



AGENDA

General Committee Meeting

Date: 11 March 2024

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 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 General Committee Meeting held on 12 February 2024



MINUTES

General Committee Meeting Monday, 12 February 2024

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**MINUTES OF COWRA COUNCIL
GENERAL COMMITTEE MEETING
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 12 FEBRUARY 2024 AT 5PM**

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

IN ATTENDANCE: Mr Paul Devery (General Manager), Mr Michael Jones (Director - Corporate Services), Mrs Larissa Hackett (Director-Environmental Services), Mr Dirk Wymer (Director - Infrastructure & Operations)

Chair of the Meeting

In the absence of the Mayor, the Deputy Mayor, Cr Paul Smith assumed the position of Chair of the meeting.

I INTRODUCTION

I.1 Recording & Publishing

The Deputy Mayor advised that the meeting was being recorded.

I.2 Acknowledgement of Country

The Deputy Mayor delivered the Acknowledgment of Country.

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

Apology

COMMITTEE RESOLUTION

Moved: Cr Judi Smith

Seconded: Cr Sharon D'Elboux

That apologies from Cr Ruth Fagan and Cr Nikki Kiss OAM be received and accepted.

CARRIED

I.4 Disclosures of Interest

Cr Erin Watt declared a non-pecuniary interest in relation to item 6.1 Development Application No. 118/2023, Lot 2 DP 1166678, 506 Binni Creek Road Cowra, two general industrial sheds, lodged by M J Croker and 6.3 Development Application No. 70/2023, Lot 74 DP 752948, 77-81 Grenfell Road Cowra, 9 Lot Community Title subdivision, lodged by P Hurrell due to a family member's involvement in the matters and will leave the Chambers.

I.5 Presentations

Nil

1.6 Public Forum

Nil

2 CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

Moved: Cr Erin Watt

Seconded: Cr Judi Smith

That the minutes of General Committee Meeting held on 11 December 2023 be confirmed with the following amendment:

Item 4.2, “Appointment of 2024 Cowra Youth Council Members” - The spelling of two committee members to be corrected as below:

- **Emma Haslam**
- **Aiden Gundersen**

CARRIED

3 GENERAL MANAGERS REPORT3.1 Section 355 Committee Draft Minutes - CBD Committee**COMMITTEE RESOLUTION**

Moved: Cr Sharon D'Elboux

Seconded: Cr Cheryl Downing

That the draft minutes of the CBD Committee meeting held on 16 January 2024 be noted.

CARRIED

4 DIRECTOR-CORPORATE SERVICES REPORT4.1 Sculpture Park Master Plan**COMMITTEE RESOLUTION**

Moved: Cr Sharon D'Elboux

Seconded: Cr Cheryl Downing

- 1. That Council adopt the Draft Sculpture Park Masterplan.**
- 2. That Council endorse the application to lodge a submission for grant funding under the Public Spaces Legacy program to construct pathways at the sculpture park in accordance with the draft master plan.**
- 3. That reports are brought back to Council on the financial analysis and curatorial framework for the sculpture park.**

CARRIED

4.2 Investments**COMMITTEE RESOLUTION**

Moved: Cr Erin Watt

Seconded: Cr Judi Smith

That Council note the Investments and Financial Report for January 2024.

CARRIED

5 DIRECTOR-INFRASTRUCTURE & OPERATIONS REPORT5.1 Cowra Waste and Resource Recovery Strategy 2023-2032**COMMITTEE RESOLUTION**

Moved: Cr Erin Watt

Seconded: Cr Sharon D'Elboux

- 1. That Council endorses the draft Cowra Waste and Resource Recovery Strategy 2023-2032 for the purpose of public exhibition for a minimum of twenty eight (28) days in accordance with the Community Engagement Strategy.**
- 2. That following the public exhibition the Director – Infrastructure & Operations provide a further report to Council for the formal adoption of the Cowra Waste and Resource Recovery Strategy 2023-2032 considering any submissions made.**

CARRIED

5.2 Cowra Material Recycling Facility - Proposal to Extend Sorting Lines Storage Area**COMMITTEE RESOLUTION**

Moved: Cr Judi Smith

Seconded: Cr Peter Wright

That Council approves the construction of an extension to the CDS storage area at the Cowra Material Recycling Facility with funding to be transferred from the 'Waste - General' reserve at the third quarter review.

CARRIED

At 5.46 pm, Cr Erin Watt left the meeting.

6 DIRECTOR-ENVIRONMENTAL SERVICES REPORT

6.1 Development Application No. 118/2023, Lot 2 DP 1166678, 506 Binni Creek Road Cowra, two general industrial sheds, lodged by M J Croker

COMMITTEE RESOLUTION

Moved: Cr Bill West

Seconded: Cr Judi Smith

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 Section 1.1.8 of Part 1 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 1.1.8 of Part 1 of Council's Development Control Plan 2021 for this development to allow industrial development without reticulated water and sewer connections; and
3. That Development Application No. 118/2023, for the construction of two general industrial sheds on Lot 2 DP 1166678, 506 Binni Creek Road 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
Existing Site Plan Drawing 1	Vision Property Development Hub 31/8/2023	Received 14 November 2023 Stamped No. 10.2023.118.1
Proposed Site Plan Drawing 2B	Vision Property Development Hub 31/8/2023	Received 14 November 2023 Stamped No. 10.2023.118.1
Shed Layout Drawing 3B	Vision Property Development Hub 31/8/2023	Received 14 November 2023 Stamped No. 10.2023.118.1
Shed Layout & Truck Turnpath	Vision Property Development Hub	Received 14 November 2023

Drawing 4A	31/8/2023	Stamped No. 10.2023.118.1
Proposed Floor Plan (Shed 1) Drawing 5	Vision Property Development Hub 31/8/2023	Received 14 November 2023 Stamped No. 10.2023.118.1
Elevations (Shed 1) Drawing 6	Vision Property Development Hub 31/8/2023	Received 14 November 2023 Stamped No. 10.2023.118.1
Proposed Floor Plan (Shed 2) Drawing 7	Vision Property Development Hub 31/8/2023	Received 14 November 2023 Stamped No. 10.2023.118.1
Elevations (Shed 2) Drawing 8	Vision Property Development Hub 31/8/2023	Received 14 November 2023 Stamped No. 10.2023.118.1
Cut and Fill Plan Drawing 11	Vision Property Development Hub 1/12/2023	Received 14 December 2023 Stamped No. 10.2023.118.1
Cross Section Cut Plan Drawing 12	Vision Property Development Hub 1/12/2023	Received 8 December 2023 Stamped No. 10.2023.118.1 (A)
Landscape Plan Drawing 13	Vision Property Development Hub 1/12/2023	Received 14 December 2023 Stamped No. 10.2023.118.1 (B)
Erosion and Sediment Control Plan Drawing 14	Vision Property Development Hub 7/12/2023	Received 8 December 2023 Stamped No. 10.2023.118.1
Part Erosion and Sediment Control Plan Drawing 15	Vision Property Development Hub 7/12/2023	Received 8 December 2023 Stamped No. 10.2023.118.1
Statement of Environmental Effects Version 3	Vision Property Development Hub 8/1/2023	Received 11 January 2024 Stamped No. 10.2023.118.1 (B)

Response Letter	Vision Property Development Hub 8/12/2023	Received 8 December 2023 Stamped No. 10.2023.118.1
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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.
4. Provide on-site parking for a minimum of 10 car parking spaces in accordance with the submitted plans. Car parking and trafficable areas shall be designed and maintained in accordance with Cowra Council Development Control Plan 2021.
5. Car parking facilities, including all internal parking and manoeuvring areas are to be constructed and sealed in accordance with Australian Standard 2890.1 Off-Street Car Parking and Australian Standard 2890.2 Commercial Vehicle Facilities and are to include all necessary line marking, directional arrows and signage to delineate parking spaces, traffic flow and traffic priority. All costs associated with the construction of the parking area shall be borne by the Applicant.
6. Parking for disabled persons is to be provided and signposted in accordance with the approved plans and the requirements of Australian Standard 2890.1. The access linking such parking areas to their associated developments shall generally not have gradients steeper than 1:14.
7. Any excess clean fill (inert clean waste) removed from the site is to be taken to either:
 - (a) a public waste disposal facility; or
 - (b) a site authorised for the fill under a State Environmental Planning Policy or by separate development consent by Council.
8. Business operations, including the use of noise generating equipment within the factory/warehouse buildings, loading/unloading operations and

truck deliveries shall be restricted to day time hours only, being from 7.00am to 6.00pm, unless it can be proven by actual noise testing and further noise assessment reporting that such operations do not cause excessive noise impacts on nearby residences in accordance with the noise goals set out in the NSW EPA's Noise Policy for Industry (2017).

The noise assessment report would need to be prepared by a suitably qualified acoustic engineer and submitted to Cowra Council for verification of compliance with the Noise Policy for Industry (2017) before any loading/unloading activities could be carried out between 7.00pm and 6.00am.

9. The land-use of the development is to comply with the definition of general industry under the Cowra Local Environmental Plan 2012. A separate DA to be lodged for the future use of the buildings should a different land use be proposed.
10. The primary entrances and pathways to the building are to comply with the requirements of the Disability (Access to Premises – Buildings) Standards 2010 and Australian Standard 1428.1-2009 Design for Access and mobility.

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

11. 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 Development¹	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution²	\$324,190.00	1%	\$3,241.90	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

12. 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 under Section 68 of the *Local Government Act 1993*. 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.

13. 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.
14. Prior to the issue of a Construction Certificate, a Soil and Water Management Plan shall be submitted to the Principal Certifier for approval. The plan is to be prepared in accordance with Part B.1.6. of the DCP and demonstrate that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of the Principal Certifier.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

15. 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.
16. 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.
17. 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'.
18. 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.
19. 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

- 20. 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.
- 21. 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.
- 22. 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*.
- 23. 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.
- 24. 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.

25. 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.
26. 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

27. Provide a minimum of 100,000 litres of tanked water supply per the approved plans. 10,000 litres of water supply shall be reserved for firefighting purposes in accordance with the NSW Rural Fire Service requirements. Where the total volume 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 development 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 firefighting requirements for water tanks and connections can be downloaded from the NSW Rural Fire Service website, www.rfs.nsw.gov.au.
28. The Applicant must not commence occupation or use of the sheds until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
29. Prior to the issue of a Whole Occupation Certificate, the Applicant shall construct/upgrade the access crossing to the development site from Binni Creek Road 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.

CARRIED

In Favour: Crs Paul Smith, Sharon D'Elboux, Cheryl Downing, Judi Smith, Bill West and Peter Wright

Against: Nil

CARRIED 6/0

At 5.54 pm, Cr Erin Watt returned to the meeting.

6.2 Development Application No. 57/2020, Lot 2 DP 557714, Lot 1 DP 1201417, Lot 10 DP 1107219 & Lot 3905 DP 1200283, 2-4 Kite Street Cowra, continued use of, and proposed upgrades to landscaping material supplies, lodged by Buzzree Pty Ltd

COMMITTEE RESOLUTION

Moved: Cr Bill West

Seconded: Cr Peter Wright

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 no submissions were received; and
2. That Development Application No. 57/2020, for the continued use of, and proposed upgrades to landscaping material supplies on Lot 2 DP 557714, Lot 1 DP 1201417, Lot 10 DP 1107219 & Lot 3905 DP 1200283, 2-4 Kite Street Cowra be approved subject to the following conditions:

GENERAL TERMS OF APPROVAL – NSW DEPARTMENT OF PLANNING AND ENVIRONMENT – WATER

3. Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment-Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
4. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application DA 57/2020 provided by Council to Department of Planning and Environment-Water.

5. A. The application for a controlled activity approval must include the following plan(s):
 - a) Site plans
 - b) Soil and water management plan
 - c) Erosion and sediment control plans
 - d) Construction stormwater drainage outlet plan
 - e) Vegetation management plan
 - f) Construction detailed basin design plans
- B. The plan(s) must be prepared in accordance with Department of Planning and Environment-Water's guidelines located on the website <https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines>

CONDITIONS OF CONSENT – TRANSPORT FOR NSW

6. The applicant must comply with the requirements of T HR CI 12090 ST Airspace and External Developments (Link: <https://www.transport.nsw.gov.au/industry/asset-standards-authority/find-a-standard/airspace-and-external-developments-1>) and Development Near Rail Corridors and Busy Roads- Interim Guidelines (Link [development-near-rail-corridors-and-busy-roads-interim-guideline-2008.ashx](https://www.transport.nsw.gov.au/industry/asset-standards-authority/find-a-standard/development-near-rail-corridors-and-busy-roads-interim-guideline-2008.ashx) (nsw.gov.au)). Please note that State Environmental Planning Policy (Infrastructure) 2007 referred in the above documents has been superseded by State Environmental Planning Policy (Transport and Infrastructure) 2021.
7. The applicant must ensure its employees and all other persons do not enter any parts of the rail land other than the licenced premises unless otherwise permitted in writing in advance.
8. Prior to the commencement of works, if required the applicant shall provide certification/document from a qualified Geotechnical and Structural Engineers stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure. The applicant must consult and obtain written approval from UGLRL and TfNSW regarding any works involving penetration of ground if the excavation depth is greater than 2m depth with 25m of the rail corridor.
9. Prior to the commencement of works, the applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of UGLRL on behalf of TfNSW.
10. Prior to the commencement of works, the applicant must acquire written approval from UGLRL and TfNSW to its stormwater management plan to confirm post-development flows should be equal or less than that of pre-development flows (or post-development flows should not exceed pre-development flows) and to ensure that the development is not directed to railway land and had no adverse impact on the rail corridor.

11. Prior to the commencement of works, appropriate fencing must be placed between the proposed development site, and the remainder of the rail corridor to prevent unauthorised access. Before installing any fencing work, the applicant must obtain approval from TfNSW. The applicant is advised to contact UGLRL's third party works via thirdpartyworks@uglregionallinx.com.au for more information.
12. Prior to the commencement of any work – cranes and equipment:
 1. If required, the applicant must submit an application to UGLRL for approval of TAHE prior to any use of cranes and equipment (Equipment) in the air space over the rail corridor.
 2. If required, the applicant is required to provide a safety assessment of the works necessary for the development assessing any potential impact or intrusion on the Danger Zone (as defined in the UGLRL Network Rules and Procedures and that any works are undertaken by a qualified Protection Officer.
 3. The use of Equipment must be in accordance with the AS 2550 series of Australian Standards, Cranes, Hoist and Winches, including AS2550 15-1994 Cranes – Safe Use - Concrete Placing Equipment.

GENERAL CONDITIONS

13. 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
Existing Project Site Layout Figure A	RW Corkery & Co December 2023	Received 21 December 2023 Stamped No. 57/2020(A)
Proposed Project Site Layout Figure 2.1	RW Corkery & Co December 2023	Received 21 December 2023 Stamped No. 57/2020(A)
Statement of Environmental Effects Ref 983/06	RW Corkery & Co December 2023	Received 21 December 2023 Stamped No. 57/2020(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.

14. The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).

15. The applicant shall obtain the written agreement (and any associated permits, leases or purchases required) from Cowra Council for the use of road reserves within the existing project site and two Council owned lots within the site, being Lot 1 DP 1201417 and Lot 10 DP 1107219.
16. Approved hours of operation are as follows:

Landscaping Materials Delivery and Supply	Monday to Friday	7:00am to 5:00pm
	Saturday	7:00am to 12:00pm
	Sunday & Public Holidays	No Operations
Emergency Maintenance	All Days	24 hours

17. No advertising sign and/or structure other than that which is permitted under this development approval or permissible without consent (exempt development) is to be erected as part of the approved development until a formal application has been submitted to Council and a development consent has been issued.
18. All traffic movements in and out of the development are to be in a forward direction.
19. The emission of noise from the premises must be in accordance with the recommendations of the Noise and Vibration Impact Assessment prepared by Spectrum Acoustics Pty Ltd and the Noise Policy for Industry published by the NSW Environment Protection Authority (2017).

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

20. 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'.
21. Prior to the commencement of works, the applicant shall provide to the Principal Certifier evidence of the agreement reached with Cowra Council referenced in condition 13.
22. Prior to the commencement of works, a car parking plan is to be provided for the approval of the Principal Certifier that includes the provision of one disabled parking space at the office to be constructed and/or line-marked in accordance with AS2890.6 – Off-street parking for people with disabilities.
23. 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 the Soil and Water Management Plan prepared by Strategic Environmental and Engineering Consulting Pty Ltd and Part B of Cowra Shire Council Development Control Plan 2021 at all times.

24. Prior to the construction of the footings a 'peg-out' survey plan is to be submitted to the Principal Certifier which establishes the position of the property boundary and demonstrates that the development will be constructed entirely within the boundaries of the property.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

25. 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.
26. 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.
27. 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.
28. 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.
29. The applicant must obtain any approvals required under Section 68 of the Local Government Act 1993 for water supply work, sewerage and stormwater drainage work or the disposal of liquid waste into Council's sewer.

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

30. The Applicant must not continue the occupation or use of the landscaping materials supplies until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development. An Occupation Certificate Application must be submitted to the Principal Certifier accompanied by the relevant fee prior to arranging an inspection. If Cowra Council is the Principal Certifier appointed for the subject development an inspection for the Occupation Certificate can be arranged by contacting Environmental Services on (02) 6340 2040.

31. Prior to the issue of any Occupation Certificate, evidence is to be provided to the Principal Certifier that the disturbed areas encroaching on land controlled by Transport for NSW (on Lot 3905 DP 1200283) not covered by the licence agreement has been remediated to the satisfaction of TfNSW.
32. Prior to the issue of any Occupation Certificate, the 10m wide Vegetated Riparian Zone is to be established along the southern boundary of the site in accordance with the species mix and methodology outlined in the Statement of Environmental Effects. Ringlock wire fencing is to be erected to delineate the revegetated area and to prevent accidental access to the revegetated area by site personnel and customers. Regular watering is to be undertaken for a minimum of 2 months following establishment.
33. Prior to the issue of any Occupation Certificate, stormwater infrastructure is to be completed in accordance with the Soil and Water Management Plan prepared by Strategic Environmental and Engineering Consulting Pty Ltd.
34. Prior to the issue of any Occupation Certificate, carparking is to be constructed and/or line-marked in accordance with the approved plan.

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 Paul Smith, Sharon D'Elboux, Cheryl Downing, Judi Smith, Erin Watt, Bill West and Peter Wright

Against: Nil

CARRIED 7/0

At 6.08 pm, Cr Erin Watt left the meeting.

- 6.3 Development Application No. 70/2023, Lot 74 DP 752948, 77-81 Grenfell Road Cowra, 9 Lot Community Title subdivision, lodged by P Hurrell

COMMITTEE RESOLUTION

Moved: Cr Bill West

Seconded: Cr Peter Wright

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 3 submissions were received which are addressed in this report; and
2. That Development Application No. 70/2023, for the development of a 9 lot community title subdivision on Lot 74 DP 752948, 77-81 Grenfell Road Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

1. Pursuant to Section 4.16 (3) of the Environmental Planning and Assessment Act 1979 this is a "deferred commencement" consent and as such this consent is not to be enacted until such time as Condition 2 is satisfactorily complied with.
2. Provide written evidence to Council that the owners of Lot 11 DP 1072191 agree to the installation of sewer infrastructure and the creation of an associated easement for the purpose of connecting the proposed subdivision to Council's reticulated sewer main on Lot 11 DP 1072191.
3. 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
General Arrangement Plan Dwg. No. C01 Issue E	Calare Civil Consulting Engineers 24/11/23	Received 30 November 2023 Stamped No. DA 10.2023.70.1(A)
Site Diagram Dwg. No. SD001 D	Vision Town Planning Consultants 22/11/23	Received 30 November 2023 Stamped No. DA 10.2023.70.1(A)
Sewer Diagram Dwg. No. SD002 A	Vision Town Planning Consultants 22/11/23	Received 30 November 2023 Stamped No. DA 10.2023.70.1(A)
Utilities Diagram Dwg. No. UD001 C	Vision Town Planning Consultants	Received 30 November 2023 Stamped

	22/11/23	No. DA 10.2023.70.1(A)
Statement of Environmental Effects Version 2	Vision Town Planning Consultants 23/11/23	Received 30 November 2023 Stamped No. DA 10.2023.70.1(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.

4. 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).
5. Any landscaping, signage and fencing is not to impede sight lines of traffic and/or pedestrians within the development or when entering and leaving the development. Safe intersection sight distances are to be maintained for the development.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF SUBDIVISION WORKS

6. The Applicant is to obtain a Subdivision Works Certificate from either Council or an Accredited Certifying Authority, certifying that the proposed works related to water, sewer, stormwater and access construction are in accordance with the applicable Council policies and 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 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.

7. 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 the provisions of the Cowra Shire Council Development Control Plan 2021 at all times.
8. 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'.

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

9. Prior to the issue of a Subdivision Works Certificate, the Applicant must obtain consent from Council pursuant to Section 138 of the Roads Act 1993 for carrying out of works in the road reserve. Details of the

proposed driveway crossings to each proposed lot in the development site from the new road are to be identified on engineering drawings. The maximum gradient of the associated access driveways across a property line or building alignment shall be 1 in 20 (5%) in accordance with AS/NZS 2890.1:2004- 2.6 Design of domestic driveways.

10. Prior to the issue of a Subdivision Works Certificate, the applicant must demonstrate that the development complies with firefighting capabilities in accordance with AS 2419.1:2021, Fire Hydrant Installations, and Fire and Rescue NSW (FRNSW) guidelines. Any costs associated with the augmentation of water reticulation relating to the development shall be borne by the Applicant and at no cost to Council.
11. Prior to the issue of a Subdivision Works Certificate, a Stormwater Management Plan shall be submitted and approved by Council's Director - Infrastructure & Operations, demonstrating that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council. Plans should also detail measures for erosion and sedimentation control.
12. Prior to the issue of a Subdivision Works Certificate, a fencing plan shall be submitted and approved by Council's Director – Environmental Services with details of a proposed Colorbond fence on the boundary with Lot 11 DP 1072191. The plan is to be signed by the owners of Lot 11.
13. Prior to the issue of a Subdivision Works Certificate an approval under Section 68 of the Local Government Act 1993 to carry out water supply works, sewerage works and stormwater drainage works and to connect to the existing water supply and sewerage system network must be obtained.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION WORKS

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 operations commencing on the affected land.
15. 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.
16. Construction 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.
17. The Applicant shall connect all new lots in the subdivision to a new Low-Pressure Sewerage System connected to Council's Gravity Sewer

Reticulation system in Lot 11 DP 1072191. 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) **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.
- b) **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.

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

18. Pursuant to Section 7.11 (formerly Section 94) of the Environmental Planning & Assessment Act 1979, the monetary contributions set out in the following table are to be paid to Council prior to the issue of a Subdivision Certificate. The contributions are current as at the date of this consent and are levied in accordance with the Cowra Section 94 Contributions Plan 2016, adopted on 26 April 2016. The contributions 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 ³	Rate ¹	Rate Amount	No. of Lots ²	Total Contribution	Rate remains current until
Open Space Recreational Sporting Facilities	Lot	\$814.36	7	\$5,700.52	30 June 2024
Civic & Community Facilities	Lot	\$1,316.06	7	\$9,212.42	30 June 2024
Transport Infrastructure	Lot	\$0.00	7	\$0.00	30 June 2024
Plan Management Administration	Lot	\$152.87	7	\$1,070.09	30 June 2024
Total Contribution Payable				\$15,983.03	30 June 2024
Per Lot Contribution Payable				\$2,283.29	30 June 2024
Notes					
¹ Per Lot					

² No. of additional lots created. The original lot is discounted from the calculations.

³ Council's Section 94 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

19. Prior to the issue of the Subdivision Certificate, the Colorbond fence approved in accordance with Condition 12 is to be constructed and all other lot boundaries are to be fenced in accordance with Section D.4.11 of Part D of Cowra Council Development Control Plan 2021.
20. Prior to the issue of the Subdivision Certificate, the existing dam is to be filled and compacted in accordance with AS3798-2007 Guidelines on earthworks for commercial and residential developments. A geotechnical report is to be submitted to Council confirming that the works comply with the above guidelines. Testing for the report is to be conducted in accordance with AS1289-2021 Methods of testing soils for engineering purposes.
21. Prior to the issue of the Subdivision Certificate, the applicant must construct the access driveways from the new road to all lots in the subdivision in accordance with consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. All costs associated with the construction of the new access driveway(s) shall be borne by the Applicant and at no cost to Council.
22. Prior to issue of the Subdivision Certificate, the applicant shall connect all new lots in the plan of subdivision to Council's Reticulated Water Supply System and to the satisfaction of the relevant service provider, being Cowra Shire Council
23. Prior to issue of the Subdivision Certificate, the applicant shall connect all new lots in the plan of subdivision to Council's Reticulated Sewer Supply System and to the satisfaction of the relevant service provider, being Cowra Shire Council.
24. Prior to the issue of the Subdivision Certificate, the applicant shall construct all stormwater drainage facilities necessary to service the proposed allotments in accordance with the approved plans.
25. Prior to the issue of a Subdivision Certificate, the applicant must provide to Council a Notification of Arrangement from Essential Energy confirming that satisfactory arrangements have been made for the provision of power with respect to all lots in the subdivision. It is the applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions.
26. Prior to the issue of the Subdivision Certificate, the applicant is to provide evidence to Council that arrangements have been made for:
 - (a) The installation of fibre-ready facilities (or equivalent) to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has

confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose, and

- (b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.
- 27. The Applicant is to lodge with Cowra Shire Council a Subdivision Certificate Application together with the final subdivision 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.
- 28. Prior to issue of the Subdivision Certificate, a copy of the Management Statement for the Community Scheme is to be submitted for the approval of Council.
- 29. The Applicant shall include on the final plan of subdivision any and all necessary easements required over access, water, sewer, stormwater, building envelopes electricity and telecommunications mains as required by this consent. Three metre wide easements are required to be centrally located over all sewerage mains for purposes of providing access to the mains system and for maintenance purposes. This includes an easement over the proposed sewer on Lot 11 DP 1072191.
- 30. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 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 Subdivision Certificate. Separate water and sewer reticulation mains and metered services must be physically provided to the development in accordance with Cowra Council Development Control Plan 2021 and Cowra Infrastructure and Operations Engineering Standards.

Council will not issue the Subdivision 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 sewerage must be paid in full to Cowra Shire Council before the Subdivision Certificate will be issued. Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on (02) 6340 2070.

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 Paul Smith, Sharon D'Elboux, Cheryl Downing, Judi Smith, Bill West and Peter Wright

Against: Nil

CARRIED 6/0

At 6.26 pm, Cr Erin Watt returned to the meeting.

7 LATE REPORTS

Nil

8 NOTICES OF MOTIONS

Nil

9 CONFIDENTIAL MATTERS

COMMITTEE RESOLUTION

Moved: Cr Peter Wright

Seconded: Cr Sharon D'Elboux

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 DIRECTOR-INFRASTRUCTURE & OPERATIONS

10.1 Request for Tender 17/2023 - Tree Trimming and Removal Services Within Cowra Shire 2023-2026

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 DIRECTOR-CORPORATE SERVICES REPORT

3.1 Donation - Wyangala Fireworks Committee - Commercial Waste Event Bin Hire charges

File Number: D24/186

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION

That Council provides a 50% donation in the sum of \$200 for Commercial Waste Event Bin Hire charges to Wyangala Country Club Fireworks Committee for the annual bonfire and fireworks event to be held on 9 June 2024.

INTRODUCTION

Wyangala Country Club Fireworks Committee has written to Council requesting a donation of the Commercial Waste Event Bin Hire charges for the Annual bonfire and fireworks event to be held on 9 June 2024. The request includes delivery, collection and waste disposal by Council for 20 wheelie bins.

BACKGROUND

The Commercial Waste Charges for this event have been calculated as \$400 for estimated 20 bins in accordance with Council's Revenue Policy for 2023-2024:

COMMERCIAL WASTE - 240L MGB HIRE					
Event bin hire per 240L MGB (includes hire / collection / waste disposal)	Per MGB	Y	I	\$ 16.00	\$ 20.00 Bin Hire
Bin Hire (waste charges not included)	Per MGB	Y	I	\$ 5.70	\$ 6.80

The Revenue Policy for these charges over recent years has not significantly increased and the costs to Council to provide this service far outweighs the fees charged, taking into account delivery, collection and disposal at the Materials Recycling Facility by Council. The current fee for 2023-2024 is deemed very reasonable within the Revenue Policy, particularly as it is already heavily subsidised.

It has, however, been a practice of Council in the past to provide a 50% donation of these charges and accordingly, on this occasion, it is recommended that a donation of \$200 be provided to the applicant in line with similar requests.

BUDGETARY IMPLICATIONS

-\$2,754 (deficit) is the current balance in the 2023-2024 Budget for Section 356 Donations however the QBRs 2nd quarter adjustments include additional funding to cover this request.

ATTACHMENTS

- I. Donation Application from Wyangala Country Club Fireworks Committee dated 7 February 2024 [↓](#)



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 Applicant: Jillian McCormick, Wyangala Fireworks Committee

Mailing address: Wyangala Country Club Sixth Avenue, Wyangala NSW 2808

Phone: (Home) (Business) m) 0439 301 736

Email: wyangalacc@activ8.net.au

Signature: Date: 7 / Feb / 2024

Organisation Details

Organisation responsible for the event/activity: Wyangala Country Club Fireworks Committee

President/Secretary Contact Details: Ian Winter – Fireworks President

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

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 Annual bonfire and fireworks event -

20 wheelie bins delivered and picked up at Wyangala Oval

Date/s of the proposed event/project Sunday 9 June 2024

Venue where will the event/project take place? Wyangala village oval

Financial Details

Amount of assistance being sought: \$ 20 wheelie bins delivered and picked up at Wyangala Oval

Total Estimated cost of the total event/project \$10,000

How are funds to be raised? Sponsorship and donations

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? \$ 20 wheelie bins

When was it provided? June 2023

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:

- ☐ Supporting letter from local organisation body
- ☐ Supporting letter from State/Australian Supporting body
- ☐ 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.

This is a community based, volunteer run annual event that attracts over 4,000 visitors

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]**

This is a free event to engage, entertain and enhance the local and wider community

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

All people are welcome at this event on the oval to enjoy the evening fireworks

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

The event attracts over 4,000 visitors to Wyangala village for the bonfire and fireworks from 4pm

Attachments required for Community/Event applications:

- ☐ copy of the project's proposed budget, detailing anticipated costs, with quotations if applicable;
- ☐ If you are a registered public charity, a copy of the registration certificate
- ☐ 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

**WYANGALA FIREWORKS
BUDGET
2024**

INCOME	\$
Food, drink, merchandise sales at the event	6,000
Monthly raffles	4,500
Sponsorship & donations	<u>3,500</u>
Total Income	<u>14,000</u>
EXPENDITURE	
Fireworks	9,500
Advertising	600
Merchandise	700
Monthly raffles	2,400
Insurance	<u>800</u>
Total expenditure	<u>14,000</u>
Net Profit/(Loss)	<u>0</u>

3.2 Investments

File Number: D24/301

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION**That Council note the Investments and Financial Report for February 2024.**

INTRODUCTION

The purpose of this report is to provide Councillors with useful and timely information on Council's investments, rate collections, loans and estimated financial position.

BACKGROUND

The Local Government (General) Regulation 2021 (Part 9, Division 5, Clause 212), effective from 1 September 2021, requires the Responsible Accounting Officer of a Council to provide a written report setting out details of all monies that have been invested under Section 625 (2) of the Local Government Act 1993, as per the Minister's Order of 12 January 2011 published in the Government Gazette on 11 February 2011. The Responsible Officer must also include in the report a certificate as to whether the investment has been made in accordance with the Act, the Regulations and the Council's Investment Policies. This certificate appears below the table of investments

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

1. Rates & Investments Report - February 2024 [↓](#)

ATTACHMENT**Investments and Financial Report**

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Investments

I. Investments Portfolio as at 29 February 2024

Council's investments are as listed below in lodgement date order:

Funding Institution	S&P Rating	Date Lodged	Term (Days)	%	Date Due	Principal \$
COMMONWEALTH BANK OF AUSTRALIA	A-1+	18/04/2023	336	4.40%	19/03/2024	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	8/08/2023	210	5.43%	5/03/2024	500,000.00
IMB LTD	A-2	5/09/2023	182	5.00%	5/03/2024	500,000.00
ING BANK	A-2	5/09/2023	217	4.80%	9/04/2024	1,000,000.00
BANK OF QUEENSLAND	A-2	12/09/2023	182	4.90%	12/03/2024	500,000.00
ING BANK	A-2	14/09/2023	215	4.07%	16/04/2024	500,000.00
BENDIGO & ADELAIDE BANK LTD	A-2	19/09/2023	182	4.81%	19/03/2024	1,000,000.00
IMB LTD	A-2	19/09/2023	182	5.00%	19/03/2024	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-1+	26/09/2023	245	5.15%	28/05/2024	500,000.00
SUNCORP-METWAY LTD	A-1	26/09/2023	245	5.15%	28/05/2024	500,000.00
ING BANK	A-2	3/10/2023	245	5.00%	4/06/2024	500,000.00
ING BANK	A-2	3/10/2023	245	5.00%	4/06/2024	500,000.00
SUNCORP-METWAY LTD	A-1	3/10/2023	210	5.07%	30/04/2024	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-2	5/10/2023	264	5.10%	25/06/2024	500,000.00
IMB LTD	A-2	10/10/2023	154	4.90%	12/03/2024	600,000.00
SUNCORP-METWAY LTD	A-1	10/10/2023	182	5.13%	9/04/2024	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-2	24/10/2023	245	5.15%	25/06/2024	500,000.00
BANK OF QUEENSLAND(Wyangala Sewer Handover)	A-2	31/10/2023	182	5.30%	30/04/2024	1,000,000.00
ING BANK(Wyangala Sewer Handover)	A-2	31/10/2023	273	5.17%	30/07/2024	920,914.23
NATIONAL AUSTRALIA BANK LTD	A-1+	31/10/2023	273	5.30%	30/07/2024	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-2	7/11/2023	182	5.20%	7/05/2024	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-1+	21/11/2023	210	5.20%	18/06/2024	1,000,000.00
NATIONAL AUSTRALIA BANK LTD	A-1+	28/11/2023	120	5.05%	27/03/2024	500,000.00
ST GEORGE BANK	A-1+	30/11/2023	96	4.08%	5/03/2024	500,000.00
IMB LTD	A-2	5/12/2023	126	5.10%	9/04/2024	250,000.00
NATIONAL AUSTRALIA BANK LTD	A-2	5/12/2023	182	5.15%	4/06/2024	500,000.00
SUNCORP-METWAY LTD	A-1	5/12/2023	98	5.03%	12/03/2024	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	12/12/2023	182	4.93%	11/06/2024	500,000.00
ING BANK	A-2	12/12/2023	161	4.81%	21/05/2024	500,000.00
ING BANK	A-2	12/12/2023	217	5.00%	16/07/2024	500,000.00
SUNCORP-METWAY LTD	A-1	12/12/2023	154	5.13%	14/05/2024	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	19/12/2023	154	4.88%	21/05/2024	500,000.00
ST GEORGE BANK	A-1+	19/12/2023	126	4.16%	23/04/2024	500,000.00
SUNCORP-METWAY LTD	A-1	19/12/2023	182	5.11%	18/06/2024	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	9/01/2024	210	4.90%	6/08/2024	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-2	9/01/2024	224	5.10%	20/08/2024	500,000.00
SUNCORP-METWAY LTD	A-1	9/01/2024	217	5.10%	13/08/2024	500,000.00
ING BANK	A-2	16/01/2024	224	4.89%	27/08/2024	500,000.00
ST GEORGE BANK	A-1+	16/01/2024	231	4.40%	3/09/2024	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	23/01/2024	182	4.90%	23/07/2024	500,000.00
SUNCORP-METWAY LTD	A-1	23/01/2024	300	5.20%	18/11/2024	500,000.00
BENDIGO & ADELAIDE BANK LTD	A-2	25/01/2024	159	4.91%	2/07/2024	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	30/01/2024	175	5.02%	23/07/2024	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	30/01/2024	231	5.04%	17/09/2024	500,000.00
ING BANK	A-2	30/01/2024	300	5.10%	25/11/2024	500,000.00
ING BANK	A-2	30/01/2024	365	5.17%	29/01/2025	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-2	30/01/2024	161	5.10%	9/07/2024	500,000.00
ST GEORGE BANK	A-1+	30/01/2024	245	4.88%	1/10/2024	500,000.00
SUNCORP-METWAY LTD (BARP)	A-1	30/01/2024	224	5.12%	10/09/2024	2,000,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	6/02/2024	217	5.05%	10/09/2024	1,000,000.00
NATIONAL AUSTRALIA BANK LTD	A-1+	6/02/2024	231	5.10%	24/09/2024	500,000.00
SUNCORP-METWAY LTD	A-1	6/02/2024	210	5.07%	3/09/2024	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	13/02/2024	231	5.06%	1/10/2024	1,000,000.00
COMMONWEALTH BANK OF AUSTRALIA	A-1+	20/02/2024	245	4.94%	22/10/2024	500,000.00
ING BANK	A-2	22/02/2024	229	4.85%	8/10/2024	500,000.00
ST GEORGE BANK	A-1+	22/02/2024	250	4.88%	29/10/2024	500,000.00
ST GEORGE BANK	A-1+	22/02/2024	257	4.88%	5/11/2024	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-1+	27/02/2024	259	5.10%	12/11/2024	500,000.00
NATIONAL AUSTRALIA BANK LTD	A-1+	27/02/2024	266	5.10%	19/11/2024	500,000.00
Total						\$34,270,914.23

I hereby certify that all of the above investments have been placed in accordance with the Act, the Regulations and Council's Investment Policy.

