



AGENDA

General Committee Meeting

Date: Tuesday, 11 June 2024

Time: 5pm

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

**Paul Devery
General Manager**

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I INTRODUCTION

I.1 Recording & publishing

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

I.2 Acknowledgement of Country

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

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

List of apologies for the meeting.

I.4 Disclosures of Interest

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

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

I.5 Presentations

I.6 Public Forum

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

2 CONFIRMATION OF MINUTES

Confirmation of Minutes of General Committee Meeting held on 13 May 2024



MINUTES

**General Committee Meeting
Monday, 13 May 2024**

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**MINUTES OF COWRA COUNCIL
GENERAL COMMITTEE MEETING
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 13 MAY 2024 AT 5PM**

- 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), Mrs Larissa Hackett (Director-Environmental Services), Mr Dirk Wymer (Director - Infrastructure & Operations), Graham Apthorpe (Acting Director - Corporate Services)

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

Nil

1.4 Disclosures of Interest

Nil

1.5 Presentations

Nil

1.6 Public Forum

Nil

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Bill West
Seconded: Cr Paul Smith

That the minutes of General Committee Meeting held on 8 April 2024 be confirmed.

CARRIED

3 DIRECTOR-CORPORATE SERVICES REPORT**3.1 Donation – Cowra Local Aboriginal Land Council****COMMITTEE RESOLUTION**

Moved: Cr Judi Smith

Seconded: Cr Erin Watt

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.

CARRIED

3.2 Donation – Ky Garratt**COMMITTEE RESOLUTION**

Moved: Cr Cheryl Downing

Seconded: Cr Judi Smith

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.

CARRIED

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

Moved: Cr Sharon D'Elboux

Seconded: Cr Erin Watt

- 1. That the draft Minutes of the Cowra Regional Art Gallery Advisory Committee meetings held on 14 February and 13 March 2024 be noted.**
- 2. That a letter of appreciation be forwarded to Linda Chant on her retirement thanking for her contribution to the Cowra Regional Art Gallery Advisory Committee.**

CARRIED

3.4 Investments

COMMITTEE RESOLUTION

Moved: Cr Judi Smith
Seconded: Cr Paul Smith

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

CARRIED

4 LATE REPORTS

Nil

5 NOTICES OF MOTIONS

Nil

The Meeting closed at 5.25 pm

The Minutes of this meeting are confirmed at the General Committee Meeting held on 11 June 2024.

.....
CHAIRPERSON

3 DIRECTOR-CORPORATE SERVICES REPORT

3.1 Local Government Remuneration Tribunal Report on Mayoral and Councillor Fees

File Number: D24/601

Author: Graham Apthorpe, Acting Director - Corporate Services

RECOMMENDATION

1. That Council notes the report from the Director – Corporate Services.
2. That Council adopt the maximum Mayoral and Councillor fees determined by the Local Government Remuneration Tribunal effective from 1 July 2024.

INTRODUCTION

The Local Government Remuneration Tribunal has handed down its report on fees to be paid to Mayors and Councillors for the 2024-2025 year. The Tribunal determines the categories for councils in New South Wales and the minimum and maximum fees payable to Mayors and Councillors within those categories. In conducting its annual review, the Tribunal considers submissions from councils and Local Government New South Wales.

BACKGROUND

The Tribunal reports that having regard to a number of key economic indicators, it has determined that an increase of 3.75% is appropriate. The Tribunal has categorised Cowra Shire Council as 'Rural Large':

Category	Councillor		Mayoral	
	Minimum \$	Maximum \$	Minimum \$	Maximum \$
Rural 57 2018-2019	8,970	11,860	9,540	25,880
Rural 57 2019-2020	9,190	12,160	9,780	26,530
Rural 57 2020-2021	9,190	12,160	9,780	26,530
Rural 57 2021-2022	9,370	12,400	9,980	27,060
Rural 57 2022-2023	9,560	12,650	10,180	27,600
Rural Large 2023-2024	9,850	17,680	15,735	37,925
Rural Large 2024-2025	10,220	18,340	16,330	39,350

Council is required to determine its fees to be paid within the Tribunal's minimum and maximum levels and it has been this Council's practice to pay the upper limit. Therefore, an individual Councillor's fee will increase from \$17,680 to \$18,340 and in addition to that sum, the Mayoral Allowance will increase by from \$37,925 to \$39,350 effective on and from 1 July 2024. The recommended increases are within the LTFP amounts for 2024-2025.

BUDGETARY IMPLICATIONS

Nil – Currently included in the draft LTFP FY2024.

ATTACHMENTS

1. Annual Determination of the Local Government Remuneration Tribunal - 29 April 2024 [↓](#)

Local Government
Remuneration Tribunal

Annual Determination

Report and determination under sections
239 and 241 of the Local Government Act
1993

29 April 2024



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Executive Summary

The *Local Government Act 1993* (LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. A review of categories was last carried out by the Tribunal in 2023.

