



# **AGENDA**

## **General Committee Meeting**

**Date: Monday, 13 May 2024**

**Time: 5pm**

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

**Paul Devery  
General Manager**

**Order Of Business**

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## **I INTRODUCTION**

### **I.1 Recording & publishing**

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

### **I.2 Acknowledgement of Country**

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

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

List of apologies for the meeting.

### **I.4 Disclosures of Interest**

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

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

### **I.5 Presentations**

### **I.6 Public Forum**

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

## **2 CONFIRMATION OF MINUTES**

Confirmation of Minutes of General Committee Meeting held on 8 April 2024



# **MINUTES**

**General Committee Meeting  
Monday, 8 April 2024**

## Order Of Business

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**MINUTES OF COWRA COUNCIL  
GENERAL COMMITTEE MEETING  
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA  
ON MONDAY, 8 APRIL 2024 AT 5**

- PRESENT:** Cr Ruth Fagan (Mayor), Cr Paul Smith (Deputy Mayor), Cr Sharon D'Elboux, Cr Cheryl Downing, Cr Nikki Kiss OAM, Cr Judi Smith, Cr Erin Watt, Cr Bill West, Cr Peter Wright
- IN ATTENDANCE:** Mr Paul Devery (General Manager), Mr Michael Jones (Director - Corporate Services), Mrs Larissa Hackett (Director-Environmental Services), Mr Dirk Wymer (Director - Infrastructure & Operations)

**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

**Apology**

Nil

**Leave of Absence**

Nil

1.4 Disclosures of Interest

Cr Peter Wright declared a non-pecuniary interest in relation to item 3.2 Donation Request - Cowra Eisteddfod Inc. as he is married to the president of the Eisteddfod and will leave the Chambers during consideration of this item.

1.5 Presentations

1.6 Public Forum

**2 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

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

**That the minutes of General Committee Meeting held on 11 March 2024 be confirmed.**

CARRIED

**3 DIRECTOR-CORPORATE SERVICES REPORT****3.1 Section 355 Committee Minutes – Cowra Sport & Recreation Council**

Moved: Cr Sharon D'Elboux

Seconded: Cr Cheryl Downing

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

**AMENDMENT**

Moved: Cr Sharon D'Elboux

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 improvement facilities at the West Cowra Recreation Ground.

**COMMITTEE RESOLUTION**

Moved: Cr Cheryl Downing

Seconded: Cr Erin Watt

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**
  - **Krishna Tysoe (Deputy Chair)**
  - **Jason Munday**
6. That Council applies for **Play Your Way** grant to improve facilities at **West Cowra Recreation Ground**.

CARRIED

At 5:16 pm, Cr Peter Wright left the meeting.

**3.2** Donation Request - Cowra Eisteddfod Inc.

Moved: Cr Erin Watt

Seconded: Cr D'Elboux

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.

AMENDMENT

Moved: Cr D'Elboux

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.



**COMMITTEE RESOLUTION**

Moved: Cr Erin Watt

Seconded: Cr Sharon D'Elboux

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.**

CARRIED

At 5.21 pm, Cr Peter Wright returned to the meeting.

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

**COMMITTEE RESOLUTION**

Moved: Cr Cheryl Downing

Seconded: Cr Erin Watt

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.**

CARRIED

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

**RECOMMENDATION**

Moved: Cr Sharon D'Elboux

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 endorses the draft “Terms of Reference” document for Cowra Council's Audit, Risk and Improvement Committee.
3. That the matter be included as a report to the April Information Meeting.

LOST

AMENDMENT**COMMITTEE RESOLUTION**

Moved: Cr Sharon D'Elboux

Seconded: Cr Bill West

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.

CARRIED

**4 DIRECTOR-INFRASTRUCTURE & OPERATIONS REPORT****4.1 Proposed Introduction of Dam Safety Levy****COMMITTEE RESOLUTION**

Moved: Cr Judi Smith

Seconded: Cr Nikki Kiss OAM

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

CARRIED

**4.2 Review of Asset Management Policy****MOTION**

Moved: Cr Bill West

Seconded: Cr Peter Wright

That Council adopt the reviewed Asset Management Policy as presented.