Scott Ellison

Manager – Finance

29/2/24

2. Interest Rate

The average interest rate for Council's investments held is 4.97%. At the time of preparing this report, average (market rates) interest rates were as follows as at 31 January 2024:

30 Days	60 Days	90 Days	120 Days	150 Days	180 Days	270 Days	1 YR
3.73%	3.97%	4.69%	4.72%	4.77%	4.82%	4.91%	4.97%

3. General Fund Balance

As at 29 February 2024 balances for Cowra Shire Council for Transaction Accounts and Cash in hand were as follows:

CBA General Account	\$	'000
General Fund bank account	\$	1,727
On-Call account balance	\$	5,500
Cash in hand	\$	4
TOTAL	\$	7,231

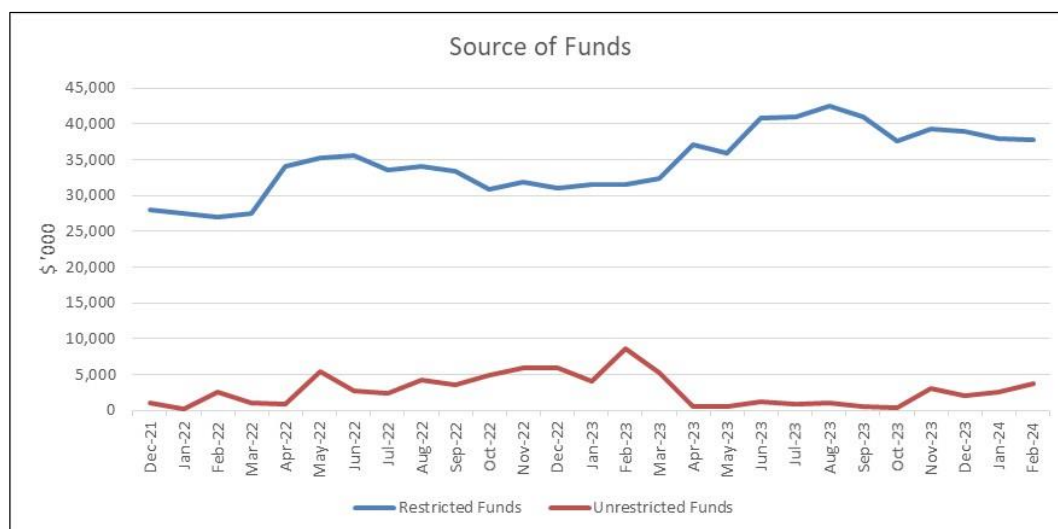
The General Fund bank account is monitored on a daily basis to ensure investments are maximised and that sufficient funds are available for day to day operations.

The table and graph below show Council's source of funds with the split between Restricted and Unrestricted. The unrestricted funds representing the operating capital available to Council at any given time.

Source of Funds	\$	'000
Investment Portfolio	\$	34,271
Cash and Cash Equivalents - General Ledger	\$	7,231
TOTAL	\$	41,502
Represented By:		
Restricted Funds	\$	37,765
Unrestricted Funds	\$	3,737
TOTAL	\$	41,502

4. Council's Investments – Mix of Investment Ratings

Council's investments are made in accordance with its investment policy and in particular are subject to Section 6 of that policy as follows:



“6. Approved Investments

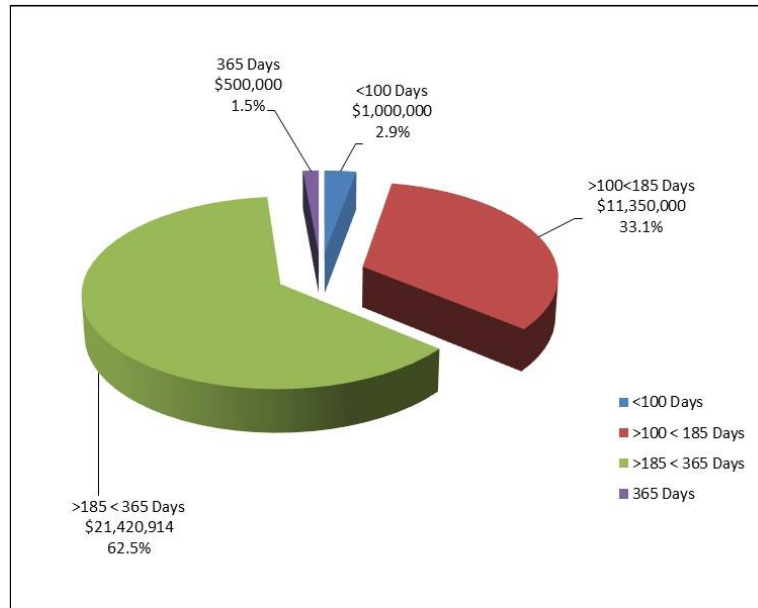
Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.

All investments must be denominated in Australian Dollars. Authorised new investments as from 12 January 2011 are limited to the following, as per the attached Ministerial Investment Order.

- a. Any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory.
- b. Any debentures or securities issued by a Council (within the meaning of the Local Government Act 1993 (NSW)).
- c. Interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit - taking institution (as defined in the Banking Act 1959(Cwth)), but excluding subordinated debt obligations.
- d. Any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority.
- e. A deposit with the New South Wales Treasury Corporation or investments in an Hour - Glass Investment Facility of the New South Wales Treasury Corporation.”

It should be noted that 100% of Council's investments are as per (c) above.

The following pie-chart shows Council's mix of investments for the period detailing the various classes of investments as per the Moody's and Standard and Poor's classifications.



Rating Types as per Council's Investment Policy and the Department of Local Government Guidelines

Any securities which are issued by a body or company (or controlled parent entity either immediate or ultimate) with a Moody's Investors Service, Inc. credit rating of ``Aaa'', ``Aa1'', ``Aa2'', ``Aa3'', ``A1'' or ``A2'' or a Standard & Poor's Investors Service, Inc credit rating of ``AAA'', ``AA+'', ``AA'', ``AA-'', ``A+''; or ``A''

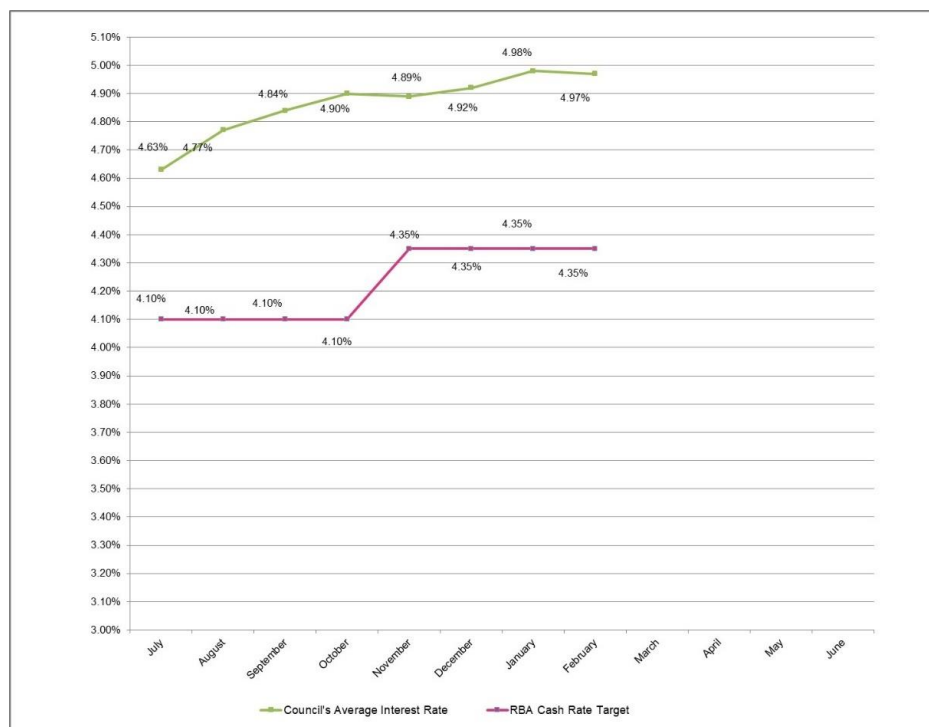
Any securities which are given a Moody's Investors Service Inc credit rating of ``Aaa'', ``Aa1'', ``Aa2'', ``Aa3'', ``A1''; ``A2'' or ``Prime-I'' or a Standard and Poor's Investors Service, Inc credit rating of ``AAA'', ``AA+'', ``AA'', ``AA-'', ``A+''; ``A''; ``A1+'' or ``A1''

5. Interest on Investment Income

2023/2024 estimated interest on investments amount is \$1,112,082 and has been included in the Budget. Performance of investments is monitored monthly.

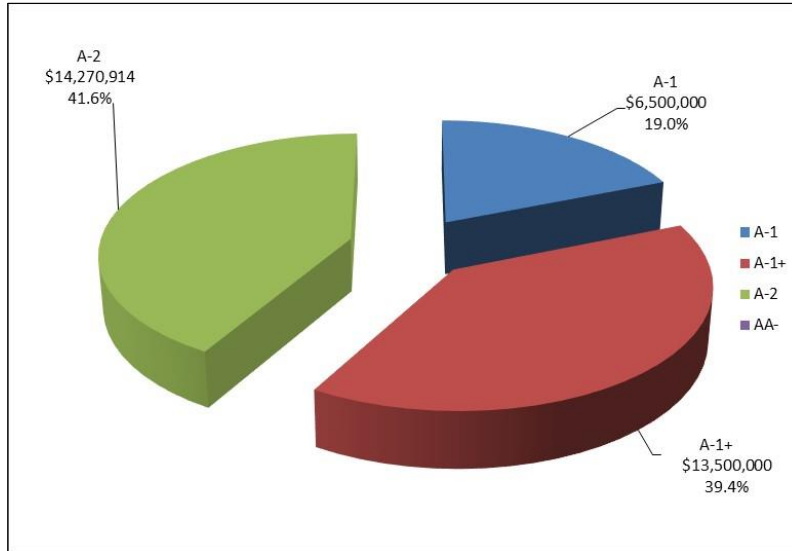
6. Term Deposit Average Monthly Interest Rate Compared to the RBA Cash Rate Target

The following graph compares the average monthly interest rate secured by Council to the RBA Cash Rate Target. Monetary policy decisions by the RBA are expressed in terms of a target for the cash rate, which is the overnight money market interest rate.



7. Maturity Profile of Council's Investments

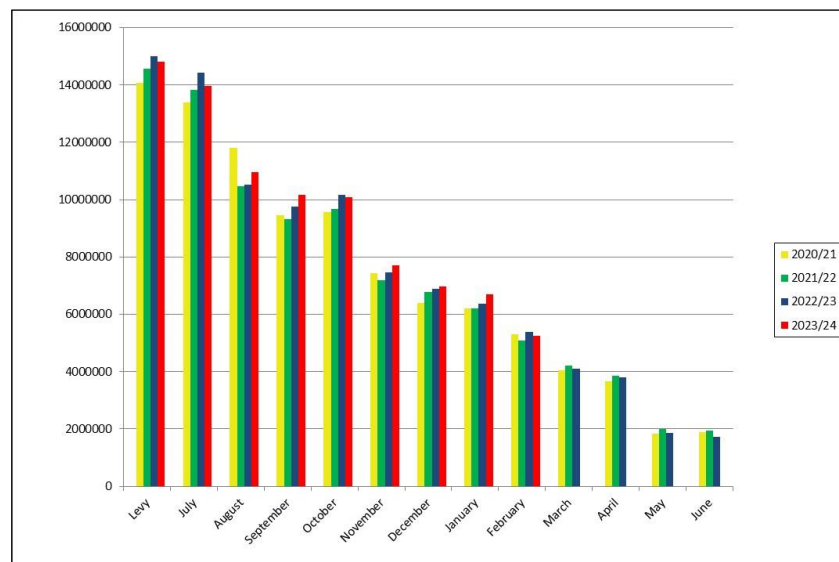
The following pie-chart shows the mix of Council investments for the month by maturity type.



Rates

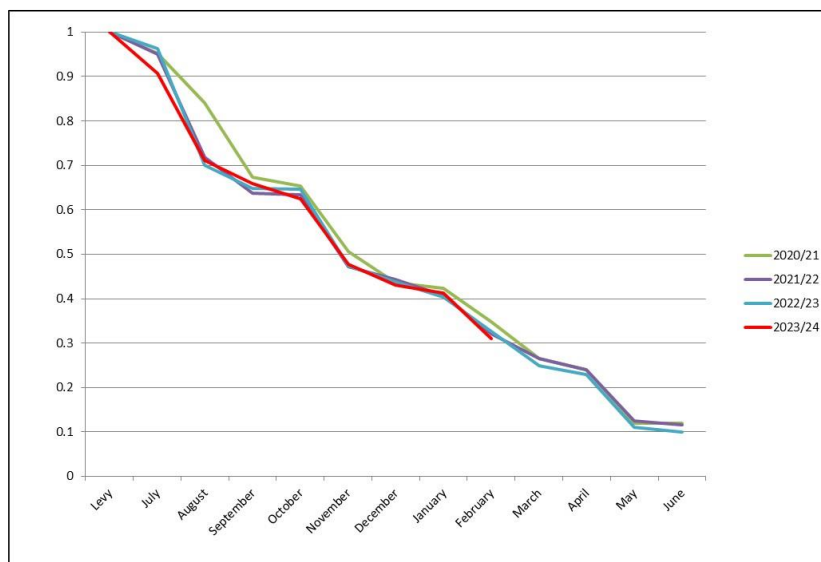
8. Comparison of Rate Collection Progress for 2023/24 to prior years

The following graph shows the total rate levy and arrears carried forward at the time of the rate levy in July 2024. Council's debt collection policy has the objective of having no more than 10% of rates outstanding by the end of each financial year.



9. Council Rate Levy - % Comparison

As the levy varies each year, the following graph shows the total percentage of rates and arrears outstanding each month based on 100% being total levy plus total arrears in each year.



10. Council Rate Levy – Arrears and Recovery Action

At the 30 June each year, the total rate arrears figure consists of the unpaid rates from the year just ended together with outstanding balances from previous years.

Arrears at 30 June 2023		\$	1,732,428
Collected – Year to Date (as per last month's report)	\$	636,452	
Collected in February 2024	\$	78,760	\$ 715,212
Balance as at 29 February 2024			\$ 1,017,216
Rates – Currently under legal proceedings		\$	123,274
Arrangements (Repayment Schedules)	\$	893,942	
	\$	1,017,216	

11. Indicative Position of General Fund for the Current Year to 30 June 2024

There are no Resolutions since last month affecting the Financial Position of Council's budget result based on the budget set as per Council's Operational Plan for 2023/2024.

Loans

12. Interest Rate

The average interest rate for Council's current loans is 5.62%. Weighted Average Interest Rate (based on principal outstanding) is 6.52%.

13. Loan Summary

Summary of Current Loans and Purpose as at 29 February 2024.

Loan No	Lender	Date Obtained	Due Date	Principal	Interest Rate %	Principal \$ o/s 29/2/2024
GENERAL						
236	COMMONWEALTH (RIVER PK AMEN/VAUX DRAINAGE)	28/01/2005	1/02/2025	433,500	6.31	36,349
241B	COMMONWEALTH BANK (VAUX ST DRAINAGE WEST)	18/12/2006	18/12/2036	166,000	6.35	109,054
242B	COMMONWEALTH BANK (MULYAN OVAL AMENITIES)	22/08/2007	24/08/2037	95,000	6.80	65,488
249	NATIONAL AUST. BANK (CIVIC CENTRE REFURBISHMENT)	22/12/2008	22/12/2033	1,395,390	8.15	887,211
245	NATIONAL AUST. BANK (CIVIC CENTRE REFURBISHMENT)	29/06/2009	29/06/2029	234,000	8.33	103,978
246	NATIONAL AUST. BANK (SALEYARDS EFFLUENT SCREENS)	16/04/2010	16/04/2025	225,000	8.01	30,541
250	NATIONAL AUST. BANK (DRAINAGE IMPROVEMENTS)	28/06/2013	28/06/2028	250,000	6.36	101,007
253A	NSW TREASURY (DEPOT REDEVELOPMENT - STAGE 1)	27/06/2016	27/06/2026	400,000	2.63	110,071
253B	NSW TREASURY (AIRPORT SUBDIVISION)	27/06/2016	27/06/2026	1,478,993	2.63	406,951
253C	NSW TREASURY (CEMETERY EXPANSION)	27/06/2016	27/06/2026	250,000	2.63	68,772
254A	NSW TREASURY (DEPOT REDEVELOPMENT - STAGE 2)	11/05/2020	11/05/2040	512,120	2.41	433,780
254B	NSW TREASURY (CBD FOOTPATH REFURBISHMENT)	11/05/2020	11/05/2040	1,437,788	2.41	1,218,113
254C	NSW TREASURY (LOW LEVEL BRIDGE REPAIRS)	11/05/2020	11/05/2040	500,000	2.41	423,610
						3,994,925
WASTE						
247	NATIONAL AUST. BANK (RECYCLING PLANT)	16/04/2010	16/04/2025	538,500	8.01	73,096
						73,096
WATER						
238	COMMONWEALTH (CBD MAINS REPLACEMENT)	22/02/2006	23/02/2031	1,000,000	6.03	439,887
241A	COMMONWEALTH BANK (WATER MAIN REPLACEMENT)	18/12/2006	18/12/2036	1,256,000	6.35	825,428
242A	COMMONWEALTH BANK (1C1 ZONE)	22/08/2007	24/08/2037	1,286,500	6.80	886,368
251	WESTPAC (EMERGENCY WATER SUPPLY CONSTRUCTION)	28/06/2013	27/06/2033	1,186,124	6.566	751,510
252	NATIONAL AUSTRALIA BANK (WATER TREATMENT PLANT AUTOMATION)	18/06/2014	18/06/2024	3,875,000	5.050	243,406
						3,146,599
SEWERAGE						
244	NATIONAL AUST. BANK (SEWER TREATMENT PLANT)	6/05/2010	04/05/2040	7,213,230	8.13	5,857,993
						5,857,993
GRAND TOTAL						\$13,072,613

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

File Number: D24/336

Author: Michael Jones, Director - Corporate Services

RECOMMENDATION

That the draft Minutes of the Cowra Regional Art Gallery Advisory Committee meetings held on 8 November and 13 December 2023 be noted.

INTRODUCTION

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

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

1. Advisory Committee of Cowra Regional Art Gallery Minutes - 8 November 2023 [↓](#)
2. Advisory Committee of Cowra Regional Art Gallery Minutes - 13 December 2023 [↓](#)

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 8 NOVEMBER 2023 AT THE COWRA REGIONAL ART GALLERY

Council Delegate: Cr S. D'Elboux

Committee Present: L. Murray (Acting Chair), L. Foster, Janet Ware, L. Chant and Cr S. D'Elboux

In Attendance: B. Langer (Gallery Director)

1. APOLOGIES:

1.2 Apologies were accepted from D. Henley, J. Fagan and R. Gillard

2. CONFIRMATION OF PREVIOUS MINUTES:

2.1 Motion

Moved: J.Ware Seconded: L.Chant

That the minutes of the Gallery Advisory Committee meeting held on 11 October 2023 be confirmed.

Carried

3. BUSINESS ARISING FROM LAST MEETING:

3.1 The Gallery Director confirmed he had flowers sent to Greg Ware, Gallery Volunteer with condolences on behalf of the Gallery Advisory Committee and Gallery staff on the death of his Mother.

4. CORRESPONDENCE:

Nil

5. FRIENDS FINANCIAL REPORT:

5.1 The Gallery Director reported that the Friends of the Gallery account balance as at 11 October 2023 is \$6,456.90

This is Page 1 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 8 November 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 8 NOVEMBER 2023 AT THE COWRA REGIONAL ART GALLERY

6. GALLERY DIRECTOR'S REPORT 11 October to 8 November 2023

6.1 Program

- *upstART 2023* – 10 schools have registered to participate in *upstART23* with over 100 students taking part. Schools are Blayney High School, Boorowa Central School, Canowindra High School, Cowra High School, Forbes High School, Hennessy Catholic College, The Henry Lawson High School, James Sheahan Catholic High School, St Raphael's Catholic School Cowra and Young High School.
- Planning and development of the Gallery Program (2023/2024/2025) continue.
- The re-schedule of the public program event in association with the Calleen Art Award to take place on Saturday 11 November at 2pm.
- Liaison with *upstART* sponsors/donors re awards prize money completed. Sponsors are Webster Optometrists and Yellow House Cowra, Community Donors are Cowra Art Group, Gallery Advisory Committee/Friends and Private Donor David Henley.
- Website updates re Calleen Art Award exhibition including announcement of the winner and a walkthrough with the Calleen Art Award Judge (completed).
- Promotion of the Gallery program has continued including monthly program listings in art (what's on) journals for Nov and Dec and media release/editorial information for local print and radio media including Phoenix paper, the Council Noticeboard in the Cowra Guardian, Arts OutWest and Cowra Tourism
- Liaison continues with National Portrait Gallery re advertising material for the National Photographic Portrait Prize 2023 exhibition at the Gallery.

Upcoming November - December 2023

- *upstART 2023* – production of invitations/mailout/media information website updates etc
- *National Photographic Portrait Prize 2023* - production of invitations/mailout/media information website updates etc
- Promotion and future planning of the Gallery Program as required including Summer workshops for children in January 2024
- Ongoing – what's on/ visitor updates on social media Facebook, Instagram, and promotion of the next exhibition openings/public programs on Mailchimp.
- Announcement of Calleen Art Award People's Choice winner after the Calleen exhibition closes on Sunday 19 November 2023.

This is Page 2 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 8 November 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 8 NOVEMBER 2023 AT THE COWRA REGIONAL ART GALLERY

- Exhibition changeover - **Calleen Art Award 2023** - take down/pack works and installation of student works in **upstART2023** - from 2pm Sunday 19 Nov to Friday 24 Nov.
- The judging for **upstART23** to take place on Friday 24 Nov. Guest Judge is Heidi Windeisen, Operation Art - Dept of Education NSW
- Opening of **upstART23** to take place on Saturday 25 Nov 2023 at 2pm exhibition dates are from 26 Nov to 10 Dec 2023.
- Exhibition Changeover – **upstART2023** - take down/pack works and unpack/installation of **National Photographic Portrait Prize 2023** from 2pm Sunday 10 Dec to Friday 15 Dec 2023.
- Opening of **National Photographic Portrait Prize 2023** on Saturday 16 Dec 2023 at 2 pm. exhibition dates are from 17 Dec 2023 to 4 Feb 2024.

6.2 Motion

Moved: J. Ware

Seconded: L. Murray

That the Gallery Director's Report for October to November 2024 be accepted and confirmed.

Carried

7. GENERAL BUSINESS:

- 7.1 Following a presentation by the Gallery Director it was agreed by the committee to purchase the "Artist Proof" lino block print by Aboriginal and Torres Strait Islander artist Brian Robinson winner of the 2018 Calleen Art Award

Brian Robison is well known for his detailed lino prints and the availability of this work as an acquisition for the Gallery collection is an outstanding opportunity not only as the provenance of the work is from his dealer in Brisbane but also it is an important example of his oeuvre. The date, subject and style of the work also relate strongly to the work that won the 2018 Calleen Art Award.

This is Page 3 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 8 November 2023.

MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 8 NOVEMBER 2023 AT THE COWRA REGIONAL ART GALLERY

There are several Calleen winning artists with works in both the Calleen Collection and the general gallery collection adding to the overall diversity and significance of the “Gallery Collection”.

8. BUSINESS ARISING WITHOUT NOTICE:

- 8.1 Chalk Fest- Cr D’Elboux confirmed the name of the outdoor chalk event is **“Gawk the Chalk”** and it will take place over several days in different locations during 24/25/26 November. The Gallery Director mentioned there was a mailout due 13/14 November and if there was a flyer about the event available it could be included.

9. NEXT EXHIBITION CHANGEOVER DATES:

- 9.1 Next changeover of exhibitions is from 2pm Sunday 19 to Thursday 23 November. Assistance was discussed by the committee members present and the Gallery Director.
- 9.2 **upstART23** take down/pack works and unpack/installation of **National Photographic Portrait Prize 2023** from 2pm Sunday 10 Dec – Friday 14 Dec.

10. NEXT EXHIBITION OPENING:

- 10.1 The opening of the next exhibition **upstART23** will take place on Saturday 25 November at 2pm. Catering for the opening is to include pizzas from Domino’s, cake squares (provided by committee members), juice and soft drinks. Available committee members offered to assist with the set-up of Nguluway Room and FOH activities on the day.

11. NEXT MEETING DATE:

- 11.1 The next meeting of the Gallery Advisory Committee is at the Cowra Regional Art Gallery on Wednesday 12 December 2023 at 5pm

13. MEETING CLOSED:

6.30pm Libby Murray (Acting Chairman)

This is Page 4 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 8 November 2023.

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

Council Delegate: Cr S. D'Elboux

Committee Present: D. Henley (Chair,) L. Murray, L. Foster, Janet Ware, L. Chant and Cr S. D'Elboux

In Attendance: B. Langer (Gallery Director)

1. APOLOGIES:

1.2 Apologies were accepted from, J. Fagan and R. Gillard

2. CONFIRMATION OF PREVIOUS MINUTES:

2.1 Motion

Moved: J.Ware Seconded: L.Chant

That the minutes of the Gallery Advisory Committee meeting held on 8 November 2023 be confirmed.

Carried

3. BUSINESS ARISING FROM LAST MEETING:

Nil

4. CORRESPONDENCE:

Letter received from Cowra Council regarding the appointment of Cr Sharon D'Elboux to the Cowra Regional Art Gallery Advisory Committee.

5. FRIENDS FINANCIAL REPORT:

5.1 The Gallery Director reported that the Friends of the Gallery account balance as at 11 December 2023 is \$6,551.90

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

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

6. GALLERY DIRECTOR'S REPORT 8 November – 13 December 2023

- Announcement regarding the winner of the **Calleen Art Award - People's Choice** Award during Nov 202.
- Exhibition changeover - **Calleen Art Award 2023** - take down/pack works and installation of student works in **upstART2023** - from 2pm Sunday 19 Nov to Friday 24 Nov 2023
- Preparation of **upstART 2023** exhibition included the production of invitations and mailout, marketing poster and FOH flyer, and promotional information via facebook and Instagram, and opening invitations online + updates via mailchimp
- Preparation of NPPP promotional advertising in leading art journals - *Look* magazine (AGNSW and Art Monthly (National distribution) as well as Dec/Jan listings and Art Almanac and Art Guide Australia.
- Following the exhibition installation of **upstART 2023** the awards judging took place on Friday 24 Nov. Guest Judge was Operation Art Officer, Heidi Windeisen. She selected 17 award recipients. Winners were announced and certificates were presented by Deputy Mayor Cr Paul Smith to students at the opening on Saturday 25 Nov 2023. Over 40 people were in attendance. The exhibition showcased the creative talents of 106 students in Stage 5 and 6 from 10 high schools in the region. Exhibition dates were 25 Nov – 10 Dec 2023
- Preparation of **National Photographic Portrait Prize** exhibition the production of invitations and mailout, marketing poster and FOH flyer, and promotional information via facebook and Instagram, and opening invitations online + updates via mailchimp
- Gallery Newsletter distributed with NPPP mailout to members for the Friends
- Exhibition changeover – **upstART2023** - take down/pack works and unpack/installation of **National Photographic Portrait Prize 2023** (NPPP) from 2pm Sunday 10 Dec to Friday 15 Dec 2023
- Promotion and future planning of the 2024 Gallery Program - including promotion of **Summer Workshops for Children**, 18 and 19 January 2024 and the exhibition **Operation Art** (Children's art toured by NSW Dept of Education) in the Library, 29 Jan to 2 March 2024, and the exhibition **Behind the Lines 2023** (political cartoons published in the media during 2023), from 11 Feb to 17 March 2024

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

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

Upcoming Activities Dec 2023 - Jan 2024

- Opening of **National Photographic Portrait Prize 2023** on Saturday 16 Dec 2023 at 2 pm. exhibition dates are from 17 Dec 2023 to 4 Feb 2024.
- Summer workshops for children in January 2024 are confirmed and will take place on Thursday 18 and Friday 19 Jan 2024. Information is now available on the Gallery website. Promotion of the workshops commences from 18 December
- On ongoing – what's on/visitor updates on social media Facebook, Instagram, and promotion of exhibition openings/public programs on Eventbrite and Mailchimp
- The Gallery is closed for the festive season commencing Sat 23 Dec and re-opens on Thursday 4 January 2024.
- Next Exhibition is *Behind the Lines* (a year of political cartoons 2023) opening Saturday 10 February 2024 at 2pm exhibition dates 11 Feb to 17 March 2024.

6.2 The Gallery Director distributed a detailed schedule of the Gallery exhibition program planned for January to December 2024.

6.3 Motion

Moved: D. Henley

Seconded: J.Ware

That the Gallery Director's Report and Gallery exhibition program planned for January to December 2024 be accepted and confirmed.

Carried

7. GENERAL BUSINESS:

- 7.1 FOH/Catering assistance was requested for the next exhibition opening on Saturday 10 Feb 2024
- 7.2 The committee approved that an amount of \$150 from the Committee/Gallery trust be contributed to the *upstART23* People's Choice Award.
- 7.3 The two Italian panels and artworks by Italian POWs held by the Gallery, and loans from other sources will be on display in the Gallery during the weekend of the Festival of International Understanding from 22 – 24 March 2024.

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

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

8. BUSINESS ARISING WITHOUT NOTICE:

Nil

9. NEXT EXHIBITION CHANGEOVER DATES:

- 9.1 The next exhibition changeover – ***National Photographic Portrait Prize 2023*** - take down/pack works and unpack/installation of ***Behind the Lines*** from 2pm Sunday 2 Feb to Friday 9 Feb 2024.

10. NEXT EXHIBITION OPENING:

- 10.1 The next exhibition opening is for ***Behind the Lines*** on Saturday 10 February 2024 FOH/catering assistance requested.

11. NEXT MEETING DATE:

- 11.1 The next meeting of the Gallery Advisory Committee is at the Cowra Regional Art Gallery on Wednesday 14 Feb 2024 at 5pm

13. MEETING CLOSED:

6.05pm David Henley, Committee Chair

4 DIRECTOR-INFRASTRUCTURE & OPERATIONS REPORT

4.1 Committee Minutes - Traffic Committee

File Number: D24/251

Author: Dirk Wymer, Director-Infrastructure & Operations

RECOMMENDATION

1. That the minutes of the Traffic Committee meeting held on 19 February 2024 be noted.
2. That Council approves the route of the Class 2 special event to be held as part of the ANZAC Day Parade on 25 April 2024 subject to compliance with the requirements of Transport for New South Wales (TfNSW) and NSW Police.
3. That Council approves the Class 3 special event, to be held as the “Bumbaldry @ Woodstock Endurance Ride”, subject to compliance with the requirements of Transport for New South Wales (TfNSW) and NSW Police.
4. That Mulyan Street from Redfern Street to Nangar Street, and Nangar Street from Mulyan Street to 17 Nangar Street, be approved for Tier I, PBS Level 2B, 30m “A- Double” access at Higher Mass Limits (HML).

INTRODUCTION

The minutes and recommendations of the Traffic Committee meeting are presented for Council’s consideration.

BACKGROUND

The minutes and recommendations from the recent Traffic Committee meeting are attached for the information of Councillors and consideration of the above recommendations.

Regarding recommendation 4, further technical information has been considered after the Traffic Committee meeting was held.

As per the minutes, the original committee recommendation was that the route be ‘approved for Tier I, PBS Level 2B, 30m A-double access at 68.5T maximum mass’.

Mulyan Street is approved for B-Double access at ‘Higher Mass Limits’ (HML); a maximum total weight of 68.5T. Limiting the A-Double Performance Based Standards configuration to the previous B-Double mass limits restricts the potential efficiency gains that are possible using the PBS configuration.

The A-Double configuration has an additional dual axle group with a potential additional maximum axle load of 17T; total maximum complying mass at HML 85.5T

The Committee membership has been consulted via email and has unanimously agreed to amend the recommendation as follows:

“That Mulyan Street from Redfern Street to Nangar Street, and Nangar Street from Mulyan Street to 17 Nangar Street, be approved for Tier I, PBS Level 2B, 30m “A- Double” access at Higher Mass Limits (HML).”

BUDGETARY IMPLICATIONS

N/A

ATTACHMENTS

- I. Minutes of the Traffic Committee meeting held on 19 February 2024 [↓](#)

DRAFT



MINUTES

**Traffic Committee Meeting
Monday, 19 February 2024**

TRAFFIC COMMITTEE MEETING MINUTES**19 FEBRUARY 2024****Order Of Business**

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2	Confirmation of Minutes.....	3
3	Business Arising From Previous Minutes.....	3
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4	Reports of Council Officers	3
4.1	ANZAC Day Parade 2024	3
4.2	Woodstock Endurance Ride 2024	4
4.3	Updated Temporary Delegation to Councils	4
4.4	National Heavy Vehicle Regulator -	4
5	General Business.....	4
5.1	Fitzroy Street Parking.....	4
6	Next Meeting Date	4
7	Meeting Close.....	4

TRAFFIC COMMITTEE MEETING MINUTES**19 FEBRUARY 2024**

**MINUTES OF COWRA COUNCIL
TRAFFIC COMMITTEE MEETING HELD AT THE COMMITTEE ROOM 1, COWRA
COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 19 FEBRUARY 2024 AT 9.30AM**

PRESENT: Cr Paul Smith (Chairperson), Ms Anne Jeffery, Mr Jason Nicholson (TfNSW), Sgt Jason Marks (NSW Police)

IN ATTENDANCE: Mr Dirk Wymer (Director - Infrastructure & Operations), Rodney Stammers (Development & Traffic Engineer), Ian Thomas (Manager - Assets & Technical Services)

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

Moved: Mr Jason Nicholson

Seconded: Mr Jason Marks

That the minutes of Traffic Committee Meeting held on 11 December 2023 be confirmed.

CARRIED

3 BUSINESS ARISING FROM PREVIOUS MINUTES**3.1 Traffic Committee Meeting Action Sheet**

The Action List as presented was received and noted by the Committee.

4 REPORTS OF COUNCIL OFFICERS**4.1 ANZAC Day Parade 2024**

Local Traffic Committee advice to Council on proposal: Unanimous support

RECOMMENDATION

That Council approves the route of this Class 2 special event to be held as part of the ANZAC Day Parade on 25 April 2024 subject to compliance with the requirements of Transport for New South Wales (TfNSW) and NSW Police.

TRAFFIC COMMITTEE MEETING MINUTES**19 FEBRUARY 2024****4.2** Woodstock Endurance Ride 2024

Local Traffic Committee advice to Council on proposal: Unanimous support

RECOMMENDATION

That Council approves the Class 3 special event, to be held as the “Bumbaldry @ Woodstock Endurance Ride”, subject to compliance with the requirements of Transport for New South Wales (TfNSW) and NSW Police.

4.3 Updated Temporary Delegation to Councils

The report on the Updated Temporary Delegation to Councils was noted by the Committee.

4.4 National Heavy Vehicle Regulator - "A Double" Trial

Local Traffic Committee advice to Council on proposal: Unanimous support

RECOMMENDATION

That Mulyan Street from Redfern Street to Nangar Street, and Nangar Street from Mulyan Street to 17 Nangar Street, be approved for Tier 1, PBS Level 2B, 30m “A- Double” access at 68.5T maximum mass.

