 164/23**

Moved: Cr Bill West

Seconded: Cr Judi Smith

1. That Council note the passing of Mr Teruo Murukami, the last known survivor of the Cowra Breakout.

2. That Council convey condolences to Mr Murukami's family and friends.

CARRIED

4 GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 11 SEPTEMBER 2023

The Committee refers the following recommendations to Council:

DIRECTOR-CORPORATE SERVICES REPORT

4.1 Section 355 Committee Minutes – Cowra Sport & Recreation Council

RESOLUTION 165/23

Moved: Cr Peter Wright

Seconded: Cr Cheryl Downing

That the Draft Minutes of the Cowra Sport & Recreation Council meeting held on 19 July 2023 be noted.

CARRIED

4.2 Investments

RESOLUTION 166/23

Moved: Cr Bill West

Seconded: Cr Paul Smith

That Council note the Investments and Financial Report for August 2023.

CARRIED

4.3 Donation - Cowra & District Senior Citizens Club Inc.

RESOLUTION 167/23

Moved: Cr Erin Watt

Seconded: Cr Nikki Kiss

That Council contribute the sum of \$1,167.99 from the Section 356 expenses budget to assist Cowra & District Senior Citizens Club Inc with its water and sewer charges for 2022-23.

CARRIED

DIRECTOR-INFRASTRUCTURE & OPERATIONS REPORT

4.4 Section 355 Committee Minutes - Tidy Towns Committee

RESOLUTION 168/23

Moved: Cr Judi Smith

Seconded: Cr Nikki Kiss

That the minutes of the Tidy Towns & Urban Landcare Committee meeting held on 23 August 2023 be noted.

CARRIED

DIRECTOR-ENVIRONMENTAL SERVICES REPORT

4.5 Development Application No. 51/2023, Lot 198 DP 752927, 21 Bank Street Gooloogong, Dwelling, continued use of 3 shipping containers, and awning structure, lodged by Currajong Pty Ltd

RESOLUTION 169/23

Moved: Cr Judi Smith

Seconded: Cr Bill West

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The variations to Clause E.4.4.1 of Part G.3.4. of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and no submissions were received; and
2. That Council approves a variation to Clause E.4.4.1 of Part G.3.4. of Council's Development Control Plan for this development to allow a detached ancillary structure 4.02 metres high and 12.192 metres wide forward of the building line; and
3. That Development Application No. 51/2023, for the construction of a dwelling, continued use of 3 shipping containers, and awning structure on Lot 198 DP 752927, 21 Bank Street Gooloogong be approved subject to the following conditions:

GENERAL CONDITIONS

1. Development is to be in accordance with approved plans.

The development is to be implemented in accordance with the plans and supporting documents stamped and approved and set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Flood Planning Report	Currajong 15/05/2023 Rev A	Received 2/6/1023 Stamped No. DA 51/2023
Site Survey	CPC Land Development Consultants P/L 10 May 2023 Ref 30165	Received 2/6/1023 Stamped No. DA 51/2023
Site and Soil Assessment for On-site Effluent Management System	Barnson Pty Ltd 13 March 2023 Ref 40771-ER01_A	Received 2/6/1023 Stamped No. DA 51/2023
Site Layout Plan Sheet 01	Currajong 04/08/2023 Rev B	Received 24/08/2023 Stamped No. DA 10.2023.51.1(A)
Site Plan Sheet 01	K. Ostini-Donnelly 27/07/2023	Received 04/08/2023 Stamped No. DA

		10.2023.51.1(A)
Proposed Floor Plan Sheet 02	K. Ostini-Donnelly 27/07/2023	Received 04/08/2023 Stamped No. DA 10.2023.51.1(A)
Elevations Sheet 03	K. Ostini-Donnelly 27/07/2023	Received 04/08/2023 Stamped No. DA 10.2023.51.1(A)
Container Floor Plan and Elevations Sheet 04	K. Ostini-Donnelly 27/07/2023	Received 04/08/2023 Stamped No. DA 10.2023.51.1(A)
Statement of Environmental Effects	Currajong 04/08/2023 Rev B	Received 04/08/2023 Stamped No. DA 10.2023.51.1(A)
BASIX Certificate No. 1391593S	Kellie Ostini 16 May 2023	Received 2/6/2023 Stamped No. DA 51/2023
Structural Certification For Shipping Container-Based Roof Structure	Kamal Kouli 14 March 2023	Received 2/6/2023 Stamped No. DA 51/2023
Proposed Landscape Strategy Sheet L.01	Currajong 22/08/2023 Rev B	Received 24/08/2023 Stamped No. DA 10.2023.51.1(B)
Planting Schedule & Details Sheet L.02	Currajong 22/08/2023 Rev B	Received 24/08/2023 Stamped No. DA 10.2023.51.1(B)

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the *Environmental Planning and Assessment Regulation 2021* (see attached Advisory Note).
3. Any cutting and filling on the site shall be either battered at a maximum slope of one vertical to two horizontal (1V:2H) and revegetated or suitably retained by a retaining structure, designed and constructed to appropriate engineering standards. A retaining wall that does not comply with State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 will require the prior consent of Council. The erection of retaining walls may require the approval and certification of a suitably qualified structural engineer. All works are to be carried out within the boundaries of the property and without affecting the structural integrity of boundary fencing or neighbouring structures.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

4. Pursuant to Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Cowra Section 94A Contributions Plan 2016 adopted on 26 April 2016. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

Contribution Type	Proposed Cost of Development ¹	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution ²	\$516,500.00	1%	\$5,165.00	30 June 2024

Notes

¹ As shown on the Development Application/Construction Certificate Application/Complying Development Certificate Application

² Council's Section 94A Contributions Plan 2016 may be viewed during office hours at Council's Customer Service Centre, 116 Kendal Street Cowra, or on Council's website www.cowracouncil.com.au

5. Prior to the issue of a Construction Certificate, the Applicant must obtain consent from the roads authority pursuant to Section 138 of the *Roads Act 1993* for the carrying out of works in a road reserve.
6. Prior to the issue of a Construction Certificate, the Applicant must submit to Cowra Shire Council an application to Install and Operate an On-Site Sewage Management System. The application must be accompanied by a report prepared by a suitably qualified professional including a geotechnical report to confirm that an On-Site Sewage Management System can operate in the proposed area.
7. Prior to the issue of a Construction Certificate, a Stormwater Management Plan shall be submitted to Council for approval. The plan is to demonstrate that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

8. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Cowra Shire Council Engineering Standards prior to any building works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the

case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

9. **The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building Works' and 'Appointment of Principal Certifier'.**
10. **The Applicant is to obtain all relevant approvals to Install and Operate an On-Site Sewage Management System from Cowra Shire Council prior to commencing works to install the system and comply with any conditions of that approval. The works must be inspected by Council at the times specified below:**
 - (a) **Tank Installation: When the tank is installed and prior to backfilling.**
 - (b) **Absorption Trench: When void arching and stone void fill is in place prior to covering.**

All work must be carried out by a licensed plumber or drainer and to the requirements of NSW Environment and Health Protection Guidelines, Plumbing Code of Australia and Australian Standard/ New Zealand Standard 1547:2000 On-Site Domestic Wastewater Management. The licensed plumber or drainer must notify Cowra Council at least 48 hours before each required inspection needs to be carried out.

11. **The Applicant is to obtain all relevant approvals to carry out sewerage work, to carry out stormwater drainage work and to carry out water supply work from Cowra Shire Council prior to commencing works to and comply with any conditions of that permit. All work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:**
 - (a) **Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.**
 - (b) **External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.**
 - (c) **Water Supply: Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.**
 - (d) **Stormwater: When the stormwater and roof water drainage system has been completed.**
12. **Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. The erosion and sediment control measures are to comply with Part B of Cowra Shire Council Development Control Plan 2021 at all times.**

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

13. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
14. All construction work shall be carried out within the confines of the property unless separate written permission is obtained from the relevant landowner and/or authority in control of the land. A copy of any written notices authorising off-site construction operations shall be submitted to Council prior to any operation commencing on the affected land.
15. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
16. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.
17. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.
18. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
19. All roofed areas associated with the dwelling shall be properly drained in accordance with the Plumbing Code of Australia. Stormwater associated with the dwelling and ancillary structure is to be discharged three metres clear of any building/structure in a manner that does not cause soil erosion or nuisance to adjoining properties.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

20. Prior to the issue of a Whole Occupation Certificate, the Applicant shall construct an access crossing to the development site from Bank Street in accordance with consent from the road's authority pursuant to Section

138 of the *Roads Act 1993* for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the Section 138 Permit. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.

21. Prior to the issue of a Whole Occupation Certificate, all landscape works shall be completed in accordance with the approved plans.
22. The Applicant must not commence occupation or use of the dwelling or ancillary structure until a Whole or Partial Occupation Certificate has been issued by the Principal Certifier appointed for the subject development.

ADVICE

If, during work, an Aboriginal object is uncovered then **WORK IS TO CEASE IMMEDIATELY** and the Office of Environment & Heritage is to be contacted urgently on (02) 6883 5300. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 80C of the NPW Regulation.

CARRIED

In Favour: Crs Ruth Fagan, Paul Smith, Sharon D'Elboux, Cheryl Downing, Nikki Kiss, Judi Smith, Erin Watt, Bill West and Peter Wright

Against: Nil 9/0

5 GENERAL MANAGER

5.1 Proposed Motion - LGNSW Annual Conference

RESOLUTION 170/23

Moved: Cr Peter Wright

Seconded: Cr Paul Smith

That Council submit the following proposed motion for the 2023 LGNSW Annual Conference:

- (a) **Circular Economy in Rural and Regional Areas – That LGNSW request the NSW Government work with current and potential recycled materials manufacturers to find an increased capability to process the collected recycling materials in the regions to ensure councils meet their legislated commitment requirements and are not negatively impacted by the cost of doing so.**

CARRIED

6 DIRECTOR-CORPORATE SERVICES

6.1 Pecuniary Interest Returns for the Financial Year ended 30 June 2023

RESOLUTION 171/23

Moved: Cr Bill West
Seconded: Cr Cheryl Downing

That Council note the tabling of Pecuniary Interest Returns for Councillors and staff as at 30 June 2023:

Councillors - Cr Bill West, Cr Judi Smith, Cr Peter Wright, Cr Ruth Fagan, Cr Sharon D'Elboux, Cr Cheryl Downing, Cr Nikki Kiss, Cr Paul Smith and Cr Erin Watt

Staff - Mr Paul Devery, Mr Michael Jones, Mr Dirk Wymer, Mrs Larissa Hackett, Ms Philippa Childs, Mr Ponie De Wet, Mr Mick Tedeschi, Mr Glenn Oakley, Mr Joshua Neuer and Mrs Janine Finlayson.

CARRIED

6.2 Release of Closed Decisions

RESOLUTION 172/23

Moved: Cr Sharon D'Elboux
Seconded: Cr Nikki Kiss

That Council note the release of the resolutions made in Closed Council at the Ordinary Council Meeting on 28 August 2023:

Write-off Debts Cowra Showground Pavilion

RESOLUTION 155/23

Moved: Cr Peter Wright
Seconded: Cr Sharon D'Elboux

That Council does not write off the outstanding rates and charges and other property charges for assessment number 96776 in the amount of \$3,450.97.

Request for Tender 12/2023 - Road Base Supply Panel in the Cowra Shire

RESOLUTION 156/23

Moved: Cr Judi Smith
Seconded: Cr Sharon D'Elboux

I. That Council accepts the tenders received from the following four (4) companies for the period 1 September 2023 – 31 August 2026 for the Road Base Supply Panel Contract:

- **Boral Resources (Country) Pty Ltd**
- **Glenella Quarry Pty Ltd**
- **Regional Quarries Australia**
- **Westlime Canowindra Pty Ltd**

Request for Tender 13/2023 - Delivery of Stormwater Drainage Projects

RESOLUTION 157/23

Moved: Cr Cheryl Downing
Seconded: Cr Nikki Kiss

I. That Council accepts the tenders received from the following six (6) companies for the period 1 September 2023 to 31 August 2026 for the Delivery of Stormwater Drainage Projects Panel:

- **Conseth Solutions**
- **Dearnu Pty Ltd**

- *Anilian Contracting P/L*
- *Utilstra P/L*
- *RECS Group Australia P/L*
- *PA & CL McKenzie Builders*

CARRIED

6.3 Completion of 2022/23 Financial Statements

RESOLUTION 173/23

Moved: Cr Judi Smith

Seconded: Cr Cheryl Downing

1. That Council authorise the referral to audit of the financial statements for the financial year ending 30 June 2023 in order for Council's Auditors to conduct the audit.
2. That Council upon completion of the audit, authorise the Mayor, Deputy Mayor, General Manager and Director – Corporate Services to sign the Statement by Council and Management for the General Purpose and Special Purpose Financial Statements.

CARRIED

6.4 Donation - Mulyan Public School, Schools Spectacular Event

RESOLUTION 174/23

Moved: Cr Cheryl Downing

Seconded: Cr Erin Watt

That Council donates \$2,000 to Mulyan Public School to attend the School Spectacular event in Sydney in November 2023 from the section 356 donations budget.

CARRIED

6.5 Section 355 Committee Draft Minutes - Cowra Breakout Association

RESOLUTION 175/23

Moved: Cr Bill West

Seconded: Cr Cheryl Downing

1. That the draft Minutes from the Annual General Meeting of the Cowra Breakout Association held on 20 August 2023 be noted.
2. That Council appoint the following nominees to the 2023-2024 Cowra Breakout Association Committee:-

Gordon Rolls, Harvey Nicholson, Graham Apthorpe, Lawrance Ryan and Stassi Austin.

CARRIED

6.6 Section 355 Committee Draft Minutes - Cowra Youth Council**RESOLUTION 176/23**

Moved: Cr Judi Smith

Seconded: Cr Erin Watt

That the draft Minutes of the Cowra Youth Council ordinary meeting held on 14 August 2023 be noted.

CARRIED

6.7 Section 355 Committee Draft Minutes - Cowra Regional Art Gallery Advisory Committee**RESOLUTION 177/23**

Moved: Cr Sharon D'Elboux

Seconded: Cr Bill West

1. **That the draft Minutes of the Cowra Regional Art Gallery Advisory Committee meeting held on 12 July 2023 be noted.**
2. **That Council note the resignation of Catherine Bennett from the Cowra Regional Art Gallery Advisory Committee.**
3. **That Council write to Catherine Bennett and offer thanks for her service and contribution.**

CARRIED

6.8 Section 355 Committee Draft Minutes - Australian Chapter of The World Peace Bell Association**RESOLUTION 178/23**

Moved: Cr Cheryl Downing

Seconded: Cr Peter Wright

That the draft minutes of the Australian Chapter of The World Peace Bell Association meetings held on 3 and 23 August be noted.

CARRIED

6.9 Section 355 Committee Draft Minutes - Australia Day Committee**RESOLUTION 179/23**

Moved: Cr Cheryl Downing

Seconded: Cr Nikki Kiss

That the draft minutes of the Australia Day Committee meetings held on 7 August and 4 September 2023 be noted.

CARRIED

At 6.10 pm, Cr Ruth Fagan left the meeting. Cr Paul Smith took over the chair.

6.10 Donation - Cowra Rugby Club - Waiving of Tip Fees**RESOLUTION 180/23**

Moved: Cr Erin Watt

Seconded: Cr Paul Smith

That Council provide a 50% discount up to the value of \$2000 in tipping fees to Cowra Rugby Inc. for the removal of contaminated asbestos material from the demolition of the old rugby house located in Hartley Street, provided an appropriate DA is sought and the relevant conditions are met.

CARRIED

At 6.16 pm, Cr Sharon D'Elboux left the meeting.

At 6.22 pm, Cr Ruth Fagan returned to the meeting and resumed the chair.

6.11 Donation - Leonard King High Performance Basketball Coaching**RESOLUTION 181/23**

Moved: Cr Peter Wright

Seconded: Cr Erin Watt

That Council defer the motion pending further information being supplied.

CARRIED

At 6:38 pm, Cr Bill West left the meeting.

6.12 Donation - Cowra Japanese Garden & Cultural Centre**RESOLUTION 182/23**

Moved: Cr Erin Watt

Seconded: Cr Judi Smith

That Council provide a donation of \$400 from the Section 356 expenses budget to assist the Cowra Japanese Garden and Cultural Centre with supply, delivery and waste disposal costs during the 2023 Sakura Matsuri festival.

CARRIED

At 6:40 pm, Cr Bill West returned to the meeting.

At 6:40 pm, Cr Erin Watt left the meeting.

6.13 Donation - Cowra Tourism Corporation**RESOLUTION 183/23**

Moved: Cr Judi Smith

Seconded: Cr Bill West

That Council provide a donation of \$5,500 from the Section 356 expenses budget to Cowra Tourism Corporation to assist Cowra Golf Club in hosting the 2025 NSW Golf Country Championship.

CARRIED

At 6:46 pm, Cr Erin Watt returned to the meeting.

6.14 Donation - Tractor Trek

RESOLUTION 184/23

Moved: Cr Paul Smith

Seconded: Cr Nikki Kiss

That Council provide a donation of \$500.00 from the Section 356 expenses budget to assist Central West Charity in supporting the Tractor Trek event on 23-25 September to raise funds for Little Wings.

CARRIED

At 6:52 pm, Cr Erin Watt left the meeting.

7 DIRECTOR-INFRASTRUCTURE & OPERATIONS

7.1 Progress Report on the Planning Agreement Associated with Development Application No. 73/2007, Lots 35 & 44 DP 752935, 483 Battery Road Cowra, S4.55(2) Modification to continuation & expansion of production at Glenella Quarry (modify condition 14) Mod I, lodged by Glenella Quarry Pty Ltd

RESOLUTION 185/23

Moved: Cr Paul Smith

Seconded: Cr Bill West

That Council receive and note that the current legislative requirements of the Environmental Planning and Assessment Regulation, for Development Application No. 73/2007 – Modification to Condition 14 including an amended Planning Agreement, Condition 18, signed by Glenella Quarry Pty Limited and Cowra Shire Council have been complied with.

CARRIED

In Favour: Crs Ruth Fagan, Paul Smith, Cheryl Downing, Nikki Kiss, Judi Smith, Bill West and Peter Wright

Against: Nil

7/0

At 6:54 pm, Cr Erin Watt returned to the meeting.

7.2 Materials Recycling Facility Operations

RESOLUTION 186/23

Moved: Cr Judi Smith

Seconded: Cr Erin Watt

That Council receive and note the information provided on yellow bin recycling contamination rates and the strategies to be included in the Waste Management Strategy to reduce contamination.

CARRIED

8 DIRECTOR-ENVIRONMENTAL SERVICES**8.1 Section 355 Committee Minutes - Cowra Access Committee - 28 August 2023****RESOLUTION 187/23**

Moved: Cr Nikki Kiss

Seconded: Cr Cheryl Downing

That the minutes of the Cowra Access Committee meeting held 28 August 2023 be noted.

CARRIED

8.2 Section 355 Committee Minutes - Cowra Natural Resource Management Advisory Committee - Wednesday 16 August 2023.**RESOLUTION 188/23**

Moved: Cr Peter Wright

Seconded: Cr Nikki Kiss

That the minutes of the Cowra Natural Resource Management Advisory meeting held 16 August 2023 be noted.

CARRIED

8.3 Adoption of Reviewed Access Incentive Scheme Grant Funding Policy**Motion**

Moved: Cr Cheryl Downing

Seconded: Cr Erin Watt

That Council adopts the reviewed Access Incentive Scheme Grant Funding Policy with the following changes –

1. Raise the maximum level of funding per project in Item 3. from \$5,000 up to \$10,000 and
2. Remove Item 3.1.4 – “applicants will be required to match funding on a \$1:\$1 basis (this can include in-kind volunteer contributions etc).”

Amendment

Moved: Cr Bill West

Seconded: Cr Nikki Kiss

That Council adopts the reviewed Access Incentive Scheme Grant Funding Policy with the following change –

- Raise the maximum level of funding per project in Item 3. from \$5,000 up to \$10,000

LOST

The Amendment was lost and the original motion was carried

RESOLUTION 189/23

Moved: Cr Cheryl Downing

Seconded: Cr Erin Watt

That Council adopts the reviewed Access Incentive Scheme Grant Funding Policy with the following changes –

- 1. Raise the maximum level of funding per project in Item 3. from \$5,000 up to \$10,000 and**
- 2. Remove 3.1.4 – “applicants will be required to match funding on a \$1:\$1 basis (this can include in-kind volunteer contributions etc).**

CARRIED

8.4 Adoption of Reviewed Naming and Renaming Bridges, Roads, Streets and Places Policy

RESOLUTION 190/23

Moved: Cr Paul Smith

Seconded: Cr Erin Watt

That Council adopts the reviewed Naming and Renaming Bridges, Roads, Streets and Places Policy.

CARRIED

At 7:33 am, Cr Erin Watt left the meeting.

8.5 Development Application No. 10.2023.11.2, Lot 1 DP 581299, 5 Kendal Street Cowra, s4.55(1A) modification to alterations to restaurant (widen eastern doorway, reinstate brickwork to western doorway, and relocate internal access ramp) Mod 1, lodged by C J Owen

RESOLUTION 191/23

Moved: Cr Paul Smith

Seconded: Cr Bill West

- 1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979; and**
- 2. That Section 4.55(1A) Modification to DA 10.2023.11.2, for alterations to restaurant (widen eastern doorway, reinstate brickwork to western doorway, and relocate internal access ramp) Mod 1 on Lot 1 DP 581299, 5 Kendal Street Cowra be approved subject to the following conditions:**

GENERAL CONDITIONS

- 1. Development is to be in accordance with approved plans.**

The development is to be implemented in accordance with the plans and supporting documents stamped and approved and set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Site Plan	Vision Town Planning Consultants Job 171/22 17 January 2023 Sheet 1	Received 15 February 2023 Stamped No. 11/2023
Existing and proposed floor plans	Vision Town Planning Consultants Job 171/22 15 August 2023 Sheet 2	Received 25 August 2023 Stamped No. 10.2023.11.2
Proposed part plan	Vision Town Planning Consultants Job 171/22 17 January 2023 Sheet 3	Received 15 February 2023 Stamped No. 11/2023
Lockable menu case plans	Snapper Display Systems	Received 15 February 2023 Stamped No. 11/2023
Statement of Environmental Effects	Vision Town Planning Consultants	Received 15 February 2023 Stamped No. 11/2023)
Building Façade Plans – Proposed Renovations Version 1	Vision Town Planning Consultants 19 January 2023	Received 15 February 2023 Stamped No. 11/2023

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

- The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

3. Prior to the issue of a construction certificate, the applicant will provide plans of access and accessible facilities of the building to the Principal Certifier for approval. These plans will show all undertakings required by the Federal - Disability (Access to Premises) Standard 2010, and “Design for access and mobility Part 1: General requirements for access—New building work”
4. Prior to the issue of a construction certificate, the applicant will provide a floor plan demonstrating the proposed fire services. This is to include the clear paths of travel and encroachments into that path.
5. Prior to the issue of the Construction Certificate, the architectural plans are to include the following notations:
 - (a) New traditional gloss facing tiles for the ground floor are to be 150x75mm 'subway' in standard green equal to those from the OETC with embossed feature tiles - Baroque Flower, in a layout similar to the adjoining building.
 - (b) The general external wall colour is to be Dulux Smooth Caramel with Clotted Cream for the mouldings, arches and details on both elevations.
 - (c) External signs to be the subject of an additional development application.
 - (d) The replacement awning soffit to be 'Clover' by pressed tin panels in Dulux Gentle Calm with 2 old school house lights and the refurbished existing pendant sign.
 - (e) The front doors to be Deep Bronze Green with Clotted Cream in the traditional design.
 - (f) The shopfront joinery to be Deep Bronze Green with the existing 3 sets of mouldings removed.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

6. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Cowra Shire Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

7. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building Works' and 'Appointment of Principal Certifier'.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

8. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
9. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
10. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.
11. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.
12. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
13. All roofed areas are to be properly drained in accordance with the Plumbing Code of Australia and connected to the existing stormwater system.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

14. The Applicant must not commence occupation or use of the addition until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.

15. The applicant is to obtain approval under Section 68 of the Local Government Act 1993 for any footpath dining.

OPERATIONAL CONDITIONS

16. The premises must be maintained in compliance with the requirements of the, Disability (Access to Premises) Standard 2010 under the Disability Discrimination Act 1992.

ADVICE

If, during work, an Aboriginal object is uncovered then **WORK IS TO CEASE IMMEDIATELY** and the Office of Environment & Heritage is to be contacted urgently on (02) 6883 5300. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 80C of the NPW Regulation.

CARRIED

In Favour: Crs Ruth Fagan, Paul Smith, Cheryl Downing, Nikki Kiss, Judi Smith, Bill West and Peter Wright

Against: Nil 7/0

At 7.35 pm, Cr Erin Watt returned to the meeting.

9 LATE REPORTS

9.1 Notice of Motion - Flying Foxes

RESOLUTION 192/23

Moved: Cr Paul Smith

Seconded: Cr Ruth Fagan

That Council write to the local State Member, NSW Minister for Health and the NSW Minister for the Environment in support of the Cowra Golf Club as they seek urgent assistance to control the rapidly growing flying fox colony on the golf club course and the adjacent playing fields.

CARRIED

10 CONFIDENTIAL MATTERS

RESOLUTION 193/23

Moved: Cr Cheryl Downing

Seconded: Cr Nikki Kiss

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

11 CONFIDENTIAL GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 11 SEPTEMBER 2023**11.1 Request for Water Account Adjustment - Assessment Number 49851**

This matter is considered to be confidential under Section 10A(2) - b of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

11.2 Request for Tender 9/2023 - Cowra Sewer CCTV and Relining

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

12 CONFIDENTIAL MAYORAL MINUTE**12.1 Mayoral Minute - Annual Performance Review to 30 June 2023**

This matter is considered to be confidential under Section 10A(2)(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

12.2 Mayoral Minute - General Manager Renewal of Contract 2024-2029 and Performance Agreement 2023-2024

This matter is considered to be confidential under Section 10A(2)(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

13 CONFIDENTIAL GENERAL MANAGER**13.1 Sale of land - Lot 9 Cowra Airport to Brian Fisher**

This matter is considered to be confidential under Section 10A(2)(d(i)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

14 CONFIDENTIAL DIRECTOR-CORPORATE SERVICES**14.1 Request for Water Account Adjustment - Assessment Number 63479**

This matter is considered to be confidential under Section 10A(2)(b) of

the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

14.2 Cowra Civic Centre - Auditorium Retractable Raked Seating Quote

This matter is considered to be confidential under Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

15 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE & OPERATIONS

15.1 Assessment of Request for Quotation 6/2023: Construction of Evans Street Shared Pathway

This matter is considered to be confidential under Section 10A(2)(d(i)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

3 GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 9 OCTOBER 2023

File Number: D23/1577

Author: Ken Apps, Acting Director - Corporate Services

The Committee refers the following recommendations to Council:

DIRECTOR-CORPORATE SERVICES REPORT

3.1 Donation - Cowra Public School, Schools Spectacular Event

RECOMMENDATION

That Council donates \$2,000 to Cowra Public School to attend the School Spectacular event in Sydney in November 2023 from the section 356 donations budget.

3.2 Investments

RECOMMENDATION

That Council note the Investments and Financial Report for September 2023.

DIRECTOR-ENVIRONMENTAL SERVICES REPORT

3.3 Development Application No. 1/2023, Lot 1 DP 599492, 17 Walker Street Cowra, two additional dwellings and 3 lot subdivision, lodged by Currajong Pty Ltd

RECOMMENDATION

That Council defers consideration of this item to the October Ordinary Council meeting after an inspection of the property takes place.

3.4 Development Application No. 83/2023, Lot 401 DP 261365, 32 Traminer Lane Cowra, Dwelling, lodged by Currajong Pty Ltd

RECOMMENDATION

- I. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The variation to Section F.1.4.1.b. of Part F of Council's Development Control Plan 2021 is sufficiently justified and the

application was publicly notified and no submissions were received; and

2. That Council approves a variation to Section F.1.4.1.b. of Part F of Council's Development Control Plan 2021 for this development to allow a 25m side boundary setback and 10m wide vegetation buffer; and
3. That Development Application No. 83/2023, for the construction of a dwelling on Lot 401 DP 261365, 32 Traminer Lane Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

1. Development is to be in accordance with approved plans.

The development is to be implemented in accordance with the plans and supporting documents stamped and approved and set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Site Plan Sheet 01 Issue A	Currajong 18/04/2023	Received 7 September 2023 Stamped No. DA 10.2023.83.1
Site Plan with Contours Sheet 02 Issue A	Currajong 18/04/2023	Received 7 September 2023 Stamped No. DA 10.2023.83.1
Basix Compliance Schedule Sheet D3-1 Version 1	Vision Town Planning Consultants 22/03/2023	Received 7 September 2023 Stamped No. DA 10.2023.83.1
Floor Plan Sheet D3-2 Version 1	Vision Town Planning Consultants 22/03/2023	Received 7 September 2023 Stamped No. DA 10.2023.83.1
South-West & North- West Elevations Sheet D3-3 Version 1	Vision Town Planning Consultants 22/03/2023	Received 7 September 2023 Stamped No. DA 10.2023.83.1
North-East & South-East Elevations Sheet D3-4 Version 1	Vision Town Planning Consultants 22/03/2023	Received 7 September 2023 Stamped No. DA 10.2023.83.1
BASIX Certificate No. 1381853S_02	Vision Town Planning Consultants Issued: 21 August 2023	Received 7 September 2023 Stamped No. DA 10.2023.83.1
Statement of Environmental Effects Revision A	Currajong 18/08/2023	Received 7 September 2023 Stamped No. DA 10.2023.83.1

In the event of any inconsistency between conditions of this development

consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).
3. Any cutting and filling on the site shall be either battered at a maximum slope of one vertical to two horizontal (1V:2H) and revegetated or suitably retained by a retaining structure, designed and constructed to appropriate engineering standards. A retaining wall that does not meet the requirements for exempt development under State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 will require the prior consent of Council. The erection of retaining walls may require the approval and certification of a suitably qualified structural engineer. All works are to be carried out within the boundaries of the property and without affecting the structural integrity of boundary fencing or neighbouring structures.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

4. Prior to the issue of a Construction Certificate, the Applicant must obtain consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve.
5. Prior to the issue of a Construction Certificate, the applicant is to prepare an unidentified finds procedure for site development works due to the potential for asbestos containing pipe material under the surface. The procedure is to be submitted for the approval of the Principal Certifier.
6. Prior to the issue of a Construction Certificate, the Applicant must submit to Cowra Shire Council an application to Install and Operate an On-Site Sewage Management System. The application must be accompanied by a report prepared by a suitably qualified professional including a geotechnical report to confirm that an On-Site Sewage Management System in compliance with AS1547:2012 can operate in the proposed area.
7. Pursuant to Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Cowra Section 94A Contributions Plan 2016 adopted on 26 April 2016. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

Contribution Type	Proposed Cost of Development ¹	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution²	\$910,859.00	1%	\$9,108.59	30 June 2024

Notes

¹ As shown on the Development Application/Construction Certificate Application/Complying Development Certificate Application

² Council's Section 94A Contributions Plan 2016 may be viewed during office hours at Council's Customer Service Centre, 116 Kendal Street Cowra, or on Council's website www.cowracouncil.com.au

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

8. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.
9. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work.
10. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.
11. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. The erosion and sediment control measures are to comply with Part B of Cowra Shire Council Development Control Plan 2021 at all times.
12. The Applicant is to obtain all relevant approvals to Install and Operate an On-Site Sewage Management System from Cowra Shire Council prior to commencing works to install the system and comply with any conditions of that approval. The works must be inspected by Council at the times specified below:
 - a) Tank Installation: When the tank is installed and prior to backfilling.
 - b) Absorption Trench: When void arching and stone void fill is in place prior to covering.

All work must be carried out by a licensed plumber or drainer and to the requirements of NSW Environment and Health Protection Guidelines, Plumbing Code of Australia and Australian Standard/ New Zealand Standard 1547:2000 On-Site Domestic Wastewater Management. The licensed plumber or drainer must notify Cowra Council at least 48 hours before each required inspection needs to be carried out.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

13. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.
14. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the *Local Government Act 1993*.
15. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
16. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
17. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and discharged three metres clear of any building/structure in a manner that does not cause soil erosion or nuisance to adjoining properties.
18. All plumbing work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:
 - (a) Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.
 - (b) External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.
 - (c) Water Supply: Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.
 - (d) Stormwater: When the stormwater and roof water drainage system has been completed.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

19. The Applicant must not commence occupation or use of the dwelling until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
20. Prior to the issue of any Occupation Certificate, provide a minimum of 45,000 litres of tanked water supply for domestic consumption for the dwelling or a larger volume of water supply in accordance with BASIX certificate commitments. In addition to the water supply required for domestic consumption and BASIX, an additional 10,000 litres of water supply shall be reserved for fire-fighting purposes for dwelling in accordance with the NSW Rural Fire Service requirements. Where the total volume for dwelling is provided in a single tank, the draw off point for the domestic supply is to be located at or above the 10,000 litre level. The tank shall be fitted with a 65mm Storz fitting and ball or gate valve. Water tanks shall be generally located in close proximity to the dwelling-house and allow access for fire fighting vehicles.

Water tanks are not to be constructed of plastic if they are to be exposed to medium to high level bushfire risk. Further information relating to the location and design of water tanks and emergency fire-fighting requirements for water tanks and connections can be downloaded from the NSW Rural Fire Service website, www.rfs.nsw.gov.au.

21. Prior to the issue of a Whole Occupation Certificate, the Applicant shall construct a sealed access crossing to the development site from Traminer Lane in accordance with consent from the road's authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the Section 138 Permit. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.
22. Prior to the issue of a Whole Occupation Certificate, the Applicant shall install the vegetation buffer in accordance with the approved plans and clauses b & c of Appendix A of Part F of Cowra Council Development Control Plan 20121.

ADVICE

If, during work, an Aboriginal object is uncovered then **WORK IS TO CEASE IMMEDIATELY** and the Office of Environment & Heritage is to be contacted urgently on (02) 6883 5300. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 80C of the NPW Regulation.

3.5 Development Application No. 78/2023, Lot 10 DP 221616, 42 Belmore Street Woodstock, Dwelling (Transportable), lodged by Currajong Pty Ltd

RECOMMENDATION

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The variation to Section E.1.6. of Part E of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and one submission was received; and
2. That Council approves a variation to Section E.1.6. of Part E of Council's Development Control Plan 2021 for this development to allow no major windows to a habitable room directly overlooking the street; and
3. That Development Application No. 78/2023, for the construction of a dwelling (transportable) on Lot 10 DP 221616, 42 Belmore Street Woodstock be approved subject to the following conditions:

GENERAL CONDITIONS

1. Development is to be in accordance with approved plans.

The development is to be implemented in accordance with the plans and supporting documents stamped and approved and set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Site Plan	Currajong Drawn 15/08/23 REV B	Received 27 September 2023 Stamped No. DA 10.2023.78.1(A)
Floor Plan and Elevations Sheet 1 of 1	Betterlook Homes Date 22/11/97	Received 1 September 2023 Stamped No. DA 10.2023.78.1
Statement of Environmental Effects	Currajong Date 24/08/2023	Received 1 September 2023 Stamped No. DA 10.2023.78.1
Effluent Disposal Investigation	Calare Civil Date 27 September 2023	Received 27 September 2023 Stamped No. DA 10.2023.78.1(A)

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A

SECTION 68 APPROVAL FOR THE INSTALLATION OF A TRANSPORTABLE HOME

3. Prior to the issue of a Section 68 Approval, the Applicant must obtain consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve.
4. Prior to the issue of a Section 68 Approval, the Applicant must submit to Cowra Shire Council an application to Install and Operate an On-Site Sewage Management System. The application must be accompanied by a report prepared by a suitably qualified professional including a geotechnical report to confirm that an On-Site Sewage Management System can operate in the proposed area.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

5. Prior to the commencement of works associated with the dwelling, the Applicant is to obtain all relevant approvals for the installation of a transportable home on the subject land. In this regard the applicant is to apply for an Approval under Section 68 of the Local Government Act 1993 for the transportable home. The application must include all information required by the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. The application must include a copy of an insurance policy that covers the construction work to satisfy the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
6. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work.
7. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.
8. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. The erosion and sediment control measures are to comply with Part B of Cowra Shire Council Development Control Plan 2021 at all times.
9. The Applicant is to obtain all relevant approvals to Install and Operate an On-Site Sewage Management System from Cowra Shire Council prior to commencing works to install the system and comply with any conditions of that approval. The works must be inspected by Council at the times specified below:
 - (a) Tank Installation: When the tank is installed and prior to backfilling.
 - (b) Absorption Trench: When void arching and stone void fill is in place prior to covering.

All work must be carried out by a licensed plumber or drainer and to the

requirements of NSW Environment and Health Protection Guidelines, Plumbing Code of Australia and Australian Standard/ New Zealand Standard 1547:2000 On-Site Domestic Wastewater Management. The licensed plumber or drainer must notify Cowra Council at least 48 hours before each required inspection needs to be carried out.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

- 10. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.**
- 11. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.**
- 12. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.**
- 13. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.**
- 14. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and discharged to the stormwater management system on Belmore Street.**
- 15. All plumbing work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:**
 - (a) Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.**
 - (b) External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.**

- (c) **Supply:** Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.
- (d) **Stormwater:** When the stormwater and roof water drainage system has been completed.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

- 16. The Applicant must not commence occupation or use of the dwelling until a Certificate of Completion has been issued from the Principal Certifier appointed for the subject development.**
- 17. Prior to the issue of a Certificate of Completion, the Applicant shall upgrade the access crossing to the development site from Belmore Street in accordance with consent from the road's authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the Section 138 Permit. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.**

ADVICE

If, during work, an Aboriginal object is uncovered then WORK IS TO CEASE IMMEDIATELY and the Office of Environment & Heritage is to be contacted urgently on (02) 6883 5300. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 80C of the NPW Regulation.

4 GENERAL MANAGER

4.1 LGNSW Annual Conference - Voting Delegates

File Number: D23/I453

Author: Paul Devery, General Manager

RECOMMENDATION

- 1. That Council endorse Cr [] and Cr [] as the voting delegates for the 2023 LGNSW annual conference.**
-

INTRODUCTION

The 2023 LGNSW Annual Conference will be held from 12-15 November 2023 and will be held in Sydney.

BACKGROUND

The conference is the pre-eminent policy making event for the local government sector. Delegates will vote on motions which help determine the policies and priorities for LGNSW and the sector. It is a key event for local government where councillors come together to share ideas and debate issues that shape the way the sector functions and is governed.

Council is allocated two voting delegates for the Conference, and the deadline to register with LGNSW is 5pm AEDT on Friday 27 October 2023.

Cr Bill West, Cr Nikki Kiss OAM, Cr Sharon D'Elboux, Cr Ruth Fagan, Cr Cheryl Downing, Cr Paul Smith and Cr Erin Watt and the General Manager will register for the conference. Council is asked to endorse Cr [] Cr [] as the two voting delegates allocated for Cowra Council.

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

Nil

4.2 Community Grants - Round I 2023/2024 Allocation of Funds

File Number: D23/I584

Author: Larissa Hackett, Acting General Manager

RECOMMENDATION

That Council allocate funding under Round I of the 2023/2024 Cowra Community Grants Program to the following groups:

Category: Arts and Culture	Project	Funding Amount
Country Women's Association of NSW Cowra Branch	Assist with the staging of the Cowra CWA Branch 100th Birthday celebration	\$1000.00
Cowra Art Group Inc	Assist celebrating 60 years of Art and Craft in Cowra	\$597.00
		1597.00
Category: Building and Facility Development		
Returned & Services League of Australia – Cowra Sub-Branch	Set-up of display cabinet in RSL Sub-Branch rooms for Cowra POW Camp 22nd Garrison Battalion display	\$1500.00
Cowra Motorsport Racing Club	Assist purchase and installation of Daikin Split System Air conditioner for Score Tower at Woodstock Park Speedway	\$2000.00
Darbys Fall Progress Association and Urban Landcare Group Inc	Removal of pepper trees from Darbys Falls Cemetery	\$2000.00
Gooloogong Historical Society Inc	Assist purchase reverse cycle air-conditioner for office and Historical Rooms	\$2000.00
Lachlan Valley Railway Society Co-op Ltd	Assist construct concrete apron outside the roller door entrance to the roundhouse and clear the adjacent stormwater drain, to stop water flooding the work area inside the roundhouse	\$2000.00
Woodstock Memorial Show Inc	Assist painting Walli Memorial Hall signage	\$770.00
Cowra Masonic Hall Inc	Assist with painting of windows, gutter and Fascia board on western side of the Masonic Hall	\$1000.00

Cowra and District Aero Club Inc	Assist purchase and install split air-conditioning system for pilot training/briefing room in new clubroom project	\$2000.00
ACE (Artists of Cowra East), auspiced by, and a member of CAVC (Cowra Antique Vehicle Club)	Assist pay for gallery lighting in a room at Cowra Railway Station	\$2000.00
Morongla Show Society Inc	Assist install lining on verandah on Canteen Shed at Morongla Showground	\$2000.00
		17,270.00
Category: Sport and Recreation		
Cowra Squash Club	Assist purchase equipment used with the Club's Junior Development Program	\$999.00
Cowra Junior Soccer Club Inc	Assist purchase full set of new soccer goal nets	\$1000.00
		1999.00
Category: Small Capital Equipment		
Cowra Community Chest Inc	Purchase of two feather flags for use at Cowra Community Markets	\$702.00
Cowra Junior Rugby League	Assist purchase laptop and security package for better organisation of club activities	\$1000.00
Cowra and District Historical Society Inc	Assist purchase refurbished Kyocera M8 Ecosys Multifunction Colour Laser A3/A4 Printer/Copier	\$1000.00
Cowra Eisteddfod Inc	Assist purchase council approved street banners for Kendal Street for display prior to and during the Eisteddfod in May/June each year	\$1000.00
Cowra Arts and Craft Society Inc	Assist purchase new laptop computer	\$998.00
		4700.00

INTRODUCTION

Council allocates funding each year to the Cowra Community Grants program. This report details the evaluation of applications received in Round 1 – 2023/2024 and recommends allocations to various community groups.

BACKGROUND

The Cowra Community Grants program entails two funding rounds per year each spread over five categories. Continued funding of \$50,000 was formally adopted in the 2023/2024 budget at the June 2023 Council meeting.

The Cowra Community Grants Working Party comprises the following membership:

- Cr Judi Smith
- Cr Nikki Kiss OAM
- General Manager Paul Devery
- Grants and Executive Projects Officer Lawrance Ryan
- Community Projects Officer Linda Barron

Round 1 2023/2024

Round 1 2023/2024 applications closed on 31 August 2023 following a month of publicity in the Guardian, on Council's website, on social media and directly to numerous groups and individuals. Copies of the published Guidelines and Application form are included at Attachment 1 and 2 respectively.

At the close of applications on 31 August 2023 there had been 21 applications received asking for a combined total of \$30,561.00 from a variety of community groups.

Councillors may view a hard copy of all applications received by contacting Grants and Executive Projects Officer Lawrance Ryan.

Evaluation

In undertaking the evaluation of applications Working Party members adhered to the following guidelines:

- All applications received were considered.
- Each Working Party member was given time to read and evaluate each application by giving a rating against four published assessment criteria.
- The normal considerations relating to conflicts of interest, pecuniary and non-pecuniary applied. That is, if a member had an interest in relation to any of the applicants, they did not evaluate that application. The interest was declared on the evaluation form and the average scores of other members was substituted for that particular application. The following declarations of non-pecuniary interests were made:

Cr Judi Smith	Woodstock Memorial Show Inc
	Cowra Uniting Church Food Hall
Lawrance Ryan	Lachlan Valley Railway Society

Assessment templates were distributed to members of the Working Party and returned to Council for compilation.

In reviewing the raw scores, the Working Party adopted an initial position of approving applications that exceeded a threshold of 120 evaluation points, which represented a minimum score of 6/10 in each assessment category. This equated to a total of \$29,561.00 in funding for 21 projects.

The Working Party was of the view that the raw scores alone were not sufficient to allocate funding and considered certain value judgements could reasonably be made about the merits of a number of applications. As a result of subsequent discussions, the Working Party has recommended allocating \$25,566.00 as detailed in the table below.

Category: Arts and Culture	Project	Funding Amount
Country Women's Association of NSW Cowra Branch	Assist with the staging of the Cowra CWA Branch 100th Birthday celebration	\$1000.00
Cowra Art Group Inc	Assist celebrating 60 years of Art and Craft in Cowra	\$597.00
		\$1597.00.00
Category: Building and Facility Development		
Returned & Services League of Australia – Cowra Sub-Branch	Set-up of display cabinet in RSL Sub-Branch rooms for Cowra POW Camp 22nd Garrison Battalion display	\$1500.00
Cowra Motorsport Racing Club	Assist purchase and installation of Daikin Split System Air conditioner for Score Tower at Woodstock Park Speedway	\$2000.00
Darbys Fall Progress Association and Urban Landcare Group Inc	Removal of pepper trees from Darbys Falls Cemetery	\$2000.00
Gooloogong Historical Society Inc	Assist purchase reverse cycle air-conditioner for office and Historical Rooms	\$2000.00
Lachlan Valley Railway Society Co-op Ltd	Assist construct concrete apron outside the roller door entrance to the roundhouse and clear the adjacent stormwater drain, to stop water flooding the work area inside the roundhouse	\$2000.00
Woodstock Memorial Show Inc	Assist painting Walli Memorial Hall signage	\$770.00
Cowra Masonic Hall Inc	Assist with painting of windows, gutter and Fascia board on western side of the Masonic Hall	\$1000.00
Cowra and District Aero Club Inc	Assist purchase and install split air-conditioning system for pilot training/briefing room in new clubroom project	\$2000.00

ACE (Artists of Cowra East), auspiced by, and a member of CAVC (Cowra Antique Vehicle Club)	Assist pay for gallery lighting in a room at Cowra Railway Station	\$2000.00
Morongla Show Society Inc	Assist install lining on verandah on Canteen Shed at Morongla Showground	\$2000.00
		17,270.00
Category: Sport and Recreation		
Cowra Squash Club	Assist purchase equipment used with the Club's Junior Development Program	\$999.00
Cowra Junior Soccer Club Inc	Assist purchase full set of new soccer goal nets	\$1000.00
		1999.00
Category: Small Capital Equipment		
Cowra Community Chest Inc	Purchase of two feather flags for use at Cowra Community Markets	\$702.00
Cowra Junior Rugby League	Assist purchase laptop and security package for better organisation of club activities	\$1000.00
Cowra and District Historical Society Inc	Assist purchase refurbished Kyocera M8 Ecosys Multifunction Colour Laser A3/A4 Printer/Copier	\$1000.00
Cowra Eisteddfod Inc	Assist purchase council approved street banners for Kendal Street for display prior to and during the Eisteddfod in May/June each year	\$1000.00
Cowra Arts and Craft Society Inc	Assist purchase new laptop computer	\$998.00
		\$4700.00

Following final approval of funding allocations at this meeting, recipients will be notified and funds will be distributed to the various organisations.

Conclusion

The Cowra Community Grants program continues to be very well received. It has been positively supported by a variety of local community groups. It is pleasing to have such a positive response and allows Council to provide funding that will make small yet significant contributions to a wide range of organisations within the community.

BUDGETARY IMPLICATIONS

\$25,566.00 from \$50,000.00 allocation.

