



AGENDA

Ordinary Council Meeting

Date: Monday, 22 April 2024

Time: 5 pm

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

**Paul Devery
General Manager**

Order Of Business

I	Introduction.....	4
1.1	Recording & Publishing.....	4
1.2	Acknowledgement of Country.....	4
1.3	Apologies and Applications for Leave of Absence by Councillors.....	4
1.4	Disclosures of Interest.....	4
1.5	Presentations.....	5
1.6	First Order of Business - Election of a Chairperson.....	5
1.7	Public Forum	6
2	Confirmation of Minutes.....	6
	Confirmation of Minutes of Ordinary Council Meeting held on 25 March 2024	
3	General Committee Recommendations - Monday, 8 April 2024.....	31
3.1	Section 355 Committee Minutes – Cowra Sport & Recreation Council.....	31
3.2	Donation Request - Cowra Eisteddfod Inc.	31
3.3	Australian Chapter of the World Peace Bell Association - Section 355 Committee.....	32
3.4	Section 355 Audit, Risk & Improvement Committee - Legislative Changes	32
3.5	Proposed Introduction of Dam Safety Levy	32
3.6	Review of Asset Management Policy	33
3.7	Development Application No. 14/2024, Lot 363 DP 752948, 14 Shelley Street Cowra, carport, lodged by D. Steward of Currajong Pty Ltd. The property owner is K. Wilson.....	33
3.8	Development Application No. 120/2023, Lot 1 DP 362387, 21 Bartlett Avenue Cowra, Shed, lodged on 14 February 2024 by the owner S D Smith.....	36
4	General Manager	41
4.1	Section 355 Committee Draft Minutes - CBD Committee	41
5	Director-Corporate Services.....	46
5.1	Investments.....	46
5.2	Audit, Risk & Improvement Committee - Legislative Changes.....	55
6	Director-Infrastructure & Operations.....	199
6.1	Committee Minutes - Traffic Committee.....	199
6.2	Regional Emergency Road Repair Fund Proposed Allocations.....	205
7	Director-Environmental Services	211
7.1	Variation to Access Incentive Scheme Grant Funding - Lot 2, DP 1257368, No 16 Richards Drive, Cowra.	211
7.2	Draft Community Participation Plan.....	256
8	Late Reports.....	329

9 Confidential Matters.....330

10 Confidential General Committee Recommendations - Monday, 8 April 2024 ..330

10.1 Request for Water Account Adjustment - Assessment Number 78631330

10.2 Request for Water Account Adjustment - Assessment Number 36865330

11 Confidential Director-Infrastructure & Operations330

11.1 Request for Tender S2_2024 - Supply, Delivery and/or Installation of Guardrail
and Wire Rope Safety Fencing330

I INTRODUCTION

I.1 Recording & Publishing

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

I.2 Acknowledgement of Country

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

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

List of apologies for the meeting.

I.4 Disclosures of Interest

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

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

1.5 Presentations**1.6 First Order of Business - Election of a Chairperson**

File Number: D24/614

Author: Graham Apthorpe, Acting Director - Corporate Services

As the Mayor and Deputy Mayor are both absent, the first order of business is to elect a Chairperson who will preside over the meeting.

Council's Code of Meeting practice provides as follows:

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
 - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

ATTACHMENTS

Nil

1.7 Public Forum

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

2 CONFIRMATION OF MINUTES

Confirmation of Minutes of Ordinary Council Meeting held on 25 March 2024



MINUTES

**Ordinary Council Meeting
Monday, 25 March 2024**

Order Of Business

I	Introduction.....	4
1.1	Recording & publishing.....	4
1.2	Acknowledgement of Country.....	4
1.3	Apologies and Applications for Leave of Absence by Councillors.....	4
1.4	Disclosures of Interest.....	4
1.5	Presentations.....	4
1.6	Public Forum	5
2	Confirmation of Minutes.....	5
3	Mayoral Minutes.....	5
3.1	Mayoral Minute - Central NSW Joint Organisation Board Meeting 29 February 2024.....	5
4	General Committee Recommendations - Monday, 11 March 2024	6
4.1	Donation - Wyangala Fireworks Committee - Commercial Waste Event Bin Hire charges	6
4.2	Investments.....	6
4.3	Section 355 Committee Draft Minutes - Cowra Regional Art Gallery Advisory Committee.....	6
4.4	Committee Minutes - Traffic Committee.....	6
4.5	Section 355 Committee Minutes - Saleyards Committee.....	7
4.6	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.....	7
5	General Manager	18
5.1	Acting General Manager	18
5.2	Section 355 Committee Draft Minutes - CBD Committee	18
5.3	Recycling Service	19
6	Director-Corporate Services.....	20
6.1	Section 355 Committee Draft Minutes - Audit, Risk & Improvement Committee - 7 March 2024	20
7	Director-Infrastructure & Operations.....	21
7.1	Section 355 Committee Minutes - Tidy Towns Committee.....	21
8	Director-Environmental Services	22
8.1	Section 355 Committee Draft minutes - Access Committee meeting held 26 February 2024.....	22
8.2	Section 355 Committee Draft minutes - Cowra Natural Resource Management Advisory Committee meetings held 13 December 2023 and 21 February 2024.....	22
9	Late Reports.....	22

9.1	IPART Review of NSW Council Financial Model	22
9.2	Community Grants - Round 2 2023/2024 Allocation of Funds.....	23
10	Confidential Matters.....	24
11	Confidential General Committee Recommendations - Monday, 11 March 2024	24
11.1	Carpark Lease - 74 Kendal Street Cowra.....	24

**MINUTES OF COWRA COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 25 MARCH 2024 AT 5 PM**

PRESENT: Cr Ruth Fagan (Mayor), 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), Mr Dirk Wymer (Director-Infrastructure & Operations)

I INTRODUCTION

1.1 Recording & publishing

The Mayor advised that the meeting was being recorded.

1.2 Acknowledgement of Country

The Mayor delivered the Acknowledgment of Country.

1.3 Apologies and Applications for Leave of Absence by Councillors

Apologies

RESOLUTION 41/24

Moved: Cr Bill West

Seconded: Cr Cheryl Downing

That the apologies received from Cr Nikki Kiss OAM and Mrs Larissa Hackett (Director-Environmental Services) be accepted and leave of absence granted.

CARRIED

1.4 Disclosures of Interest

Cr Judi Smith declared a non-pecuniary interest in relation to item 9.2 Community Grants - Round 2 2023/2024 Allocation of Funds due to her involvement with the Woodstock Progress Association.

Cr Erin Watt declared a non-pecuniary interest in relation to item 4.6 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 due to a family member's involvement in the application and will leave the Chambers during consideration of this item.

1.5 Presentations

Nil

1.6 Public Forum

Mr Scott Vickary address Council speaking on item 5.3- Recycling Service.