5 GENERAL BUSINESS**5.1** Fitzroy Street Parking

It has been reported that there was potential for a collision between heavy vehicles turning south into Fitzroy Street from Kendal Street, and vehicles parked on the eastern side of Fitzroy Street due to their proximity to the intersection. Installation of non-compliance and installation of a “No Stopping” sign to be investigated.

6 NEXT MEETING DATE

The next meeting will be held on Monday, 8 April 2024 at 9.30am in the Committee Room 1, Cowra Council Chambers, 116 Kendal Street, Cowra.

7 MEETING CLOSE

The Meeting closed at 10.00am.

.....
CHAIRPERSON

4.2 Section 355 Committee Minutes - Saleyards Committee

File Number: D24/319

Author: Dirk Wymer, Director-Infrastructure & Operations

RECOMMENDATION

- 1. That the minutes of the Saleyards Committee meeting held on 9 November 2023 be noted.**
 - 2. That the minutes of the Saleyards Committee meeting held on 22 February 2024 be noted.**
-

INTRODUCTION

The Minutes and recommendations of Cowra Shire Council Section 355 Committee are presented for noting and consideration.

BACKGROUND

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

BUDGETARY IMPLICATIONS

N/A

ATTACHMENTS

1. Minutes of the Saleyards Committee meeting held on 9 November 2023 [↓](#)
2. Minutes of the Saleyards Committee meeting held on 22 February 2024 [↓](#)



MINUTES

**Saleyards Committee Meeting
Thursday, 9 November 2023**

DRAFT SALEYARDS COMMITTEE MEETING MINUTES**9 NOVEMBER 2023****Order Of Business**

1	Apologies	3
2	Confirmation of Minutes.....	3
3	BUSINESS ARISING FROM PREVIOUS MINUTES	3
4	Reports of Council Officers	3
4.1	Stock Figures Update	3
4.2	Cowra Saleyards Advertising.....	3
4.3	Cowra Saleyards 2023/2024 Financial Figures Update	4
4.4	Saleyards eID Update	4
4.5	Software	4
5	General Business.....	4
6	Next Meeting Date	5
7	Meeting Close.....	5

DRAFT SALEYARDS COMMITTEE MEETING MINUTES**9 NOVEMBER 2023**

**MINUTES OF COWRA COUNCIL
SALEYARDS COMMITTEE MEETING HELD AT THE SALEYARDS CANTEEN,
YOUNG ROAD, COWRA
ON THURSDAY, 9 NOVEMBER 2023 AT 8AM**

PRESENT: Cr Bill West, Cr Peter Wright, Mr Craige Oliver, Mr Brett Treasure, Mr Ian Wright, Mr Ross Chivers, Agent's Representative Patrick Waters, Mr John Sullivan

IN ATTENDANCE: Mr Dirk Wymer (Director - Infrastructure & Operations), Philippa Childs (Manager – Cowra Services), Mr Peter Seary (Supervisor – Airport, Cemeteries & Saleyards), Mr Chris Gailey (Saleyards Attendant)

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

Moved: Mr Ross Chivers

Seconded: Mr Craige Oliver

That the minutes of Saleyards Committee Meeting held on 14 September 2023 be confirmed.

CARRIED

3 BUSINESS ARISING FROM PREVIOUS MINUTES

- Feeding of the stock remaining after the sale is an ongoing issue however gradual improvements are being made with buyer's agents and staff better communicating requirements.
- The letter to the Minister regarding insufficient eID project funding has been drafted and will be finalised by General Manager.

4 REPORTS OF COUNCIL OFFICERS**4.1 Stock Figures Update**

Stock figures were noted are on track with last year's figures.

4.2 Cowra Saleyards Advertising

The Committee was informed that a 12 month quarterly advertising agreement has been

Page 3

DRAFT SALEYARDS COMMITTEE MEETING MINUTES**9 NOVEMBER 2023**

organised for The Farmer lift out magazine and occasional editorials featuring Cowra Saleyards will be included in the magazine over the 12 month period.

4.3 Cowra Saleyards 2023/2024 Financial Figures Update

It was noted that the truck wash income is ahead of expected. This indicates that going forward expansion of the truck wash facilities may be worth considering.

4.4 Saleyards eID Update

Saleyards Supervisor gave a detailed explanation of the progress noting that a trial draft had been constructed which would be suitable to retrofit panel readers. The project design report required by the DPI to register EOI for future funding has been completed and submitted.

4.5 Software

- Council has changed software systems from Outcross to AgriNous which will be the best available option to interface with eID technology. It is anticipated that future eID funding reimbursement would part fund the new software upgrade and training.
- Agents were reminded to input all data into the AgriNous app prior to the sale such that saleyards staff can process the sale through AgriNous.
- Council is progressive in implementing eID which means that Council is well placed for meeting the deadlines and having opportunity to receive funding. The marketing and message from the yards is a positive one and users are working well together to embrace the change.
- The budget for all work associated with the project needs to be allocated to a unique work order number so that all costs can be recorded precisely for future funding reimbursement.
- Council needs to be aware of the procurement process required. DPI requires three quotes for each area of the project being software, hardware, essential structural improvements and project management.

5 GENERAL BUSINESS

- The new numbering of the yards has been completed and is working well.
- The new trees at the back of the yards are establishing and looking good. Many thanks to the agents for this contribution.
- The Committee was notified that Mr Peter Seary has resigned from his position.

DRAFT SALEYARDS COMMITTEE MEETING MINUTES**9 NOVEMBER 2023**

6 NEXT MEETING DATE

The next meeting will be held on Thursday, 15 February 2024 at 8am in the Saleyards Canteen, Young Road, Cowra.

7 MEETING CLOSE

The Meeting closed at 9am.

.....
CHAIRPERSON



MINUTES

**Saleyards Committee Meeting
Thursday, 22 February 2024**

SALEYARDS COMMITTEE MEETING MINUTES

22 FEBRUARY 2024

Order Of Business

1 **Apologies** 3

2 **Confirmation of Minutes**..... 3

3 **Reports of Council Officers** 3

 3.1 Stock Figures Update 3

 3.2 Cowra Saleyards 2023-2024 Financial Figures Update 3

 3.3 Update on eID Progress 4

 3.4 Infrastructure Maintenance Issues 4

 3.5 Fit to Load Issues 5

 3.6 Saleyards Audit 5

 3.7 AgriNous Software 5

4 **General Business**..... 5

 4.1 Saleyards Kiosk 5

5 **Next Meeting Date** 6

6 **Meeting Close**..... 6

SALEYARDS COMMITTEE MEETING MINUTES**22 FEBRUARY 2024**

**MINUTES OF COWRA COUNCIL
SALEYARDS COMMITTEE MEETING HELD AT THE SALEYARDS CANTEEN,
YOUNG ROAD, COWRA
ON THURSDAY, 22 FEBRUARY 2024 AT 8AM**

PRESENT: Cr Bill West (Chairperson), Cr Peter Wright, Mr Brett Treasure, Mr Ian Wright, Mr John Sullivan (Agent's Representative), Mr Patrick Waters, Mr James Keady, Mr Andrew Wilson, Mr Rory Brien, Mr Jack Harper, Mr Damien Stevenson, Ms Shaneen Treasure.

IN ATTENDANCE: Ms Philippa Childs (Manager – Cowra Services), Ms Elizabeth Bryce (Supervisor – Airport, Cemeteries & Saleyards).

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

Moved: Cr Peter Wright

Seconded: Mr John Sullivan

That the minutes of Saleyards Committee Meeting held on 9 November 2023 be confirmed.

CARRIED

3 REPORTS OF COUNCIL OFFICERS**3.1 Stock Figures Update**

The stock figures were noted by the Committee. Numbers are tracking slightly ahead of the previous two years.

These numbers are still quite low averaging 16,000 per month.

3.2 Cowra Saleyards 2023-2024 Financial Figures Update

The financial figures were noted by the Committee.

The Committee agreed that more advertising through social media was required to grow business.

A question was tabled regarding the allocated \$100,000 to covered walkways and clarification was given that spending of this budget was dependant on additional grant funding.

A question was tabled regarding the minimum annual throughput required to keep the yards operational. Clarification was provided that there was no minimum but rather the throughput would need to be satisfactory to cover operational expenses.

SALEYARDS COMMITTEE MEETING MINUTES**22 FEBRUARY 2024**

3.3 Update on eID Progress

The Committee was informed that the rebate scheme application has been successful and that all invoices and spending records must be submitted by 2 August 2024 to access the rebate.

The design report tabled at the previous meeting was completed and submitted to apply for the rebate. This report provided three quotes for each infrastructure, hardware, software and project management. The Committee now needs to come to agreement as to the most suitable solution to implement.

A letter has been forwarded to the NSW Minister for Agriculture The Hon Tara Moriarty to question and note the funding deficit to complete the project.

The Committee discussed some issues with the prototype designed draft and agreed that once those issues were fixed that the draft could be suitable to replicate across the remaining three drafts.

Other comments regarding the project included:

- Concern that the rollout was either going to be delayed or not going to eventuate due to lack of funding.
- The Committee to look at what the processors are implementing to identify industry best practice.
- The Committee needs to stay motivated and progress the project quickly to remain competitive.
- The costing already completed should be revised and updated.
- Contact local member Steph Cooke to note the funding deficit and request an extension to the rebate deadline.

3.4 Infrastructure Maintenance Issues

The following issues were noted for action by Saleyards staff:

- Fencing items require attention between P1 and P3 as sheep can push against the fence and potentially escape.
- Cleaning from D draft to the bottom of yards has not been adequate and needs to improve.
- Linemarking for guidance to loading ramps is required. The Committee was informed that although contract linemarkers were currently carrying out Council work, correct procurement had not been completed and as the current budget is tracking slightly over, this project would be delayed until next financial year. The Committee decided that the linemarking needed to progress immediately regardless of budget and procurement.
- Water troughs were becoming dirty. The request was to clean these out on a weekly basis.
- Garbage bins were requested in the selling yards.

SALEYARDS COMMITTEE MEETING MINUTES**22 FEBRUARY 2024****3.5 Fit to Load Issues**

- Fit to load issues have been identified in the region outside of the saleyards however this may trigger more compliance monitoring at the yards by Local Land Services, Department Primary Industries and RSPCA. Agents are reminded to be aware of this and continue to approach fit to load issues with zero tolerance.
- At a recent sale lambs below weaning age were sold. The agents were asked to not allow sale of lambs below weaning age as a separate lot. Any young lambs must be sold as one lot with ewes and should not be attempted to wean at the yards.
- The Committee requested that Council staff create a Facebook video to demonstrate what is and is not fit to load.

3.6 Saleyards Audit

- A recent saleyards Audit was completed successfully. The audit required improvements to be made to feed tracking and the feed declaration form to be completed. Staff reminded the Committee that forms are available at the office.
- The Committee discussed that stock left in yards for long periods following the sale is an ongoing issue. The Committee agreed that better communication was required by all parties.

3.7 AgriNous Software

- The implementation of AgriNous software is going well and all agents have made a good effort to use the software and book their sales. Agents are reminded of the importance of booking the sale prior to start of the sale.
- A significant issue in progressing use of the software is vendor declarations not being completed correctly or at all.
- A recommendation was also made to record the sale.

4 GENERAL BUSINESS**4.1 Saleyards Kiosk**

The Kiosk licensee Narelle Carpenter has contacted Council and Agents informing of her intention to not reapply for her current contract. Narelle noted that the kiosk is not viable as operations are limited to sale day only. The Committee agreed that the contract should be modified to allow for business use outside of sale day.

Narelle also noted the challenge of the kiosk being used for meetings. The Committee agreed to hold future meetings at the main Council Office to eliminate this problem.

SALEYARDS COMMITTEE MEETING MINUTES**22 FEBRUARY 2024**

5 NEXT MEETING DATE

An extraordinary meeting to discuss eID will be held on 21 March 2024 at 8am in Council's Administration Building.

The next general meeting will be held on Thursday, 23 May 2024 at 8am.

6 MEETING CLOSE

The Meeting closed at 9.15am.

.....
CHAIRPERSON

5 DIRECTOR-ENVIRONMENTAL SERVICES REPORT

- 5.1 Development Application No. 137/2021, Lot 1 DP 519943, Campbell Street Cowra, general industry (continued use of existing buildings & site to manufacture precast concrete & steel construction products), lodged by Westcast Pty Ltd**

File Number: D24/300

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 3 submissions were received; and
2. That Development Application No. 137/2021, for a general industry (continued use of existing buildings & site to manufacture precast concrete & steel construction products) on Lot 1 DP 519943, Campbell Street Cowra be subject to the following conditions:

PLANS & DOCUMENTATION

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 Diagram Sheet A000 E Rev E	Vision Town Planning Consultants 26 April 2023	Received 23 May 2023 Stamped No. DA 137/2021(C)
Proposed Shed/Site Plan Sheet A001 N Rev I	Vision Town Planning Consultants 30 August 2023	Received 4 September 2023 Stamped No. DA 137/2021(C)
Extent of Subject DA Sheet A003 B Rev B	Vision Town Planning Consultants 26 April 2023	Received 23 May 2023 Stamped No. DA 137/2021(C)
Existing Shed/Site Plan Sheet EX001 C	Vision Town Planning Consultants 9 May 2023	Received 23 May 2023 Stamped No. DA

Rev C		137/2021(C)
Proposed Car Parking Plan Sheet 1 Version 1	Vision Town Planning Consultants 24 April 2023	Received 23 May 2023 Stamped No. DA 137/2021
Proposed Screening Wall Version 1 Amendment B	Vision Town Planning Consultants 31/08/2023	Received 4 September 2023 Stamped No. DA 137/2021
Proposed Screening Wall – Line of Sight Plan Sheet No.2 Version 1	Vision Town Planning Consultants 29/08/2023	Received 4 September 2023 Stamped No. DA 137/2021
Proposed Security Lighting Sheet No.4 Version 1	Vision Town Planning Consultants 30/08/2023	Received 4 September 2023 Stamped No. DA 137/2021
Tree Inspection Report	JG Arbor 29/05/2023	Received 6 December 2023 Stamped No. DA 137/2021(C)
Washout Pit Layout Drawing No. WC-IH-002 Rev B Sheets 1 to 5	Civilcast Pty Ltd 16/12/2022	Received 23 May 2023 Stamped No. DA 137/2021(B)
Conceptual Stormwater Management Plan Rev P4	Calare Civil 11/08/2023	Received 4 September 2023 Stamped No. DA 137/2021(B)
Traffic Impact Assessment Version 07	Traffix August 2023	Received 14 September 2023 Stamped No. DA 137/2021(C)
Air Quality Assessment Rev 03	Vipac 29 August 2023	Received 4 September 2023 Stamped No. DA 137/2021(C)
Acoustic Report	Acoustic Works	Received 4 September 2023

Revision R011	30/08/2023	Stamped No. DA 137/2021(D)
Preliminary Contamination Investigation Rev 1 Report No. R13508c1	Envirowest Consulting Pty Ltd 26/8/2021	Received 10 December 2021 Stamped No. DA 137/2021
Contamination Investigation around former AST Rev 0 Report No. R13508c2	Envirowest Consulting Pty Ltd 2/3/2022	Received 30 May 2023 Stamped No. DA 137/2021
Validation Report Rev 0 Report No. R13508val	Envirowest Consulting Pty Ltd 6/7/2023	Received 1 August 2023 Stamped No. DA 137/2021
Smart Tank ST033 Spec Sheet & Drawings Rev A	DURO TANK 8/3/2019	Received 23 May 2023 Stamped No. DA 137/2021
Environmental Impact Statement Version 6	Vision Town Planning Consultants 31/08/2023	Received 4 September 2023 Stamped No. DA 137/2021(D)

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 Environmental Management Plan required under the EPA's General Terms of Approval must include the management of the remediated area (as per report no. R13508emp prepared by Envirowest Consulting Pty Ltd dated 19/07/2023).

NSW EPA GENERAL TERMS OF APPROVAL

4. Except as expressly provided by these General Terms of Approval (GTAs) or by any conditions of consent granted by Cowra Council or the conditions of an in-force environment protection licence issued by the Environment Protection Authority (EPA), works and activities must be carried out in accordance with the proposal contained in:

- i. the Development Application 10.2021.137.10 submitted to Cowra Council; and
 - ii. any other additional information provided to Council and uploaded to the NSW Planning Portal (Agency Concurrence and Referral Portal).
 5. Should any conflict exist between the aforementioned documents, the most recent document or revision supersedes the conflict, except where superseded by any conditions of approval issued by Council or the conditions of an in-force Environment Protection Licence issued by the EPA.
 6. An Environmental Management Plan must be prepared and implemented within 3 months of development consent being granted. The plan must include, but not be limited to:
 - i. The identification and mitigation of potential impacts to surface water and soils. The plan must make reference to the requirements outlined in the document "Managing Urban Stormwater: Soils and Construction (Landcom, 2004);
 - ii. Air quality (dust) management measures;
 - iii. Waste handling measures;
 - iv. Noise management measures; and.
 - v. Reference all air, water, noise, waste mitigation measures identified in the Environmental Impact Statement (Section G and specialist appendices).
 7. Hours of Operation:

Concrete panel production activities related to the Proposal may only be undertaken during the following hours:

 - 7:00 am to 6:00 pm, Monday to Fridays;
 - 8:00 am to 1:00 pm, Saturdays, and
 - at no time on Sundays or Public Holidays.

Truck movements and equipment maintenance relating to the Proposal may only be undertaken during the following hours:

 - 7:00 am to 10:00 pm, Monday to Fridays;
 - 8:00 am to 1:00 pm, Saturdays, and
 - at no time on Sundays or Public Holidays.
 8. Trucks entering and leaving the premises that are carrying potentially dust generating loads on public roads must be covered at all times, except during loading and unloading.
-

9. All internal roads must be maintained in a condition that prevents or minimises the emission into the air of air pollutants (which includes dust).
10. All trucks and mobile plant operating within the premises must be fitted (where there is a requirement for such devices to be fitted under the Work Health and Safety legislation) with broad-spectrum reversing alarms.
11. The Proponent must apply for and hold an in-force Environment Protection Licence issued by the EPA prior to the Proponent carrying out any scheduled activities under the *Protection of the Environment Operations Act 1997* as proposed.

TRANSPORT FOR NSW CONDITIONS

12. The applicant must comply with the requirements of T HR CI 12090 ST Airspace and External Developments (Link: <https://www.transport.nsw.gov.au/industry/asset-standards-authority/find-a-standard/airspace-and-external-developments-1>) and Development Near Rail Corridors and Busy Roads- Interim Guidelines (Link [development-near-rail-corridors-and-busy-roads-interim-guidelines-2008.ashx](https://www.transport.nsw.gov.au/industry/asset-standards-authority/find-a-standard/development-near-rail-corridors-and-busy-roads-interim-guidelines-2008) (nsw.gov.au)). Please note that State Environmental Planning Policy (Infrastructure) 2007 referred in the above documents has been superseded by State Environmental Planning Policy (Transport and Infrastructure) 2021.
13. If required, the applicant must submit an application to UGLRL for approval of TAHE prior to any use of cranes and equipment in the air space over the rail corridor. The use of Equipment must be in accordance with the AS 2550 series of Australian Standards, Cranes, Hoist and Winches, including AS2550 15-1994 Cranes – Safe Use - Concrete Placing Equipment.

ESSENTIAL ENERGY CONDITIONS

14. Required distances from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) are listed below to ensure that there is no safety risk.
 - High Voltage 66000 Volt power line = 30 metres
 - High Voltage 11000 volt power line = 25 metres
 - High Voltage pad mounted distribution transformer = 3 metres minimum to any structure - 6 Metres from containers containing Flammables - 6 metres from Air Filtration/conditioning/ventilation units.
15. Underground assets:
 - Pillars/Pits must be clear of any obstruction be a minimum of 500mm, including fences, vegetation, driveways, garden beds etc.
 - Fences or bollards on the boundary of a padmount substation must comply with the following:

- i. The fence is segregated by an insulating panel to prevent transfer of earth voltage rise under fault conditions
 - ii. That portion of the fence or bollards adjacent to the substation must be earthed to Essential Energy standards
 - iii. Any fence posts or bollards must be clear of cable routes
 - iv. Access is always maintained.
- The ground surface within the clearance zone of a padmount substation must be either grass or woodchip, any other surface treatment must be approved by Essential Energy, this includes any increase of ground levels or excavation.
 - Vegetation must remain clear of clearance zones for underground cables.
 - Structures must not be placed over the top of cables unless approved by Essential Energy.
 - High Voltage 11000 volt underground cable = 1 metre from the located/and potholed by approved means centre line.
 - Low Voltage 415 volt Underground Cables = 500mm from the located/and potholed by approved means centre line.
16. It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a Request for Safety Advice if works cannot maintain the safe working clearances set out in the Working Near Overhead Powerlines Code of Practice, or CEOP8041 - Work Near Essential Energy's Underground Assets.
- Information relating to developments near electrical infrastructure is available on our website Development Applications (essentialenergy.com.au). If the applicant believes the development complies with safe distances or would like to submit a request to encroach then they will need to complete a Network Encroachment Form via Essential Energy's website Encroachments (essentialenergy.com.au) and provide supporting documentation. Applicants are advised that fees and charges will apply where Essential Energy provides this service.
17. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
18. Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.
19. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of

Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); the location of overhead and underground powerlines are also shown in the Look Up and Live app essentialenergy.com.au/lookupandlive.

GENERAL CONDITIONS

20. The demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the Work Health and Safety Act 2011.
21. No advertising sign and/or structure other than that which is permitted under this development approval or permissible without consent (exempt development) is to be erected as part of the approved development until a formal application has been submitted to Council and a development consent has been issued.
22. All traffic movements in and out of the development are to be in a forward direction.
23. The emission of noise from the premises must be in accordance with the recommendations of the Noise and Vibration Impact Assessment prepared by Spectrum Acoustics Pty Ltd and the Noise Policy for Industry published by the NSW Environment Protection Authority (2017).
24. Liquid trade waste material is not to be discharged into the sewerage system without first obtaining the approval of Cowra Shire Council. An approval is needed if liquid trade waste is being discharged into the sewer. A liquid trade waste notification is required if it is produced, but not discharged into Council's sewer system.
25. Disabled access and parking are to be afforded to the site in accordance with the provisions of Part D3 Access for people with a disability – BCA Volume I.
26. Council's responsibility for the 200mm Asbestos Cement Reticulation main ends at the first join south of the water meter. As a result, Westcast Pty Ltd shall be responsible for all water infrastructure south of this point.

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

27. Prior to the issue of a Construction Certificate, a detailed Stormwater Management Plan shall be submitted to Council's Director – Infrastructure & Operations for approval. The plan is to demonstrate that:
 1. Adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council. Plans must also state control measures for erosion and sedimentation.
 2. An 80% reduction in Total Suspended Solids, 60% reduction in Total Phosphorous and 45% reduction in Total Nitrogen can be achieved.
28. Prior to the issue of a Construction Certificate, a detailed Landscape Plan is to be submitted to Council's Director – Environmental Services for approval. The

plan is to detail the proposed landscape screening works including a maintenance schedule.

29. 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	\$510,000.00	1%	\$5,100.00	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

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

30. 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.
31. 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'.
32. 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 the approved Stormwater Management Plan and Part B of Cowra Shire Council Development Control Plan 2021 at all times.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

- 33. 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.**
- 34. 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.**
- 35. 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.**
- 36. 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.**
- 37. Car parking facilities, including all internal parking and manoeuvring areas are to be constructed and sealed in accordance with Australian Standard 2890.1 Off-Street Car Parking, Australian Standard 2890.2 Commercial Vehicle Facilities and Australian Standard 2890.6 Off-street parking for people with disabilities. They are to include all necessary line marking, directional arrows and signage to delineate parking spaces, traffic flow and traffic priority. All costs associated with the construction of the parking area shall be borne by the Applicant.**
- 38. 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.**
- 39. The applicant must obtain any approvals required under Section 68 of the Local Government Act 1993 for water supply work, sewerage and stormwater drainage work or the disposal of liquid waste into Council's sewer.**

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

- 40. The Applicant must obtain a Whole or Partial Occupation Certificate from the Principal Certifier appointed for the subject development.**
- 41. Prior to the issue of any Occupation Certificate, landscaping is to be installed**

and maintained in accordance with the approved plans.

42. Prior to the issue of any Occupation Certificate, the visual screening wall is to be constructed in accordance with the approved plans.
43. Prior to the issue of any Occupation Certificate, security lighting is to be installed in accordance with the approved plans.
44. Prior to the issue of any Occupation Certificate, carparking is to be constructed and line-marked in accordance with the approved plans.
45. Prior to the issue of any Occupation Certificate stormwater construction is to conform to the approved plans. A “Works as Executed” plan of the plumbing and drainage work is to be provided to and approved by Council at the completion of the work.
46. The Applicant is to prepare and implement a Traffic Management Plan and Driver Code of Conduct for the task of transporting materials on public roads. The TMP will also apply to any haulage undertaken via contractors. The plan is to be submitted and concurred to by Council as the consent and roads authority. The plan should include consideration of (but is not limited to) the following issues:
 - Restricting haulage operations during local school bus pick up/drop off times. Relevant consultation with local schools and local school bus operators should be undertaken and demonstrated.
 - Policies and procedures for addressing any concerns raised by the community on project related matters.
 - Toolbox meetings to facilitate continuous improvement initiatives and incident awareness.
 - Truckloads are to be covered at all times when being transported, to minimise dust and loss of material onto roads which may form a traffic hazard.
 - Measures to ensure responsible fatigue management and discourage driving under the influence of alcohol and/or drugs, dangers of mobile phone use and driving to the conditions, and adherence to posted speed limits.
47. A Fire Safety Certificate completed by a competent fire safety practitioner shall be furnished to the Principle Certifier for all the Essential Fire Safety Measures specified in the current fire safety schedule for the building, prior to the issue of any Occupation Certificate. The Fire Safety Certificate must be issued using the standard template form published by the NSW Government. A copy of the Fire Safety Certificate must be predominately displayed in the building and a copy submitted to Council by the Principle Certifier with the Occupation Certificate. An electronic copy of the Final Fire Safety Certificate (together with a copy of the current Fire Safety Schedule) shall also be forwarded to the Fire Commissioner via the following dedicated email address: afss@fire.nsw.gov.au
48. An Annual Fire Safety Statement completed by a competent fire safety

practitioner for all the Essential Fire Safety Measures applicable to the building must be given to Council and a copy forwarded to the Fire Commissioner via the dedicated email address afss@fire.nsw.gov.au:

- (i) within 12 months after the date on which an annual fire safety statement was previously given, or
- (ii) if a fire safety certificate has been issued within the previous 12 months, within 12 months after the fire safety certificate was issued, whichever is the later.

An Annual Fire Safety Statement must be issued using the standard template form published by the NSW Government. A copy of the Annual Fire Safety Statement (together with a copy of the current fire safety schedule) must also be prominently displayed in the building.

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.

INTRODUCTION

Development Application No. 137/2021 proposes a general industry (continued use of existing buildings & site to manufacture precast concrete & steel construction products) on Lot 1 DP: 519943, Campbell Street Cowra. The application was lodged with Council by Westcast Pty Ltd on 10 December 2021.

The application is being reported to Council because it represents designated development as defined under Schedule 3 of the Environmental Planning & Assessment Regulation 2021. In addition, 3 submissions objecting to the proposal were received following Council's public exhibition process.

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

Description of Site

The subject land is identified as Lot 1 DP 519943, Campbell Street Cowra. It is an irregularly shaped allotment of approximately 62 hectares located on the eastern fringe of the Cowra township. It is bordered on the eastern boundary by Waugoola Creek and on the southern boundary by the Lachlan River. The site is bordered on the northern property boundary by Darbys Falls Road and the western property boundary by an access handle providing access to a neighbouring agricultural allotment. Cowra locomotive depot is located on the western side of this access road. A short section of the western boundary is adjoined by the southern end of Campbell Street.

The site contains a large existing industrial building with an attached office accessed from a sealed internal driveway connecting to Campbell Street. Surrounding the building is a ring road driveway constructed mainly of gravel. The large industrial buildings have previously been used for a number of manufacturing activities and are known locally to have been initially used as a wool processing facility.

The remainder of the land is used for agriculture, and does not contain any other buildings with the exception of two agricultural storage buildings. The site itself has undulating gradients throughout. The most level area of the site is the area immediately surrounding the existing industrial buildings.

Earth banks are already constructed on the land along the western side of different sections of the internal driveway and for the majority of the length of the western sides of the industrial buildings.

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 general industrial activities on the subject site (continued use of existing buildings & site to manufacture precast concrete & steel construction products). The development utilises a number of large existing sheds located on the site. The sheds are surrounded by existing vehicle manoeuvring areas and an adjacent stormwater retention dam to the south. The site also has a large office area at the front of the industrial shed buildings.

Access to the site is gained using an existing internal driveway constructed of bitumen seal travelling parallel with the western property boundary and connecting to Campbell Street. The products manufactured include a variety of precast concrete and steel products for the construction industry. The proponent for the development application is Westcast Pty Ltd who is also the operator of the facility. The concrete works manufacturing facility has the capacity to manufacture 83,160 tonnes of product per annum.

There are some ancillary works that form part this proposal including:

- The installation of some screening trees on the perimeter of the site
- The installation of a visual screening wall
- The removal of 7 trees within the car park area
- The construction of car parking (65 spaces in total)
- The demolition of a small pump shed
- The construction of stormwater/wastewater treatment facilities
- The installation of a self-bunded smart (fuel) tank

Employees

Below is a summary of staff numbers onsite during operation:

Total of factory, office, maintenance and yard staff (total): 80

The attendance onsite is in two shifts of operation, and one shift for maintenance. The staff numbers for these shifts are as follows:

Shift 1: 7am – 5pm – 60 staff

Shift 2: 5pm – 10pm – 13 staff

Shift 3: Maintenance/administration 24 hours – 6 staff

Office staff are located in the front administration building.

Factory staff are located in the existing sheds, except for a small number involved in the concrete batching process.

Yard staff are working external to the building involved in goods receiving and goods outgoing.

Hours of Operation

The hours of operation have been specified by the NSW EPA in their General Terms of Approval which are included in the recommended conditions of consent. They are as follows:

Concrete panel production activities related to the proposal may only be undertaken during the following hours:

- 7:00 am to 6:00 pm, Monday to Fridays;
- 8:00 am to 1:00 pm, Saturdays, and
- at no time on Sundays or Public Holidays.

Truck movements and equipment maintenance relating to the Proposal may only be undertaken during the following hours:

- 7:00 am to 10:00 pm, Monday to Fridays;
- 8:00 am to 1:00 pm, Saturdays, and
- at no time on Sundays or Public Holidays.

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 137/2021:

NSW Environmental Planning and Assessment Act 1979

Designated Development

The proposed development, which involves the manufacturing of concrete products, meets the description of concrete works included in Schedule 3 of the *Environmental Planning and Assessment*

Regulation 2021. The development is located within 250 metres of a residential zone located to the west of the site, and therefore constitutes designated development.

The development also has the production capacity of more than 150 tonnes of product per day and more than 30,000 tonnes of product per year, meaning it also exceeds these thresholds and constitutes designated development. Particular legislative provisions apply to designated development. These include specific public exhibition requirements and the preparation of an Environmental Impact Statement (EIS) with environmental assessment requirements provided by the Planning Secretary. These requirements have been satisfied by the Applicant and by Council with regard to the public exhibition of the proposal.

Integrated Development

Environmental Protection Licence

The proposed development is Integrated Development pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* given that an Environmental Protection Licence is required under the *Protection of the Environment Operations Act 1997*.

Accordingly, the application was referred to the Environmental Protection Authority (EPA) and the EPA has issued their General Terms of Approval. These are included in the recommended conditions of consent.

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

Cowra Local Environmental Plan 2012

The subject allotment is split zoned and contains land zoned E4 General Industrial, C3 Environmental Management and R1 General Residential under the provisions of the *Cowra Local Environmental Plan 2012*. The proposed development is primarily located on the part of the site zoned E4 General Industrial. The General Industry (continued use of existing buildings & site to manufacture precast concrete & steel construction products) is permitted in the zone with development consent.

Zone E4 General Industrial

1 Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To ensure the nature and scale of new industrial development in West Cowra is compatible with existing residential land uses in the surrounding area.

2 Permitted without consent

Environmental protection works; Roads

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Car parks; Community facilities; Correctional centres; Crematoria; Depots; Environmental facilities; Extractive industries; Freight transport facilities; Funeral homes; Garden centres; **General industries**; Goods repair and reuse premises; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Heliports; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Mortuaries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Research stations; Restricted premises; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wholesale supplies

4 Prohibited

Any development not specified in item 2 or 3

Comments

The application demonstrates that the concrete works (general industry) can be operated as proposed without breaching any standards or exceeding any thresholds for impact and so can be categorised as a general industry, which is a permissible land use in the land-use zone.

The subject land is also zoned as C3 Environmental Management and R1 General Residential. However, the development does not involve any industrial activity within the areas of the site in these zones. The dam at the southern end of the site is located within the C3 zone. Water from the development will be drained to this dam in accordance with the Stormwater Management Plan submitted with the application. Water will then be pumped back to a holding tank as displayed on the development plans so that the water is recycled through the batching operation. The pumping of water from an existing dam is not an industrial activity, but represents a way of using an existing dam to capture water and then facilitate it being recycled back through the batching operation.

The driveway that connects to Campbell Street presently extends along the western boundary of the property, through the land use zones of C3 Environmental Management and R1 General Residential before it enters the area of the site zoned E4 General Industrial. This also does not constitute an industrial activity in the R1 and C3 zones but enables access to the development.

Part 6 Urban release areas

The site is identified as an urban release area and therefore the following clauses of Part 6 apply:

6.2 Public utility infrastructure

- (1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

Comments

The development is currently operating and is connected to Council's water and sewer reticulation services. It is considered that all necessary public utility infrastructure is available on site.

6.3 Development control plan

6.3(2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.

Comments

Section 1.4 of Cowra Council Development Control Plan 2021 Waugoola Industrial Release Area applies to the land and provides for the matters specified in subclause 3. The application will be assessed against the relevant controls in Section 1.4.

7.1 Earthworks

- (1) The objective of this clause 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.
- (2) Development consent is required for earthworks unless—
 - (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or
 - (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.
- (3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—
 - (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.

Note—

The National Parks and Wildlife Act 1974, particularly section 86, deals with harming Aboriginal objects.

Comments

The area surrounding the existing buildings is already constructed largely of sealed surface, gravel or compacted granite. A preliminary investigation and subsequent contamination investigation report makes recommendations for managing specific areas within the site. A Stormwater Management Report is submitted including measures to prevent erosion. No negative impacts are anticipated. The development does not constitute exempt development, but can be undertaken ancillary to the proposed concrete works, which is permitted with consent in the land use zone.

The construction of the roadways as displayed on the development plans within an allotment already containing an industrial activity and has been used as an industrial site for a long period of time, will not cause disruption or detrimentally affect drainage patterns or soil stability. The development is designed to utilise existing drainage flow paths to capture water runoff from the site so it can be processed through the wastewater pits and the sediment basin.

The development is not likely to have any effect on any future development, as the proposed development utilises the majority of the area within the E4 General Industrial zone that is defined within the larger allotment.

The area for proposed new roadways is within the vicinity of the existing industrial activities, and so it is appropriate for the soil to be disturbed in that area. Loop road number 3 and new road number 13 are in areas that contain existing gravel and soil in a rural paddock style of use. The excavation and use of materials to construct these roads will not have a negative impact.

The construction of the new manoeuvring areas and roadways as displayed on the development plans immediately adjacent to the existing industrial site will not have any detrimental impact or negative impact on neighbouring residences which are separated sufficiently from the development site so no negative impact is incurred. Mitigation measures are detailed in the EIS including a tree buffer and a proposed block wall for visual screening.

The area where the development is being undertaken is not remnant bushland, is not on a prominent hill and is not close to waterways and is not likely to disturb relics, however the Code of Practice for finding unexpected objects is to be followed during the construction process. The water management measures to be implemented on the site mean that the earthworks associated with the construction will not have an adverse impact on waterways, drinking water catchments or environmentally sensitive areas as a result of any erosion of any materials.

Measures to be implemented to avoid, minimise or mitigate any impacts from earthworks will be erosion control measures as depicted in the Soil Erosion Control Plan and Water Management Plan submitted with the development application.

The development can comply with the requirements of Clause 7.1.

7.3 Terrestrial biodiversity

The mapping adopted within the Cowra Local Environmental Plan identifies the very western fringe and parts of the eastern and southern boundaries as possibly containing areas of environmental sensitivity.