The Tribunal will next consider the model, criteria for each group, and the allocation of councils in the 2026 review.

The criteria for each category is published in Appendix 1 of the Determination and remains unchanged from 2023.

Two (2) councils have been recategorised from Rural Large to Regional Rural as a result of meeting the criteria at Appendix 1.

Fees

The Tribunal has determined a 3.75 per cent per annum increase in the minimum and maximum fees applicable to each category from 1 July 2024.

Section 1 – Introduction

1. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2023.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act requires:

“In making a determination, the Remuneration Tribunal is to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the Industrial Relations Act 1996 when making or varying awards or orders relating to the conditions of employment of public sector employees.”
4. The Industrial Relations Amendment Act 2023, assented on 5 December 2023, repealed section 146C of the *Industrial Relations Act 1996*, resulting in changes to wages policy and removal of the cap on remuneration increases.
5. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees.
6. The Tribunal’s determination takes effect from 1 July each year.

3.2 Investments and Financial Report

File Number: D24/889

Author: Graham Apthorpe, Acting Director - Corporate Services

RECOMMENDATION**That Council note the Investments and Financial Report for May 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 and Financial Report - May 2024 [↓](#)

4 DIRECTOR-ENVIRONMENTAL SERVICES REPORT

4.1 Cowra Housing Strategy

File Number: D24/920

Author: Larissa Hackett, Director Environmental Services

RECOMMENDATION

1. That Council notes the report on the commencement and progress of the Cowra Housing Strategy project.
 2. That Council notes the financial contribution to the project by the NSW Department of Planning, Housing and Infrastructure under the Regional Housing Strategy Planning Fund (Round 2).
 3. That the Mayor writes to the NSW Department of Planning, Housing and Infrastructure thanking them for the financial contribution to the Cowra Housing Strategy project.
-

Introduction

In October 2023, Cowra Council's Environmental Services staff submitted a grant application to NSW Department of Planning, Housing and Infrastructure (DPHI) to fund a Housing Strategy for the Cowra LGA under the Regional Housing Strategic Planning Fund (round 2). In February 2024, Cowra Council was notified that the grant application was successful. Attachment I to this report includes a FAQ sheet about the grant program for Council's information.

In March 2024, Environmental Services called for expressions of interest from suitably qualified and experienced Planning consultants to assist Cowra Council with the preparation of the Cowra Housing Strategy. Local planning consultants Currajong have been selected to deliver the project.

This report provides Council with an introduction to the project including the proposed methodology and timeframes for the delivery of a Draft Housing Strategy.

Project Background

The preparation of the Cowra Housing Strategy is a strategic planning exercise that aims to investigate key issues and trends impacting on housing supply in our local area and will provide recommendations on a variety of housing matters for future action by local and state governments and other key stakeholders.

Housing Strategies are compulsory strategic planning documents for metropolitan councils, but not for regional Councils at this stage. Similar to Cowra, many regional Councils are however beginning to prepare Housing Strategies for their LGAs as a proactive measure to ensure local strategic planning is responsive to existing and emerging housing supply challenges. It is through the preparation of a Local Housing Strategy that Councils can work collaboratively with the local community, relevant government agencies and the private sector to develop a planning framework that addresses the housing supply needs of their shire.

NSW DPHI has developed a 'Local Housing Strategy Guideline' which provides guidance to NSW Councils on the process for preparing a Housing Strategy. A copy of this Guideline is included in Attachment 2 to this report for Council's information. The Cowra Housing Strategy is intended to be prepared in accordance with the Guideline and subject to the Project Plan as detailed within this report.

The Cowra Housing Strategy will focus on Cowra Township as the main centre for residential activity but will also investigate key requirements for the eight villages in our Shire, which are also important locations for housing.

Project Methodology

As part of the commencement of the project, Currajong has been working with Council's planning team to refine a Project Plan which maps out key milestones and establishes timeframe objectives for key deliverables to ensure the Strategy can be delivered in accordance with the conditions of the grant funding. The project is required to be completed and acquitted by April 2025 which requires a committed response to the delivery of identified project milestones.

A copy of the Project Plan for the Cowra Housing Strategy is included in Attachment 3 to this report. This Council is asked to note:

- Milestone 1 has been completed.
- Milestone 2 has been commenced and is nearing completion.
- Milestone 3 has been commenced, and this report provides Council with further details of the proposed arrangements for early stakeholder engagement and consultation with the community.

The timeframes for the completion of key milestones will be managed by Council's Town Planning team with a degree of flexibility, but with a focus on ensuring a completion date of April 2025 is achieved. Council will be kept up to date with regards to the progress of the project.

The project methodology accounts for the upcoming Local Government Elections which will result in Council entering a care-taker mode period during the months of August and September. As this is a significant strategic project for Cowra, the draft Housing Strategy is not intended to be reported to Council for public exhibition endorsement until after the new Council is elected.