2 CONFIRMATION OF MINUTES**RESOLUTION 42/24**

Moved: Cr Judi Smith
Seconded: Cr Paul Smith

That the minutes of Ordinary Council Meeting held on 26 February 2024 be confirmed.

CARRIED

RESOLUTION 43/24

Moved: Cr Paul Smith
Seconded: Cr Judi Smith

That the minutes of Extraordinary Council Meeting held on 11 March 2024 be confirmed.

CARRIED

RESOLUTION 44/24

Moved: Cr Sharon D'Elboux
Seconded: Cr Erin Watt

That the minutes of Extraordinary Council Meeting held on 18 March 2024 be confirmed.

CARRIED

3 MAYORAL MINUTES3.1 Mayoral Minute - Central NSW Joint Organisation Board Meeting 29 February 2024**RESOLUTION 45/24**

Moved: Cr Ruth Fagan
Seconded: Cr Judi Smith

That Council note the Mayoral Minute regarding the Central NSW Joint Organisation Board meeting held on 29 February 2024.

CARRIED

4 GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 11 MARCH 2024**DIRECTOR-CORPORATE SERVICES REPORT****4.1 Donation - Wyangala Fireworks Committee - Commercial Waste Event Bin Hire charges****RESOLUTION 46/24**

Moved: Cr Judi Smith

Seconded: Cr Erin Watt

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.

CARRIED

4.2 Investments**RESOLUTION 47/24**

Moved: Cr Bill West

Seconded: Cr Paul Smith

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

CARRIED

4.3 Section 355 Committee Draft Minutes - Cowra Regional Art Gallery Advisory Committee**RESOLUTION 48/24**

Moved: Cr Sharon D'Elboux

Seconded: Cr Peter Wright

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

CARRIED

DIRECTOR-INFRASTRUCTURE & OPERATIONS REPORT**4.4 Committee Minutes - Traffic Committee****RESOLUTION 49/24**

Moved: Cr Paul Smith

Seconded: Cr Cheryl Downing

- 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 on 27-28 April 2024 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 1, PBS Level 2B, 30m “A- Double” access at Higher Mass Limits (HML).

CARRIED

4.5 Section 355 Committee Minutes - Saleyards Committee

RESOLUTION 50/24

Moved: Cr Bill West
Seconded: Cr Judi Smith

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.

CARRIED

At 5.28 pm, Cr Erin Watt left the meeting.

DIRECTOR-ENVIRONMENTAL SERVICES REPORT

4.6 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

RESOLUTION 51/24

Moved: Cr Judi Smith
Seconded: Cr Paul 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 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 Rev C	Vision Town Planning Consultants 9 May 2023	Received 23 May 2023 Stamped No. DA 137/2021(C)
Proposed Car Parking Plan Sheet I Version I	Vision Town Planning Consultants 24 April 2023	Received 23 May 2023 Stamped No. DA 137/2021
Proposed Screening Wall Version I 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 I	Vision Town Planning Consultants 29/08/2023	Received 4 September 2023 Stamped No. DA 137/2021
Proposed Security Lighting Sheet No.4 Version I	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 Revision R011	Acoustic Works 30/08/2023	Received 4 September 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	Vision Town Planning	Received

Impact Statement Version 6	Consultants 31/08/2023	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/air-space-and-external-developments-1>) and Development Near Rail Corridors and Busy Roads- Interim Guidelines (Link: <https://www.transport.nsw.gov.au/industry/asset-standards-authority/find-a-standard/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.

CARRIED

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

Against: Nil

CARRIED 7/0

At 5.31 pm, Cr Erin Watt returned to the meeting.

5 GENERAL MANAGER

5.1 Acting General Manager

RESOLUTION 52/24

Moved: Cr Sharon D'Elboux

Seconded: Cr Cheryl Downing

That the Director – Infrastructure & Operations, Mr Dirk Wymer, be appointed Acting General Manager for the period 10 -15 April 2024 inclusive due to the General Manager's absence on leave.

CARRIED

5.2 Section 355 Committee Draft Minutes - CBD Committee

RESOLUTION 53/24

Moved: Cr Sharon D'Elboux

Seconded: Cr Bill West

That the draft minutes of the CBD Committee meetings held on 29 February 2024 and 6 March 2024 and the inaccuracies regarding Mr Ian Docker's attendance and reference to Ashlea Field in a General Business item be noted.

CARRIED

5.3 Recycling Service

Moved: Cr Bill West

Seconded: Cr Paul Smith

1. That Council acknowledge the failure to process kerbside recycling collected between January 2018 and May 2019;
2. That Council commit to taking appropriate measures to ensure kerbside recycling processing is maximised in the future.

AMENDMENT

Moved: Cr Sharon D'Elboux

Seconded: Cr Cheryl Downing

1. That Council acknowledge the failure to process kerbside recycling collected between January 2018 and May 2019;
2. That Council commit to taking appropriate measures to ensure kerbside recycling processing is maximised in the future.
3. That an options paper be prepared and presented back to council with the following scenarios (including the LTFP impacts on council's financial position):
 - Status quo
 - Full refund
 - No recycling charge for the upcoming FY 2025
4. Council's ARIC identify all areas of future risk management including the operations of the MRF and update Council's risk register.
5. The updated Risk Register to be presented to Council for adoption
6. Council executive staff to be allocated a standing section in the ARIC meeting agenda to report on the activities of each directorship at each meeting.

THE AMENDMENT WAS PUT AND LOST

AMENDMENT

Moved: Cr Peter Wright

1. That Council defers recommendations 1 and 2 of the original motion.
2. That Council looks at the LTFP for the MRF and recycling facility to ensure capacity to accommodate all recycling material that are received.

LAPSED FOR THE WANT OF A SECONDER

AMENDMENT

Moved: Cr Judi Smith

Seconded: Cr Erin Watt

1. That Council acknowledge the failure to process kerbside recycling collected between January 2018 and May 2019;
2. That Council commit to taking appropriate measures to ensure kerbside recycling processing is maximised in the future.
3. That Council conducts further wider ranging discussions in the lead up to the FY24/25 Budget to look at options to resolve this matter going forward.

CARRIED

RESOLUTION 54/24

Moved: Cr Judi Smith

Seconded: Cr Erin Watt

1. **That Council acknowledge the failure to process kerbside recycling collected between January 2018 and May 2019.**
2. **That Council commit to taking appropriate measures to ensure kerbside recycling processing is maximised in the future.**
3. **That Council conducts further wider ranging discussions in the lead up to the FY24/25 Budget to look at options to resolve this matter going forward.**

CARRIED

6 DIRECTOR-CORPORATE SERVICES**6.1 Section 355 Committee Draft Minutes - Audit, Risk & Improvement Committee - 7 March 2024****RESOLUTION 55/24**

Moved: Cr Paul Smith

Seconded: Cr Bill West

That the draft Minutes of the Audit, Risk & Improvement Committee meeting held on 7 March 2024 be noted.