Comments

The development site does not require the removal of any trees within the areas mapped in the terrestrial biodiversity map layer. A report prepared by JG Arbor concludes that the seven trees to be removed in the vicinity of the existing car parking area to be expanded can be completed as the trees are not in good health and are suitable for removal.

As the development is being undertaken in an area that is already industrial in its land use, it will not have any adverse impact on the condition or ecological value or the significance of any flora and fauna on the land and will not impact important vegetation that would constitute habitat for the survival of fauna. Likewise, the development will not result in fragmentation or disturbance of environments that would diminish the biodiversity, structure, function or composition of the allotment as it is all undertaken within the industrial area of the site and using existing access road networks.

The development will not have an adverse impact on any habitat elements that provide connectivity. The proposed landscaping inclusion of additional trees for screening along the allotment boundary will improve habitat elements and connectivity.

The development will not have any negative impact on terrestrial biodiversity. The development is satisfactory with regard to the considerations of Clause 7.3.

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.

Comments

The development can be undertaken largely within the subject buildings and any development outside the buildings or on sealed or compacted areas. Water on the site will be managed in accordance with the erosion sediment control and stormwater management plan submitted with the development application. The development 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.

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 remain connected to Council's reticulated water supply.

Electricity

The proposed development will be connected to electricity supply to the requirements of the relevant energy provider.

Sewage

The proposed development will remain connected to Council's reticulated sewerage service.

Stormwater

Stormwater will be discharged in accordance with the Stormwater Management Plan.

Access

Vehicle access to the development will be gained by using the existing sealed driveway connecting to Campbell Street as shown on the development plans.

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	The development does not directly adjoin a classified road. Access to the site is gained by utilising the existing sealed vehicle driveway which is connected directly to Campbell Street which is a local street under the care and control of Cowra Shire Council. Section 2.122 of the Transport and Infrastructure SEPP states that before determining a Development Application,

	<p>written notice must be given to TfNSW and take into consideration comments received. Subclause 2 of Section 2.122 states that the relevant size or capacity is that which is identified in column 3 of the table included in Schedule 3 of the Transport and Infrastructure SEPP. Column 3 of Table in Schedule 3 of the Transport and Infrastructure SEPP identifies industry with site area of greater than 5,000 square metres that is located within 90 metres connection of a classified road to be development that requires referral to TfNSW. As the industrial site exceeds 5,000 square metres and the connection point from the boundary of the allotment onto Campbell Street is approximately 90 metres from Darbys Falls Road, which is a classified road, referral is therefore required. A Traffic Impact Assessment has been prepared and submitted with the development application concluding that the development can be undertaken as proposed and designed without negative impact on the site or transport network.</p> <p>Conditions from TfNSW have been included in the recommended conditions of consent.</p> <p>Essential Energy have also provided recommended conditions of consent.</p>
SEPP (Biodiversity and Conservation) 2021	The development does not exceed the biodiversity offset scheme threshold as defined by the NSW Biodiversity Conservation Act 2016 and associated regulation. In this instance, the arborists report and the plans provided demonstrate that a very small number of trees are to be removed. The area of the subject development does not have an applicable minimum lot size and so the threshold for clearing of native vegetation is not exceeded. The development will not have a significant impact on threatened species or communities.
SEPP (Planning Systems) 2021	Chapter 2, Part 2.2, Section 2.6 and Chapter 2, Part 2.4, Section 2.19 declare that developments identified in either Schedule 1, Schedule 2, Schedule 3, Schedule 4 or Schedule 6 constitute either State Significant Development or Regionally Significant Development. The concrete works are not listed in any of the schedules meaning the development does not constitute State Significant or Regionally Significant Development and the provisions of the Planning Systems SEPP does not apply.
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 (Sustainable Buildings) 2022	Not applicable.
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

A preliminary contamination investigation report was prepared by Envirowest Consulting involving site inspections, review of site history, review of approvals of use of the site, consideration of the current land use and onsite soil testing as outlined in the report. The report includes recommendations that specified areas within the site have additional investigation undertaken through soil reporting and that a remediation action plan be prepared for remediation of those

identified areas. The recommendations also state that the interim management measure for those identified areas of impacted soils is to include excluded access to those particular points to prevent disturbance and measures to be implemented to prevent erosion or removal of sediment through reduced water flows for those identified locations which is reflected in the water and soil erosion management plans prepared by Calare Civil.

Further remedial contamination testing has been completed for identified areas of contamination. Remedial works were recommended as a result of this additional testing, and will be completed in accordance with the remediation action plan.

The development involves the removal of a small shed previously used as a pump shed. The shed is not lined and will not result in any contamination.

No further investigation is required prior to assessment of the development application in accordance with the NSW Managing Land Contamination Planning Guidelines.

Chapter 3 Hazardous and offensive development

The concrete batching process and the management of waste materials is detailed in Section B on page 14 of the EIS. The process means that the risk of hazardous materials resulting in a negative environmental impact is considered low, and this preliminary consideration/screening would indicate that the development is not potentially hazardous. The location of the development relative to surrounding land uses and the topography and layout of the site means that it is not a potentially offensive industry. Therefore this preliminary screening is considered to be adequate to consider Chapter 3 of the Resilience and Hazards SEPP.

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 Development Control Plan 2021

Part B – Land Management

A report has been prepared and submitted with the application by Calare Civil demonstrating how erosion and stormwater management is to occur on the site during construction and during operation.

Part C – Biodiversity Management

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:

- There is no minimum lot size applying to the development, 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 other than some small individual trees within the carpark as discussed elsewhere in this report. The development is unlikely to affect threatened species or ecological communities.

Part I – Industrial Development

I.1.3	<p>The proposed development is generally consistent with the land-use conflict and pollution management controls in the DCP. An analysis of the surrounding environment has not identified any particularly sensitive land-use activities that might be impacted by the proposed development (with the imposition of conditions of consent).</p> <p>The following design measures form part of the proposal (as identified in the EIS) and will generally address the requirements of Section I.1.3 of the DCP:</p> <ul style="list-style-type: none"> • Lighting is positioned to be directed into the site and not at residential land-uses. Lighting will be limited after manufacturing hours to ensure lighting does not impact neighbouring land uses. Specialised reports are prepared and submitted with the Development Application analysing noise, water, soil, traffic and air quality. The reports conclude the proposed development can be undertaken with the implementation of nominated mitigation measures to ensure pollution does not occur. • The water used at the site can be sourced from the Council reticulated water system and any wastewater will be managed in accordance with the system outlined in the stormwater management plan. The stormwater Management plan also allows for reuse/recycling water through the manufacturing process. • Any dust at the site would be managed through either compacted granite or sealed surfaces to prevent dust being churned in the air during traffic movements and activities to manufacture products. An Air Quality Assessment Report is submitted with the application demonstrating that the proposed development will not result in any negative impacts on air quality. • The batching equipment will be positioned in the site in the location displayed on the development plans. The Noise Impact Assessment submitted with the DA assesses the operation of this equipment in that location and confirms it is appropriate in accordance with recommendations of the report without negative impact as a result of noise. • The buildings are already constructed and the distance to any sensitive land uses mean that the development will not have any negative visual impacts on those uses. • Any odour from the development can be managed within the site by undertaking activities that produce any strong smells within the industrial sheds. The distance to any neighbouring sensitive users will
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	help to mitigate any potential impacts from odour.
I.1.4 Setbacks	The development involves the use of existing industrial buildings, the operation of equipment, storage and construction of driveways within the vicinity of those buildings. The setback of the building and appearance orientated towards Campbell Street is not altered by the development and does not involve any variation to the controls of this section.
I.1.5 Building Design and Form Controls	The development already incorporates a portico share drive through awning at the front of the office buildings which are located at the front of the industrial sheds as presented to Campbell Street with no changes other than improved parking required. The development is a great distance from Campbell Street and Darbys Falls Road meaning it is not visually prominent.
I.1.6 Open Space & Waste Areas	The site is already bordered by adjoining land within the rail corridor that includes large amounts of established tree vegetation. Trees are proposed to be included along with a blockwork wall along the western property boundary to screen the product storage and driveway areas from neighbouring residential dwellings to the west. This screening will effectively mitigate any negative impacts.
I.1.7 Fencing Controls	The site is a very large site with agricultural fencing of varying standards on its various boundaries. The industrial buildings on the site are secured as lockable areas. There is no proposal to alter any of the fencing already in place for the site.
I.1.8 Servicing Controls	The site is already connected to all utility services, including reticulated water, reticulated sewer and vehicle access suitable for catering for the operation of the development as it exists and the proposed expansion.
I.1.9 Commercial Activity Controls	The development involves industrial activities and is not in variation to any of the commercial controls contained in Section 1.9
I.1.10 Parking Access & Mobility	This is addressed under Part M of the DCP. A report by Traffix is submitted with the application and concludes the design of internal roads, parking facilities and access is appropriate and complies with the relevant Australian standards.
I.1.11 Signage	The awnings and buildings are capable of catering for signage in accordance with State Environment Planning Policy (Exempt & Complying Development) Code 2008.
I.1.12 Landscaping	This is addressed under Part N of the DCP.
I.1.13 Soil Erosion & Sediment Control	This is addressed under Part B. A report has been prepared and submitted with the application by Calare Civil demonstrating how erosion and stormwater management is to occur on the site during construction and during operation.
I.4 contains controls applicable to the Waugoola Industrial Release Area	The mitigation measures previously mentioned in this report that confirm access to the site is gained via an existing access driveway, that the site is connected to all utilities required to operate the facility, stormwater drainage and soil and sediment soil erosion control measures to be implemented, the position of the site outside of the 1%

	AEP event, and the compliance with other sections of the DCP mean the development is compliant with Section I.4 of the DCP.
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Part L - Advertising and Signage

No signage is proposed.

Part M - Parking, Access and Mobility

Part M states that, for general industry, the parking rate should be established in accordance with the nature of the development. A report is prepared and submitted by Traffix, who are consultants in considering proposals that involve onsite parking and traffic movements to a development. The report concludes that the design as proposed can be undertaken without alteration and without any identified unmitigated negative environmental impacts. Sixty-five parking spaces are proposed, including two disabled spaces, which is considered to be satisfactory to accommodate the parking demand associated with the development. The Applicant states that the maximum number of staff present during any shift period is 60 staff.

Part N - Landscaping

The site contains a number of existing trees, the majority of which are proposed to be retained. The landscaping in this area is considered to be appropriate without alteration or additional landscaping being required with the exception of a landscape buffer proposed along the western boundary. The application is consistent with Part N.

Part - Environmental Hazard Management

The lot is mapped by council as flood planning area. The area proposed for the development operation is not within the Flood Planning Area. It is considered the proposed development would not adversely affect flood behaviour or adversely affect the safe occupation and efficient evacuation of people. The site is not mapped as bushfire prone.

A preliminary investigation has been completed by Envirowest Consulting considering the history, current land use and proposed land use of the site. The report prepared in accordance with SEPP (Resilience & Hazards) 2021 and the Contaminated Land Management Planning Guidelines concludes that additional remediation is required in specified locations of the site but that with the inclusion of methods to isolate those areas as interim measures, the use of the site can continue operation and the future development is appropriate.

Part P – CPTED Principles

The development would represent continued use of an existing private industrial use and is therefore considered to have a minimal increase in risk of crime. It is considered the proposed development would meet the objectives of Part P of the DCP. It does not contain any potential entrapment areas for members of the public. It is assessed that the continued operation of the general industry complies with the relevant CPTED principles.

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

CLAUSE	COMMENT
61 Additional matters that consent authority must consider	<p>The demolition of a pump shed is proposed and Australian Standard AS 2601-2001: The Demolition of Structures applies as conditioned.</p> <p>No subdivision orders are applicable.</p> <p>Dark Sky Planning Guideline does not need to be addressed for this proposal.</p> <p>The proposal does not include a manor house or multi dwelling housing (terraces).</p>
62 Consideration of fire safety	The proposal does not propose a change of building use for an existing building.
63 Considerations for erection of temporary structures	The proposal does not include a temporary structure.
64 Consent authority may require upgrade of buildings	The proposal does not involve the rebuilding or alteration of an existing building.
65 Consideration of conservation plan for development at Sydney Opera House	Not applicable.
66 Contributions plans for certain areas in Sydney—the Act, s 4.16(1)	Not applicable.
67 Modification or surrender of development consent or existing use right—the Act, s 4.17(5)	There is no proposal to modify or surrender a development consent or existing use right.
68 Voluntary surrender of development consent—the Act, s 4.63	There is no proposal to voluntarily surrender a development consent.

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

Section 4.15(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 land is located on the eastern fringe of the Cowra township and is bordered on the eastern boundary by Waugoola Creek and on the southern boundary by the Lachlan River. The site is also bordered on the northern property boundary by Darbys Falls Road and the western property boundary by an access handle providing access to a neighbouring agricultural allotment for the majority of the western boundary. On the opposite side of the access handle is the Cowra

locomotive depot. The remainder of the western boundary is adjoined by the southern end of Campbell Street.

The site contains a large existing industrial building with an attached office accessed from a sealed internal driveway connecting to Campbell Street. Surrounding the building is a ring road driveway constructed mainly of gravel. The large industrial building has previously been used for a number of manufacturing activities and is known locally to have been initially used as a wool processing facility.

The remainder of the land is used for agriculture, and does not contain any other buildings with the exception of two agricultural storage buildings. The site itself has undulating gradients throughout. The most level area of the site is the area immediately surrounding the existing industrial buildings.

The proposal is considered compatible with the surrounding area and will have minimal impact in regard to:

- Impacts on adjacent properties and land uses; and
- Interruptions of important views and vistas.

The proposal is within the context of the locality and Council's current planning provisions.

Occupation Certificate

The applicant is seeking consent for the continued use of the buildings for general industrial purposes. While it is acknowledged that the use of the premises has already commenced, Council will still require compliance with conditions of a development consent. As such a "whole Occupation certificate" is required to be applied for by the applicant to confirm that all conditions of the consent have been complied with. The whole occupation certificate will not be issued unless all required works have been undertaken, a fire safety certificate has been issued and all conditions of consent have been complied with to the satisfaction of the Principal Certifier.

Access, Transport and Traffic

The traffic generation from the proposed development is predicted to be approximately 188 vehicle trips (94 in, 94 out) per day (both light and heavy vehicles). Based on the existing traffic volumes on Fitzroy Street, this increase in traffic volume is not predicted to exceed the criteria nominated in Section 5.8 of the Acoustic Report.

Vehicle access to the development will be gained by using the existing sealed driveway connecting to Campbell Street as shown on the development plans. The applicant proposes no changes to the current vehicle access arrangements, stating that they have been operating satisfactorily for the existing facility.

Sixty-five car parking spaces are proposed to be provided including two disabled spaces. This is assessed as satisfactorily accommodating the parking needs of the proposal as previously discussed.

A Traffic Impact Assessment was submitted with the application. The assessment included completing traffic counts, proposed routes and entry to the site and consideration and assessment of the traffic attending the site. The Traffic Impact Assessment concludes that the proposal and

continual operation of the precast concrete facility will not have any adverse impacts to the surrounding road network. Therefore, no mitigation measures are considered necessary other than adhering to the operating parameters outlined in the EIS.

Public Domain

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

Utilities

The site is already 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 and a search of the AHIMS records did not reveal any items or places of Aboriginal Cultural Significance identified as present on the land.

The area to be utilised as part of the development is already fully developed with hardstand area and buildings and no negative impact on any form of heritage is anticipated.

Other Land Resources

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

Water, Sewerage and stormwater

The land is serviced by Council's reticulated water and sewerage system. Stormwater to be controlled as per the Stormwater Management Plan.

Air and Microclimate

The site contains sealed areas and also areas of compacted gravel that will prevent dust from being churned into the air either during construction or during operation of the facility.

An Air Quality Impact Assessment report was prepared and concludes the development can operate as proposed without negative impact or exceeding any applicable limits.

Water spray systems will be installed to prevent dust churning into the air and wind breaks for the concrete batching activities. A windbreak is already achieved in the concrete batching area through the existing storage shed. The ongoing use of the development will not negatively impact air quality if proposed mitigation measures are adhered to.

Public Health

The materials used at the site could pose a public health risk if they are not managed as proposed. The mitigation measures included in the specialist reports confirm how the operation can continue without resulting in health problems to personnel at the site or persons in the community.

Most specifically, the preliminary contamination investigation undertaken by Envirowest Consulting makes recommendations for further testing to identify appropriate remediation and measures to be implemented so that the site may continue to operate in the interim.

Any potential health issues will be mitigated through the implementation of operational procedures as identified in the EIS and through specialist reports submitted with the application. The EPA has recommended the preparation and implementation of an environmental management plan as per the general terms of approval.

Flora and Fauna

The development involves the removal of seven trees in the proposed parking area. An arborist report prepared by J G Arbor giving consideration to each of these trees concludes that the trees are not in good health and recommends that they may be appropriately removed.

The development site is entirely developed with a history of being utilised for industrial purposes. The development does not require the clearing of native vegetation that would exceed thresholds under the NSW *Biodiversity Conservation Act 2016*.

No negative impacts identified, therefore no mitigation measures are required.

Waste

Construction waste will be removed from the site and appropriately recycled or catered for at a licensed waste management facility. Industrial waste can be collected and taken for disposal at a licensed material waste facility.

Visual Impact

The development site is located outside of the urban fringe of the Cowra township. The site has had a long history of industrial uses utilising the existing industrial buildings, offices and infrastructure constructed around the buildings.

The development proposes to use the existing industrial buildings and the area surrounding those buildings for the operation. The expansion of the development involves the use of areas immediately adjacent to the south and east of the existing building, and extension of the existing driveways to enable them to loop around the site on the southern end and extend through a previous dam that forms a bunker on the eastern side of the buildings.

The position of this storage and land use will be screened from view by the installation of a landscape strip for the full extent of the western boundary within the industrial zone, and the extent of the storage areas and internal driveways as viewed from the residential area to the west of the site. The proposed construction of a visual barrier wall along part of the western boundary immediately adjacent to the existing industrial buildings and storage area will provide a further visual barrier between the residential area to the west of the site.

The site is not visually prominent from any classified roads or any significant sites within the township. In order to operate the industrial use construction works are not required to clear vegetation or construct stockpiles or store infrastructure that would result in negative impacts on views from any nearby residential receivers or sensitive land uses.

The site is separated from the urban area of the township by access to an agricultural allotment skirting the south eastern fringe of the township and by an open but non-operational rail line with substantial vegetation in the rail reserve as well as existing buildings orientated with the rail line. The use of the site will therefore not have any negative visual impacts.

Energy

The applicant has advised the following:

Power usage - the existing power is adequate for the forecast demand. Approximate expected use is 500-1000 amps. Batch Plant - 90kw, Production line 110kw

Lighting includes:

High bay LED lighting through the factory.

The vehicle paths will be lit to designate heavy vehicle routes.

Loading area to the east of the buildings will be lit by pole lighting and lighting mounted to existing buildings.

Power supplied to the existing industrial site is appropriate for the proposed development.

The measures proposed as considered acceptable.

Noise and Vibration

An Acoustic Report was completed by Acoustic Works which considers the operating hours, operating practices, the activities being undertaken, vehicle movements and location of various equipment throughout the site. It concludes that provided the recommendations of Section 8 of the report are complied with, that the development meets the acceptable level of noise for the development in the location.

The applicant proposes the following mitigation measures:

Deliveries and pickups will only occur in the dedicated loading zone as shown in Figure 3 during the evening time period (6pm to 10pm), deliveries associated with small trucks or vans may occur at any location onsite. During the evening time period (6pm to 10pm), trucks will drive directly to the dedicated loading zone with no stopping at any other location in the driveway. Forklift activity shall be limited to the day time period only (7am to 6pm).

The report recommends that waste collection be conducted in accordance with the surrounding residential properties with recommended hours of 7am to 6pm weekdays and 8am to 6pm weekends.

The report recommends that any new mechanical plant is designed to comply with the criteria stated in Section 5.3 of the Acoustic Report with an assessment undertaken by a qualified acoustic consultant to be conducted prior to installation.

The traffic generation from the proposed development is predicted to be approximately 204 vehicles per day. Based on the existing traffic volumes on Fitzroy

Street, this increase in traffic volume is not predicted to exceed the criteria nominated in Section 5.8 of the Acoustic Report.

Hours of operation are to be controlled via a recommended condition of consent.

Water

The site is connected to reticulated water. Stormwater from the site can be managed within the land. Any waste water from the operation will be managed in accordance with the water management system outlined in the EIS and the Stormwater Management Plan prepared by Calare Civil.

The Stormwater and Soil Erosion Management report displays mitigation measures to be implemented including wastewater treatment pits, sediment basin and storage dam as well as reuse of water for the batching process.

Natural Hazards

An eastern portion of the site is within the flood planning area. However, the entire area to be utilised as part of the proposed development is outside of the flood planning area and will not have any impact on flood levels or displace any flood waters or result in any risk to life or negative economic impact.

The land is not mapped as bushfire prone.

Technological Hazards

Refer to comments under SEPP Resilience and Hazards.

Safety, Security and Crime Prevention

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

The continued operation of the industrial manufacturing occurring at the site, as well as the expansion of that industry, will provide for additional employment with appropriate facilities onsite for personnel, resulting in positive social & economic outcomes. The use of the site will mean that it is maintained and does not fall into disrepair also resulting in beneficial social & economic outcomes. The information provided with this application confirms that the development, as proposed, will not result in any unmitigated negative environmental impacts and so will only result in positive social & economic outcomes.

Site Design and Internal Design

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

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 connected to the site. It is assessed that the development will not impact upon any existing services. The development site is not identified as bushfire or flood prone, or 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 ReceivedPublic Consultation

The subject Development Application was publicly exhibited from 13 January 2021 to 11 February 2021, in accordance with Cowra Community Participation Plan 2020. Following the process, three (3) submissions were received. The land zoning was subsequently changed by the NSW Department of Planning and Environment and the application amended which required the application to re-exhibited.

Re-exhibition occurred from 22 June 2023 to 20 July 2023, in accordance with Cowra Community Participation Plan 2020. Three (3) submissions were received in relation to the proposed development and are included in Attachment '5' to this report. The applicant was offered an opportunity to respond to the submissions and this response is included in Attachment '6' to this report. The table below provides a summary of the concerns or objections expressed in the submissions and associated assessment comments:

Objection	Assessment Comment
The objector seeks clarification of the proponent's details and the various versions of the application documentation	<p>The site is operated via a lease to Westcast Pty Ltd. One Campbell Property Pty Ltd are the owners of the property and have a postal address at the same location.</p> <p>The applicant has confirmed that the initial development application was submitted with Version 4 of the Environmental Impact Statement (EIS) on 8/12/2021 via the NSW Planning Portal. Prior to the initial lodgement, specialist consulting reports and plans were prepared. This process involved the preparation of Versions 1, 2 and 3 of the EIS as working drafts for consultants to utilise in order to update and finalise reporting into an application that has consistency across all documents. Version 4 and associated documentation was publicly exhibited on 13/01/2022.</p> <p>Version 5 of the EIS with supporting documents was submitted on 1/06/2023 via the Planning Portal following the change of zoning from IN2 Light Industrial to E4 General Industrial and subsequent amendments to the application. This version was publicly exhibited from 22/06/2023.</p> <p>The final version of the EIS that was subsequently issued with</p>

	<p>accompanying specialist reporting and plans and uploaded to the portal on 4/09/2023 is version 6 of the EIS. This version was prepared following the latest round of public exhibition and responds to Council requests for additional information.</p> <p>So effectively, 3 versions of the Environmental Impact Statement have been issued as final and submitted to Council through the NSW Planning Portal during the assessment of the development application.</p>
Noise impacts associated with the Westcast operation and hours of operation are unreasonable. The accuracy of acoustic modelling is questioned.	<p>According to the applicant, the noise is produced by a combination of agitator, batching plant & truck movements onsite. Westcast is concerned about noise from the operations and has commissioned acoustic consultants to confirm the operation can comply with the acceptable levels of noise for that is applicable to the zone and the site. Given the site has accommodated industrial operations for the past 50 years in keeping with Cowra Council intentions for the property, including machinery, truck movements, steam boilers, furnaces, production activities, staff and vehicle movements, the potential for noise from this site is not new.</p> <p>The acoustic consultants who conducted the noise assessments on site have provided a separate response regarding the accuracy of acoustic modelling clarifying their methodology and why it achieves a more ideal outcome for the surrounding sensitive receivers. This response is included in Attachment '7' to this report. As a local business, Westcast is committed to maintaining modern equipment fitted with baffling systems and continues to implement technology that reduces any noise in the operations. In respecting the surrounding area and neighbours, Westcast is limiting the operating hours at the site as set out in the EIS.</p> <p>The applicant has also proposed the construction of a concrete lego-block wall to the height of 3 metres along the Western and Eastern side of the building and loading zone located immediately adjacent to the factory and around the area used for concrete batching. This mitigation measure is included in the recommended approval documents. It is also proposed to implement a screen of tree plantings along the top of the dry dam embankment to the east of the building for visual screening.</p> <p>The applicant states that, using LIDAR data and to the benefit of the owner of the property to the east, we downloaded contours for the area containing the residence and confirmed that the height at the ground level of the residence is 303 AHD. The blockwork wall proposed would be constructed at a ground level of 304-305 AHD, meaning it will be an effective wall as requested by the neighbouring property owner.</p> <p>The initial response to a concern received from a neighbour to the beeping noise was addressed through alternative vehicle safety</p>

	<p>measures which has been received well by the neighbour as stated in their submission. The reversing beeper issue was limited to a particular squawker beeper which has been addressed. There are no other beepers that require modification.</p> <p>Approved operating hours have been specified by the EPA in their General Terms of Approval. They are as follows:</p> <p>Concrete panel production activities:</p> <ul style="list-style-type: none"> • 7:00 am to 6:00 pm, Monday to Fridays; • 8:00 am to 1:00 pm, Saturdays, and • at no time on Sundays or Public Holidays. <p>Truck movements and equipment maintenance relating to the Proposal may only be undertaken during the following hours:</p> <ul style="list-style-type: none"> • 7:00 am to 10:00 pm, Monday to Fridays; • 8:00 am to 1:00 pm, Saturdays, and • at no time on Sundays or Public Holidays. <p>Any impact from truck movements is considered to be satisfactorily addressed by these approved hours. The hours of operation are considered acceptable along with the other noise mitigation measures discussed. The EPA have issued their General Terms of Approval (GTA's) and specific Environmental Protection Licence (EPL) conditions, many of which address permissible noise emission levels. These conditions are included in Attachment '8' to the report.</p>
Lighting pollution to neighbouring properties	<p>The submission requests Council include conditions appropriate for the ongoing operation of the site relating to lighting. Westcast agrees to limit after hours lighting to security lighting as demonstrated on the lighting plan submitted with the application. Security lighting will be limited to immediately around the building and on the eastern loading pad, will be limited to lighting facing back towards the building. Security lighting will be on night time sensors. Operational lighting will be limited to operational hours. This lighting is demonstrated on the lighting plan included in the recommended conditions.</p>
Potential for water pollution – especially with respect to the proximity of Waugoola Creek and the Lachlan River.	<p>The submission requests that Council be involved in the assessment of any impacts of water as part of the development application. This is the case as Council assesses the development application and also referred the application to the NSW EPA.</p> <p>Council is satisfied that the measures proposed including the Stormwater Management Plan are acceptable and the EPA has issued their General Terms of Approval.</p>
Impact on Platypus population as a result	<p>The objection has been raised that the operations may have a negative impact – however no evidence or substantiation has been</p>

of operations.	provided that this is the case.
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Public Authority Consultation:

NSW Environment Protection Authority

The proposed development is Integrated Development pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* given that an Environmental Protection Licence is required under the *Protection of the Environment Operations Act 1997*.

Accordingly, the application was referred to the Environmental Protection Authority (EPA) and the EPA has issued their General Terms of Approval. These are included in the recommended conditions of consent. For information purposes, a draft of the EPA's Specific Licence Conditions is included in Attachment '8' to this report.

Essential Energy

There is an easement and electrical infrastructure on the allotment. Essential Energy have provided comments and recommended conditions are included in the recommended conditions of consent.

Transport for NSW

The Transport and Infrastructure SEPP identifies industry with a site area of greater than 5,000 square metres that is located within 90 metres connection of a classified road to be development that requires referral to TfNSW. The application meets the above criteria and was therefore referred to TfNSW who have provided comments and recommended conditions are included in the recommended conditions of consent. The application was also referred to a separate section of TfNSW for comment due to its proximity to the adjoining railway corridor and further conditions have been applied in this regard.

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

The proposed development is considered to be appropriate for the site and in the public interest due to social and economic benefits and the availability of locally produced products. No significant adverse environmental or community impacts are anticipated. It is believed that by the imposition of appropriate conditions of consent and the safeguards discussed in this report, potential impacts would be modest.

S7.12 Fixed development consent levies

Section 7.12 contributions are payable in accordance with recommended condition number 29.

Conclusion

Development Application No. 137/2021 proposes a general industry (continued use of existing buildings & site to manufacture precast concrete & steel construction products) on Lot 1 DP: 519943, Campbell Street Cowra. The application was lodged by Westcast Pty Ltd on 10 December 2021.

The application was supported by an Environmental Impact Statement 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 E4 General Industrial zone and is consistent with existing land-use activities of the locality.

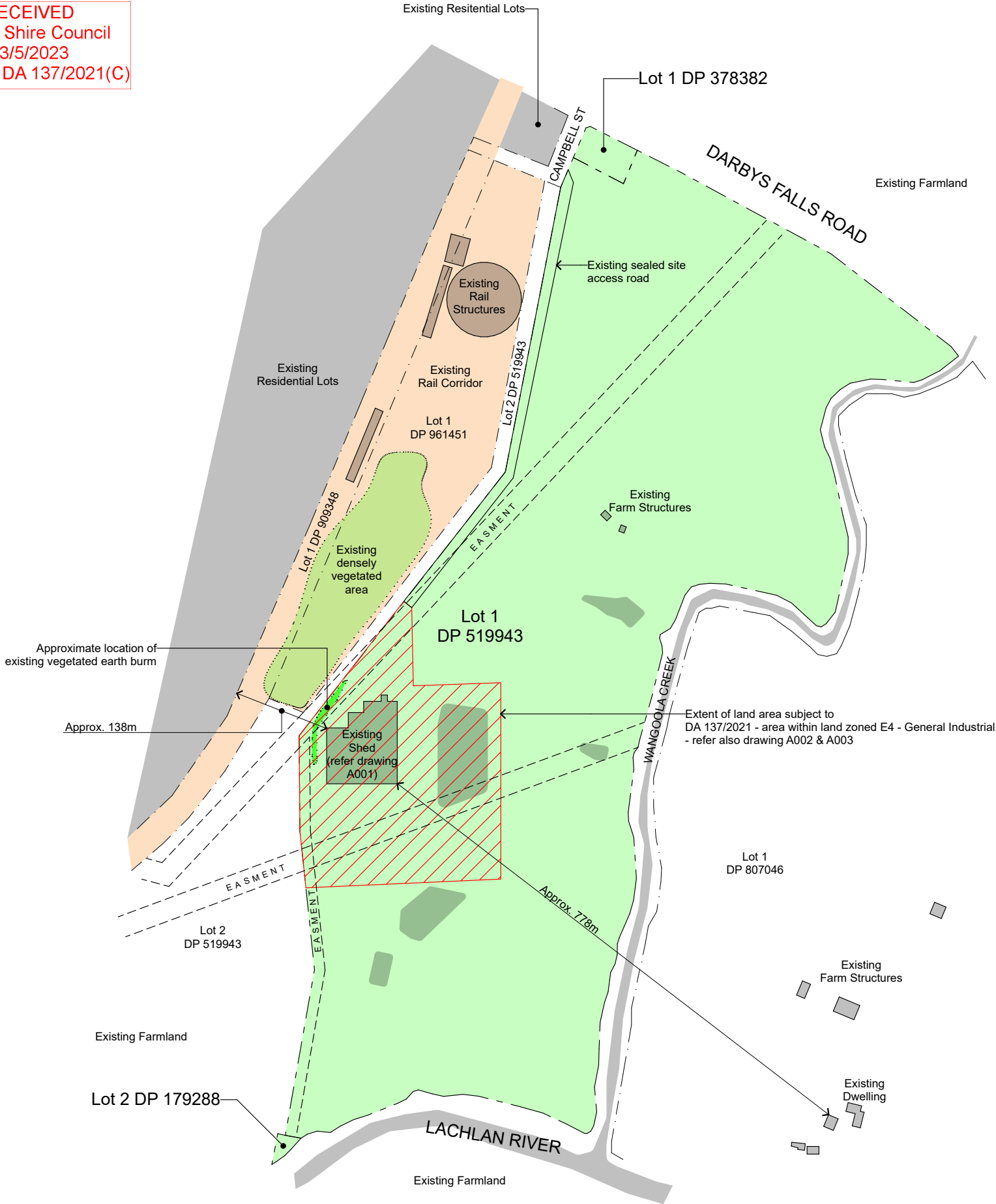
The development application was notified in accordance with Cowra Community Participation Plan 2020. Three (3) submissions were received following the consultation process and are addressed in this report.

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 137/2021 - Development Plans [↓](#)
2. DA 137/2021 - Environmental Impact Statement [↓](#)
3. DA 137/2021 - Location map [↓](#)
4. DA 137/2021 - Aerial view [↓](#)
5. DA 137/2021 - Copies of submissions [↓](#)
6. DA 137/2021 - Applicants response to submissions [↓](#)
7. DA 137/2021 - Response to submissions from Acousticworks [↓](#)
8. DA 137/2021 - EPA's General Terms of Approval & Specific Licence Conditions [↓](#)

RECEIVED
Cowra Shire Council
23/5/2023
Plan No: DA 137/2021(C)



Note:
This plan is diagrammatic only.
All dimensions and areas must be considered
approximate only and subject to confirmation by
a registered surveyor before being relied upon.