ATTACHMENTS

1. Guidelines - Community Grants 2023/2024 [↓](#)
2. Application - Community Grants 2023/2024 [↓](#)



Cowra Shire Council
Private Bag 342
Cowra NSW 2794

Phone: 02 6340 2000
Fax: 02 6340 2011
council@cowra.nsw.gov.au
www.cowracouncil.com.au

Community Grants Program: Guidelines 2023/24 - Round 1

Purpose

The Community Grants program provides funding towards community projects, community events, small capital equipment purchases, and community buildings and facilities to support primarily volunteer run community not-for-profit organisations in their activities where there is a benefit for the wider community.

The Cowra 2036 Community Strategic Plan articulates the Council and community vision to create

“a leading, innovative and creative community, proud of our place in history, offering opportunity with the best of country living.”

The community has identified seven key directions to follow in pursuing this vision, they are:

1. Health and Wellbeing
2. Innovation and Education
3. Liveability
4. Community Leadership and Engagement
5. Business and Industry
6. Transport and Infrastructure
7. Environmental Sustainability and Stewardship
8. Reconciliation and Inclusion

The Community Grants Program provides a range of funding opportunities to organisations to positively contribute towards achieving the shared vision for the shire.

General Eligibility Criteria

Organisations and groups

- Organisations must be an incorporated not-for-profit entity.
- Organisation must be primarily volunteer run.
- Organisations must be based within Cowra Shire and must be able to demonstrate how the project will directly benefit residents within the Shire.
- Have acquitted all previous Cowra Shire Council grants.
- Have no outstanding debts to Council.

Ineligible organisations and groups

- Government agencies.
- Registered Clubs within the meaning of the NSW Registered Clubs Act 1976.
- Schools (including associated parents and citizens/parents and friends organisations).
- Churches and religious groups; unless the proposed project can be considered to be in addition to the core business of the church or group, and the project benefits the wider community.
- Political groups.

Individuals and sole traders

- Individuals or sole traders are not eligible to apply.

Ineligible project expenses

- Recurrent costs including salaries/wages, insurance, administrative and operating costs.
- Payment of debt.
- Retrospective funding for projects, events, or equipment purchases.
- Projects and events receiving a donation from Council.
- Projects or events where the organising body is proposing to donate any proceeds to another cause.
- Generally, funding will not be provided to increase existing un-acquitted funds from Council for the same project.

General Guidelines

- Applications must demonstrate linkages to Council's Community Strategic Plan objectives.
- The project or event for which funding is sought, must be based within Cowra Shire and/or be able to demonstrate significant benefit to Cowra Shire residents.
- The Community Grants Program aims to provide limited financial assistance and is not intended to be relied upon as the sole source of income.
- Council encourages co-contribution from the applicants.
- Council reserves the right to part fund a grant application.
- Projects should be one-off and not reliant on on-going Cowra Council funding.
- Applicants are eligible to receive up to a total value of \$3,000 in grant funds per financial year.
- Projects must be targeted for completion within one (1) year of receipt of funding.
- Where organisations submit multiple Cowra Community Grant applications in any one funding round they must prioritise their applications in order of importance.
- In the instance that the funded project or event does not occur, the grant recipient will be required to repay the full amount of the funding awarded.
- Council reserves the right to not approve any application.
- Council requires external quotes from providers.

Categories and Funding

Category	Description	Maximum Amount	Examples
Sport and Recreation	Activities that provide access to physical and social pursuits to support the health and well-being of the community	\$1000	Skills clinic Sporting equipment
Arts and Culture	Events that foster the Shire's cultural identity, or that provide an accessible, diverse range of community art and cultural opportunities	\$1000	Art workshop
Small Capital Equipment	Purchases of small capital equipment items to support community organisation activities	\$1000	Photocopier printer
Building and Facility Development	Improvements to Council or community owned buildings and facilities	\$2000	Replace gutter on village hall
New Community Events	Support new events held within Cowra Shire, with broad appeal to both local and the wider community that celebrate significant occasions, encourage cultural diversity or brings communities together. For new events to be held between 1 October 2023 and 30 June 2024.	Based on expected attendance – Up to 200 \$500 201 and above \$1000	Significant anniversaries, launches and openings.

Important Dates

Round	Opening Date	Closing Date	Notification
Round 1 2023/24	1 August	31 August	Following the Council meeting: Monday 25 September

Assessment Process

Stage	Tasks
Pre-eligibility check	All applications are checked to determine applicant and project eligibility and to ensure that they are complete. Ineligible and incomplete applications will not progress to the assessment stage
Assessment	<ol style="list-style-type: none"> 1. Alignment with program priorities <ul style="list-style-type: none"> • The project aligns with the priorities of the Community Grants Program and the Cowra Community Strategic Plan. 2. Demonstrated community need <ul style="list-style-type: none"> • The need for the project is clearly demonstrated and relevant consultation, evidence and support is provided. 3. Level of community benefit <ul style="list-style-type: none"> • The project is accessible for either the entire community; or if not, the targeted audience is either disadvantaged or has limited opportunities to participate in community life. 4. Value for money <ul style="list-style-type: none"> • The project has a detailed budget and is supported by quotes from local suppliers, where appropriate. • The applicant demonstrates additional investment either in cash or in kind.
Council Endorsement	Recommendations are presented to Council for final approval

Conditions of Grant

Successful applicants are required to undertake an acquittal process and provide Council with:

- Information on how the grant was spent
- Evaluation of the event or project and its outcomes
- Membership/participation rates
- Copies of any promotional material and media coverage generated
- Details of the acknowledgement of Council's support within the community

How to Apply

Applications are to be submitted using the application form available on the Cowra Council website www.cowracouncil.com.au

Please save the application form to your computer and email it to: council@cowra.nsw.gov.au with a subject line of Community Grant Application. Alternatively complete a paper copy of the application and deliver it to Council at 116 Kendal Street Cowra.

Applicants can contact Cowra Council's Grants and Executive Projects Officer for any assistance in completing their application on 6340 2035 or by email at: council@cowra.nsw.gov.au



Cowra Shire Council
Private Bag 342
Cowra NSW 2794
Phone: 02 6340 2000
Fax: 02 6340 2011
council@cowra.nsw.gov.au
www.cowracouncil.com.au

**Community Grants Program: Application Form
Round 1 – 2023/2024
Closing Date: Thursday 31 August 2023**

Office Use:
Received Date:
Time:
Registration Date:
Document No:
Officer Initial:
Disposal:..... years

Instructions

You must submit your application using this form by 4pm on the closing date: Thursday, 31 August 2023.

- Only use the space provided.
- Excess information will not be considered.
- Use dot points to convey your message effectively.

Additional information may be requested by the assessment panel to support your application.

Please ensure that all questions are answered.

Contact Cowra Council's Grants and Executive Projects Officer for any assistance in completing your application on 6340 2035 or by email at: council@cowra.nsw.gov.au

Late applications will not be accepted.

Certification

By submitting this application, I acknowledge that I have read and understood the information made available by Cowra Shire Council regarding the Community Grants Program, including the eligibility criteria and, to the best of my knowledge, the information provided in this application is true and correct.

I also acknowledge that this application is submitted with both the full awareness and authority of the organisation under which it is submitted (if applicable).

☐ Yes

Signature	
Please print name	

Grant Category

Please tick one box only

- ☐ **Sport and Recreation** maximum of \$1000
- ☐ **Arts and Culture** maximum of \$1000
- ☐ **Small Capital Equipment** maximum of \$1000
- ☐ **Building and Facility Development** maximum of \$2000
- ☐ **New Events (Attendance - up to 200)** maximum of \$500
- ☐ **New Events (Attendance – 201 & above)** maximum of \$1000

Organisation Details	
Organisation's Name	
Organisation's Mailing Address	
Is your organisation registered for GST?	<input type="checkbox"/> Yes
Does your organisation have an Australian Business Number (ABN)?	<input type="checkbox"/> Yes Please include ABN:

Is your organisation primarily volunteer run?	<input type="checkbox"/> Yes
Organisation's Bank Details	BSB: Account Number: Account Name:
Applicant Details – for this application	
Name of person completing this application	
Position with organisation (if applicable)	
Telephone number during office hours	
Mobile phone number	
Email address	
Application Details	
Name and or description of the event, project, activity, or equipment for which funding is being requested.	
Timeframe (if applicable)	Event is expected to be held on: Project or activity will commence: Project or activity will be completed by: Please note that events supported under the 'New Events' category must be held between 1 October 2023 and 30 June 2024.
Actual location of event or where project or activity will occur	

<p>Is the event, project, activity, offered for the whole of Cowra Shire?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>If you answered 'No', who will be involved?</p>
<p>Amount requested from Cowra Council — Cannot exceed maximum amount allowed for related category. Must be substantiated by a detailed quote or advertising brochure from supplier.</p>	<p>\$</p>

<p>Why are you holding the event, undertaking the project or activity or purchasing the equipment?</p> <ul style="list-style-type: none"> • Explain benefits to your organisation and the wider Cowra Shire community. • Use dot points where possible. 	
<p>How will your application address the strategies of the Cowra Council Community Strategic Plan?</p> <ul style="list-style-type: none"> • Refer to Cowra Council Community Strategic Plan – Cowra 2036 	<p>Select all boxes relevant to the application</p> <p>Health and Wellbeing</p> <p><input type="checkbox"/> Provide facilities, infrastructure and programs for health and well-being needs, including disability, mental health and family support services.</p>

	<p><input type="checkbox"/> Collaborate with education and health providers to attract and retain health professionals to the Shire.</p> <p><input type="checkbox"/> Support and encourage volunteering within the community.</p> <p><input type="checkbox"/> Partner with and seek advice from the local Indigenous community and Indigenous health care services to improve health outcomes.</p> <p><input type="checkbox"/> Provide for future aged care needs and support services. Promote an active retirement.</p> <p>Innovation and Education</p> <p><input type="checkbox"/> Make Cowra Shire a learning community.</p> <p><input type="checkbox"/> Support initiatives to increase education and training outcomes for local Indigenous people.</p> <p><input type="checkbox"/> Support local training and education providers to build local skills capacity, infrastructure and knowledge.</p> <p><input type="checkbox"/> Support innovation and research.</p> <p>Liveability</p> <p><input type="checkbox"/> Build understanding and communication of Cowra Shire's rich history, vibrant future and leadership in international understanding and cultural diversity.</p> <p><input type="checkbox"/> Continue to develop our leisure and cultural facilities and infrastructure and protect and enhance our natural environment.</p> <p><input type="checkbox"/> Recognise and grow the talent in our community.</p> <p><input type="checkbox"/> Develop and provide programs to meet the needs of Cowra Shire's young people.</p> <p><input type="checkbox"/> Develop a community where people are welcomed from all walks of life and feel safe and secure.</p> <p>Community Leaderships and Engagement</p> <p><input type="checkbox"/> Develop and model leadership skills across the community.</p> <p><input type="checkbox"/> Engage with our community in a variety of ways to increase awareness of key issues and ensure better project and service delivery outcomes.</p>
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	<input type="checkbox"/> Strengthen partnerships with government and other agencies. Business and Industry <input type="checkbox"/> Plan for and support business and industry growth, research and innovation. <input type="checkbox"/> Tell the world about the opportunities and benefits of living, working and playing in Cowra Shire. <input type="checkbox"/> Add value and support to our existing businesses and industries. <input type="checkbox"/> Support the development of an energetic CBD. <input type="checkbox"/> Identify and develop profitable and sustainable tourism products for Cowra. Transport and Infrastructure <input type="checkbox"/> Develop an integrated transport system that addresses local and regional needs in relation to cycleways, footpaths, road and rail. <input type="checkbox"/> Ensure that community assets and public infrastructure including roads, bridges and public buildings are well maintained. Environmental Sustainability and Stewardship <input type="checkbox"/> Aim to position Cowra as a centre of environmental excellence. <input type="checkbox"/> Take advantage of and support opportunities to grow new sustainable industries. <input type="checkbox"/> Show leadership by taking action and promoting practices to encourage Cowra Shire to be an environmentally responsible community. <input type="checkbox"/> Build partnerships with people who work with and care for the land to secure a healthier environment. <input type="checkbox"/> Build and promote Council's and the community's preparedness for, adaptability to and resilience to climate change and natural disaster impacts.
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	<p>Reconciliation and Inclusion</p> <p><input type="checkbox"/> Foster reconciliation and connection with the local Indigenous population. Respect, promote and protect Wiradjuri culture.</p> <p><input type="checkbox"/> Show leadership and promote actions that ensure all members of the community have an equal opportunity to participate fully within the community.</p> <p><input type="checkbox"/> Continue to deliver and ensure all high movement areas, public buildings and appropriate Council resources and services are accessible for all the community.</p>
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Budget	
What are the individual budget items for your event, project, activity, or equipment purchase for which you are seeking Cowra Council Community Grants Program funding?	
Items	
Total (A)	\$

What is your organisation or group providing in cash or in-kind to support your event, project, activity, or equipment purchase?	
Items	
Total (B)	\$

Total Project Budget (A + B) \$

Application Checklist**Have you:**

- ☐ Checked that your organisation is eligible to apply?
- ☐ Nominated the correct type of grant category that best matches your application?
- ☐ Ensured all appropriate persons are aware that this application is being submitted?
- ☐ Attached detailed quotes or advertising brochures from suppliers?
- ☐ Completed all sections of the Application Form?
- ☐ Kept a copy of this Application Form for your records?
- ☐ Checked the application form will be received by Council on or before the closing date?
- ☐ Signed the certification on page 2?

Submitting Your Application

Please save this form to your computer and email it to: council@cowra.nsw.gov.au with a subject line of Community Grant Application. Alternatively complete a paper copy of the application and deliver it to Council at 116 Kendal Street Cowra.

Please contact Council's Grants and Executive Projects Officer on 6340 2035 if you require assistance in completing your application.

5 DIRECTOR-CORPORATE SERVICES

5.1 Country University Centre

File Number: D23/I372

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION

That Cowra Shire Council note the progress of the Country Universities Centre (CUC) Cowra Region and accept the invitation from CUC Cowra Region to nominate a Councillor representative to serve as a Board Director and that Cr Judi Smith be endorsed as that representative.

INTRODUCTION

Cowra Council has been instrumental in the formation of the Country Universities Centre (CUC) Cowra Region with the Centre continuing to contribute towards the achievement of Cowra Shire's Community Strategic Plan. The CUC Cowra Region Board has extended an invitation for Cowra Council to nominate a Councillor as an official representative to serve as a CUC Cowra Region Director. Council's endorsed representative would be nominated for a position on the Board at the CUC Cowra Region Annual General Meeting on 23 November 2023.

BACKGROUND

The Country Universities Centre (CUC) Cowra Region officially opened its doors to students on 28 March 2023 following the refurbishment of the former Waugoola Motors Showroom at 175 Kendal Street, Cowra. The Centre provides a fit-for-purpose facility and wrap-around student support services to improve access and outcomes for local tertiary students undertaking University or vocational education courses from Certificate III level through to Post-graduate and Doctoral studies.

During the first six months of operation, CUC Cowra Region has steadily expanded its student base, already exceeding key performance targets for 2023 student registrations by more than 25%. Current student registrations are at 51, with several more anticipated in the coming week. The strong community response has reinforced the value of the CUC to the Cowra Shire.

Preliminary student feedback has been very positive, with some students reporting an improvement in their University results as a result of having access to the CUC's services. Several registered students have also benefited from scholarships awarded through the CUC's arrangement with the Bruce & Margaret Weir Trust, providing much-needed financial assistance to enable them to undertake compulsory practical placements.

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

1. Letter from Country Universities Centre – 16 October 2023 [↓](#)



16 October 2023

Cr Ruth Fagan
Mayor
Cowra Shire Council
116 Kendal Street
COWRA NSW 2794

Dear Ruth

RE: CUC COWRA REGION

The CUC Cowra Region Board would like to express its appreciation to Cowra Shire Council for the integral support provided by Council to establish the Country Universities Centre (CUC) Cowra Region.

As you would be aware, the Centre opened its doors to students in late March. During the first six months of operation the Centre has registered 50 students, surpassing key performance targets by 25%. The Centre continues to see steady growth in student numbers and has plans to extend student support services over the coming year.

The CUC Cowra Region's inaugural Annual General Meeting will be held on 23 November 2023. The CUC Board would like to extend an invitation to Cowra Council to endorse a Councillor representative to be nominated for a Director position on the CUC Cowra Region Board. We would also like to suggest that Judi Smith would be a very capable representative for Council as she has been involved in the project since the CUC's inception.

Please don't hesitate to contact me on 0402 673 125 should you wish to discuss our invitation. I look forward to hearing from you.

Yours sincerely

Linda Barron
Chairperson
16 October 2023

Centre Manager: Stephen Kilner Mob: 0466 245599 PO Box 775, COWRA NSW 2794

5.2 Cowra Regional Art Gallery Policies

File Number: D23/1267

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION**That Council adopt the draft Cowra Regional Art Gallery Policy.**

INTRODUCTION

The purpose of this report is to recommend adoption of the draft Policy. The Policy was placed on public exhibition for a period of 28 days after the Ordinary Council Meeting in August 2023. No submissions were received. The draft Cowra Regional Art Gallery Policy is now recommended for adoption by Council.

BACKGROUND

The original policy was adopted on 28 September 2020 has now been amended to reflect the activities and role of the Cowra Regional Art Gallery in management and collection development.

The Cultural Gifts program required an amendment to the Policy following a recent submission, that Council align the Gallery Collection Policy with the Cultural Gifts program with regards to deaccessioning and disposal processes. Accordingly, the update below has been added to the Disposal of the Collection section of the attached draft Cowra Art Gallery Policies (please refer to page 5 of the policy document):

Gifts made under the Cultural Gifts Program will not be returned to the donor as the donor has already received the benefit of a tax deduction for the gift.

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

- I. Draft Cowra Regional Art Gallery Policies [↓](#)

COUNCIL POLICY



Cowra Regional Art Gallery Policies



77 Darling Street
Cowra NSW 2794
P 02 6340 2190
F 02 6340 2191
cowraartgallery@cowra.nsw.gov.au
[www: cowraartgallery.com.au](http://www.cowraartgallery.com.au)

Cowra Regional Art Gallery Policies

Commencement Date	28 September 2020
Council Department	Corporate Services
Contact Officer	Art Gallery Director
Revision Required	Every 4 years

Policy Review

This policy shall be reviewed every four (4) years to ensure it meets all statutory requirements in reference to Cowra Shire Councils Corporate plan and reflect the activities and role of the Cowra Regional Art Gallery in management and collection development.

Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
2	28 September 2020	245/2020	Director-Art Gallery

Cowra Shire Council
Private Bag 342
Cowra NSW 2794

Phone: 02 6340 2000
Email: council@cowra.nsw.gov.au
Internet: www.cowracouncil.com.au

 Cowra Regional Art Gallery Policies

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Cowra Regional Art Gallery Policies

I. Collection Policy**I.1 Introduction**

1. The aim of this policy is to identify the decision-making process for shaping the permanent collection of the Cowra Regional Art Gallery. It articulates the principles and processes by which the collections will be developed as a community and cultural resource of excellence and significance. It is also intended to be a guide for the staff and Gallery Advisory Committee to allow them to make effective and consistent decisions in relation to collection development and management. The word “collection” will be taken to mean a number of collection’s held by the Cowra Regional Art Gallery under the terms identified in this document as follows:
 - i) The Gallery Collection
 - ii) The Calleen Collection
 - iii) The Olive Cotton Collection
 - iv) The POW Collection
 - v) The Sculpture Park Collection
2. The Collection will be developed in tandem with the revised Exhibition Policy and will focus on the following:
 - i) Art by leading Australian contemporary artists to build on the existing collection;
 - ii) Art by significant Australian artists which will promote a distinct identity of the Cowra Regional Art Gallery and the collection;
 - iii) Add to the development of the visual arts in Cowra and the region;
 - iv) Acquire works of art suitable for the purpose of enhancing the Cowra Sculpture Park

In general, “contemporary” will be taken to mean art practices from the twenty-year period leading up to the present time.
3. The word “artist” as used in this document, will embrace practitioners of various disciplines, including painting, sculpture, photography, print making, clay, textiles, glass, video, multi-media and design. The term “art” will be taken to refer to work or activities in any media (traditional or new, permanent or transitory, static or temporal) that may be produced by these practitioners.
4. The Cowra Regional Art Gallery recognises the historical and educational importance of the permanent collection, and will be responsible for its development, conservation, care and display.
5. The Cowra Regional Art Gallery will seek to be a place where contemporary artists feel welcome, respected and supported. The Cowra Regional Art Gallery will foster a sense of care and regard for artists’ work, and for the organisation of the records of their work and activity.
6. The Cowra Regional Art Gallery will take all measures to ensure that works are not destroyed, mutilated or altered. This will not restrict bona fide conservation work.
7. The Cowra Regional Art Gallery will establish a reputation for ethical conduct, professional standards, and fair respectful dealing with all sections of the art community and the general public.

Cowra Regional Art Gallery Policies

8. The Cowra Regional Art Gallery will seek to protect the freedom of artistic expression, and oppose any proposal, from whatever source, that attempts to restrict the form or content of artistic activity within its programs.
9. The Cowra Regional Art Gallery will develop its collection in a spirit of collaboration with other public institutions, where possible avoiding the duplication of established roles, and in response to changing institutional needs.
10. The Cowra Regional Art Gallery will seek to prevent, in all its activities, any exercise of discrimination on the basis of race, culture, creed, gender or sexual preference.
11. The Cowra Regional Art Gallery will ensure that its programs and services recognise Australia as a multicultural society, in which social diversity is appreciated.

Aboriginal and Torres Strait Islander art, in particular, will have a recognised place within Cowra Regional Art Gallery programs and activities.
12. Where the works of any indigenous peoples are acquired for the Cowra Regional Art Gallery collection the interests and participation of the relevant groups will be an important factor in the collection and treatment of this art.
13. Sponsorship, donations and other patronage will be actively sought and appreciated, but will not determine or shape Cowra Regional Art Gallery policies, and will not compromise or hinder the professional commitments or public obligation of the Cowra Regional Art Gallery.
14. The Cowra Regional Art Gallery is managed by the Gallery Director who reports to the Director–Corporate Services.

1.2 Collection Policy Objectives

To provide purpose built facilities, staffing and equipment to ensure storage, conservation, display, and framing of the art collection are undertaken according to national standards for Australian Museums and Galleries and industry best practice, including workplace health and safety standards and environmentally sustainable practices.

1.2.1 Areas of Collecting and Collection Development

The Cowra Regional Art Gallery through the Gallery Director in conjunction with the Gallery Advisory Committee under the following guidelines will acquire works of art:

- i. Which expand the body of work (oeuvre) of important artists already in the Collection;
- ii. Adding to existing works of a period which is represented in the collection;
- iii. By contemporary Australian artists or groups which extend the existing collection, relative to and representative of a variety of materials and diverse styles, forms, technique and media including painting, sculpture, works on paper, textiles, clay, glass, photography, mixed media, video and digital media;
- iv. By contemporary artists or groups which have made significant contributions to the development of Australian art (including indigenous artists and artists from culturally diverse backgrounds);
- v. By contemporary artists or groups which have made significant contributions to the development of the visual artists in the region and Cowra's history, heritage and its cultural connections with other countries and cultures;

Cowra Regional Art Gallery Policies

- vi. Which promote a distinct identity for the Cowra Regional Art Gallery, for example the collection of winners of the Calleen Art Award.

1.2.2 Acquisition Strategies

1. The Cowra Regional Art Gallery will acquire works for the collection through purchase, exchange, gift and bequest.
2. All works proposed for accession into the collection other than winners of the Calleen Art Award will be the responsibility of the Gallery Director in accordance with the collection criteria and in consultation with the Gallery Advisory Committee. An opinion may be sought from an outside person with appropriate expertise, if required. The accession date of the work will be the date of the Gallery Advisory Committee meeting at which the acquisition is approved.
3. The criteria for acceptance of a work into the collection will be.
 - i. The merit and quality of the work
 - ii. Its relevance to the areas of collecting and collecting policy
 - iii. Its relationship to works in the collection and its ability to extend the scope of the collection.
4. When considering proposed gifts or bequests, the Gallery Director will first examine their compatibility with areas of collecting. Special conditions attached to such works will be rejected if they contravene policy or inhibit the Cowra Regional Art Gallery's exercise of judgement concerning the use of its collection.
5. The Cowra Regional Art Gallery through the Gallery Director will be attentive to the regulations and procedures of the Tax Incentives for the Arts Scheme, when considering any gift proposed through this scheme.
6. The Cowra Regional Art Gallery through the Gallery Director reserves the right to negotiate varied approaches to payment for acquisitions, including phased payment, for the maximum benefit of the Gallery.
7. The Cowra Regional Art Gallery will respect matters of confidentiality or specific trust, and will not normally disclose prices paid for works.

1.2.3 Acquisition – Code of Ethics

1. The Cowra Regional Art Gallery recognises the need for co-operation and consultation between museums with similar or overlapping interests and collecting policies.
2. In acquiring works, the interests of the Cowra Regional Art Gallery must be the sole consideration. At all times members of the Gallery Advisory Committee and Gallery staff must ensure that they do not place themselves in a situation involving conflict of interest with the Cowra Regional Art Gallery. Further the members of the Gallery Advisory Committee and Gallery staff must not seek, in any activity, to obtain personal financial benefit directly or indirectly through their participation with the Cowra Regional Art Gallery.

Cowra Regional Art Gallery Policies

3. The Cowra Regional Art Gallery will not purchase any works of art from current staff members or members of the Gallery Advisory Committee, or accept donations from any of the above if the donor is also the author of the work.
4. The Cowra Regional Art Gallery will be mindful of sanctions governing the acquisition of any biological or geological material that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection law, material history conservation law, quarantine regulation or treaty, except with the consent of appropriate outside authorities.
5. The Cowra Regional Art Gallery will be mindful of religious sanctions attached to certain objects in Australian Aboriginal and Torres Strait Islander or other indigenous people's cultures, and must not acquire or exhibit an object in breach of these sanctions.
6. The Cowra Regional Art Gallery must not acquire or exhibit objects if the Director has reasonable cause to believe that the circumstances in which they were originally collected involved the unscientific or intentional destruction or damage of Australian Aboriginal and Torres Strait Islander or other indigenous people's ritual places or other known archaeological sites.
7. The Cowra Regional Art Gallery will not acquire any object, whether by purchases, gift, bequest or exchange, unless the Director is satisfied that a valid title can be acquired to that object.

1.3 Overview of the Gallery Collection

1. The Cowra Regional Art Gallery will integrate the development of the Gallery Collection with the management of resources for its care and presentation.
2. When acquiring works, the Cowra Regional Art Gallery will give due consideration to the management of resources required to house and maintain these works for posterity.
3. The Cowra Regional Art Gallery will document all acquisitions and loans, to facilitate identification, provenance and research.
4. All works accepted by the Cowra Regional Art Gallery into the collection will be professionally conserved and maintained.
5. Whenever appropriate and feasible, the Cowra Regional Art Gallery will provide public access to the collection, and to reference material relating to the collection.

1.4 Presentation of the Collection

1. In presenting the collection, the Cowra Regional Art Gallery will seek to stimulate awareness of the complexity of social processes that surround the objects in its care. The Cowra Regional Art Gallery will ensure that the collection is placed within varying contexts, by pursuing a vital program of temporary exhibitions and related events.
2. The Cowra Regional Art Gallery will not display an object if, in the opinion of the Gallery Director, the condition of that object would be seriously impaired.

Cowra Regional Art Gallery Policies

3. When appropriate, the Cowra Regional Art Gallery will maintain records of artists' instructions for the presentation of their work. Where practical and reasonable, any such instructions will be respected when installing works from the collection.

1.5 Loans from the Collection

1. It is the responsibility of the Cowra Regional Art Gallery to make its collection accessible to a wide public. The Cowra Regional Art Gallery's obligation to care for its collection will be taken into account when evaluating all proposals to lend works to Regional State Galleries.

1.6 Research

1. Research is a fundamental part of the activities of the Cowra Regional Art Gallery. Staff research will include the documentation and interpretation of the various aspects of the collection, cataloguing of the collection, and information on artists.
2. Research done by staff and volunteers on the collection of the Cowra Regional Art Gallery is the property of the Cowra Regional Art Gallery unless contracted otherwise.
3. The Cowra Regional Art Gallery will give full acknowledgment of authorship to all research carried out on its behalf.

1.7 Disposal of the Collection

1. The Cowra Regional Art Gallery regards the right to deaccession and dispose of works as a necessary part of developing the collection to its fullest potential, and of responsible collection management.
2. Gifts made under the Cultural Gifts Program will not be returned to the donor as the donor has already received the benefit of a tax deduction for the gift.
3. The Cowra Regional Art Gallery will always approach the deaccession and disposal of works with extreme caution, and incorporate delay and review mechanisms in its procedures for disposal.
4. No work of art will be disposed of unless the Gallery Advisory Committee formally identified major and sufficient reasons for doing so.
5. The Cowra Regional Art Gallery will observe any legal conditions pertaining to its right of disposal.
6. The Cowra Regional Art Gallery will deaccession a work in a manner it considers most beneficial to the collection and to the future of the work. This may include sale, exchange, gift or destruction. Only public or non-profit institutions may receive the gift of a deaccessioned work. Destruction of a work will be considered only if the object is dangerous or has for some reason deteriorated beyond repair.
7. The process for the disposal of works will be as follows:
 - a. The Gallery Director will propose to the Gallery Advisory Committee works to be considered for deaccession with supporting reasons why this course should be followed.

Cowra Regional Art Gallery Policies

- b. The Gallery Advisory Committee by unanimous vote will agree that the work should be considered for deaccession but a three month period should then elapse before the matter is finally resolved (unless the object is dangerous or has deteriorated beyond repair). This is to allow consultation with interested parties such as donors and their families or other appropriate people with an interest in the work.
 - c. After three months the Gallery Advisory Committee will again consider the works for deaccession taking into account all relevant views canvassed in that time. A unanimous vote of the Gallery Advisory Committee is required for the work to be disposed of or until the matter is finally resolved to the satisfaction of all parties.
- 8. Full records will be kept of any object disposed of and the process whereby the decision to dispose was made.
 - 9. Any proceeds gained from disposal will be credited solely to acquisition funds.
 - 10. At no time will a staff member, volunteer, Gallery Advisory Committee member, or any person formally connected with the Cowra Regional Art Gallery, be permitted to acquire a deaccessioned work of art directly from the Cowra Regional Art Gallery.
 - 11. Any works purchased with funds specifically derived from the proceeds of the sale of a disposed artwork which had been donated will be credited as the gift of the original donor and all efforts will be made to have it approved by the original donor.

2. Exhibition Policy**2.1 Introduction**

- 1. The aim of this policy is to guide and direct the conceptual development and implementation of exhibitions at the Cowra Regional Art Gallery including the scope and types of exhibitions which will constitute the Cowra Regional Art Gallery exhibition program.
- 2. The Cowra Regional Art Gallery will effectively develop and present a diverse and informed program of stimulating, educational, and culturally significant exhibitions. The exhibition program contributes to the cultural life and the social heritage of Cowra for the enjoyment of the local community and visitors to the region.
- 3. The term *artist* used in this document will embrace practitioners of various disciplines including painting, sculpture, photography, print making, clay, textiles, glass, video, multi-media and design. The term *art* will be taken to refer to work or activities in any media, permanent or transitory, that may be produced by these practitioners.
- 4. The Cowra Regional Art Gallery will seek to be a place where artists feel welcome, respected and supported. The Cowra Regional Art Gallery will foster a sense of care and regard for artists' work in all matters of handling and display. Curatorial decision for exhibition display lies with Gallery Director.
- 5. The Cowra Regional Art Gallery will establish a reputation for ethical conduct and professional standards in dealing with works of art lent by artists, private collectors and lending institutions.

Cowra Regional Art Gallery Policies

6. The Cowra Regional Art Gallery will seek to protect the freedom of artistic expression, and oppose any proposal, from whatever source, that attempts to restrict the form or content of artistic activity within its programs.
7. The Cowra Regional Art Gallery will develop its exhibition program in a spirit of collaboration with other public institutions and where possible, avoid duplication of roles.
8. The Cowra Regional Art Gallery will seek to prevent in its exhibition program any exercise of discrimination on the basis of race, culture, gender or sexual preference.
9. The Cowra Regional Art Gallery will ensure that its exhibition program recognises Australia as a multicultural society in which social diversity is appreciated. Aboriginal and Torres Strait Islander art, in particular, will have a recognised place within the exhibition program.
10. Where the works of any indigenous peoples are exhibited by the Cowra Regional Art Gallery, the interests and participation of the relevant groups will be an important factor in the display of the works.
11. Sponsorships, donations and other patronage will be actively sought to support the exhibition program. However, this will not determine the content or scope of the program.

2.1.1 Scope and Balance

1. The Cowra Regional Art Gallery will show exhibitions which are curated by the Cowra Regional Art Gallery Director, guest curated, or received from appropriate outside sources.
2. Within an annual program, no less than fifty percent of the artists included in the exhibition program should be connected with Cowra, the Central West region and NSW (grant funding requirement).
3. Within an annual program, a reasonable attempt should be made to achieve gender balance among the artists whose work is shown.
4. Cowra Regional Art Gallery will develop and support exhibitions which are innovative, challenging and critically engaged, notwithstanding that they may be controversial.
5. Cowra Regional Art Gallery will regularly exhibit work from its permanent collection. These displays will be integral to the Cowra Regional Art Gallery exhibition program and will be changed periodically to achieve maximum public access to the permanent collection.
6. Cowra Regional Art Gallery exhibitions will vary in terms of focus, size, scope and intended audience. Where possible exhibitions will extend the notion of Cowra Regional Art Gallery being a gallery that presents a diverse program of the visual, where issues of current social, political and cultural debate are addressed through the work of artists.
7. The Cowra Regional Art Gallery will endeavour to present a balanced annual exhibition program of contemporary art and craft practices and projects with a social and historical context. At least a mixture of the following types of exhibitions should be presented each year: national touring exhibitions of excellence, projects relevant to youth in the region, and 'in house' regional exhibitions with guest curator or collection based exhibitions.

Cowra Regional Art Gallery Policies

8. Cowra Regional Art Gallery will, where appropriate, present exhibitions in collaboration with other institutions or to complement exhibitions or events organised by other institutions or other sections of Cowra Regional Art Gallery.

2.1.2 Code of Ethics and Institutional Responsibilities

1. At all times, the staff and Gallery Advisory Committee of Cowra Regional Art Gallery shall ensure that they do not place themselves in a position involving possible conflict of interest with Cowra Regional Art Gallery. Further they will not seek to obtain personal financial benefit through their involvement with the Cowra Regional Art Gallery exhibition program.
2. The Cowra Regional Art Gallery will not exhibit any works of art by current Gallery Advisory Committee or staff members in a solo exhibition but participation in group exhibitions is allowed.
3. The Cowra Regional Art Gallery will be mindful of sanctions governing the handling or displaying of biological or geological material that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection law, material history conservation law, quarantine regulation or treaty, without the consent of the appropriate authorities will not exhibit such material.
4. The Cowra Regional Art Gallery will be mindful of religious sanctions attached to certain objects in Australian Aboriginal and Torres Strait Islander or other indigenous peoples' cultures. It will not exhibit objects in breach of these sanctions.
5. The Cowra Regional Art Gallery will not exhibit objects if the Gallery Director has reasonable grounds to believe that the circumstances in which they were originally collected involved the intentional destruction or damage of Australian Aboriginal and Torres Strait Islander or other indigenous peoples' ritual places or other known archaeological sites.
6. Where appropriate and feasible the Cowra Regional Art Gallery will respect the installation and display requirements of artists.

2.1.3 Institutional Responsibilities

1. The Cowra Regional Art Gallery will give proper acknowledgment of authorship in display labels at all times for works included in exhibitions.
2. All works borrowed from private or institutional lenders will be insured by the Cowra Council to the level nominated by the lenders and agreed by the Gallery Director for the entire period they are absent from the lender, both while in transit and while installed in Cowra Regional Art Gallery. Where an exhibition is toured by Cowra Regional Art Gallery this insurance cover will be extended to cover the entire period of the tour. Any variation to this arrangement will only be at the request of the lender.
3. All works borrowed for exhibition at Cowra Regional Art Gallery will have the Cowra Regional Art Gallery loan form completed for it. One copy will be retained by Cowra Regional Art Gallery and the other sent to the lender.
4. The Gallery Director will liaise with and develop close working relationships with other regional galleries, local art groups and organisations and State and Federal support organisations.

Cowra Regional Art Gallery Policies

5. The Gallery Director will provide public and education programs through workshops, seminars and lectures and promote the Gallery and programs in order to maintain and encourage new audiences.

3. Gallery Advisory Committee Responsibilities

1. It is the responsibility the Gallery Director to plan, organise and implement the exhibition program, with the assistance of the Advisory Committee as required.
2. The Gallery Advisory Committee shall form sub-committees as required to plan and present with the Gallery Director special fundraising events and activities.
3. All recommendations by any Gallery Advisory Sub-committee shall be reported to the Gallery Advisory Committee in consultation with the Gallery Director for final approval.
4. The Gallery Director is responsible for the preparation, implementation and supervision of the budget of the Gallery, including the preparation and approval of all funding strategies, applications and acquittals.
5. The Gallery Director is responsible for the preparation, implementation and supervision of all Gallery procedures and policies including the volunteer program. The Gallery Advisory Committee is responsible to assist the Gallery staff to facilitate the Gallery procedures and policies, and make recommendations to the Gallery Director and Council.
6. The Gallery Advisory Committee must ensure the acquisition policy and a deaccessioning policy are subject to a uniform evaluation process.
7. The Gallery Advisory Committee must develop close relations with Council and report regularly to it. It must develop a relationship of transparency and trust with Council.
8. The members of the Committee are in a fiduciary relationship with the Gallery and thus, in matters concerning the Gallery, must put the interests of the Gallery before their own.
9. When a Gallery Advisory Committee member is acting in his or her role as a Committee member of the Gallery, the interests of the Gallery must prevail over the interests of any other organisation, even if that member is a member of or an appointee of that other organisation.
10. Each Gallery Advisory Committee member must provide a declaration of interests that sets out their business, memberships and company shareholdings and this list will be publicly available. It is the responsibility of each member of the Gallery Advisory Committee to ensure that his or her details are accurate and regularly updated.
11. Each member of the Gallery Advisory Committee has a duty to be an active contributor to the work of the Gallery Advisory Committee and the Gallery and has an obligation to work for the cultural success and good governance of the Cowra Regional Art Gallery.
12. Gallery Policy will be developed in tandem with the Gallery Exhibition policy and priority will be given to promoting a distinct identity of the Cowra Regional Art Gallery while exploring the forces that culturally affect and shape the region. It is the responsibility of the Gallery Advisory Committee to assist with policy development and the responsibility of the Gallery Director for the implementation of all Gallery policies.

Cowra Regional Art Gallery Policies

13. The Gallery Advisory Committee recognises that it is essential to good governance that correct channels of communication be maintained in matters relating to the affairs of the Gallery. All official statements, press releases, official relations with Council, instructions to the Director and the like, shall be carried out through the Chair of the Committee.

5.3 Release of Closed Decisions

File Number: D23/1390

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION

That Council note the release of the resolutions made in Closed Council at the Ordinary Council Meeting on 25 September 2023:

Request for Water Account Adjustment - Assessment Number 49851

RESOLUTION 194/23

Moved: Cr Judi Smith

Seconded: Cr Paul Smith

That Council does not approve a credit adjustment to the value of \$1,106.12 to the water account (Assessment Number 49851) on the grounds of extenuating circumstances.

Request for Tender 9/2023 - Cowra Sewer CCTV and Relining

RESOLUTION 195/23

Moved: Cr Bill West

Seconded: Cr Cheryl Downing

That Council accept the tendered schedule of rates from Interflow Pty Ltd for tender 9/2023 Sewer CCTV and Relining Contract and note the proposed budget for the works program under the contract is \$1,124,205 including \$740,180 carried over from 2022/23 Operational Plan.

Sale of land - Lot 9 Cowra Airport to Brian Fisher

RESOLUTION 196/23

Moved: Cr Bill West

Seconded: Cr Nikki Kiss

That Council not accept the offer from Mr Brian Fisher to purchase lot 9 in the Cowra Airport subdivision.

Request for Water Account Adjustment - Assessment Number 63479

RESOLUTION 197/23

Moved: Cr Judi Smith

Seconded: Cr Paul Smith

That Council approve a credit adjustment to the value of \$630.85 to the water account (Assessment Number 63479) on the grounds of extenuating circumstances.

Cowra Civic Centre - Auditorium Retractable Raked Seating Quote

RESOLUTION 198/23

Moved: Cr Erin Watt

Seconded: Cr Nikki Kiss

That Council awards the contract for the supply and installation of retractable raked seating in the Civic Centre Auditorium to Maxwood Technology based on the quote provided to the value of \$458,833 (excluding GST) as they are the only supplier able to meet the grant specification requirements of this product in Australia.

Assessment of Request for Quotation 6/2023: Construction of Evans Street Shared Pathway**RESOLUTION 199/23**

Moved: Cr Paul Smith

Seconded: Cr Judi Smith

1. That Council receive and note the information that the Public Spaces Legacy Program funding for the Evans Street shared pathway and vehicle parking area has been approved under the program guidelines.
2. That in accordance with Section 55 3 (i) of the Local Government Act (1993) Council resolves that a satisfactory result would not be achieved by inviting tenders for the contract to construct the Evans Street shared pathway because of extenuating circumstances.
3. That Council resolves that the extenuating circumstances are that the project will not be delivered in the available grant funding program timeframe if Council proceeds to invite tenders in accordance with Part 7 'Tendering'; Division 2 'Prerequisites for Tendering'; of the Local Government (General) Regulation (2021).
4. That Council enter into a contract for the Evans Street Shared Pathway project with Andrew Broad Concreting to construct the Evans Street shared pathway for the sum of \$475,893.00 including GST; based on the satisfactory assessment of the proposed contract sum provided in the report.

Mayoral Minute - Annual Performance Review to 30 June 2023**RESOLUTION 200/23**

Moved: Cr Bill West

Seconded: Cr Paul Smith

That this Mayoral Minute regarding the General Manager's Annual Performance Review to 30 June 2023 be noted.

INTRODUCTION

The above decisions were made at the Ordinary Council Meeting on 25 September 2023. These decisions have now been released by the Chairman.

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

Nil

5.4 Donation - Leonard King High Performance Basketball Coaching

File Number: D23/1507

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION

That Council provide a donation of \$600 to the PCYC from the Section 356 expenses budget for the hire of basketball courts for the Leonard King High Performance Coaching Clinics to be held in Cowra on 28 and 29 October 2023.

INTRODUCTION

Further to the report presented to the September 2023 council meeting, additional information has been provided regarding the request for a donation for the PCYC court hire costs for the Leonard King performance coaching clinics.

BACKGROUND

Mr King is a former professional basketball player and two times coach of the year award winner. Mr King is currently the High-Performance Manager at Basketball ACT and will be in Cowra on 28 and 29 October 2023 to present basketball training sessions aimed at Cowra youth to come and learn new basketball skills while having fun and being challenged by one of Australia's most accomplished basketball coaches. Sessions are scheduled as follows:

- Saturday 28 October, 9am-12noon, 8-12 years: At this session the players will be introduced to age appropriate skills and some short-sided games
- Saturday 28 October, 1pm-4pm, 13-17 years: At this session the players will be accelerating the skill development, train in game like situations and working on decision making in live play.
- Sunday 29 October, 9am-12noon: 13-17 years: Foundation training; transition offense and transition defence first touch decision making

The event has been instigated and organised by Mrs Raelene Beecher and will be held at PCYC Cowra to bring professional coaching to country kids. Mr King has reduced his usual fee of \$150 per hour to \$50 per hour which is covered by the below session charge. All costs associated with the event are:

- | | |
|--|--------------------|
| 1. Court hire at PCYC | \$ 600 |
| 2. Accommodation (donated by Service Club) | \$ 150 |
| 3. Session charge (for Mr King's attendance fee) | \$ 50 per Attendee |
| 4. Event Advertising | \$In kind donation |
| 5. Meals, fuel, incidentals | \$In kind donation |

ELIGIBILITY

The request meets the eligibility requirements of Clause 9 of Council's Donations Policy in the following area:-

- Support for a locally based voluntary community service or program where the majority of its income is fundraising.

In consideration of the activity and the unique opportunity it brings to the Shire's younger residents, it is recommended that Council donate the sum of \$600 in this instance from section 356 donations.

BUDGETARY IMPLICATIONS

\$18,376.29 is the current balance in the 2023/24 Budget for Section 356 Donations

ATTACHMENTS

1. Donation Application - 6 September 2023 [↓](#)
2. Proposed event poster [↓](#)



Cowra Shire Council
Private Bag 342
Cowra NSW 2794
Phone: 02 6340 2000
council@cowra.nsw.gov.au
www.cowracouncil.com.au

Application for Financial Assistance/Donation

Applicant Information

Local Sporting Team/Organisation

[applications must be made by the local team of which the individual is a member]

Contact Name/ Sporting John Norton PCYC, Jeff Taylor PCYC.

Mailing address: raelene.beecher@bigpond.com.

Phone: (Home) _____ (Business) _____

Email: _____

Signature: _____ Date: 6 / 9 / 23

Organisation Details

Organisation responsible for the event/activity: P.C.Y.C & Leonard King ^{HP.} Coaching

President/Secretary Contact Details: _____

Organisation Type (please circle): Non Profit / Charity / Incorporated / Business / other: _____

Do membership fees apply ? ☐ YES ☒ NO

If yes, annual membership/fees \$ _____

Event Details

Description of the event/project/request/person for which assistance is sought Leonard King is a high performance coach with Basketball ACT. Played college basketball in USA & HP coach of N2 basketball for many years he is happy to run a HP clinic in Cowra.

Date/s of the proposed event/project 28/29th October

Venue where will the event/project take place? PCYC - Cowra.

Financial Details

Amount of assistance being sought: \$ 600.00.

Total Estimated cost of the total event/project \$ 600.00 court hire cost -

How are funds to be raised? (\$50 per court/per hour - 8hrs Saturday - \$400. 3hrs Sun. - \$200.

Funds available at present to go towards event \$ _____

Will the event/project support charities ☐ YES ☒ NO

If YES, value of support \$ _____

Previous / Other Assistance: _____

Has Council previously assisted you/your organisation? ☐ YES ☐ NO

If so what was the amount of the assistance from Council? \$ _____

When was it provided? _____

Have you applied for funding from other organisations? ☐ YES ☐ NO

If YES, how much has been sought \$ _____

Eligibility - Please tick the applicable areas relevant to the application:-

- ☒ Community development projects – projects that meet an identified community need, have been developed in consultation with the community and encourage participation in the development of the project.
- ☐ Festivals and special events which enhance community spirit.
- ☐ Support for a locally based voluntary community service or program where the majority of its income is fundraising.
- ☒ Local Community, charity and not for profit activities or events/functions that may be conducted outside the shire, but provide a benefit to the shire's residents
- ☒ To assist an individual's or team's sporting, cultural or academic achievement at a significant and recognised level.
- ☐ Community, charity and not for profit organisations' use of Council owned and controlled facilities including halls, sporting grounds and other venues.

Request Details – Please complete either A or B below**A. Sporting applications** – Please select relevant sporting category below

- ☐ Australian/NSW/Territory Representative or team competing overseas
- ☐ Australian/NSW/Territory Representative or team competing in NSW or interstate

PLEASE NOTE: Sporting applications will only be considered when made by the local organisation/club of which the individual/team is a member, and must be supported by a letter of confirmation from the State or National body.