CARRIED

7 DIRECTOR-INFRASTRUCTURE & OPERATIONS**7.1 Section 355 Committee Minutes - Tidy Towns Committee****RESOLUTION 56/24**

Moved: Cr Judi Smith

Seconded: Cr Erin Watt

- 1. That the minutes of the Extraordinary Tidy Towns & Urban Landcare Committee meeting held on 14 February 2024 be noted.**
- 2. That due to the current challenges of the Committee, the Tidy Towns Committee be dissolved.**
- 3. That any current funds of the Tidy Towns Committee being held by Council be used for education in sustainability.**

CARRIED

RESOLUTION 57/24

Moved: Cr Bill West

Seconded: Cr Erin Watt

That Council formally acknowledge the contribution of the Tidy Towns Committee and Cr Judi Smith and write to all members of the Committee and Cr Judi Smith acknowledging their contributions over a substantial length of time.

CARRIED

RESOLUTION 58/24

Moved: Cr Peter Wright

Seconded: Cr Erin Watt

That Management provide to Council details on the process of nominating villages or towns for the Tidy Towns Awards going forward.

CARRIED

8 DIRECTOR-ENVIRONMENTAL SERVICES**8.1 Section 355 Committee Draft minutes - Access Committee meeting held 26 February 2024****RESOLUTION 59/24**

Moved: Cr Erin Watt

Seconded: Cr Bill West

- 1. That Council note the draft minutes of the Access Committee meeting held on 26 February 2024.**
- 2. That Council appoint Robyn Ambachtsheer to the Cowra Access Committee as an Attendee.**

CARRIED

8.2 Section 355 Committee Draft minutes - Cowra Natural Resource Management Advisory Committee meetings held 13 December 2023 and 21 February 2024**RESOLUTION 60/24**

Moved: Cr Peter Wright

Seconded: Cr Judi Smith

- 1. That Council note the draft minutes of the Cowra Natural Resource Management Advisory Committee meeting held on 13 December 2023.**
- 2. That Council note the draft minutes of the Cowra Natural Resource Management Advisory Committee meeting held on 21 February 2024.**

CARRIED

9 LATE REPORTS**9.1 IPART Review of NSW Council Financial Model****RESOLUTION 61/24**

Moved: Cr Judi Smith

Seconded: Cr Erin Watt

- 1. That Council note the NSW Government's withdrawal of the referral to IPART to investigate and report on the financial model for NSW councils;**
- 2. That Council note the matter will now be considered by the NSW Parliament's Standing Committee on State Development.**

CARRIED

9.2 Community Grants - Round 2 2023/2024 Allocation of Funds**RESOLUTION 62/24**

Moved: Cr Judi Smith

Seconded: Cr Sharon D'Elboux

That Council allocate funding under Round 2 of the 2023/2024 Cowra Community Grants Program to the following groups:

Category: Arts and Culture	Project	Funding Recommendation
Woodstock and District Progress Association	Assist complete the Woodstock CBD ghost signage project.	\$1,000.00
		\$1,000.00
Category: Building and Facility Development		
Cowra Masonic Hall Ltd	Update security at the Cowra Masonic Hall following break-in.	\$1,800.00
Cowra Junior Rugby League	Assist painting of outside of Junior League Changing Shed at River Park.	\$2,000.00
Morongla Creek Showground Land Manager	Assist fund improvement of lighting in Morongla Hall.	\$2,000.00
Gooloogong Log Cabin Inc	Assist install six metal stirrup posts to base of existing posts under hall entrance & construct slab for new kitchen water tank.	\$1,980.00
Cowra Uniting Church Food Hall	Assist purchase lockage storage units for storing volunteer's personal items.	\$1,226.50
		\$9,006.50
Category: Sport and Recreation		
Cowra Pistol Club Inc.	Assist purchase laptop computer for Cowra Pistol Club Treasurer.	\$429.00
Cowra Amateur Swimming Club	Assist purchase new Apple iPad for use with new professional swim timing system.	\$909.00
Cowra Junior Squash	Assist purchase media wall and advertising decals.	\$1,000.00
Cowra Little Athletics	Assist purchase an additional 11 junior hurdles to supplement existing hurdles.	\$1,000.00
Cowra Senior Soccer Club	Assist purchase portable training equipment to accommodate change of	\$500.00

	training venue as required.	
		\$3,838.00
Category: New Community Events		
Category: Small Capital Equipment		
Cowra U3A Inc.	Assist purchase 58" TV for U3A presentations.	\$779.00
Lachlan Valley Railway Society Co-Op Ltd	Assist purchase two extreme heavy-duty batteries for reactivated Rail Motor No.25 and two batteries for Planet diesel locomotive.	\$1,000.00
Cowra Uniting Church Food Hall	Assist purchase new signage to make Food Hall more visible for potential participants.	\$750.00
Cowra Uniting Church Food Hall	Assist purchase new computer to allow all Food Hall registrations to be processed on-line.	\$1,000.00
		\$3,529.00
Total Funds Allocated	15 applications	\$17,373.50

CARRIED

10 CONFIDENTIAL MATTERS**RESOLUTION 63/24**

Moved: Cr Bill West

Seconded: Cr Cheryl Downing

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

11 CONFIDENTIAL GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 11 MARCH 2024**11.1 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.

CARRIED

3 GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 8 APRIL 2024

File Number: D24/573

Author: Michael Jones, Director - Corporate Services

The Committee refers the following recommendations to Council:

DIRECTOR-CORPORATE SERVICES REPORT

3.1 Section 355 Committee Minutes – Cowra Sport & Recreation Council

RECOMMENDATION

- 1. That the Draft Minutes of the Cowra Sport & Recreation Committee's Annual General meeting held on 27 September 2023 be noted.**
- 2. That the Minutes of the Cowra Sport & Recreation Committee's Ordinary meeting held on 27 September 2023 be noted.**
- 3. That the Draft Minutes of the Cowra Sport & Recreation Committee's Ordinary meeting held on 28 February 2024 be noted.**
- 4. That Council considers the allocation of funds in the 2024-25 financial year budget for the preparation of a Precinct Master Plan for West Cowra Recreation Ground.**
- 5. That Council appoint the following persons to the Sport and Recreation Committee;**
 - Marc McLeish (Chair)**
 - Lee Wilson**
 - Tom Perfect**
 - David Porter**
 - Krisha Tysoe (Deputy Chair)**
 - Jason Munday**
- 6. That Council applies for Play Your Way grant to improve facilities at West Cowra Recreation Ground.**

3.2 Donation Request - Cowra Eisteddfod Inc.

RECOMMENDATION

- 1. That Council provide a donation to ensure that Cowra Eisteddfod Inc. for its 2024 event, only pays \$12,000 excluding GST for hire of the Cowra Civic Centre and that the final donation amount is deducted from the Section 356 expenses budget.**
- 2. That Council increases the S356 budget to accommodate the donation request when known.**

3.3 Australian Chapter of the World Peace Bell Association - Section 355 Committee**RECOMMENDATION**

1. That the Minutes of the Australian Chapter of the World Peace Bell Committee's Ordinary meeting held on 6 February 2024 be noted.
2. That the Draft Minutes of the Australian Chapter of the World Peace Bell Committee's Ordinary meeting held on 26 March 2024 be noted.
3. That Council endorse the Australian Chapter of the World Peace Bell Committee's recommendations for the use of \$18,565 from the bequest from the Estate of the late Margaret Weir for the following 2024 activities:-
 - Promotional / Educational videos of the Cowra Peace Bell; and
 - World Peace Day in Cowra – Guest Speaker.