GENERAL NOTES

ISSUE
For council approval

Revision	Changes	Date
A	Issued for council approval	25 Aug 2021
B	Existing site easments shown	11 Jan 2022
C	Extent of land area subject to DA shown	08 Mar 2022
D	Extent of land area subject to DA edited	09 Mar 2022
E	General Revision	26 Apr 2023

PROJECT
Proposed Continued Use

CLIENT
Civilcast Pty Ltd

LOCATION
1 Campbell St COWRA

DATE
5 May 2021

SCALE
1:6000

Sheet size: A3
Drawings to be read at the intended print scale

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53 Redfern Street,
Cowra NSW 2794
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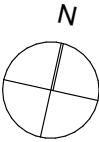
JOB NUMBER
59/21

DRAWING
Site Diagram

A000 E

LEGEND

Extent of land area subject to
DA 137/2021



Page 108

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Plan No: DA 137/2021(C)

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GENERAL NOTES

ISSUE
For council approval

Revision	Changes	Date
A	Extent of land area subject to DA edited	09 Mar 2022
B	General Revision	26 Apr 2023

PROJECT
Proposed Continued Use

CLIENT
Civilcast Pty Ltd

LOCATION
1 Campbell St COWRA

DATESCALE

8 Mar 20221:2000

Sheet size: A3
Drawings to be read at the intended print scale

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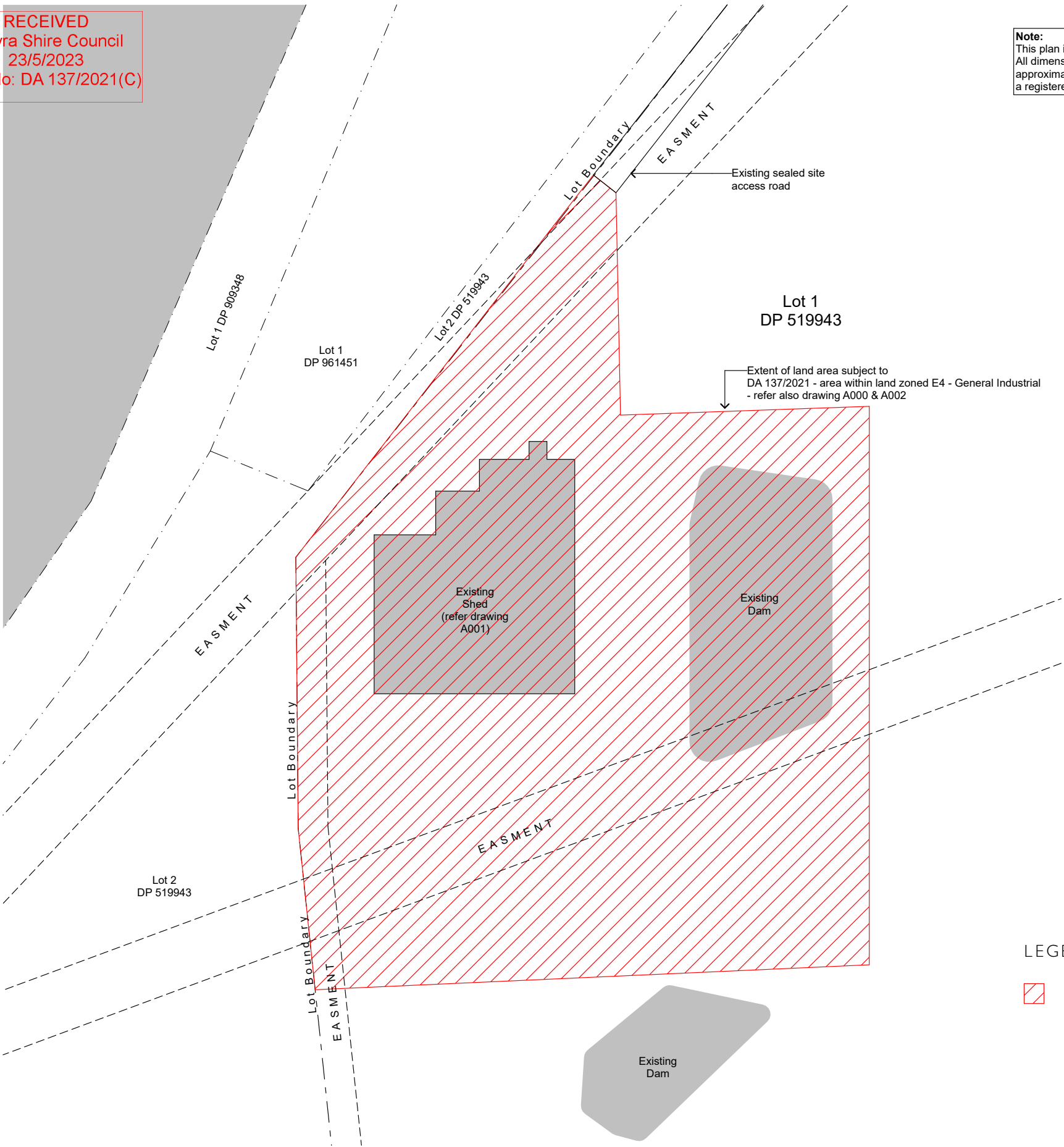


JOB NUMBER

59/21

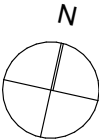
DRAWING
Extent of Subject DA

A003 B



LEGEND

Extent of land area subject to DA 137/2021



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GENERAL NOTES
Do not scale from drawings. Use figured dimensions only.
All existing conditions, dimensions and levels are approximate only and are to be checked & verified by contractor prior to the commencement of work or the manufacture of any item.
All items not shown in the scope of works or drawings, but necessary for the proper completion of the works are deemed to be included.
All work will be carried out in accordance with the NCC, EP&A Act 1979 (as amended), Local Government Act 1993, Regulations under the Acts, relevant Australian Standards, and local authority conditions.
All work to be carried out by qualified and licensed tradespeople.

LEGEND

- Areas of Gravel
- Areas of Grass/Landscaping/Garden
- Areas of sealed surface
- Location and direction of flood lighting (attached to shed unless otherwise noted)

ISSUE
For council approval

Revision **Changes** **Date**

A	Minor amendment to existing production areas	18 May 2022
B	Client Revisions	29 Apr 2023
C	General Revisions	09 May 2023

PROJECT
Proposed Continued Use

CLIENT
Westcast Pty Ltd

LOCATION
1 Campbell St Cowra
NSW 2794

DATE
14 Sept 2022

SCALE
1:500

Sheet size: A1
Drawings to be read at the intended print scale

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VISION
PROPERTY DEVELOPMENT HUB

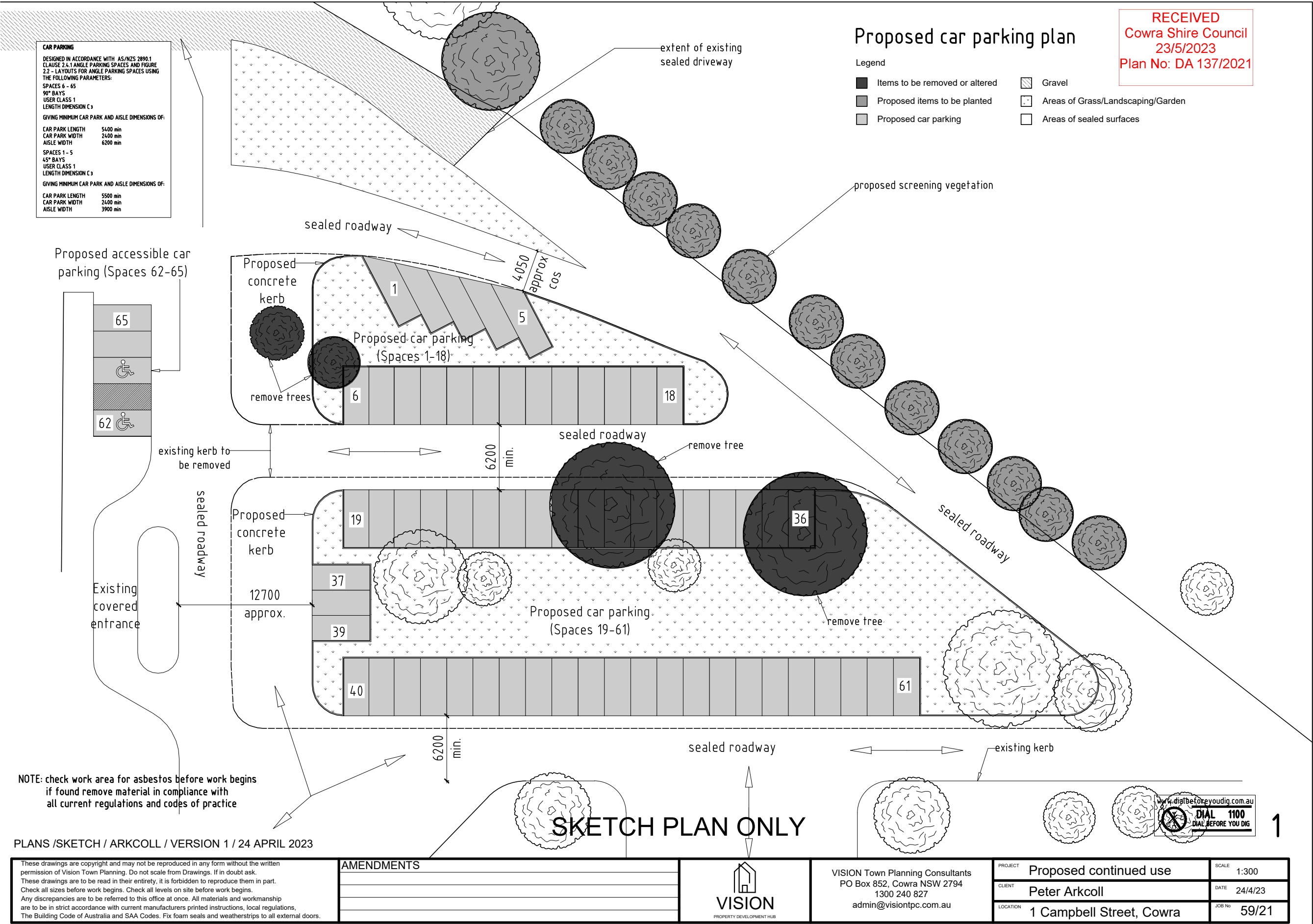
JOB NUMBER
59/21

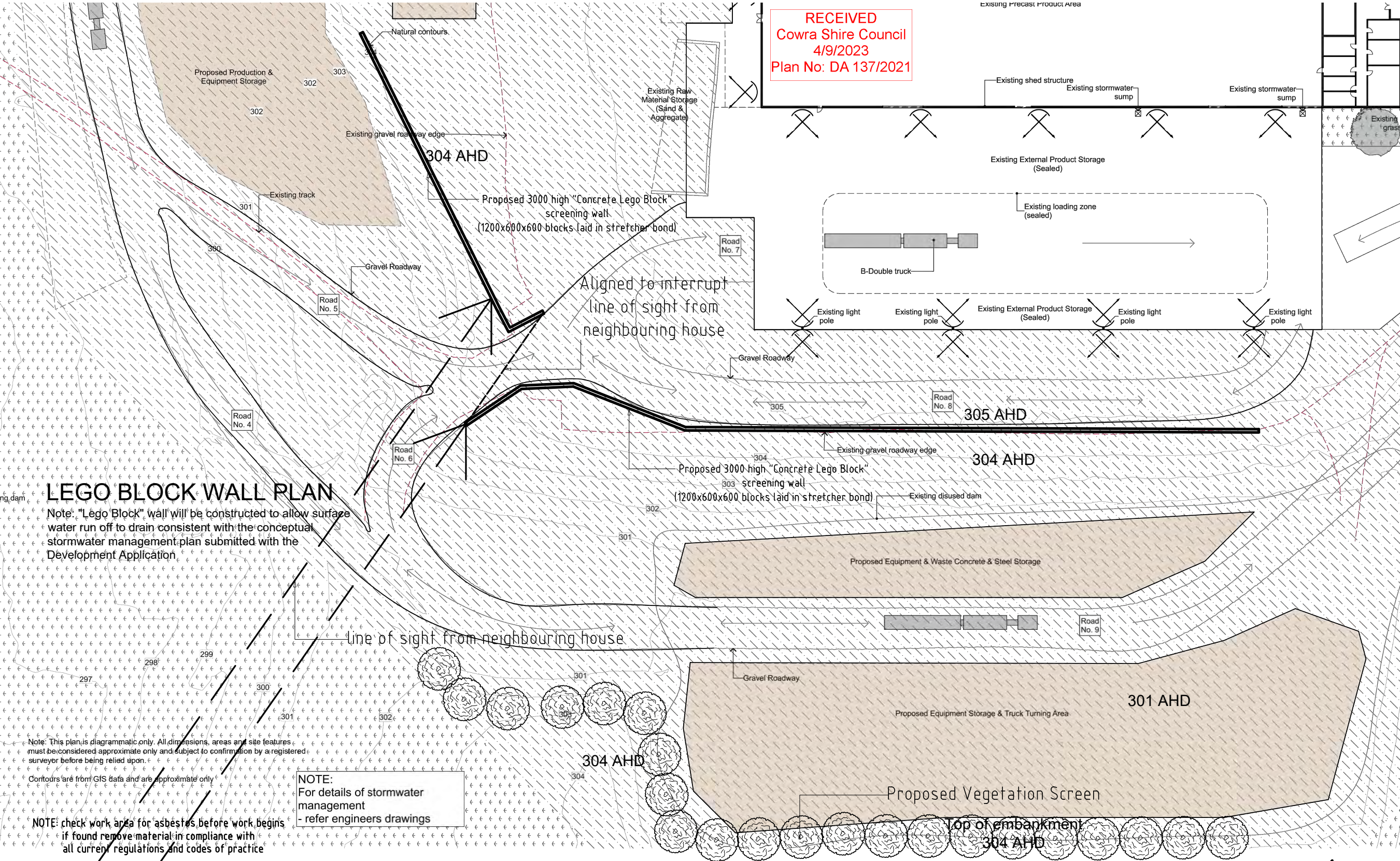
DRAWING
Existing Shed/Site Plan

EX001

ISSUE
For council approval

PROJECT Proposed Continued Use	
CLIENT Westcast Pty Ltd	
LOCATION 1 Campbell St Cowra NSW 2794	
DATE 14 Sept 2022	SCALE 1:500
Sheet size: A1 Drawings to be read at the intended print scale	
<div>PO Box 861 51 Redfern Street, Cowra NSW 2794 p 020 345 827 e office@visiongroup.com.au web - visionptyltd.au</div> <div> VISION PROPERTY DEVELOPMENT AUSTRALIA</div>	
JOB NUMBER	59/21
DRAWING Existing Shed/Shop Plan	EX001 c





PLANS / DA / ARKCOLL / VERSION 1 / 31 AUGUST 2023

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AMENDMENTS		
A	30/8/23	Include proposed vegetation buffer on top of embankment
B	31/8/23	Added in note regarding "Lego Block" wall drainage



VISION Town Planning Consultants
PO Box 852, Cowra NSW 2794
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PROJECT	Proposed screening wall	SCALE	1:600
CLIENT	Westcast Pty Ltd	DATE	31/8/23
LOCATION	1 Campbell Street, Cowra	JOB No	59/21

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Plan No. DA 137/2021



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All materials and workmanship are to be in strict accordance with current manufacturer's printed instructions, local regulations, The Building Code of Australia and SRA Code.
Fix boom seats and weatherstrips to all external doors.

AMENDMENTS		
Amdt	Date	Description

PROJECT
Proposed screening wall

CLIENT
Westcast Pty Ltd

LOCATION
1 Campbell Street
Cowra, NSW, 2794

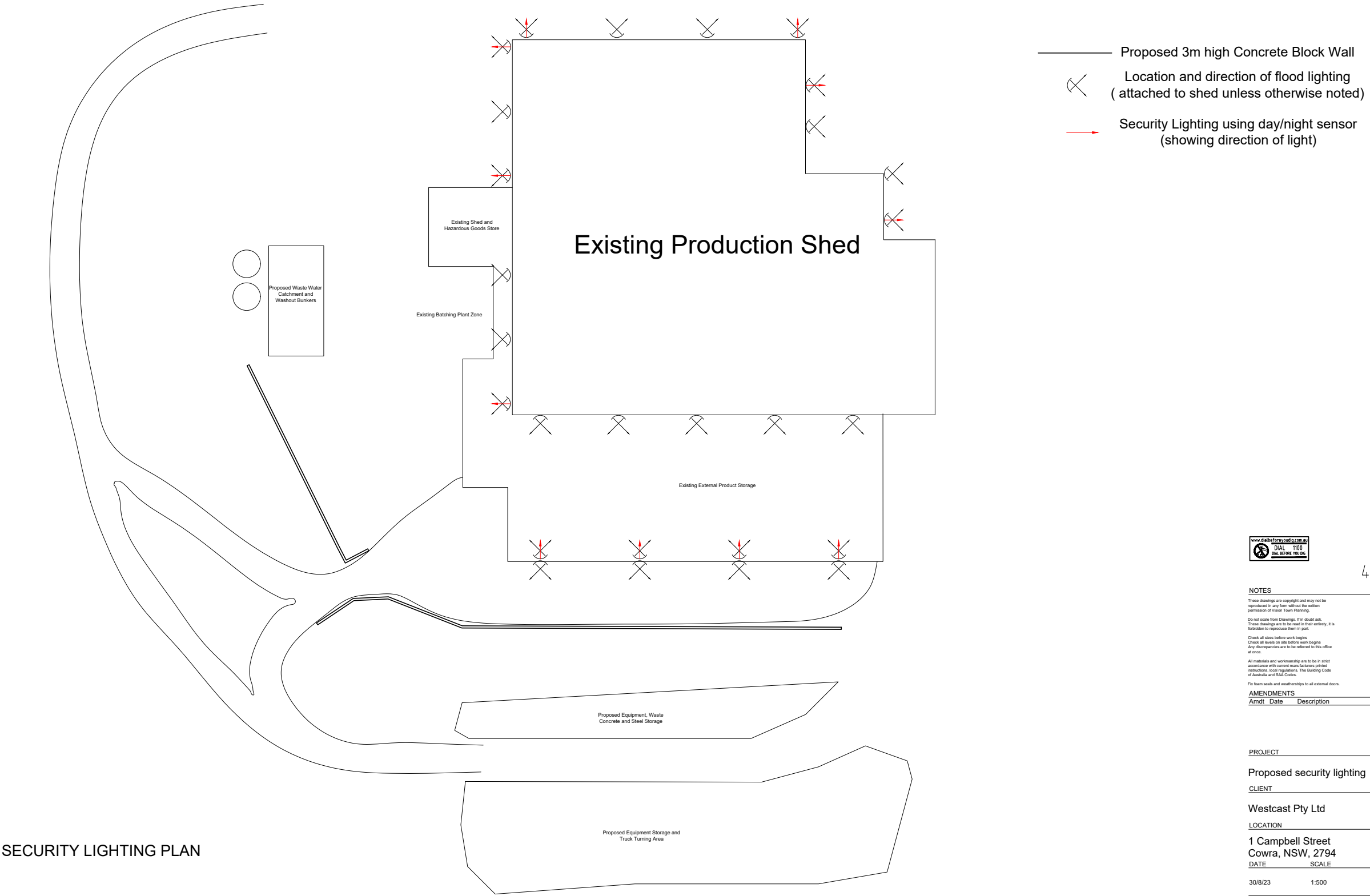
DATE 29/8/23 **SCALE**



Job Number: 59/21

PLANS / DA / WESTCAST / VERSION 1 / 29 AUGUST 2023

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SECURITY LIGHTING PLAN



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Check all levels on site before work begins.

Any discrepancies are to be referred to this office at once.

All materials and workmanship are to be in strict accordance with current manufacturer's printed instructions, local regulations, The Building Code of Australia and SRA Codes.

Fix boom seats and weatherstrips to all external doors.

AMENDMENTS

Amdt	Date	Description
------	------	-------------

PROJECT

Proposed security lighting

CLIENT

Westcast Pty Ltd

LOCATION

1 Campbell Street
Cowra, NSW, 2794

DATE

30/8/23

SCALE

1:500



Job Number: 59/21

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Plan No: DA 137/2021(D)



Development Application Environmental Impact Statement



VISION

PROPERTY DEVELOPMENT HUB



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Environmental Impact Statement

Proposed Development: Use Of Existing Buildings & Industrial Site to Manufacture Precast Concrete & Steel Construction Products

Subject Land: 1 Campbell Street, Cowra NSW

Client: WESTCAST PTY LTD

Version 1	24.11.2021	Superseded
Version 2	26.11.2021	Superseded
Version 3	07.12.2021	Superseded
Version 4	08.12.2021	Superseded
Version 5	30.05.2023	Superseded
Version 6	31.08.2023	Current

This Environmental Impact Statement (EIS) was prepared based on the following plans and report versions:

Author	Document	Page	Date	Job
Vision Property Development Hub	Site Diagram	A000 E	26/04/23	59/21
Vision Property Development Hub	Proposed Site Plan	A001 N	29/08/23	59/21
Vision Property Development Hub	Extent of Subject DA	A003 B	26/04/23	59/21
Vision Property Development Hub	Proposed Car Parking Plan	1	24/04/23	59/21
Vision Property Development Hub	Existing Site Plan	EX001 B	26/04/23	59/21
Vision Property Development Hub	Security Lighting Plan	1	30/08/23	59/21
Westcast	Permanent Washout Pits Rev B	1-5	16/12/22	WC-IH-002
NSW DPIE	Planning Secretary's Environmental Assessment Requirements (SEAR)	1-16	12/10/21	SEAR 1614
Envirowest Consulting	Contamination Investigation around former AST	1-66	02/03/22	R13508c2
Envirowest Consulting	Environmental Management Plan	1-15	19/07/23	R130508emp
Envirowest Consulting	Validation Report	1-22	06/07/23	R13508val
Acoustic Works	Acoustic Report R01I	1-25	30/08/23	1021087
Calare Civil Consulting Engineers	Conceptual Stormwater Management Plan P4	1-25	11/08/23	2021.0840
J G Arbor	Tree Report	1	29/05/23	-
Trafix Traffic & Transport Planners	Traffic Impact Assessment v07	1-22	08/23	21.289r01v07
Vipac Engineers and Scientists	Air Quality Assessment Rev. 03	1-33	29/08/23	70B-21-0330-TRP-25085-3

Prepared by:



Patrick Fitzsimmons
Town Planner, Managing Director
VISION Town Planning Consultants Pty Ltd

Environmental Impact Statement

Abbreviations

The Act – Environmental Planning and Assessment Act 1979

EPI – Environmental Planning Instrument

SEE - Statement of Environmental Effects

EIS - Environmental Impact Statement

Vision - Vision Property Development Hub

APU -Additional Permitted Use

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Application History

Development Application

Prior to preparing and lodging the development application with Council for the continued operation of concrete works that produces concrete products for commercial sale, Vision and the operator Westcast met with Council to discuss the proposal and undertook a formal pre development enquiry process.

Consistent with the pre-development consultation, a development application was prepared with accompanying technical reports for the continued operation of the concrete works inclusive of any recommended mitigation measures. These reports along with site inspections and plan preparation informed the preparation of the initial Environmental Impact Statement (EIS) submitted with this Development Application (DA) to Cowra Shire Council.

The development was identified as integrated development and designated development and Council undertook the necessary referrals to Government agencies as well as public advertising of the development proposal.

Development Application and Planning Proposal

During the Council assessment process further information was requested by Council. As a result the Environmental Impact Statement (EIS) is amended and submitted in conjunction with a Draft Planning Proposal (PP) seeking Council support to include concrete works as a specific Additional Permitted Use (APU) to be included in Schedule 1 of the Cowra Local Environmental Plan 2012 (LEP).

NSW Government Zone Changes

On the 1st December 2022, the NSW Government repealed the existing business and industrial zones and replaced them with five employment zones and three supporting zones under Standard Instrument (Local Environmental Plans) Order 2006 (SI LEP Order).

On the 16th December 2022, State Environmental Planning Policy (Land Use Zones) (No 5) 2022 (Zone SEPP No.5) was made. Zone SEPP No.5 is a self-repealing instrument which will amend (among others) the Cowra Local Environmental Plan 2012 (CLEP).

The amendment to the CLEP commenced on 26 April 2023 and rezoned the portion of the site that was previously zoned IN2 Light Industry under the CLEP and contains the manufacturing industry to E4 – General Industrial.

The land-use table contained in the CLEP lists general industry as permissible land use in the E4 General Industrial land use zone.

Changes to the proposed concrete manufacturing that differ from the initial proposal

1. The activities as part of the operation of the site have been reduced from three shifts of operation over the course of 24 hours to two shifts of operation that include manufacture, and the third shift between 6pm and 5am for internal factory maintenance and administration, and a reduction in the number of staff during this shift from 10 to 6 people in total.
2. The beginning of the day startup activities have been changed to include arrival at 5am, between 5am and 7am office and staff canteen opens, and the start up process is commenced by team leaders by scheduling production for the day, opening sheds, turning on lights and stock count. Actual manufacturing operations are proposed to take place from 7am to be finished at 10pm at which time the process of plant shutdown of the facility occurs, and 10pm closure of the facility is completed.
3. The proposed days of operation include Monday to Friday as described above, and Saturday from 8am to 12 noon, no operation on Sunday or Public Holidays. The operator of the site, Westcast, will inform all personnel and contractors attending the site that activities on the site are not to be arranged or permitted outside the operating hours nominated in this Environmental Impact Statement.

Existing operation and environmental protection measures onsite

The operator has implemented a number of temporary and permanent environmental protection measures within the site to prevent environmental damage from the existing operation.

Westcast have installed sediment erosion control fencing around the southern portion of the industrial area of the site to filter any stormwater runoff before it drains to an existing onsite retention dam.

Westcast have also installed washout pits that include a series of bunkers that filter water that is then drained to an onsite retention dam.

Westcast have implemented restrictions on the use of lights at night time and limited them to security lighting only as shown on the lighting plan submitted with the application.

Westcast will adhere to the operating hours provided to them by Cowra Shire Council.

Westcast have implemented these facilities to ensure the manufacturing activities on the site do not have any negative environmental impact.

A. Executive Summary

This Environmental Impact Statement (EIS) is prepared in accordance with the Secretary's Environmental Assessment Requirements (SEARs) and the guidelines referred to in the SEARs being the *EIS Guideline - Concrete Works 1996*.

Vision Property Development Hub (Vision) has been commissioned by the landowners and facility operators Westcast, to prepare this EIS to consider a proposal to continue the existing use and expansion of the site for the manufacturing of concrete products.

The process involves the delivery of raw materials to site which are then manufactured into concrete products for commercial sale. No direct commercial sale takes place on the site but products are transported to the customer.

The proposal involves continued operation and one stage of construction of wastewater wash out pits, internal driveways, sediment basin, upgraded and additional car parking, stormwater detention tank and finished product storage areas.

The proposal involves a small portion of the property, approximately 16 hectares of the 61 hectare site. The development utilises existing infrastructure and buildings on the site to operate the industry.

Included with this Environmental Impact statement are specialist reports prepared to consider any potential impacts and recommend mitigation measures to be implemented for:

1. Air quality
2. Soil and water management
3. Traffic movements
4. Noise
5. Impact on trees
6. Site contamination

These reports are submitted with the development application. Also included in this EIS are development plans prepared by Vision and Calare Civil to display the location of the various components of the development within the site.

The operation of an industry manufacturing precast concrete products is an appropriate use of a large industrial site with a history of industrial land uses.

The site has appropriate shed facilities, offices, retention dams and space for driveways, washout pits, sediment basin and increased onsite car parking spaces and for the expansion of the concrete works.

The operation of the facility employs a great number of people and should continue to operate into the future as the best use of this industrial land.

B. The Proposal

1. Objectives of the proposal

a) the size and type of facility,

b) the products to be produced, including their proposed end use

c) the proposed production in terms of tonnage, including typical day and peak days (maximum hourly, daily and annual production) and truck movements; maximum daily production of the plant if operated at full capacity of plant and transport facilities; anticipated annual production

Comments:

The development utilises a number of large existing sheds located on the site. The sheds are surrounded by existing vehicle maneuvering areas and an adjacent stormwater retention dam to the south. The site also has a large office area at the front of the industrial shed buildings. Access to the site is gained using an existing internal driveway constructed of bitumen seal travelling parallel with the western property boundary and connecting to Campbell Street.

The products manufactured include a variety of precast concrete and steel products for the construction industry.

The proponent for the development application is Westcast Pty Ltd who is also the operator of the facility. The subject site is contained within Lot 1 DP 519943 addressed 1 Campbell Street, Cowra.

The concrete works manufacturing facility has the capacity to manufacture 83,160 tonnes of product per annum.

The logistical traffic movements per day will operate as follows:

- Cement/Ash 3 x Truck Combinations - 6 movements total - 3 in, 3 out.
- Sand/Aggregate 8 x Truck Combinations - 16 movements total - 8 in, 8 out
- Concrete Products 5 x Truck Combinations - 10 movements total - 5 in, 5 out
- Supplies and Concrete Products 15 x Courier - 30 movements total - 15 in, 15 out

Staff traffic movements are detailed in the Traffic Impact Assessment.

Westcast have confirmed that the maximum daily output from a full day's production would be 315 tonnes of product as shown in the table below:

Daily Output - Precast Concrete				TOTAL ANNUAL TONNES	
	m ³ QTY	Tonne/m ³	Tonnes/day	48 weeks/5 days	Saturday 48 weeks @ 75m ³ /day
Daily QTY's	150	2.1	315	75,600	7,560
			TOTAL	83,160	

Table 1: Daily Maximum Output Figures. Source: Westcast 04/05/23.

d) anticipated levels of performance in meeting required environmental standards

e) staging and timing of the proposal and any plans for future expansion

f) the proposal's relationship to any other related works.

Comments:

The development is designed to be able to comply with the mitigation measures included in the specialists reports included in the mitigation measures table in Section G of the EIS. The specialists reports which consider potential environmental impacts from noise, air quality, traffic, site contamination, erosion and water management are prepared using the development plans submitted with this Version of the EIS. Accordingly, the development can incorporate the mitigation measures recommended effectively and implement their ongoing use meeting the required environmental standards associated with the site and the development.

The development design incorporates one stage of construction, which is displayed on the proposed development plans. The works include construction of:

- A new road from compacted gravel (Road 3 extending around the southern end of the industrial site)
- Construction of internal roads to the loading area at the eastern end of the site and storage areas at the eastern end of the site, as well as a new exit driveway and construction of car parking.
- Construction of bunding around existing bulk fuel storage container.
- Construction of sediment pit and permanent washout pits.
- The removal of a small shed previously used as a pump shed. The shed is not lined and will not result in any contamination.

All of these expansions are to be constructed at one time and this constitutes the full and complete operation of the site using the existing and proposed facilities.

2. Description of the proposal

Production process

a) the receipt, storage and on-site management systems for all materials, and the proposed dispatch schedule and maximum capacity for all storages (including stockpiles, in-ground bins, overhead bins) should be provided — materials to consider include: i) cement, fly ash, silica (quantities, potential sources and characteristics) ii) aggregates (potential sources and characteristics) iii) admixtures iv) acids, solvents or other chemicals v) fuels (including LPG), oils, lubricants;

The production process involves light metal fabrication of steel moulds, and steel reinforcement, the batching of ready mix concrete for use in pre-cast concrete products manufacturing for the construction industry.

The metal fabrication involves steel material being delivered to the site pre-processed ready for assembly and placement into the pre-cast concrete products.

The precast concrete process involves raw materials being delivered to the site and stored in bunkers or silos before being processed into readymix concrete and poured into steel moulds by forklift and concrete kibble. Moulds are stripped and poured daily, with some products being steam cured where possible.

Finished product is then stored in designated areas until ready for loading in designated loading areas for transport.

One Campbell St Concrete Works - Material Storage		
Material	Storage	Quantity
Sand	Bunker	500 Tonne
Gravel	Bunker	500 Tonne
Flyash	Silo	50 tonne
Cement	Silo	120 Tonne
Diesel Fuel	Tank	20,000L
Release Agent	5.0 KL IBC Tank	2
Machine Lube	1.0 KL IBC Tank	2
Superplasticiser Admixture	5.0 KL IBC Tank	2
Accelerator Admixture	5.0 KL IBC Tank	2

- Steel reinforcement: 50 tonne - stored on pallets and racking
- Concrete fibres: 20 pallets - stored in one tonne pallets / racking
- Miscellaneous: 50 pallets- stored in pallet racking

The development will cater for 315 tonnes of product per day on a full working day, and half that on a Saturday. The total amount per annum is 83,160 tonnes per year. The number of traffic movements listed in this EIS is commensurate with this volume.

b) the transfer systems including from receival or storage facilities to overhead bins or silos (such as conveyor belts and pipelines)

- Concrete batching (existing process to continue)
 - Refer to mobile batching plant specification - concrete powder is fed from the silo through an enclosed screw conveyor to discharge point / agitator truck
 - Wheeled loader- 1x loader for transfer of sand/ aggregate to the batching hopper
 - Belt conveyor for transfer of sand/aggregate from hopper to the material discharge to the agitator truck.
 - Agitator truck transfer of ready mix concrete to precast production areas within the buildings.

c) the batching system

TECHNICAL INFORMATION

MOBILE BATCH PLANT (DRY PLANT)-RAMP FED TYPE (MBP-RFT) MODEL – MBP40-OD

- 1) AGGREGATE & SAND WEIGH HOPPER
 - a) Aggregate and sand weigh hopper with capacity of 9.5M3 c/w calibration brackets
 - b) 4 units of 10 Ton Load Cells
 - c) Pneumatic Cylinder c/w solenoid valves x 2 units c/w stainless steel cabinet Model for directional valve: SMC VP7-6-FHG-D-3Z or equivalent Model for pneumatic cylinder: CDA2D80-150Z-W -180×50 Size or equivalent
 - d) RINSTRUM Large Display X 1-unit Model: D841 Remote Display with Ethernet connectivity or equivalent



Image 1: Proposed mobile batch plant, Delmix Engineering

d) any protection or safety systems or management practices to minimise environmental impacts from the materials storage, transfer, batching and dispatch facilities, including provisions to deal with spills or accidental releases, storms and wind impacts (e.g. bunding, spill trays, sprays, shrouds, covers, exhaust systems, negative pressure systems, colour codes, filter systems, bag houses, over-fill protection systems, shutdown systems, inspection, monitoring or detection systems); specifically outline:

i) delivery and transfer control systems

ii) dispatch control systems

iii) dust control systems

iv) alarms and safeguards.

Comments:

MOBILE TRAILER MOUNTED BATCHING PLANT

- Refer to batching plant manual - pressure relief systems, overfill protection, dust collectors, emission kits are incorporated in the batching plant equipment.
- Plant and equipment is fitted with emergency stop systems and pressure shut off mechanisms, alarms signals and flashing beacon lights.
- Waste water from plant and equipment washouts will be treated using a waste water washout pit system, plans for which have been submitted with the development application.
- Water from hardstand surfaces will be drained to the sediment basin designed by Calare Civil, before the processed water is drained to an existing stormwater retention dam on the site, which is pumped back to the proposed water tank and recycled through the facility.
- Solid waste from sediment collectors are transferred to concrete recycling bins which are taken off site.
- Solid sediment waste from washdown collected in a sludge pit and transferred to tipping trailers and transferred to waste concrete recyclers- up to 2 tonnes per week.
- Concrete additives and admixtures will be stored in a bunded area and transfer pumps and pipework incorporated in the batching plant.
- Raw material bunker storage will be equipped with water sprays systems for dust control.
- Concrete batching dispatch system is through an automated Dorner control system.
- High activity vehicle movement paths will be treated with crushed rock and hard stand material.

Westcast – Batching Plant Controls Examples**1. Emergency stop push button:**

1. In case of any danger, use the emergency stop push button located at the side of the electrical panel.

**2. Level Indicator:****TOREX LEVEL INDICATOR**

DESCRIPTION - Bin Level Indicator for point level limit detection in bulk materials

FUNCTION - The device is used for level monitoring in all types of containers and silos.

3. Warning Notices:

- Special warning notices, located at strategic points indicate the risk due to the presence of very hot surfaces and the obligation for the operator to wear personal protection equipment, especially protective gloves.

4. Control Valve:**FUNCTION**

Pressure control valve used in all plants where it is required to control excess pressures or negative pressures, if any, that may be created inside the containers, thereby preventing their breakage or deformation. "VHS" Pressure

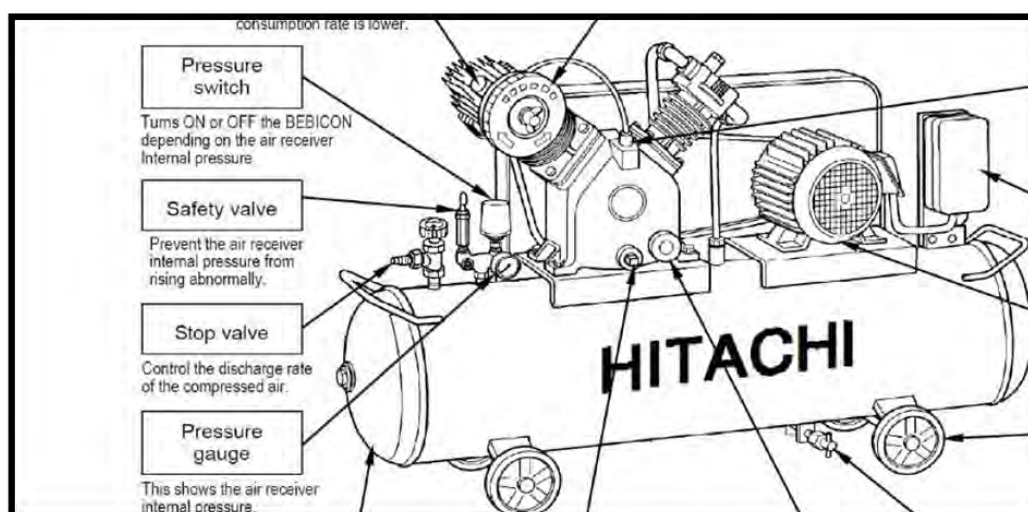
5. Pressure Relief Valve:

The working principle of the "VHS" Pressure Relief Valve is innovative. The special double-effect breathable membrane allows re-establishing pressure balance, under negative or positive pressure conditions. The special properties of the diaphragm avoid blockage, as well as the formation of material crusts.