Attachments required for sporting applications:

- o Supporting letter from local organisation body
- o Supporting letter from State/Australian Supporting body
- o Please attach any other information to support your application to Council

B. Community/Event applications – Please ensure all questions are answered

Council Community Objectives - To enable Council to consider your application, Council requires details of how this event/project will meet Council's objectives.

Objective 1: To provide benefit to the residents of Cowra Shire Council.

Many young people of Cowra who are talented basketballers are unable to attend higher level academics or high performance coaching because they need to factor in travel and accommodation costs.

Objective 2: To conduct quality cultural, sporting and community service programs or events which cannot attract sufficient funds from other sources. [Please indicate why you are running the event]

Leonard was supportive of bringing an opportunity to a small town like Cowra because he knew what it was like for talented sporting youngsters not living in cities and not being able to

Objective 3: To provide access and usage of community resources, services and facilities, and equity of access for special needs groups

By having the court costs meet by funding, can ensure that my "high-service" resource is more equitable and affordable to families with court costs covered he will

Objective 4: To encourage and enable broad community participation in cultural/ community service programs.

Bringing a "service"/"opportunity" to country basketballers only be charging \$50 per child opens up possibilities for all kids in this region in the field of basketball.

Attachments required for Community/Event applications:


- o copy of the project's proposed budget, detailing anticipated costs, with quotations if applicable; – \$50 per child per session without court costs – \$80 per child if court costs
- o If you are a registered public charity, a copy of the registration certificate
- o Please attach any other information to support your application to Council

- Please check:
1. All questions on Page 1 to be completed
 2. Eligibility criteria has been selected
 3. Section A or Section B above has been completed
 4. Supporting documents for sporting activities included

only be charging \$50 per child if court costs are to be included.

HIGH PERFORMANCE BASKETBALL COACHING IN COWRA

 **COWRA PCYC** YOUNG RD

 **SAT 28** 9AM-12PM: YR 3 TO 6
OCTOBER 1PM-4PM : YR 7 TO 12
SUN 29 9AM-12PM: YR 3 TO 6
OCTOBER 1PM-4PM : YR 7 TO 12

 **\$50** PP PER SESSION

EMAIL TO REGISTER: COWRA@PCYCNSW.ORG.AU

PAYMENT AT PCYC COWRA YOUNG RD BY 4PM 16 OCT.'23

**TRAIN WITH
THE KING
IN COWRA!**

LEONARD KING

Leonard King is a former professional Basketball player and 2x 'coach of the year' award winner. Currently, Leonard is the High Performance manager at Basketball ACT, where he managed the senior men's and women's National teams from 2018 - 2022.

HURRY LIMITED SPACES
30 SPOTS ONLY! WAIT LIST AVAILABLE

PROUDLY SUPPORTED BY:



5.5 Quarterly Budget Review Statement - June 2023

File Number: D23/1547

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION

That the First Quarter Budget Review for 2023-24 showing a Surplus of \$11,810,000 be adopted.

INTRODUCTION

Presentation of the First Quarter Review for the quarter ending 30 June 2024 showing a surplus is presented to Council for adoption.

BACKGROUND

The First Quarter Budget Review for the year ending 30 June 2023 was considered at the information session held on Monday 16 October 2023. Council reviewed the budget and noted that overall the result was satisfactory and demonstrated sound budgetary management on a significant range of activities in the three-month period.

Fund	Original Estimate (\$000's)		1 st Quarter Variation (\$000's)		Revised Estimate for 30/06/2024 (\$000's)	
General	\$	7,397 Surplus	\$	1,481 Improvement	\$	8,878 Surplus
Waste	\$	42 Surplus	\$	54 Improvement	\$	96 Surplus
Water	\$	1 Surplus	\$	3,370 Improvement	\$	3,371 Surplus
Sewer	\$	477 Deficit	\$	58 Deterioration	\$	535 Deficit
Total	\$	6,964 Surplus	\$	4,846 Improvement	\$	11,810 Surplus

ATTACHMENTS

1. First Quarterly Budget Review Statement for the period 01.07.23 to 30.09.23 [↓](#)

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

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COWRA SHIRE COUNCIL

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

Report by Responsible Accounting Officer

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

It is my opinion that the Quarterly Budget Review Statement for COWRA SHIRE COUNCIL for the quarter ended 30/09/23 indicates that Council's projected financial position at 30/6/24 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____

Date:

Mr M Jones
Responsible Accounting Officer

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Income & Expenses Budget Review Statement

Budget Review for the quarter ended 30 September 2023

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes September QBRS	Revised Budget 2023/24	Actual YTD figures
Income				
Rates and Annual Charges	16,234	61	16,295	13,672
User Charges and Fees	15,087	(195)	14,893	1,655
Other Revenues	1,465	109	1,574	429
Grants & Contributions - Operating	11,778	(466)	11,312	517
Grants & Contributions - Capital	6,059	6,031	12,090	2,928
Interest and Investment Revenues	1,289	-	1,289	520
Other income	236	-	236	49
Net gain from disposal of assets	170	-	170	156
Total Income from Continuing Operations	52,318	5,540	57,858	19,926
Expenses				
Employee Costs	17,401	(160)	17,241	3,686
Materials & Contracts	16,842	778	17,619	3,697
Borrowing Costs	883	-	883	152
Depreciation	8,684	-	8,684	2,171
Other Expenses	1,544	76	1,621	150
Total Expenses from Continuing Operations	45,354	694	46,048	9,856
Net Operating Result from Continuing Operations	6,964	4,846	11,810	
Net Operating Result before Capital Items	904	(1,184)	(280)	

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Income & Expenses Budget Review Statement

Budget Review for the quarter ended 30 September 2023

Income & Expenses - General Fund

(\$000's)	Original Budget 2023/24	Approved Changes September QBRS	Revised Budget 2023/24	Actual YTD figures
Income				
Rates and Annual Charges	7,728	22	7,750	7,660
User Charges and Fees	7,590	(195)	7,395	519
Other Revenues	390	94	484	67
Grants & Contributions - Operating	11,761	(581)	11,180	517
Grants & Contributions - Capital	5,959	2,601	8,560	1,016
Interest and Investment Revenues	1,159	-	1,159	477
Other income	210	-	210	46
Net gain from disposal of assets	170	-	170	156
Total Income from Continuing Operations	34,965	1,942	36,907	10,457
Expenses				
Employee Costs	13,744	(163)	13,581	2,872
Materials & Contracts	7,058	548	7,605	1,354
Borrowing Costs	188	-	188	32
Depreciation	5,067	-	5,067	1,267
Other Expenses	1,512	76	1,588	137
Total Expenses from Continuing Operations	27,568	461	28,029	5,661
Net Operating Result from Continuing Operations	7,397	1,481	8,878	
Net Operating Result before Capital Items	1,438	(1,120)	318	

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Income & Expenses Budget Review Statement

Budget Review for the quarter ended 30 September 2023

Income & Expenses - Waste Fund

(\$000's)	Original Budget 2023/24	Approved Changes September QBRS	Revised Budget 2023/24	Actual YTD figures
Income				
Rates and Annual Charges	3,123	39	3,162	3,079
User Charges and Fees	719	-	719	389
Other Revenues	1,075	15	1,090	363
Grants & Contributions - Operating	0	-	-	-
Grants & Contributions - Capital	0	-	-	-
Interest and Investment Revenues	17	-	17	7
Other income	3	-	3	-
Net gain from disposal of assets	0	-	-	-
Total Income from Continuing Operations	4,937	54	4,991	3,838
Expenses				
Employee Costs	1,926	-	1,926	393
Materials & Contracts	2,634	1	2,635	690
Borrowing Costs	7	-	7	0
Depreciation	324	-	324	81
Other Expenses	2	-	2	-
Total Expenses from Continuing Operations	4,895	1	4,895	1,164
Net Operating Result from Continuing Operations	42	54	96	
Net Operating Result before Capital Items	42	54	96	

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Income & Expenses Budget Review Statement

Budget Review for the quarter ended 30 September 2023

Income & Expenses - Water Fund

(\$000's)	Original Budget 2023/24	Approved Changes September QBRS	Revised Budget 2023/24	Actual YTD figures
Income				
Rates and Annual Charges	2,057	-	2,057	120
User Charges and Fees	5,745	-	5,745	73
Other Revenues	0	-	-	-
Grants & Contributions - Operating	17	115	132	-
Grants & Contributions - Capital	34	3,430	3,463	1,912
Interest and Investment Revenues	37	-	37	6
Other income	0	-	-	-
Net gain from disposal of assets	0	-	-	-
Total Income from Continuing Operations	7,890	3,544	11,434	2,112
Expenses				
Employee Costs	1,225	3	1,227	302
Materials & Contracts	4,131	172	4,302	851
Borrowing Costs	208	-	208	31
Depreciation	2,297	-	2,297	574
Other Expenses	29	-	29	12
Total Expenses from Continuing Operations	7,889	174	8,063	1,770
Net Operating Result from Continuing Operations	1	3,370	3,371	
Net Operating Result before Capital Items	(33)	(60)	(93)	

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Income & Expenses Budget Review Statement

Budget Review for the quarter ended 30 September 2023

Income & Expenses - Sewer Fund

(\$000's)	Original Budget 2023/24	Approved Changes September QBRS	Revised Budget 2023/24	Actual YTD figures
Income				
Rates and Annual Charges	3,326	-	3,326	2,812
User Charges and Fees	1,033	-	1,033	674
Other Revenues	0	-	-	-
Grants & Contributions - Operating	0	-	-	-
Grants & Contributions - Capital	67	-	67	0
Interest and Investment Revenues	76	-	76	30
Other income	24	-	24	3
Net gain from disposal of assets	0	-	-	-
Total Income from Continuing Operations	4,526	-	4,526	3,519
Expenses				
Employee Costs	506	1	507	119
Materials & Contracts	3,019	57	3,076	803
Borrowing Costs	479	-	479	89
Depreciation	997	-	997	249
Other Expenses	2	-	2	1
Total Expenses from Continuing Operations	5,002	58	5,061	1,261
Net Operating Result from Continuing Operations	(477)	(58)	(535)	
Net Operating Result before Capital Items	(544)	(58)	(602)	

COWRA SHIRE COUNCIL

**Income & Expenses Budget Review Statement
Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes Details**INCOME****GRANTS & CONTRIBUTIONS - OPERATING**

Increased due to the carryover of operating grants:

- \$915,453 Roads to Recovery grant
- \$114,558 Safe & Secure grant

Decreased due to operating grants recognised as income in 2023 as per Accounting Standards:

- \$1,287,871 Regional and Local Road Repair Program grant (RLRRP)
- \$247,758 Fixing Local Roads Pothole Repair grant

GRANTS & CONTRIBUTIONS - CAPITAL

Increased due to the carryover of capital grants:

- \$1,529,324 Public Open Spaces grant
- \$3,429,728 Cowra Drought Water Supply Construction grant

EXPENSES**MATERIALS AND CONTRACTS**

Increased due to the carryover of non-funded operating expenditure including:

- \$20,934 Japanese Gardens plant/labour contribution
- \$59,652 Staff training
- \$41,027 Cowra Sculpture Park
- \$37,841 Disabled Access Incentive Fund
- \$114,558 unfunded portion of Cowra Integrated Water Cycle Management (IWCM)

Increased by \$245,500 due to pool being operated under a management contract this year - this was partially offset by a reduction in employee expenses.

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2023

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes September QBRs	Revised Budget 2023/24	Actual YTD figures
Capital Expenditure				
New Assets				
- Plant & Equipment	1,547	1,028	2,575	712
- Land & Buildings	-	141	141	93
- Infrastructure	11,344	4,380	15,724	866
- Other Assets	100	624	724	153
Renewal Assets (Replacement)				
- Land & Buildings	3,345	464	3,809	119
- Infrastructure	7,257	3,629	10,885	1,560
- Other Assets	3,621	423	4,044	13
Loan Repayments (Principal)	1,385	-	1,385	343
Total Capital Expenditure	28,598	10,689	39,287	3,859
Capital Funding				
Rates & Other Untied Funding	3,306	837	4,143	-
Capital Grants & Contributions	6,059	6,031	12,090	2,605
Reserves:				
- External Restrictions/Reserves	3,508	2,361	5,869	344
- Internal Restrictions/Reserves	2,955	1,281	4,236	909
New Loans	12,770	179	12,950	-
Total Capital Funding	28,598	10,689	39,287	3,859
Net Capital Funding - Surplus/(Deficit)	-	-	-	-

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Capital Budget Review Statement**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes Details**CAPITAL EXPENDITURE****PLANT & EQUIPMENT - NEW**

Increased due to the carryover of \$1,028,078 of plant purchases.

INFRASTRUCTURE - NEW

Increased due to carryover of the following projects:

- \$3,429,728 for construction of the emergency drought supply
- \$473,991 for River Front footpaths, street furniture and carparking area
- \$438,955 for additional pathways at the Peace Precinct

INFRASTRUCTURE - RENEWAL

Increased due to carryover of the following projects:

- \$740,180 sewer mains replacement/renewal
- \$110,000 sewer treatment plant solar system installation
- \$692,109 water high lift pump at river switchboard
- \$452,077 water main replacement on Vaux Lane
- \$240,000 water main replacement on Comerford Street and Lachlan Street
- \$181,703 water main replacement on Bernie Heilman Street
- \$206,596 other water mains replacement/renewal
- \$150,000 water transfer pump replacement
- \$403,101 gravel resheeting
- \$438,955 additional pathways at the Peace Precinct

CAPITAL FUNDING**CAPITAL GRANTS & CONTRIBUTIONS**

Increased due to the carryover of capital grants:

- \$1,529,324 Public Open Spaces grant
- \$3,429,728 Cowra Drought Water Supply Construction grant

EXTERNAL RESTRICTIONS/RESERVES

Increased due to carryover of the following projects:

- \$740,180 sewer mains replacement/renewal
- \$110,000 sewer treatment plant solar system installation
- \$692,109 water high lift pump at river switchboard
- \$452,077 water main replacement on Vaux Lane
- \$240,000 water main replacement on Comerford Street and Lachlan Street
- \$181,703 water main replacement on Bernie Heilman Street
- \$206,596 other water mains replacement/renewal
- \$150,000 water transfer pump replacement

INTERNAL RESTRICTIONS/RESERVES

Increased due to the carryover of \$1,028,078 of plant purchases.

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Cash & Investments Budget Review Statement

Budget review for the quarter ended 30 September 2023

Cash & Investments - Council Consolidated

(\$000's)	Original Budget 2023/24	Approved Changes September QBRs	Revised Budget 2023/24	Actual YTD figures
Externally Restricted ⁽¹⁾				
Developer Contributions - General	139		139	139
Developer Contributions - Water	0		-	-
Developer Contributions - Sewer	0		-	-
Water Supplies	8,327	(2,185)	6,142	8,469
Sewerage Supplies	10,466	(1,000)	9,466	11,162
Domestic Waste Management	1,279		1,279	1,279
Deposits - Trust Fund	804	114	918	918
Contract Liability - General Fund	785		785	3,716
Total Externally Restricted	21,800	(3,071)	18,729	25,683
⁽¹⁾ Funds that must be spent for a specific purpose				
Internally Restricted ⁽²⁾				
Plant & Vehicle Replacement	2,445	(1,028)	1,417	1,417
Built Asset Replacement	2,322	(66)	2,256	2,256
Employees Leave Entitlement	961		961	961
Aquatic Centre Capital Renewal	0		-	-
Art Gallery	3		3	3
Bad Debts	82		82	82
Business Assistance	48		48	48
Caravan Parks	921		921	921
Civic Centre	27	(7)	20	20
Election	112		112	112
Quarry Rehabilitation	460	(1)	459	459
RMS Warranty	250		250	250
Saleyards	35		35	35
Statecover	148		148	148
Statewide	158	2	160	160
Waste	1,182	5	1,187	1,187
Depot Redevelopment	15		15	15
Pedestrian & Cycling Plan	50		50	50
Peace Precinct	8		8	8
Lachlan River Precinct	141		141	141
Unexpended Grants	2,819	(1,788)	1,031	1,031
Financial Assistance Grants in Advance	2,137		2,137	2,137
Total Internally Restricted	14,324	(2,883)	11,441	11,441
⁽²⁾ Funds that Council has earmarked for a specific purpose				
Unrestricted (i.e. available after the above Restrictions)	6,092		6,293	5,129
Total Cash & Investments	42,216		36,463	42,253

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Cash & Investments Budget Review Statement

Comment on Cash & Investments Position

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$7,982,356

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

COWRA SHIRE COUNCIL

Key Performance Indicators Budget Review Statement - Council specific KPI's

Budget review for the quarter ended 30 September 2023

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

The Council monitors the following Key Performance Indicators:

1. Operating Performance RatioTotal continuing operating revenue ⁽¹⁾

(excl. Capital Grants & Contributions) - Operating Expenses	-280	-0.61%	4.51%	6.50%
Total continuing operating revenue ⁽¹⁾	45,769			

2. Rates & Annual Charges, Interest & Extra Charges Outstanding Percentage *

Rates & Extra Charges Outstanding	2000	12.27%	13.32%	14.68%
Rates & Extra Charges Collectible	16,295			

* Includes Water Accounts raised in June not collectable until July.

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement

for the period 01/07/23 to 30/09/23

Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2023

Part A - Contracts Listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract Value \$	Start Date	Budgeted (Y/N)	Notes
Canon Finance	5 year rental agreement for Canon copiers/printers	105,218	24/08/23	Y	
Leisure and Recreation Group LTD	Tender 10/2023 - Cowra Aquatic Centre Management	245,500	22/08/23	Y	required budget adjustment
OMNI Building Group	Tender 4/2023 - Cabin Renovations - Caravan Park	280,182	03/07/23	Y	insurance claim

COWRA SHIRE COUNCIL

Quarterly Budget Review Statement
for the period 01/07/23 to 30/09/23

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	6,440	Y
Legal Fees	28,459	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

WO	Description	Carryover Amount	Funding Source	Funding Amount	Unfunded Carryover
GENERAL FUND:					
<i>General Manager's Department</i>					
1026	Cowra Japanese Garden & Cultural Centre - Plant/Labour Contribution	20,934	Unexpended Grants Reserve	4,245	20,934
2111	Cowra Voices Audio Archive Project	4,245	W2028 - Grant - Reconnecting Regional NSW	12,307	-
2058	Events Coordination & Administration	12,307	W2028 - Grant - Reconnecting Regional NSW	24,598	-
2052	Chalk Up Festival	59,652	W2028 - Grant - Reconnecting Regional NSW	24,598	59,652
Corporate Services					
134	Training				
2166	2023 Winter Holiday Break Program	7,000	Unexpended Grants Reserve	7,000	-
130	Major Software & Infrastructure Upgrades	70,052			70,052
955	Local Projects Grant Expenditure	44,526	Unexpended Grants Reserve	44,526	-
2170	Cowra Library Refurbishment	267,362	W2171 - Library Infrastructure Grant	267,362	-
957	Revetting Regional Libraries	16,000	Unexpended Grants Reserve	16,000	-
2119	NATSIAA Conference & Exhibition Darwin	3,000	Unexpended Grants Reserve	3,000	-
855	Cowra Sculpture Park	41,027			41,027
2024	Accessibility Upgrade - Grant Funded	(8,674)	W2023 - Grant - Civic Centre Access Upgrade	(8,674)	-
Environmental Services					
881	Small Environmental Grants Program	17,032			17,032
2039	NSW Planning Portal - Setup	33,809	Unexpended Grants Reserve	33,809	-
880	Disabled Access Incentive Fund	37,841			37,841
883	Local Heritage Fund	7,310			7,310
884	Heritage Advisor	14,737			14,737
	Strong Start Cadetship Program	25,000	Unexpended Grants Reserve	25,000	-
Tech Services, Bushtyre & Building Maintenance					
11914	Cowra Gasworks - Voluntary Management Plan	(1,642)			(1,642)
1123	RFS - Torrington - New Station	141,108	W1138 - RFS - Torrington - Reimbursement	141,108	-
1205	Building Asset Management Plan (AMP) Works	55,740	Built Asset Replacement Program Reserve	55,740	-
	Proposed Loan Funding - Roof Replacements	(179,238)	Built Asset Replacement Program Reserve	(179,238)	-
Cowra Works					
2064	RTR - Gowhardy Stormwater Drainage - Stage 1	304,582	1231 - Roads to Recovery Grant (RTR)	304,582	-
2113	RTR - Pennsylvania Road Bridge - Major Repairs	37,028	1231 - Roads to Recovery Grant (RTR)	37,028	-
1645	RTR - Kangaroo Flat Rd - Rehab & Seal 8.9-12.2 (R1R2)	(51,513)	Unexpended Grants Reserve	(83,363)	-
1647	RTR - Kangaroo Flat Rd - Rehab & Seal 13.1-14.8 (R1R2)	(25,152)			-
1648	RTR - Mt McDonald Rd - Rehab & Seal 4.4-5.3 (R1R2)	(86,234)	W1655 - Fixing Local Roads Grant - Round 2	(162,337)	-
1649	RTR - Mt McDonald Rd - Rehab & Seal 6.7-7.7 (R1R2)	(82,801)			-
1783	RTR & FLR3 - Camp Rd Seal 1.6-3.8km	(97,492)	Unexpended Grants Reserve	(27,546)	-
1231	Increase Income - Roads to Recovery Grant (RTR) - 2020-2024	(573,843)	W1879 - Fixing Local Roads Grant - Round 3	(69,946)	-
265	Cowra Street Reseals	55,454	Unexpended Grants Reserve	(573,843)	-
284	George Campbell Bridge Replacement	403,101	W2127 - Grant - LDCI R3 - St Reseals	55,454	-
2088	Chiverton Road - Repair Drainage Erosion	47,613	W282 - Federal Bridges Renewal Program	403,101	-
2150	Reduce Income - Grant - RLRRP - Regional Roads	93,839		47,613	93,839
2156	Reduce Income - Grant - RLRRP - Cowra Streets	109,578	Reduce W2139 - RLRRP Exp - Regional Rds	62,912	-
2152	Reduce Income - Grant - RLRRP - Rural Roads	205,564	Unexpended Grants Reserve	46,666	-
	FLR - Pothole Repair Expenditure - Rural Roads	2,003,986	Unexpended Grants Reserve	205,604	-
		15,622	Unexpended Grants Reserve	2,003,986	-
			W2078 - FLR - Pothole Repair Grant	263,380	-
			Unexpended Grants Reserve	(247,750)	-
	Disaster Assistance Arrangement (AGN1034) Expense	20,931	Unexpended Grants Reserve	20,931	-
Cowra Services					
1217	Plant Purchases	1,028,078	Plant Reserve	1,028,078	-
2164	EO Development Contractor for Pool Grant	14,200			14,200
1880	Pool Concept Design & Specifications	16,000	Unexpended Grants Reserve	15,210	-
2091	Wired Control - Bellevue Hill Reserve (2022-23 CNIF)	10,383	Built Asset Replacement Program Reserve	10,083	-
1716	Weyground Asset Renewal	10,383			-
1720	River Front Project Phase 1 - Public Spaces	132,163			-
1722	River Front Project Phase 2 - Public Spaces	132,163			-
1723	River Front Project Phase 3 - Public Spaces	132,163			-
1724	River Front Project Phase 4 - Public Spaces	132,163			-
1727	Public Art Murals (Public Spaces)	212,143	W1731 - Grant - Public Open Spaces	1,529,324	-
1728	Village Signs (Public Spaces)	404,235			-
2093	Additional Pathways at Peace Precinct (Public Spaces)	438,955			-
1899	Col Stinson Park Amenities and Clubhouse	(1,946)	W1898 - SCC Round 4 - Col Stinson Park	(1,946)	-
2172	Col Stinson Park Courts & Seating	327,000	W2173 - Grant - LDCI R3 - Col Stinson Park	327,000	-
2122	40D Planning & Design	8,000	Unexpended Grants Reserve	8,000	-
Total General Fund		6,040,037		5,649,055	390,982
WATER FUND:					
1417	Cowra Integrated Water Cycle Management (IWCM)	229,119	W1436 - Safe & Secure Grant - Cowra IWCM	114,558	-
			Water Reserve	57,281	-
			Water Reserve	57,281	-
1384	Water - Replace Telemetry System	24,472	Water Reserve	24,472	-
1385	Water - Mains Replacement/Renewal	206,596	Water Reserve	206,596	-
1391	Water - High Level Lift Pump (River) Switch Board	692,109	Water Reserve	692,109	-
1393	WTP Office Extension	10,000	Water Reserve	10,000	-
1415	Water - Transfer Pump Refurbishment	150,000	Water Reserve	150,000	-
1421	Construct Emergency Drought Supply	3,429,728	Contract Liability	3,299,834	-
1697	Water - Reservoir Chlorine Monitoring System	41,719	WO 1433 - Safe & Secure - Drought	129,894	-
1698	Water - Wyangala Village Mains Renewal	38,932	Water Reserve	38,932	-
1699	Water - Install Solar PV 26kW System - Cowra WTP	25,000	Water Reserve	25,000	-
1869	Water - Comerford St & Lachlan St Main Replacement	240,000	Water Reserve	240,000	-
2019	Water - Mains Replacement - Bernie Heilman St	181,703	Water Reserve	181,703	-
2020	Water - Mains Replacement - Brougham St	29,887	Water Reserve	29,887	-
2021	Water - Mains Replacement - Vaux Lane	452,077	Water Reserve	452,077	-
Total Water Fund		5,751,342		5,751,342	-
SEWER FUND:					
1485	Sewer - Mains Replacement	740,180	Sewer Reserve	740,180	-
1490	Sewer - West Cowra Sewer Reticulation	37,353	Sewer Reserve	37,353	-
1594	Sewer - Permanent Flow Gauging	50,140	Sewer Reserve	50,140	-
1692	Sewer - Install Solar PV 59kW System - Cowra STP	110,000	Sewer Reserve	110,000	-
Total Sewer Fund		937,673		937,673	-
WASTE FUND:					
1580	Staff Amenities Building & Admin Office Renovation	50,000	Waste Reserve	50,000	-
Total Waste Fund		50,000		50,000	-
GRAND TOTAL		12,779,052		12,388,070	390,982

5.6 Section 355 Committee Draft Minutes - Cowra Regional Art Gallery Advisory Committee

File Number: D23/1586

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION

That the draft Minutes of the Cowra Regional Art Gallery Advisory Committee meeting held on 23 August and 13 September 2023 be noted.

INTRODUCTION

Attached for the information of Councillors are the draft Minutes from the recent Section 355 Committee meeting.

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

1. Minutes - Cowra Regional Art Gallery Advisory Committee - 23 August 2023 [↓](#)
2. Minutes - Cowra Regional Art Gallery Advisory Committee - 13 September 2023 [↓](#)

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY, 23 AUGUST 2023 AT THE COWRA REGIONAL ART GALLERY

Council Delegate: Cr S. D'Elboux

Committee Present: L. Murray (Acting Chair), L. Foster, J. Ware and L. Chant

In Attendance: B. Langer (Gallery Director)

1. APOLOGIES:

1.2 Apologies were accepted from Cr S. D'Elboux, J. Fagan, D. Henley, and R. Gillard

2. CONFIRMATION OF PREVIOUS MINUTES:

2.1 Motion

Moved: L. Murray Seconded: L. Foster

That the minutes of the Gallery Advisory Committee meeting held on 12 July 2023 be confirmed.

Also, in keeping with the 12 July meeting the minutes of the Gallery Advisory Committee meeting held on Wednesday 12 May 2023 be confirmed (no committee meeting took place in June 2023).

Carried

3. BUSINESS ARISING FROM LAST MEETING:

3.1 Nil

4. CORRESPONDENCE:

Nil

This is Page 1 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 23 August 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY, 23 AUGUST 2023 AT THE COWRA REGIONAL ART GALLERY

5. BUSINESS ARISING FROM CORRESPONDENCE:

Re – Resignation of Catherine Bennett - As discussed at the committee meeting 12 July 2023 a letter of thanks by the Acting Chair L. Murray on behalf of the committee was sent to Catherine Bennett (on gallery letterhead) thanking her for her contribution to the Gallery Advisory Committee over several years.

6. FRIENDS FINANCIAL REPORT:

- 6.1** It was noted that the Friends of the Gallery financial report balance is \$6,261.90 as at 22/8/23

7. GALLERY DIRECTOR'S REPORT 12 July – 23 August 2023**7.1 Program Activities**

- Entries for the Calleen Art Award 2023 closed 21 July 2023. A total of 279 entries were received.
- The Calleen Art Award 2023 selection of finalists took place in the Nguluway Room on Friday 28 July. The selection panel comprised Kon Gouriotis, curator, writer and editor of Artist Profile magazine and the Calleen Art Award 2023 Judge; Alexander Pedley, Acting Director Bathurst Regional Art Gallery; and the Gallery Director Brian Langer as the selection panel chairperson. The selection panel shortlisted 57 finalists to be exhibited at the Gallery.
- Finalised the production/printing of the exhibition invitations for the exhibition *Robyn Stacey: as still as life* - 27 August to 1 October; the Gallery exhibition program brochure for July – Dec 2023; and the production of the 2023 Winter Newsletter sent to the current members of the Friends of the Gallery and available FOH at the Gallery.
- Gallery Director attended the Telstra National Aboriginal and Torres Strait Islander Art Awards, the Darwin Aboriginal Art Fair and associated events and exhibitions in Darwin NT from 11 to 15 August 2023 made possible with grant funding from the Gordon Darling Foundation.
- Notification sent to the Calleen Art Award 2023 finalists and non-finalists

This is Page 2 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 23 August 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY, 23 AUGUST 2023 AT THE COWRA REGIONAL ART GALLERY

- Continuation of social media activities (Facebook, Instagram, and Mailchimp) announcing the next exhibition at the Gallery and public program guest speaker event 2 September.

7.2 Upcoming September/October 2023

- Next exhibition at the Gallery *Robyn Stacey: as still as life* commences on Saturday 26 August and continues to Sunday 1 October 2023.
- Public program event Saturday 2 September commencing at 2pm (Free)
- The next Gallery *Art After Dark* event ie the *Makers' Film Festival 2023* will take place at the Cowra Civic Centre on Friday 29 September (the beginning of the October long weekend) as a Gallery fundraiser.
- Website updates ongoing including the announcement of the Calleen Art Award 2023 finalists in September.
- Next change over 1 – 5 October 2023. More details at the next committee meeting Wednesday 13 September.
- Next exhibition - Calleen Art Award 2023 finalists exhibition 8 October to 19 November 2023.
- Production of Spring edition of the Gallery Newsletter 2023 to commence, including highlights of the opening night of the Calleen Art Award.

7.3 Motion

Moved: L. Murray

Seconded: J.Ware

That the Gallery Director's Report be accepted and confirmed.

Carried

8. GENERAL BUSINESS:**8.1** Nil**9. BUSINESS ARISING WITHOUT NOTICE:****9.1** Nil

This is Page 3 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 23 August 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY, 23 AUGUST 2023 AT THE COWRA REGIONAL ART GALLERY

10. EXHIBITION CHANGEOVERS:

- 10.1** The next changeover of exhibitions is from 2pm Sunday 20 August to 25 August 2023 assistance during this period was discussed by the committee members present and the Gallery Director.

11. NEXT EXHIBITION OPENING:

- 11.1** The next exhibition opening will include a special public program event organised in collaboration with guest speaker Anouska Phizacklea, Director of the Museum of Australian Photography (MAPh) and Curator of the exhibition *Robyn Stacey: as still as life*. This event will take place on Saturday 2 September from 2pm. The exhibition dates are 26 August to 1 October 2023.

12. NEXT MEETING DATE:

- 12.1** The next meeting of the Gallery Advisory Committee is at the Cowra Regional Art Gallery on Wednesday 13 Sept 2023 at 5pm

13. MEETING CLOSED:

6.30pm L. Murray (Acting Chair)

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY, 13 SEPTEMBER 2023 AT THE COWRA REGIONAL ART GALLERY

Council Delegate: Cr S. D'Elboux

Committee Present: D. Henley (Chair), L. Murray, L. Foster, J. Ware, R. Gillard, Cr S. D'Elboux

In Attendance: B. Langer (Gallery Director)

1. APOLOGIES:

1.2 Apologies were accepted from J. Fagan and L. Chant

2. CONFIRMATION OF PREVIOUS MINUTES:

2.1 Motion

Moved: J. Ware

Seconded: L. Murray

That the minutes of the Gallery Advisory Committee meeting held on 23 August 2023 be confirmed.

Carried

3. BUSINESS ARISING FROM LAST MEETING:

3.1 Nil

4. CORRESPONDENCE:

Nil

5. FRIENDS FINANCIAL REPORT:

5.1 It was noted that the Friends of the Gallery account balance as at 22/8/23 was 6,276.90.

This is Page 1 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 13 Sept 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY, 13 SEPTEMBER 2023 AT THE COWRA REGIONAL ART GALLERY

6. GALLERY DIRECTOR'S REPORT 24 August – 13 September 2023

6.1 Program Activities

- The next changeover of exhibitions was undertaken from 21 to 25 August including the installation of the exhibition *Robyn Stacey: as still as life* which commences on Sunday 27 August and continues to Sunday 1 October 2023.
- A free public program event/floor talk to launch *Robyn Stacey: as still as life* exhibition was presented on Saturday 2 September commencing 2pm. Special guest speaker was Curator of the exhibition Anouska Phizacklea, Director of the Museum of Australian Photography (MAPh) a Monash Council cultural facility, Victoria. There were 40 adults and 2 children in attendance.
- Announcement of the Calleen Art Award finalists was setup on the Gallery website and social media at the end of August.
- Promotion and planning has continued for the Gallery *Art After Dark: Makers' Film Festival 2023* event at the Civic Centre on Friday 29 September 6.15pm for 7pm. This is a collaborative project with the Cowra Civic Centre.
- Promotion and planning of the *Calleen Art Award 2023* opening and exhibition continues as well as liaising with the 57 finalists re delivery of their artwork and publication of the exhibition catalogue. The opening will take place on Saturday 7 October 2023 (doors open at 6.15pm). Local group *Walker Street Band* will be providing background music during the night.
- Promotion of the Gallery program for Aug/Sept included - monthly program listings and Media Release/editorial information in local media including *Discover* magazine and *Phoenix* paper. There was also information listed in the Council Noticeboard in the *Cowra Guardian* and the distribution of a poster/flyer published/printed for Cowra tourism and local businesses
- Preparation/bookings of Gallery exhibition advertising material including a *Calleen Art Award 2023* exhibition advert in *Look* magazine (AGNSW) and National Photographic Portrait Prize 2023 exhibition advert in *Art Monthly* for Nov/Dec/Jan 2024 – exhibition dates 17 December to 4 February 2024
- Social media postings in Facebook, Instagram and Mailchimp for the *Robyn Stacey: as still as life* exhibition, the *Makers Film Festival* event and launch of the *Calleen Art Award 2023*.

This is Page 2 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 13 Sept 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY, 13 SEPTEMBER 2023 AT THE COWRA REGIONAL ART GALLERY

6.2 Upcoming Sept/Oct/Nov 2023

- Public program event – *Art After Dark: Makers Film Festival 2023* at the Cowra Civic Centre on Friday 29 September 6.15pm for 7pm.
- Next changeover of exhibitions from 1 – 5 October 2023 including the installation of the *Calleen Art Award 57 finalist's artwork*.
- *Calleen Art Award* judging Fri 6 Oct
- *Calleen Art Award* opening night Sat 7 Oct 6.15 for 6.30pm
- Production of the Gallery Spring Newsletter.
- Website – ongoing updates
- Social Media ongoing updates re Callen Art Award – announcement of the award winner + opening night photographs
- Production of the Gallery Spring Newsletter 2023 featuring the Calleen Art Award
- *UPSTART 2023* – contact with schools in the region re exhibition of artworks by students in Stages 5 & 6 (years 9,10,11,12) from 25 November to 10 December 2023.

6.3 Motion

Moved: L. Murray

Seconded: J. Ware

That the Gallery Director's Report be accepted and confirmed.

Carried

7. GENERAL BUSINESS:**7.1 Motion**

Moved: L Murray

Seconded J.Ware

That, in keeping with previous years the Calleen Art Award People's Choice Award remain at \$,1000 as a donation from the Friends of the Gallery trust account.

Carried

This is Page 3 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 13 Sept 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY, 13 SEPTEMBER 2023 AT THE COWRA REGIONAL ART GALLERY

8. BUSINESS ARISING WITHOUT NOTICE:

8.1 Nil

9. EXHIBITION CHANGEOVERS:

9.1 Next changeover of exhibitions is from 1 – 5 October (excluding the public holiday 2 Oct) assistance was discussed by the committee members present and the Gallery Director.

10. NEXT EXHIBITION OPENING:

10.1 The next exhibition opening will be the *Calleen Art Award 2023*. The event is planned to commence from 6.30pm (doors open at 6.15pm) on Saturday 7 October. Assistance was discussed by the committee members present and the Gallery Director. The exhibition dates are 8 October to 19 November 2023.

12. NEXT MEETING DATE:

12.1 The next meeting of the Gallery Advisory Committee is at the Cowra Regional Art Gallery on Wednesday 11 October 2023 at 5pm

13. MEETING CLOSED:

6.00pm David Henley Chairman

This is Page 4 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 13 Sept 2023.

5.7 Section 355 Committee - Cowra Breakout Association Member

File Number: D23/1590

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION

That Council appoint the following nominee to the 2023-2024 Cowra Breakout Association:-

- **Kathy Ryan.**
-

BACKGROUND

Councillors will recall that the draft Minutes from the Annual General Meeting of the Cowra Breakout Association held on 20 August 2023 were presented to the Council and members appointed at the Council Meeting on 25 September 2023.

The Association's Secretary/Treasurer has advised that the Office Bearers approved at the Cowra Breakout Association's AGM 20 August 2023 were reappointed from the 2022 AGM and has therefore requested inclusion of the appointment of Kathy Ryan to the Association.

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

- I. Email from Mr Graham Apthorpe on behalf of the Breakout Association - 28 September 2023 [↓](#)

From: Graham [REDACTED]
Sent: Thursday, 28 September 2023 2:37 PM
To: Paul Devery <Paul.Devery@cowra.nsw.gov.au>
Subject: Office Bearers as at Cowra Breakout Association AGM

CAUTION: This email originated from outside of the Cowra Shire Council Domain. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Paul,

Will you please note that the Office Bearers approved at the Cowra Breakout Association's AGM 20 August 2023 were those reappointed from the 2022 AGM which included at that time Kathy Ryan as Wreath and Flag Coordinator.

Will you please note this addition.

regards

Graham Apthorpe
Secretary/Treasurer

5.8 Draft Policy Document - Work Health & Safety Policy

File Number: D23/1582

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION**That Council adopt the draft amended Work Health & Safety Policy as presented.**

INTRODUCTION

The current Work Health & Safety Policy has been reviewed and amended and is now presented to Council for adoption.

BACKGROUND

Minor amendments have been made to the document and are highlighted in the attached draft Work Health & Safety Policy to incorporate changes to terminology and legislation.

It is recommended that Council adopt the reviewed Work Health & Safety Policy.

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

- I. Draft Work Health & Safety Policy [↓](#)

COUNCIL POLICY



Work Health & Safety Policy

Work Health & Safety Policy

Commencement Date	25 May 2020
Council Department	Corporate Services
Contact Officer	Risk Management Officer
Revision Required	Every 3 Years (Tenure of Health & Safety Committee)

Policy Review

This policy shall be reviewed at three (3) yearly intervals at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.

Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
5	27 March 2006	75/2006	Risk Management Officer
Version	Date	Meeting/Designated Person	Responsible Officer
6	22 June 2011	OH&S Committee	Risk Management Officer
7	1 January 2012	General Manager	Risk Management Officer
8	16 July 2014	General Manager	Risk Management Officer
Version	Council Meeting Date	Resolution No	Responsible Officer
9	27 November 2017	308/2017	Risk Management Officer
10	25 May 2020	124/2020	Risk Management Officer

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Email: council@cowra.nsw.gov.au
Internet: www.cowracouncil.com.au

Work Health & Safety Policy

Council believes that during the delivery of services and facilities to the Cowra Community, and the public in general, there are no jobs or tasks that are so important as to warrant working unsafely, or compromising the safety of others.

The Council will conduct its activities and provide a work environment which:

- 📌 Councillors have the responsibility to ensure appropriate resources are allocated to enable effective risk management strategies and processes to be implemented;
- 📌 Protects the health, safety and welfare of all people affected by our workplace activities, including employees, visitors, contractors and members of the public;
- 📌 Actively encourages employee consultation in all matters affecting health and safety;
- 📌 Promotes employee participation in minimising risk in work practices by providing the necessary resources and training, providing a forum for discussion of Toolbox Meetings and providing hazard report system;
- 📌 Strives for continuous improvement in our health and safety performance to comply with the legislative requirements of the WHS Act 2011 and WHS Regulation 2017 and achieved appropriate standards.
- 📌 Ensures new employees, visitors, contractors and others are inducted.

To achieve a safe, healthy, low risk work environment, the commitment and cooperation of all our elected members, staff, contractors, volunteers and visitors is essential. The General Manager and Directors in consultation with Work Health & Safety Committee are responsible for the implementation of this Policy and the associated Work Health & Safety Program.

Each Manager and Supervisor is responsible and accountable for the implementation of, and compliance with this Policy and the Work Health and Safety Program in their respective work areas, as per the responsibilities in the attached document.

Each Employee, contractor, volunteer and visitor is responsible and accountable for their cooperation and compliance with this Policy and the Work Health & Safety Program to ensure risk minimisation in the workplace. The work health & safety responsibilities of all employees shall be incorporated into their respective position descriptions.

In support of this Policy Council will:

- 📌 Manage the rehabilitation of injured staff in accordance with Workplace Injury Management and Workers Compensation Act No 86 – 1998;
- 📌 Comply with or exceed the spirit or intent of all relevant legislation and subsidiary codes, and provide the resources necessary to meet these requirements;
- 📌 Involve staff in work health & safety matters and consult with them in ways of eliminating or controlling risks in the workplace;
- 📌 Provide information, training, education and instruction to enable staff, to work methods, plant and machinery acquisition and workplace design, and eliminate or control those identified risks;
- 📌 Promote health & safety awareness by the development and implementation of safe work practices;
- 📌 Conduct inspections of the workplace, in consultation with the Work Health & Safety Committee, relevant staff, to identify, assess and control hazards;
- 📌 Require all staff, contractors, volunteers and visitors to comply with all relevant WHS legislation and subordinate documents
- 📌 Report all injuries and incidents, and participate and assist in accident investigations to prevent reoccurrence;
- 📌 Support review of Council's work health & safety performance by the Work Health and Safety Committee and maintain legislative requirements in relation to Work Health & Safety Committees.

.....
Paul Devery
General Manager
Cowra Shire Council

.....
Bill West
Mayor
Cowra Shire Council

Commented [HN1]: Remove word WORK, correct terminology is Health and safety Committee

Commented [HN2]: As above

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Commented [HN4]: (as legislated 17th May 2022), and the Workers Compensation Regulation 2016

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Commented [HN8]: Replace with Ruth Fagan

6 DIRECTOR-INFRASTRUCTURE & OPERATIONS

6.1 Committee Minutes - Traffic Committee

File Number: D23/I572

Author: Dirk Wymer, Director-Infrastructure & Operations

RECOMMENDATION

1. That the minutes of the Traffic Committee meeting held on 3 October 2023 be noted.
 2. That Council approves the Class 1 special event to be held by Cowra Tourism on Friday, 1 December 2023, subject to compliance with the requirements of Transport for NSW (TfNSW) and NSW Police.
 3. That Council approves the Class 3 special event to be held by Cowra RSL Sub Branch on 11 November 2023 subject to compliance with the requirements of NSW Police.
-

INTRODUCTION

The Minutes and recommendations of the Traffic Committee meeting are presented for Council's consideration.

BACKGROUND

Attached for the information of Councillors and consideration of the above recommendations are the Minutes and recommendations from the recent Traffic Committee meeting.

BUDGETARY IMPLICATIONS

N/A

ATTACHMENTS

1. Minutes of the Traffic Committee meeting held on 3 October 2023 [↓](#)



MINUTES

Traffic Committee Meeting Tuesday, 3 October 2023

TRAFFIC COMMITTEE MEETING MINUTES**3 OCTOBER 2023****Order Of Business**

1	Apologies	3
2	Confirmation of Minutes	3
3	Business Arising From Previous Minutes	3
	3.1 Traffic Committee Meeting Action Sheet.....	3
4	Reports of Council Officers	4
	4.1 Cowra Christmas Festival	4
	4.2 Remembrance Day Road Closure - 2023.....	4
5	General Business.....	4
	5.1 Cowra Junior Soccer - Speed Zone Reduction.....	4
	5.2 Liverpool Street - Request for Parallel Parking Zone.....	4
6	Next Meeting Date	5
7	Meeting Close.....	5

TRAFFIC COMMITTEE MEETING MINUTES3 OCTOBER 2023

**MINUTES OF COWRA COUNCIL
TRAFFIC COMMITTEE MEETING HELD AT THE COWRA COUNCIL
CHAMBERS, 116 KENDAL STREET, COWRA
ON TUESDAY, 3 OCTOBER 2023 AT 9.30AM**

PRESENT: Cr Paul Smith (Chairperson), Ms Anne Jeffery, Mr Jason Nicholson

Agenda notes and comments received electronically from Sergeant Jason Marks

IN ATTENDANCE: Ms Philippa Childs (Acting Director - Infrastructure & Operations),
Rodney Stammers (Development & Traffic Engineer)

1 APOLOGIES

Sergeant Jason Marks

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Mr Jason Nicholson

Seconded: Ms Anne Jeffery

That the minutes of Traffic Committee Meeting held on 24 July 2023 be confirmed.

CARRIED

3 BUSINESS ARISING FROM PREVIOUS MINUTES

3.1 Traffic Committee Meeting Action Sheet

COMMITTEE RESOLUTION

Moved: Mr Jason Nicholson

Seconded: Ms Anne Jeffery

That the Action List as presented be received and noted by the Committee.

CARRIED

TRAFFIC COMMITTEE MEETING MINUTES3 OCTOBER 2023

4 REPORTS OF COUNCIL OFFICERS**4.1 Cowra Christmas Festival**

Note: Traffic Guidance Scheme and Certificate of Currency were received following the meeting.

COMMITTEE RESOLUTION

Moved: Mr Jason Nicholson

Seconded: Ms Anne Jeffery

That Council approves the Class 1 special event to be held by Cowra Tourism on Friday, 1 December 2023, subject to compliance with the requirements of Transport for NSW (TfNSW) and NSW Police.

CARRIED

4.2 Remembrance Day Road Closure - 2023

Note: Cowra RSL Sub-Branch have requested a change in times for the event. Now 10.30am – 11.30am. This applies to road closure times for both Brisbane Street and Bartlett Avenue. An email subsequent to the meeting noting the time change has been forwarded to Committee members.

COMMITTEE RESOLUTION

Moved: Ms Anne Jeffery

Seconded: Mr Jason Nicholson

That Council approves the Class 3 special event to be held by Cowra RSL Sub Branch on 11 November 2023 subject to compliance with the requirements of NSW Police.

CARRIED

5 GENERAL BUSINESS**5.1 Cowra Junior Soccer - Speed Zone Reduction**

The report on the Cowra Junior Soccer request for speed zone reduction was noted by the Committee.