AMENDMENT

Moved: Cr Erin Watt  
Seconded: Cr Cheryl Downing

That Council undertakes a review of the Asset Management Policy with the aim of strengthening plans and protocols to achieve the outlined objectives:

1. Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment; and
2. Demonstrate transparent and responsible asset management processes that align with demonstrated best practice.

LOST

MOTION

Moved: Cr Bill West  
Seconded: Cr Peter Wright

That Council adopt the reviewed Asset Management Policy as presented.

AMENDMENT

Moved: Cr Judi Smith  
Seconded: Cr Erin Watt

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

THE AMENDMENT BECAME THE MOTION

**COMMITTEE RESOLUTION**

Moved: Cr Judi Smith  
Seconded: Cr Erin Watt

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

CARRIED

**5 DIRECTOR-ENVIRONMENTAL SERVICES REPORT**

**5.1** 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.

Committee Resolution

Moved: Cr Paul Smith

Seconded: Cr Nikki Kiss OAM

- 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.

<b>Plan No./ Supporting Document</b>	<b>Prepared by/Reference Details</b>	<b>Cowra Shire Council Reference</b>
<b>Proposed Site Plan</b>	<b>Currajong Drawn 02/02/24 REV A</b>	<b>Received 15 February 2024 Stamped No. DA 10.2024.14.1</b>
<b>Engineering Certification Letter to Kate Wilson</b>	<b>Calare Civil Pty Ltd 2 February 2024</b>	<b>Received 15 February 2024 Stamped No. DA 10.2024.14.1</b>
<b>Foundation Plan Sheet 1 of 5</b>	<b>Fair Dinkum Sheds Job No. MAST37405</b>	<b>Received 15 February 2024 Stamped No. DA 10.2024.14.1</b>
<b>Elevations Sheet 2 of 5</b>	<b>Fair Dinkum Sheds Job No. MAST37405</b>	<b>Received 15 February 2024 Stamped No. DA 10.2024.14.1</b>
<b>Statement of Environmental Effects (Pro-forma Template)</b>	<b>Kate Wilson N.D.</b>	<b>Received 15 February 2024 Stamped No. DA 10.2024.14.1</b>
<b>Shadow Diagrams - Plan View</b>	<b>Currajong 07 March 2024</b>	<b>Received 7 March 2024 Stamped No. DA 10.2024.14.1</b>

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.
- 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.
- 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.

CARRIED

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

Against: Nil

CARRIED 9/0

5.2 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.

Committee Resolution

Moved: Cr Paul Smith

Seconded: Cr Judi Smith

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The 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

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Site Plan Sheet 01 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.

CARRIED

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

Against: Nil

CARRIED 9/0

#### **6 LATE REPORTS**

Nil

#### **7 NOTICES OF MOTIONS**

Nil

**8 CONFIDENTIAL MATTERS****COMMITTEE RESOLUTION**

Moved: Cr Sharon D'Elboux

Seconded: Cr Judi Smith

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

**9 CONFIDENTIAL DIRECTOR-CORPORATE SERVICES****9.1 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.**

**9.2 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.**

CARRIED

### 3 DIRECTOR-CORPORATE SERVICES REPORT

#### 3.1 Donation – Cowra Local Aboriginal Land Council

File Number: D24/637

Author: Graham Apthorpe, Acting Director - Corporate Services

#### RECOMMENDATION

**That Council provide a donation of \$899 from the Section 356 expenses budget to assist Cowra Local Aboriginal Land Council (CLALC) in purchasing a new oven.**

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#### INTRODUCTION

Ms Jane Chamberlain on behalf of Betty Doolan, CEO of the Cowra Local Aboriginal Land Council (CLALC), has made application to Council for a donation of \$899 to fund the purchase of a Westinghouse Upright Oven with Stove top for the kitchen at the Cowra Local Aboriginal Land Council.

#### BACKGROUND

CLALC recently made application to purchase the free-standing upright oven for use at the Land Council premises via Council's Community Grant Scheme, however, it was unsuccessful due to the Grant's guidelines not supporting applications from Government agencies.