6. Torques Table:

NUTS AND BOLTS TIGHTENING TORQUES TABLE			
Thread diameter	Tightening torques [Nm]		
	Resistance Class 8.8	Resistance Class 10.9	Resistance Class 12.9
M6	9.5	13.0	16.0
M8	23.0	32.0	39.0
M10	46.0	64.0	77.0
M12	80.0	110.0	135.0
M14	125.0	180.0	215.0
M16	195.0	275.0	330.0
M18	270.0	390.0	455.0
M20	385.0	540.0	650.0
M22	510.0	720.0	670.0
M24	660.0	930.0	1100.0
M27	980.0	1400.0	1650.0
M30	1350.0	1850.0	2250.0

7. Annotated Diagram:



Waste management systems

- a) the potential quantities and characteristics of solid or slurry waste, including yard, plant and truck cleanings, settling sump cleanings and waste concrete*
- b) proposals for reusing and recycling solid wastes; the system to manage returned or waste concrete including the production of concrete precast forms*
- c) intended method and location of temporary or permanent disposal of solid or slurry waste including provisions to manage leachate*
- d) the site water management system including:*
 - i) the system (including the capacity) to collect, store and recycle wastewater from 16 Department of Urban Affairs and Planning September 1996 EIS Guideline Concrete Works the wash down of mixer bowls, trucks and loading areas; agitation, treatment, separation and reuse systems*
 - ii) yard drainage systems including separation of 'dirty' and 'clean' areas; the bunding systems, first flush system (including design criteria), holding, agitation, treatment and reuse systems*
 - iii) the water quality standards of any wastewater discharged from the site to sewer, stormwater or natural drainage systems; discharge points.*

Comments:**Concrete Batching**

- Waste water from the plant equipment and wash out is drained to the wastewater washout treatment pits, as shown on the plans submitted with the development application, which is then drained to the sediment basin for filtration prior to water draining through to the existing retention dam which is then pumped to the proposed water detention tank to be recycled back through the concrete batching process.
- Solid sediment waste from the wastewater treatment pits and the sediment basin will be collected in environmentally friendly bulker bags and tipping trailers and transferred to waste concrete recyclers, estimated to be up to 2 tonnes per week.
- Waste concrete from damaged products amounts to approximately an additional 5 tonnes per week, will be stored in the designated area before being transferred to various approved facilities including the Cowra Materials Recycling Facility, Dencol Sand, Soil & Gravel (Orange) and Divalls's Sand and Soil (Goulburn).
- Water will be harvested from the building surface and stored in proposed water storage tanks onsite.
- Proposed wastewater washout pit capture the wastewater from the concrete batching area and washing down of vehicles which is then filtered through the sand filter which forms part of the washout pit and then drains to the sediment basin designed by Calare Civil to be further filtered and drained to the existing onsite dam, which will then be pumped back to

the proposed rainwater tank, the water from which is then recycled back through the concrete batching process.

- The water quality standards for wastewater discharged from the site and filtered by the sediment basin is outlined in the report prepared by Calare Civil and submitted with the development application.

Storage and use of hazardous material:

Material	Transport	Storage Type	Material Handling
Diesel Fuel	Ridgid truck tanker	2000L Tank	Dispensed by a fuel nozzle
Release Agent	Courier Truck	1000L IBC tanks	Dispensed by nozzle
Machine Lube	Courier Truck	1000L IBC tanks	Dispensed by nozzle
Superplasticiser Admixture	Courier Truck	1000L IBC tanks	Plumbed with pipework directly into batching plant
Accelerator Admixture	Courier Truck	1000L IBC tanks	Plumbed with pipework directly into batching plant

Washout Pit Process

Washout Pit

Pit receives slurry and water washout from concrete mixer truck and concrete kibbles, used daily to settle large solids, admixtures and coarse sand from the slurry

Sediment/Retention Pit

Pit used to settle small solids, fine sand and smaller out of the slurry before overflowing into the retention pit

Sand Pit

Fine filter media to trap final residue before dispersing clean water to the C3 dam.

Daily usage

On a daily basis the concrete mixer truck will wash down bowl and chute into washout pits 1, 2 or 3. Pit usage is rotated weekly between 3 pits to allow the settled solids to dry out appropriately for crushing offsite.

Daily the washout pits are drained, the water containing small sediment will run into the sediment pits where the suspended materials will settle to the base of the pit, this process is repeated again

through sediment pit 2, finally the refined water will run into the storage pit which will overflow through the sand filter – ready to be released back into the storage dam for reuse.

Recycling measures

100% of water used for washdown, once cleaned, will drain to the storage dam for reuse in the batching process.

Maintenance

The washout pits require little to no maintenance, with the washout pits requiring cleanout every 3 weeks. The sediment pits would require cleanout on a monthly basis. This waste will be disposed of appropriately offsite at a licensed waste facility.

Other operational factors***a) the hours of operation***

Typical day of production includes:

- Site opens and staff arrival to complete the factory start up process commences between 5.00am to 7.00am
- Monday to Friday Operational hours 7.00am to 10.00pm
- 6pm to 5am Provisional factory maintenance (no factory operation)
- Saturday 8.00am to 12 noon factory operation
- No operation on Sunday or Public Holidays

The activities within these hours are detailed below:

- 5:00am - 7:00am: Office and Staff canteen opens and start up process commences. The activities included in these hours are typically
 - 5:00am - 5:30am: Office staff and some team leaders arrive and commence scheduling production, opening sheds and turning on lights.
 - 6:30am - 7:00am: Stock count occurs ready for production to commence at 7:00am.
- 7:00am: Manufacturing operations commences which includes:
 - Concrete batching, with batching plant and 4 wheel loader, and agitator trucks
 - Precast concrete production, de- moulding concrete products and filling moulds with ready mix concrete, involving forklifts, concrete kibble and telehandlers.
 - Logistics, loading of finished product in designated loading pads onto delivery trucks by forklift and telehandler.
 - Delivery of raw materials including sand and aggregate, steel and consumables
 - Repairs and maintenance of plant and equipment
- 9:00pm-10:00pm: Plant shut down and facility closure
- 10.00pm - 5.00am: internal factory maintenance (no factory operation). Between the hours of 6pm and 5am Monday to Friday, there is maintenance of equipment inside the factory. The number of staff required for this is between 3 and 6 people.
- Westcast, as the operator of the site, does not make arrangements for any loading or unloading movements to or from the site on a Sunday and informs customers and logistics operators attending the site that there is no operation on a Sunday.

Other commentary around activities outside of operating hours:

- The only other duties are those for factory maintenance as described above.
- Office duties and cleaning

The logistical traffic movements per day will operate as follows:

- Cement/Ash 3 x Truck Combinations - 6 movements total - 3 in, 3 out.
- Sand/Aggregate 8 x Truck Combinations - 16 movements total - 8 in, 8 out
- Concrete Products 5 x Truck Combinations - 10 movements total - 5 in, 5 out
- Supplies and Concrete Products 15 x Courier - 30 movements total - 15 in, 15 out

Outside of Operating hours, logistical traffic movements will be limited to 6 vehicle movements, with a maximum of 12 staff movements (6 in, 6 out).

Below provides a description of the outdoor activities being undertaken:

Concrete Batching

- Raw material storage will be fed by a loader

Product Storage

- Transfer of finished product from production lines to designated storage areas by forklifts

Receiving of raw materials and despatch of finished product:

These will follow the truck traffic diagram and will load in the designated loading zone 1 to the east of the building.

- Pouring of Concrete Moulds & Panel Pour tables
- Concrete will be delivered by a concrete agitator truck and kibble/forklift
- This will be conducted between 7am and 10pm weekdays and 8am and 12 noon on Saturdays.

b) the number of employees

Below is a summary of staff numbers onsite during operation:

Total of Factory, Office, maintenance and Yard Staff (total): 80

The attendance onsite is in two shifts of operation, and one shift for maintenance. The staff numbers for these shifts are as follows:

Shift 1: 7am – 5pm – 60 staff

Shift 2: 5pm – 10pm – 13 staff

Shift 3: Maintenance/administration 24 hours – 6 staff

Office staff are located in the front administration building.

Factory staff are located in the existing sheds, except for a small number involved in the concrete batching process.

Yard staff are working external to the building involved in goods receiving and goods outgoing.

c) the layout of the internal road system, means of site ingress and egress, parking areas and associated facilities***d) administration, maintenance compound, laboratory, stores, washdown areas, parking, weighbridge, security systems and other infrastructure needs******e) landscaping or visual, dust or noise barriers.*****Comments:**

The development contains an existing internal vehicle driveways and maneuvering and some sealed on-site parking. The proposal involves an expansion and improvement of the existing car parking area as displayed on the development plans. Vehicle movements within the site will occur on the internal vehicle driveways/roadways as displayed on the development plans and constructed of the materials as displayed on the development plans.

The site incorporates an existing administration building attached to the front of the industrial sheds capable of catering for all of the administration required for the operation of the facility.

The site allotment is bordered by stock fencing but the location of the administration building at the front of the site means people entering the site will be visible from this space.

There is a weighbridge located to the east of the administration building adjacent to the goods loading area.

The site contains some existing tree vegetation and the development includes some proposed tree vegetation as displayed on the development plans.

3. Site layout plans

Provide site layout and schematic plans for all components of the facility including:

- a) receival, transfer and storage areas or silos; conveyors, dispatch bays, weighbridge, parking spaces and queuing areas*
- b) all plant associated with the batching process and dispatch system including loading bays, control and alarm systems*
- c) administration, laboratory, maintenance and machinery storage buildings, chemical and fuel storage facilities*
- d) any discharge points for air and water emissions*
- e) any air or noise management devices or systems*
- f) water management systems including bunding, drains, first flush system, storage pits, sumps or reservoirs*
- g) solid waste management system*
- h) landscaping.*

Comments:

The development plans prepared by Vision and Calare Civil display the various uses of areas throughout the site and the internal layout of the factory. Plans prepared by Calare Civil display the stormwater management and erosion control mitigation measures to be implemented.

The report by VIPAC confirms that the development as proposed can be undertaken within the applicable limits for air quality management without negative impact.

4. Site preparation and construction

Describe works required before commencing the proposal, including:

- a) any earthworks or site clearing including any vegetation or buildings; disposal/reuse of cleared material*
- b) the construction timetable and any staging of the construction, hours of construction works; proposed construction methods; equipment and access roads to be used*
- c) pollution control systems such as erosion and sediment control systems, bunding, wastewater holding tanks and noise mitigation measures.*

Comments:

The development involves the minimal removal of trees as displayed on the development plans prepared by Vision and arborist report prepared by JG Arbor.

A small number of trees also need to be removed in order to construct road number 9 as displayed on the development plan A001 N.

The development also involves the removal of a small shed previously used as a pump shed as shown on plan A001 N and labelled as "Existing pump shed removed". The shed is not lined and will not result in any contamination.

The majority of the construction on site is for the internal road network and installation of wastewater treatment facilities described in other reports. The development does not require the construction of any buildings as the industrial buildings are being utilised for the manufacturing industry.

This construction and demolition can take place in hours nominated as part of any development consent and the site is separated appropriately from residential land uses so that it can be undertaken without negative impact.

The mitigation measures included on the stormwater and erosion control plans prepared by Calare Civil will be implemented to ensure pollution as a result of sediment erosion does not occur during construction.

The development makes use of the existing facilities on the site including existing sealed driveways and the existing extended sealed driveway that connects to Campbell Street. The development utilises the existing sealed and gravelled areas of the site and proposes new gravel areas and driveways accounted for by the stormwater management report prepared by Calare Civil.

5. Existing concrete facilities at the location

Where applicable, outline:

a) the nature of any past or existing concrete or related facilities on the proposed site

b) a review of past environmental performance, including the impacts of the operation on the environment and the effectiveness of any impact mitigation; previous controls which applied on the site

c) the relationship of the proposed development to previous or existing operations.

Comments:

Precast concrete works have been conducted at the site using a mobile batching plant.

Readymix concrete is delivered using agitator mixer trucks to the production area within the buildings via openings in the southern walls.

External yard activity includes pouring concrete panels with ready mix concrete and loading/unloading delivery vehicles.

Delivery transport vehicles are loaded in designated loading areas.

Transport vehicles enter and leave the site via the weighbridge for pay load compliance and weight checks.

The proposal will involve nominated operating hours of 7am to 10pm weekdays and 8am to 12 noon on Saturdays, as well as construction of roadway facilities, wastewater management facilities and onsite car parking on the site. The number of staff attending each shift is defined in this EIS. Site personnel will remain with additional staff being recruited as needed in accordance with the growth of the operation to reach the maximum of 80 staff defined in this EIS.

The mobile trailer mounted batching equipment will cater for the capacity of the concrete works for the proposed operation.

The site has been operated by Westcast and measures have been taken in response to complaints received from neighbouring property owners in regards to lighting, noise and operational practices. The measures implemented include only using security lighting during nighttime hours, operating within the approved operating hours, removing beeping noises from equipment in response to a neighbours complaint that they could hear the noise. This serves as an appropriate indication of environmental performance of the existing operation and Westcast's ability to effectively implement mitigation measures. Westcast has made their details available for neighbouring property owners so that they can be contacted directly, and have put in place a system for recording complaints and providing feedback to Council the steps taken to mitigate any impact.

The following table outlines the details of the raw materials kept onsite and the methods and description of how these materials are conveyed throughout the site and describe some mitigation measures:

Material	Transport	Storage Type	Materials Handling	Dust Suppression
Sand	Tipper Truck and trailer combination	120 Tonne capacity of storage in concrete block bunker system on batching plant	On site the material is moved from the bunker to the batching plant by wheeled loader	Bunker location-portable sprinklers, plumbed sprinklers
Gravel	Tipper Truck and trailer combination	120 Tonne capacity of storage in concrete block bunker	On site the material is moved from the bunker to the batching plant hopper by front end loader	Bunker location-portable sprinklers, plumbed sprinklers system on batching plant
Cement/ Flyash	Tanker Truck and trailer combination	60 tonne silo incorporated in the batching plant	On site the material is moved from the silo to the mixing agitator truck by enclosed screw conveyor	Inbuilt batching plant silo - inbuilt dust collector

Other equipment used on the site includes:

- 2 x 5.0m³ agitator trucks
- 5 Tonne wheeled loader
- Various tonnage forklifts
- Scissor lift

The process for batching concrete is as follows:

- Mobile batching plant - concrete powder is delivered from the existing silo through enclosed screw conveyor to discharge point / agitator truck.
- Wheeled loader is used for transfer of sand/ aggregate from the bunker storage to the batching hopper. Belt conveyor is used for transfer of sand/ag from hopper to the material discharge to the agitator truck.
- Agitator truck transfer of ready mix concrete to precast production areas inside the existing buildings
- Location - The storage bunkers and batching plant are located at the rear of the site to the south east of the buildings.

Finished concrete products are stored in designated product storage areas including:

- Concrete hardstand area to the east of the buildings

- Gravel yard area to the south west and south east of the buildings to the rear of the vehicle access route (refer to existing site plan)

Other activities that will occur at the premises (non-concrete manufacturing works):

- Loading of finished product by forklift trucks onto freight vehicles including semi trailer combinations and courier trucks using forklifts and telehandlers. The mitigation measure here is for this to occur in the designated area and within the defined hours and volumes.
- Transferring finished product from the buildings to designated storage areas to the South and East of the buildings via forklift and telehandler. This is to occur in the approved area per the specialist reports and within the proposed operating hours.
- The above mitigation measures describe the existing and proposed operations.

6. Consideration of alternatives and justification for the preferred proposal

Consideration should include an assessment of the environmental consequences of adopting alternatives, including alternative:

- a) sites and site layouts, (having regard to the results of the site selection process described in Part 4)*
- b) truck routes and access*
- c) materials handling and batching*
- d) water and waste management*
- e) impact mitigation measures, particularly air quality and noise measures.*

Consideration should be given to the consequences of not carrying out the proposal. The selection of the preferred option should be justified in terms of:

- a) the ability to satisfy the objectives of the proposal; the relative environmental, economic and social costs and benefits of each alternative; significant non-monetary and non quantifiable costs and benefits, which should be described and qualitatively assessed*
- b) the acceptability of environmental impacts including biophysical, economic and social (including health) impacts*
- c) the acceptability of any environmental risks or uncertainties, particularly in meeting environmental standards and minimising public health risks; the reliability of the individual environmental impact mitigation measures; the ability of the options to handle abnormal events such as stormwater intrusion, flooding or accidental discharge of chemicals*
- d) the efficiency with which the proposal meets present demand; the flexibility of the proposal to meet future demand*
- e) the efficiency of use of land, raw materials, energy, water and other resources; the opportunity to maximise the recycling and reuse of wastes.*

Comments:

The site is selected for use as it contains existing industrial facilities in a location appropriate for the operation of the existing concrete works. The site is appropriately located to allow for the implementation of mitigation measures to manage any specific issues that could result in environmental impact. It is the preferred site as it allows for the use of the existing industrial facilities and the implementation of mitigation measures effectively.

The specialist reports prepared demonstrate that the industry can operate in the location and the mitigation measures recommended can be implemented effectively. There is no other more appropriate location within the subject site.

The site is capable of catering for the efficient operation of the industry and the mitigation measures to be implemented mean the environmental and public risks are low, and no uncertainties have been identified.

The Traffic Impact Assessment provides a clear assessment of the traffic movements associated with the proposal. The Noise Impact Assessment provides analysis of any noise associated with the proposal. The Air Quality Report considers the operation and any potential impact on air. All these reports conclude the proposed use of the site can operate as proposed in accordance with the recommendations included in the reports without unmitigated impact or required alteration to the design.

C. The Location

1. Planning context, site description and locality information

b) the compatibility of the proposal with any planning provisions or land use constraints including:

i) any easements or other restrictions affecting the site, including any heritage or environmental protection provisions

Locality

The land is located on the eastern fringe of the Cowra township and is bordered on the eastern boundary by Waugoola Creek and on the southern boundary by the Lachlan River. The site is also bordered on the northern property boundary by Darbys Falls Road and the western property boundary by an access handle providing access to a neighbouring agricultural allotment for the majority of the western boundary. The remainder of the western boundary is adjoined by the southern end of Campbell Street.

Further west is land utilised as part of the Blayney to Demondrille rail line containing rail buildings, associated rail infrastructure and equipment and a wide and large area of densely vegetated bushland. Adjoining this area is the residential area of South Cowra fronting Fitzroy Avenue.

The area to the north of the site is used for agriculture on the opposite side of Darbys Falls Road. The area to the east of the site is also used for agriculture, with one dwelling and associated outbuildings located on the eastern side of Waugoola Creek.

The area south of the subject site on the opposite side of the Lachlan River is used for agriculture.

The site contains a large existing industrial building with an attached office accessed from a sealed internal driveway connecting to Campbell Street. Surrounding the building is a ring road driveway constructed mainly of gravel.

The large industrial buildings have previously been used for a number of manufacturing activities and are known locally to have been initially used as a wool processing facility.

The remainder of the land is used for agriculture, and does not contain any other buildings with the exception of two agricultural storage buildings. The site itself has undulating gradients throughout. The most level area of the site is the area immediately surrounding the existing industrial buildings.

Earth banks are already constructed on the land along the western side of different sections of the internal driveway and for the majority of the length of the western sides of the industrial buildings.

Planning Context**NSW Environmental Planning and Assessment Act 1979***Section 4.10 Designated development(cf previous s 77A)*

(1) Designated development is development that is declared to be designated development by an environmental planning instrument or the regulations.

(2) Designated development does not include State significant development despite any such declaration.

Comments:

The proposed development, which involves the manufacture of concrete products, meets the description of concrete works included in Schedule 3 of the *NSW Environmental Planning and Assessment Regulation 2021*. The development is located within 250 metres of a residential zone located to the west of the site, and therefore constitutes designated development under subsection 1 above.

The development also has the production capacity of more than 150 tonnes of product per day and more than 30,000 tonnes of product per year, meaning it also exceeds these thresholds and constitutes designated development.

State Environmental Planning Policy (Planning Systems) 2021 does not include concrete works as a type of State Significant Development listed in Schedule 1 of the Planning Systems SEPP. Also, Section 11 of Schedule 1 of the Planning Systems SEPP is limited to development that has a capital investment value of \$30 million and this development does not have that value and does not constitute a development type listed in (a) to (h). Likewise, the site is not listed as an identified site under Schedule 2 of the Planning Systems SEPP. The development does therefore not constitute State Significant Development.

Section 4.15 Evaluation

(1) Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—

(a) the provisions of—

(i) any environmental planning instrument,

Cowra Local Environmental Plan 2012 (LEP)**Comments:**

Section 2.3(2) 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.

a) zonings, permissibility

The land is zoned E4 General Industrial under the provisions of the Cowra Local Environmental Plan 2012 (LEP).

Zone E4 General Industrial**1 Objectives of zone**

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *To ensure the nature and scale of new industrial development in West Cowra is compatible with existing residential land uses in the surrounding area.*

2 Permitted without consent

Environmental protection works; Roads

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Car parks; Community facilities; Correctional centres; Crematoria; Depots; Environmental facilities; Extractive industries; Freight transport facilities; Funeral homes; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Heliports; Highway

service centres; Industrial retail outlets; Industrial training facilities; Industries; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Mortuaries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Research stations; Restricted premises; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wholesale supplies

4 Prohibited

Any development not specified in item 2 or 3

Comments:

The development meets the unspecified land use of concrete works listed in Schedule 3 of the *NSW Environmental Planning and Assessment Regulation 2021*. The specialist reporting submitted with the Development Application confirms that the concrete works can operate as proposed without exceeding any thresholds or breaching any standards that would result in any environmental impact. However, through consultation with Council's planning staff, the operator of the site has chosen to categorise the development as a general industry. The definition of general industry is included below extracted from the LEP.

“general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

Note— General industries are a type of industry”

The specialist reporting submitted with the application demonstrates that the concrete works can be operated as proposed without breaching any standards or exceeding any thresholds for impact and so can be categorised as a general industry, which is a permissible land use in the land-use zone.

The development involving the delivery of raw materials and the manufacture of precast concrete products for distribution from the site is an industrial activity, and the related logistics are included in detail within this EIS and the accompanying specialist Traffic Impact Assessment report. The development is an efficient and viable use of the industrial land that contains the significant industrial buildings and immediately surrounding industrial areas around those buildings within the allotment making the use of the site for concrete works appropriate.

The specialist reporting and parameters of operation proposed by the applicant mean that the development design and operating parameters will not have an adverse effect on other land uses. The concrete works provides and therefore encourages employment opportunities at the site.

The development does not propose any non-industrial land uses within the site. The development is not located in West Cowra and is a land use that is consistent with the objectives of the E4 General Industrial Zone.

Zone C3 Environmental Management

1 Objectives of zone

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*

2 Permitted without consent

Extensive agriculture; Home-based child care; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Community facilities; Dwelling houses; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Helipads; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Jetties; Kiosks; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Research stations; Roads; Secondary dwellings; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Industries; Local distribution premises; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Comments:

The development does not involve any industrial activity within the area of the site zoned C3 Environmental Management. The land use zone boundaries are not survey accurate, but are indicative within an allotment that contains multiple land use zones such as this allotment. The dam at the southern end of the site to which water from the development is drained in accordance with the Stormwater Management Plan submitted with the application is used to capture that water, which would then be pumped back to a holding tank as displayed on the development plans to have that water then recycled through the batching operation. The pumping of water from an existing dam is not an industrial activity, but is simply a way of using an existing dam to capture water and then facilitate it being recycled back through the batching operation. This is an effective way to recycle water from the operation and reduces the amount of water that is drawn from the domestic

reticulated network. It is not considered that the pumping of water from a dam constitutes a land use in the same way that the draining of water to a dam does not constitute a land use.

The driveway that connects to Campbell Street presently extends along the western boundary of the property, through the land use zone of C3 Environmental Management and the zone R1 General Residential and back through the C3 Environmental Management zone before it enters the area of the site zoned E4 General Industrial. As stated above, zone boundaries are not survey accurate, but in preparation of this document it is considered appropriate to note that the driveway labelled No. 13 on the development plan extends through the corner of the C3 Environmental Management zone and connects to the existing driveway.

In the same way that the existing driveway extends through the C3 zone in two places and the R1 residential zone in another place all within the one allotment, this does not constitute an industrial activity, the construction and use of the driveway labelled No. 13 does also not constitute an industrial activity, but simply provides access to the development. The positioning of driveway No. 13 has been made so that it is as close to the industrial land use as possible and extends into the C3 zone for a very short section as depicted on the development plans before reentering the industrial zone and connecting to the existing driveway within the industrial zone.

The above two items do not constitute a land use within the C3 Environmental Management zone.

Part 6 Urban Release Areas**Clause 6.2 Public Utility Infrastructure**

(1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

Clause 6.3 Development Control Plan

(1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.

(2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.

(3) The development control plan must provide for all of the following—

(a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,

(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,

(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,

(d) a network of active and passive recreation areas,

(e) stormwater and water quality management controls,

(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,

(g) detailed urban design controls for significant development sites,

(h) measures to encourage higher density living around transport, open space and service nodes,

(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,

(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

(4) Subclause (2) does not apply to development for any of the following purposes—

- (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,*
- (b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose,*
- (c) a subdivision of land in a zone in which the erection of structures is prohibited,*
- (d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.*

Comments:

Part I of Cowra Council Comprehensive Development Control Plan 2021 Section 1.4 Waugoola Industrial Release Area satisfies the provisions of Part 6 Urban Release areas.

Clause 7.1 Earthworks**Comments:**

The area surrounding the existing buildings is already constructed largely of sealed surface, gravel or compacted granite. A preliminary investigation and subsequent contamination investigation report makes recommendations for managing specific areas within the site. A Stormwater Management Report is submitted including measures to prevent erosion. No negative impacts anticipated. The development does not constitute exempt development, but can be undertaken ancillary to the proposed concrete works, which is permitted with consent in the land use zone.

The construction of the roadways as displayed on the development plans within an allotment already containing an industrial activity and has been used as an industrial site for a long period of time, will not cause disruption or detrimentally affect drainage patterns or soil stability. The development is designed to utilise existing drainage flow paths to capture water runoff from the site so it can be processed through the wastewater pits and the sediment basin.

The development is not likely to have any effect on any future development, as the proposed development utilises the majority of the area within the E4 General Industrial zone that is defined within the larger allotment.

The area for proposed new roadways is within the vicinity of the existing industrial activities, and so it is appropriate for the soil to be disturbed in that area. Loop road number 3 and new road number 13 are in areas that contain existing gravel and soil in a rural paddock style of use. The excavation and use of materials to construct these roads will not have a negative impact.

The construction of the new manoeuvring areas and roadways as displayed on the development plans immediately adjacent to the existing industrial site will not have any detrimental impact or negative impact on neighbouring residences which are separated sufficiently from the development site so no negative impact is incurred. Mitigation measures are detailed in this EIS including a tree buffer and a proposed concrete block wall.

The area where the development is being undertaken is not remnant bushland, is not on a prominent hill and is not close to waterways and is not likely to disturb relics, however the Code of Practice for finding unexpected objects can be followed during the construction process. The water management measures to be implemented on the site mean that the earthworks associated with the construction will not have an adverse impact on waterways, drinking water catchments or environmentally sensitive areas as a result of any erosion of any materials.

Measures to be implemented to avoid, minimise or mitigate any impacts from earthworks will be erosion control measures as depicted in the Soil Erosion Control Plan and Water Management Plan submitted with the development application.

The development can comply with the requirements of Clause 7.1.

Clause 7.2 Flood Planning**Comments:**

The area containing the existing buildings and immediately surrounding levelled area constructed of granite, gravel and sealed surface is not within the flood planning area. The concrete works which operate within the areas defined on the development plans will not have any negative impact on flooding as it is not located within the Flood Planning Area. The process and provisions included in the development for managing all of the activities including any dust and water runoff will prevent any erosion into the flood planning area. The development complies with the controls of Clause 7.2.

Clause 7.6 Ground Vulnerability**Comments:**

The development can be undertaken largely within the subject buildings and any development outside the buildings or on sealed or compacted areas. Water on the site will be managed in accordance with the erosion sediment control and stormwater management plan submitted with the development application and the development will not have any negative impacts on groundwater resources.

Clause 7.3 Terrestrial biodiversity**Comments:**

The mapping adopted with the Cowra Local Environmental Plan maps the very western fringe and parts of the eastern and southern boundaries as possibly containing areas of environmental sensitivity. The development site which includes the existing buildings and area immediately surrounding as well as use of the existing driveway does not require the removal of any trees within the areas mapped in the terrestrial biodiversity map layer. A report prepared by JG Arbor concludes that the few trees to be removed in the vicinity of the existing car parking area to be expanded can be completed as the trees are not in good health and suitable for removal.

As the development is being undertaken in an area that is already industrial in its land use, it will not have any adverse impact on the condition or ecological value of the significance of any flora and fauna on the land and will not impact important vegetation that would constitute habitat for the survival of fauna. Likewise the development will not result in fragmentation or disturbance of environments that would diminish the biodiversity, structure, function or composition of the allotment as it is all undertaken within the industrial area of the site and using existing access road networks.

Lastly the development will not have an adverse impact on any habitat elements that provide connectivity, and rather the proposed inclusion of additional trees along the allotment boundary will improve habitat elements and connectivity.

Having the defined areas within the site for land use as shown on the development plans and reporting means that it is appropriately designed to manage and avoid any significant environmental impact. The mitigation measures included in the specialist reporting and detailed in this EIS demonstrate that any impact will be reasonably avoided and that no alternatives need to be explored.

The development will not have any negative impact on terrestrial biodiversity. The development can comply with the controls of Clause 7.3.

ii) any relevant provisions of any state environmental planning policy, regional or local environmental plan, or development control plan

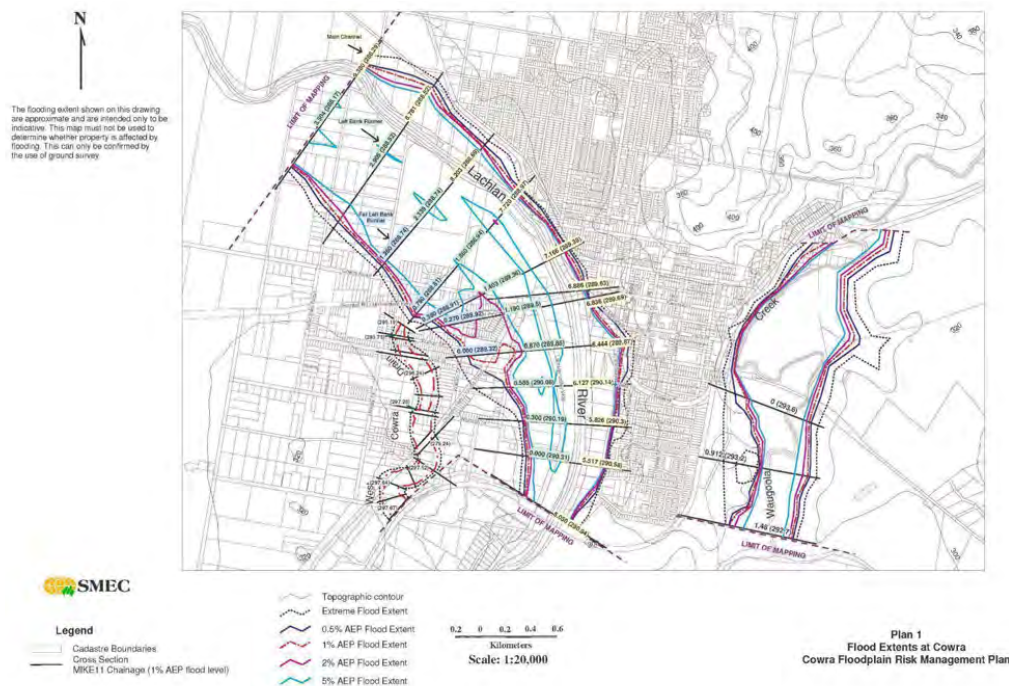
State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 3 Hazardous and offensive development

Comments:

The concrete batching process and the management of waste materials is detailed in Section B on page 14 of this EIS. The process means that the risk of hazardous materials resulting in a negative environmental impact is considered low, and this preliminary consideration/screening would indicate that the development is not potentially hazardous. The location of the development relative to surrounding land uses and the topography and layout of the site means that it is not a potentially offensive industry. Therefore this preliminary screening is considered to be adequate to consider Chapter 3 of the Resilience and Hazards SEPP.

Below is an extract of Plan 1 of the adopted *Cowra Flood Risk Management 2006* that shows the extent of the 1% Annual Exceedance Probability (AEP) Event. It is evident from the plan and topography of the site that the development is outside of the 1% AEP event.



Source: Cowra Floodplain Risk Management Plan 2006

Chapter 4 Remediation of land**Section 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.

Comments:

A preliminary contamination investigation report was prepared by Envirowest Consulting involving site inspections, review of site history, review of approvals of use of the site, consideration of the current land use and onsite soil testing as outlined in the report. The report includes recommendations that specified areas within the site have additional investigation undertaken through soil reporting and that a remediation action plan be prepared for remediation of those identified areas. The recommendations also state that the interim management measure for those identified areas of impacted soils is to include excluded access to those particular points to prevent disturbance and measures to be implemented to prevent erosion or removal of sediment through reduced water flows for those identified locations which is reflected in the water and soil erosion management plans prepared by Calare Civil.

Further remedial contamination testing has been completed for identified areas of contamination. Remedial works were recommended as a result of this additional testing, and will be completed in accordance with the remediation action plan.

The development involves the removal of a small shed previously used as a pump shed. The shed is not lined and will not result in any contamination.

No further investigation is required prior to assessment of the development application in accordance with the NSW Managing Land Contamination Planning Guidelines.

State Environmental Planning Policy (Planning Systems) 2021**Comments:**

Chapter 2, Part 2.2, Section 2.6 and Chapter 2, Part 2.4, Section 2.19 declare that developments identified in either Schedule 1, Schedule 2, Schedule 3, Schedule 4 or Schedule 6 constitute either State Significant Development or Regionally Significant Development. The concrete works are not listed in any of the schedules meaning the development does not constitute State Significant or Regionally Significant Development and the provisions of the Planning Systems SEPP does not apply.

State Environmental Planning Policy (Transport and Infrastructure) 2021**Comments:**

The development does not directly adjoin a classified road. Access to the site is gained by utilising the existing sealed vehicle driveway which is connected directly to Campbell Street which is a local street under the care and control of Cowra Shire Council. Section 2.122 of the Transport and Infrastructure SEPP states that before determining a Development Application, written notice must be given to TfNSW and take into consideration comments received. Subclause 2 of Section 2.122 states that the relevant size or capacity is that which is identified in column 3 of the table included in Schedule 3 of the Transport and Infrastructure SEPP. Column 3 of Table in Schedule 3 of the Transport and Infrastructure SEPP identifies industry with site area of greater than 5,000 square metres that is located within 90 metres connection of a classified road to be development that requires referral to TfNSW. As the industrial site exceeds 5,000 square metres and the connection point from the boundary of the allotment onto Campbell Street is approximately 90 metres from Darbys Falls Road, which is a classified road, referral is therefore required. A Traffic Impact Assessment has been prepared and submitted with the development application concluding that the development can be undertaken as proposed and designed without negative impact on the site or transport network.

State Environmental Planning Policy (Biodiversity and Conservation) 2021**Comments:**

Section 2.6 of the Biodiversity and Conservation SEPP states that a person must not clear native vegetation in a non-rural area without the authority conferred by permit granted by the Council.

Review of Part C Biodiversity of the Cowra Comprehensive Development Control Plan 2021, Section C.1.5 confirms that development applications must be accompanied by information that demonstrates that the development does not exceed the biodiversity offset scheme threshold as defined by the NSW Biodiversity Conservation Act 2016 and associated regulation. In this instance, the arborists report and the plans provided demonstrate that a very small number of trees are to be removed. The area of the subject development does not have an applicable minimum lot size and so the threshold for clearing of native vegetation is not exceeded. This is considered adequate as information included in this EIS to be submitted with the Development Application to Council. Accordingly, no further permits are required.

(ii) any proposed instrument that is or has been the subject of public consultation under this Act.

There are no Draft Environmental Planning Instruments on public exhibition at the date the Development application is lodged.

(iii) any Development Control Plan (DCP)

Cowra Council Comprehensive Development Control Plan 2021

Part I Industrial Development

Section I.1.1 states:

Section I.1 applies to any development that is permissible with consent on land zoned IN1 General Industrial and IN2 Light Industrial under the Cowra Local Environmental Plan 2012, and any other zones where industrial development is permitted.

The land, which was previously IN2 Light Industrial has been subject to a zone change to E4 General Industrial, and so it is considered that this is an equivalent zone that affected both IN2 Light Industrial and IN1 General Industrial and so the provisions of Part are applicable.

Part I of the DCP contains controls specifically applicable to industrial development.

Section I.1.3 of Part I includes controls that aim to avoid conflict and pollution. In this regard the following general comments are made:

- Lighting is positioned to be directed into the site and not at residential land-uses. Lighting will be limited after manufacturing hours to ensure lighting does not impact neighbouring land uses. Specialised reports are prepared and submitted with the Development Application analysing noise, water, soil, traffic and air quality. The reports conclude the proposed development can be undertaken with the implementation of nominated mitigation measures to ensure pollution does not occur.
- The water used at the site can be sourced from the Council reticulated water system and any wastewater will be managed in accordance with the system outlined in the stormwater management plan. The stormwater Management plan also allows for reuse/recycling water through the manufacturing process.
- Any dust at the site would be managed through either compacted granite or sealed surfaces to prevent dust being churned in the air during traffic movements and activities to manufacture products. An Air Quality Assessment Report is submitted with the application demonstrating that the proposed development will not result in any negative impacts on air quality.
- The batching equipment will be positioned in the site in the location displayed on the development plans. The Noise Impact Assessment submitted with the DA assesses the operation of this equipment in that location and confirms it is appropriate in accordance with recommendations of the report without negative impact as a result of noise.
- The buildings are already constructed and the distance to any sensitive land uses mean that the development will not have any negative visual impacts on those uses.