3.4 Section 355 Audit, Risk & Improvement Committee - Legislative Changes**RECOMMENDATION**

1. That Council notes the report from the Director – Corporate Services on the legislative changes relating to the Audit, Risk & Improvement Committee.
2. That Council defer consideration of the draft “Terms of Reference” document for Cowra Council's Audit, Risk and Improvement Committee for discussion at the April Information Meeting.
3. That consideration of the draft “Terms of Reference” document for Cowra Council's Audit, Risk and Improvement Committee be presented to the April Council Meeting.

DIRECTOR-INFRASTRUCTURE & OPERATIONS REPORT**3.5 Proposed Introduction of Dam Safety Levy****RECOMMENDATION**

That Council receive and note the information provided on the submission to the Independent Pricing and Regulatory Tribunal ‘Dams Safety NSW Levy Review’.

3.6 Review of Asset Management Policy

RECOMMENDATION

That Council defer adoption of the Asset Management Policy until such time as Council has had an opportunity to fully discuss the policy.

DIRECTOR-ENVIRONMENTAL SERVICES REPORT

- 3.7 Development Application No. 14/2024, Lot 363 DP 752948, 14 Shelley Street Cowra, carport, lodged by D. Steward of Currajong Pty Ltd. The property owner is K. Wilson.

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 one submission was received; and
2. That Development Application No. 14/2024, for the construction of a carport on Lot 363 DP 752948, 14 Shelley Street Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Proposed Site Plan	Currajong Drawn 02/02/24 REV A	Received 15 February 2024 Stamped No. DA 10.2024.14.1
Engineering Certification Letter to Kate Wilson	Calare Civil Pty Ltd 2 February 2024	Received 15 February 2024 Stamped No. DA 10.2024.14.1
Foundation Plan Sheet 1 of 5	Fair Dinkum Sheds Job No. MAST37405	Received 15 February 2024 Stamped No. DA 10.2024.14.1
Elevations Sheet 2 of 5	Fair Dinkum Sheds Job No. MAST37405	Received 15 February 2024 Stamped No. DA 10.2024.14.1

Statement of Environmental Effects (Pro-forma Template)	Kate Wilson N.D.	Received 15 February 2024 Stamped No. DA 10.2024.14.1
Shadow Diagrams - Plan View	Currajong 07 March 2024	Received 7 March 2024 Stamped No. DA 10.2024.14.1
Shadow Diagrams - 3D (9am – 11am)	Currajong 07 March 2024	Received 7 March 2024 Stamped No. DA 10.2024.14.1
Shadow Diagrams - 3D (12pm – 2pm)	Currajong 07 March 2024	Received 7 March 2024 Stamped No. DA 10.2024.14.1
Shadow Diagrams - 3D (3pm – 4pm)	Currajong 07 March 2024	Received 7 March 2024 Stamped No. DA 10.2024.14.1

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

- The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Environmental Planning and Assessment Regulation 2000 (see attached Advisory Note).

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

- 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.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

- 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.

5. 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.
6. 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'.
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 Part B of Cowra Shire Council Development Control Plan 2021 at all times.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

8. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
9. 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.
10. 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.
11. 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.
12. 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.
13. All roofed and paved areas are to be properly drained and discharged to Council's stormwater management system in Shelley Street.

14. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:
- (i) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised;
 - (ii) The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted;
 - (iii) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
 - (iv) The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used

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

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

ADVICE

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

- 3.8 Development Application No. 120/2023, Lot 1 DP 362387, 21 Bartlett Avenue Cowra, Shed, lodged on 14 February 2024 by the owner S D Smith.

RECOMMENDATION

- I. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and

Assessment Act 1979. The variation to Sections E.4.3.4.b. and E.3.5.4.l of Part E of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and no objections were received; and

2. That Council approves variations to Section E.4.3.4.b. and E.3.5.4.l of Part E of Council's Development Control Plan 2021 for this development to allow a maximum building height of 6.37m and external colour of Monolith; and
3. That Development Application No. 120/2023, for the construction of a shed on Lot 1 DP 362387, 21 Bartlett Avenue Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

- I. Development is to be in accordance with approved plans.

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Site Plan Sheet 01 of 2 Rev A	Currajong 6/10/23	Received 14 February 2024 Stamped No. 10.2023.120.1
Typical Site Section Sheet 02 of 2 Rev A	Currajong 6/10/23	Received 14 February 2024 Stamped No. 10.2023.120.1
Architectural Drawings DWGQPI Ref: 3306221	Tilmac -	Received 14 February 2024 Stamped No. 10.2023.120.1
Statement of Environmental Effects Revision C	Currajong 20/02/2024.	Received 20 February 2024 Stamped No. 10.2023.120.1(A)

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

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

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

3. 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. All costs associated with the repair of any damages caused by the driveway construction shall be borne by the Applicant and at no cost to Council.
4. Prior to the issue of a Construction Certificate, the Applicant must submit a Stormwater Management Plan for the approval of the Principal Certifier. The Plan must provide details of the proposed management of surface water from the proposed driveway to ensure that overflow does not impact on downslope properties.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

5. 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.
6. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work.
7. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.
8. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. The erosion and sediment control measures are to comply with Part B of Cowra Shire Council Development Control Plan 2021 at all times.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

9. 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.
10. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of

construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.

11. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the *Local Government Act 1993*.
12. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
13. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
14. All roofed and paved areas are to be properly drained and discharged to Council's stormwater management system in Bartlett Avenue.
15. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:
 - (i) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised;
 - (ii) The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted;
 - (iii) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
 - (iv) The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used

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

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

17. Prior to the issue of a Whole Occupation Certificate, the Applicant shall construct an access crossing to the development site from Bartlett Avenue in accordance with consent from the road's authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the Section 138 Permit. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.

ADVICE

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

4 GENERAL MANAGER

4.1 Section 355 Committee Draft Minutes - CBD Committee

File Number: D24/556

Author: Paul Devery, General Manager

RECOMMENDATION

That the draft minutes of the CBD Committee meeting held on 19 March 2024 be noted.