Council's Donation policy has similar ineligible criteria as follows:

#### 9.1 Activities in the Following Categories Will Be Ineligible

Applications for activities/function/projects which fall into the following categories are ineligible for funding under this policy:-

5. *Where a government department or agency or an organisation primarily funded by Commonwealth or State Government including the Department of Education, State Schools and Non-Government Schools makes application for a donation to fund a normal operating expense."*
6. *Where a project will financially benefit a commercial entity or a government department.*

While CLALC is a State Government Agency as defined in Clause 5 above of Council's Donation Policy, the provision of funding for an oven is not a normal operating expense and therefore the request complies with Council's policy. CLALC is also registered as a charitable organisation.

The request does meet the following criteria in Council's Donations Policy:

- o Community development projects – projects that meet an identified community need, have been developed in consultation with the community and encourage participation in the development of the project.

In view of the running of this service benefits and the limited funds available, it is recommended that Council provide the sum of \$899 to assist with the purchase of a new freestanding oven.

**BUDGETARY IMPLICATIONS**

The current balance in the 2023/24 Budget for Section 356 Donations is overspent and Council will need to consider an increase in the S356 budget in the Fourth Quarter QBRS to accommodate such a donation.

**ATTACHMENTS**

- I. Donation Application from Cowra Local Aboriginal Land Council - 17 April 2024 [↓](#)













**3.2 Donation – Ky Garratt**

File Number: D24/667

Author: Graham Apthorpe, Acting Director - Corporate Services

**RECOMMENDATION**

**That Council vary its policy by providing a donation of \$600 from the Section 356 expenses budget to assist Ky Garratt in attending the U18 Oceania athletic Championships in hammer event on 2-9 June 2024 in Suva, Fiji.**

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**INTRODUCTION**

Ky Garratt has written to Council requesting consideration of a financial donation to assist him with the cost associated in attending the U18 Oceania Athletic Championships in the hammer throw event on 2-9 June 2024 in Suva, Fiji after being selected to compete in the Australian Under 18 Team. Ky Garratt recently took out the national title in Adelaide. It was his fourth title, after winning the Australian All Schools national titles in September and December 2023.

**BACKGROUND**

While the request meets the eligibility requirements as show below in Clause 9 of Council's Donations Policy in respect of sporting representatives and cultural and academic pursuits:

- *Australian/NSW/Territory Representative or team competing overseas to a maximum \$600 in total.*

Council policy also states that:

- *An individual or organisation/group is limited to one donation per annum, unless Council deems an exception.*

Due to the particular circumstances and this young man's outstanding sporting achievements, Council is able to vary its policy in this instance.

Council has previously provided the following donations to Ky: \$400 from the Section 356 expenses budget to assist Ky Garratt in attending the Hockey Australia National Championships on 1-9 July 2023 at Hobart and \$500 from the Section 356 expenses budget to assist Ky Garratt in attending the Australian Track and Field Championships on 13-16 April 2023 in Brisbane.

The current policy provides a donation of \$600 and taking into account that the applicant is funding the majority of the costs associated with attending the event himself, it is recommended that the \$600 requested be provided to the applicant on this occasion in line with Council's policy.

**BUDGETARY IMPLICATIONS**

The current balance in the 2023/24 Budget for Section 356 Donations is overspent by \$2,863 and Council will need to consider an increase in the S356 budget in the Fourth Quarter QBRS to accommodate such a donation.

**ATTACHMENTS**

1. Donation Request from Ky Garratt - 30 April 2024 [↓](#)







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

File Number: D24/692

Author: Graham Apthorpe, Acting Director - Corporate Services

**RECOMMENDATION**

**That the draft Minutes of the Cowra Regional Art Gallery Advisory Committee meetings held on 14 February and 13 March 2024 be noted.**

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**INTRODUCTION**

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

**BUDGETARY IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Advisory Committee of Cowra Regional Art Gallery Minutes - 14 February 2024 [↓](#)
2. Advisory Committee of Cowra Regional Art Gallery Minutes - 13 March 2024 [↓](#)















**3.4 Investments**

File Number: D24/693

Author: Graham Apthorpe, Acting Director - Corporate Services

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

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**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 – April 2024 [↓](#)



















**4 LATE REPORTS**

**5 NOTICES OF MOTIONS**

Nil

**6 CONFIDENTIAL MATTERS**

Nil