- Any odour from the development can be managed within the site by undertaking activities that produce any strong smells within the industrial sheds and the distance to any neighbouring sensitive users will help to mitigate any potential impacts from odour.

Section I.1.4 Setback Controls

The development involves the use of existing industrial buildings, the operation of equipment, storage and construction of driveways within the vicinity of those buildings. The setback of the building and appearance orientated towards Campbell Street is not altered by the development and does not involve any variation to the controls of this section.

Section I.1.5 Building Design & Form Controls

The development already incorporates a portico share drive through awning at the front of the office buildings which are located at the front of the industrial sheds as presented to Campbell Street with no changes other than improved parking required. the development is a great distance from Campbell St and Darbys Falls Road meaning it is not visually prominent.

Section I.1.6 Open Storage & Waste Areas

The site is already bordered by adjoining land within the rail corridor that includes large amounts of established tree vegetation. Trees are proposed to be included along with a blockwork wall along the western property boundary to screen the product storage and driveway areas from neighbouring residential dwellings to the west. This screening will effectively mitigate any negative impacts.

Section I.1.7 Fencing Controls

The site is a very large site with agricultural fencing of varying standards on its various boundaries. The industrial buildings on the site are secured as lockable areas. There is no proposal to alter any of the fencing already in place for the site.

Section I.1.8 Servicing Controls

The site is already connected to all utility services, including reticulated water, reticulated sewer and vehicle access suitable for catering for the operation of the development as it exists and the proposed expansion.

Section I.1.9 Commercial Activity Controls

The development involves industrial activities and is not in variation to any of the commercial controls contained in Section 1.9

Section I.1.10 Parking Access & Mobility

This is addressed under Part M of the DCP. A report by Traffix is submitted with the application and concludes the design of parking facilities and access is appropriate.

Section I.1.11 Signage

The awnings and buildings are capable of catering for signage in accordance with State Environment Planning Policy (Exempt & Complying Development) Code 2008.

Section I.1.12 Landscaping

This is addressed under Part N of the DCP below.

Section I.1.13 Soil Erosion & Sediment Control

This is addressed under Part Q below. A report is prepared and submitted with the application by Calare Civil demonstrating how erosion and stormwater management is to occur on the site during construction and during operation.

Section I.4 contains controls applicable to the Waugoola Industrial Release Area.

The mitigation measures previously mentioned in this report that confirm access to the site is gained via an existing access driveway, that the site is connected to all utilities required to operate the facility, stormwater drainage and soil and sediment soil erosion control measures to be implemented, the position of the site outside of the 1% AEP event, and the compliance with other sections of the DCP mean the development is compliant with Section I.4 of the DCP.

The development is consistent with the controls and provisions of Part I of the DCP without variation.

Part M Parking Access and Mobility

A report is prepared and submitted by Traffix, who are consultants in considering proposals that involve onsite parking and traffic movements to a development. The report concludes that the design as proposed can be undertaken without alteration and without any identified unmitigated negative environmental impacts.

Part N Landscaping

The site contains a number of existing trees, the majority of which are proposed to be retained. The landscaping in this area is considered to be appropriate without alteration or additional landscaping being required consistent with Part N.

Part O Environmental Hazard Management**O.1 Flood Risk Management**

The site is subject to flooding from Waugoola Creek however the area proposed for the development operation is not within the Flood Planning Area.

The site is not identified as bushfire prone.

O.3 Contaminated Land

A preliminary investigation has been completed by Envirowest Consulting considering the history, current land use and proposed land use of the site. The report prepared in accordance with SEPP 55 and the Contaminated Land Management Planning Guidelines concludes that additional remediation is required in specified locations of the site but that with the inclusion of methods to isolate those areas as interim measures, the use of the site can continue operation and the future development is appropriate. The development is consistent with Part O Environmental Hazard Management.

Part P CPTED Principles

The development provides an appearance of private ownership and continuous operation and maintenance. The development is, therefore, unlikely to be susceptible to criminal activities and is considered appropriate and consistent with the controls and objectives of Part P.

The site lines from nearest dwellings to the west to the subject development is being screened by a proposed block work wall and landscape buffer. These are depicted on the development plans submitted with the application. The sitelines to the industrial buildings from the nearest public roads on Campbell Street and Darbys Falls Road are largely unchanged as the existing car parking will be used and the site already has an industrial appearance due to the large industrial sheds that are located on the site. The storage of finished product is consistent with the existing view of the site from public places.

The development is consistent with the DCP without variation.

iii) any relevant catchment management plans, regional strategies or management plans for the area

c) title details; land tenure; owner's consent (if not the proponent)

d) where Crown land is involved, any constraint associated with the form of lease or tenure — where appropriate, the Native Title status of the land should be addressed and an outline provided of the procedures to be followed to satisfy the requirements of the Commonwealth's Native Title Act (1993)

e) maps, plans or aerial photographs clearly identifying the location of the proposal in relation to:

i) the surrounding roads, adjoining communities or dwellings and any land use or natural features likely to be affected by the proposal

ii) utilities including transmission lines, pipelines, cables or easements

iii) sight-lines from dwellings or public places such as roads

iv) other activities which in combination with the concrete works have the potential to generate significant cumulative impacts (such as traffic, air, noise or water impacts).

Comments:

The development complies with the controls of the Development Control Plan as well as the Local Environmental Plan making it consistent with the regional strategies in place. The scale of the development is such that it will not be inconsistent with any aspects of the applicable regional strategies and represents a good use of an existing industrial site.

The development does not require any lease tenure arrangements, as the applicant/operator is the owner of the land.

The development does not involve any part of Crown land.

The development submitted with the application appropriately informs people of the development's location and demonstrates its operational layout.

2. Overview of the affected environment

An overview of the environment should be provided in order to place the proposal in its local and regional environmental context. This overview should be general. Specific details should be provided when assessing the environmental impacts of the proposal. General information to be provided includes an overview of:

- a) meteorological characteristics which may influence dust or noise impacts*
- b) the use and vulnerability of any natural waterbodies likely to be affected by the proposal; general water quality characteristics*
- c) the use and vulnerability of groundwater; general water quality characteristics*
- d) characteristics of land likely to be affected in terms of general soil characteristics*
- e) predominant vegetation communities in areas to be disturbed, their potential habitat and conservation values*
- f) the heritage, conservation, archaeological, historical, cultural, scientific, or scenic significance of any buildings, items, places or areas likely to be affected.*

Comments:

The area in which the development is undertaken is already utilised for industrial purpose and contains industrial buildings as well as a combination of gravel and sealed car parking, loading and maneuvering areas. The location where the industrial buildings and immediate surrounding area is relatively level with the adjacent residential area of the Cowra township to the west. The site then slopes down to the south and will be bordered by proposed internal road number 3 which will have compacted gravel construction. The location of the industrial facilities relative to the township and the gravel and sealed surfaces will mean that dust and noise do not impact on any sensitive land uses. This is supported by specialist reports that consider those potential impacts.

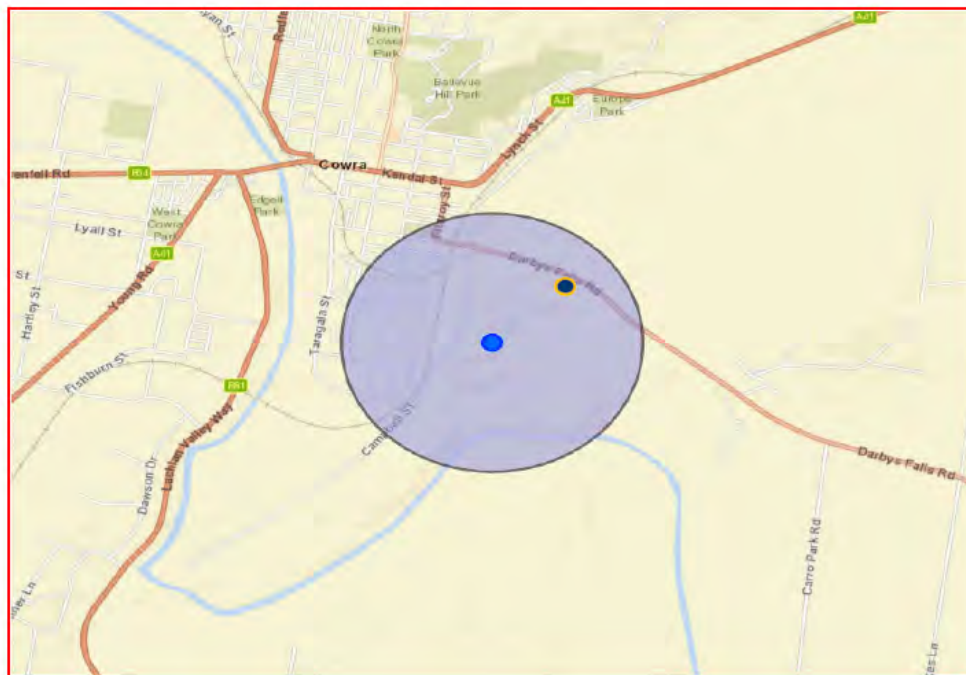
The development is supported by a stormwater management plan that shows implementation of erosion control features during both the construction and operational phases. The stormwater management plan also recommends the installation of a sediment basin for filtering sediment out of water and receiving water from wastewater management pits and surface water from the industrial area of the site. This then drains to an existing dam located on the southern side of the facility which then retains water to be recycled through the batching process. This process means that the development will not impact sensitive water bodies including Lachlan River and Waugoola Creek. The Stormwater Management Plan also confirms how gravel surfaces act as a filter to protect groundwater resources.

The development does not require the extraction of water but the site is connected to reticulated town water. The continued operation and expansion of the concrete works within the existing industrial area of the site utilising the existing facilities will not have an affect on the general soil

characteristics of the allotment or area overall.

The development which utilizes existing facilities requires the removal of a very small number of trees for which an arborist report has been provided and the development will therefore not disturb or detrimentally impact the predominant vegetation community in the area.

An AHIMS search confirms the site does contain a known item of Aboriginal heritage significance. The item will not be affected by the proposed development as it is located in an area that is used for farmland and a great distance from this existing industrial site and associated existing sealed access driveway. The expansion of the industrial use on the site will not expand the development site's footprint into the area containing the item and will not impact the item. Accordingly, an Aboriginal Heritage Impact Permit (AHIP) is not needed. A search of the NSW Heritage Register confirms the industrial area of the site does not contain any buildings or places listed as having heritage value. The use of the industrial site and buildings is an appropriate use that will not detract from its value.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

1	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Source: Heritage NSW AHIMS Web Services, retrieved 25/11/2021.

D. Identification and prioritisation of issues

1. Overview of the methodology

Outline the procedures or methodology used to identify and prioritise issues. Factors to consider may include:

a) the outcome of a review of relevant sources of information on potential issues, including:

- i) guidelines by any relevant government authorities*
- ii) the provisions of any relevant environment protection legislation*
- iii) any industry guidelines*
- iv) EISs for similar projects, any relevant commissions of inquiry reports, determination reports and conditions of approval*
- v) relevant research or reference material*
- vi) relevant strategic plans or policies*
- vii) relevant preliminary studies*

b) the outcome of consultation with stakeholders including:

- i) planning focus meetings, community focus meetings, community workshops or issues groups*
- ii) meetings with stakeholders (e.g. government agencies, particularly EPA, councils, major market representatives)*

c) the use of methodology such as Is an EIS required? (Department of Planning, 1995) or checklists or similar approaches.

Comments:

In preparing this EIS, a number of relevant guidelines have been considered, most principally the *EIS Guideline Concrete Works* prepared by the NSW Department of Urban Affairs and Planning 1996. These guidelines provide a criteria for preparing an EIS for a development that involves concrete works.

The development requires a license issued under the *NSW Protection of the Environment Operations Act 1997* as the concrete product manufacturing will exceed 30,000 tonnes per annum, making it a scheduled activity under that Act. A license can be applied for.

The owners of the land commissioned the preparation of a number of site specific reports to investigate any potential issues associated with concrete works and the proposed industrial operation. The reports all conclude that the development can be undertaken as proposed and provide recommendations, some of which include mitigation measures, to be implemented as detailed in this document. A meeting with Cowra Shire Council as a stakeholder group was held using site plans and a draft description of the proposed development prior to specialist reports being prepared to discuss the proposal and the reports that Council deemed likely to be required in order to complete a comprehensive assessment. These reports were then prepared and form part of this EIS.

This constitutes the methodology utilised in preparing this EIS for submission to Council with the Development Application.

2. Outcomes of the process

Summarise the outcome of the identification and prioritisation process, including:

a) all the issues identified

b) the key issues which will need a full analysis in the EIS (including comprehensive baseline assessment)

c) the issues which will not need a full analysis in the EIS, though they may be addressed in the mitigation strategy; the justification for the proposed level of analysis.

Comments:

Through inspection of the site, consideration of the existing industrial operation and identifying the aspects of the proposed expansion, the key issues that were identified are noise, air quality, water and soil management.

In order to provide a full analysis of these key issues a number of specialist reports were prepared including a site soil contamination investigation report, an acoustic report, an air quality assessment report, a soil and water management plan, a traffic impact assessment and an arborist tree health report. These reports in combination with consideration of the context of the development provides a full and comprehensive analysis of the key issues of the proposed development.

The specialist reports establish a baseline for the assessment of each issue that they are addressing and complete a full analysis of that issue with regard to the proposed expansion of operation and site works. Each report provides justification for the levels of analysis undertaken as part of the reporting.

The key issues have been appropriately addressed through the recommendations included in each of these reports which will be implemented into the operational practices and design of the development as a mitigation strategy to ensure any negative environmental impacts are avoided.

These specialist reports are appropriate to effectively analyse the key issues associated with the proposed development and ensure mitigation measures are implemented.

E. The environmental issues

1. Energy issues

Power usage - the existing power is adequate for the forecast demand. Approximate expected use is 500-1000 amps. Batch Plant - 90kw, Production line 110kw

Lighting includes:

High bay LED lighting through the factory.

The vehicle paths will be lit to designate heavy vehicle routes.

Loading area to the east of the buildings will be lit by pole lighting and lighting mounted to existing buildings.

Power supplied to the existing industrial site is appropriate for the proposed development.

Mitigation measures

No impact on energy is anticipated, therefore no mitigation measures are required.

2. Air quality

The site contains sealed areas and also areas of compacted gravel that will prevent dust from being churned into the air either during construction or during operation of the facility.

An Air Quality Impact Assessment report was prepared and concludes the development can operate as proposed without negative impact or exceeding any applicable limits.

Mitigation measures

Water spray systems will be installed to prevent dust churning into the air and wind breaks for the concrete batching activities. A windbreak is already achieved in the concrete batching area through the existing hazardous storage shed. The ongoing use of the development will not negatively impact air quality.

3. Water issues

The site is connected to reticulated water. Stormwater from the site can be managed within the land. Any waste water from the operation will be managed in accordance with the water management system outlined in this EIS and the Stormwater Management Plan prepared by Calare Civil.

Mitigation measures

The Stormwater and Soil Erosion Management report displays mitigation measures to be implemented during both the construction period and operation period of the development including wastewater treatment pits, sediment basin and storage dam as well as reuse of water for the batching process.

4. Transport and traffic issues

Vehicle access to the development will be gained by using the existing sealed driveway connecting to Campbell Street as shown on the development plans.

A Traffic Impact Assessment was completed by Traffix. The assessment included completing traffic counts, proposed routes and entry to the site and consideration and assessment of the traffic attending the site. The report recommends the development proceed as proposed.

Mitigation measures

The Traffic Impact Assessment concludes that the proposal and continual operation of the precast concrete facility will not have any adverse impacts to the surrounding road network. Therefore no mitigation measures are required other than adhering to the operating parameters outlined in this EIS.

5. Social issues

The continued operation of the industrial manufacturing occurring at the site, as well as the expansion of that industry, will provide for additional employment with appropriate facilities onsite for personnel, resulting in positive social & economic outcomes. The use of the site will mean that it is maintained and does not fall into disrepair also resulting in beneficial social & economic outcomes. The reporting provided with this application, as well as the design plans and consideration through this EIS, confirms that the development, as proposed, will not result in any unmitigated negative environmental impacts and so will only result in positive social & economic outcomes.

Mitigation measures

Any potential negative impact on social issues have been mitigated through the careful consideration of the design of the development. No ongoing mitigation measures are required other than implementation of the measures detailed in the specialist reporting.

6. Noise issues

An Acoustic Report was completed by Acoustic Works which considers the operating hours, operating practices, the activities being undertaken, vehicle movements and location of various equipment throughout the site and concludes that provided the recommendations of Section 8 of the report are complied with that the development meets the acceptable level of noise for the development in the location.

Mitigation measures

Deliveries and pickups will only occur in the dedicated loading zone as shown in Figure 3 during the evening time period (6pm to 10pm), deliveries associated with small trucks or vans may occur at any location onsite. During the evening time period (6pm to 10pm), trucks will drive directly to the dedicated loading zone with no stopping at any other location in the driveway. Forklift activity shall be limited to the day time period only (7am to 6pm).

The report recommends that waste collection be conducted in accordance with the surrounding residential properties with recommended hours of 7am to 6pm weekdays and 8am to 6pm weekends.

The report recommends that any new mechanical plant is designed to comply with the criteria stated in Section 5.3 of the Acoustic Report with an assessment undertaken by a qualified acoustic consultant to be conducted prior to installation.

The traffic generation from the proposed development is predicted to be approximately 204 vehicles per day. Based on the existing traffic volumes on Fitzroy Street, this increase in traffic volume is not predicted to exceed the criteria nominated in Section 5.8 of the Acoustic Report.

7. Health issues

Issues to consider include:

- a) overviewing the public health risk associated with any existing facilities*
- b) assessing the potential health implications of the proposal including potential chronic and acute risks associated with:
 - i) the likelihood of the facility increasing any existing health problems in the community*
 - ii) air quality, water quality, road safety issues likely to affect health*
 - iii) potential exposure pathways**
- c) if there is a significant health risk, developing a full health assessment considering potential impacts from direct exposure to or aspiration of substances with high health risk*

Comments:

The materials used at the site could pose a public health risk if they weren't managed as proposed. The mitigation measures included in the specialist reports confirm how the operation can continue without resulting in health problems to personnel at the site or persons in the community.

Most specifically, the preliminary contamination investigation undertaken by Envirowest Consulting makes recommendations for further testing to identify appropriate remediation and measures to be implemented so that the site may continue to operate in the interim.

Mitigation measures

Any potential health issues will be mitigated through the implementation of operational procedures as identified in this EIS and through specialist reports submitted with this application.

8. Visual issues

For concrete works located in areas where visual impacts are likely to be a concern, issues to consider include:

- a) the visibility of the proposal from the surrounding areas; considering the proposal in the context of any landscapes of local or regional significance*
- b) the visual impacts caused by clearing of vegetation, stock piles, bins, towers or other structures, lights, dust on access roads; views to the site from nearby land uses, as well as from strategic locations adjacent to and in the vicinity of the site, particularly from higher elevations; any night time impacts due to lighting*
- c) proposed mitigation and management measures to reduce visual impacts, such as:*
 - i) layout, design, colour scheme, fencing, screening or visual treatment*
 - ii) landscaping; species to be planted, taking into consideration the potential alkali environment*
 - iii) protocols for transport vehicles.*

Comments:

The development site is located outside of the urban fringe of the Cowra township. The site has had a long history of industrial uses utilising the existing industrial buildings, offices and infrastructure constructed around the buildings.

The development proposes to use the existing industrial buildings and the area surrounding those buildings for the operation. The expansion of the development involves the use of areas immediately adjacent to the south and east of the existing building, and extension of the existing driveways to enable them to loop around the site on the southern end and extend through a previous dam that forms a bunker on the eastern side of the buildings. The position of this storage and land use will be screened from view by the installation of a landscape strip for the full extent of the western boundary within the industrial zone, and the extent of the storage areas and internal driveways as viewed from the residential area to the west of the site. The proposed construction of a visual barrier wall along part of the western boundary immediately adjacent to the existing industrial buildings and storage area will provide a further visual barrier between the residential area to the west of the site.

The site is not visually prominent from any classified roads or any significant sites within the township. In order to operate the industrial use and complete its expansion construction works are not required to clear vegetation or construct stockpiles or store infrastructure that would result in negative impacts on views from any nearby residential receivers or sensitive land uses.

The site is separated from the urban area of the township by access to an agricultural allotment skirting the south eastern fringe of the township and by an open but non operational rail line with

substantial vegetation in the rail reserve as well as existing buildings orientated with the rail line. The use of the site will therefore not have any negative visual impacts.

Mitigation measures

No visual impact has been identified, therefore no mitigation measures are required beyond operating the facility as proposed. The mitigation measures chosen to be implemented by Westcast include the landscape strip and blockwork wall as described above and are additional to any outcomes of specialist reporting. These are appropriate mitigation measures between the residential area to the west of the site and the industrial site. The nearest residential dwelling to the east is a great distance from the site with large established trees along Waugoola Creek in a rural setting obscuring the view of the site from this residence.

9. Soil issues

A site investigation contamination testing was undertaken by Envirowest. The report concludes that the development can be undertaken provided compliance with the recommendations of the report are adhered to. The report includes interim recommendations for sectioning off parts of the small identified parts of the site so that further site investigation can be undertaken and to reduce any erosion from these areas and limit stormwater entering those parts of the site.

A subsequent site contamination report was undertaken which makes recommendations for the likely use of concrete capping of those areas and a remediation action plan which is being prepared.

Mitigation measures

Compliance with the recommendations of the report prepared by Envirowest Consulting which will ensure there are no negative impacts on soils during construction or ongoing operation of the development. In addition, the recommendations of the Air Quality Assessment report prepared by VIPAC will ensure that no impacts from dust and materials in the industrial site.

10. Flora and fauna issues

The development does involve the removal of a number of trees and an arborist report prepared by J G Arbor giving consideration to each of these trees concludes that the trees are not in good health and recommends that they may be appropriately removed.

The development site is entirely developed with a history of being utilised for industrial purposes. The development does not require the clearing of native vegetation that would exceed nd threshold under the NSW Biodiversity Conservation Act 2016.

Mitigation measures

No negative impacts identified, therefore no mitigation measures beyond operating as proposed are required.

11. Heritage issues

There are no items listed in schedule 5 of the LEP as present on the land. The area to be utilised as part of the development is already fully developed with hardstand area and buildings and no negative impact on any form of heritage is anticipated.

Mitigation measures

No negative impacts identified, therefore no mitigation measures beyond operating as proposed are required.

12. Hazards issues

An eastern portion of the site is within the flood planning area. However, the entire area to be utilised as part of the proposed development is outside of the flood planning area and will not have any impact on flood levels or displace any flood waters or result in any risk to life or negative economic impact.

Mitigation measures

No negative impacts identified, therefore no mitigation measures beyond operating as proposed are required.

13. Economic issues

The continued operation of the industrial manufacturing occurring at the site, as well as the expansion of that industry, will provide for additional employment with appropriate facilities onsite for personnel, resulting in positive social & economic outcomes. The use of the site will mean that it is maintained and does not fall into disrepair also resulting in beneficial social & economic outcomes. The reporting provided with this application, as well as the design plans and consideration through this EIS, confirms that the development, as proposed, will not result in any unmitigated negative environmental impacts and so will only result in positive social & economic outcomes.

Mitigation measures

No negative impacts identified, therefore no mitigation measures beyond operating as proposed are required.

14. Cumulative impacts

The proposal to continue the ongoing and expanded use of the site is supported by specialist reports, plans and documents that demonstrate that the site is appropriate for the proposed use without any identified unmitigated negative cumulative impact.

Summary of proposal and environmental impacts

The development involves the manufacture of precast concrete products for the construction industry. The manufacturing products include steel and concrete as described in this EIS. Section E includes consideration of environmental issues associated with the proposal.

The site has utility connections including reticulated water, power, sewerage, and road network appropriate to service the development without negative impact. Through the preparation of an air quality assessment, stormwater management plan, traffic impact assessment, soil contamination reporting and noise impact assessment, it is demonstrated through the findings and recommendations included in those reports that the development can be approved without negative environmental impact on air quality, stormwater runoff, internal traffic movements in the site or traffic movements external to the site or through noise created as part of the operation.

The proposal to continue the use of the facility and complete a stage of expansion will have beneficial social outcomes by providing continued use of a substantial existing industrial site within the Cowra township and positive economic benefits through the continued manufacture of goods for use in the construction industry, as well as continued employment and additional employment

opportunities. The location of the existing industrial facility in a space that is separated from the residential area of the township by allotments used for a rail corridor and associated rail buildings as well as agricultural land, both within the site and on neighbouring sites, mean the continued use of the industrial site and the proposed expansion is appropriate. Similarly, the separation of the site from the area of Large Lot Residential land to the east is separated by Waugoola Creek and an expanse of agricultural land making the site appropriately positioned relevant to the residential area.

Lastly, the operational practices of the existing facility and the proposed expansions mean the concrete works can continue to operate without resulting in any unmitigated hazards or cumulative outcomes that would result in any negative environmental impacts.

Overall, through the preparation of associated reports, plans, and this EIS, it is concluded that the development can be undertaken without negative environmental impact. The measures included in part G of this report are appropriate to avoid any negative environmental impact.

F. List of approvals and licences

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997 - SECT 48

Licensing requirement--scheduled activities (premises-based)

48 Licensing requirement--scheduled activities (premises-based)

(1) Application of section This section applies to scheduled activities where Schedule 1 indicates that a licence is required for premises at which the activity is carried on.

Schedule 1

13 Concrete works

*(1) This clause applies to **concrete works**, meaning the production of concrete products, but does not include the production of pre-mixed concrete (concrete batching).*

(2) The activity to which this clause applies is declared to be a scheduled activity if it has a capacity to produce more than 30,000 tonnes per year of concrete products.

Comments: The development will exceed 30,000 tonnes of concrete product per annum and so will require a Licence under the Protection of the Environment Operations Act 1997 as a Scheduled Activity.

G. Compilation of mitigation measures

A critical component in the EIS is the mitigation strategy. This demonstrates how the proposal and its environmental safeguards would be implemented and managed in an integrated and feasible manner. This section should also demonstrate that the proposal is capable of complying with statutory obligations under other licences or approvals. The mitigation strategy should outline the environmental management principles which would be followed when planning, designing, establishing and operating the proposal and include:

- *specific locational, layout, design or technology features and*
- *an outline of ongoing management and monitoring plans.*

In some circumstances, separate environmental management strategies should be outlined for the construction and operational stages of the project.

Comments:

Item	Report	Mitigation Measure
Site Contamination	Contamination Investigation - Envirowest Consulting	<ul style="list-style-type: none"> • Undertake additional site soil testing in identified locations. • Resolve the most effective method of remediation in accordance with the subsequent report. • Remove identified waste materials. • Implement interim measures to minimise impact of soils excluding access and disturbance from those identified areas and minimising surface water flows. • Arrange preparation of Remediation action Plan
Tree Removal	Tree Report - JG Arbor	<ul style="list-style-type: none"> • Remove only those trees identified in the report prepared by JG Arbor.
Noise	Acoustic Report - Acoustic	<ul style="list-style-type: none"> • Deliveries and pickups will

Item	Report	Mitigation Measure
	Works	<p>only occur in the dedicated loading zone as shown in Figure 3 during the evening time period (6pm to 10pm), deliveries associated with small trucks or vans may occur at any location onsite.</p> <ul style="list-style-type: none"> • During the evening time period (6pm to 10pm), trucks will drive directly to the dedicated loading zone with no stopping at any other location in the driveway. • Forklift activity shall be limited to the day time period only (7am to 6pm). • Waste collection be conducted in accordance with the surrounding residential properties with recommended hours of 7am to 6pm weekdays and 8am to 6pm weekends. • Any new mechanical plant is designed to comply with the criteria stated in Section 5.3 with an assessment undertaken by a qualified acoustic consultant to be conducted prior to installation.
Air Quality	Air Quality Assessment - VIPAC	<ul style="list-style-type: none"> • Operate the facility in accordance with the details of the proposal included in this EIS. The facility has been assessed as supportable without resulting in constraint to air quality in the Air Quality Assessment report.
Stormwater and Soil Erosion Management	Conceptual Stormwater Management Plan - Calare Civil	<ul style="list-style-type: none"> • Implement mitigation measures detailed in

Item	Report	Mitigation Measure
		<p>Section 10 for the construction phase including erecting sediment fencing, strip and stockpile topsoil, water down stockpiles to minimise wind erosion, dispose of litter appropriately, ensure machinery is in good working order without leaks, contain any spills, contain any wash waters away from stormwater system, finished earthworks seeded/hydro mulched, construct pavements in accordance with the proposed plans, maintain sediment devices to ensure they work effectively, remove sediment fencing after landscaping and grass cover is established.</p> <ul style="list-style-type: none"> ● Implement the controls contained for the operational phases including dust suppression by maintaining haulage roads/driveways, adhering to maximum onsite traffic speeds of 10km/h, utilise water tankers to be kept onsite on unsealed haulage roads as required. ● Implement stormwater management including the use of swales or bunds to control runoff to the southern and eastern sides of the industrial facility, vegetate swales to ensure their stability and have a minimum vegetation height of 50mm.

It is considered that the industry can continue to operate in the manner detailed in this EIS without requiring an Environmental Management Plan to be prepared as part of the submission of the Development Application. The specialist reports and information included with this EIS demonstrates that the development can operate without negative impact on personnel at the site or any surrounding land uses. The preparation of an Environmental Management Plan will not provide any further information on how the industry is to operate on the site or how the mitigation measures will be implemented and operate effectively.

An environmental management plan

An environmental management plan (EMP) is a document designed to ensure that the commitments in the EIS, subsequent assessment reports, approval or licence conditions are fully implemented. It is a comprehensive technical document which is usually finalised during or following detailed design of the proposal after approval of the development application. It should provide a framework for managing or mitigating environmental impacts for the life of the proposal. It should also make provisions for auditing the effectiveness of the proposed environmental protection measures and procedures. With major or controversial projects, it may be appropriate to:

- establish a community committee to consult in relation to the ongoing management and monitoring of the proposal*
- exhibit an annual environmental management report outlining the environmental performance of the proposal.*

Although the level of detail required in an EMP is usually not considered necessary for the EIS or a statement of environmental effects (SEE), a comprehensive outline of the structure of EMP with a summary of the environmental management principles which would be followed in the planning, design, construction and operation of the proposal should be provided. It should be noted that with key issues, where there are high levels of risk or uncertainty, it may be essential to present details of how these issues would be managed in the EIS.

At the development approval stage, it is essential for the applicant to establish that the environmental impacts can be managed in an integrated and feasible manner.

Two sections should be included, one setting out the program for managing the proposal (see section [a] below), and the other outlining the monitoring program with a feedback loop to the management program (see section [b] below).

a) Environmental management outline

The management strategy should demonstrate that sound environmental practice will be followed during the establishment, operation, rehabilitation and end use of the concrete works facility. This should include:

- i) the management of construction impacts; if appropriate, erosion and sedimentation management and revegetation for areas disturbed by construction activities*
- ii) the management of operational impacts; if appropriate, include:*
 - materials management on site, including cement, chemicals and fuel*
 - water and dust management*
 - transport management*
 - maintenance and site security plans*
 - contingency plans to respond to emergencies, incidents or any breakdown in*

environmental performance

iii) strategies to feed information from the monitoring program back into the management practices and action plans to improve the environmental performance and sustainability of all components of the proposal

iv) training programs for operational staff and incentives for environmentally sound performance

v) an indication of how compliance with licensing and approval requirements will be achieved and due diligence attained

vi) if applicable, a reporting mechanism on environmental performance and performance bond and relevant performance parameters.

Comments:

An Environmental Management Plan has been prepared by Envirowest Consulting and submitted as part of the application which will ensure the required mitigation measures are implemented.

b) Monitoring outline

This program should be carefully designed and related to the predictions made in the EIS and the key environmental indicators which would demonstrate the potential ecological sustainability of the proposal. The EIS should outline the need for and use of any proposed monitoring, monitoring intervals and reporting procedures.

Parameters which may be relevant include:

i) performance indicators in relation to critical operational issues including:

- the quality of water discharged or leaching to groundwater, surface water or soil*
- noise and air quality*
- any relevant public health indicators*

ii) waste management; performance indicators in relation to recycling and reuse

iii) monitoring of complaints received.

The program outline should describe the following monitoring details:

i) the key information that will be monitored, its criteria and the reasons for monitoring (which may be compliance with regulatory requirements)

ii) the monitoring locations, intervals and duration

iii) procedures to be undertaken if the monitoring indicates a non-compliance or abnormality

iv) internal reporting procedures and links to management practices and action plans

v) reporting procedures to relevant authorities and, if appropriate, to the consent authority and the community.

Comments:

The information included in this EIS outlines in detail the operational practices of the development to be implemented through construction and ongoing operation. The specialised reports consider the development in its context and location and the operational practices outlined and provide recommendations based on these practices. The minimal amount of required mitigation measures can be easily implemented through construction and operation of the development. Some of the reports contain recommendations for various monitoring as it relates to the specific area they are addressing. In this instance, it is not considered necessary to require a program of monitoring beyond any monitoring recommended in the mitigation measures.

If Council wishes to recommend the preparation of a Plan of Management that includes a system for monitoring site operation and recording any complaints and response actions and reporting, Westcast can prepare this document and can be appropriately included as a condition of any Development Consent.

H. Justification for the proposal

Reasons should be included which justify undertaking the proposal in the manner proposed, having regard to the potential environmental impacts and compliance with the principles of ecologically sustainable development.

The principles of ecologically sustainable development are:

a) the precautionary principle — namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation

b) inter-generational equity — namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations

c) conservation of biological diversity and ecological integrity

d) improved valuation and pricing of environmental resources.

The sustainability of the proposal should be outlined in terms of the ability of the proposal to:

a) meet project objectives

b) demonstrate economic efficiency in meeting the short and long term community requirements for the products and in the use of raw materials

c) meet environmental performance requirements including improved conservation or protection of natural resources and reduced environmental costs

d) meet site specific environmental performance requirements considering the vulnerability of the groundwater, surface waters, soil, ecological communities, heritage or social factors

e) safeguard public health.

Comments:

It is appropriate that the operation of the concrete works continue and the proposed works to construct wastewater pits, sediment bunkers and car parking and other associated infrastructure displayed on the development plans be approved as submitted. The information included on the development plans, contained in this EIS and the specialist reports assess the key issues and potential environmental impacts can be effectively mitigated without negative environmental impact.

The development and mitigation measures mean the development can be undertaken without incurring serious or irreversible environmental damage or degradation. The use of the site in the manner proposed will ensure its ongoing use as an industrial site in a manner that ensures the

health of personnel working there and the surrounding community. The use of the site will therefore provide benefits for future generations.

The proposal will make good long term use of an existing industrial site in an efficient and economically responsible manner with mitigation measures in place to ensure no negative environmental impacts occur. The development will meet the environmental performance requirements to conserve and protect natural resources without environmental cost.

The development will be undertaken on areas within the industrial site to ensure ground and surface water resources, soil and the surrounding environments are not negatively impacted.