5.2 Liverpool Street - Request for Parallel Parking Zone**Action**

That the request to change an area of rear to kerb 45 degree parking to parallel parking on the north side of Liverpool Street, east of Macquarie Street, be noted and a report be presented to the next Local Traffic Committee meeting for comment and further action if required.

TRAFFIC COMMITTEE MEETING MINUTES**3 OCTOBER 2023**

6 NEXT MEETING DATE

The next meeting will be held on Monday, 11 December 2023 at 9.30am in the Breakout Brasserie, Macquarie Street, Cowra.

7 MEETING CLOSE

The Meeting closed at 10.15am.

.....
Cr Paul Smith
CHAIRPERSON

6.2 Review of Cowra Van Park Site Layout

File Number: D23/1596

Author: Dirk Wymer, Director-Infrastructure & Operations

RECOMMENDATION

- 1. That Council adopt the amended site layout for the Cowra Van Park. The new layout will include:**
 - **Removal of three cabin sites from under the existing powerlines and redevelop this area as a vehicle washdown bay. The area is currently short-term cabin sites 9,10 & 11 (CVP-02).**
 - **Three new cabins to be installed on the existing short-term sites 1,2,3 & 4 (CVP-02). This includes 1 (one) 'accessible' cabin on short term sites 1 & 2 within this area.**
 - **Proposed new cabins on short term cabins sites 12, 13,14 & 15 (CVP-02) in the Cowra Van Park – Business Development Strategy Master Plan 2016 to remain as camp sites.**
- 2. That Council proceed with the proposed improvement in the Cowra Van Park – Business Development Strategy Master Plan 2016 to replace existing stepped slabs on the riverfront sites with flat slabs and dished drainage between sites in 2024/25 Operational Plan.**

INTRODUCTION

Cowra Council has adopted the Business Development Strategy & Master Plan – Cowra Van Park 2016 (BDS&MP).

The plan examines issues associated with the improvement and management of the Cowra Van Park (CVP). The objective is to develop a commercially sustainable business strategy and master plan with capacity to guide the future operation and improvement of the park.

The plan details a range of legislative provisions as well as characteristics and dynamics of the business environment impacting the management administration and future development of the land upon which the Cowra Van Park is located.

Since the BDS&MP was adopted new regulation has been passed. The Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 has come into effect which stipulates the requirement of a vehicle wash down bay.

In November 2022 a flood inundated the Cowra Van Park with three cabins written off and a further six flood damaged cabins currently being renovated. Three new cabins will be purchased and installed as part of the flood insurance claim.

There will be a total of 3 'new buildings' as defined under the Federal 'Disability (Access to Premises — Buildings) Standards (2010)'. 3 new Class 1b new buildings do not meet the requirements under the Standard to provide an accessible cabin; however, there is the opportunity to look at options for providing this standard.

Council are using the reinstatement process as an opportunity to upgrade the Cowra Van Park in line with the BDS&MP and current regulations where possible.

BACKGROUND

Council staff have reviewed and considered the following factors to formulate the proposed site layout.

- the proposed site layout (CVP-02) and recommendations within the BDS & MP.
- current regulation - Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.
- flood inundation levels onsite.
- local infrastructure.
- consultation with park managers.

Currently three cabin sites 9, 10 & 11 are located under an overhead powerline. It is not permissible to have a permanent structure the size of a cabin located in this area. It is permissible to use the area for a vehicle wash down bay. As the new (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 requires a caravan park to have a vehicle wash down bay, it is proposed to utilise this area for this purpose. The area also provides a good manoeuvring area within the CVP for vehicles to access the proposed wash bay.

Three new cabins will be purchased and installed as part of the insurance claim for flood losses. Council's insurer has provided confirmation an 'accessible' cabin can be included as part of the claim. The park does not currently have an 'accessible' cabin available for public use. The accessible cabin will require a larger footprint to allow for suitable ramp access to the floor level of the cabin.

The three new cabins will be installed onsite at 13.5m (floor level) height on the town river gauge. This equates to 100mm higher than the 'major' flood level height for Cowra. Consideration and mitigating measures will be included in the Cowra Shire Local Flood Plan.

The BDS&MP proposes the installation of four cabins numbered as short-term cabin sites 12, 13, 14 & 15 on CVP-02. It is recommended to leave this area as general camp sites. This is due to the flood inundation levels and the major infrastructure work required on the storm water outlet to the river in the immediate area.

Finally, riverside sites currently have 'stepped' slabs which present difficulties for some guests and a hazard for all users of the area. The BDS &MP recommends the replacement with flat slabs and dished drains between the sites. This will make the riverside area more accessible for all park visitors. The intention is to proceed with this work in the 2024/25 financial year.

The site layout from the adopted Business Development Strategy & Master Plan – Cowra Van Park 2016 has been reviewed in conjunction with current regulations, flood mitigation measures, local infrastructure and consultation with current park managers.

As a result of the review a number of changes are proposed to the site layout.

It is proposed that Council adopt the proposed amended site layout to CVP-02 Proposed Site Plan from the Business Development Strategy & Master Plan – Cowra Van Park 2016.

BUDGETARY IMPLICATIONS

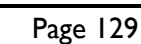
Council's Long-Term Financial Plan includes an allocation of \$1,693,000 for Capital Improvements in 2024/25

ATTACHMENTS

1. Proposed Variation to CVP-02 Proposed Site Plan from the Business Development Strategy & Master Plan - Cowra Van Park 2016 [↓](#)

2. New Cabin Locations 2023 - Cowra Van Park [↓](#)





7 DIRECTOR-ENVIRONMENTAL SERVICES

7.1 Development Application No. 1/2023, Lot 1 DP 599492, 17 Walker Street Cowra, two additional dwellings and 3 lot subdivision, lodged by Currajong Pty Ltd

File Number: D23/1614

Author: Larissa Hackett, Director Environmental Services

RECOMMENDATION

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The application was publicly notified and two submissions were received and have been adequately addressed; and
2. That Development Application No. 1/2023, for the construction of two additional dwellings and 3 lot subdivision on Lot 1 DP 599492, 17 Walker Street Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

1. Development is to be in accordance with approved plans.

The development is to be implemented in accordance with the plans and supporting documents stamped and approved and set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Site Plan Sheet 01	K. Ostini-Donnelly 9 December 2022	Received 3 January 2023 Stamped No. DA 1/2023
Floor Plans Sheet 02	K. Ostini-Donnelly 9 December 2022	Received 3 January 2023 Stamped No. DA 1/2023
Elevation Plan Sheet 03	K. Ostini-Donnelly 9 December 2022	Received 3 January 2023 Stamped No. DA 1/2023
Notes & Basix Commitments Sheet 04	K. Ostini-Donnelly 9 December 2022	Received 3 January 2023 Stamped No. DA 1/2023
Proposed Plan of	Currajong Pty Ltd	Received

Subdivision Sheet A.01 Rev E	14 April 2023	14 April 2023 Stamped No. DA 1/2023(C)
Proposed Vehicle Surfaces Sheet A.02 Rev D	Currajong Pty Ltd 22 March 2023	Received 22 March 2023 Stamped No. DA 1/2023(B)
Landscaping Plan Sheet A.03 Rev B	Currajong Pty Ltd 22 March 2022	Received 22 March 2023 Stamped No. DA 1/2023(A)
Landscaping Plan Sheet A.04 Rev A	Currajong Pty Ltd 20 December 2022	Received 3 January 2023 Stamped No. DA 1/2023
Sewer – Zone of Influence Assessment Sheet A.05 Rev A	Currajong Pty Ltd 7 March 2023	Received 7 March 2023 Stamped No. DA 1/2023
Sewer Layout Plan Issue E Dwg No. C01	Calare Civil Consulting Engineers 6/04/23	Received 14 April 2023 Stamped No. DA 1/2023(A)
Stormwater Management Plan Issue C Dwg No. G01, G02, C01, C02 & C03	Calare Civil Consulting Engineers 20/02/23	Received 7 March 2023 Stamped No. DA 1/2023(A)
BASIX Certificate No. 1355841S	Currajong Pty Ltd Issued: 8 December 2022	Received 3 January 2023 Stamped No. DA 1/2023
BASIX Certificate No. 1361831S	Currajong Pty Ltd Issued: 8 December 2022	Received 3 January 2023 Stamped No. DA 1/2023
Statement of Environmental Effects Rev E	Currajong Pty Ltd 28 August 2023	Received 29 August 2023 Stamped No. DA 1/2023(B)

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).
3. The development is to be undertaken in the following stages:

Stage 1 – The construction of two new dwellings and associated infrastructure including access crossing, driveway, landscaping and all service connections.

Stage 2 – The subdivision of Lot 1 DP 599492 into 3 lots.

4. Pursuant to Section 4.17(4) of the Environmental Planning & Assessment Act 1979, the outcome that this development must achieve is the establishment of a single dwelling on each allotment. This is to be achieved by ensuring that both stages of the development are completed in accordance with condition 3.
5. All traffic movements in and out of the development are to be in a forward direction.
6. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:
 - (i) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised;
 - (ii) The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted;
 - (iii) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
 - (iv) The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

7. Pursuant to Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Subdivision Certificate or Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Cowra Section 94A Contributions Plan 2016 adopted on 26 April 2016. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and

will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

Contribution Type	Proposed Cost of Development ¹	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution ²	\$560,00.00	1%	\$5,600.00	30 June 2023
Notes ¹ As shown on the Development Application/Construction Certificate Application/Complying Development Certificate Application ² Council's Section 94A Contributions Plan 2016 may be viewed during office hours at Council's Customer Service Centre, 116 Kendal Street Cowra, or on Council's website www.cowracouncil.com.au				

8. Prior to the issue of a Construction Certificate, the Applicant must obtain consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve.
9. Prior to the issue of a Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of suitably sized metered water services to the new dwellings.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

10. No building, engineering or excavation work is to be carried out in relation to this development until the necessary Certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the applicable Council Engineering Standards This may entail alterations to the proposal so that it complies with these standards.
11. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.
12. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.
13. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and

after the construction phase of the development. The erosion and sediment control measures are to comply with Part B of Cowra Shire Council Development Control Plan 2021 at all times.

- 14. Council's sewer main alignment and depth shall be accurately located and the greater of the following clearance criteria must be achieved prior to commencement of works:**

- (i) A line taken at an angle of 45 degrees downwards from the lower edge of the proposed footing will not intersect Council's sewer main and its trench;**
- (ii) A minimum 1100mm between the building's footings and centre line of the sewer main;**
- (iii) The building and its footings are located outside any existing sewer easement.**

If the above criteria cannot be achieved, the submission to, and approval by Council of designs prepared by a suitably qualified engineer for special footings adjacent to Council's sewer main is required prior to the commencement of works. Construction is to be supervised by an engineer and certified as being constructed in accordance with the approved design prior to issue of the final certificate or occupation of the dwelling, whichever is the earliest.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

- 15. All construction work shall be carried out within the confines of the property unless separate written permission is obtained from the relevant landowner and/or authority in control of the land. A copy of any written notices authorising off-site construction operations shall be submitted to Council prior to any operations commencing on the affected land.**
- 16. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.**
- 17. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.**
- 18. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.**
- 19. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are**

permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.

20. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
21. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
22. As soon as is practical, and within a maximum of 7 days following the placement of any roofing material, all guttering and downpipes must be installed and connected to Council's drainage system.
23. The Applicant shall discharge sewerage to the Low Pressure Sewerage Scheme connected to the property. All work shall be carried out by a licensed plumber and drainer and to the requirements of NSW Environment and Health Protection Guidelines and Australian Standard/ New Zealand Standard 1547:2000 On-Site Domestic Wastewater Management, Australian Standard 3500, 'National Plumbing and Drainage' and the 'New South Wales Code of Practice; Plumbing and Drainage'.

The applicant is to obtain a Certificate from Council certifying compliance with the conditions of any relevant approval to carry out plumbing and drainage work. For the purpose of obtaining a certificate the works must be inspected by the Council at the time specified below:

- a) Tank Installation: When the tank is installed and prior to backfilling.
 - b) Pump Installation: When the pump is installed and prior to backfilling.
 - c) Boundary Kit Installation: When the boundary kit with a non-return valve is installed and connected to internal sewer plumbing and to the rising main that connects to the existing reticulated sewer.
 - d) Rising main construction: When the rising main is constructed prior to backfill. The rising main will connect the property to council's sewer reticulation and terminate at the boundary kit of the property and should be appropriately sized.
24. All plumbing work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of

Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:

- (a) **Internal Drainage:** When all internal drainage work is installed and prior to concealment. Pipes should be under water test.
- (b) **External Drainage:** When all external drainage work is installed and prior to concealment. Pipes should be under water test.
- (c) **Water Supply:** Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.
- (d) **Stormwater:** When the stormwater and roof water drainage system has been completed.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

- 25. The Applicant must not commence occupation or use of the proposed dwellings until a **Whole or Partial Occupation Certificate** has been issued from the Principal Certifier appointed for the subject development.
- 26. Prior to the issue of any **Occupation Certificate**, all roofed areas from the proposed dwellings and the existing rear shed are to be properly drained in accordance with the **Plumbing Code of Australia** and discharged to Council's stormwater management system on **Walker Street** in accordance with the approved **Stormwater Management Plan**.
- 27. Prior to the issue of any **Occupation Certificate**, the applicant shall connect the new dwellings to Council's reticulated water and sewer supply systems and to the satisfaction of the relevant service provider, being **Cowra Shire Council**.
- 28. Prior to the issue of any **Occupation Certificate**, the Applicant shall seal or concrete internal driveways and manoeuvring areas in accordance with the approved plans and with **Cowra Infrastructure and Operations Engineering Standards**.
- 29. Prior to the issue of any **Occupation Certificate**, the Applicant shall construct an access crossing to the development site from **Walker Street** in accordance with consent from the road's authority pursuant to **Section 138 of the Roads Act 1993** for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the **Section 138 Permit**. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.
- 30. Prior to the issue of a **Whole Occupation Certificate**, all landscape works shall be completed in accordance with the approved plans including the installation of the proposed internal fencing dividing dwellings 1 and 2.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

- 31. The Applicant is to lodge with **Cowra Shire Council** a **Subdivision Certificate**

Application together with the original plan and a minimum of four copies for signature. All necessary information to support the certificate release and the necessary fee is required to be included with the Subdivision Certificate Application.

32. The Applicant shall include on the final plan of subdivision all necessary easements required over access, water, sewer, stormwater, electricity and telecommunications mains. This includes 3 metre wide easements centrally located over all sewerage mains for the purpose of providing access to the mains system and for maintenance purposes.
33. The plan of survey subject of a Subdivision Certificate shall indicate restrictions on title under Section 88B of the Conveyancing Act 1919 creating:
 - (a) a right of carriageway in favour of the lot(s) for which access is to be provided being of a width adequate to accommodate the full width as constructed;
 - (b) a restriction as to user whereby it is noted that responsibility for construction and/or maintenance of the right of carriageway is with the owner(s) of the lots benefited.

ADVICE

1. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 68 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water and sewer supply to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of the Occupation Certificate. Water and sewer reticulation mains and metered services must be physically provided to the development in accordance with Cowra Infrastructure and Operations Engineering Standards. Council will not issue the Occupation Certificate until a Compliance Certificate has been issued, verifying that all works have been satisfactorily completed. All monetary contributions in relation to the augmentation of reticulated water and sewer supply must be paid in full to Cowra Shire Council before the Occupation Certificate will be issued. Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on (02) 6340 2070.
2. If, during work, an Aboriginal object is uncovered then **WORK IS TO CEASE IMMEDIATELY** and the Office of Environment & Heritage is to be contacted urgently on (02) 6883 5300. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 80C of the NPW Regulation.

INTRODUCTION

Development Application No. I/2023 proposes the construction of two additional dwellings and 3 lot subdivision on Lot 1 DP 599492, 17 Walker Street Cowra. The application was lodged by Currajong Pty Ltd on 3 January 2023.

The application is being reported to Council because two objections have been received to the proposed development following Council's neighbour notification process.

A copy of the plans of the proposed development are included in Attachment '1' to this report and a copy of the Statement of Environmental Effects is included in Attachment '2'.

Description of Site

Lot 1 DP 599492, 17 Walker Street Cowra is a battleaxe shaped allotment of approximately 4,023m². The lot is located in the R1 General Residential zone under Cowra Local Environmental Plan (LEP) 2012. The site slopes gently down in a north-east direction away from Walker Street and contains an existing dwelling and two sheds, one located behind the dwelling and the other located near the northern boundary towards the rear of the site. An existing access crossing (currently unsealed) provides vehicular access from Walker Street.

A location map is included in Attachment '3' and an aerial photograph is included in Attachment '4' to this report.

Description of Proposal

The applicant proposes to undertake the construction of two new dwellings and a 3 lot subdivision of the existing 4,023m² lot in the following stages:

Stage One:

The construction of two new dwellings and all infrastructure requirements, services and site works. The two proposed new dwellings are single storey brick veneer buildings with identical floor plans consisting of 2 bedrooms, living area, kitchen, laundry, bathroom and an attached carport. A sealed driveway and manoeuvring area will facilitate vehicular access to both new dwellings from Walker Street. The dwellings will be connected to Council's reticulated water and sewer services. Stormwater from the roof of the proposed dwellings and the existing rear shed is proposed to be discharged to Council's stormwater management system in Walker Street.

Stage two:

A 3 lot subdivision of the existing 4,023m² lot resulting in a single dwelling on each allotment. Proposed lot sizes are as follows:

Lot No.	Lot area
Lot 1 (with existing dwelling & sheds)	2,783m ²
Lot 2 (with new dwelling)	619m ²
Lot 3 (with new dwelling)	619m ²

During the assessment of the development application it has been revealed that three unauthorised uses exist on the site. The shed located near the northern boundary is being partially leased as self-storage units and the shed behind the existing dwelling is partially being used as a secondary dwelling containing a single bedroom. Both of the sheds were approved as Class 10a

buildings ancillary to the use of the existing dwelling. Two unauthorised awnings (carports) have also been attached to this shed.

The property owner has lodged development applications seeking separate development consent for the continued use of the self-storage units and carport structures. These applications have recently been determined by way of approval. The owner will cease the use of the shed as a secondary dwelling. The property owner addresses these matters in the letter to Council dated 24 August 2023 included in Attachment '5' to this report.

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 1/2023:

S4.15(1)(a)(i) Any Environmental Planning Instrument

Cowra Local Environmental Plan 2012

Cowra LEP – Zoning Map



The subject land is zoned R1 General Residential under the provisions of the Cowra Local Environmental Plan (LEP) 2012. Dwelling houses are permissible with consent in the zone. The subdivision of land is also permissible with consent under Cowra LEP 2012 clause 2.6.

Clause 2.3(2) of the Cowra LEP 2012 requires that “The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone”. The zone objectives are included as follows:

R1 General Residential

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide attractive, affordable, well located and market-responsive residential land.
- To ensure that any non-residential land uses permitted within the zone are compatible with the amenity of the area.
- To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities.
- To maximise public transport patronage and encourage walking and cycling.

The proposed development is to be undertaken in an area characterised primarily by residential development and contributes to the variety of housing types and densities in the locality. The development does not involve any non-residential development. The development is compatible with the amenity of the area and is consistent with the zone objectives.

Other Clauses of the Cowra Local Environmental Plan 2012 are also relevant to this application as follows:

Clause 4.1 Minimum lot size

Clause 4.1 requires that the size of any lot resulting from a subdivision is not to be less than the minimum lot size shown on the lot size map relating to Cowra Local Environmental Plan 2012. The lot size map shows the minimum lot size for this site as 700m². Proposed Lot 1 complies with the minimum lot size. Proposed Lots 2 and 3 do not, however the provisions of clause 4.1C allow for an exception to the minimum lot size (see below).

Clause 4.1C Exceptions to minimum subdivision lot sizes for certain residential development

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.
- (2) This clause applies to development on land in the following zone—
 - (a) R1 General Residential.
- (3) Development consent may be granted to a single development application for development to which this clause applies that is both of the following—
 - (a) the subdivision of land into 2 or more lots,
 - (b) the erection of a dwelling house, an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, if the size of each lot is equal to or greater than 300 square metres.

The minimum lot size that applies to the land is 700m² and the proposed development relies on the application of clause 4.1C to enable proposed lots 2 and 3 to be created at 619m² each. The erection of a dwelling house is proposed on each lot to enable compliance with clause 4.1C.

Clause 5.21 Flood planning

Clause 5.21 applies to any new development that is within the flood planning area. Lot 1 DP 599492 is not mapped as flood prone. The blue overlay on the map illustrated below represents the extent of the 1% AEP flood level mapping contained in Cowra LEP 2012:



However, a site survey confirms that part of the land (in the northeastern part of the allotment) is below the flood planning level. The flood planning level for residential development is the 1% AEP level plus 500mm freeboard. All land at or below the flood planning level is considered to be within the flood planning area and subject to flood related development controls including the following considerations of clause 5.21:

- (2) *Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—*
 - (a) *is compatible with the flood function and behaviour on the land, and*
 - (b) *will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
 - (c) *will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
 - (d) *incorporates appropriate measures to manage risk to life in the event of a flood, and*
 - (e) *will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*
- (3) *In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—*
 - (a) *the impact of the development on projected changes to flood behaviour as a result of climate change,*

- (b) *the intended design and scale of buildings resulting from the development,*
- (c) *whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
- (d) *the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*

Comment:

The flood planning level for the site is calculated to be 288.92 AHD + 500mm freeboard = 289.42 AHD. The following surface levels are associated with the site of the proposed dwellings:

- 290.3 AHD for proposed dwelling No.1
- 289.8 AHD for proposed dwelling No.2

Accordingly, the proposed dwellings are to be constructed on land above the flood planning level. Site access to Walker Street is also above the flood planning level. As the proposed dwellings and access are to be constructed above the flood planning level it is assessed that the development will not affect flood behaviour and safe evacuation can be achieved in a flood event. Floodwater impacting the site is likely to be shallow and slow moving and confined to the northeast corner of the allotment in a 1% AEP flood event.

It is assessed that the design and scale of the proposed development is suitable given the flood hazard of the land. It is unlikely to impact on flood behaviour and does not increase risks to life from flood. No significant or unsustainable environmental or social impacts and costs are likely to result from the development which is assessed as satisfactory in consideration of the requirements of Clause 5.21(2) & (3).

Clause 7.1 Earthworks

The site slopes gently down towards the northeast and the submitted plans indicate that an even balance of approximately 400mm of cut and fill is required to provide level building pads for the proposed dwellings. Accordingly, the proposed earthworks are not extensive and no significant impacts are anticipated on the environment or adjoining land uses. Council's standard conditions relating to sedimentation and erosion controls are recommended.

Clause 7.3 Terrestrial Biodiversity

Part of the land is identified as "Biodiversity" on the [Terrestrial Biodiversity Map](#) in CLEP 2012. The following clauses 7.3(3) & (4) apply:

- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:
 - (a) whether the development is likely to have:
 - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
 - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and

- (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
 - (iv) any adverse impact on the habitat elements providing connectivity on the land, and
- (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposed development does not require any native vegetation removal. The development is suitably designed and sited to avoid any significant environmental impacts and complies with the requirements of Clause 7.3.

Clause 7.6 Groundwater Vulnerability

The land is identified as 'Groundwater vulnerable' on the groundwater vulnerability map in CLEP 2012. The following Clauses 7.6(3) & (4) apply:

- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:
 - (a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),
 - (b) any adverse impacts the development may have on groundwater dependent ecosystems,
 - (c) the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),
 - (d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
 - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposed development requires minimal earthworks and will be connected to Council's reticulated water and sewer services. It is assessed that the proposal is unlikely to impact adversely on either the supply or quality of groundwater in the locality. The development is suitably designed and sited to avoid any significant environmental impacts and complies with the requirements of Clause 7.6.

Clause 7.8 Essential Services

Clause 7.8 requires Council to be satisfied that the proposed development will be connected to essential services:

Water

The proposed development will be connected to Council's reticulated water supply.

Electricity

Electricity is available for connection.

Sewage

The proposed development will be connected to Council's reticulated sewer service.

Stormwater

Stormwater is proposed to be managed on site using a system of rainwater tanks to capture roofwater from the proposed buildings, with overflow discharged to Council's stormwater management system in Walker Street.

Access

Vehicular access to the existing dwelling from Walker Street will be retained and access to the proposed dwellings will be achieved via a right of access over an internal driveway. The vehicular access crossing, driveways and manoeuvring areas are proposed be constructed of concrete and bitumen seal. Recommended conditions of consent apply with regard to the construction of access crossings and driveways in compliance with Council's engineering standards.

State Environmental Planning Policies

The following State Environmental Planning Policies are considered relevant to Council's consideration:

SEPP	COMMENTS
SEPP (Housing) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	Includes the former SEPP 55 – Remediation of Land. See comments below.
SEPP (Industry and Employment) 2021	Not applicable

SEPP (Transport and Infrastructure) 2021	Not applicable.
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Building Sustainability Index: BASIX)	BASIX certificates have been submitted that demonstrate compliance.
SEPP 65—Design Quality of Residential Apartment Development	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable

SEPP (Resilience and Hazards) 2021

4.6 Contamination and remediation to be considered in determining development application

- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) *The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*

- (4) *The land concerned is:*
- (a) *land that is within an investigation area,*
 - (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
 - (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*
 - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

Comment

There are no known prior land-uses on the site that are likely to have resulted in the contamination of the land. Site inspection carried out did not reveal any evidence of contamination of the site. The proposal does not involve any demolition or works likely to result in contamination of the site. The SEE submitted with the application does not mention any previous land use that likely to have resulted in contamination of the site. No further investigation is warranted in this instance.

S4.15(1)(a)(ii) Any draft Environmental Planning Instrument

There are no draft Environmental Planning Instruments that apply to the development.

S4.15(1)(a)(iii) Any Development Control Plan (DCP)

Cowra Shire Council Aboriginal Consultation Policy (Version 4 23/08/2021)

There are no identified AHIMS or signs observed of an Aboriginal Heritage item within 100 metres of the development site or on the subject land.

Cowra Shire Council Development Control Plan 2021

PART A – PLAN INTRODUCTION

A development application has been lodged in accordance with Part A.

PART B – LAND MANAGEMENT

Appropriate erosion and sediment controls to be implemented prior to the commencement of works. Relevant conditions of consent are recommended.

PART C – BIODIVERSITY MANAGEMENT

The application does not involve the removal of any significant vegetation.

PART D – SUBDIVISION DEVELOPMENT

Section	Comments
D.3.1 Application of this part	The proposed development includes infill subdivision on land zoned R1 General Residential
D.3.2 Objectives	The proposed development will facilitate greater diversity in housing choice to meet community and economic needs and accommodates all essential service requirements. The proposal is assessed to meet the objectives of the clause.
D.3.3 Lot size, layout and dimensions	The proposed development complies with Section D.3.3 however the applicant has applied for variations to Sections D 3.3.f.i and D.3.3.f.ii which relate to allotment size for battleaxe allotments and the length of the access handle. It is assessed that proposed Lots 2 and 3 are not battleaxe allotments and therefore the Sections are not applicable and a variation is not required to be granted. Nevertheless the applicant has chosen to address the requirements of this section. See below for further explanation and comments on these clauses.
D.3.4. Street Design	N/A as no new street proposed.
D.3.5. Access provision	Practical and legal access to the proposed lots is to be provided from the existing access location on Walker Street. The access will be upgraded to comply with Council's engineering standards.
D.3.6. Utility provision	The proposed dwellings will be connected to sewer, water, stormwater, electricity and telecommunications in accordance with the relevant servicing authorities and Council's engineering standards.
D.3.7. Stormwater, drainage and waterways	A stormwater management design for the development has been prepared by Calare Civil. Stormwater is proposed to be managed by collecting roofwater from the proposed dwellings into water tanks which will discharge to Council's stormwater management system in Walker Street via a system of charged pipes. The existing shed near the northern boundary is also proposed to be connected to this design since it is not currently connected to a stormwater management system.

Section D.3.3.f of Part D applies to battle-axe shaped allotments.

The proposed lots are not battle-axe shaped allotments since access is achieved via a right of access benefitting both new Lots 2 and 3 rather than battle-axe handles that form part of each new allotment. Therefore, it is assessed that it is not necessary for the applicant to apply for variations to the DCP controls that relate to battleaxe shaped allotments.

Nevertheless, the subdivision layout including the right of access bears distinct similarities with a traditional battle-axe design and will have similar potential impacts. Therefore, in the Statement of Environmental Effects the applicant has chosen to address the relevant clauses listed below.

Section D.3.3.f states that:

“Battle-axe shaped allotments should be avoided in the subdivision where possible, but where these are proposed and Council is satisfied that there is no other means of gaining access to the public road system, they should meet the following requirements”:

Section D.3.3.f.i

- i. The total area of the allotment should not be less than 900sqm, exclusive of the access handle.

Comment:

Proposed Lots 2 and 3 are 619m² which is less than the 900m² prescribed by this control. The applicant provides the following justifications:

- *The proposed lot sizes are consistent with the special provisions contained in Clause 4.1C of the Cowra LEP which allows for the creation of smaller lot sizes where the dwelling design is incorporated into the application for subdivision.*
- *In the case of the proposed development, the plans show that 619m² of lot area is more than sufficient to accommodate the proposed dwelling designs. The design generally exceeds minimum standards and controls relating to setbacks, private open space provision, visual/acoustic privacy and sunlight access.*
- *The design does not create any unacceptable amenity impacts on neighbouring properties.*

There is no other means of gaining access from the public road system to the proposed lots. The proposed lot sizes of 619m² are well in excess of the 300m² minimum lot size allowable under Clause 4.1C of Cowra LEP 2012. The dwellings are satisfactorily designed to comply with the relevant development controls and provide additional diversity in the housing types and densities available in the locality. It is assessed that the proposed lots are of sufficient size to accommodate the proposed dwellings without unsatisfactory adverse impacts on the environment or nearby land uses.

Section D.3.3.f.ii

- ii. *Single access handles should have a minimum width of 4 metres and a maximum length of 30 metres.*

Comment:

Practical and legal access to the proposed lots will be achieved via an internal access handle providing a minimum 5.5m wide trafficable surface. The length of the handle at 41m exceeds the maximum length of 30m prescribed in the control. The applicant provides the following justifications:

- *The access handle length is the result of the existing lot configuration.*
- *It is not possible to shorten the handle through a change to the design of the proposed development.*
- *The site design allows for the adequate movement of vehicles.*

At 41m, the access handle is 11m longer than the 30m prescribed in the development control. The access length cannot be reduced due to the existing lot layout. The proposed dwellings are located and designed to avoid flood prone areas of the site and to achieve compliance with the relevant development controls that apply to dwellings. The access to each dwelling including the turning area is proposed to be sealed with concrete or bitumen seal which will minimise noise emissions and it is assessed that the length of the access handle does not create any unsatisfactory adverse impacts on the environment or nearby land uses.

PART E – URBAN AND VILLAGE DEVELOPMENT

Part E.2 Medium Density Housing

Section	Comments
E.2.1 Application of Section	The subject land is zoned R1 General Residential. It contains an existing dwelling and 2 new dwellings are proposed. The DCP states that Part E.2 (medium density housing) applies to development that would be defined as multi-dwelling housing if it were not for any subdivision proposed as part of the development. Therefore part E.2 applies.
E.2.2 Objectives	The proposed development meets these objectives.
E.2.3 Site Analysis	The application includes an analysis of existing site conditions, opportunities and constraints.
E.2.4. Soil Erosion and Sedimentation Control	Appropriate controls to be put in place as conditioned.
E.2.5. Landscaping	A compliant landscape plan has been submitted with the DA.
E.2.6. Cut and Fill Controls	The site is gently sloping and minimal cut/fill required as shown on the site plan.
E.2.7. Site Area and Frontage Controls	Complies
E.2.8. Streetscape Controls	Complies. The proposed dwellings will not be visible from Walker Street.
E.2.9. Height Controls	Complies. The proposed dwellings are single storey.
E.2.10. Solar Access Controls	Complies.
E.2.11. Front setback controls	N/A – The proposed dwellings do not have street frontage.
E.2.12 Side Setbacks	Complies.
E.2.13. Rear Setbacks	Complies.
E.2.14. Visual & Acoustic Privacy Controls	Complies.
E.2.15. Private Open Space	Complies.
E.2.16. Sustainable Building Design	Complies. A BASIX Certificate has been provided for both proposed dwellings.

Controls	
E.2.17. Liveable Housing Design	Complies.

PART K – LAND USE BUFFERS

Cowra Airport Obstacle Limitation Surface

The subject land is located outside of the OLS and all other buffer zones.

PART M – PARKING, ACCESS AND MOBILITY

The proposed development provides a parking space for each dwelling, consistent with Table M.1.5.1. Practical and legal access to the proposed lots will be provided from the existing access location on Walker Street. The existing access crossing will require upgrade works to be undertaken to enable compliance with Section M.2.2 and Council's engineering standards. Recommended conditions of consent apply. The proposal includes a sealed internal driveway that meets the requirements of Section M.2.4 which requires a minimum width of 3m (for one way sections) and 5.5m (two way sections). The driveway is proposed to be sealed. A sealed manoeuvring area is also proposed which will enable forward entry and exit in accordance with Section M.2.4 and car parking surfaces comply with Section M.2.5.

PART N – LANDSCAPING

The proposed dwellings will not be visible from Walker Street. Nevertheless, the proposed retention of existing vegetation and additional landscaping works associated with the proposed development is considered to be satisfactory and compliant with the DCP.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as bushfire prone but is partially mapped as flood prone as discussed previously in this report. The flood report included in the development application addresses the relevant requirements of Part O. The proposed development is to be constructed on land above the flood planning level and is assessed to be suitable given the nature of the flood hazard on the land. There is no identified contamination on the subject land.

PART P – CPTED PRINCIPLES

The development application addresses the CPTED principles. The proposed development is not expected to unsatisfactorily increase crime or security risks in the locality.

S4.15(1)(a)(iiia) Any Planning Agreement

There is no planning agreement that has been entered into under Section 7.4 of the Environmental Planning and Assessment Act 1979 by the applicant in relation to the development proposal. Similarly, the applicant has not volunteered to enter into a draft planning agreement for the development proposal.

S4.15(1)(a)(iv) The EP & A Regulations

Section 4.15(1)(a)(iv) requires Council to also consider Clauses 92, 93, 94 and 94A of the Environmental Planning and Assessment Regulation. The following provides an assessment of the relevant clauses of the Regulation:

- Clause 92 – The Government Coastal Policy does not apply to Cowra Shire and therefore Clause 92(1)(a) and (b) are not applicable to this development proposal. The proposal does not involve demolition of a building and therefore the requirements of AS 2601 do not need to be considered in accordance with Clause 92(2).
- Clause 93 – The proposal does not involve the change of a building use for an existing building, or the use of an existing building as a place of public entertainment and therefore the requirement to consider fire safety and structural adequacy of buildings in accordance with Clause 93 is unnecessary.
- Clause 94 – The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building or place of public entertainment and therefore the requirement to consider the upgrading of buildings into total or partial conformity with the Building Code of Australia.
- Clause 94A – The proposal does not involve the erection of a temporary structure and therefore the requirements to consider fire safety and structural adequacy is unnecessary.

S4.15(C)(1)(b) The Likely Impacts of the Development

Section 79(C)(1)(b) requires the Council to consider the likely impacts of the development, including environmental impacts on both the natural and built environments as well as the social and economic impacts in the locality. The following provides an assessment of the likely impacts of the development:

Context and Setting

The area is characterised primarily by residential development in the form of single dwellings and ancillary buildings. Some light industrial development exists to the northeast on sites fronting William Street and Grenfell Road. The proposal is assessed as being consistent with the character of the locality and is appropriate given its local context and setting.

Access, Transport and Traffic

The proposed development will achieve access from the existing crossover on Walker Street. This access crossing will require upgrade works to enable compliance with Council's engineering standards. The upgraded access crossing will be constructed of concrete and will connect to a bitumen sealed driveway enabling access to each carport associated with the proposed dwellings. A bitumen sealed manoeuvring area allows for forward entry and exit onto Walker Street.

The applicant estimates that the existing dwelling and each proposed dwelling will generate an average of approximately 7.4 trip movements per day. This is based on the "Guide to Traffic Generating Developments" published by Transport for NSW. Accordingly, the proposed two new dwellings will generate approximately 14.8 daily trip movements. The applicant also estimates that the existing uses that have not been approved, being the part use of a shed for a home business (self-storage units) and a one bedroom secondary dwelling, will generate an average of approximately 0.57 trips and 1.93 trips per day respectively. However, these uses do not form part of the current proposal and will be subject to a separate development application.

It is assessed that the existing road network can accommodate the additional traffic movements associated with the two additional proposed dwellings. The proposed dwelling density is not excessive given the size of the allotment and the proposed dwelling setbacks, sealed driveway and existing 1.8m high Colorbond boundary fencing will mitigate against any unsatisfactory vehicular noise, vibration or lighting impacts on adjoining land uses.

Public Domain

The proposal will not have a negative impact on public recreational opportunities or public spaces in the locality.

Utilities

The site is serviced by adequate utilities to cater for the development.

Heritage

There are no items listed in schedule 5 of the LEP 2012 as present on the land. A search of the AHIMS records did not reveal any items of Aboriginal Cultural Significance identified as being mapped on the land.

Other Land Resources

The land does not contain any recorded mineral deposits and the proposal will not negatively impact any water catchment areas.

Stormwater, Water and Sewerage

The proposed dwellings will be connected to Council's reticulated water and sewer services. Roofwater from the proposed dwellings will be directed to rainwater tanks with overflow discharged to Council's stormwater management system in Walker Street. Roofwater from the rear shed currently discharges onto the ground in a manner that impacts on the adjoining (northern) property. To rectify this existing issue, the applicant proposes to connect stormwater from the shed to the stormwater system that will service the dwellings. Recommended conditions of consent apply in this regard.

Soils

The development proposes a maximum of 400mm of cut and fill and will not have a negative impact on soils. A condition of consent is recommended requiring compliance with the erosion and sedimentation controls contained in Council's DCP.

Air and Microclimate

Minimal amounts of dust may be generated during the construction period. Once construction works are complete the development will not impact on air quality.

Flora and Fauna

The development will not require the removal of any trees. The development is not expected to impact on any critical habitats or threatened species and results in a satisfactory assessment in accordance with Section 1.7 of the Act.

Waste

Any construction waste will be removed from the site and appropriately recycled or catered for at a licensed waste management facility.

Energy

A BASIX Certificate has been provided for each dwelling.

Noise and Vibration

Council's standard condition of consent is recommended in relation to construction hours. The constructed development will not emit any unsatisfactory levels of noise or vibration that will impact adversely on adjoining land uses.

Natural Hazards

The site is partially mapped as flood prone as addressed elsewhere in this report. The development will be constructed above the flood planning level and is assessed as being satisfactorily designed in consideration of the nature of the flood hazard. The land is not identified as being subject to bushfire or any other potential hazards.

Technological Hazards

Review of Council's records and inspection of the site did not reveal any technological hazards affecting the site. Council is not aware of, and the SEE submitted with the application did not make any reference to, any previous land use likely to have resulted in contamination.

Safety, Security and Crime Prevention

The application satisfactorily addresses the CPTED principles. This development will not generate any activity likely to promote any safety or security problems to the subject land or surrounding area.

Social and Economic Impacts on the locality

The proposed development is unlikely to result in any identified negative social or economic impacts.

Site Design and Internal Design

The design of the development is satisfactory for the site and without any identified adverse impacts.

Construction

The proposed development can be built in accordance with the Building Code of Australia as conditioned. No adverse impacts are anticipated to occur as a result of the development.

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts.

S4.15(1)(c) The Suitability of the Site for the Development

The development is consistent with the zone objectives and consideration has been given to the impacts the development will have within the locality. It is considered that the proposed development will not create adverse impacts within its local setting. Appropriate services for water, waste disposal and other utilities are available to the site. It is assessed that the development as conditioned will not impact upon any existing services. The development site is not identified as bushfire prone. The design of the development satisfactorily addresses the flood hazard as discussed in this report. The site is not otherwise unsatisfactorily constrained by natural features. The site is considered suitable for the development subject to the imposition of appropriate conditions of consent.

S4.15(1)(d) Any Submissions Received

Public Consultation

The subject Development Application was notified to adjoining owners in writing from 11 January 2023 to 25 January 2023, in accordance with Cowra Community Participation Plan 2020. Two submissions were received in relation to the proposed development and are included in Attachment '6' to this report. The applicant has provided a response to the submissions which is included in Attachment '7' to this report. Concerns expressed in the submissions that are relevant to this development application (or the subject site) are summarised below followed by assessment comments.

Objection

The proposed stormwater design will direct rainwater tank overflow onto the adjoining property.

Comment:

The proposed method of discharging roofwater from the proposed dwellings originally involved on-site disposal via a level spreader and was designed by Calare Civil Pty Ltd. It was supported by calculations demonstrating that post development flows offsite would not exceed pre-development flows. However, the land owner and applicant acknowledge the concerns raised by the objector and in response undertook a redesign of the proposed stormwater management system. Amended plans prepared by Calare Civil Pty Ltd illustrate the discharge of roofwater via a piped system to Council's stormwater management system on Walker Street. This addresses the concerns expressed by the objector.

Objection

Stormwater from the existing rear shed currently discharges in a manner that impacts on the objector's property. The objector requests that this existing situation be rectified.

Comment:

The applicant agrees that the existing situation is unacceptable and will connect stormwater from the existing shed into the proposed piped system that will service the dwellings. A recommended condition of consent is also applied in this regard.

Objection

The location of a sewer main as illustrated on the development plans is inaccurate.

Comment:

Further investigations by the applicant and Council confirmed that the sewer main was represented inaccurately on the originally submitted plans. Amended plans now show the accurate location of sewer infrastructure within the subject property.

Objection

The entry to the 2 houses is less than 2m from my house at 19 Walker Street causing undue noise from vehicle movements.

Comment:

The close proximity of the access to the objector's dwelling is acknowledged. However, the existing and proposed boundary setbacks, the density of the proposed development and associated light traffic movements is considered to be in keeping with the character of the locality and appropriate in general given the R1 General Residential zoning of the land. The proposal is not considered to represent an overdevelopment of the site. The subject land is in excess of 4,000m² and there is no alternative means of access to the public road system.

The application as originally submitted included a gravel driveway adjacent to the adjoining dwelling. In response to the objection the applicant has amended the Vehicle Surfaces Plan to incorporate a sealed surface for the entire length of the driveway which will assist to minimise noise emissions. It is noted that there are no windows on the eastern elevation of the adjoining dwelling and vehicular noise is also mitigated by existing 1.8m high Colorbond fencing on the property boundary. It is assessed that there is insufficient justification for the refusal of the application on the basis of noise emissions.

Objection

There are already additional traffic movements associated with the renting out of bays in an existing shed and a person living in another shed.

Comment:

The unauthorised uses referenced in the objection have been acknowledged by the property owners in the letter to Council included in Attachment '5' to this report. The owners have lodged a separate development application for the continued use of the self-storage units and have removed the kitchen and cooking facilities in the shed and converted it back to a non-habitable building. The assessment of traffic movements associated with the use of the self-storage units will be undertaken as part of the separate development application and are not subject to review in association with this application. It is noted that this separate development application has now been determined by way of approval.

Objection

Walker Street is narrow and a single car parked in the street causes traffic to stop and give way. More vehicles will only make the street more dangerous.

Comment:

As discussed previously in this report, the existing road network can accommodate the additional traffic movements associated with the proposed development. The proposal is of a scale that is assessed to be appropriate in the locality and given the general residential zoning of the land and the character of local area. The proposal is not a significant traffic generating development.

Objection

Cowra is a country town with no need to jam houses in unnecessary spots as subdivisions are not completely full.

Comment:

The site is in excess of 4,000m² in area and has the capacity to accommodate additional dwellings and comply with the zone objectives in relation to the provision of local housing needs and additional housing diversity. The proposal utilises the relevant clauses of Cowra LEP 2012 to undertake infill development which is an important contributor to housing supply. The proposal is assessed to be of an appropriate density for the site.

Objection

It is noted that a similar proposal was “knocked back” by Council some time ago.

Comment:

Council records indicate that DA 263/2006 for 8 residential flat units and 3 lot subdivision on the site was refused by Council on 27 October 2008. This is not a basis for refusing the current application which is of a smaller scale and is subject to separate and independent assessment.

Public Authority Consultation:

There are no public authority consultation requirements with this development application.

S4.15(1)(d) The Public InterestCommunity Interest

The proposed development is permissible on the subject land, will provide additional housing supply and is not expected to adversely impact on the community interests of the area. The proposed development has been considered in terms of the context and setting of the locality in previous sections to this report. The proposed development will positively contribute to development within the locality and will not impose any identified adverse economic or social impacts on the local community.

S7.12 Fixed development consent levies

Development contributions under Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979 are applicable to this development and contributions calculated in accordance with Cowra Council S94A Contributions Plan 2016 are included in the recommended conditions of consent. Water and sewer headworks charges are also payable in accordance with Council's Developer Servicing Plans for water and sewer.

Conclusion

Development Application No. 1/2023 proposes the construction of 2 dwellings and 3 lot subdivision on Lot 1 DP 599492, 17 Walker Street Cowra. The application was lodged by Currajong Pty Ltd on 3 January 2023.

The application was supported by a Statement of Environmental Effects and development plans prepared by the applicant, which provide sufficient information to allow assessment of the proposal.

The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the R1 zone and is consistent with existing land-use activities of the locality. The development application was notified in accordance with Cowra Community Participation Plan 2020. Two submissions were received following the consultation process and are addressed in this report.

Having considered the documentation supplied by the applicant, the findings of site inspection(s) and the comments made from consultation, it is assessed that the impacts of the proposal and the likely environmental interactions between the proposed development and the environment are such that Council should not refuse the development application. Accordingly, a recommendation of conditional approval is listed in the recommendation.