INTRODUCTION

The draft Minutes of the Cowra Council Section 355 CBD Committee are presented for information and noting.

BACKGROUND

Attached for the information of Councillors are the draft minutes from the Section 355 Committee – CBD Committee meeting held on 19 March 2024.

BUDGETARY IMPLICATIONS

N/A

ATTACHMENTS

1. Draft Minutes - CBD Committee 19 March 2024 [↓](#)



MINUTES

CBD Committee Meeting 19 March 2024

5 DIRECTOR-CORPORATE SERVICES

5.1 Investments

File Number: D24/484

Author: Graham Apthorpe, Acting Director - Corporate Services

RECOMMENDATION

That Council note the Investments and Financial Report for March 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. Investments Report – March 2024 [↓](#)

5.2 Audit, Risk & Improvement Committee - Legislative Changes

File Number: D24/592

Author: Graham Apthorpe, Acting Director - Corporate Services

RECOMMENDATION

That Council adopt the draft “Cowra Shire Council Audit, Risk and Improvement Committee Terms of Reference” document for Cowra Council’s Audit, Risk and Improvement Committee.

INTRODUCTION

The intent of the report is twofold.

Firstly, to inform Councillors about the legislative changes regarding Council’s Audit, Risk and Improvement Committee that come into effect from 1 July 2024.

Secondly, to seek Council’s endorsement of a draft “Terms of Reference” (**TOR**) document which will enable Council staff and the Committee to act in meeting the legislative requirements.

BACKGROUND

Councillors will recall that this report was presented to the 8 April 2024 General Committee meeting and at the request of Councillors, the “Terms of Reference” document for Cowra Council’s Audit, Risk and Improvement Committee was further discussed at the April Information Meeting.

The report is now presented to Council for adoption.

Over the past 5 years the Office of Local Government has been drafting and redrafting new guidelines for Council’s requirements for local government Audit, Risk and Improvements Committees (ARIC). In November 2023 these requirements were legislated and will come into effect on 1 July 2024.

A copy of the guidelines is enclosed.

KEY REQUIREMENTS

The key changes are summarised under 5 functional areas.

Requirement 1 – Membership of ARIC’s

- Increase the number of independent members from 2 to 3. One of which will be the chair.
- Reduction of the number of Councillors from 2 to 1 and removal of voting rights. Councils may appoint one councillor (who must not be the Mayor) as a non-voting member of the ARIC. Note - the Mayor and other Councillors can attend the meeting as “invitees”. Additionally, the Councillor must meet the skills and experience requirements as per the guidelines.

- Review the existing members to ensure compliance under the new guidelines / issuing of new letters of engagement.
- ARIC chairpersons and members are to be appointed for a term of no more than 4 years. They may be re-appointed if eligible but must not be a member of the ARIC for more than 8 years in any 10-year period.
- Councils may pay remuneration to the chairperson and independent members of the ARIC. Noting also the inclusion of superannuation for independent members.

Requirement 2 – Operations of ARIC’s

- Increase in the number of meetings per year from 3 to 4.
- The chairperson may decide the procedure for calling meetings and their conduct.
- Councils must adopt **terms of reference (TOR)** for the ARIC by resolution. In doing so, they must consider the model terms of reference approved by OLG. (Enclosed)
- ARICs must exercise their functions in accordance with the adopted terms of reference.
- General managers of councils must ensure that the ARIC has the resources necessary to properly exercise its functions and is readily able to access the staff, information and records the ARIC considers necessary to exercise those functions.
- ARICs are to keep under the review the council’s internal audit functions.

Requirement 3 – Internal Audit

- Councils must adopt an internal audit charter by resolution. In doing so, they must consider the model internal audit charter approved by OLG
- Councils must exercise their internal audit functions in accordance with the adopted internal audit charter.
- General managers of councils must appoint a member of staff (who may be an existing staff member) to be the internal audit coordinator for the council or joint organisation (NB, this role was previously referred to as the “head of the internal audit function” in the draft Guidelines).
- Councils may enter into an arrangement with another council to share that council’s internal audit coordinator. Where a council enters into such an arrangement with another council, they are not required to appoint their own internal audit coordinator.
- The internal audit coordinator must report to and comply with directions of the ARIC in relation to the exercise of internal audit functions. The internal audit coordinator is not to be subject to direction by the council or a member of staff of the council in relation to the exercise of internal audit functions.
- The General Manager of a council must consult with the chairperson of the ARIC about a proposed decision affecting the employment of the internal audit coordinator.
- General Managers of councils must ensure the internal audit coordinator has the resources necessary to properly exercise their functions and is readily able to access the staff, information, and records necessary to exercise those functions and is able to access the ARIC.
- The ARIC must oversee internal audit activities.
- The ARIC must review the performance and efficacy of internal audit activities over each period of 4 years and prepare a report for the governing body which may include recommendations.

Requirement 4 – Risk Management

- Councils must adopt and implement a system for managing risk (NB, councils are required under section 23A of the Local Government Act 1993, to consider OLG’s Guidelines when doing so).
- The ARIC must monitor and review the implementation of the system for managing risk and report to the governing body on its operation and efficacy.

Requirement 5 – Attestation

- From 2024/25, councils must publish in their annual reports, an attestation signed by the general manager that specifies whether the council has complied with the Regulation.
- In preparing an attestation, the General Manager must give the chairperson of the ARIC an opportunity to comment on it. If the chairperson of the ARIC is not satisfied with the attestation, they may prepare an alternative attestation and provide it to OLG.

TIMELINE

The following timeline shows the actions required between now and the first ARIC meeting under the new requirements.

- 1) Council to endorse the draft Terms of Reference (“TOR”) [April 2024]
- 2) Review of independent member fees.
 - a. As per previous ARIC minutes, Director – Corporate Services (DCS) to prepare paper and make recommendation(s) for Council to adjust the existing Independent Member Fees in line with current market needs/expectations. [April 2024]
- 3) Recruitment of a 3rd Independent member.
 - a. DCS to draft an EOI for the appointment of a 3rd Independent Member onto the ARIC, meeting the required ‘eligibility criteria’, and including the proposed fee from #2, to be appointed for up to 4 years with the first meeting scheduled for 8th August 2024. [April/May]
 - b. Publish EOI with closing date 2-3 weeks from publication [April/May 2024]
 - c. With Chair’s involvement, review and shortlist appropriate EOI candidates, along with interviews as necessary [May/June 2024]
- 4) Present to Council for endorsement - including:
 - a. Selection and appointment of a ‘non-voting councillor member’ (and alternate) for the 8th August 2024 ARIC meeting;
 - b. If needed, selection and appointment of an alternate for the Mayor for the 8th August 2024 ARIC meeting should the Mayor be unavailable; and
 - c. Impact to FY25 budget for additional Independent Member and an increase in meetings from 3 to 4 per annum. [May/June 2024]
- 5) Presentation to Council’s June meeting: [June 2024]
 - a. Recommendation for the appointment of 3rd Independent Member; and
 - b. Recommendation for the appointment of one of the Independent Members as the Chair.
 - c. That DCS reviews the existing independent members appointments and if needed seeks Council endorsement for reappointment with new 4-year terms.
- 6) Notify respective Independent Member(s) of Council appointments/reappointments [pre-30 June 2024]
- 7) [8 August 2024] First ARIC meeting under new TOR and committee structure, and will need to:

- a. GM to advise ARIC of appointed ‘Executive Audit Officer’;
 - b. Endorse an Internal Audit Charter that reflects the decided/most likely Internal Audit Function of Council;
 - c. Develop and approve a 4 Year Internal Audit Plan based on risk registers, council strategy, and management input; and
 - d. Chair/committee to develop the required 4 Year ARIC Workplan to ensure all areas of responsibility (i.e. TOR’s Schedule 1) are reviewed each council term.
- 8) [August 2024] If possible, prior to caretaker mode, present for Council adoption the ARIC endorsed Internal Audit Charter, as well as present the ARIC approved 4 Year Internal Audit Plan for endorsement by Council – if neither is possible, present at the next available Council meeting

Terms of Reference Document

The terms of reference document outline the purpose, scope, roles and responsibilities and process for the committee. It is used to provide guidance and clarity to those involved as well as to set the expectations and standards for the work to be undertaken and reported.

The legislative changes detailed above are captured in the OLG’s recommended TOR document.

The attached document has been reviewed and slight amendments made.

These amendments include;

1. Expanded “Executive Officer” to “Executive Audit Officer” to reduce any potential/unintended confusion.
2. Inclusion of the “Mayor (or their delegate)” as an ‘invitee’ as this change/allowance in the final guidelines was originally missed. This also addresses the recommendation from the ARIC meeting to insert a ‘permanent councillor invitee’ onto the ARIC (should the Mayor of the day not wish to attend the ARIC, they can delegate to another councillor not already appointed as the ‘non-voting councillor’).
3. Amended the Mayor, GM and Executive Audit Officer to be ‘invitees’ rather than ‘observers’ so that there is a clear differentiation between these types.

The document attached show these changes tracked.

BUDGETARY IMPLICATIONS

The budgetary impact of these changes is not yet fully costed; however, it is estimated that Council’s ARIC costs will climb from \$25k pa to \$50k pa. This increase is due the following factors.

- An increase in the number of paid independent members from 2 to 3
- An increase in the number of meetings per year from 3 to 4
- A review and potential increase in independent member’s sitting fees
- The paying of superannuation to independent members
- The establishment of an internal audit function of Council
- Greater administrative costs associated with all of the above

An amount of \$50,000 has been included in the draft LTFP for FY2025 for these estimates. This is up on the current year (FY2024) amount of \$28,028.

ATTACHMENTS

1. OLG Circular 23-15 [↓](#)
2. Guidelines for Risk Management and Internal Audit updated November 2023 [↓](#)
3. Local Government General Amendment Audit Risk and Improvement Committees Regulation 2023 [↓](#)
4. DRAFT ARIC TOR 2024 (OLG Legislation Revision) - updated (tracked) [↓](#)

6 DIRECTOR-INFRASTRUCTURE & OPERATIONS

6.1 Committee Minutes - Traffic Committee

File Number: D24/456

Author: Dirk Wymer, Director-Infrastructure & Operations

RECOMMENDATION

1. That the minutes of the Traffic Committee meeting held on 8 April 2024 be noted.
 2. That Council approved the Class 4 special event to be held as part of the NAIDOC March on 8 July 2024 subject to compliance with the requirements of Transport for New South Wales (TfNSW) and NSW Police.
 3. That the parking conditions on the southern side of Vaux Street be changed from “Nose In” to “45-degree Rear In”, commencing 87m west of the kerb tangent point Vaux Street/Macquarie Street to 197m west of the same point.
-

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 Councilor’s and consideration of the above recommendations.

BUDGETARY IMPLICATIONS

N/A

ATTACHMENTS

1. Minutes - Traffic Committee - 8 April 2024 [↓](#)

6.2 Regional Emergency Road Repair Fund Proposed Allocations

File Number: D24/591

Author: Dirk Wymer, Director-Infrastructure & Operations

RECOMMENDATION

That Council adopt the consolidated Regional and Local Roads Repair Program and Regional Emergency Road Repair Fund allocations as follows:

	2024	2025	2026	2027
Regional Roads				
Darby's Falls Road REPAIR project	115,000			
Replace REPAIR forward program		108,000	108,000	108,000
2022/23 Regional road expenditure under RLRRP	62,912			
Local Roads				
Unsealed grading and resheeting				
Gravel road grading	908,737			
Waterview Road resheeting	135,443			
Clearview Road resheeting	53,538			
Gravel road resheeting		609,931		
Gravel road grading			300,931	300,931
Rural sealed roads program:				
Merriganowry Road heavy patching	630,995			
Heavy patching		314,343	314,343	314,343
Sealed road shoulder repair and widening			309,000	309,000
Town streets heavy patching	126,970	101,341	101,341	101,341
Village streets heavy patching	33,975	33,975	33,975	33,975

INTRODUCTION

The purpose of this report is to seek Council concurrence to the planned expenditure of the Regional Emergency Road Repair fund. The proposed program is required to be submitted to Transport for NSW.

BACKGROUND

In January 2023 the NSW State Government provided grant funding to assist with natural disaster related road damage: 'The NSW Government's \$500 million Regional and Local Roads Repair Program (RLRRP) has been established so all local councils across NSW have access to funding to repair damaged Local and Regional roads under their care and responsibility.'

The funding provided was based on kilometres of road network managed in the Local Government Area (\$/km). The program guideline adopted three descriptions for outlining what was covered and not covered by the funding:

- *Corrective Maintenance (Covered)*
 - *Pothole patching*
 - *Heavy patching*
 - *Grading unsealed roads*
 - *Drainage and culverts*
- *Renewals (Partially Covered)*
 - *Small section of the carriageway may need to be rehabilitated by:*
 - *Applying a partial asphalt overlay on top of the deteriorated road surface;*
 - *Improving the existing pavement with the addition of new material; or*
 - *Removal of the old pavement and replacement with new pavement.*
- *Upgrades (Not Covered)*
 - *The RLRRP was established in response to the wet weather and flooding impacts on the Regional and Local Road network– it therefore does not cover planned or scheduled asset renewals. Asset renewals are defined as those works which return the road asset to its "as-new" condition and in doing so extend the design life of the asset. Renewals include resealing and wider scale rehabilitation of the road corridor (see above).*
 - *Asset upgrades go beyond renewals by creating new assets or significantly enhancing the asset in place. Such as widening of the carriageway, drainage system upgrades, sealing un-sealed shoulders, sealing gravel roads, building kerb and gutter, and footpaths.*

Any repairs or maintenance work to bridges are not covered under the RLRRP, except for culvert rehabilitation and clearing.