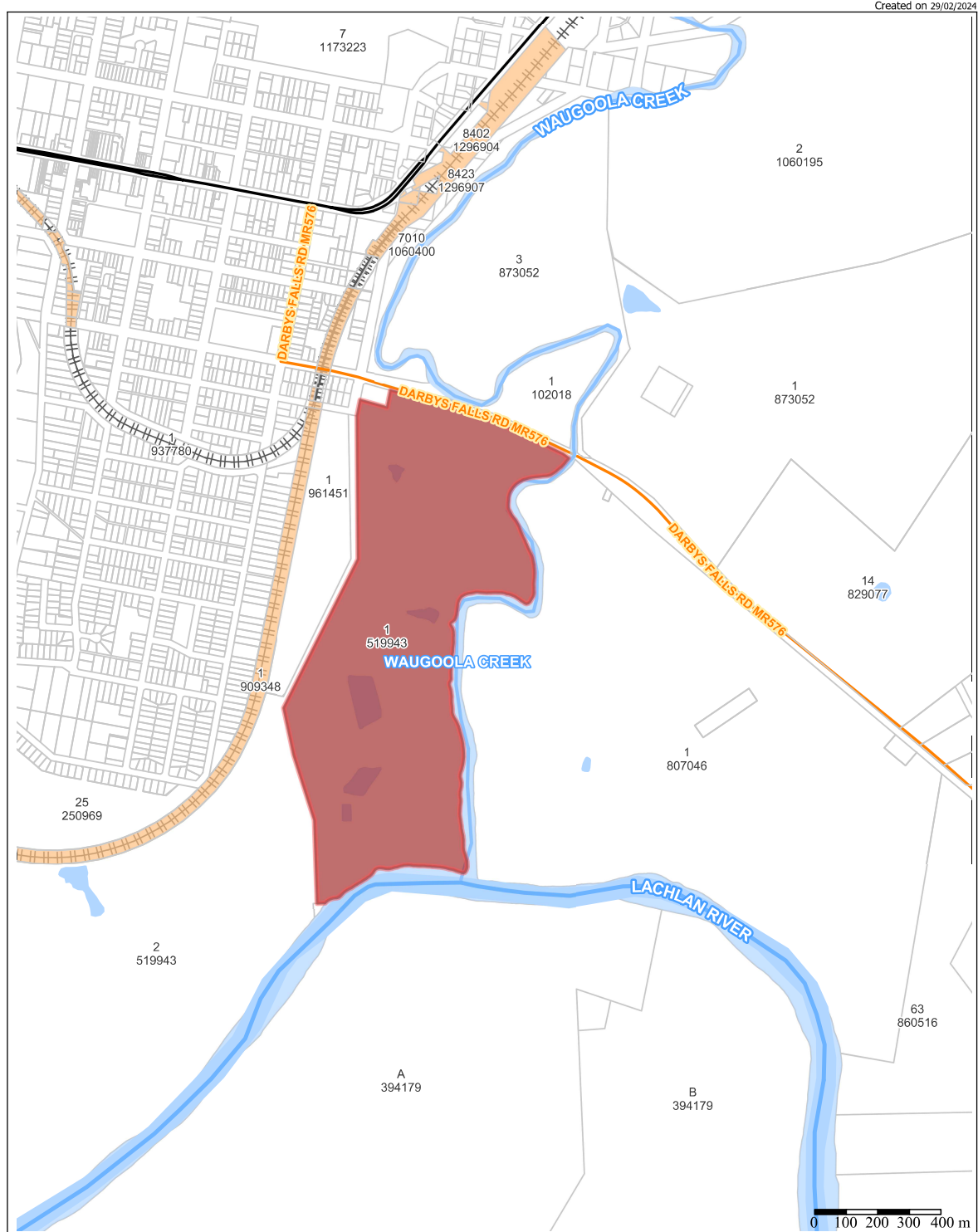
I. Community Consultation

Consultation of various types of development are defined by the Cowra Community Participation Plan 2020. Section 4.3 summarises the mandatory exhibition timeframes for certain types of developments. The table included in Section 4.3 confirms that applications for designated development require an exhibition timeframe of a mandatory 28 days. Section 4.4 identifies industrial development in an industrial zone adjoining a residential zone as exhibited development. The subject land does not directly adjoin a residential zone, but is separated from the residential zone to the west by an SP2 zone for a rail corridor. It is considered appropriate that notification and/or exhibition of the proposed development be undertaken in accordance with the Community Consultation Plan. It is not considered necessary in this instance that additional community consultation need take place, as the development is for the continued operation, expansion and use of an industrial site.

J. Conclusion

This EIS has been prepared in accordance with the requirements of the SEARs provided by NSW Department of Planning, Industry and Environment. The EIS prepared with reference to the development plans, site inspections and specialised reports concludes that the development can be undertaken as proposed without any unmitigated negative environmental impact or variation from applicable planning controls.

The development can be approved as proposed.



Cowra Council
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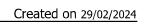
Drawn By: Cassandra Galley


Projection: # GDA2020 / MGA zone 55

Date: 29/02/2024 1:57 PM

Lot 1 DP 519943 - Campbell Street Cowra

Map Scale: 1:14737 at A4





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Drawn By: Cassandra Golley

Projection: # GDA2020 / MGA zone 55

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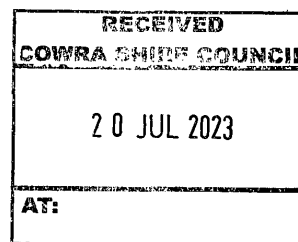


**Lot 1 DP 519943 -
Campbell Street Cowra**

Map Scale: 1:9165 at A4

2023/19798

I am writing in response to development application for land at 1 Campbell St, Cowra by WESTCAST P/L



We live at [REDACTED]
The property is situated east of the development in Campbell Street.
Our house is situated about 660 m from the batching plant.
There are a number of issues of significant concern to us.

1 Noise

We are subject to continuous low level growling noise. This could be likened to living somewhere near a major highway or to a slow moving freight train in the distance. This is interspersed with intermittent banging presumably as moulds are removed /reversing beepers and truck movements. These noises are immediately apparent when one leaves our house on the western side, while in the garden and anywhere on the western half of the property.

The application includes documentation regarding noise under the heading "acousticworks". On page 7 there is a aerial image documenting noise monitoring. On page 14 there are tables with numbers attributed to receiver sites. Our house is receiver site 2. No recordings have been taken from this site. The numbers in the table are calculations from a recording site at the northern end of WESTCAST operation. The batching plant which is responsible for a big percentage of the noise we are exposed to is situated on the Southeast corner of the operation about 660 m from our home. We do not believe these numbers are an accurate representation of noise exposure at our home.

We feel strongly that for this DA to be approved significant noise mitigation on the eastern side of the operation needs to be undertaken, effectiveness measured and enforced.

2 Light pollution

For a significant period of time we were exposed to significant light pollution from the building site. Our home as a 2 storey building and the windows on the second floor facing west were exposed to significant light pollution at night. Eventually Council responded to community concerns and applied pressure on WESTCAST to change their lighting practice. There has been a significant reduction in the light pollution and should the DA be approved strict guidelines need to be applied regarding this.

3 Water pollution

This site is at the junction of the Lacklan River, Waugoola Creek and Back Creek. An enormous amount of product is planned to pass through this site on a yearly basis. There is copious documentation about how WESTCAST plan is to cope with this. I do not have the skills to assess the validity of these reports. I remain concerned about pollution of these 2 significant water ways. I hope the Council and those involved in assessing this DA are aware of the huge potential for this to go wrong.

4 Platypus

We had lived at Jerula for about 7 years. I walk or ride along the river most days of the week. I

2023/19798

would be fortunate enough to see platypus activity approximately once a month. I have seen none this year. It may be that this is a consequence of the very substantial floods at the end of 2022. It may be that the development and activity by WESTCAST have contributed. It may not be related at all. However this is an endangered species and I want the people assessing this DA to be aware of my concerns.

5

It is impressive that young people can develop accompany such as WESTCAST and employee an impressive number of people in a relatively short period of time - wonderful for employment in the Cowra community. It is concerning that the company was prepared to spend millions of dollars on the site before getting any approval for their development application. The zoning for this block has now been changed from light industrial to general industrial. We now have another D A for expansion of the business.

Is the philosophy such , that if you get big enough and employ enough people you can thumb your nose at authority in the knowledge that any attempt by authorities to curb their activities will be seen as anti business?

Is it just wonderful confidence and business acumen.

Is it , that they ,or their mentors, had access to information regarding proposed changes to legislation that was not available to other members of the business community. If so what was the trail of that information? -a nod here a wink there -this has difficulty passing the pub test -unfortunately we will never know.

I have difficulty trusting this company. I think it is imperative that the people looking at this D A demand measures to reduce noise pollution for us on the eastern side of this business. Please engage whatever experts you can to address the other concerns I have outlined .

Employed and elected members of Council have an obligation to help provide a vibrant healthy business environment . They also however have a responsibility to enforce rules and provide a level playing field wherever possible.

Yours sincerely

Peter Davidson

The General Manager

Cowra Shire Council

Private Bag 342

Cowra NSW 2794

19th July 2023

Emailed:council@cowra.nsw.gov.au

Attention: Mr Paul Devery, Cowra Shire Council General Manager

Re: DA 137/2021

Dear Mr Devery,

I support business development in Cowra. I believe that a designated industrial zone has been needed in our town in order to provide businesses with the security they need to invest in business expansion. With that said, I am deeply saddened that the rezoning of land from light industrial to general industrial has occurred in a residential area 250 metres from the nearest homes and 630 metres from my own home. I believe this is an enormous planning failure that has occurred at the cost of quality of life for surrounding residents and loss of home values.

I chose to live a quiet life. I chose to live on a farm out of town, my home being surrounded by 300 acres of farmland. I loved working in my home and in my garden.

Westcast has shattered this life. I step outside on Westcast operational days to be confronted with industrial noise from Westcast. If I wish to work in my garden, on these days, and avoid this industrial noise, I must work in earmuffs. If I work in my kitchen and wish to avoid the industrial noise I must close the windows. I am deeply concerned about the plans to increase the hours of operation and to include transport movements at night and on weekends.

Just as material from Westcast should not be allowed to blow off the Westcast site, polluting the town of Cowra and the Lachlan River, so too, the industrial noise should be contained and confined to the site. The lighting should be redirected and confined to the site as well.

Westcast has somewhat reduced the use of alarms on the forklifts. Westcast has somewhat reduced the frequency of high powered lighting in response to my complaints. I thank them for that.

So I am objecting to the submission on three grounds

1. I object to the submission based on insufficient strategies proposed in the application to mitigate noise on the eastern side of Westcast's operation. All the proposed noise mitigation strategies in DA 137/2021, namely the concrete wall and tree planting, occur on the western side of the development. There are no mitigation strategies proposed for the eastern side of this development. I want the loading zones completely enclosed and sound proofed. I want all buildings from which sound emanates (both existing and proposed) to be sound proofed. I want sound mitigation barriers on the eastern, Waugoola Creek facing side of the compound comprising of buffers, very dense tree planting and any other means available to address noise pollution. I do not want to hear the operations of the factory any longer.
2. I object to the current levels of light pollution and consider the measures detailed in this proposal to be insufficient. When I previously objected to light pollution at night, to their credit, Westcast became more diligent in turning off the major flood lights generally and use less intrusive lights at night. The lights however, can still be clearly seen from the bedroom level of our two story home and disturb sleep. I would like the night time lights to be angled so they do not extend across the creek. The lights should be angled down to light up only the necessary areas and only when necessary. This is for the benefit of both us as neighbours, and the native wildlife.
3. I object to the submission as I challenge the accuracy of the acoustic modelling for 226 Darby's Falls Road in the *Proposed Extension to Precast Concrete Factory 1 Campbell Street Cowra ACOUSTIC REPORT* by Acoustic Works. The modelling may not be representative of the actual noise we hear at 226 Darby's Falls road due to the fact that the A Rion NL42 environmental noise monitor location on 1 Campbell Street is such that the factory building itself shields the monitor from Westcast's operational noises and many of the concrete loading noises emanating from the south easterly side of the factory site.

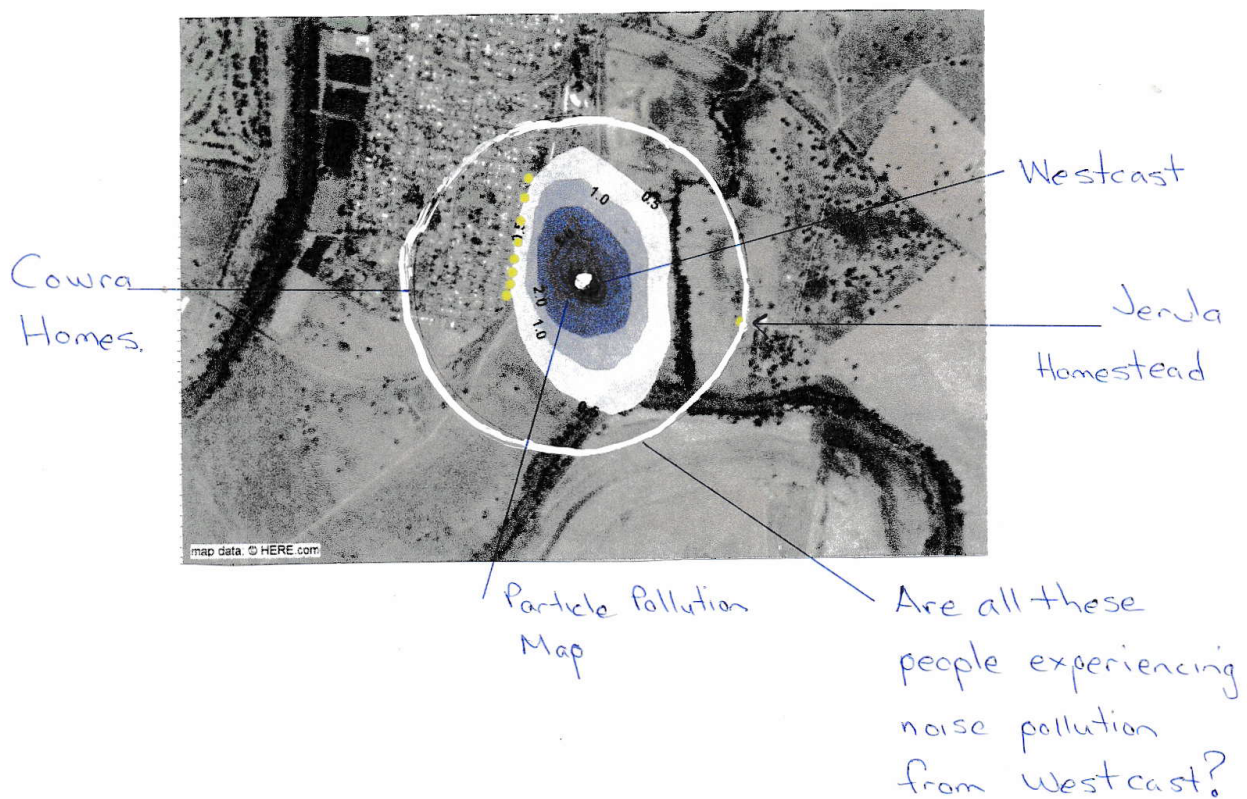
In conclusion I would like to reiterate what I stated in my previous objection to DA137/2021. The Jerula Homestead was built in 1860 and is deemed a building of local historic interest. My husband and I are the current custodians, charged with protecting the integrity of the house, the outbuildings and this beautiful rural environment. This integrity will be compromised by this development.

This rezoning planning decision and expansion of Westcast has very much adversely affected my quality of life and happiness. I object to this development application on the grounds that it does not go far enough to mitigate noise and light pollution and that the hours of operation proposed are unreasonable.

Yours sincerely,

Ms Susan Davidson

Cowra NSW 2794



2023/19123

Submission on RE-EXHIBITION of DA 137/2021



Re Re-exhibition of DA 137/2021 ascribed to Westcast Pty Ltd and located on Lot 1 DP519943 Campbell Street Cowra 2794.

Current and Historical company extracts reveal principal place of business address as 1 Campbell Street Cowra 2794 for Westcast Pty Ltd and for company named One Campbell Property Pty Ltd ACN 650 370 111 the principal place of business address is 1 Campbell Street Cowra 2794.

Is company identified as one Campbell Property Pty Ltd also seeking approval to operate?

The newspaper advisement of 22nd June 2023 reveals property details as Lot 1 DP 519943 Campbell Street. The number 'ONE' having been omitted any reason for this?

The environmental Impact Statement quotes the subject land as 1 Campbell Street Cowra NSW, client named is Westcast Pty Ltd – one company.

It is noted that in the short period of time between 24th November 2021 and 8th December 2021 four versions of the Impact Statement were submitted and all four were 'superseded' the statement dated 30/05/2023 as current.

Submission

Whilst the relevant EIS prepared by Vision Property Development notes the 'Proposed Development' use of existing buildings and industrial site to manufacture precast concrete and steel construction Products - subject land 1 Campbell Street Cowra NSW.

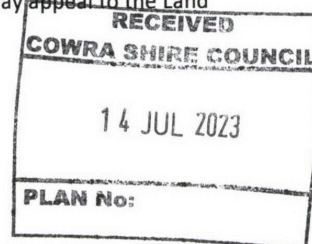
The client is named as Westcast Pty Ltd with no mention of the company identified as 'One Campbell Property Pty Ltd. ACN 650 370 111 who list their registered address as (current at 15th May 2023) 1 Campbell Street Cowra 2794 start date 20/05/2021 and list their principal place of business address 1 Campbell Street Cowra 2794 start 20/05/2021.

I request to be furnished with copies of the four Statements of Environmental Effects said to have been "superseded" together with a legal definition of the term 'superseded' as the terms relevance to the statement said to have been 'superseded' and the reason for which the four statements were declared 'superseded' ie If the statement eventually included was considered to be more relevant than the four declared to be 'superseded'?

The writer is uncertain after reading that Cowra Shire Council as Consent Authority has received amendments to the application as set out in Schedule 1 below

qualified immediately the further statement that the proposal represents Nominated Integrated Development requiring the relevant approval body is the NSW Environment Protection Authority (EPA).


It also represents Designated Development and as such a person may appeal to the Land Environment Court.



2023/19123

As part owner of Lot 2 DP 519943 I am making formal application to be supplied with a copy of the official required notification that Westcast Pty Ltd would be commencing operations in year 2021 AND similar notification that company listed as One Campbell Property Pty Ltd ACN 650 370 111 would establish their principal place of business at 1 Campbell Street Cowra.


John N Mallon


12 July 2023



Westcast Pty Ltd
1 Campbell Street,
COWRA NSW 2794
ACN 650 008 870

31st August 2023

Anthony Daintith
COWRA SHIRE COUNCIL
COWRA NSW 2794

RE: Development Application No: 10.2021.137.10- Response to Council review and neighbour submissions

Dear Sir

Thank you for the response provided following the initial review of the EIS submission for 1 Campbell St.

Regarding operational hours, whilst we at Westcast have agreed with the reduced hours that Council confirmed they would consider as part of the application, we request that Council include in any conditions with a determination of the application that allowance be noted for emergencies that result in a truck having to arrive and depart at the site outside of the hours nominated in the application. The reality of the construction industry is that emergencies do occur, such as truck breakdown for example, that would mean that a truck would need to arrive at the site outside of the approved hours to load a pre-loaded trailer and depart from the site in order to arrive at its destination in time for construction to occur the following day. All operators and every effort will be made by Westcast to conduct all operations including truck movements within the nominated hours, but it is requested that Council make allowance for this as a note as part of any condition of a determination.

Our responses to the three submissions provided are outlined below;

Submission 1 Response

The site is operated via a lease to Westcast Pty Ltd. One Campbell Property Pty Ltd are the owners of the property and have a postal address at the same location.

Vision have confirmed the initial development application was submitted with Version 4 of the Environmental Impact Statement (EIS) on 8/12/2021 via the NSW Planning Portal. Prior to the initial lodgement, specialist consulting reports and plans were prepared. This process involved the preparation of Versions 1, 2 and 3 of the EIS as working drafts for consultants to utilise in order to update and finalise reporting into an application that has consistency across all documents. The only other version of the EIS that was subsequently issued with accompanying specialist reporting and plans and uploaded to the portal on 01/06/2023 was version 5 of the Environmental Impact Statement. So effectively, only 2 versions of the Environmental Impact Statement have been issued as final and submitted to Council through the NSW Planning Portal as part of the development application.

Westcast Pty Ltd.

CONCRETE FOR CIVIL.

INNOVATION. TECHNOLOGY.

Submission 2 Response**1. Noise**

Westcast is concerned about noise from the operations and has commissioned acoustic consultants to confirm the operation can comply with the acceptable levels of noise for the zoning requirements. Given the site has accommodated industrial operations for the past 50 years in keeping with Cowra Council intentions for the property, including machinery, truck movements, steam boilers, furnaces, production activities, staff and vehicle movements, the potential for noise from this site is not new.

As a local business, Westcast is committed to maintaining modern equipment fitted with baffling systems and continues to implement technology that reduces noise in the operations.

In respecting the surrounding area and neighbours, in addition to requirements, Westcast is limiting the operating hours at the site as set out in the EIS, and will proceed with the implementation of a concrete lego-block wall to the height of 3 metres constructed to mitigate noise along the Western and Eastern side of the building and loading zone located immediately adjacent to the factory and around the area used for concrete batching, and have commissioned Vision Property Development Hub to prepare a plan to demonstrate this location. It is also proposed to implement a screen of tree plantings along the top of the dry dam embankment to the east of the building for visual screening.

The acoustic consultants who conducted the noise assessments on site have provided a separate response regarding the location of noise testing devices clarifying their methodology and why it achieves a more ideal outcome for the surrounding sensitive receivers.

Using LIDAR data and to the benefit of the owner of the property to the east, we downloaded contours for the area containing the residence and confirmed that the height at the ground level of the residence AHD is 303AHD. The blockwork wall proposed would be constructed at a ground level of 304-305 AHD, meaning it will be an effective wall as requested by the neighbouring property owner.

We trust this will satisfy any concern that the submission maker has regarding noise and their residence to the east of the site.

2. Lighting

Westcast agrees to limit after hours lighting to security lighting. Plans will be provided to show how this is achieved.

Security lighting will be limited to immediately around the building and on the eastern loading pad, will be limited to lighting facing back towards the building on the eastern side. Security lighting will be on nighttime sensors.

Operational lighting will be limited to operational hours. This lighting is demonstrated in the lighting plan submitted with the application.

Submission 3 Response**1. Noise -The noise is produced by a combination of agitator, batching plant & truck movements onsite.**

Westcast is concerned about noise from the operations and has commissioned acoustic consultants to confirm the operation can comply with the acceptable levels of noise for the zoning requirements. Given the site has accommodated industrial operations for the past 50 years in keeping with Cowra Council intentions for the property, including machinery, truck movements, steam boilers, furnaces, production activities, staff and vehicle movements, the potential for noise from this site is not new.

Westcast Pty Ltd.

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The acoustic consultants who conducted the noise assessments on site have provided a separate response regarding the location of noise testing devices clarifying their methodology and why it achieves a more ideal outcome for the surrounding sensitive receivers.

As a local business, Westcast is committed to maintaining modern equipment fitted with baffling systems and continues to implement technology that reduces any noise in the operations.

In respecting the surrounding area and neighbours, in addition to requirements, Westcast is limiting the operating hours at the site as set out in the EIS, and will proceed with the construction of a concrete lego-block wall to the height of 3 metres along the eastern side of the eastern zone located immediately adjacent to the factory and around the area used for concrete batching, and have commissioned Vision Property Development Hub to prepare a plan to demonstrate this location.

The initial response to a concern received from a neighbour to the beeping noise was addressed through alternative vehicle safety measures which has been received well by the neighbour as stated in their submission. The reversing beeper issue was limited to a particular squawker beeper which has been addressed. There are no other beepers that require modification.

Any impact from truck movements have been addressed in specialist reporting but have also been reduced through Westcast agreeing to revised proposed operating hours to be 7am to 10pm Monday to Friday and between 8am and 12 noon on Saturday. No truck movements will occur on Sundays, Public Holidays, or outside these nominated hours except for emergencies or where a vehicle breakdown results in an out of sequence movement. The truck movements nominated are therefore appropriate for the industrial site and limiting these movements mitigates sound during non- operational hours.

2. Light Pollution - The submission requests Council include conditions appropriate for the ongoing operation of the site relating to lighting.

Westcast agrees to limit after hours lighting to security lighting as demonstrated on the lighting plan submitted with the application.

Security lighting will be limited to immediately around the building and on the eastern loading pad, will be limited to lighting facing back towards the building. Security lighting will be on night time sensors.

Operational lighting will be limited to operational hours. This lighting is demonstrated on the lighting plan.

3. Water Pollution - The submission requests that Council be involved in the assessment of any impacts of water as part of the development application. This is the case as Council assesses the development application using specialist reporting and referred the application to the NSW Environmental Protection Authority.
4. Platypus - This does not contain any objection, just notes a concern that has been addressed by the design of the development and specialist reporting submitted accompanied by proposed mitigation measures.
5. The change of zone from IN2 Light Industry to E4 General Industry is detailed in Section "Application History" on page 6 of the EIS in which it is confirmed that a statewide rollout of zoning changes occurred that was not isolated to the site at 1 Campbell Street or Cowra Shire.

Yours Faithfully

Peter Arkcoll
Director

Jordan Wallace
Director

Westcast Pty Ltd.

CONCRETE FOR CIVIL.

INNOVATION. TECHNOLOGY.



30 August 2023

Reference: 1021087 L04A 1 Campbell Street Cowra ENV Objection Response.docx

Peter Arkcoll
Civilcast
Building B, 33-83 Quarry Road
Erskine Park, NSW 2759

Dear Peter,

RE: 1 Campbell Street, Cowra - Objection response

This letter is in response to an objection to the proposed continued use of the precast concrete factory located at 1 Campbell Street, Cowra. The objection relates to an acoustic report provided by Acoustic Works (ref: 1021087 R01H 1 Campbell Street Cowra ENV). In relation to the acoustic issues raised, we provide the following response:

Objection

"I object to the submission as I challenge the accuracy of the acoustic modelling for 226 Darby's Fall Road in the Proposed Extension to Precast Concrete Factory 1 Campbell Street Cowra ACOUSTIC REPORT by Acoustic Works. The modelling may not be representative of the actual noise we hear at 226 Darby's Falls road due to the fact that the A Rion NL42 environmental noise monitor location on 1 Campbell Street is such that the factory building itself shields the monitor from Westcast's operational noises and many of the concrete loading noises emanating from the south easterly side of the factory site."

Response

The purpose of locating the noise monitor away from industrial noise sources was to determine the ambient noise levels for the locale that were unaffected by extraneous noise sources. If the noise monitor were to measure industrial noise, this would result in a criteria that would be more easily achieved. By shielding the industrial noise mentioned by the submitter, this provides us with a more conservative criteria to assess to, and ultimately a more ideal outcome for the surrounding sensitive receivers.

We trust that this information meets your current requirements. Should you have any queries please do not hesitate to contact Acoustic Works.

Yours faithfully,



Benjamin Cox
Acoustic Consultant
acousticworks)))

Acoustic Works
Suite W3D1B, Level 3, Building 2, 75 O'Riordan Street Alexandria NSW 2015
Phone (02) 9666 5444 ABN: 35 607 558 707

Internet: www.acousticworks.com.au
Email: gpearce@acousticworks.com.au
menerssen@acousticworks.com.au

Protection of the Environment Operations Act 1997

General Terms of Approval - Issued

Notice No: 1632015



Mr Paul Devery
General Manager
Cowra Council

Attention: Mr Anthony Daintith

Notice Number 1632015
Date 04-Sep-2023

WESTCAST PTY LIMITED - DEVELOPMENT APPLICATION 10.2021.137.10
Issued pursuant to s.45(1)(b) *Environmental Planning and Assessment Regulation 2021*

I refer to the development application and supporting documentation received by the Environment Protection Authority (EPA), via the CNR Portal on 26 July 2023, for the expansion of operations at the concrete works facility located at 1 Campbell Street Cowra (the Proposal).

The EPA has reviewed the abovementioned information and the three (3) public submissions and has determined that it is able to issue an Environment Protection Licence for the Proposal, subject to a number of conditions. The proponent will need to make a separate application to the EPA to obtain this Environment Protection Licence should consent be granted by Cowra Council.

The EPA's General Terms of Approval (GTAs) for this Proposal are provided at **Attachment A**. If Cowra Council grants development consent for this proposal then these conditions should be incorporated into the consent.

It should be noted that the EPA has adopted more streamlined GTAs to avoid conflicts with development approvals, to limit the need for ongoing modifications to development approvals for small matters that are the responsibility of the EPA and to provide the EPA with greater flexibility regarding site specific environmental conditions to be placed on any environment protection licence.

The EPA has also provided at **Attachment B** for Cowra Council's and the Proponent's reference, more specific draft conditions that would be present on the Environment Protection Licence if consent is granted (noting that all Environment Protection Licences contain general conditions for all licensees). However these draft conditions should not be included in the consent document, unless deemed necessary for Cowra Council's own specific purposes.

These GTAs relate to the Proposal as described in the development application and accompanying information uploaded to the CNR Portal. In the event that the Proposal is modified either by the proponent prior to the granting of consent or as a result of the conditions proposed to be attached to the consent and/or Environment Protection Licence, it will be necessary to consult with the EPA about the changes before the consent is granted. This will enable the EPA to determine whether its GTAs need to be modified in light of the changes.

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Should you have any enquiries regarding this matter please contact Mr Andrew Helms on 6333 3805 or via email at info@epa.nsw.gov.au.

Yours sincerely



.....
Lara Barrington

Unit Head Regulatory Operations

Environment Protection Authority

(by Delegation)

Attachment A: General Terms of Approval

Attachment B: Draft EPA specific licence conditions

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ATTACHMENT A EPA's GENERAL TERMS OF APPROVAL RECOMMENDED CONDITIONS OF DEVELOPMENT CONSENT

1. Except as expressly provided by these General Terms of Approval (GTAs) or by any conditions of consent granted by Cowra Council or the conditions of an in-force environment protection licence issued by the Environment Protection Authority (EPA), works and activities must be carried out in accordance with the proposal contained in:
 - i. the Development Application 10.2021.137.10 submitted to Cowra Council; and
 - ii. any other additional information provided to Council and uploaded to the NSW Planning Portal (Agency Concurrence and Referral Portal).
2. Should any conflict exist between the aforementioned documents, the most recent document or revision supersedes the conflict, except where superseded by any conditions of approval issued by Council or the conditions of an in-force Environment Protection Licence issued by the EPA.
3. An Environmental Management Plan must be prepared and implemented within 3 months of development consent being granted. The plan must include, but not be limited to:
 - i. The identification and mitigation of potential impacts to surface water and soils. The plan must make reference to the requirements outlined in the document "Managing Urban Stormwater: Soils and Construction (Landcom, 2004);
 - ii. Air quality (dust) management measures;
 - iii. Waste handling measures;
 - iv. Noise management measures; and
 - v. Reference all air, water, noise, waste mitigation measures identified in the Environmental Impact Statement (Section G and specialist appendices).
4. Hours of Operation:

Concrete panel production activities related to the Proposal may only be undertaken during the following hours:

 - 7:00 am to 6:00 pm, Monday to Fridays;
 - 8:00 am to 1:00 pm, Saturdays, and
 - at no time on Sundays or Public Holidays.

Truck movements and equipment maintenance relating to the Proposal may only be undertaken during the following hours:

 - 7:00 am to 10:00 pm, Monday to Fridays;
 - 8:00 am to 1:00 pm, Saturdays, and
 - at no time on Sundays or Public Holidays.

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5. Trucks entering and leaving the premises that are carrying potentially dust generating loads on public roads must be covered at all times, except during loading and unloading.
6. All internal roads must be maintained in a condition that prevents or minimises the emission into the air of air pollutants (which includes dust).
7. All trucks and mobile plant operating within the premises must be fitted (where there is a requirement for such devices to be fitted under the Work Health and Safety legislation) with broad-spectrum reversing alarms.
8. The Proponent must apply for and hold an in-force Environment Protection Licence issued by the EPA prior to the Proponent carrying out any scheduled activities under the *Protection of the Environment Operations Act 1997* as proposed.

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ATTACHMENT B EPA's SPECIFIC LICENCE CONDITIONS

Administrative conditions

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

L3. Concentration limits

L3.1 For each discharge point or utilisation area specified in the table/s below, the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentrations limits specified for that pollutant in the table.

L3.2 Where a pH quality limit is specified in the Table, the specified percentage of samples must be within the specified ranges.

L3.3 To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.

Point 1 (Discharge from existing dam)

Pollutant	Units of measure	100% concentration limit
TSS	mg/L	30
Oil and Grease	mg/L	10
pH	pH	6.5-8.5

L5. Waste

L5.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

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L5.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

L6. Noise limits

L6.1 Noise from the premises must not exceed:

Location	Noise Limits in dB(A)			
	Day	Evening	Night	Night
	LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LAFmax
Any residential receiver	41	35	35	52

L6.2 For the purposes of condition L6.1:

- a) Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.
- b) Evening means the period from 6pm to 10pm.
- c) Night means the period from 10pm to 7am Monday to Saturday and the period from 10pm to 8am Sunday and public holidays.

L6.3 Noise-enhancing meteorological conditions

a) The noise limits set out in condition L6.1 apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Evening	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Night	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability category E and F with wind speeds up to and including 2m/s at 10m above ground level.

b) For those meteorological conditions not referred to in condition L6.3(a), the noise limits that apply are the noise limits in condition L6.1 plus 5dB.

L6.4 For the purposes of condition L6.3:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as **Bureau of Meteorology AWS at Cowra Airport (Station ID 065111)**.
- b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):

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i. Use of sigma-theta data (section D1.4).

L6.5 To assess compliance:

- a) with the LAeq(15 minutes) or the LAmax noise limits in condition L6.1 and L6.3, the noise measurement equipment must be located:
- (i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to premises; or where applicable,
 - (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,
 - (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve,
 - (iv) at any other location identified in condition L6.1.
- b) with the LAeq(15 minutes) or the LAmax noise limits in condition L6.1 and L6.3, the noise measurement equipment must be located:
- (i) at the reasonably most affected point at a location where there is no residence at the location; or,
 - (ii) at the reasonably most affected point within an area at a location prescribed by condition L6.5 (a).

L6.6 A non-compliance of conditions L6.1 and L6.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L6.5 (a) or L6.5 (b).

L6.7 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

L6.8 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

Operating conditions

O1. Odour

Note: The POEO Act states that no offensive odour may be emitted from particular premises unless potentially offensive odours are identified in the licence and the odours are emitted in accordance with conditions specifically directed at minimising the odours are permitted. Where it is appropriate for a licence to identify and control offensive odours, conditions for the licence should be developed in consultation with the Air Technical Unit.

O1.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

O2. Dust

O2.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

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02.2 Any plant in or on the premises must be operated by such practical means to prevent or minimise the generation of air pollution, including dust emissions.

02.3 Any plant in or on the premises must be maintained in a condition to prevent or minimise the generation of air pollution, including dust emissions.

02.4 All trafficable areas in or on the premises must be maintained at all times in a condition that will minimise the emission of wind-blown or traffic generated dust to the air.

02.5 Trucks entering and leaving the premises that are carrying loads of potentially dust generating materials must have their loads covered at all times whilst on the premises, except during loading and unloading.

02.6 Prior to leaving the premises, vehicles must be clean and sealed in a manner that will not cause materials used in conducting the activities at the premises to be tracked, thrown from, blown, fall, or cast from any vehicle onto a road external to the premises.

Monitoring and recording conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

M1.2 All records required to be kept by the licence must be:

- in a legible form, or in a form that can readily be reduced to a legible form;
- kept for at least 4 years after the monitoring or event to which they relate took place; and
- produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

- the time(s) at which the sample was collected;
- the point at which the sample was taken; and
- the name of the person who collected the sample.

M2. Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/ discharge point or utilisation area specified below (by a point number), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

Point 1 (Discharge from existing dam)

Pollutant	Units of measure	Frequency	Sampling Method
TSS	mg/L	Monthly on discharge	Grab sample

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Oil and Grease	mg/L	Monthly on discharge	Grab sample
pH	pH	Monthly on discharge	Grab sample

M3. Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition **M2** must be done in accordance with:

- the Approved Methods Publication; or
- if there is no methodology required by the Approved Methods Publication or by the general terms of approval or in the licence under the Protection of the Environment Operations Act 1997 in relation to the development or the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted,

unless otherwise expressly provided in the licence.

Reporting conditions

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

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Mandatory Conditions for all EPA licences

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

- a. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity:

- a. must be maintained in a proper and efficient condition; and
- b. must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made.

The record must be produced to any authorised officer of the EPA who asks to see them.

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Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- a. Statement of Compliance; and
- b. Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, except as provided below

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Where this licence is transferred from the licensee to a new licensee,

- a. the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b. the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

- a. in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b. in relation to the revocation of the licence – the date from which notice revoking the licence operates.

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Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Licensee must retain copy of Annual Return

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or
- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- a. where this licence applies to premises, an event has occurred at the premises; or
- b. where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

The request may require a report which includes any or all of the following information:

- a. the cause, time and duration of the event;

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- b. the type, volume and concentration of every pollutant discharged as a result of the event;
- c. the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d. the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g. any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General conditions

Copy of licence kept at the premises

A copy of this licence must be kept at the premises to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises.

6 LATE REPORTS**7 NOTICES OF MOTIONS**

Nil

8 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:

9 CONFIDENTIAL GENERAL MANAGER**9.1 Carpark Lease - 74 Kendal Street Cowra**

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.