ATTACHMENTS

1. DA 1/2023 - Development Plans [↓](#)
2. DA 1/2023 - Statement of Environmental Effects [↓](#)
3. DA 1/2023 - Location map [↓](#)
4. DA 1/2023 - Aerial view [↓](#)
5. DA 1/2023 - Applicants response to unauthorised use [↓](#)
6. DA 1/2023 - Copies of submissions [↓](#)
7. DA 1/2023 - Applicants response to submission [↓](#)

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Cowra Shire Council
14/4/2023
Plan No: DA 1/2023 (A)



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PLANNING, PROPERTY • PROJECT MANAGEMENT

250A Clarinda Street
PARKES NSW 2870

Project Contact
Dean Steward
0429 217 243
dsteward@currajong.com.au

GENERAL NOTES:

1. Do not scale from drawings. Work to figured dimensions only. Site dimensions are subject to final survey and should not be relied upon for accuracy

E	ADD PROPOSED SEWER MAIN	DS	14.04.2023
D	DIMENSIONS / EASEMENT DETAILS	DS	22.03.2022
C	AMEND SERVICES / VEHICLE SURFACES	DS	07.03.2023
B	AMEND SEWER EASEMENT	DS	20.12.2022
A	FIRST ISSUE	DS	18.12.2022
REV	DESCRIPTION	BY	DATE

SHEET NO:

A.01

SHEET NAME:

Proposed Plan of Subdivision

DRAWING STATUS

FOR DA APPROVAL

CLIENT NAME

T & G Bruin

SITE DESCRIPTION

17 Walker Street
Cowra NSW 2794

PROJECT NAME

Proposed 3 lot subdivision &
construction of 2 dwellings

DRAWN:

14/04/23

SCALE

1:500 @ A3

NORTH

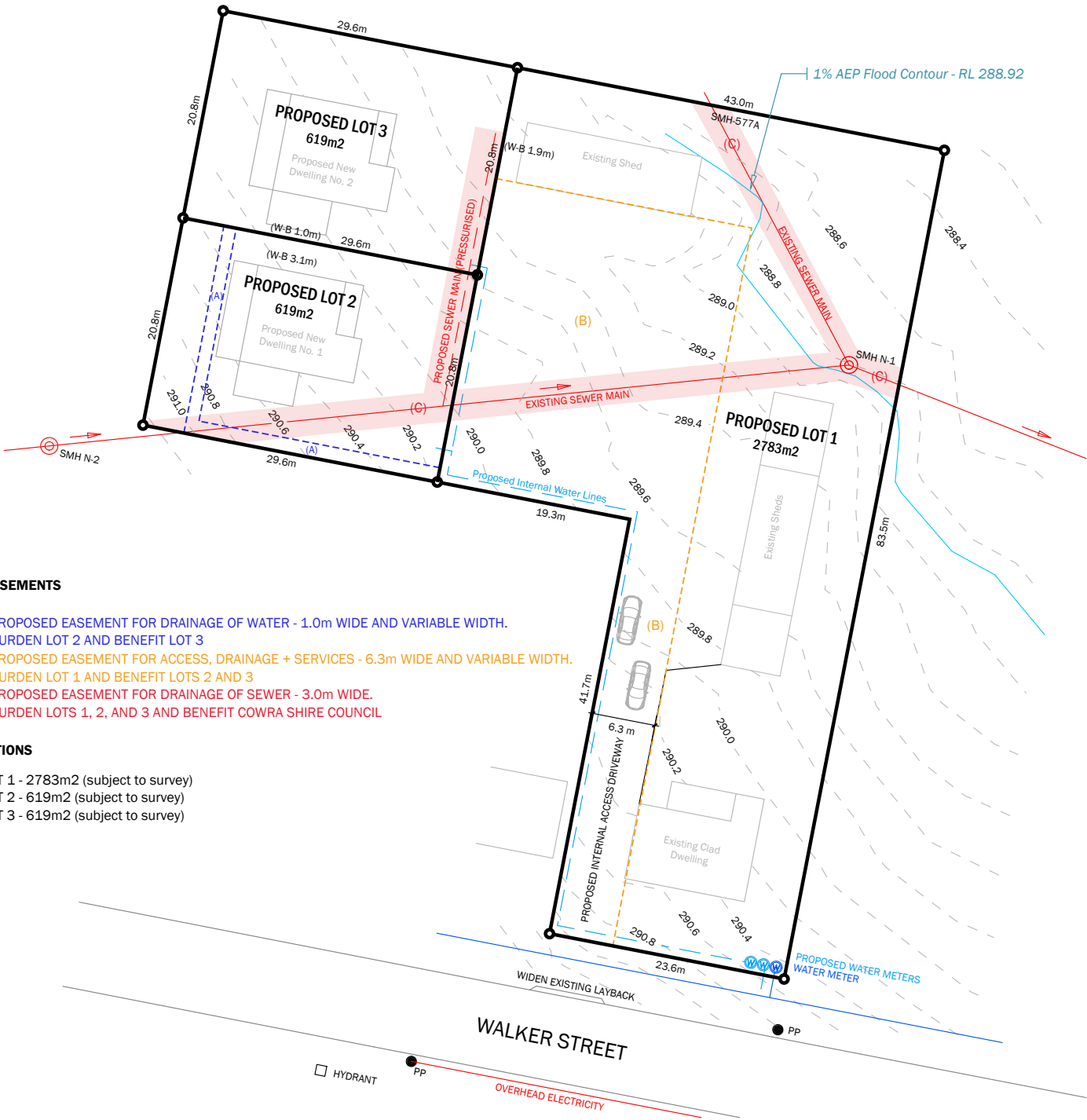


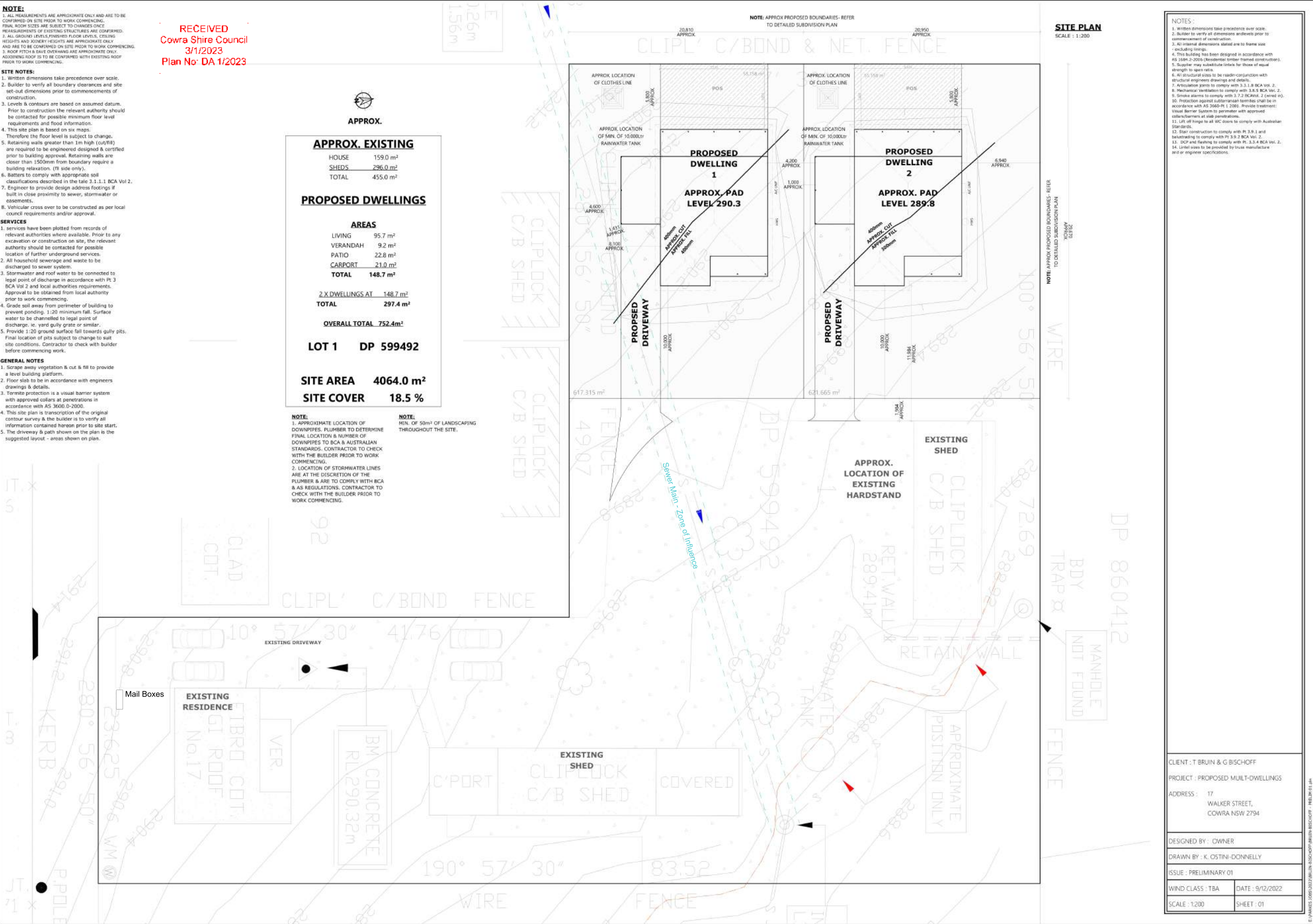
PROPOSED EASEMENTS

- (A) PROPOSED EASEMENT FOR DRAINAGE OF WATER - 1.0m WIDE AND VARIABLE WIDTH.
BURDEN LOT 2 AND BENEFIT LOT 3
- (B) PROPOSED EASEMENT FOR ACCESS, DRAINAGE + SERVICES - 6.3m WIDE AND VARIABLE WIDTH.
BURDEN LOT 1 AND BENEFIT LOTS 2 AND 3
- (C) PROPOSED EASEMENT FOR DRAINAGE OF SEWER - 3.0m WIDE.
BURDEN LOTS 1, 2, AND 3 AND BENEFIT COWRA SHIRE COUNCIL

LOT CALCULATIONS

PROPOSED LOT 1 - 2783m2 (subject to survey)
PROPOSED LOT 2 - 619m2 (subject to survey)
PROPOSED LOT 3 - 619m2 (subject to survey)





1. ALL MEASUREMENTS ARE APPROXIMATE ONLY AND ARE TO BE CONFIRMED ON SITE PRIOR TO WORK COMMENCING. FINAL ROOM SIZES ARE SUBJECT TO CHANGES ONCE MEASUREMENTS OF EXISTING STRUCTURES ARE CONFIRMED.

2. ALL GROUND LEVELS, FINISHED FLOOR LEVELS, CEILING HEIGHTS AND JOINTERY HEIGHTS ARE APPROXIMATE ONLY AND ARE TO BE CONFIRMED ON SITE PRIOR TO WORK COMMENCING.

3. ROOF PITCH & EAVE OVERHANG ARE APPROXIMATE ONLY. ADJOINING ROOF IS TO BE CONFIRMED WITH EXISTING ROOF PRIOR TO WORK COMMENCING.

25° PITCH
C/BOND ROOF

ROOF BRACING TO
MANUFACTURES SPECS.

METAL FASCIA
AND GUTTER

2.700
CEILING HT

2.269.00m
HEIGHT

FGL -
APPROX.
289.8

POWDER COATED
ALUMINUM WINDOWS &
GLASS SLIDING DOORS

FACE
BRICKWORK

90 X 90
TIMBER POSTS

UNIT 2 (NORTH)
RIGHT ELEVATION
SCALE :1:100

NOTE:
FOR OPENING DIRECTIONS OF
SLIDING GLASS DOORS AND WINDOWS
PLEASE SEE ELEVATIONS.

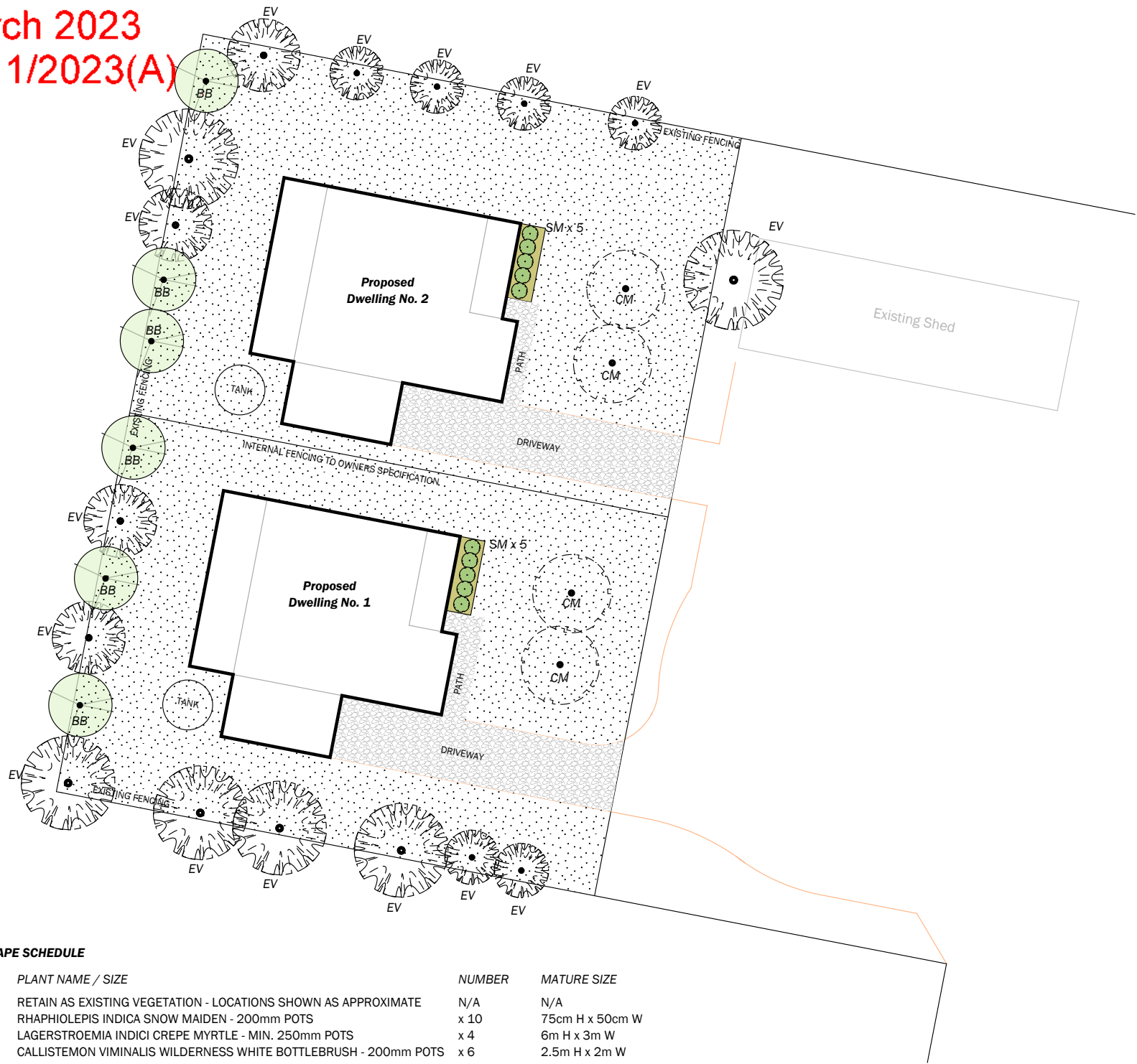
NOTE:
BASTX REQUIREMENT OF
CEILING - 2.75(UP)
ROOF - FOIL/SARKING
LIGHT SOLAR ABSORPTANCE
LESS THAN 0.475
WALLS - 2.06(OR 2.6 INCLUDING
CONSTRUCTION) METAL FASCIA

UNIT 2 (WEST)
REAR ELEVATION
SCALE : 1:100

1. Written dimensions take precedence over scale.
2. Builder to verify all dimensions and levels prior to commencement of construction.
3. All internal dimensions stated are to frame size – excluding linings.
4. This building has been designed in accordance with AS 1562.3 (considered to be a frame construction).
5. Supplier may substitute linings for those of equal strength to span ratio.
6. All structural sizes to be readi-concrete with structural members drawings and details.
7. Articulation joints to comply with 3.8.1.8 BCA Vol. 2.
8. Mechanical Ventilation to comply with 3.3.1.6 BCA Vol. 2.
9. Smokey and smoky conditions to comply with 3.3.1.6 (iv) Vol. 2.
10. Protection against subterranean termites shall be in accordance with AS 3660-Pr 1/2001. Treatement: treatment of soil and concrete.
11. All doors and windows to be supplied with approved collars/barsriers at slab penetrations.
12. Lift off hinge to all WC doors to comply with Australian Standards.
13. Stair construction to comply with Pt 3.9.3.1 and balustrading to comply with Pt 3.9.3.2 BCA Vol. 2.
14. DCP and flashing to comply with Pt. 3.3.4 BCA Vol. 2.
15. Linings to be provided by house manufacturer and or engineer specifications.

SCALE : 1:100

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Cowra Shire Council
22 March 2023
Plan No. 1/2023(A)



LANDSCAPE SCHEDULE

LEGEND	PLANT NAME / SIZE	NUMBER	MATURE SIZE
EV	RETAIN AS EXISTING VEGETATION - LOCATIONS SHOWN AS APPROXIMATE	N/A	N/A
SM	RHAPHIOLEPIS INDICA SNOW MAIDEN - 200mm POTS	x 10	75cm H x 50cm W
CM	LAGERSTROEMIA INDICI CREPE MYRTLE - MIN. 250mm POTS	x 4	6m H x 3m W
BB	CALLISTEMON VIMINALIS WILDERNESS WHITE BOTTLEBRUSH - 200mm POTS	x 6	2.5m H x 2m W



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250A Clarinda Street
PARKES NSW 2870

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- GENERAL NOTES:
- Tree watering (1): Immediately after planting, tree shall be watered thoroughly regardless of weather conditions. Quantity of water will be adequate to saturate the root ball to its core.
 - Tree watering (2): Post planting, provide a minimum of 15 litres of water (for tree in 45 litre pot) to the newly planted tree per 7 days. Water at a slow rate so as not to displace mulch. For trees in pot size larger than 45 litres, provide quantity of water one third of that pot size.
 - All new landscaped areas are to be provided with an appropriate low usage automatic water system such as a drip, trickle or spray irrigation system.
 - Landscape works are not proposed for Lot 1 as this lot is intended to accommodate the existing dwelling and associated shed infrastructure,

B	LABEL AMENDMENTS	DS	22.03.2023
A	FIRST ISSUE	DS	20.12.2022
REV	DESCRIPTION	BY	DATE

SHEET NO:
A.03

SHEET NAME:
Landscaping Plan

DRAWING STATUS
FOR DA APPROVAL

CLIENT NAME
T & G Bruin

SITE DESCRIPTION
17 Walker Street
Cowra NSW 2794

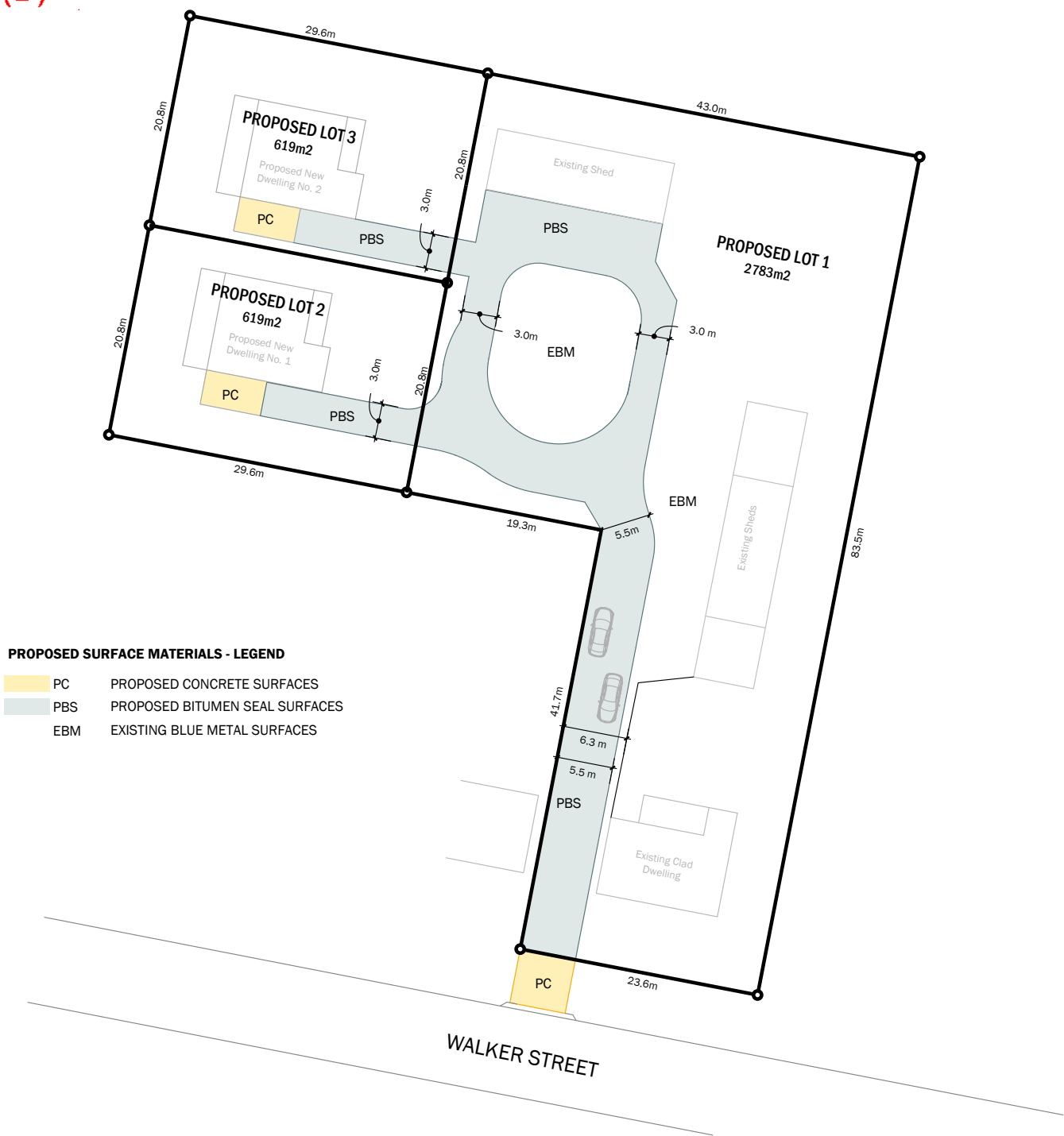
PROJECT NAME
Proposed 2 lot subdivision &
construction of 2 dwellings

DRAWN:
22/03/23

SCALE
1:500 @ A3



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22 March 2023
Plan No. 1/2023(B)





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250A Clarinda Street
PARKES NSW 2870

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- GENERAL NOTES:**
1. Do not scale from drawings. Work to figured dimensions only. Site dimensions are subject to final survey and should not be relied upon for accuracy

D	DIMENSIONS ADDED - DRIVEWAY WIDTHS	DS	22.03.2022
C	AMEND SERVICES / VEHICLE SURFACES	DS	07.03.2023
B	AMEND SEWER EASEMENT	DS	20.12.2022
A	FIRST ISSUE	DS	18.12.2022
REV	DESCRIPTION	BY	DATE

SHEET NO:
A.02

SHEET NAME:
Proposed Vehicle Surfaces

DRAWING STATUS
FOR DA APPROVAL

CLIENT NAME
T & G Bruin

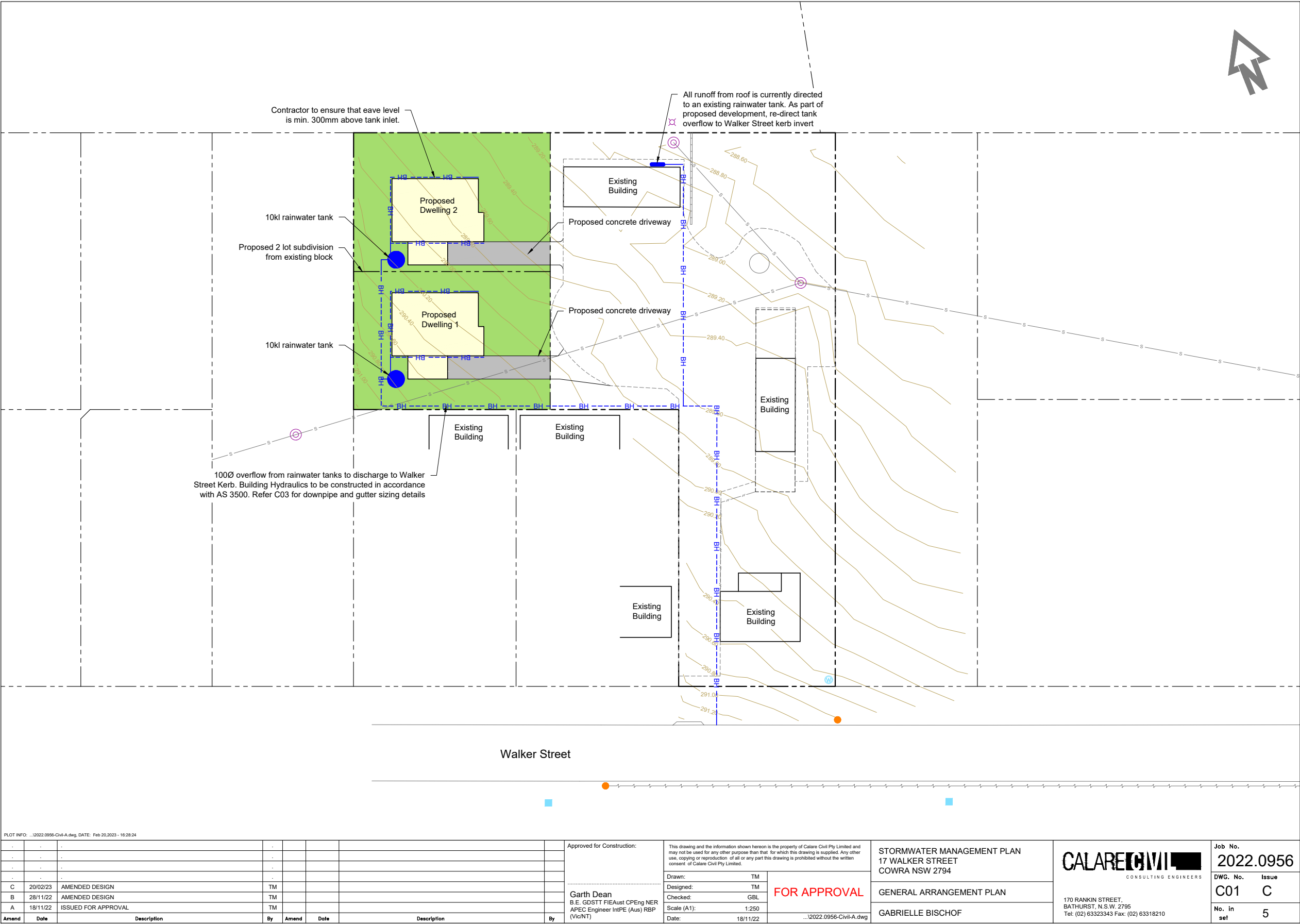
SITE DESCRIPTION
17 Walker Street
Cowra NSW 2794

PROJECT NAME
Proposed 3 lot subdivision &
construction of 2 dwellings

DRAWN:
22/03/23

SCALE
1:500 @ A3





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Cowra Shire Council
29 August 2023
Plan No. 1/2023(B)

DATE

28.08.2023 (Rev E)

CLIENT

Thomas and Gabrielle Bruin

PROJECT

**Proposed 3 lot subdivision (Torrens Title) + Construction of 2 x single dwellings
17 Walker Street, Cowra NSW 2794**

DOCUMENT TITLE

**Statement of
Environmental Effects**

Currajong Pty Ltd
205A Clarinda Street
Parkes NSW 2780
currajong.com.au

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DOCUMENT CONTROL

PROJECT REPORT DETAILS		
Document Title	Statement of Environmental Effects	
Principal Author	Dean Steward, Senior Planner	
Client	Mr Thomas and Gabrielle Bruin	
Project Reference	APC220812	
DOCUMENT STATUS		
Issue	E	
Status	For Council approval	
Date	28.08.2023	
DISTRIBUTION RECORD		
Recipient	Distribution Method	Date
Thomas Bruin	Emailed	28.08.2023
Gabrielle Bruin	Emailed	28.08.2023
Cowra Shire Council	NSW Planning Portal	28.08.2023 (Rev E)

DISCLAIMER

This report has been prepared by Currajong Pty Ltd with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client. Information reported herein is based on the information provided by the client and has been accepted in good faith as being accurate and valid. This report is for the exclusive use of the client named above. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from Currajong Pty Ltd. Currajong Pty Ltd disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

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EXECUTIVE SUMMARY



This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of Thomas and Gabrielle Bruin for the proposed development of the land at Lot 1 DP 599492, being 17 Walker Street Cowra.

The proposed development is described as a three lot Torrens Title subdivision (creating two additional lots) and subsequent construction of two separate dwellings on the new allotments. The dwellings are to be constructed as single storey brick veneer structures, serviced by a common practical access to Walker Street. The proposed location of the dwellings on the property means that they will not have a streetscape presence to Walker Street.

The land at 17 Walker Street contains an existing dwelling and several ancillary shed structures. The existing structures are located generally along the eastern and northern boundaries of the site, leaving a large land area towards the rear of the holding that is under utilised and characteristically suitably for redevelopment.

The subject land is located within the R1 General Residential zone within West Cowra, which applies generally to all of the existing properties along Walker Street. The land located immediately to the north is zoned for light industrial purposes, however the current use of the land is for residential purposes. The land located to the northwest is zoned and used for light industrial purposes, and specifically for vehicle repair station (tractor mechanical repairs).

The land slopes generally away from Walker Street. A detailed contour survey has been completed, which shows that the land has a total fall of approximately 2.6m from the Walker Street frontage to the NE corner of the property. The survey has also discovered the locations of Council's gravity sewerage main within the boundaries of the subject land. The proposed dwellings have been carefully positioned on the land to avoid this infrastructure.

Cowra Local Environmental Plan 2012 (LEP) is the primary environmental planning instrument apply to the proposed development. The proposed development has been assessed against the relevant provisions of the LEP and is consistent with all requirements, without variation.

The Cowra Comprehensive Development Control Plan 2021 applies to all land in the Cowra LGA and contains standards and controls which must be considered. The proposed development is generally consistent with all DCP provisions, except that a variation is required to the following standard:

- + Control D.3.3 (f) relating to the design of battle-axe shaped subdivisions. Whilst the proposal does not create new battle-axe shaped lots, the practical arrangement of the subdivision lots carries similarities to battle-axe design given that access is to be achieved via a common internal access handle. The proposal does not comply with minimum requirements for lot size, which is prescribed to be 900m². Council is asked to support a variation to the DCP control, as the proposed lot sizes comply with Cowra Local Environmental Plan 2012 and the proposed design of the development is capable of achieving objectives related to safe practical vehicle / pedestrian access and acceptable resident and neighbour amenity.

An environmental impact assessment has also been completed under Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposed development is assessed to be of acceptable impact as evidenced in this Statement of Environmental Effects.

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01

PROJECT
INTRODUCTION

PAGE 6

1.1 Scope

This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of Thomas and Gabrielle Bruin for the proposed development of the land at Lot 1 DP 599492, being 17 Walker Street Cowra for the purpose of a 3 lot subdivision and construction of 2 single dwellings. The document has been prepared to accompany a Development Application to Cowra Shire Council.

Note - As a result of the public consultation process for DA 1/2023 (this DA) by Cowra Shire Council, a number of compliance related issues have been determined to relate to the land at 17 Walker Street Cowra. These issues relate to:

- + The use of an existing shed for self-storage purposes without Council approval.
- + The partial use of an existing shed as a dwelling without Council approval.
- + The construction of two carport structures on the without Council approval.

In order to address these issues, the landowners have:

- + Lodged a separate DA for the continued use of the existing shed for self-storage purposes.
- + Provided written notification to Council that the existing shed is no longer to be used for a residential purpose, and removed internal facilities to ensure the building is capable of being used only for purposes consistent with a Class 10a BCA classification.
- + Lodged a separate DA for the continued use of the existing carport structures, as well as a Building Information Certificate.

Whilst this Statement of Environmental Effects has been prepared in order to support Council's assessment of DA 1/2023, the impact assessment considers, as necessary, the likelihood that the compliance matters detailed above will also form part of the land-use description for the land at 17 Walker Street.

1.2 Overview

The land at 17 Walker Street contains an existing dwellings and several ancillary metal shed structures. The area of the land is calculated to be approximately 4064m². The site contains a number of existing mature trees and landscaped areas.

The subject land is located within the R1 General Residential zone within West Cowra. Figure 1 of this Statement of Environmental Effects shows the location of the site.

A high level overview of the proposed development is included as follows:

- + Proposed subdivision of the land to create three new allotments under Torrens Title.
- + Proposed lot 1 in the subdivision would be created for the purposes of accommodating the existing dwelling and existing shed structures on the land. The area of proposed lot 1 is calculated to be approximately 2783m².
- + Proposed lot 2 in the subdivision would be created for the purposes of a new residential dwelling (referred to as proposed dwelling No. 1 on the plans submitted with this DA). The area of proposed lot 2 is calculated to be approximately 619m².
- + Proposed lot 3 in the subdivision would also be created for the purposes of a new residential dwelling (referred to as proposed dwelling No. 2 on the plans submitted with this DA). The area of proposed lot 3 is calculated to be approximately 619m².

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- + The proposed dwellings are to be constructed as single storey brick veneer buildings with an attached skillion roof providing for undercover resident car parking.
- + With identical floor plans, the proposed dwellings have been designed to maximise site opportunities related to northern aspect and solar access, private open space provision and general site amenity.
- + The site design properly responds to identified constraints relating to existing public infrastructure locations and flooding.
- + Practical and legal access to the development is to be provided directly from Walker Street, which is an existing public road that is owned and maintained by Cowra Shire Council. Walker Street is a sealed constructed with kerb and gutter infrastructure.
- + The proposed development will be connected to all available urban services and utilities including reticulated water, sewer, electricity and NBN telecommunications.
- + Stormwater is proposed to be managed by discharging roofwater from the proposed dwellings (and the existing shed located adjacent to the northern boundary) directly to the public drainage system in Walker Street via a system of charged pipes. The stormwater design has considered the locations and depths of existing sewer mains located within the boundaries of the subject land.

Further details relating to the proposed development have been included in the following sections of this Statement of Environmental Effects.

1.3 Approvals required

The proposal requires development consent under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The proposal does not trigger the 'integrated development' provisions of the Environmental Planning and Assessment Act 1979.

The proposal does not trigger the Biodiversity Offsets Scheme (BOS) threshold, because it does not involve the removal of native vegetation within the meaning of the Biodiversity Conservation Act 2016.

In accordance with Part 4 of the EP&A Act a Development Application is to be lodged with Cowra Shire Council, along with a Statement of Environmental Effects (this report) and various plans in support of the proposed subdivision of the land.

1.4 Application particulars

Table 1 includes the various details and particulars relating to the Development Application:

Table 1 - Application particulars

Detail	Description
Applicant	Currajong Pty Ltd (on behalf of T & G Bruin)
Landowner	
Site Description - Title	Lot 1 DP 599492
Site Description - Address	17 Walker Street, Cowra
Description of Proposal	Proposed subdivision of land into 3 lots and construction of 2 new single dwellings
Zoning	R1 General Residential
Consent Authority	Cowra Shire Council

01 | INTRODUCTION

1.5 Format of this document

The information presented in this SEE covers all aspects of the proposal as specified under the EP&A Regulation. The SEE has been prepared as a single document of several sections as described in Table 2.

Table 2 - Format of the document

Detail	Description
Section 1	Introduces the proposal and the main project drivers
Section 2	Describes the main features of the site and surrounds.
Section 3	Provides a description of the proposal, including a description of proposed staging arrangements.
Section 4	Reviews the proposal against the relevant legislative requirements
Section 5	Assesses the potential environmental impacts of the proposal and documents the proposed mitigation and management strategies proposed to minimise impacts
Section 6	Provides the evaluation and justification of the proposed development against relevant environmental planning considerations.
Section 7	Provides the conclusion for the SEE

1.6 Schedule of plans and drawings

The information presented in this SEE is supported by a number of additional plans and drawings which are described in Table 3.

Table 3 - Schedule of Plans, Drawings and Reports

Ref	Prepared By	Sheet Description	Date
Sheet 01	Kellie Ostini	Site Plan	09/12/2022
Sheet 02	Kellie Ostini	Architectural Floor Plans	09/12/2022
Sheet 03	Kellie Ostini	Architectural Elevations	09/12/2022
Rev E	Currajong	Statement of Environmental Effects (this report)	28/08/2023
1355841S	Currajong	BASIX Certificate - Dwelling No. 1	08/12/2022
1361831S	Currajong	BASIX Certificate - Dwelling No. 2	08/12/2022
A.01 - Rev E	Currajong	Proposed Plan of Subdivision	14/04/2023
A.02 - Rev D	Currajong	Proposed Vehicle Surface Finishes `	22/03/2023
A.03, A.04 - Rev B	Currajong	Proposed Landscape Plan	22/03/2023
A.05 - Rev A	Currajong	Zone of Influence Assessment	07/03/2023
22-154	Karl Lupis Survey	Detailed site survey	20/02/2023
G01, Issue C	Calare Civil	Stormwater Management Plan	20/02/2023
C01, Issue E	Calare Civil	Sewer Layout Plan	06/04/2023

DESCRIPTION OF THE SITE

2.1 Site Description

The site is located at 17 Walker Street, Cowra. The total area of the site is calculated to be approximately 4064m2. There is an existing dwelling on the land as well as several metal shed structures.

There are several existing mature trees located on the land, aswell as established landscaped areas. There are no intact native vegetation communities located on the site.

The perimeter of the site is currently fenced to a reasonable standard. Colourbond fencing has been erected on all boundaries, except for the northern boundary which contains an existing wire netting fence, and except for the southern boundary which is unfenced.

The land slopes generally away from Walker Street. A detailed contour survey has been completed, which shows that the land has a total fall of approximately 2.6m from the Walker Street frontage to the NE corner of the property. The survey has also discovered the locations of Council's gravity sewerage main within the boundaries of the subject land.

Figure 1 of this Statement of Environmental Effects shows the location of the site in relation to the immediate and wider locality.

Photographs 1-6 show typical aspects of the subject land.



02 | DESCRIPTION OF THE SITE

PAGE 10

Photograph No. 1 - View SW from development site.



Photograph No. 2 - View NE from development site



Photograph No. 3 - View due south looking at internal access drive



Photograph No. 4 - Internal access driveway



Photograph No. 5 - Walker Street road reserve



Photograph No. 6 - View South East from site



02 | DESCRIPTION OF THE SITE

PAGE 11

2.2 Land Zoning

The site is zoned R1 General Residential under the Cowra Local Environmental Plan 2012. Figure 2 includes a map that shows the zoning framework for the site and surrounding areas.

The development is permissible in the R1 zone with the consent of council. Special provisions are included in the LEP which have applicability to the proposed development and these are assessed in a further section of this SEE.

Figure 2 - Land Zoning Map - Cowra LEP 2012

Land Zoning	
B1	Neighbourhood Centre
B2	Local Centre
B5	Business Development
B7	Business Park
E1	National Parks and Nature Reserves
E2	Environmental Conservation
E3	Environmental Management
IN1	General Industrial
IN2	Light Industrial
R1	General Residential
R5	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU3	Forestry
RU4	Primary Production Small Lots
RU5	Village
SP2	Infrastructure
SP3	Tourist
W2	Recreational Waterways



02 | DESCRIPTION OF THE SITE

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2.3 Surrounding Land-use

The site is surrounded by a mix of land-use activities. A broad description of these activities and the relationship to the subject land is included as follows:

- + All of the properties on Walker Street are zoned and used for residential purposes.
- + The land located immediately to the north is zoned for light industrial purposes, however the current use of the land is for residential purposes. There are other light industrial uses nearby, but these are generally accessed from Grenfell Road and do not immediately adjoin the subject land.
- + The land located to the northwest is zoned and used for light industrial purposes. The current business activity is Medway Machining, which is accessed from William Street.

The typical details of the surrounding area, as described above, are shown in Photographs 7 to 9.

Subject to further assessment in this SEE, it is suggested that the site is suitable for the proposed development having regard to the use of land within the immediate and wider locality.

Photograph No. 7 - Typical housing in Walker Street



Photograph No. 9 - Medway Machining



Photograph No. 8 - Typical land-use on Grenfell Road



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DESCRIPTION OF THE PROPOSAL

3.1 Purpose

The land at 17 Walker Street contains an existing dwelling and several ancillary shed structures. The existing structures are located generally along the eastern and northern boundaries of the site, leaving a large land area towards the rear of the holding that is under utilised and which generally lends itself to redevelopment for residential purposes.

The Development Application seeks consent from Council to subdivide the land into 3 new Torrens Title lots and construct 2 separate single storey dwellings on the new lots. This Statement of Environmental Effects seeks to demonstrate to Cowra Council that the land is suitable for the proposed use.

3.2 The Proposal

3.2.1 Subdivision Works

A description of the proposed subdivision works is included as follows:

- + Proposed subdivision of the land to create three new allotments under Torrens Title.
- + Proposed lot 1 in the subdivision would be created for the purposes of accommodating the existing dwelling and existing shed structures on the land. The area of proposed lot 1 is calculated to be approximately 2783m².
- + Proposed lot 2 in the subdivision would be created for the purposes of a new residential dwelling (referred to as proposed dwelling No. 1 on the plans submitted with this DA). The area of proposed lot 2 is calculated to be approximately 619m² (subject to survey).
- + Proposed lot 3 in the subdivision would also be created for the purposes of a new residential dwelling (referred to as proposed dwelling No. 2 on the plans submitted with this DA). The area of proposed lot 3 is calculated to be approximately 619m² (subject to survey).

3.2.2 Building Works

A description of the proposed buildings works associated with the development is included as follows:

- + Construction of 2 x identical single storey brick veneer dwellings with an attached skillion roof providing for undercover resident car parking.
- + Perimeter fencing installations / upgrades to owners specification and subject to terms of the Dividing Fences Act.

- + All building works are to comply with the Building Code of Australia and engineering specifications as detailed on plans.

3.2.3 Practical and legal access

A description of the proposed access arrangements to the development is included as follows:

- + Primary access to the existing dwelling is to be maintained directly from Walker Street, which is an existing bitumen sealed road constructed to an 8 metre wide standard and is owned and maintained by Cowra Shire Council.
- + Primary access to the 2 x new dwellings is to be provided also directly from Walker Street. A Right of Access is intended to be provided over proposed lot 1 in the subdivision to the benefit of proposed lots 2 and 3.
- + The internal access driveway is constructed to a minimum 5.5m wide standard, narrowing to 4.5m for the part of the access that is forward of the existing front building line. The proposal is to ensure an unobstructed minimum 5.5m wide access is available for the entire length of the internal access handle. The proposed access will be sufficient to accommodate two-way traffic movement for all vehicles access the development including emergency service vehicles. The proposed surface finishes are shown on Plan A.02 submitted with the DA.

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3.2.4 On-site car parking

A description of the proposed on-site car parking arrangements to the development is included as follows:

- + On-site car parking associated with the existing dwelling will continue to be provided in the existing shedding located on the development site.
- + Each of the two new dwellings will be constructed with an attached skillion roof providing for undercover resident parking.
- + On-site visitor parking will generally be possible due to the large amount of redundant site area, however formalised spaces are not proposed due to the nature and scale of the development, and are not required to be provided by Council's DCP.

3.2.5 Landscaping

A description of the proposed landscaping works to the development is included as follows:

- + Site landscaping for the existing dwellings to remain in-situ without further modification.
- + Site landscaping to be provided for proposed Dwellings 1 and 2 in accordance with BASIX Commitments, as a minimum.
- + Further site landscaping works are not proposed given the new works will have be visible from the public streetscape in Walker Street and are not required to be provided by Council's DCP (as single dwelling proposals).

3.2.6 Utilities and services

A description of the proposed servicing arrangements to the development is included as follows:

- + The development will be connected to all available urban services and utilities including reticulated sewer, water, electricity and NBN telecommunications.

- + The survey has discovered the location and depth of Council's gravity sewerage main within the boundaries of the subject land. The plans submitted with the DA have identified the zone of influence for the main. The proposed dwellings have been carefully positioned on the land to avoid the zone of influence. Refer Sheet A.03 - Zone of Influence Assessment.
- + Stormwater is proposed to be managed by discharging roofwater from the proposed dwellings (and the existing shed located adjacent to the northern boundary) directly to the public drainage system in Walker Street via a system of charged pipes. The stormwater design has considered the locations and depths of existing sewer mains located within the boundaries of the subject land.

3.2.7 Staging

The Development Application is lodged with Cowra Shire Council as a staged development. The proposed staging arrangements are described as follows:

- + Stage 1 - construction of the 2x new dwellings and associated site works and utility installations.
- + Stage 2 - subdivision of the land into 3 x new allotments.

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4.1 Commonwealth Legislation

Section 4.1 describes the applicable Federal legislation and guidelines followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.1.1 Environment Protection and Biodiversity Conservation Act 1999

Under the Federal Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), referral is required to the Australian Government for proposed actions that have the potential to significantly impact on Matters of National Environmental Significance (MNES) or the environment of Commonwealth land. The EPBC Act identifies the following as matters of national environmental significance for which Ministerial approval is required:

- + World heritage properties.
- + Wetlands of international significance.
- + Listed threatened species and communities.
- + Listed migratory species protected under international agreements.
- + National Heritage Places.
- + Protection of the environment from nuclear actions.
- + Commonwealth Marine environments.

Assessment of the proposal's impact on MNES confirms there is unlikely to be a significant impact on relevant MNES or on Commonwealth land. Accordingly, the proposal would not warrant referral under the EPBC Act.

4.2 New South Wales Legislation

Section 4.2 describes the applicable state legislation and guidelines followed by a statement outlining how the development will address and / or comply with the legislation or policy.

4.2.1 Environmental Planning and Assessment Act 1979

The EP&A Act forms the legal and policy platform for development assessment and approvals process in NSW. The objects of the EP&A Act are:

- + To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- + To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- + To promote the orderly and economic use and development of land,
- + To promote the delivery and maintenance of affordable housing,
- + To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- + To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- + To promote good design and amenity of the built environment,
- + To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,

- + To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- + To provide increased opportunity for community participation in environmental planning and assessment.

Under the EP&A Act, local councils prepare Local Environment Plan (LEPs) that specify planning controls for specific parcels of land. The EP&A Act also provides for State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs). Applicable environmental planning instruments are discussed in later parts of this SEE.

In general, development consent is required for the proposed development, pursuant to the Cowra Local Environmental Plan 2012. The proposal is assessed to be consistent with relevant environmental planning instruments, as evidence in this Statement of Environmental Effects.

4.2.2 Local Government Act 1993

Section 68 of the Local Government Act 1993 (LG Act) specifies that approval is required for a number of activities carried out on operational land, including:

- + Structures or places of public entertainment.
- + Water supply, sewerage and stormwater drainage work.
- + Management of trade waste in the sewerage system.
- + Swing or hoist goods over a public road.

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The proposed development will require approval under the Local Government Act 1993 for water and sewerage connections.

4.2.3 National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NPW Act) is administered by the Office of Environment and Heritage and provides the basis for the legal protection of flora and fauna in NSW.

Unless a licence is obtained under the NPW Act (or the Threatened Species Conservation Act 1995), it is an offence to harm any animal that is protected or is a threatened species, population or ecological community. It is also an offence to pick any plant that is protected or is a threatened species, population or ecological community. In addition, a person must not, by act or omission, damage any critical habitat.

The NPW Act also provides the basis for the legal protection and management of Aboriginal sites within NSW. Sections 86, 90 and 91 of the NPW Act provide statutory protection for any physical / material evidence of Aboriginal occupation of NSW and places of cultural significance to the Aboriginal community.

The site largely comprises 'disturbed land', as defined under The National Parks and Wildlife Regulation 2019 (NPW Regulation) and an Aboriginal due diligence assessment is not considered necessary. A search of the Aboriginal Heritage Information Management System (AHIMS) has been completed and there are no Aboriginal Sites or Places identified to be located within 50 metres of the subject land. No heritage issues / impacts have been identified and approvals under the Heritage Act 1977 or NPW Act is not required to be obtained for the proposed development.

4.2.4 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act 2016) provides the framework for the management of flora and fauna on lands within NSW. Under this Act the principles of ecologically sustainable development are used to achieve the conservation and protection of biodiversity values. Clause 7.2 of the Biodiversity Conservation Act 2016 (BC Act) identifies the following circumstances where a development is likely to significantly affect threatened species:

- a. It is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or

- b. The development exceeds the biodiversity offsets scheme threshold if the biodiversity offset scheme applies to the impacts of the development on biodiversity values, or
- c. It is carried out in a declared area of outstanding biodiversity value.

There is no existing native vegetation on the land. The potential for the proposed development to impact on matters that are of biodiversity significance is assessed to be nil.