Any funding that was not expended by 29 February 2024 was to be forfeited and recovered by Transport for NSW.

Council's road repair program under the RLRRP was as follows:

Road Name	Activity	Original RLRRP Allocation	Total Expenditure to date
RR7511 Belubula Way	Heavy patching	109,578	62,912
Waterview Road	Resheeting	140,250	135,443

Road Name	Activity	Original RLRRP Allocation	Total Expenditure to date
Clearview Road	Resheeting	45,900	53,538
Sealed rural roads	Heavy patching	250,000	-
Cowra streets	Heavy patching	145,200	126,970
Village streets	Heavy patching	61,727	-
Gravel roads	Grading	1,006,573	908,737
Merriganowry Road	Heavy patching	560,000	630,995
	Total RLRRP Grant	2,319,228	1,918,595

In October 2023 Council was further advised of the Regional Emergency Road Repair Fund:

'The Regional Emergency Road Repair Fund (RERRF) supports councils across regional NSW to fix damaged roads, providing an additional \$390 million to regional councils to start vital repair and maintenance work. This builds on the \$280 million allocated to regional NSW councils through the Regional and Local Roads Repair Program (RLRRP).'

Under the new program Council has until 31 October 2027 for repair work to be delivered.

However, 'the Regional Road REPAIR Grant will be paused across both Greater Sydney and Regional and Outer Metropolitan areas from 2023-24 until 2026-27.

To ensure regional councils continue to receive adequate funding for their Regional and Local road networks, the NSW Government has confirmed that the Regional Emergency Road Repair Fund (RERRF) will be run as a four-year initiative to October 2027.

Some road repair and maintenance activities that were planned under the Regional Roads REPAIR grant would be eligible as part of the covered works under the RERRF to allow councils to continue these activities.'

What works are eligible under the RERRF?

Eligible work type	Examples
Corrective maintenance	<ul style="list-style-type: none"> • Patching • Heaving patching • Smoothing or reshaping (unsealed roads) • Drainage and culverts • Bridge maintenance • Kerb and gutter corrections and repairs
Upgrade works	<ul style="list-style-type: none"> • Sealing shoulders • Widening shoulders/carriageway widening
Renewal works	<ul style="list-style-type: none"> • Rehabilitation works including: • Applying a partial asphalt overlay on top of a deteriorated road surface • Improving the existing pavement and replacement with new pavement • Resealing/resurfacing • Gravel resheeting

The Regional Roads REPAIR grant program is a competitive grant that Council currently uses to

- match the \$108,000 ex 3 x 3 grant funds provided in the Regional Roads Block Grant Agreement;
- to fund a \$216,000 annual program of pavement rehabilitation and shoulder widening projects on the Regional Road network.

Council's adopted Long Term Financial Plan includes reduced Council funding for gravel road resheeting in 2024/25; recognising that:

- Council resources would be allocated to Natural Disaster Relief and Recovery funded resheeting
- The Roads to Recovery program provides Federal grant funding toward gravel road resheeting.

It is proposed to allocate RERRF toward additional gravel road resheeting.

The gravel road grading maintenance task has been increasing;

- to repair ongoing pavement damage,
- to meet the level of customer requests.

It is proposed to allocate RERRF toward additional gravel road grading.

The remainder of the proposed RERRF allocation is toward sealed road maintenance; pavement heavy patching and shoulder widening in Cowra Streets, Rural Sealed Roads, and Villages. The proposed consolidated RLRRP and RERRF funding allocation is as follows:

	2024	2025	2026	2027
Regional Roads				
Darbys Falls Road REPAIR project	115,000			
Replace REPAIR forward program		108,000	108,000	108,000
2022/23 Regional road expenditure under RLRRP	62,912			
Local Roads				
Unsealed grading and resheeting				
Gravel road grading	908,737			
Waterview Road resheeting	135,443			
Clearview Road resheeting	53,538			
Gravel road resheeting		609,931		
Gravel road grading			300,931	300,931
Rural sealed roads program:				
Merriganowry Road heavy patching	630,995			
Heavy patching		314,343	314,343	314,343
Sealed road shoulder repair and widening			309,000	309,000
Town streets heavy patching	126,970	101,341	101,341	101,341
Village streets heavy patching	33,975	33,975	33,975	33,975

BUDGETARY IMPLICATIONS

The proposed RERFF funding includes an allocation toward resheeting in 2024/25; which along with the traditional Roads to Recovery grant funding will improve the level of service provided to the community:

Level of Service	Average Annual Council Funded Recurrent Budget	Asset Length (km)	Resheeting Unit Rate (\$/km)	Resheeting Interval (years)	Additional Average Annual RERFF / RTR Funding	Improved Resheeting Interval (years)
Gravel resheeting	615,593	694	15000	16.9	371902	10.5

The March 2023/24 draft quarterly financial reviews indicate the annual road grading expenditure will be of the order of \$1.3M in 2023/24. Allocating additional RERFF grant funds to Council’s recurrent grading budget will improve the level of service provided to the community:

Level of Service	Average Annual Council Funded Recurrent Budget	Asset Length (km)	Unit Rate (\$/km)	Grading Interval (years)	Additional Annual RERFF Funding	Improved Grading Interval (years)
Gravel road grading	1,072,741	694	2500	1.6	300000	1.3

ATTACHMENTS

Nil

7 DIRECTOR-ENVIRONMENTAL SERVICES

7.1 Variation to Access Incentive Scheme Grant Funding - Lot 2, DP 1257368, No 16 Richards Drive, Cowra.

File Number: D24/595

Author: Larissa Hackett, Director Environmental Services

Applicant: Cowra & District Aero Club Inc.

Proposal: Receive funding for the costs of installation of a complying ramp to enable access for wheelchairs to the front entrance and to install complying facilities within the bathroom

Location: Lot 2, DP 1257368, No 16 Richards Drive Cowra

RECOMMENDATION

That Council provides \$9506.37 from the Access Incentive Scheme Grant fund to assist in the costs for providing improved access to and within the premises and disabled facilities at 16 Richards Drive, Cowra

INTRODUCTION

Council has received an application from Mr D Shaw on behalf of the Cowra & District Aero Club Inc. seeking financial assistance from Council's Access Incentive Scheme. The application requests assistance to partially cover the costs associated with the construction of the Cowra Aero Club's Clubroom to provide compliant wheelchair access to the entry and disabled bathroom facilities within the building at 16 Richards Drive, Cowra.

A copy of the application and quotes provided are included in Attachment 1.

BACKGROUND

The application for grant funding is being referred to Council for determination as Council's policy requires that funding will not be provided where the project has been undertaken prior to the approval of the grant. In this case the works have been undertaken as required by Condition 9 of Development Application 94/2020 *"It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia."* Compliance with Part D4 – Access for People with a Disability requires that access must be provided to and within all areas normally used by occupants.