4.2.5 Water Management Act 2000

The objectives of this Act are to provide for the sustainable and integrated management of the water sources of the NSW for the benefit of both present and future generations through orderly, efficient and equitable sharing of water resources. The Act deals with the management of overland flows (including floodwater, rainfall run-off and urban stormwater) that is flowing over or lying on the ground as a result of rain or rising to the surface from underground. Importantly, the Act does not control water collected from a roof.

No specific approvals are required under the WM Act. Riparian land and vulnerable groundwater issues are not identified as key issues for the development.

4.2.6 Heritage Act 1977

The Heritage Act 1977 provides for the conservation of environmental heritage defined as places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance which are at least 50 years old. The Act applies to non-Aboriginal relics only, as Aboriginal relics are protected under the National Parks and Wildlife Act 1974. The subject site is not listed on the State Heritage Register and an approval from Heritage NSW is not required under the Heritage Act 1977.

Heritage issues are assessed under Section 5 of this SEE. In general, no built heritage issues / impacts have been assessed to apply, and no separate approvals are required under the Heritage Act.

4.2.7 Protection of the Environment Operations Act 1997

The Protection of the Environment Operations Act 1997 (POEO Act) regulates air, noise, land and water pollution.

The proposal will be not be required to operate under an Environment Protection Licence (EPL).

4.2.8 Roads Act 1993

Under Section 138 of the Roads Act 1993 a person must not erect a structure or carry out a work in, on or over a public road, or dig up or disturb the surface of a public road, otherwise than with the consent of the appropriate road authority.

New access are not proposed to be constructed to a public road. Works will be required to upgrade the existing surface condition of the access and therefore a permit under Section 138 of the Roads Act 1993 will be required from Cowra Shire Council prior to the commencement of any works.

4.2.9 Contaminated Land Management Act 1997

Cowra Shire Council is required to notify the EPA if contamination is discovered that presents a significant risk of harm. Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 are available on the EPA website.

There are no known historic uses of the land which are likely to have resulted in the contamination of the land.

4.2.10 Rural Fires Act 1997

The Rural Fires Act (RF Act) 1997 requires approval of development on bushfire prone land as identified by a bushfire prone land map prepared under Section 146 of the EP&A Act.

According to the mapping prepared by the NSW Rural Fire Service, the subject land is not identified as being bushfire prone.

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4.3 State Environmental Planning Policies**4.3.1 SEPP Overview**

A high level assessment of the applicability of each SEPP to the proposed development is included in Table 3, with further assessment work completed in Section 4.3.1 as necessary.

Table 4 - Preliminary SEPP Assessment

Name of SEPP	Applicability	Further Assessment Warranted?
SEPP (Biodiversity and Conservation) 2021	Not applicable	No
SEPP (BASIX) 2004	Applicable	Yes. See Section 4.3.2
SEPP (Exempt and Complying Development Codes) 2008	Not applicable	No
SEPP (Housing) 2021	Potentially	Yes. See Section 4.3.2
SEPP (Industry and Employment) 2021	Not applicable	No
SEPP 65 (Design Quality of Residential Apartment Development)	Not applicable	No
SEPP (Planning Systems) 2021	Not applicable	No
SEPP (Primary Production) 2021	Not applicable	No
SEPP (Precincts - Central River City) 2021	Not applicable	No
SEPP (Precincts - Eastern Harbour City) 2021	Not applicable	No
SEPP (Precincts - Western Parkland City) 2021	Not applicable	No
SEPP (Precincts - Regional) 2021	Not applicable	No
SEPP (Resilience and Hazards) 2021	Potentially	Yes. See Section 4.3.2
SEPP (Resources and Energy) 2021	Not applicable	No
SEPP (Transport and Infrastructure) 2021	Potentially	Yes. See Section 4.3.2

4.3.2 SEPP Assessment**SEPP – Resilience and Hazards 2021**

This SEPP requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.

The land is currently used for residential purposes. There are no known historic uses of the land that are known to have been carried out at the site which might give rise to potential concerns of contamination. A site inspection of the site has not identified any obvious signs of activities, current or past, which might give rise to potential concerns of contamination. Further investigations are considered unnecessary in the circumstances and the land is considered suitable for the proposed development.

SEPP – Transport and Infrastructure 2021

There are provisions contained within this SEPP which are triggers for the referral of the Development Application to certain authorities prior to Cowra Council being able to grant consent. With particular regard to the nature of the development proposed by this DA, the potential triggers for referral are summarised as follows.

Development Likely to affect an electricity transmission or distribution network

Clause 2.48 of the Infrastructure SEPP requires Council to give written notice to the electricity supply authority (and consider any response received within 21 days) when a DA involves development that comprises of involves:

- ✦ The penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- ✦ Development carried out within or immediately adjacent to an easement for electricity purposes or substation, or within 5 metres of an exposed overhead electricity power line.

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- + Development involving the installation of a swimming pool within 30m of a structure supporting an overhead transmission line, or within 5m of an overhead electricity power line.
- + Development involving or requiring the placement of power lines underground.

Based on a review of the plans and documents submitted with the DA, the proposed DA is unlikely to trigger referral to the electrical supply authority, as the nearest overhead pole location is further than 5 metres of the proposed construction site.

Development in or adjacent to road corridors and road reservations

Clause 2.122 of the Infrastructure SEPP requires Council to give written notice to Transport for NSW (and consider any response received within 21 days) when a DA involves traffic generating development of a kind specified in Column 1 of Schedule 3 of the SEPP.

The nature and scale of the proposed development does not trigger referral of the application.

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4.4 Local Environmental Plans**4.4.1 Relevant Local Environmental Plan**

Cowra Local Environmental Plan 2012 (LEP) applies to the land. The site of the proposed development is zoned R1 General Residential.

An assessment has been completed to determine the potential applicability of key clauses in the LEP to the proposed development. This work is presented in Table 5 as follows.

Where it is identified that a clause of Cowra Local Environmental Plan 2012 applies to the proposed development, this assessment work is presented in Section 4.4.2

Table 5 - Preliminary LEP Assessment

Clause	Clause Name / Summary	Statement of applicability
1.9A	Suspension of covenants, agreements & instruments	Not applicable to proposal
2.3	Zone objectives	Assessment Required. See Section 4.4.2
2.5	Additional permitted uses for particular land	Not applicable to proposal
2.6	Subdivision - consent requirements	Assessment Required. See Section 4.4.2
2.7	Demolition requires development consent	Not applicable to proposal
2.8	Temporary use of land	Not applicable to proposal
	Land-use Table	Assessment Required. See Section 4.4.2
4.1-4.1C	Minimum Lot Size Standards	Assessment Required. See Section 4.4.2
4.1D	Boundary changes between lots in certain rural, residential and enviro zones	Not applicable to proposal
4.2	Rural Subdivision	Not applicable to proposal
4.2A	Subdivision for the purposes of intensive livestock agriculture	Not applicable to proposal
4.2B	Erection of dwelling houses on land in certain rural zones	Not applicable to proposal
4.2C	Erection of rural workers dwellings	Not applicable to proposal
4.6	Exceptions to development standards	Not applicable to proposal
5.1	Relevant acquisition authority	Not applicable to proposal
5.2	Classification and reclassification of public land	Not applicable to proposal
5.3	Development near zone boundaries	Not applicable to proposal
5.4	Controls relating to miscellaneous uses	Not applicable to proposal
5.5	Controls relating to secondary dwellings on land in a rural zone	Not applicable to proposal
5.8	Conversion of fire alarms	Not applicable to proposal

Table 5 - Preliminary LEP Assessment - Continued

Clause	Clause Name / Summary	Statement of applicability
5.10	Heritage Conservation	Not applicable to proposal
5.11	Bushfire Hazard Reduction	Not applicable to proposal
5.12	Infrastructure development and use of existing buildings of the Crown	Not applicable to proposal
5.13	Eco-tourist facilities	Not applicable to proposal
5.16	Subdivision of, or dwellings on, land in certain rural, residential and cons. zones	Not applicable to proposal
5.18	Intensive livestock agriculture	Not applicable to proposal
5.19	Pond-based, tank based and oyster aquaculture	Not applicable to proposal
5.20	Standards that cannot be used to refuse consent - playing music	Not applicable to proposal
5.21	Flood planning	Assessment Required. See Section 4.4.2
5.22	Special flood considerations	Not applicable to proposal
7.1	Earthworks	Assessment Required. See Section 4.4.2
7.3	Terrestrial Biodiversity	Assessment Required. See Section 4.4.2
7.4	Riparian land and watercourses	Not applicable to proposal
7.5	Wetlands	Not applicable to proposal
7.6	Groundwater vulnerability	Assessment Required. See Section 4.4.2
7.7	Airspace operations	Not applicable to proposal
7.8	Essential Services	Assessment Required. See Section 4.4.2
7.9	Local of sex services premises	Not applicable to proposal
7.10	Industrial development on land in Zone RU1	Not applicable to proposal
7.11	Development on land in karst areas	Not applicable to proposal

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4.4.2 LEP Assessment

Clause 2.3 - Zone Objectives

Clause 2.3 of Cowra Local Environmental Plan 2012 states that Cowra Shire Council must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the R1 General Residential are to:

- a. To provide for the housing needs of the community.
- b. To provide for a variety of housing types and densities.
- c. To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- d. To provide attractive, affordable, well located and market-responsive residential land.
- e. To ensure that any non-residential land uses permitted within the zone are compatible with the amenity of the area.
- f. To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities.
- g. To maximise public transport patronage and encourage walking and cycling.

The proposed development is assessed to be consistent with the objectives for the R1 General Residential zone. The project involves the redevelopment of underutilised residential zoned land for future housing purposes. It will positively contribute to housing supply and variety within the Cowra community, which is identified to be in short supply at the moment. The site is located within an established residential neighbourhood.

Clause 2.6 - Subdivision Consent Requirements

Clause 2.6 of Cowra Local Environmental Plan 2012 states that land may be subdivided, but only with development consent from Cowra Shire Council.

This Statement of Environmental Effects has been prepared to support the lodgement of a Development Application with Cowra Shire Council. Subject to consent being granted by Council, a Subdivision Works Certificate and Subdivision Certificate Application will be prepared and submitted to Council.

Land-use Table - R1 General Residential zone

The proposed development is for the purpose of a residential subdivision and construction of 2 x single dwellings. The development is permissible in the R1 General Residential zone with the consent of Council.

Clause 4.1 - Minimum Lot Size

The objective of the Clause is to ensure land use and development are undertaken on appropriately sized parcels of land.

Clause 4.1 requires that the size of any lot resulting from a subdivision is not to be less than the minimum size shown on the Lot Size Map relating to Cowra Local Environmental Plan 2012.

A review of Cowra Local Environmental Plan 2012 has been completed to determine the relevant lot size applying to the subdivision of the land. The site is shown on Map Tile 002C. The minimum lot size is 700m². The proposed subdivision creates lots that are less than 700m² however, the provisions of Clause 4.1C allow an exception to the minimum lot size where the development is for certain residential purposes. The provisions of Clause 4.1C are assessed in a following section of this report.

Clause 4.1C - Exceptions to minimum subdivision lot sizes for certain residential development

The objective of the Clause is to encourage housing diversity without adversely impacting on residential amenity.

Clause 4.1C(3) provides that Council may grant development consent to a single Development Application for development that is both of the following:

- + the subdivision of land into 2 or more lots.
- + the erection of a dwelling house, an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, if the size of each lot is equal to or greater than 300m².

This Development Application proposes a scenario that is consistent with the provisions of Clause 4.1C and specifically:

- + Proposed Lot 1 is to be created for the purposes of an existing dwelling and has an area that is calculated to be 2783m² (note - this lot complies with Clause 4.1 and does not rely on the provision of Clause 4.1C)
- + Proposed Lot 2 is to be created for the purposes of a new single dwelling and has an area that is calculated to be 619m². Plans for this dwelling are lodged in support of the Development Application.
- + Proposed Lot 3 is to be created for the purposes of a new single dwelling and has an area that is calculated to be 619m². Plans for this dwelling are lodged in support of the Development Application.

The proposed development is assessed to be consistent with the provisions of Clause 4.1C of Cowra Local Environmental Plan 2012.

Clause 5.21 - Flood Planning

Clause 5.21 of Cowra Local Environmental Plan 2012 applies to any new development that the consent authority considers to be within the Flood Planning Area.

The objectives of Clause 5.21 are as follows

- a. To minimise the flood risk to life and property associated with the use of land,
- b. To allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
- c. To avoid adverse or cumulative impacts on flood behaviour and the environment,
- d. To enable the safe occupation and efficient evacuation of people in the event of a flood.

Clause 5.21(2) requires that Cowra Shire Council must not grant consent to development on land within the Flood Planning Area unless it is satisfied the development:

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- a. Is compatible with the flood function and behaviour on the land, and
- b. Will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- c. Will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- d. Incorporates appropriate measures to manage risk to life in the event of a flood, and
- e. Will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

Clause 5.21(3) requires that Council must consider the following matters in deciding whether to grant development consent to land within the Flood Planning Area:

- a. The impact of the development on projected changes to flood behaviour as a result of climate change,
- b. The intended design and scale of buildings resulting from the development,
- c. Whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
- d. The potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.

The subject land is not shown to be located within the Flood Planning Area. This is shown on Flood Planning Map FLD_002C in Cowra Local Environmental Plan 2012, an extract of which is shown in Figure 3. However, detailed site survey confirms that part of the land is below the Flood Planning Level, having regard to the information derived from a review of the Cowra and Gooloogong Floodplain Risk Management Study and Plan.

A Flood Planning Report has been prepared and included as Appendix A to this Statement of Environmental Effects. The Flood Report includes the following work:

- + An assessment of the proposed development against the requirements of Clause 5.21 of Cowra Local Environmental Plan 2012.
- + Presentation of the findings of registered survey work completed in order to establish the Flood Planning Level for the subject land and it's relationship to the proposed building and site design.
- + An assessment of the relevant flood planning requirements under Part O of the Cowra Comprehensive Development Control Plan 2021.

Figure 3 - Flood Planning Area Map - 17 Walker Street Cowra



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Clause 7.1 - Earthworks

The objective of Clause 7.1 is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Before granting development consent for earthworks, the following issues must be considered:

- a. The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
- b. The effect of the development on the likely future use or redevelopment of the land,
- c. The quality of the fill or the soil to be excavated, or both,
- d. The effect of the development on the existing and likely amenity of adjoining properties,
- e. The source of any fill material and the destination of any excavated material,
- f. The likelihood of disturbing relics,
- g. The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- h. Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The proposed development has been carefully designed to ensure that any changes to existing landform is kept to a minimum. The site plan submitted in support of the DA shows that approximately 400mm cut/fill will be required in order to provide for a level building pad for the proposed dwellings. Retaining walls will not be necessary. No significant impacts on environmental functions, stormwater drainage, neighbouring uses, cultural or heritage items or features of the surrounding land have been identified that can't be addressed through appropriate soil and erosion control techniques where required.

Clause 7.3 - Terrestrial Biodiversity Map

Clause 6.3 of Cowra Local Environmental Plan 2012 applies to the subject land as parts of the property are mapped as containing vegetation that is of biodiversity significance. See Sheet BIO_002 of the Terrestrial Biodiversity Map.

Before granting development consent, the following issues must be considered:

- + whether the development is likely to have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
- + whether the development is likely to have any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
- + whether the development is likely to have any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
- + whether the development is likely to have any adverse impact on the habitat elements providing connectivity on the land, and
- + whether the development is likely to have any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

There is no proposal to remove any existing vegetation (native or otherwise). The site area proposed for the dwellings is a disturbed area and does not contain any existing native vegetation. The potential for the proposed development to impact on matters that are of terrestrial biodiversity significance is assessed to be low. There are no mitigating measures considered necessary to ensure the proposal avoids or minimises likely impacts.

Clause 7.6- Groundwater Vulnerability

Clause 7.6 of Cowra Local Environmental Plan 2012 applies to land that has been identified as 'Groundwater Vulnerable' on the Groundwater Vulnerability Map.

The subject land has been mapped in Cowra Local Environmental Plan 2012 as containing vulnerable groundwater.

The objectives of the Clause are:

- a. To maintain the hydrological functions of key groundwater systems.
- b. To protect vulnerable groundwater resources from depletion and contamination as a result of development.

Before determining a development on land to which the clause applies, Council must consider the following:

- a. The likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),
- b. Any adverse impacts the development may have on groundwater dependent ecosystems,
- c. The cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),
- d. Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Council must not grant consent to development unless:

- a. The development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
- b. If that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- c. If that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposed development is unlikely to result in significant impacts on groundwater resources in the locality. The development will be connected to urban services including reticulated water and sewer. There will be no on-

site storage or disposal of domestic waste. The likelihood that the proposed development will intercept groundwater in the locality is assessed to be low.

Clause 7.8 - Essential Services

Clause 7.8 of Cowra Local Environmental Plan 2012 requires that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development or available or that adequate arrangements have been made to make them available when required:

- a. The supply of water
- b. The supply of electricity
- c. The disposal and management of sewage
- d. Stormwater drainage or on-site conservation
- e. Suitable vehicle access.

Urban services and utilities are connected to the existing dwelling located on the land are available for connection to the proposed dwellings.

There is an existing connection to reticulated water supply located in the south eastern corner of the site. Any upgrades to the water service necessary to provide for the proposed development will be completed at no cost to Council.

Electricity supply infrastructure is available for connection. The provision of an electrical supply to the proposed development is subject to further application with the supply authority and completion of any necessary connection / upgrade works.

The subject land is connected to reticulated sewer. A detailed site survey has confirmed the location and depths of the existing sewer main and manhole infrastructure that is located within the boundaries of the site. The proposed development has been carefully designed to ensure the placement of built structures outside of the zone of influence of the sewer main. New connections to the main are subject to the relevant engineering requirements of Cowra Shire Council.

Stormwater is proposed to be managed on-site using a system of on-site rainwater storage tanks to capture roofwater from proposed buildings,

with overflow diverted to Walker Street. The stormwater system has been properly engineered to ensure that post-developed flows do not exceed pre-developed flows. The stormwater design has considered the locations and depths of existing sewer mains located within the boundaries of the subject land.

A description of the proposed access arrangements to the development is included as follows:

- + Primary access to the existing dwelling is to be maintained directly from Walker Street, which is an existing bitumen sealed road constructed to an 8 metre wide standard and is owned and maintained by Cowra Shire Council.
- + Primary access to the 2 x new dwellings is to be provided also directly from Walker Street. A Right of Access is intended to be provided over proposed lot 1 in the subdivision to the benefit of proposed lots 2 and 3.
- + The internal access driveway is constructed to a minimum 5.5m wide standard, narrowing to 4.5m for the part of the access that is forward of the existing front building line. The proposal is to ensure an unobstructed minimum 5.5m wide access is available for the entire length of the internal access handle. The proposed access will be sufficient to accommodate two-way traffic movement for all vehicles access the development including emergency service vehicles. The proposed surface finishes are shown on Plan A.02 submitted with the DA.

It is assessed that adequate arrangements have been made for the provision of access to the proposed development.

The proposed subdivision is capable of being connected to essential services in accordance with the requirements of Clause 7.8. Council is asked to grant consent subject to normal conditions relating to the servicing of the development to the requirements of the relevant service providers.

4.5 Development Control Plans

4.5.1 Relevant Development Control Plan

The Cowra Shire Development Control Plan 2021 (the DCP) applies to all land within the Cowra Local Environmental Plan Area.

The DCP is comprised of 16 separate Parts, with each part applying standards and controls depending on the type of development being proposed.

An assessment has been completed to determine the potential applicability of each Part of the DCP to the proposed development. This work is presented in Table 6 as follows.

Where it is identified that a clause of Cowra Local Environmental Plan 2012 applies to the proposed development, this assessment work is presented in Section 4.5.2

Table 6 - Preliminary DCP Assessment

Part	Name	Statement of applicability
A	Plan Introduction	Considered. Detailed assessment not necessary.
B	Land Management	Applicable. Assessment required.
C	Biodiversity Management	Applicable. Assessment required.
D	Subdivision Development	Applicable. Assessment required.
E	Urban and Village Development	Applicable. Assessment required.
F	Rural Development	Not applicable to proposal
G	Large Lot Development	Not applicable to proposal
H	Commercial Development	Not applicable to proposal
I	Industrial Development	Not applicable to proposal
J	Cowra Regional Airport	Not applicable to proposal
K	Land-use Buffers	Not applicable to proposal
L	Advertising and Signage	Not applicable to proposal
M	Parking, Access and Mobility	Applicable. Assessment required.
N	Landscaping	Not applicable to proposal
O	Environmental Hazard Management	Applicable. Assessment required.
P	CPTED principles	Applicable. Assessment required.

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4.5.2 DCP Assessment

Part B - Land Management

Part B outlines the Council's requirements for soil erosion and sediment control on construction sites in the Cowra Local Government Area.

A review of Part B has been completed and an assessment of consistency against key standards and controls included in Table 7.

Table 7 - DCP Assessment - Part B

Clause	Requirement (Summarised)	Statement of Consistency
B.1.4	Submission of an Erosion and Sediment Control Plan	Soil erosion and sediment control measures will be detailed on the final plans for construction of the proposed development and submitted with the application for Construction Certificate.
B.1.7	Guiding principles for preparing an Erosion and Sediment Control Plan	As above.
B.1.8	Guidelines for erosion and sediment control techniques	As above.

Part C - Biodiversity Management

Part C applies to all development in the Cowra Shire that proposes to directly remove or indirectly impact native vegetation or is in the proximity of an area that contains native vegetation.

A review of Part C has been completed and an assessment of consistency against key standards and controls included in Table 8.

Table 8 - DCP Assessment - Part C

Clause	Requirement (Summarised)	Statement of Consistency
C.1.4	Provides guidance on relevant assessment pathways which determine the level of biodiversity assessment and information required to support a development application.	<p>The proposed development does not trigger entry into the Biodiversity Offset Scheme according to the Biodiversity Conservation Act 2016. The following information is provided in support of this statement:</p> <ul style="list-style-type: none">+ The minimum lot size applying to the development site is 700m2, and the proposed development does not require the clearing of native vegetation that has an area exceeding the nominated threshold of 0.25ha.+ The proposed development does not involve the clearing of native vegetation (or other action prescribed by Clause 6.1 of the BC Regulation) on land identified on the Biodiversity Values Map.+ A Test of Significance is not deemed to be necessary for this proposal as there is to be no clearing of native vegetation. The development is unlikely to affect threatened species or ecological communities. <p>Assessment pathway No. 1 is considered to apply (assessment under Part 4 of the EP&A Act)</p>
C.1.5.1	Specifications for information to accompany DA's that have the potential to impact biodiversity.	A response to the threatened species test of significance set out under s7.3(1) of the BC Act is not considered necessary, as there is to be no clearing of native vegetation.

Part D - Subdivision Development

Part D applies to any subdivision development in the Cowra Local Government Area. Part D.3 in particular provides the relevant standards and controls for infill residential subdivision.

A review of Part D.3 has been completed and an assessment of consistency against key standards and controls included in Table 9.

Table 9 - DCP Assessment - Part D

Clause	Requirement (Summarised)	Statement of Consistency
Objectives		
H.3.2	Objectives for infill residential subdivision	The project involves the redevelopment of underutilised residential zoned land for future housing purposes. It will positively contribute to housing supply and variety within the Cowra community, which is identified to be in short supply at the moment. The site is located within an established residential neighbourhood and all essential services are readily available for connection. The proposal is capable of integrating with existing road and transport networks. This Statement of Environmental Effects seeks to demonstrate that the nature and scale of the proposed development is acceptable in terms of environmental impact and amenity.
Lot Size, layout and dimensions		
D.3.3	Allotments should have minimum frontage and square width that is consistent with the dominant lot size and configuration along the street, or within the immediate vicinity of the site.	The proposed design of the subdivision will not result in new allotments with direct frontage to Walker Street. The proposal is not inconsistent.
	Allotments should be of sufficient size and shape to enable efficient siting of a dwelling and provision for outbuildings, acceptable private outdoor space, vehicle access and parking.	The plans submitted with the DA demonstrate that the proposed lot sizes are sufficient for their intended purposes. The dwelling sizes are modest and adequate area has been provided for ancillary purposes including private open space, vehicle access and undercover resident parking. The proposal complies.
	Higher densities, where provided, should be located in areas closer to shops, parks, community facilities and public transport routes.	The site has a larger area of approximately 4064m2. The proposed development will result in a total of 3 dwellings on the land, yielding an average of 1 dwelling per 1,354m² of site area. The proposal is not considered to be a higher density development, although the site has established connections to nearby shops, parks and community facilities. The proposal complies.
	Allotments should be orientated and configured, where possible, to maximise opportunities for solar access.	The plans submitted with the DA demonstrate that adequate solar access into the living rooms and private open space areas of the two new dwellings can be achieved. The proposal complies.

Table 9 - DCP Assessment - Part D (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
	Corner allotments should be designed to enable the construction of a dwelling that can comply with the prevailing setback requirements along both street frontages.	The subdivision does not involve the creation of a corner allotment. The proposal complies.
	<p>Battle-axe shaped allotments should be avoided in the subdivision where possible, but where these are proposed and Council is satisfied that there is no other means of gaining access to the public road system, they should meet the following requirements:</p> <p>i. The total area of the allotment should not be less than 900sqm, exclusive of the access handle.</p> <p>ii. Single access handles should have a minimum width of 4 metres and maximum length of 30 metres.</p> <p>iii. Dual access handles should have a minimum combined width of 5 metres (with reciprocal right of carriageway) and maximum length of 30 metres.</p> <p>iv. Adequate provision should be made for the collection of garbage.</p> <p>v. Adequate provision should be made for the manoeuvring of vehicles.</p> <p>vi. The access handle should be sealed, paved or concreted for its entire length.</p>	<p>17 Walker Street is an existing battle-axe shaped allotment. The proposed subdivision does not create new battle-axe shaped lots, notwithstanding that the practical arrangement of the subdivision layout bears similarities with traditional battle-axe subdivision design. An assessment of the proposal against the controls for battle-axe shaped lots is included as follows:</p> <p>+</p> <ul style="list-style-type: none"> The proposed lots are created at 619m², which is less than the 900m² minimum prescribed by control D.3.3(f)(i) for battle-axe shaped lots. A variation is requested and the following justifications are provided for Council's consideration: <ul style="list-style-type: none"> The proposed lot sizes are consistent with the (prevailing) special provisions contained in Clause 4.1C of the Cowra LEP which allows for the creation of smaller lot sizes where the dwelling design is incorporated into the application for subdivision. In the case of the proposed development, the plans show that 619m² of lot area is more than sufficient to accommodate the proposed dwelling design. The design generally exceeds minimum standards and controls relating to setbacks, private open space provision, visual / acoustic privacy and sunlight access. The design does not create any unacceptable amenity impacts on neighbouring properties. <p>+</p> <p>Practical and legal access to the proposed lots will be provided via an internal access handle providing a minimum 5.5m wide trafficable surface. The length of the handle (at 41m) exceeds the maximum length of 30m prescribed control D.3.3(f)(ii). A variation is requested and the following justifications are provided for Council's consideration:</p> <ul style="list-style-type: none"> The access handle length is the result of the existing lot configuration. It is not possible to shorten the handle through a change to the design of the proposed development. The site design allows for the adequate movement of vehicles.

Table 9 - DCP Assessment - Part D (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
		<ul style="list-style-type: none"> + +
Street Design		
D.3.4	This Section of the DCP provides the standards for street design where new public roads are created by infill subdivision proposals.	The proposed development does not involve the creation of new public streets.
Access Provision		
D.3.5	Site frontages of new allotments should be sufficient to permit practical and legal access to the site	Practical and legal access to the proposed lots will be provided from the existing access location on Walker Street. The proposal complies.
	The subdivision design should provide a safe and convenient access to each proposed allotment in accordance with Cowra Shire Council Engineering Standards. Access locations must have adequate sight distance in both directions.	Practical and legal access to the proposed lots will be provided from the existing access location on Walker Street. There are no sight distance issues identified to be present at this location. The proposal complies.
	Vehicle access to proposed allotments should be gained onto the Council's public local road network, and not directly onto a classified road or highway.	Practical and legal access to the proposed lots will be provided from the existing access location on Walker Street, which is a local road that is owned and maintained by Cowra Shire Council. The proposal complies.

Table 9 - DCP Assessment - Part D (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
D.3.5 (cont.)	The subdivision design should limit the number of vehicle accesses provided to the proposed allotments	Practical and legal access to the proposed lots will be provided from the existing access location on Walker Street. No new access to the public road system are required. The proposal complies.
	Vehicle access points should be grouped at existing or limited access points whenever feasible to minimise the traffic impact and risk on additional access points to the public road system.	As above. The proposed complies.
	Existing access abutting the subdivision, including roads, driveways and concrete footpaths, should be upgraded / replaced where they are assessed to be in poor condition.	The existing access to the site from Walker Street is assessed to be in fair and reasonable condition. The layback is proposed to be widened to accommodate the access needs of the development.The proposal complies.
	Access required to be constructed and / or upgraded to service the subdivision must be in accordance with Cowra Shire Council Engineering Standards, with all costs associated with the work borne by the developer.	As above. The proposed complies.

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Table 9 - DCP Assessment - Part D (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Utility provision		
D.3.6	The design and installation of sewerage, water and stormwater should be in accordance with Cowra Shire Council Engineering Standards.	<p>The proposed development is intended to be connected to Council's reticulated water and sewerage supply system. Connections will be provided in accordance with the relevant engineering requirements of Council. The proposal is capable of compliance.</p> <p>Stormwater is proposed to be managed by discharging roofwater from the proposed dwellings (and the existing shed located adjacent to the northern boundary) directly to the public drainage system in Walker Street via a system of charged pipes. The stormwater design has considered the locations and depths of existing sewer mains located within the boundaries of the subject land.</p>
	The design and installation of electricity, street lighting, telephone and gas services should be in accordance with the requirements of the relevant servicing authorities.	Electricity will be connected to the new dwellings in accordance with the requirements of Essential Energy. NBN infrastructure will be connected to the dwellings in accordance with the requirements of the NBN Co. Street lighting is not proposed or required. The proposal is capable of compliance.
	Electricity and telecommunications infrastructure should be provided as underground services.	As above. The proposal is capable of compliance.
	Compatible public utility services should be coordinated in common trenching to minimise construction costs for underground services and reduce restrictions on landscaping within road reservations.	Detailed designs for service and utility installations will be commissioned as part of the Construction Certificate and / or Subdivision Works Certificates process. Common trenching of services will be completed where practical and as permitted by relevant servicing authorities. The proposal is capable of compliance.
	All new residential allotments (including Torrens Title, Strata Title and Community Title) should be provided with a separate and distinct connection to the Council's reticulated water and sewerage supply system.	Separate connections will be provided in accordance with the relevant engineering requirements of Cowra Shire Council. The proposal is capable of compliance.

Table 9 - DCP Assessment - Part D (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Stormwater, Drainage and Waterways		
D.3.7	Post-development runoff rates should be equal to or less than pre-development runoff rates for the full range of design storm events. Drainage from the proposed lots should not significantly alter predevelopment stormwater patters and flow regime.	A stormwater design for the proposed subdivision / dwelling development has been prepared by Calare Civil and submitted in support of the DA for assessment by Cowra Shire Council. Stormwater is proposed to be managed by discharging roofwater from the proposed dwellings (and the existing shed located adjacent to the northern boundary) directly to the public drainage system in Walker Street via a system of charged pipes. The stormwater design has considered the locations and depths of existing sewer mains located within the boundaries of the subject land.
	Stormwater drainage systems should be designed using the major and minor event philosophy, where the major event is the 100 year Average Recurrence Interval (ARI) design storm and the minor event is the 5 year ARI design storm.	As above. The proposal complies.
	The adopted method of stormwater control should not result in unacceptable environmental damage within existing water courses and receiving waters	The proposed method of stormwater is unlikely to result in unacceptable environmental damage. There are no water courses of receiving waters within close proximity to the subject land. The proposal complies.
	Stormwater from the proposed allotments in the subdivision should discharge to the street gutter or inter-allotment drainage system.	As above. The proposal complies.
	Easements to drain stormwater should be provided over all pipelines, inter-allotment drainage, channels and overland flow paths (except natural water courses).	The proposed plan of subdivision identifies appropriate easements for the inter-allotment drainage of stormwater within the proposed development. The proposal complies.

Table 9 - DCP Assessment - Part D (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
D.3.7 (cont.)	Easements for drainage over downstream properties should be secured for any proposed allotment that does not discharge stormwater flows directly to the street or inter-allotment drainage system.	The stormwater design for the proposed development does not require the procurement of easements of adjoining properties.
	Water Sensitive Urban Design principles should be designed and implemented where applicable throughout the development to promote sustainable and integrated land and water resource management. Best practice stormwater, water conservation and environmental protection measures should be incorporated into the subdivision design.	Due to the nature and scale of the proposed subdivision, there are limited opportunities to incorporate WSUD principles into the stormwater design. The design has been prepared with the principal aim of ensuring that roofwater from the proposed development is discharged to the public street drainage system in Walker Street.
	Subdivisions of land adjacent to or within the catchment of waterways, water bodies and riparian vegetation should be designed appropriately.	Not relevant to the proposed development.
	Where the stormwater drainage system requires upgrading, the developer should make all necessary arrangements for the extension of these services to service each allotment in the subdivision, with all costs associated with the extension of services borne by the developer.	The proposed subdivision is unlikely to require upgrading of the public stormwater drainage system.

Part E - Urban and Village Development

Part E provides the standards and controls for residential development types in urban and village areas within the Cowra Shire Local Government Area.

Part E.1 in particular applies to new dwellings and is therefore relevant for consideration in relation to the proposed development.

Part E.2 in particular applies to medium density development and is also relevant for consideration as the proposal represents medium density housing if were not for the subdivision component.

A review of Parts E.1 and E.2 has been completed and an assessment of consistency against key standards and controls included in Table 10.

Table 10 - DCP Assessment - Part E

Clause	Requirement (Summarised)	Statement of Consistency
Objectives		
E.1.2	Objectives for new dwellings.	The proposal relates to the construction of two new single storey brick veneer dwellings. The dwellings are consistent in scale with existing built form on adjoining properties and within the locality generally. Due to the location of the dwellings on the site, they will not be immediately visible from the public streetscape in Walker Street, however they are well designed and will present acceptably from nearby private land. The dwellings will be capable of achieving adequate visual and acoustic privacy from each other, from the existing dwelling on the land and from existing dwellings on adjoining properties. Good solar access is available to internal living spaces and proposed private open space and outdoor dining areas. Practical and legal access can be achieved and connections to all available urban utilities and services will be provided for. The proposed development is generally consistent with all objectives for new dwellings.
Site analysis planning		
E.1.3	This section provides guidance on the range of issues that should be considered as part of the initial site planning of the development.	The proposed development has been carefully designed in response to a site opportunities and constraints analysis. Key issues relate to residential amenity, protecting existing public infrastructure (sewer), flood p[lan]ning, stormwater management and site access. These issues are assessed generally in appropriate sections of this Statement of Environmental Effects.
Soil erosion and sedimentation control		
E.1.4	This section provides controls relating to the proper management of soil erosion during construction phases of the proposed development.	Soil erosion and sediment control measures will be detailed on the final plans for construction of the proposed development and submitted with the application for Construction Certificate. The proposal is capable of compliance.
Cut and fill controls		
E.1.5	Development Applications for new dwellings on sloping sites must be accompanied by a cut and fill plan, prepared to scale, showing the extent of all cut and fill proposed for the development.	The site plan submitted with the Development Applications shows the extent of cut and fill proposed on the land. The proposal complies.

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Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
E.1.5 (cont.)	Split level or pier foundation house designs are encouraged for sloping sites to minimise site disturbance and achieve a design response that relates to the topography of the site.	Not necessary for the proposed development.
	Cut areas should be setback from boundaries a minimum of 0.9 metres, and fill areas are to be setback from boundaries a minimum of 1.5 metres.	All cut areas will be setback a minimum distance of 0.9m from existing property boundaries. All filled areas will be setback a minimum distance of 1.5m from existing property boundaries. The proposal complies.
	Cut and fill batters should not exceed a slope of 1:2 (v:h) unless a geotechnical report has been submitted to Council certifying site stability. All batters are to be provided with both short term and long term stabilisation to prevent soil erosion, and adequate drainage is to be provided to divert water away from batters	The proposal is capable of complying.
	Stormwater or surface water runoff should not be redirected or concentrated onto adjoining properties so as to cause a nuisance.	Cut and fill will not result in stormwater being redirected or concentrated onto adjoining properties. The proposal complies.
	Cut and fill levels for new dwellings should generally not exceed one metre	The proposal complies.
Streetscape controls		
E.1.6	This section provides standards and controls which aim to ensure there is consistency in built and landscape form along streets on private sites.	The proposed development will not result in new built form that is visible from Walker Street. A more detailed assessment of controls is not considered to be necessary.

Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Height controls		
E.1.7	The maximum height to the ridge of the roof of the building should not exceed 9.0 metres above the natural ground level vertically below that point.	The dwellings are single storey structures and are below the 9.0m height limit. The proposal complies.
	Where steep or sloping sites exist, the building should not protrude from the landscape but should be designed to be staggered or stepped into the natural slope of the land to accommodate the height control.	The land is not steeply sloping. A special design response is not considered to be necessary in order to stop the buildings protruding from the landscape. The proposal complies.
	For dwelling proposals involving two (or more) storeys, or where there is any uncertainty relating to the overall height of a development, Council may require plans to show reduced levels (RL), taken from a fixed datum point, for the maximum ridge height and natural ground levels.	Not relevant to the proposal. The buildings are single storey structures.
Solar Access Controls		
E.1.8	Residential buildings should be designed to ensure that living areas of adjoining dwellings and at least 50% of their usable private open space, receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June (winter solstice). Where such areas already receive less than 3 hours of sunlight, new development should not further reduce sunlight access.	The scale of the proposed buildings and site position means that solar access will not be compromised for adjoining dwellings or their private open space areas. Shadow diagrams are not considered to be necessary. The proposal complies.

Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
E.1.8 (cont.)	Shadow diagrams should be provided by the applicant where there is a reasonable likelihood of the development causing overshadowing impacts on adjoining property. Shadow Diagrams should show magnetic and true north.	Shadow diagrams are not considered to be necessary.
	Where possible, new residential buildings should be orientated on a north-south or east-west axis to maximise solar access, with living spaces to be located predominantly to the north.	The proposed dwelling been design with floor plans and site positions which allow penetration of northern sunlight into the primary living areas, private open space areas and outdoor dining areas. The proposal complies.
Front setback controls		
E.1.9.1	This section describes the front setback requirements for new residential dwellings.	The proposed dwellings do not have frontage to Walker Street. Front setback controls are assessed not to apply in the circumstances.
E.1.9.2	This section describes the front setback requirements alterations and additions to existing dwellings.	Not relevant for consideration.
E.1.9.3	This section describes the setback requirements for articulation features on new dwellings.	Not relevant for consideration.
E.1.9.4	This section describes the setback requirements for new dwellings on corner lots.	Not relevant for consideration.
Side setback controls		
E.1.10	Single storey buildings should be setback a minimum 0.9 metres from the boundary (eaves must be a minimum 0.45 metres from the boundary).	The proposal complies.

Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
E.1.10 (cont.)	Two storey buildings should be setback a minimum 1.5 metres from the boundary (eaves must be a minimum 0.45 metres from the boundary)	Not relevant for consideration.
Rear setback controls		
E.1.11	All dwellings on a lot having an area of 700m2 or less should be setback a minimum 5 metres from the rear boundary.	The proposal complies.
	All dwellings on a lot having an area of more than 700m2 should be setback a minimum 8 metres from the rear boundary.	Not relevant for consideration.
Visual and Acoustic Privacy		
E.1.12	Dwellings or additions should be designed so that windows, balconies and decks are not situated directly opposite windows of primary (living, kitchen, dining) rooms of any adjoining dwellings, unless privacy can be addressed	The proposed dwellings are adequately separated from each other and existing dwellings on adjoining properties. The use of existing and proposed fencing will assist in achieving acceptable levels of acoustic and visual privacy for residents. The proposal complies.
	Visual privacy for adjoining properties and within dwellings should be achieved by using windows in elevated positions which are narrow, translucent, or obscured and ensuring that windows do not face directly onto the windows, balconies, or courtyards of adjoining dwellings.	As above. The proposal complies.

Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
	Noise generating areas of development (e.g. air conditioning plant, swimming pool areas and the like) should be adequately screened or located away from the bedroom areas of neighbouring properties to minimise their impact.	As above. The proposal complies.
	Where a proposed dwelling adjoins land in an industrial or commercial zone, the design of the proposed dwelling should avoid sound being reflected into noise-sensitive rooms. In this regard, bedrooms and other sensitive areas should be located furthest from a potential noise source, with the kitchen, bathroom and garage areas located closest to a potential noise source).	The proposed dwellings will be adjoined by light industrial zoned land on the north, however the property is currently used for residential purposes. In any instance, the floor plan designs for the dwellings places the bedrooms on the southern side of the buildings. The proposal complies.
Landscaped area controls		
E.1.13	Single dwelling proposals are not required to submit a Landscape Plan for approval in accordance with the requirements of Part N of this DCP, however a minimum of 40% of the total site area should be comprised of landscaped area	Approximately 70% of the site area for the proposed lots around Dwellings No. 1 and 2 will be dedicated to landscaped spaces. The proposal complies.
	Development plans submitted to Council for approval should include calculations demonstrating compliance with control (b)	As above.

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Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Sustainable Building Design		
E.1.14	Development Applications for new housing proposals and specified alterations and additions must be accompanied by a BASIX Certificate, issued by the NSW Government.	Separate BASIX certificates have been prepared for the proposed dwellings and submitted in support of the DA. The proposal complies.
	Applicants should consider the potential sustainability performance of the development when the proposal is being designed and commit to a range of measures offered in BASIX to ensure that the development meets (or exceeds) the NSW Government's sustainability targets.	As above.
	Council will check that the details of the proposed development contained in the BASIX certificate are consistent with the details contained in the Development Application, and that the relevant BASIX commitments are shown on plans.	Noted.
	The design of new dwellings should adopt the nominated principles which promote sustainable building practices.	The proposed dwellings have been designed with floor plans that allow sunlight penetration into primary living spaces, outdoor dining areas and private open space areas. Awnings, verandahs and eaves are used appropriately. The proposal complies.
Liveable Housing Design		
E.1.15	This section requires the proposed dwellings to achieve a silver performance level in accordance with the Livable Housing Guidelines.	<p>The proposal is assessed to comply. The following design features will allow the dwellings to achieve the required silver performance level:</p> <ul style="list-style-type: none"> + A step free path of travel from Walker Street to the dwelling locations. + Step free entrance provided to main entry. This can be achieved with minimal grading of the concrete entry porch.

Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
E.1.15 (cont.)		<ul style="list-style-type: none"> + Internal doors and corridors that facilitate comfortable and unimpeded movement between space. The floor plan is based around open plan living principles. + A bathroom that is capable of accommodating a hobless shower. Further details can be shown on the application for CC if necessary. + A toilet that is located on the ground (and only) floor of the dwellings. + A bathroom design that allows for the installation of grab-rails at a later date. Further details can be shown on the application for CC if necessary.
Objectives - Medium Density Housing		
E.2.2	Objectives for medium density housing	<p>The proposal relates to the construction of two new single storey brick veneer dwellings, resulting in a total three dwellings on the subject land. The proposal is generally consistent with the objectives for medium density housing, as described below:</p> <ul style="list-style-type: none"> + The project will increase housing choice in Cowra. + The design of the project responds to identified site constraints and conditions. + Due to the location of the dwellings on the site, they will not be immediately visible from the public streetscape in Walker Street, however they are well designed and will present acceptably from nearby private land. + Appropriate areas are provided for private outdoor recreation and relaxation. + The dwellings will be capable of achieving adequate visual and acoustic privacy from each other, from the existing dwelling on the land and from existing dwellings on adjoining properties. + Good solar access is available to internal living spaces and proposed private open space and outdoor dining areas. + Practical and legal access can be achieved and connections to all available urban utilities and services will be provided for.

Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Site Analysis		
E.2.3	Site Analysis	The proposed site design has been developed in response to existing site conditions, opportunities and constraints. A detailed site survey has been used to inform key aspects of the design. The proposed complies.
Soil Erosion and Sedimentation Control		
E.2.4	This section provides controls relating to the proper management of soil erosion during construction phases of the proposed development.	Soil erosion and sediment control measures will be detailed on the final plans for construction of the proposed development and submitted with the application for Construction Certificate. The proposal is capable of compliance.
Landscaping		
E.2.5	This section requires the preparation of a landscape plan for new medium density housing proposals that complies with the requirements of Part N.	A Landscape Plan has been prepared and submitted with the DA. The proposal complies.
Cut and Fill		
E.2.5.a	Development Applications for new dwellings on sloping sites must be accompanied by a cut and fill plan, prepared to scale, showing the extent of all cut and fill proposed for the development.	The site plan submitted with the Development Applications shows the extent of cut and fill proposed on the land. The proposal complies.
E.2.5.b	Split level or pier foundation house designs are encouraged for sloping sites to minimise site disturbance and achieve a design response that relates to the topography of the site.	Minimal fall exists across the proposed building sites. Split level design is not necessary for this project.

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Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
E.2.5.c	Cut areas should be setback from boundaries a minimum of 0.9 metres, and fill areas are to be setback from boundaries a minimum of 1.5 metres.	The proposal complies. Cut and filled areas are located the recommended distances from existing property boundaries.
E.2.5.d	Cut and fill batters should not exceed a slope of 1:2	The proposal complies.
E.2.5.e	Stormwater runoff should not be redirected or concentrated onto adjoining properties so as to cause a nuisance.	A Stormwater Management Plan has been prepared and engineered for the project. Stormwater is proposed to be directed to the public drainage system in Walker Street via a system of charged pipes. Stormwater will not be directed to adjoining properties.
E.2.5.e	Cut and fill should not exceed 1m.	The proposal complies.
Site Area and Frontage Controls		
E.2.7a	A minimum site area of 300m ² per dwelling is required.	The proposal complies.
E.2.7.b	A minimum site frontage of 18 metres is required for medium density housing proposals.	The proposal complies.
Streetscape Controls		
E.2.8.a	Developments in existing urban areas must be consistent with the scale and character of adjoining dwellings.	The proposed dwellings are single storey structures consistent with the scale of existing dwellings on adjoining properties. The proposal complies.
E.2.8.b	Developments on sites with two or more street frontages must address both frontages.	Not relevant to the proposed development.
E.2.8.c	Each dwelling to provide a major window to a habitable room directly overlooking the street.	The proposed dwellings are not visible from Walker Street or any other public place. Notwithstanding, the dwelling designs include a major window overlooking the proposed internal access. The proposal is not inconsistent.

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Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
E.2.8.d	Site and building design should consider the existing topographic setting and characteristics of other buildings along the street.	The proposed dwellings are not visible from Walker Street or any other public place. Walker Street does not contain special characteristics that are identified to be of particular importance to the design of the proposal. The proposal complies.
E.2.8.e	New development should provide landscaping that enhances the appearance of the development and surrounding area.	A Landscape Plan has been prepared and submitted with the DA. The proposal complies.
E.2.8.f	Walls along side and rear boundary setbacks should be broken or staggered to avoid the appearance of unduly massive of long walls.	The scale and location of the proposed dwellings does not necessitate a special design response. The proposal complies.
E.2.8.g	Carports visible from the public domain should be compatible with the design of the residential building.	The proposed carport structures are not visible from Walker Street.
E.2.8.g	Removal of street trees is not permitted without prior approval of Council.	The proposal does not necessitate the removal of street trees.
Height controls		
E.2.9	This section contains controls which aim to limit the height of dwellings, particularly on sloping sites.	The dwellings are less than the required height limited (9.0m). The proposal complies.
Solar Access Controls		
E.2.10.a	Medium density housing should be designed to ensure that living areas of adjoining dwellings and at least 50% of their usable private open space, receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June (winter solstice).	The proposed dwellings will not reduce the solar access of living areas / private open spaces to neighbouring dwellings given the dwellings are proposed as single storey structures and are setback sufficiently from existing / proposed boundaries. The proposal is capable of complying.

Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
E.2.10.b	Medium density housing should be designed to ensure that the living areas and private open spaces of 75% of the dwellings receive a minimum of 3 hours of sunlight between 9am and 3pm on 21 June.	The proposed dwellings have been designed with floor plans and site positions which allow penetration of northern sunlight into the primary living areas, private open space areas and outdoor dining areas. The proposal complies.
E.2.10.b	Council may request shadow diagrams where there is a reasonable likelihood of the development causing overshadowing impacts on adjoining properties.	Shadow diagrams are not assessed to be necessary unless specifically requested by Council.
Front setback controls		
E.2.11.1	This section describes the front setback requirements for new residential dwellings.	The proposed dwellings do not have frontage to Walker Street. Front setback controls are assessed not to apply in the circumstances.
E.2.11.2	This section describes the setback requirements for articulation features on new dwellings.	Not relevant for consideration.
E.2.11.3	This section describes the setback requirements for corner lots	Not relevant for consideration.
Side setback controls		
E.2.12	Single storey buildings should be setback a minimum 0.9m from the boundary.	The proposal complies.
Rear setback controls		
E.2.13	Single storey buildings should be setback a minimum 3m from the boundary	The proposal complies.

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Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Visual and Acoustic Privacy		
E.2.14.a	Building elements such as balconies and decks should be designed to minimise overlooking of living areas and private open space areas of adjoining dwellings	The dwellings are designed with front porches and rear outdining areas. These areas do not directly overlook neighbouring properties. The proposal complies.
E.2.14.b	The windows of dwellings should be located and designed so they do not provide direct and close views into the living area windows or courtyards of other dwellings	The proposed dwellings are adequately separated from each other and existing dwellings on adjoining properties. The use of existing and proposed fencing will assist in achieving acceptable levels of acoustic and visual privacy for residents. The proposal complies.
E.2.14.c	A minimum separation of 12 metres should be provided between buildings where habitable rooms / balconies face habitable rooms/ balconies	The proposed new dwellings have the same orientation on the land. The design does not result in habitable rooms or spaces directly facing each other. A 12m separation is assessed not be required.
E.2.14.d	A minimum separation of 9 metres should be provided between buildings where non habitable rooms / balconies face habitable rooms/ balconies	The proposed new dwellings have the same orientation on the land. The design does not result in habitable rooms/spaces or non habitable rooms/spaces directly facing each other. A 9m separation is assessed not be required.
E.2.14.e	A minimum separation of 3 metres should be provided between buildings where non-habitable rooms / blank walls face other non-habitable rooms / blank walls	The proposed new dwellings have the same orientation on the land. A 3m separation is required and is achieved. The proposal complies.
E.2.14.f	Separation distance may be reduced by up to 25% where privacy issues can be addressed by other means to the satisfaction of Council.	Not relevant.
E.2.14.g	Dwellings within each development should be designed to minimise noise transmission by locating busy, noisy areas next to each other and quieter areas next to other quieter areas.	The proposed dwellings have the same orientation on the land. Adequate separation is available to ensure that acoustic privacy will not be an issue for the future residents of the dwelling. The proposal is capable of complying.

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Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Private Open Space Controls		
E.2.15.a	Private open space should be oriented to have a north easterly aspect where possible.	The private open space will have access to northern sunlight. The proposal complies.
E.2.15.b	Living areas should open out into the private open space area.	The dwellings are design with open plan living areas. These areas open directly onto the outdoor dining and private open space areas. The proposal complies.
E.2.15.c	Private open space is to be clearly defined by walls, fencing and landscaping so as to provide a self contained space, but	Private open space areas will be delineated by existing and proposed fencing. The proposal complies.
E.2.15.d	The recommended amount of private open space is 40m ² per dwelling, minimum width 3m in any direction.	The proposal complies. Each dwelling will be provided with in excess of 120m ² of private open space in the rear yard section of their respective sites.
Sustainable Building Design Controls		
E.2.16.	Development Applications for new medium density housing proposals and specified alterations and additions must be accompanied by a BASIX Certificate, issued by the NSW Government.	Separate BASIX certificates have been prepared for the proposed dwellings and submitted in support of the DA. The proposal complies.
	The design of new dwellings should adopt the nominated principles which promote sustainable building practices.	The proposed dwellings have been designed with floor plans that allow sunlight penetration into primary living spaces, outdoor dining areas and private open space areas. Awnings, verandahs and eaves are used appropriately. The proposal complies.
Livable Housing Design		
E.2.17	This section requires the proposed dwellings to achieve a silver performance level in accordance with the Livable Housing Guidelines.	<p>The proposal is assessed to comply. The following design features will allow the dwellings to achieve the required silver performance level:</p> <ul style="list-style-type: none"> + A step free path of travel from Walker Street to the dwelling locations. + Step free entrance provided to main entry. This can be achieved with minimal grading of the concrete entry porch.

Table 10 - DCP Assessment - Part E (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
		<div><div>+</div>Internal doors and corridors that facilitate comfortable and unimpeded movement between space. The floor plan is based around open plan living principles.</div> <div><div>+</div>A bathroom that is capable of accommodating a hobless shower. Further details can be shown on the application for CC if necessary.</div> <div><div>+</div>A toilet that is located on the ground (and only) floor of the dwellings.</div> <div><div>+</div>A bathroom design that allows for the installation of grab-rails at a later date. Further details can be shown on the application for CC if necessary.</div>

Part M - Parking, Access and Mobility

Part M applies to all new development in the Cowra Shire Local Government Area. Parts M. 1 and M.2 have particular relevant to the proposed development.

A review of Parts M.1 and M.2 have been completed and an assessment of consistency against key standards and controls included in Table 11.

Table 11 - DCP Assessment - Part M

Clause	Requirement (Summarised)	Statement of Consistency
Objectives		
M.1.2	Objectives for parking	The proposed development is assessed to be consistent with the objectives. On-site car parking is provided for the existing and proposed dwellings on the land in locations that are practical and accessible to residents.
Application of Standards and Guidelines		
M.1.3	Section M.1.3 describes the relevant Australian Standards and policies which generally apply to the design of off-street car parking areas.	The design of the car parking areas has been designed to meet the relevant requirements of the listed Australian Standards and guidelines. The proposal complies.
Off street parking calculations		
M.1.5	Car parking will generally be required to be provided on the site of the proposed development at the rate set out in the table.	For new dwellings, 1 space per dwelling behind the building line is required. Visitor car parking is not required. Each new dwelling is provided with an attached skillion roof carport. The proposal complies.

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Table 11 - DCP Assessment - Part M (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Site access design and location		
M.2.1	This sections provides the standards and controls relating to the provision of new access to a residential development.	Practical and legal access to the proposed lots will be provided from the existing access location on Walker Street. No new access to the public road system is required. The proposal complies.
Driveway widths		
M.2.2	For medium density housing where the number of off-street car parking spaces required to be provided is less than 5 spaces, the minimum width of a new driveway should be 5.5m where the entry and exit are combined.	The driveway access to Walker Street will comply with the standard.
Car parking design		
M.2.3	This section sets out the requirements for car parking design where visitor car parking is required for a proposed development.	Visitor car parking is not required for the proposed development.
Internal road design		
M.2.4	Where internal roads and / or driveways are proposed as part of the design of new residential development, the development should be serviced by vehicle manoeuvring areas that allow all vehicles to safely enter and exit the site in a forwards facing direction.	The site plan submitted with the DA shows that a large amount of land is proposed to be retained (centrally within the property) as existing hardstand area. This area will provide ample space for the movement of all vehicles associated with the development. All traffic can enter and leave the site in a forwards facing direction. Turning paths are not considered to be necessary in the circumstances. The proposal complies.

Table 11 - DCP Assessment - Part M (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
M.2.4 (cont.)	For medium density housing where the number of off-street car parking spaces required to be provided is less than 5 spaces, the minimum width of internal roads is required to be 5.5m for two way traffic operation.	<div><div></div><div>The internal access driveway is constructed to a minimum 5.5m wide standard, narrowing to 4.5m for the part of the access that is forward of the existing front building line. The proposal is to ensure an unobstructed minimum 5.5m wide access is available for the entire length of the internal access handle. The proposed access will be sufficient to accommodate two-way traffic movement for all vehicles access the development including emergency service vehicles.</div></div>
	Despite controls (b) and (c) , complex developments (particularly where shared use of roads by cars and service vehicles is anticipated) the design of internal roads is to be determined from a study of the site traffic generation and vehicle characteristics.	Not relevant for consideration.
Car parking surfaces		
M.2.5	This section describes the acceptable surface finishes for car parking areas and their associated site accesses and vehicle manoeuvring areas.	<div><div>The DCP requires the following finishes for identified components of the site design:</div><div><div></div><div>Site access (to property boundary) - concrete.</div><div></div><div>Vehicle manoeuvring areas - concrete / bitumen seal.</div><div></div><div>Car parking spaces - concrete / bitumen seal.</div><div></div><div>Accessible path of travel - Not relevant to this proposal.</div></div></div>

Table 11 - DCP Assessment - Part M (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
M.2.5 (cont.)		Plan A.02 prepared by Currajong and submitted with the DA shows the proposed surface finishes for the access components of the proposed development. Apart from the site access on Walker Street which is to be concreted, bitumen seal is proposed for vehicle manoeuvring areas and driveways to the new dwellings. The proposal complies

Part N - Landscaping

Part N.1 prescribes that a landscaping plan must be provided for new proposals relating to medium density housing forms. The proposal represents medium density housing if were not for the subdivision component. In this regard, the proposal must be assessed against the requirements of N.3.1 and N.3.2 of the DCP.

A review of the relevant controls has been completed and an assessment of consistency against key standards and controls included in Table 12.

Table 12 - DCP Assessment - Part N

Clause	Requirement (Summarised)	Statement of Consistency
Landscape Plan Requirements		
N.2	This section prescribes the minimum requirements for information needing to be presented on a Landscape Plan	A Landscape Plan has been prepared - refer to Currajong Plans A.03 and A.04. The plans include the necessary minimum information including property boundary details, existing and proposed trees / plantings, existing and proposed built structures, fencing details, and typical planting details. The proposal complies
General Landscape Controls		
N.3.1.1	This section prescribes general controls relating minimum planting requirements.	A Landscape Plan has been prepared - refer to Currajong Plans A.03 and A.04 which includes typical planting sections and installation instructions that are generally consistent with the prescribed standards. The proposal is capable of complying.
N.3.1.2	Retention of existing trees	The proposal does not involve the removal of existing street trees in Walker Street.

Table 12 - DCP Assessment - Part N (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
N.3.1.3	This section prescribes the street tree requirements for greenfield / infill subdivisions and non-subdivision developments	The proposed development will require street tree contributions. The applicant expects that Council will impose a condition of consent.
Residential landscape controls		
N.3.2	This section prescribes the design requirements for landscaping provided as part of new residential developments, including medium density housing.	<p>A Landscape Plan has been prepared - refer to Currajong Plans A.03 and A.04. The Landscape design shows minimal new works as the proposed dwellings will not have a visible presence to Walker Street. Notwithstanding, the landscape design complies generally with the requirements of Section N.3.2 as follows:</p> <ul style="list-style-type: none">+ The landscape works will soften the impact of new built form on the land.+ The landscape works retain existing mature trees, which exist along the southern, western and northern boundaries of the site.+ New landscaped areas will be provided with a suitable automatic watering systems.+ Selected tree species will be in scale with the size of the proposed development, and are appropriate for site conditions.+ Native species have been selected for landscape enhancements along the western boundary.+ The landscape design does not include the use of weed species.

Part O - Environmental Hazard Management

Part O applies to all new development in the Cowra Shire Local Government Area. Part O. 1 has particular relevance to the proposed development as part of the land is located within the Flood Planning Area.

A review of Part O.1 as been completed and an assessment of consistency against key standards and controls included in Table 13.

Table 13 - DCP Assessment - Part O

Clause	Requirement (Summarised)	Statement of Consistency
Objectives		
O.1.2	Objectives for flood risk management.	Refer to Appendix A for a detailed assessment of the proposed development against the flood planning controls in Part O of the DCP.
Information to Accompany a Development Application		
O.1.8	The DCP prescribes the minimum information that must be submitted with a DA for developments on land within the Flood Planning Area.	<div>A Flood Planning Report has been prepared and included as Appendix A to this Statement of Environmental Effects. The Flood Report includes the minimum information prescribed by Control O.1.8 of the DCP including:<ul style="list-style-type: none">+ A statement or justification as to why the proposed development is appropriate on flood prone land.+ A survey plan, prepared by a registered surveyor showing existing natural ground levels and proposed site works relevant to the 1% AEP.+ Reporting that seeks to demonstrate that consistency with the requirements of Section O.1.8(c)(i)-(v).</div>
Flood Controls		
O.1.9	The DCP contains controls that apply generally to all development, and specifically to residential development types that are located within a Flood Planning Area.	Refer to Appendix A for a detailed assessment of the proposed development against the flood planning controls in Part O of the DCP.

Part P - CPTED Principles

Part P applies to all development in the Cowra Shire Local Government Area on both public and private land. Part P.2 in particular, provides design suggestions to ensure that crime risk is minimised in accordance with the principles of 'Crime Prevention Through Environmental Design'.

A review of Part P.2 has been completed and an assessment of consistency against key standards and controls included in Table 14.

Table 14 - DCP Assessment - Part P

Clause	Requirement (Summarised)	Statement of Consistency
Design suggestions		
P.2.1	Objectives	The proposed development is assessed to be consistent with the objectives, and in particular: <ul style="list-style-type: none">+ The co-location of the two new dwellings will allow natural surveillance between the sites.+ The building designs have their own private open space and front yard areas, creating a sense of ownership for occupants and users of the site.+ Opportunities for unauthorised access will be limited through the use of security fittings to doors and windows, security lighting as appropriate and use of boundary and internal site fencing.+ The existing entry to the site from Walker Street is lit by existing street lighting.
P.2.2	Section 2.2 provides guidance to help new developments achieve appropriate orientation and access to the public street.	Due to the existing configuration of the property, it is not possible to create new dwelling opportunities on the land in a way that allows each dwelling to achieve direct orientation and access to Walker Street. The co-location of the two new dwellings will however allow natural surveillance between the sites.
P.2.3	Section 2.3 requires building entrances to be in prominent positions, designed to allow users to see into the building and facing the street where possible.	As above.
P.2.4	Section 2.4 includes a suite of controls aimed at ensuring communal and public areas are appropriately designed.	The proposed development does not involve the creation of communal or public spaces.
P.2.5	Section 2.5 requires site and building design to limit the use of blind corners.	The proposed development does not create any new blind corners.
P.2.6	Section 2.6 encourages appropriate buildings materials which reduce opportunities for vandalism.	The proposed dwellings are typical brick veneer constructions. The chosen building materials are acceptable in terms of the nature and scale of the proposal.

Table 14 - DCP Assessment - Part P (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
P.2.7	Section P.2.7 includes a suite of standards and controls which aim to increase the security of new development	The recommended security measures can be incorporated into the building design. As a minimum, all window and roller door openings will be fitted with locking mechanisms. The dwellings have large windows on the eastern elevation to allow residents to see who is visiting the site and / or knocking at the door.
P.2.8	Section P.2.8 requires the provision of appropriate lighting to new development.	There is existing street lighting in Grenfell Road.
P.2.9	Section P.2.9 requires the provision of appropriate measures to properly identify new buildings.	The subject land is addressed to 17 Walker Street. Appropriate arrangements will be made for the display of an appropriate street number on the front facade of the proposed building, and on a purpose built mailbox at the Walker Street frontage to the site.
P.2.10	Section 2.10 includes a suite of controls aimed at improving the safety and security of new shopfronts.	The proposed development is not a shopfront.
P.2.11	Section 2.10 includes a suite of controls aimed at improving the safety and security of public facilities.	The proposed development does not include public facilities.
P.2.12	Section 2.12 includes a suite of controls aimed at improving the safety and security of car parking areas.	The proposed development is not required to provide visitor car parking.

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**ASSESSMENT OF
ENVIRONMENTAL ISSUES****5.1 Introduction**

The main environmental issues that have been raised and investigated as part of the design process for the proposed development have been documented in this section. Each issue is investigated by way of introducing the key issue(s), documenting existing conditions, assessing impacts and proposing management and mitigation measures.

5.2 Visual impacts and amenity**5.2.1 Assessment of existing condition**

The subject land contains an existing clad dwellings and several ancillary metal shed structures. Single storey buildings predominant in the streetscape.

5.2.2 Assessment of potential impact

An assessment of the potential impacts of the proposed development on visual amenity has been undertaken, including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain.

The proposed dwellings are to be constructed as single storey brick veneer structures, with metal roofs, fascias and gutters. The buildings will be of similar bulk and scale to the existing buildings and structures on the subject land on adjoining properties. The building designs will not enable direct overlooking of adjoining private open space areas.

The new buildings are located on a part of the site that is not visible from the nearest public place (Walker Street).

The site is not heritage listed and is not part of a heritage streetscape or conservation area.

5.2.3 Management and mitigation

No additional mitigation measures are proposed.

5.3 Building Code Compliance**5.3.1 Assessment of existing condition**

The landowner is aware that the existing shed on the land located along the northern boundary has not received a Final Occupation Certificate from Council. Previous communication with Council on this issue confirms that the issue of the Final Occupation Certificate will be possible upon completion of necessary stormwater management works.

There are no known building code compliance issues associated with other existing structures on the land.

5.3.2 Assessment of potential impact

The proposed site layout and building design complies with the relevant requirements of the Building Code of Australia.

The Stormwater Design submitted for the proposed development incorporates measures to manage the stormwater generated from the roofed areas of the existing shed located along the northern boundary.

5.3.3 Management and mitigation

Structural engineering certification will be required for elements of the proposed building design including slab and frame and this will be procured and submitted to Council as part of the application for a Construction Certificate.

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5.4 Access and Traffic

5.4.1 Assessment of existing condition

The subject land is currently accessed from Walker Street, which forms part of the local road network owned and maintained by Cowra Shire Council. Walker Street is constructed to an 8m wide bitumen sealed standard and has kerb and gutter and public street light infrastructure.

The land contains an existing dwelling house and several existing shed structures.

As a result of the public consultation process for DA 1/2023 (this DA) by Cowra Shire Council, a number of compliance related issues have been determined to relate to the land at 17 Walker Street Cowra. These issues relate to:

- + The use of an existing shed for self-storage purposes without Council approval.
- + The partial use of an existing shed as a dwelling without Council approval.
- + The construction of two awning structures on the without Council approval.

In order to address these issues, the landowners have:

- + Lodged a separate DA for the continued use of the existing shed for self-storage purposes.
- + Provided written notification to Council that the existing shed is no longer to be used for a residential purpose, and removed internal facilities to ensure the building is capable of being used only for purposes consistent with a Class 10a BCA classification.
- + Lodged a separate DA for the continued use of the existing carport structures, as well as a Building Information Certificate.

Whilst the above matters are subject to separate applications and assessment processes, it is likely that Council will need to understand the traffic loads associated with these uses in order to make an informed assessment of the traffic impacts associated with DA 1/2023. In this regard, the following account of trip movements is provided having regard to the guidance provided within the '[Guide to Traffic Generating Developments](#)' by [NSW Roads](#).

- + Existing Dwelling (17 Walker Street) - 7.4 trips per day.
- + Self-storage (home business. In the absence of any guidance within the NSW Roads Guideline, an estimate of 4 trips per week) or 0.57 trips (per day) is provided based on a single weekly trip per rented bay in the existing shed.

5.4.2 Assessment of potential impact

A description of the proposed access arrangements to the development is included as follows:

- + Primary access to the existing uses at 17 Walker Street is to be maintained directly from Walker Street. Resident car parking is to be retained from within the existing sheds at the rear of the property.
- + Primary access to the 2 x new dwellings is to be provided also directly from Walker Street. A Right of Carriageway is intended to be provided over proposed lot 1 in the subdivision to the benefit of proposed lots 2 and 3.
- + On-site car parking to be provided for residents of each new dwelling in an undercover skillion roofed carport attached to each building.
- + The internal access driveway is constructed to a minimum 5.5m wide standard, narrowing to 4.5m for the part of the access that is forward of the existing front building line. The proposal is to ensure an unobstructed minimum 5.5m wide access is available for the entire length of the internal access handle. The proposed access will be sufficient to accommodate two-way traffic movement for all vehicles access the development including emergency service vehicles. The proposed surface finishes are shown on Plan A.02 submitted with the DA and comply with Council's minimum standards.

The proposed development will have the result of increasing the number of daily traffic numbers utilising Walker Street. Based on the 'Guide to Traffic Generating Developments' by NSW Roads, the expected number of daily vehicle trips for low density residential dwellings is estimated to be in the order 7.4 per dwelling. The proposed subdivision will therefore increase the number of daily vehicle trips using Walker Street by 14.8 (two dwellings/lots).

Taking into account the traffic load associated with the existing uses associated with the land (noting that a DA is required for the continued use

of the secondary dwelling, and home business (self storage), the total traffic load likely for the site is assessed to be in the order of 23 vehicle movements per day.

Walker Street, in its current form and condition, is considered suitable to accommodate the proposal for the following reasons:

- + The plans submitted with the Development Application demonstrate that adequate arrangement will be made for vehicles using the land to enter and leave their respective lots in a forwards facing direction
- + The intersection of the site access with Walker Street is not assessed to be in a dangerous location. There is adequate sight distance in both directions and street lighting on the pole directly opposite the entry (southern side of Walker Street Avenue).
- + Traffic and transport impacts are assessed to be within acceptable limits, based on existing local road conditions and the limited additional traffic generation proposed.
- + The internal accesses will be constructed to Council's minimum standards.

On the basis of the above, it is assessed that adequate arrangements will be made to accommodate the access needs of the proposed development. The road network servicing the development is in good condition and has capacity to accommodate the likely increase in trip movements associated with the proposed development. Road upgrades are not necessary to be necessary. Section 7.12 Contributions will be made towards public infrastructure costs.

5.4.3 Management and mitigation

Upgrades are proposed to the existing internal road surface construction in order to comply with Council requirements. A Section 138 Permit will be obtained from Council prior to the commencement of any works within a road reserve.

No other specific transport or traffic mitigation measures have been identified as being necessary.

5.5 Site Design

5.5.1 Assessment of existing condition

The subject land contains an existing clad dwelling and several ancillary metal shed structures. The structures are predominantly located along the northern and eastern boundaries of the land, leaving a significant part of the site under utilised and generally suited to redevelopment. The site contains established landscaped gardens and several existing mature trees.

A detailed site survey of the land has discovered the location and depth of Council's gravity sewerage main (and associated manholes) within the boundaries of the subject land.

5.5.2 Assessment of potential impact

The proposed dwellings have been positioned on the land to ensure compliance with the relevant setback requirements of the Building Code of Australia and Council policy requirements, taking into account the locations of existing and planned property boundaries.

The proposed dwellings are to be located generally at the rear of existing dwellings (and their associated private open spaces) in Walker Street. To ensure an acceptable level of impact, the dwelling designs have been kept to single storey and setback sufficient distances from boundaries to minimise impacts related to acoustic and visual privacy.

A shared access arrangement is proposed. The existing and proposed dwellings will gain access to the public road system via a common internal access drive and entry location to Walker Street. The proposed plan of subdivisions shows the location of propose easements for access to ensure that practical and legal access is achieved for the longevity of the development.

The plans submitted with the DA have identified the zone of influence relating to the existing sewer main located within the property boundaries. The proposed dwellings have been carefully positioned on the land to avoid the zone of influence.

5.5.3 Management and mitigation

The site layout will be pegged out by survey prior to the commencement of works to ensure that building and other site features are properly located.

5.6 Soil and Water Quality

5.6.1 Assessment of existing condition

The subject land is mapped in Cowra Local Environmental Plan 2012 as containing vulnerable groundwater. There are no riparian lands, water courses or wetland environments impacting the site. The land is mapped as being flood prone.

The land is currently vegetated or laid with hardstand material and there are no exposed areas that are shown to be causing soil erosion and related impacts on the land.

5.6.2 Assessment of potential impact

The proposed development will require site earthworks to be completed as part of the construction phases of the project. The land is relatively flat and significant alterations to existing landform are not required in order to facilitate the proposed site design.

The proposed development is unlikely to result in significant impacts on groundwater resources in the locality. The development will be connected to reticulated water and sewer supply and there is no proposal for groundwater extraction or on-site waste disposal. The likelihood that the proposed development will intercept groundwater in the locality during construction is assessed to be low.

Part of the land is identified to be located within the floodplain to the Lachlan River. The location of new construction works (dwelling / site access upgrades etc), are however located above the Flood Planning Level.

5.6.3 Management and mitigation

The proposed management measures to reduce impacts on water resources are as follows:

- + No groundwater will be taken.
- + Changes to existing landform to be kept to minimum levels. All reasonable and practical measures will be implemented to control / manage sedimentation and erosion during construction phases associated with the proposed development.

5.7 Air Quality

5.7.1 Assessment of existing condition

The existing use of the land for residential purposes does not generate air quality impacts on the locality. An assessment is required to determine whether the proposed development will create adverse air quality impacts on nearby uses in the area.

5.7.2 Assessment of potential impact

Due to the nature and scale of the proposed development, an air quality assessment by a qualified professional is not considered to be necessary or warranted. Dust pollution is not expected to be an issue with the proposed development as all trafficable surfaces are to be constructed of hardstand materials (concrete or bitumen).

The nature and scale of the proposed development is such that air pollution from excessive motor vehicle impurities is not identified to be a key issue.

5.7.3 Management and mitigation

No additional mitigation measures are proposed.

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5.8 Noise and Vibration**5.8.1 Existing conditions assessment**

The site is located within an established residential area. The predominant use of land within the immediately and wider locality is for residential purposes. Light industrial land-uses are present within the wider locality, but these do not directly adjoin the site and are currently not causing any noise nuisance to existing residential uses in the area.

5.8.2 Assessment of potential impact

The POEO Act sets and the statutory framework for managing air quality in NSW and the POEO (Clean Air) Regulation 2010 sets standards of concentration for emissions to air from both scheduled and non-scheduled activities, including odour, dust, emissions and excessive motor vehicle air impurities. This statutory framework has been used to establish criteria and assessment findings for the proposed subdivision.

An assessment of the potential impacts of the proposed development on noise and vibration has been undertaken, including an assessment of the likely impacts associated with the continued residential use of the land. No impacts are expected to result.

5.8.3 Management and mitigation

No additional mitigation measures are proposed.

5.9 Heritage**5.9.1 Assessment of existing condition**

A search of the Aboriginal Heritage Information System (AHIMS) has been completed for the subject land. The search was completed to determine whether there are any items of cultural heritage significance either on the subject land or within 50m of the subject land. The search result found that:

- + There are 0 Aboriginal sites recorded in or near the subject land.
- + There are 0 Aboriginal places that have been declared in or near the above location.

The site largely comprises 'disturbed land', as defined under The National Parks and Wildlife Regulation 2019 (NPW Regulation).

The subject land is not listed as a heritage item under the Cowra Local Environmental Plan 2012 or State Heritage Register.

5.9.2 Assessment of potential impact

Based on the AHIMS search results, there is a low possibility that the proposed development will impact on a known item of Aboriginal cultural heritage significance. The proposal is considered a "low impact activity" and an Aboriginal Due Diligence is not considered necessary.

No impacts on European heritage are likely to occur.

5.9.3 Management and mitigation

No additional mitigation measures are proposed.

5.10 Hazards**5.10.1 Assessment of existing condition**

The subject land is not shown to be located within the Flood Planning Area. This is shown on Flood Planning Map FLD_002C in Cowra Local Environmental Plan 2012, an extract of which is shown in Figure 3. However, detailed site survey confirms that part of the land is below the Flood Planning Level, having regard to the information derived from a review of the Cowra and Gooloogong Floodplain Risk Management Study and Plan.

According to the mapping prepared by the NSW Rural Fire Service, the subject land is not identified as being within a bushfire prone area.

5.10.2 Assessment of potential impact**Flooding**

A Flood Planning Report has been prepared and included as Appendix A to this Statement of Environmental Effects. The Flood Report includes the following work:

- + An assessment of the proposed development against the requirements of Clause 5.21 of Cowra Local Environmental Plan 2012.
- + Presentation of the findings of registered survey work completed in order to establish the Flood Planning Level for the subject land and its relationship to the proposed building and site design.
- + An assessment of the relevant flood planning requirements under Part O of the Cowra Comprehensive Development Control Plan 2021.

On the basis of the information that has been included in Appendix A, the risk of impact of floodwaters on the proposed development is assessed to be acceptable in the circumstances. The proposed buildings will be located above the Flood Planning Level and flood-free access can be achieved to Walker Street.

Contamination

The land is currently used for residential purposes. There are no known historic uses of the land that are known to have been carried out at the site which might give rise to potential concerns of contamination. A site inspection of the site has not identified any obvious signs of activities, current or past, which might give rise to potential concerns of contamination. Further investigations are considered unnecessary in the circumstances and the land is considered suitable for the proposed development.

Bushfire

The land is located within an urban area. Bushfire has not been identified as a risk for the subject land.

5.10.3 Management and mitigation

The site design for the proposed development has been prepared in order to ensure that the proposed buildings and site access are above the Flood Planning Level.

No additional mitigation measures are proposed in order to deal with contamination or bushfire.

5.11 Services and Utilities

5.11.1 Assessment of existing condition

The land has an existing connection to Council's reticulated water supply network. There is a water meter located in the south eastern corner of the land.

The existing dwelling on the land is connected to the Council's reticulated sewerage system. A detailed site survey of the land has discovered the location and depth of Council's gravity sewerage main (and associated manholes) within the boundaries of the subject land.

The existing dwelling is connected to grid electricity.

5.11.2 Assessment of Impacts

Water

The proposed development will require connection to the Council's reticulated water supply network. An application to Cowra Shire Council will be required and approval obtained prior to the commencement of any work. As the proposed development increases the demand on the reticulated water supply network, headworks contributions are expected to apply.

Where required, easements for water supply will be created over the new supply lines in the development.

Sewer

The proposed development will require connection to the Council's reticulated sewer supply system. An application to Cowra Shire Council will be required and approval obtained prior to the commencement of any work. As the proposed development increases the demand on the reticulated water supply network, headworks contributions are expected to apply.

The plans submitted with the DA have identified the zone of influence relating to the existing sewer main located within the property boundaries. The proposed dwellings have been carefully positioned on the land to avoid the zone of influence.

NBN Telecommunications

The proposed development will require connection to the NBN telecommunications network. A check with the NBN confirms that a connection to the NBN broadband access network is available as Fibre to the Node (FTTN). An application to NBN co. will be required and approval obtained prior the commencement of work.

Electricity

The proposed development will require connection to grid electricity. Connection of the development to the electricity network is subject to the requirements of Essential Energy as the relevant service provider for the area. If any upgrades to existing infrastructure are required to facilitate the proposed development, such works will be carried out at full cost to the proponent.

Stormwater

A stormwater design for the proposed subdivision / dwelling development has been prepared by Calare Civil and submitted in support of the DA for assessment by Cowra Shire Council. Stormwater is proposed to be managed by discharging roofwater from the proposed dwellings (and the existing shed located adjacent to the northern boundary) directly to the public drainage system in Walker Street via a system of charged pipes. The stormwater design has considered the locations and depths of existing sewer mains located within the boundaries of the subject land.

Summary

The location of existing service and utility locations have been identified as part of the site planning process. The proposed development will demand new connections to identified essential services and infrastructure and these will be arranged prior to commencement of use. The servicing requirements for the proposed development are assessed to be within the capacity of the relevant networks.

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5.11.3 Mitigation and Management

The following mitigation measures are proposed:

- + New connections to service and utilities to be completed in accordance with the requirements and specifications of the relevant service providers.
- + No physical works to commence without a Construction Certificate / Subdivision Works Certificate from Cowra Council and any other relevant permits / approvals and / or licenses from relevant servicing authorities.
- + The site layout will be pegged out by survey prior to the commencement of works to ensure that building and other site features are properly located.
- + Stormwater works to be installed in accordance with the engineering design.
- + No physical works to commence without first completing a Dial Before You Dig (DBYD) search.

5.12 Social and economic

5.12.1 Assessment of existing condition

The site is located within an established urban area. The predominant use of land within the immediately and wider locality is single storey low density residential development.

5.12.2 Assessment of potential impact

An assessment of potential impacts of the proposed development has been undertaken with regards to scoping methodology outlined in the Social Impact Assessment Guideline 2017 (SIA Guideline), published by the Department of Planning and Environment. Table 14 provides an assessment of the proposed development against the criteria in the SIA Guideline.

Considering the proposal in the context of surrounding land-use as well as the previously addressed issues related to water, soil and air quality, noise, traffic, heritage, hazards, servicing and utilities, the proposal would be unlikely to have an unacceptable impact on the environment within or surrounding the site. The social and economic impacts of the proposal are expected to be positive.

5.12.3 Management and mitigation

Management and mitigation measures for each of the elements comprising a potential social impact (e.g. noise, traffic, visual amenity and air quality) have been addressed in their relevant sections of the SEE.

Table 14 - SIA Guideline - Impact Assessment

Matters	Key links to social impacts	Risk of impact without mitigation	Nature of Impact	Explanation
Amenity				
Acoustic	Way of life;	Unlikely	Negative	The development is not a noise generating activity.
Visual	Surroundings	Likely	Negative	The site and building design is likely to have an acceptable impact in terms of visual amenity
Odour	Surroundings	Unlikely	Negative	The proposal will not produce odour.
Micro climate	Surroundings	N/A	Nil	The proposal will not significantly impact micro climate.
Access				
Access to property	Way of life;	N/A	Nil	The proposal will not impact on access to neighbouring properties.
Utilities and public transport	Access to infrastructure, services and facilities;	Unlikely	Negative	Connection to urban service and utilities is required and will be completed to requirements of relevant authorities.
Road and rail	Personal and property rights.	Unlikely	Negative	The proposed development is within the capacity of local road conditions.
Built Environment				
Public domain	Community;	Unlikely	Nil.	The proposal will not impact the public domain as it will be located on private land.
Public infrastructure	Access to infrastructure, services and facilities;	Unlikely	Negative	Connection to urban service and utilities is required and will be completed to requirements of relevant authorities.
Other built assets	Surroundings; Personal and property rights	Unlikely	Nil.	The proposal will not preclude public access to built assets.

Table 06 - SIA Guideline - Impact Assessment (continued)

Matters	Key links to social impacts	Risk of impact without mitigation	Nature of Impact	Explanation
Heritage				
Natural	Way of life;	N/A	Nil	Natural heritage of the site is not compromised by the proposed development.
Cultural	Community;	Unlikely	Negative	The proposal will not impact on cultural values in the public domain.
Aboriginal culture	Culture;	Unlikely	Negative	The proposal has considered the likelihood that the land contains items of Aboriginal cultural significance.
Built	Surroundings.	Unlikely	Negative	There are no built heritage items registered on the site.
Community				
Health	Health and wellbeing;	Unlikely	Negative	The proposal does not create any health risks.
Safety	Surroundings	Unlikely	Negative	The proposal has been assessed as not increasing a known safety risk.
Services and facilities	Way of life, Access to infrastructure, services and facilities;	Unlikely	Nil	The proposal does not impact access to public services or facilities.
Cohesion, capital and resilience	Way of life; Community; Culture	Unlikely	Nil	The proposal does is unlikely to generate impacts.
Housing	Way of life, Personal and property rights.	Unlikely	Positive	The proposal creates new housing opportunities.

Table 06 - SIA Guideline - Impact Assessment (continued)

Matters	Key links to social impacts	Risk of impact without mitigation	Nature of Impact	Explanation
Economic				
Natural resource area	Way of life;	Unlikely	Negative	The proposal will utilise available natural resources in a sustainable manner.
Livelihood	Surroundings;	N/A	Nil	The proposal is unlikely to generate impacts.
Opportunity cost	Personal and property rights	N/A	Nil	The proposal is unlikely to generate impacts.
Air				
Air emissions.	Surroundings	Unlikely	Negative	The proposal is unlikely to generate impacts.
Biodiversity				
Native vegetation and fauna	Surroundings	Unlikely	Negative	Vegetation clearing is not proposed on site.
Land				
Stability/structure, land capability, topography	Surroundings	Unlikely	Negative	The proposal will not result in significant disturbance to the receiving environment.
Water				
Quality, availability, hydrological flows	Surroundings	Unlikely	Negative	The proposal is unlikely to generate impacts.

06

EVALUATION AND
JUSTIFICATION

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6.1 Objectives of the EP&A Act 1979

Development Consent is being sought under Section 4.16 of the EP&A Act and must therefore satisfy the objectives of the EP&A Act. The objectives of the Act are listed below:

- a. To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- b. To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- c. To promote the orderly and economic use and development of land,
- d. To promote the delivery and maintenance of affordable housing,
- e. To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- f. To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- g. To promote good design and amenity of the built environment,
- h. To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- i. To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- j. To provide increased opportunity for community participation in environmental planning and assessment.

The proposal is considered to be consistent with the above objectives. An objective of the EP&A Act is for the encouragement of ecologically sustainable development (ESD), which is assessed in the next section.

6.2 Ecological Sustainable Development

ESD is a long-standing and internationally recognised concept. The concept has been affirmed by the 2002 World Summit for Sustainable Development and has been included in multiple pieces of Federal and State legislation. Australia's National Strategy for Ecologically Sustainable Development (1992) defines ecologically sustainable development as:

Development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

The proposal has endeavored to address long established ESD principles, as follows:

- + The precautionary principle - No serious environmental threats have been identified.
- + Inter-generational (social) equity - Social equity provides a notion of preservation of environmental aspects that cannot be replaced for the enjoyment of future generations. Generally, such aspects relate to biodiversity, cultural heritage, land-use and the transformation of the locality as a result of the development. The proposal has considered such aspects and the SEE assessment concludes that environmental impacts will be within acceptable limits.
- + Conservation of biological and ecological integrity - The proposal has been designed to avoid impacts to flora and fauna.
- + Improved valuation, pricing and incentive mechanisms - Any waste generated from the proposal will be appropriately managed to minimise impacts on common public areas, the appropriate pricing mechanism are used to reflect the user pays approach to environmental management.

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6.3 Other relevant considerations

6.3.1 Safety, security and crime prevention

The proposed development is unlikely to result in unacceptable outcomes in terms of safety, security or crime risk. An assessment of the proposal against the principles of CPTED (Crime Prevention Through Environmental Design) has been completed and this work is presented in the section of this SEE dealing with Part P of the Cowra Council DCP 2021.

The proposed development will create a public safety risk that needs to be properly considered as part of the site is identified to be located below the Flood Planning Level. A detailed assessment of the likely risks associated with the flooding issue has been completed and included in Appendix A to this SEE. On the basis of the information that has been included in Appendix A, the risk of impact of floodwaters on the proposed development is assessed to be acceptable in the circumstances. The proposed dwellings and associated site access will be located above the flood planning level.

6.3.2 Cumulative Impacts

The potential environmental impacts of the proposal have been detailed in the relevant sections of the SEE. The proposal will not generate unacceptable environmental impacts. Overall, the proposal makes a neutral / positive contribution to the environment. The proposal is considered compatible with the site and its surrounds and does not contribute to having a significant cumulative impact.

6.3.3 Suitability of the site for the development

The environmental assessment work completed and detailed in this SEE demonstrates that the subject land is suitable for the proposed development. The proposed site and building design has been proposed in direct response to a detailed analysis of the key constraints and opportunities of the land.

6.3.4 Public interest

Due to the nature and scale of the proposed development, the public interest in the matter is assessed to be low, with the likely impacts concentrated on nearby land-use.

The proposal has been subject to consultation in accordance with the Cowra Community Participation Plan. The consultation resulted in two separate submissions being received by Cowra Shire Council, each of which raised a number of issues / concerns with the proposed development.

Cowra Shire Council has provided Currajong and the landowners with an opportunity to consider the issues / concerns raised in the submissions and as a result a number of design changes have been made and detailed in amended plans. These changes relate to the following:

- + Stormwater is now proposed to be discharged directly to the public drainage system in Walker Street via a system of charged pipes. On-site disposal of roofwater from the dwellings (and existing shed on the northern boundary) is no longer proposed.
- + The internal access driveways are proposed to be constructed with bitumen sealed surfaces to comply with Council's minimum standards and mitigate against potential vehicle noise.

Relevant State Government planning policies and guidelines have been identified and considered as part of the preparation of the subdivision design and assessed in this report. Compliance can be achieved.

There are no covenants, easements or agreements that affect the proposal in the long term.

The proposal is assessed to pose no significant detrimental impacts on the public interest.

07

**THE
CONCLUSION**

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This Statement of Environmental Effects (SEE) has been prepared by Currajong Pty Ltd (Currajong) on behalf of Thomas and Gabrielle Bruin for the proposed development of the land at Lot 1 DP 599492, being 17 Walker Street Cowra.

The proposed development is described as a three lot Torrens Title subdivision (creating two additional lots) and subsequent construction of two separate dwellings on the new allotments. The dwellings are to be constructed as single storey brick veneer structures, serviced by a common practical access to Walker Street. The proposed location of the dwellings on the property means that they will not have a streetscape presence to Walker Street.

The land at 17 Walker Street contains an existing dwelling and several ancillary shed structures. The existing structures are located generally along the eastern and northern boundaries of the site, leaving a large land area towards the rear of the holding that is under utilised and which generally lends itself to redevelopment.

The assessment of the proposed development has been documented in this Statement of Environmental Effects to visualise all aspects of the relevant matters for consideration under the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021. The assessment concludes the proposed development is permissible in the R1 General Residential zone and is generally consistent with the Cowra Comprehensive Development Control Plan 2021 except that a variation is required to the following standards:

- + Control D.3.3 (f) relating to the design of battle-axe shaped subdivisions. Whilst the proposal does not create new battle-axe shaped lots, the practical arrangement of the subdivision lots carries similarities to battle-axe design given that access is to be achieved via a common internal access handle. The proposal does not comply with minimum requirements for lot size, which is prescribed to be 900m².

Council is asked to support a variation to the DCP control, as the proposed lot sizes comply with Cowra Local Environmental Plan 2012 and the proposed design of the development is capable of achieving objectives related to safe practical vehicle / pedestrian access and acceptable resident and neighbour amenity.

It is recommended that sufficient information has been submitted with the Development Application to allow the Cowra Shire Council to make an informed decision on the proposal. It is the findings of this Statement of Environmental Effects that the proposed development is capable of being supported by Council.



FLOOD PLANNING REPORT

1. Purpose of this Report

This Flood Planning Report has been prepared in support of the lodgement of a Development Application for a 3 lot subdivision and construction of 2 single dwellings on the land at 17 Walker Street, being Lot 1 DP 599492. More specifically, this report has been prepared in order to address the requirements of:

- + Clause 5.21 of Cowra Local Environmental Plan 2012.
- + Part O of the Cowra Council Comprehensive Development Control Plan 2021 which is required to be considered when new development is proposed on flood prone land.

The report has also been prepared in order to present the findings of registered survey work completed in order to establish the Flood Planning Level for the subject land and it's relationship to the proposed site and building design.

2. Flood Planning Policy Context

The following policies / legislative provisions form the flood planning framework for land in the Cowra Shire:

- + Cowra and Gooloogong Floodplain Risk Management Plan and Study 2006, prepared by SMEC.
- + Cowra and Gooloogong Flood Studies 1999, prepared by Lyall and Macoun Consulting Engineers.
- + Cowra Local Environmental Plan 2012 (the LEP) and specifically the provisions contained in Clause 5.21 - Flood Planning, and the accompany Flood Planning Maps.
- + Cowra Comprehensive Development Control Plan 2021 (the DCP) and specifically the provisions contained in Part O.1 - Flood Risk Management.
- + Building Code of Australia.

A detailed review of the flood planning framework has been completed as part of the preparation of this report. The following information has been determined to be particularly relevant for consideration as part of the proposed development.

- + It appears the technical information in the Cowra and Gooloogong Floodplain Risk Management Plan 2006 is based on the same data in the Cowra and Gooloogong Flood Studies 1999. The difference in the two studies is that the 2006 study has been prepared in accordance with the guiding framework in the NSW Government's Flood Prone Land Policy and the Floodplain Development Manual. In determining the relevant flood planning requirements for the subject land, both studies are of particular relevance and have been considered conjointly.

- + The subject land is not shown to be located within the Flood Planning Area. This is evidenced on Flood Planning Map FLD_002C in Cowra Local Environmental Plan 2012, an extract of which is shown in Figure 1.
- + The land is shown to be within the Probable Maximum Flood (PMF) area. This is evidenced in Map 1 - Flood Hazard Category Map (Lachlan River) in Appendix A of Part O of the DCP. An extract of this map is shown in Figure 2. Cowra Council does not apply flood controls to land between the 1% AEP and the PMF level.
- + Despite the above two assessment findings, a detailed site survey confirms that part of the land is in fact below the Flood Planning Level. This assessment finding is based on the practical application of the AHD levels informing the 1% AEP Flood Level in the Cowra and Gooloogong Floodplain Risk Management Study and Plan.
- + The Flood Hazard Category for the subject land is identified to be High Hazard Flood Fringe.