The works have been undertaken prior to the receipt of this application for grant funding due to time constraints. Mandatory inspections required during construction are being conducted by Council's Building Surveyor and each phase thus far has passed satisfactorily and are compliant with the conditions of consent and the relevant Australian Standards. It is proposed that all required works be completed in accordance with the conditions of consent and Australian Building Standards and the Disability (Access to Premises-Buildings) Standards 2010, Australian Standard 1428.1 2021 - Design for Access and Mobility, prior to the payment of any approved grant funds.

The application has been referred to members of the Access Committee for concurrence, they are supportive of Council funding the application from the Access Incentive Fund. However, the applicant did not meet one eligibility in that the works had already been undertaken.

ELIGIBILITY

The request for grant funding does not meet the requirements of Council's adopted Access Incentive Scheme Grant Funding in the following area:

- *“For projects that were undertaken prior to approval of a grant.”*

All other aspects of the development meet the eligibility requirements to enable Council to assist with providing grant funding for the project.

- *The premises and works are carried out in Cowra Shire;*
- *The applicant is a local business;*
- *The works applied for/ undertaken will and do improve access to and within the premises and improves disability facilities.*

A copy of the Access Incentive Fund policy is included in Attachment 2.

BUDGETARY IMPLICATIONS

The current balance for the Disabled Access Incentive Fund is \$68,634, which will provide for assistance to businesses or organisations around the Cowra local government area. The granting of \$9,506.37 to the applicant will not significantly impact upon the current funding levels.

CONCLUSION

It is acknowledged that the application has been received after works have been undertaken, however Council is encouraging the provision of equitable access to and within buildings, it is recommended that Council approves the grant funding application and allocates \$9,506.37 to partially compensate for the works undertaken.

ATTACHMENTS

1. Application - Access Incentive Fund - Cowra Aero Club [↓](#)
2. Policy - Access Incentive Fund Scheme [↓](#)

7.2 Draft Community Participation Plan

File Number: D24/604

Author: Larissa Hackett, Director Environmental Services

INTRODUCTION

Council at its Ordinary Meeting held on 24 February, 2020 endorsed the current Cowra Shire Community Participation Plan. Council is required to undertake a review of the policy every four (4) years.

The policy has remained unchanged since adoption in 2020.

BACKGROUND

All Councils throughout NSW are required to have an adopted Community Participation Plan which clearly identifies how and when Council will engage with the community on the planning functions of Council under the provisions of the Environmental Planning and Assessment Act 1979.

The level and extent of community participation will vary depending on the scope of the proposal under consideration and the potential impact of the decision.

The original policy was endorsed by Council at its ordinary meeting of 24 February 2020.

The policy requires Council to undertake a review of the policy every four (4) years. As part of the review Council must consult with the Cowra Community in accordance with the engagement strategy.

REVIEW OF THE POLICY

The Cowra Shire Community Participation Plan has been reviewed and modifications made to reflect the legislative changes which have occurred since last reviewed.

A copy of the Draft CPP with highlighted changes is included in Attachment 1.

A copy of the Draft CPP for public exhibition is included in Attachment 2.

Key features of the 2024 Plan compared to the 2020:

The key features of the Draft Cowra CPP 2024 as compared to the 2020 documents are summarised as follows:

- An extension of the previous fourteen (14) day neighbour notification/exhibition period to twenty-one (21) days, following community feedback regarding postal delays, especially for rural residents on limited delivery services. This may marginally increase the average assessment timeframe for those DAs that require notification.
- Additional exemptions to the neighbour notification process in strict circumstances, listed below:
 - The Development Application is for a single storey dwelling, single storey alterations or additions to a dwelling or ancillary residential development (e.g. sheds, carports,

swimming pools, fences etc.) where the applicant has not requested a variation to a Council policy.

- The Development Application is for a farm building where the applicant has not requested a variation to Council policy.
- The Development Application is for a boundary adjustment where the applicant has not requested a variation to Council policy.

These additional exemptions aim to reduce the assessment timeframes for minor development that complies with Council policy. Where applicable, it will also reduce the cost of the application to the applicant. Council's current neighbour notification fee is \$123.50.

- Formal newspaper public notice advertising no longer included in methods of community consultation (this does not limit other forms of media publication, however)
- 2024 document designed to incorporate Cowra Council Corporate Style, specially brand colours, and include imagery wholly reflective of a variety of Council's projects

The key features generally of the plan remain:

- Section 1 includes an overview of the plan.
- Section 2 establishes the importance of community engagement and consistency with the principles of community participation prescribed by the legislation.
- Section 3 describes the various planning functions of Council to which the Draft CPP will apply.
- Section 4 outlines the notification and exhibition requirements for Council's development assessment processes.
- Section 5 outlines the notification and exhibition requirements for Council's plan making functions.
- Section 6 outlines the methods that Council will use to engage with the community.
- Section 7 provides advice in relation to the process for making a submission to Council on any matter that is subject to notification or exhibition under the plan.
- Section 8 provides advice on the processes that Council will follow when a submission is received in relation to a matter that is notified or exhibited under the plan.

CONCLUSION

Environmental Services has prepared a Draft CPP 2024 for Cowra. The purpose of the Community Participation Plan is to set out how a Council will engage with its community on all of the planning functions that it performs.

The Draft Cowra Community Participation Plan 2024 has been prepared in accordance with the requirements of the EP&A Act and relevant guidelines issued by the NSW Department of Planning and Environment.

The draft Cowra Community Participation Plan 2024 has four key changes compared to the 2020 policy document it is updating – an extension of the neighbour notification period from 14 to 21 days, additional exemptions to the neighbour notification process, the cessation of formal public notice newspaper advertising in regards to public exhibition and 2024 document design now incorporating Cowra Council corporate style.

It is proposed that Council endorse the public exhibition of the draft Policy in accordance with the Community Engagement Strategy for a period of 28 days.

A further report will be provided to Council for the formal adoption of the Draft Policy at the completion of the exhibition period considering any submissions made.

ATTACHMENTS

1. Draft Community Participation Plan Policy - copy with highlighted changes [↓](#)
2. Draft Community Participation Plan - copy for public exhibition [↓](#)

8 LATE REPORTS

9 CONFIDENTIAL MATTERS**RECOMMENDATION**

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

**10 CONFIDENTIAL GENERAL COMMITTEE
RECOMMENDATIONS - MONDAY, 8 APRIL 2024****10.1 Request for Water Account Adjustment - Assessment Number 78631**

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

10.2 Request for Water Account Adjustment - Assessment Number 36865

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

**11 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE &
OPERATIONS****11.1 Request for Tender S2_2024 - Supply, Delivery and/or Installation of Guardrail and Wire Rope Safety Fencing**

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.