APPENDIX A - FLOOD PLANNING REPORT

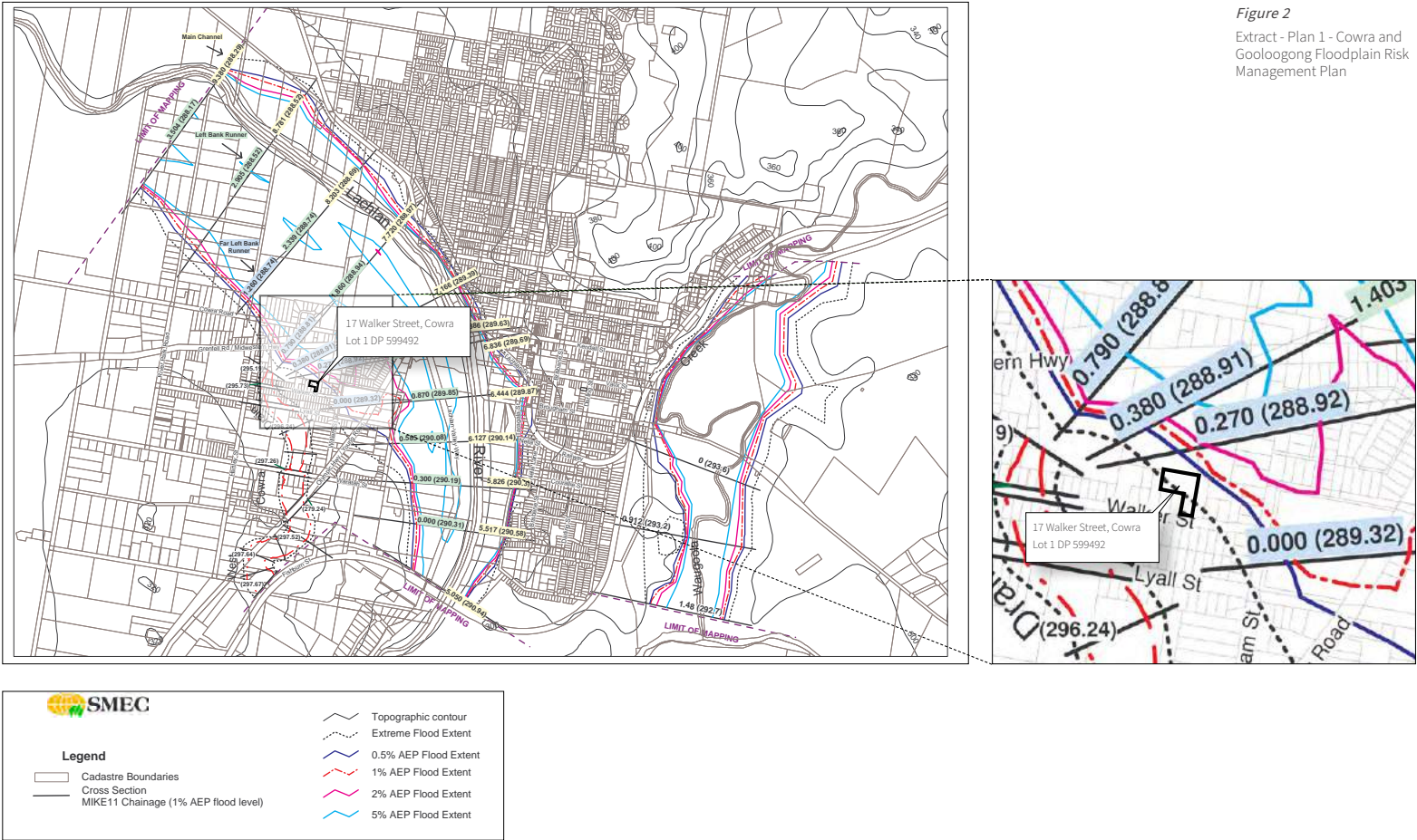
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Figure 1
Flood Planning Map Sheet
FLD_002C - Cowra LEP 2012

APPENDIX A - FLOOD PLANNING REPORT

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APPENDIX A - FLOOD PLANNING REPORT

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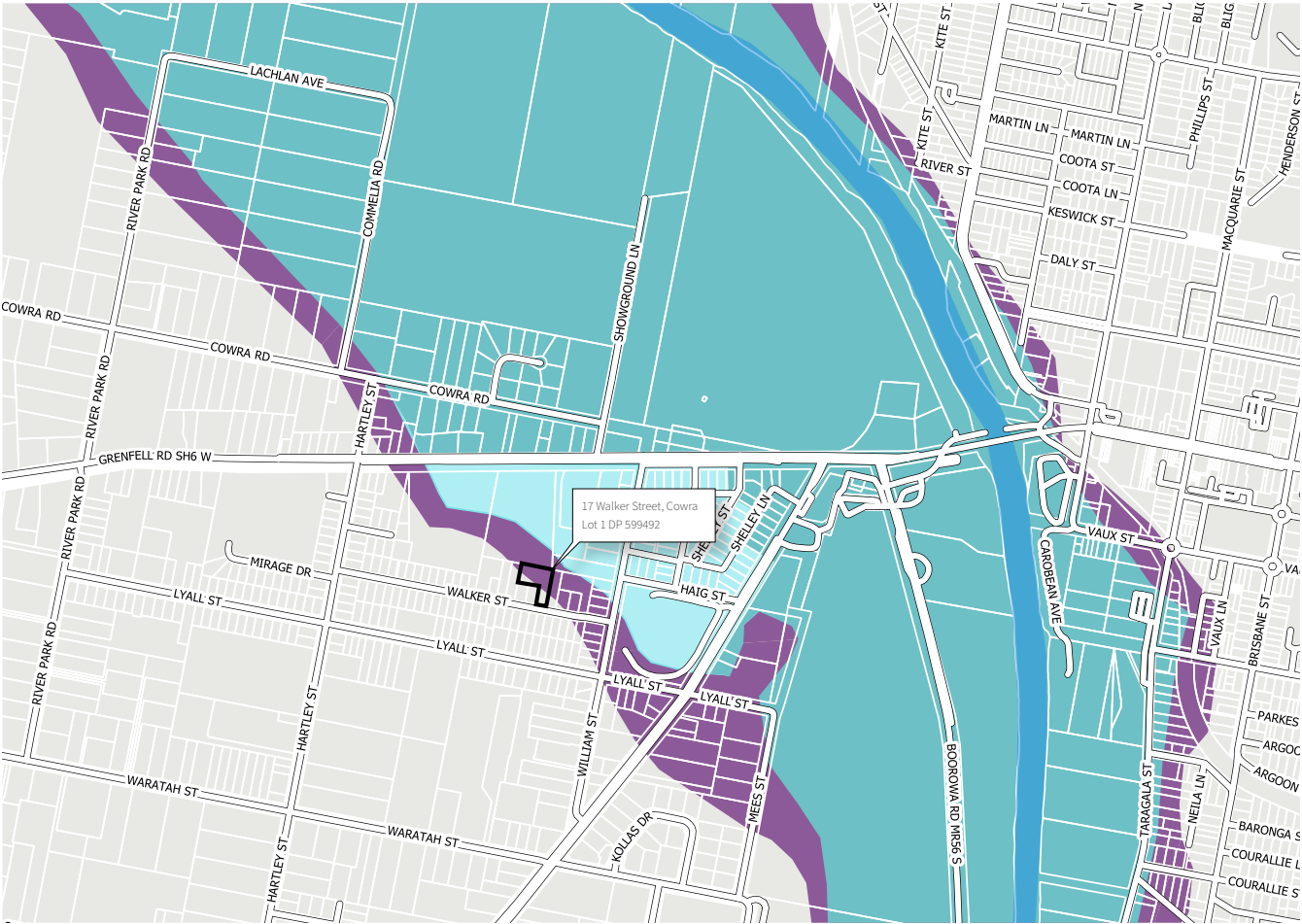


Figure 3
Extract - Flood Hazard Category
Map - Cowra DCP 2021

- Legend: Flood Hazard Categories
- High Hazard Floodway
 - High Hazard Flood Fringe
 - Extreme Hazard
 - Lachlan River

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APPENDIX A - FLOOD PLANNING REPORT

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3. Establishing the Flood Planning Level

A review of the following flood studies have been undertaken in order to establish the relevant Flood Planning Levels for the proposed development:

- + Cowra and Gooloogong Floodplain Risk Management Plan and Study 2006, prepared by SMEC. Referred to in this section as the SMEC Study.
- + Cowra and Gooloogong Flood Studies 1999, prepared by Lyall and Macoun Consulting Engineers. Referred to in this section as the Lyall and Macoun Study.

The relevant levels are described in Table 1.

For the purposes of Part 0.1 of the DCP, the Flood Planning Level means the level of a 1% flood event plus 0.5 metre freeboard. The Flood Planning Level determines the Flood Planning Area. In Cowra and Gooloogong, the Flood Planning Level has been set as the 1% AEP Flood even plus 0.5m for residential and commercial development.

The Flood Planning Level for Lot 1 DP 599492 is therefore the 1% AEP level + 0.5m freeboard. The Flood Planning Level is therefore calculated to be 288.92 AHD + 0.5m = 289.42AHD.

A detailed site survey and contour plan has been prepared for this project. The location of the 1% AEP has been clearly marked on the plan. The development plans for the proposed dwellings also show the finished surface level for the proposed building pads will be:

- + 290.3 AHD for proposed dwelling No. 1
- + 289.8 AHD for proposed dwelling No. 2.

In order to understand the expected depth of floodwaters on the land, a calculation can be completed which compares the identified Flood Planning Levels to the site levels established by the survey and architectural design work. This work is presented in Tables 2 and 3.

A copy of the plan prepared by the registered surveyor and used to inform the above calculations is included in Figure 4.

Table 1 - Flood Levels

AEP	Translation	Identified Level	Policy Reference
1%	1 in 100 year Flood	288.92 AHD	Lyall & Macoun Study, Table 4.1 (P.26) - Mike 11 Chainage 0.270 SMEC Study, Plan 1 - Mike 11 Chainage 1.190
2%	1 in 50 year Flood	Not Identified	Lyall & Macoun Study, Table 4.1 (P.26) - Mike 11 Chainage 0.270
5%	1 in 20 year Flood	Not identified	Lyall & Macoun Study, Table 4.1 (P.26) - Mike 11 Chainage 0.270

Table 2 - Expected Flood Water Depths - Relative to Natural Ground Level (NGL)

AEP	Translation	Identified Level (AHD)	NGL (highest point)	NGL (lowest point)	Min / Max Floodwater Depth
1%	1 in 100 year Flood	288.92 AHD	291.0 AHD	288.4 AHD	- / 0.52m
2%	1 in 50 year Flood	Not Identified			
5%	1 in 20 year Flood	Not Identified			

Table 3 - Expected Flood Water Depths - Relative to Finished Floor Level

AEP	Translation	Flood Planning Level *	Finished Ground Level (Dwelling 1 / 2)	Floodwater Depth
1%	1 in 100 year Flood	289.42 AHD	290.3 AHD / 289.8 AHD %	Nil.
2%	1 in 50 year Flood	Not Identified		
5%	1 in 20 year Flood	Not Identified		

Identified Level (AHD) + 0.5m Freeboard

% Add 200mm (approx) for Finished Floor Level

APPENDIX A - FLOOD PLANNING REPORT

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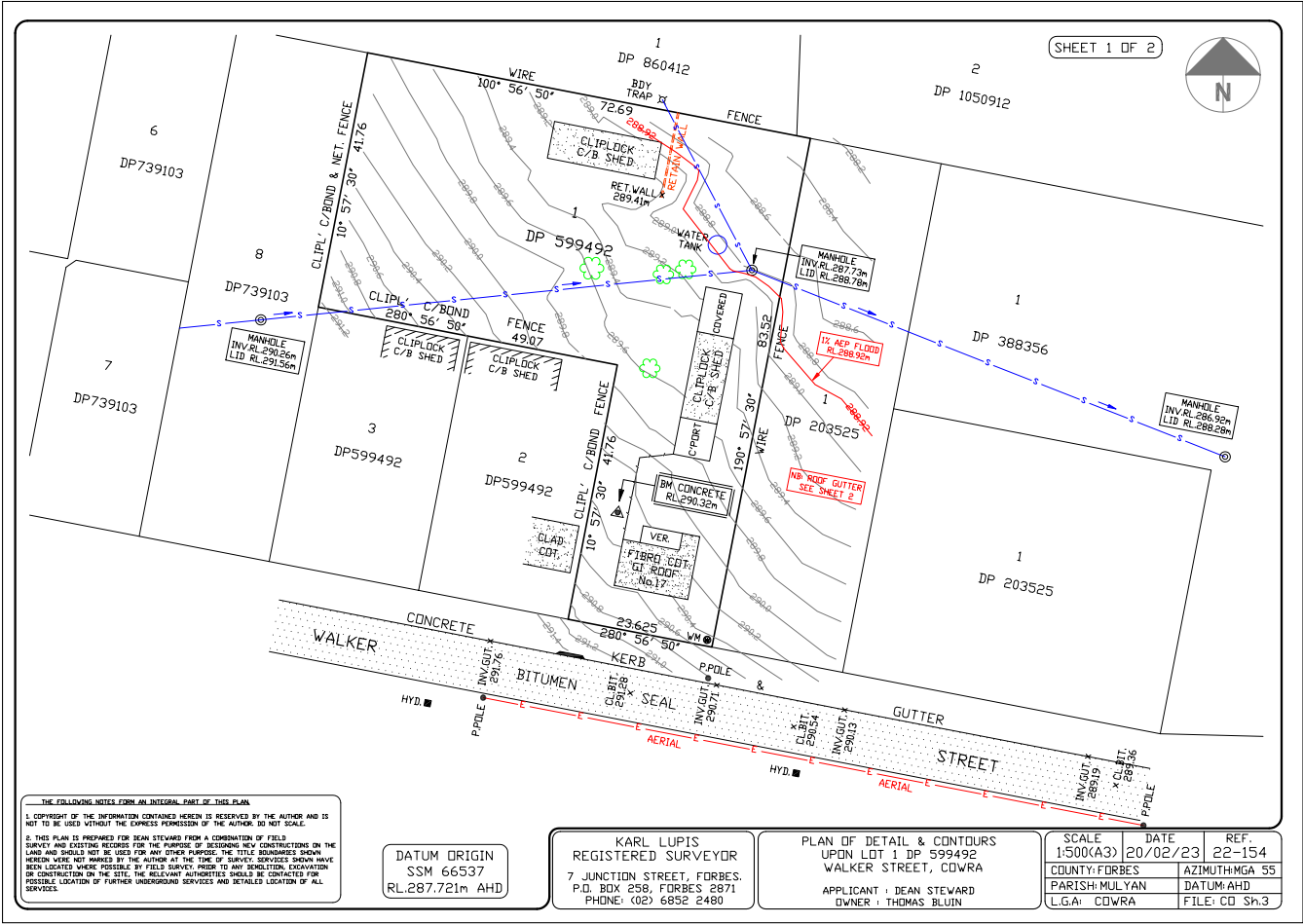


Figure 4
Site survey

APPENDIX A - FLOOD PLANNING REPORT

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4. Establishing the Peak Floodwater Velocity

A review of the following flood studies has been undertaken in order to establish the expected peak floodwater velocity for the subject land:

- + Cowra and Gooloogong Floodplain Risk Management Plan and Study 2006, prepared by SMEC. Referred to in this section as the SMEC Study.
- + Cowra and Gooloogong Flood Studies 1999, prepared by Lyall and Macoun Consulting Engineers. Referred to in this section as the Lyall and Macoun Study.

The expected peak floodwater velocities for the various flood events are described in Table 4.

Part O.1.9 of the DCP requires a DA to demonstrate that proposed structures within the Flood Planning Area can withstand the force of floodwaters on the land.

Table 4 - Flood Velocities - Lachlan River

AEP	Translation	Peak Velocity	Policy Reference
1%	1 in 100 year Flood	0.22 m/s	Lyall & Macoun Study, Table 4.3 (P.30) - Mike 11 Chainage 0.270
2%	1 in 50 year Flood	Not identified	
5%	1 in 20 year Flood	Not identified	

As the proposed buildings are to be constructed above the Flood Planning Level, they do not require engineering certification.

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5. Establishing Permissibility of Use

Cowra Local Environmental Plan 2012

The site is zoned R1 General Residential under the Cowra Local Environmental Plan 2012. Figure 2 of the Statement of Environmental Effects includes a map that shows the zoning framework for the site and surrounding areas.

Development for the purposes of residential land subdivision and associated dwelling development is permissible in the R1 zone with consent of Council.

Special provisions are contained in Clause 5.21 of Cowra Local Environmental Plan 2012 relating to development generally in flood prone areas and this is assessed in a further section of this report.

Cowra Comprehensive Development Control Plan 2021

Section O.1.7 of the Cowra Comprehensive Development Control Plan 2012 (the DCP) establishes a framework to guide the permissibility of certain uses on land that is located within the Flood Planning Area.

The DCP requires the flood hazard category for the land to be established in the first instance. The Flood Hazard Category for the subject land is identified to be High Hazard Floodfringe, although this is assumed given the subject land is not shown to be affected by flooding on Map 1 - Flood Hazard Category Map (Lachlan River) in Appendix A of Part O of the DCP.

Table 2 of the DCP provides that residential development, limited to single dwellings, is permissible on land in High Hazard Flood Fringe Areas, subject to compliance with the DCP. Medium or high density residential developments are not permissible. Subdivision development is also not permissible.

The proposed dwelling development is not prohibited by the DCP as it has been suitably demonstrated that the buildings are to be positioned on land that is above the Flood Planning Level. Residential land-uses are not proposed on the part of the site which is below the Flood Planning Level, being 289.42 AHD.

The proposed subdivision is not prohibited by the DCP as it has been suitably demonstrated that:

- + Proposed Lot 1 will be created for the purposes of accommodating the existing dwelling and shed infrastructure. Proposed Lot 1 contains the majority of land that is below the Flood Planning Level. No new residential development is proposed on this lot. The creation of this lot does not have the result of increasing the density of residential development on land below the Flood Planning Level.
- + Proposed Lot 2 will be created for the purposes of accommodating Dwelling No. 1. This lot does not contain any land area that is below the Flood Planning Level. Flood free access is available to this lot from Walker Street.
- + Proposed Lot 3 will be created for the purposes of accommodating Dwelling No. 2. A small amount of land area within this lot would be below the Flood Planning Level, however the proposed dwelling and site access are located above this level.

6. Designing for flood compatibility

With the flood planning requirements for the land having been established, the site and building design process has subsequently been completed in a way that minimises potential impacts from flooding on both the subject land and nearby properties and land-uses.

The following components of the site design have been purposefully created with this focus:

- + Positioning of proposed dwellings on land that is above the Flood Planning Level.
- + Provision of site access (vehicles and pedestrians alike) to Walker Street via land that is above the Flood Planning Level.
- + Minimisation of cut and fill to ensure that the existing natural landform is retained where possible. Small amounts of earthworks will however be necessary in order to allow for the practical construction of the car parking area.

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7. Environmental Impact Assessment

Clause 5.21 - Cowra Local Environmental Plan 2012

Clause 5.21 of Cowra Local Environmental Plan 2012 applies to any new development that the consent authority considers to be within the Flood Planning Area.

The objectives of Clause 5.21 are as follows

- a. To minimise the flood risk to life and property associated with the use of land,
- b. To allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
- c. To avoid adverse or cumulative impacts on flood behaviour and the environment,
- d. To enable the safe occupation and efficient evacuation of people in the event of a flood.

The proposed development is generally consistent with the objectives of Clause 5.21. Appropriate measures have been incorporated into the site and building design to ensure that flooding will not impact the use of the land for residential purposes.

Clause 5.21(2) requires that Cowra Shire Council must not grant consent to development on land within the Flood Planning Area unless it is satisfied in relation to a number of matters. These matters are listed in Table 5 including an appropriate assessment response.

Table 5 - Clause 5.21(2) Assessment

Clause	Provision	Assessment Response
5.21(2)(a)	The consent authority must be satisfied that the development is compatible with the flood function and behaviour of the land.	The proposed development is likely to be compatible with the flood prone nature of the land for the reasons specified in Section 6 of this report.
5.21(2)(b)	The consent authority must be satisfied that the development will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties	<p>The analysis presented in Sections 3 and 4 of this Flood Report identifies that a small part of the site is likely to be affected by floodwaters in a 1% AEP event and that the waters are likely to be shallow and slow moving.</p> <p>As the proposed dwellings are to be located on land that is above the Flood Planning Level, the consent authority can be satisfied that the proposed development will not affect flood behaviour. The proposed site layout eliminates any risk that the built form will have the potential to increase the flood affectation of other nearby development or properties.</p>
5.21(2)(c)	The consent authority must be satisfied that the development will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood	<p>The analysis presented in Sections 3 and 4 of this Flood Report identifies that a small part of the site is likely to be affected by floodwaters in a 1% AEP event and that the waters are likely to be shallow and slow moving. When this information is compared to the site contour survey presented in Figure 4, it can be determined that residents of the proposed dwellings can evacuate safely, if necessary, via flood free land to Walker Street. On this basis, the consent authority can be satisfied that development will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood.</p>
5.21(2)(d)	The consent authority must be satisfied that the development incorporates appropriate measures to manage risk to life in the event of a flood	<p>Recent floods in the Lachlan River have shown that adequate warning and evacuation procedures are generally in place for the Cowra community, managed by the NSW State Emergency Service and Cowra Shire Council.</p> <p>In the context of the development, the risk to life is minimised by:</p> <ul style="list-style-type: none"> + The likelihood that floodwater is likely to be shallow and slow moving.

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Table 5 - Clause 5.21(2) Assessment (cont.)

Clause	Provision	Assessment Response
		<p>✚ An appropriate site design that locates proposed building and site access above the Flood Planning Level.</p> <p>On this basis, the consent authority can be satisfied that appropriate measures have been incorporated to manage risk to life in the event of a flood.</p>
5.21(2)(e)	The consent authority must be satisfied that the development will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	<p>The Statement of Environmental Effects submitted in support of the Development Application contains confirms that the proposed development is likely to have an acceptable environmental impact. Appropriate measures have been identified to help minimise likely impacts related to soil and water quality.</p> <p>The land does not contain any riparian vegetation and is sufficiently distanced from the banks of the Lachlan River. Impacts are unlikely.</p>

Clause 5.21(3) requires that Cowra Shire Council, in deciding whether to grant consent to the proposed development, must consider a number of matters. These matters are listed in Table 6 including an appropriate assessment response.

Table 6 - Clause 5.21(3) Assessment

Clause	Provision	Assessment Response
5.21(3)(a)	The consent authority must consider the impact of the development on projected changes to flood behaviour as a result of climate change	The proposed development has been designed to comply with current planning controls which aim to protect the development from flooding impacts based on known historical flood data. The changes to the expected flood levels in the Lachlan River as a result of climate change are difficult to predict with any certainty. In the absence of any credible scientific analysis it is difficult to form an assessment opinion that the proposed development should be refused on the basis of climate change impacts on flooding in the Lachlan River.
5.21(3)(b)	The consent authority must consider the intended design and scale of buildings resulting from the development.	The proposed buildings are located above the Flood Planning Level. The design and scale of the proposed buildings are therefore acceptable and will not be impacted by flooding.

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Table 6 - Clause 5.21(3) Assessment (cont.)

Clause	Provision	Assessment Response
5.21(3)(c)	The consent authority must consider whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood	<p>Recent floods in the Lachlan River have shown that adequate warning and evacuation procedures are generally in place for the Cowra community, managed by the NSW State Emergency Service and Cowra Shire Council.</p> <p>In the context of the development, the risk to life is minimised by:</p> <ul style="list-style-type: none">✚ The likelihood that floodwater is likely to be shallow and slow moving.✚ An appropriate site design that locates proposed building and site access above the Flood Planning Level. <p>On this basis, the consent authority can be satisfied that appropriate measures have been incorporated to manage risk to life in the event of a flood.</p>
5.21(3)(d)	The consent authority must consider the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.	<p>The proposed buildings are located above the Flood Planning Level. Modification, relocation or removal of the buildings will not be necessary.</p>

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Part O - Cowra DCP 2021

Part O applies to all new development in the Cowra Shire Local Government Area. Part O. 1 has particular relevance to the proposed development as part of the land is located within the Flood Planning Area.

A review of Part O.1 has been completed and an assessment of consistency against key standards and controls included in Table 6.

Table 6 - DCP Assessment - Part O

Clause	Requirement (Summarised)	Statement of Consistency
Information to accompany a Development Application		
O.1.8.a	A statement or justification as to why the proposed development is appropriate on flood prone land.	<p>The proposed development is considered to be appropriate on flood prone land for the following reasons:</p> <ul style="list-style-type: none">+ The proposed dwellings on the land have been positioned above the Flood Planning Level.+ The dwellings are provided with site access (vehicles and pedestrians alike) to Walker Street via land that is above the Flood Planning Level.+ Cut and fill has been minimised to ensure that the existing natural landform is retained where possible.+ The proposed use is permissible under the zoning framework for the land in Cowra Local Environmental Plan 2012.+ The proposed use is permissible under the land-use guidelines established in the Cowra Comprehensive DCP 2021 for the relevant flood hazard category assigned to the land.+ An environmental impact assessment confirms that the proposed development is within acceptable limits.
O.1.8.a	A survey plan showing the proposed building, existing ground levels to AHD around the perimeter of the building, the level of the 1% AEP Flood, and the proposed floor levels relative to the 1% AEP Flood.	<p>A survey plan has been prepared and is included in Figure 4 of this Flood Report. A detailed analysis of levels is also included in Section 3 of this Flood Report.</p>

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Table 6 - DCP Assessment - Part O (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Information to accompany a Development Application		
O.1.8.a	<p>A report from a qualified engineer that demonstrates that:</p> <ul style="list-style-type: none"> + The development will not increase the flood hazard or risk to other properties; + The structure of the proposed buildings will be adequate to deal with flooding situations; + The proposed building materials are suitable; + The buildings are sited in the optimum position to avoid flood waters and allow safe flood access for evacuation; + The proposed redevelopment will not expose any resident to unacceptable levels of risk, or any property to unreasonable damage; and 	<p>This Flood Report is provided in support of the Development Application to address the requirements of O.1.8.a of the DCP. Currajong is suitably qualified urban planning consultancy with experience in flood planning and environmental impact assessment.</p> <p>This Flood Report includes a detailed assessment of the matters prescribed by Clause 5.21 of Cowra Local Environmental Plan 2012. This assessment finds that the proposed development should not impact flood behaviour or increase flood risk to vulnerable properties adjacent or nearby to the subject land.</p> <p>The proposed buildings are located above the Flood Planning Level and as a result do not need to be engineered to withstand floodwaters.</p> <p>The proposed building and construction materials are as noted on the plans submitted with the Development Application. Flood compatible buildings materials are not necessary given the buildings are located above the Flood Planning Level.</p> <p>The proposed buildings have been positioned on the site to be above the Flood Planning Level.</p> <p>The proposed will not expose any resident to unacceptable levels of risk, or any property to unreasonable damage.</p>
Flood Controls		
O.1.9.1.a	<p>Cut and fill should be minimised for all development at or below the FPL.</p>	<p>The proposed site and building design ensures that the existing natural landform is retained where possible. Small amounts of earthworks will be necessary in order to allow for the practical construction of the proposed dwellings.</p>

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Table 6 - DCP Assessment - Part O (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
Flood Controls - Generally		
O.1.9.1.b	All buildings at or below the FPL should be constructed of flood compatible materials. Refer to Appendix B for flood compatible materials.	The proposed dwellings will be constructed on land that is above the Flood Planning Level.
O.1.9.1.c	All development applications should demonstrate that the proposed structure can withstand the force of floodwater, debris and buoyancy	The proposed buildings are located above the Flood Planning Level and as a result do not need to be engineered to withstand floodwaters.
O.1.9.1.d	Solid fences that impede the flow of floodwaters are not permissible. Fences should be at least 50% open to allow the progress of floodwaters.	Solid fencing is not proposed along the northern property boundary.
Flood Controls - Residential Development		
O.1.9.2.a	Floor levels of all habitable rooms or rooms with connection to sewer infrastructure should not be less than the Flood Planning Level (which means the level of a 1:100 ARI flood even plus a 0.5m freeboard).	The proposed development complies. The assessment work presented in this Flood Report suitably demonstrates that the finished floor level of the proposed dwellings will be above the Flood Planning Level.
	Upon completion and prior to the occupation (where relevant) a certificate by a registered surveyor should be submitted to Council showing that the finished ground and floor levels conform to approved to approved design levels.	The applicant expects that Council will apply a condition of consent. The proposal is capable of complying.

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Table 6 - DCP Assessment - Part O (cont.)

Clause	Requirement (Summarised)	Statement of Consistency
0.1.9.3.c	Despite controls (a) and (b) above and the controls contained in Section 0.1.7, this plan permits alterations and additions to existing dwellings with floor levels below the Flood Planning Level, subject to certain prescribed requirements.	Not relevant to the proposed development.
Flood Controls - Subdivision		
0.1.9.6.a	Council will not support any Development Application for a residential subdivision where it is evident that a flood free building envelope and safe internal access from / to the public road network cannot be provided. The building envelope and access should be flood free in a 1% AEP event.	The proposed development complies. The assessment work presented in this Flood Report suitably demonstrates that the finished floor level of the proposed dwellings and site access will be located above the Flood Planning Level.
	Subdivision will not be permitted where creation of such lot will create the potential for increased intensity of development within the Flood Planning Area.	<p>The proposed subdivision will not create the potential for increased intensity of development within the Flood Planning Area for the following reasons:</p> <ul style="list-style-type: none"> + Proposed Lot 1 will be created for the purposes of accommodating the existing dwelling and shed infrastructure. Proposed Lot 1 contains the majority of land that is below the Flood Planning Level. No new residential development is proposed on this lot. The creation of this lot does not have the result of increasing the density of residential development on land below the Flood Planning Level. + Proposed Lot 2 will be created for the purposes of accommodating Dwelling No. 1. This lot does not contain any land area that is below the Flood Planning Level. Flood free access is available to this lot from Walker Street. + Proposed Lot 3 will be created for the purposes of accommodating Dwelling No. 2. A small amount of land area within this lot would be below the Flood Planning Level, however the proposed dwelling and site access are located above this level.

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8. Conclusion

This Flood Planning Report has been prepared in support of the lodgement of a Development Application for a 3 lot subdivision and construction of 2 single dwellings on the land at 17 Walker Street, being Lot 1 DP 599492. The report has also been prepared in order to present the findings of registered survey work completed in order to establish the Flood Planning Level for the subject land and its relationship to the proposed site and building design.

The Flood Report concludes that the proposed use of the land is generally appropriate having regard to an assessment of the relevant policy / legislative considerations contained in Cowra LEP 2012 and the Cowra Comprehensive DCP 2021.

The proposed development is considered to be appropriate on flood prone land for the following reasons:

- + The proposed dwellings on the land have been positioned above the Flood Planning Level.
- + The dwellings are provided with site access (vehicles and pedestrians alike) to Walker Street via land that is above the Flood Planning Level.
- + Cut and fill has been minimised to ensure that the existing natural landform is retained where possible.
- + The proposed use is permissible under the zoning framework for the land in Cowra Local Environmental Plan 2012.
- + The proposed use is permissible under the land-use guidelines established in the Cowra Comprehensive DCP 2021 for the relevant flood hazard category assigned to the land.
- + An environmental impact assessment confirms that the proposed development is within acceptable limits.





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Date: 27/09/2023 3:12 PM

DA 1/2023 - 17 Walker Street Cowra

Map Scale: 1:2630 at A4

Created on 27/09/2023



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DA 1/2023 - 17 Walker Street Cowra

Map Scale: 1:862 at A4



24 August 2023

Mr Glenn Oakley
Manager – Planning
Cowra Shire Council
Private Bag 342
Cowra NSW 2794

By email to: goakley@cowra.nsw.gov.au

VATIER

ADDITIONAL INFORMATION REQUEST

DA 1/2023 – 17 WALKER STREET, COWRA NSW 2794

I refer to Council's letter dated 9 May 2023 requesting additional information in relation to Development Application No. 1/2023 for the land at 17 Walker Street Cowra.

Currajong provides you with the following information to address the matters listed in Council's letter:

SHED – RESIDENTIAL USE

The landowners have made a decision that they do not wish to seek approval for the continued use of the building for residential purposes.

Structural engineering advice has been received, as well as advice from Council's consulting building surveyor on the matter. The scope of work required to bring the building into compliance with the requirements of the Building Code of Australia for a Class 1a Structure is not feasible to the landowners.

Please accept this letter as formal advice that the landowners wish to continue using the building for its approved purpose as a Class 10a structure.

To enable the use of the building in a manner that is consistent with the Class 10a classification, the kitchen and cooking facilities have been removed from the building and it will no longer be used for residential occupation. Evidence of this work being carried out is provided in the form of photographs included as an attachment to this letter. This approach is consistent with advice provided by Council's Consulting Building Surveyor during an on-site inspection of the premises completed on 6 August 2023.

UNAPPROVED AWNINGS

The owners wish to continue the use of the 2x awning structures on the land.

Currajong has lodged the following applications with Cowra Shire Council via the NSW Planning Portal for assessment and determination:

- DA – Continued use of existing shed awnings (x2)
- Building Information Certificate



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56644651936

**SELF STORAGE UNITS**

The owners wish to continue the use of the existing building for self-storage units on the land.

Currajong has lodged a DA with Cowra Shire Council, via the NSW Planning Portal, for assessment and determination. The proposal is to utilise the provisions contained in Clause 5.3 of Cowra Local Environmental Plan 2012.

On the basis of the above advice, we understand that all outstanding additional information matters are now addressed and that Council can continue with the assessment of DA 1/2023.

I have submitted a revised SII to ensure it includes relevant details pertaining to the above.

If you would to discuss this matter, please contact me on 0423 217 243.

Dean Steward
Senior Planner



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ATTACHMENT - PHOTOGRAPHIC RECORD



Photo – Prior to removal of kitchen and cooking facilities

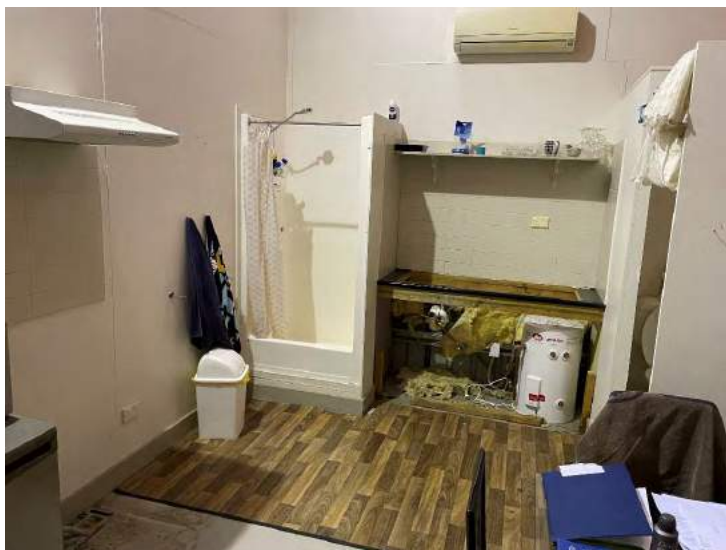


Photo – Post removal of kitchen and cooking facilities



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RECEIVED
Cowra Shire Council
24 January 2023
Plan No: DA 1/2023

From: [Ben Galea](#)
To: [Council](#)
Subject: Development proposal-DA 1/2023
Date: Tuesday, 24 January 2023 8:43:17 AM

Hi Glenn,

I request that the DA in question does not go ahead for at least the reasons stated in the next few points-

1. The entry to the 2 houses is less than 2m from my house causing undue noise from vehicle movements.
2. The residents of 17 have had a person living in the first shed in picture 3 for a number of years that's 3 vehicles already.
3. The residents of 17 also allegedly rent out the individual bays of the shed in pic 2 and as a result I already have more than enough vehicles passing close to my house at various times during the day.
4. Walker street is a narrow street and at present a single car parked in the street causes traffic to stop and give way therefore more vehicles travelling along Walker street will only make the street more dangerous.
5. Cowra is a country town with no need to jam houses in unnecessary spots as subdivisions are not completely full.
6. Past resident the late Mr Greg Fletcher made a similar request for a DA some time ago that was knocked back by council that may be worth noting.

Thanks Ben Galea

2023/1695

RECEIVED
Cowra Shire Council
24 January 2023
Plan No: DA 1/2023

E J & J E Peterson

24 January 2023

The General Manager
Cowra Shire Council
Private Bag 342
COWRA NSW 2794

Dear Sir

Re: Development Application 1/2023 17 Walker Street Cowra

We have received your notice of the proposed development at the above address, plus a copy of the Stormwater Management Proposal for that development, and would like to make the following submission.

1 Proposed Stormwater Management for 17 Walker Street

We note that there will be a tank attached to each dwelling, with overflow from each, as well as that of the tank behind the storage sheds, to be directed to a level spreader, situated beside our boundary fence.

We **STRONGLY OBJECT** to the positioning of the level spreader on our boundary, with overflow directed to our property.

While it is 5 metres wide, it is still a collection point for rooftop stormwater from three structures. Unless water from the tanks is regularly utilised, with storms such as we have had recently, water will accumulate in the spreader and spill directly into our land in a more concentrated form than from a normal rain event.

As a side note we were disappointed to see that, without any reference to us at any stage, the overflow pipe from the tank at the back of the storage sheds

2023/1695

was directed at our property, and we only recently discovered this. We will therefore be grateful if that overflow is incorporated in the overall plan.

We would suggest that a better option would be to have the spreader located further towards Walker Street to minimise the amount of water which impacts us and allow the maximum amount of stormwater to stay on the property where it originates.

Or perhaps take the water from the tank on Lot 3 to the tank on Lot 2 and then pipe/pump to Walker Street?

While our land is "vacant" at the moment, it nevertheless is our home.

The land is zoned Light Industrial due to flood lines, but we pay Residential rates on the full 3.024 hectares and therefore should be respected as such and not used as a virtual "holding tank" for everyone else's stormwater collections.

We already receive stormwater from four points:

- a West Cowra drainage system through Lyall and Walker Streets via Hurrell's paddock, which spills to the lower half of our paddocks when a storm occurs, such as on Sunday 13 November.
- b Lynch's storage sheds at 50 Grenfell Road - the stormwater flows to their perimeter gate instead of to the weir (which we constructed) between their land and William Street blocks, and, due to the fall in the ground between the gate and Grenfell Road, flows into our property east of our driveway, where it sits until absorbed or evaporates.
- c Unfinished shed at the rear of 33 Walker Street - no downpipes have as yet been connected. (We refer to our letter to Council dated 10 October 2022 re DA 121/2021.)
- d The underground pipe from north side of Hartley Street to our side of Grenfell Road. Water from this pipe flows down the verge to a pit at our front gate, and unless the dish drain is kept clear by Council maintenance team, overflows into the front of our property.

Please note that due to the amount of stormwater which already impacts our property, from all four sides, we will be addressing our concerns to you in a separate submission which we hope will be taken note of by the Council when planning the West Cowra stormwater system.

2023/1695

2 Sewer Line shown inside northern boundary of 17 Walker Street on Sheet A.01

This line is actually situated on our land, and is a private line, paid for by us at the time of building our house in 1985, to connect our property to the main line which runs across proposed Lot 2 to Lot 1 and on to William Street. An inspection point is situated on our property, level with the tank behind the five storage sheds in 17 Walker Street. (Photo attached).

It was impossible to connect to Grenfell Road sewer main as our land falls in the middle and then rises again to Grenfell Road.

In summary, we have no objection to the construction of the dwellings, but have very serious concerns about the stormwater management plan as projected.

Yours faithfully

E J & J E Peterson



2023/1695



Sewer line inspection point inside 52 Grenfell Road - Walker Street storage units in background.

2023/1695



Rear of storage sheds on 17 Walker Street, showing overflow towards 52 Grenfell Road.

Response to Submissions


17 Walker Street, Cowra

DA 1/2023

Prepared for:
T & G Bruin
17 Walker Street
COWRA NSW 2794

Prepared by:
Currajong
205A Clarinda Street
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DOCUMENT CONTROL

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SUBMISSION MAKER	SUMMARY OF ISSUE RAISED	PLANNING RESPONSE	PROPOSED DESIGN RESPONSE
E J & J E Peterson 52-70 Grenfell Road COWRA NSW 2794	1. The submission notes the proposed method of stormwater management for the development, including the diversion of roof-water from the new dwellings to rainwater collections tanks with overflow diverted to a level spreader along the northern boundary of the site (which adjoins the land owner by E J & J E Peterson). An objection has been raised to the positioning of the level spreader, with overflow directed to the adjoining property.	The proposed method of stormwater disposal for the proposed development has been designed by a qualified civil engineer and supported by calculations to demonstrate that post-developed flows will not exceed pre-developed flows in accordance with Council's DCP requirements. Notwithstanding, the landowners acknowledge the concerns raised by the neighbouring land owner and agree to amend the proposed method of stormwater disposal from the development.	Calare Civil has prepared an amended Stormwater Management Plan for the development. The amended plan shows all roofwater from the proposed dwellings and the existing shed on the land being piped (under a charged system) to the kerb and gutter in Walker Street. A copy of amended Stormwater Management Plan is submitted to Council with this response to submissions.
	2. The submission notes that an overflow pipe from an existing tank at the back of an existing shed along the northern boundary has been redirected towards the boundary owned by the Peterson's. A request has been made to incorporate this stormwater overflow into the proposed approach to stormwater management for the new development.	The proponents accept that the existing approach to stormwater management for the shed is unacceptable. This is an existing arrangement implemented by the previous owners of 17 Walker Street. The landowners acknowledge the concerns raised by the neighbouring land owner and agree to amend the proposed method of stormwater disposal from the development.	Refer to Proposed Design Response No. 1
	3. The submission raises a number of issues / concerns with the stormwater management arrangements for land generally within the locality and specifically for the adjoining properties at 50 Grenfell Road, 33 Walker Street.	The issues raised do not relate to the land at 17 Walker Street. The proponents accept responsibility for the proper management of stormwater generated from their own property but cannot be responsible for stormwater originating from other locations.	No changes are required to the proposed design as a result of this issue.
	4. The submission notes that the location of the sewer main infrastructure, as shown on the plans submitted with the DA, may be inaccurate. The inaccuracy relates to the plan showing the location of a sewer main which is instead privately owned internal drainage servicing the Peterson's existing dwelling.	The plans prepared by Currajong and originally submitted in support of the DA were based on records held by Cowra Shire Council. The particular main / pipe in question was unable to be located by a detailed site survey completed as part of the initial project planning. This issue was communicated to Council at lodgement of the DA and an agreement was reached with Council that further investigation would be required to ascertain the location / ownership of the sewer infrastructure. Those investigations have now been completed with Council's assistance, and updated information is now available to be presented on the plans supporting the DA.	Currajong has amended the plans submitted with the DA, which now show the accurate locations of sewer infrastructure within the boundaries of the subject property.
	5. The submission raises no objection to the proposed development, except for the concerns with the Stormwater Management Plan.	Noted. Refer to Planning Response No. 1.	Refer to Proposed Design Response No. 1

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SUBMISSION MAKER	SUMMARY OF ISSUE RAISED	PLANNING RESPONSE	PROPOSED DESIGN RESPONSE
Ben Galea 19 Walker Street COWRA NSW 2794	1. The submission raises an objection to the proposed development on the basis that the entry to the development site is less than 2m from the dwelling at 19 Walker Street causing undue noise from vehicle movements.	<p>There are no other alternatives to achieving practical access to the proposed new dwellings.</p> <p>The proximity of the existing dwellings to the dividing property boundary is consistent with typical built form in urban (residential) settings. Side setbacks of similar distances are common for most dwellings on lot typologies between 700-1000m2.</p> <p>The proponent submits that the construction of an additional 2 x smaller dwellings (2 Bedroom) on the land is:</p> <ul style="list-style-type: none"> within the context and setting of the land, not an over-development of the site. The subject land has an area of 4000m2, resulting in a residential density of one dwelling per 1,333m2 of existing site area. The lot areas for existing properties on the northern side of Walker Street have been calculated and yield an average lot size of approximately 1200m2. <p>The likelihood that the proposed development will cause noise impacts at 19 Walker Street that are beyond acceptable limits is mitigated by the following existing / proposed site features:</p> <ul style="list-style-type: none"> There is an existing 1.8m high colourbond fence on the boundary which is likely to assist with noise attenuation. Site inspection shows there are no existing windows on the eastern elevation (adjoining the access) of the dwelling at 19 Walker Street. The nature and scale of the proposed development means that only light passenger vehicles are expected to utilise the internal access. By design, larger vehicles are not required to enter the site on a regular basis, including garbage collection which is to occur roadside at Walker Street, Cowra. As an internal site access, vehicle speed is expected to be low (in the order of 5-10km/h). Impacts associated with construction phases of the project are to be temporary only. 	<p>As a result of the concern that has been raised by the adjoining land owner, the proponent has amended Sheet A.02 - Proposed Vehicle Surfaces.</p> <p>The proposal is to change the surface of the internal driveway (adjoining the dwelling at 19 Walker Street) from blue metal to bitumen seal. This is proposed in order to further mitigate vehicle noise generated by the development.</p> <p>A copy of amended Sheet A.02 is submitted to Council with this response to submissions.</p>

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SUBMISSION MAKER	SUMMARY OF ISSUE RAISED	PLANNING RESPONSE	PROPOSED DESIGN RESPONSE
2.	The submission raises an objection to the proposed development on the basis that there is a person living in an existing shed on the subject land.	<p>The landowners have provided Cowra Shire Council with a letter (dated 4 March 2023) that (1) acknowledges this issue as a compliance matter, (2) provides commitments to seek approval for continuation of the use through the lodgement of a separate Development Application and Construction certificate.</p> <p>A copy of the letter is submitted with this response to submissions and is to be referred to for a detailed account of the owners intent and commitments to have this compliance issue rectified.</p>	The Statement of Environmental Effects has been updated to ensure that this use is considered (where necessary) as part the impact assessment for DA 1/2023.
3.	The submission raises an objection to the proposed development on the basis that the landowners are renting out the individual bays of an existing shed on the subject land, resulting in more than enough vehicle passing close to the existing dwelling at 19 Walker Street at various times throughout the day.	<p>The landowners have provided Cowra Shire Council with a letter (dated 4 March 2023) that (1) acknowledges this issue as a compliance matter, (2) provides commitments to seek approval for continuation of the use through the lodgement of a separate Development Application.</p> <p>A copy of the letter is submitted with this response to submissions and is to be referred to for a detailed account of the owners intent and commitments to have this compliance issue rectified.</p>	The Statement of Environmental Effects has been updated to ensure that this use is considered (where necessary) as part the impact assessment for DA 1/2023.
4.	The submission raises an objection to the proposed development on the basis that (1) Walker Street is narrow, (2) that a single parked car on the street causes traffic to stop and give way, and (3) more vehicles travelling along Walker Street will only make the street more dangerous.	The proposed development is a not a significant traffic generating development. Traffic impact assessment submitted with the Statement of Environmental Effects confirms that the proposed development is likely to be within the capacity of the local road network and that upgrades to Walker Street are not warranted. Sufficient space exists within the development site to accommodate resident and visitor car parking needs, meaning that on-street parking in Walker Street will not be necessary.	No changes are required to the proposed design as a result of this issue.
5.	The submission raises an objection to the proposed development on the basis that 'Cowra is a country town with no need to jam houses in unnecessary spots as subdivisions are not completely full'.	<p>The proposed development is demonstrated to be consistent with primary town planning controls relating to zoning and permissibility of use.</p> <p>There is no basis to require new housing to be created in new subdivisions only. Creating housing opportunities in existing areas that benefit from established road networks and public utility installations is an efficient way to increase housing supply and diversity. The proposal is thoughtfully designed and is within the capabilities, constraints and opportunities of the site. The development will positively contribute to the supply of quality affordable housing in West Cowra.</p>	No changes are required to the proposed design as a result of this issue.

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6.	The submission asks that Council note that a previous owner of the land at 17 Walker Street made a similar request for a DA some time ago which was 'knocked back'.	<p>This has no basis for planning assessment in relation to DA 1/2023.</p> <p>The proposed development is demonstrated to be consistent with primary town planning controls relating to zoning and permissibility of use.</p>	No changes are required to the proposed design as a result of this issue.

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8 LATE REPORTS**9 CONFIDENTIAL MATTERS****RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

10 CONFIDENTIAL GENERAL MANAGER**10.1 Sale of land Cowra Airport - Lot 9 to Errol Bekir**

This matter is considered to be confidential under Section 10A(2)(d(i)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11 CONFIDENTIAL DIRECTOR-CORPORATE SERVICES**11.1 Cowra Civic Centre Seating Upgrade Project – Auditorium Floor Remodelling Tender (14/2023)**

This matter is considered to be confidential under Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

12 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE & OPERATIONS**12.1 Request for Quotation/Tender SI_2023 - Supply and Delivery of Road Signs for Central NSW Councils**

This matter is considered to be confidential under Section 10A(2)(d(i)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

12.2 Request for Quotation: Cowra Aquatic Centre Upgrade Detailed Design

This matter is considered to be confidential under Section 10A(2)(d(i)) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.