The project methodology also accounts for an extended exhibition phase should this key milestone fall close to the Christmas holiday period. Whilst Council's Community Participation Plan requires a minimum 28-day exhibition period, NSW DPHI has advised that a minimum 7-week exhibition period would likely be required.

The Project Plan has been provided to NSW DPHI who have confirmed that it provides an acceptable approach to the proposed delivery of the Cowra Housing Strategy.

Project Milestone No. 3 – Early Stakeholder Engagement

Project Milestone No. 3 relates to early stakeholder engagement and in particular:

- Meetings with relevant Council staff.
- Stakeholder / agency engagement.
- Community Survey

- One-on-one sessions with the community (booked).
- Councillor workshop.

By completing the above consultation processes prior to the preparation of the Draft Housing Strategy, the project team hopes to gain a better understanding of key issues, trends, challenges and opportunities for housing supply in the Cowra LGA. The findings of early consultation will then be considered and incorporated as necessary into the preparation of the draft Housing Strategy.

Owing to the tight timeframes in the Project Plan, the project team has already commenced some of the key tasks associated with the early engagement process, and particular:

- Emails were sent to key government agencies on 22 May 2024 with an invitation to supply relevant information and participate in a meeting with the project team. Refer Attachment 4 for a list of invitees.
- Email invitations were sent to key local businesses, organisations and individuals (identified to be key stakeholders in the local housing market) with an invitation to participate in a meeting with the project team. Refer Attachment 4 for a list of invitees.

Note - If relevant stakeholders have been omitted from the list in Attachment 3, Council is asked to notify Environmental Services so that the project team can make necessary arrangements to ensure these stakeholders are provided with an opportunity to participate.

The remaining engagement tasks, still to be completed / organised include:

- A short online survey has been developed inviting all members of the community to participate. The survey asks a series of targeted questions, takes only a few minutes to complete, and will be available for the community to access through Council's website and social media channels. A copy of the survey is included in Attachment 5. Subject to Council's endorsement of this report, the survey is intended to be released for community participation by Friday 28th June 2024 and will be open for a period of 6 weeks.
- The project team will be available for one-on-one information sessions with interested persons, booked through Council's Environmental Services Department.
- The project team will arrange for a media release giving details of the Cowra Housing Strategy, the early engagement processes and an invitation for written submissions from the general public on any issue related to housing in the Cowra Shire.
- A Councillor Workshop will be arranged at a suitable date and time. The workshop is intended to be held at the conclusion of the early engagement phase to allow key findings to be presented for discussion. The workshop will also provide opportunity for Councillor input prior to the preparation of the Draft Housing Strategy.

Further public consultation will be completed once the Draft Cowra Housing Strategy has been completed later in 2024. The exhibition of the Draft Strategy will be subject to Council's endorsement and is to be completed in accordance with the requirements of the Cowra Community Participation Plan.

Summary

Cowra Council has received funding from NSW Department of Planning, Housing and Infrastructure for the preparation of a Housing Strategy for the Cowra Local Government Area. The project is funded under the Regional Housing Strategy Planning Fund (Round 2). Local planning consultants Currajong have been engaged to assist Council with the delivery of the project.

The Cowra Housing Strategy will focus on Cowra Township as the main centre for residential activity but will also investigate key requirements for the eight villages in our Shire which are also important locations for housing.

As part of the commencement of the project, Currajong has been working with Council's planning team to refine a Project Plan which maps out key milestones and establishes timeframe objectives for key deliverables to ensure the Strategy can be delivered in accordance with the conditions of the grant funding. The project is required to be completed and acquitted by April 2025 which requires a committed response to the delivery of identified project milestones.

The project is tracking well in accordance with the Project Plan and has the support of the NSW Department of Planning, Housing and Infrastructure. The project has reached a stage where early engagement with key government agencies, local stakeholders and the general community is being carried out, or is ready to be carried.

Council will be kept up to date with further reporting as the Cowra Housing Strategy project continues to progress into the later stages of 2024 and early stages of 2025.

ATTACHMENTS

1. Cowra Housing Strategy 2024 - Regional Housing Strategic Planning Fund [↓](#)
2. Cowra Housing Strategy 2024 - Local Housing Strategy Guideline [↓](#)
3. Cowra Housing Strategy 2024 - Project Timeline [↓](#)
4. Cowra Housing Strategy 2024 - Stakeholder Agency Contact List [↓](#)
5. Cowra Housing Strategy 2024 - Community Survey [↓](#)

- 4.2 Development Application No. 61/2022, Lot 6 DP 1096603, Lot 2 DP 1096603, Lot 3 DP 1096603, 19 Kollas Drive Cowra, S4.55(1A) Modification to light industry - Mod I, lodged by Currajong Pty Ltd. The property owner is JR Morgan Investments Pty Ltd.

File Number: D24/933

Author: Larissa Hackett, Director Environmental Services

RECOMMENDATION

- That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979; and
- That Section S4.55(1A) Modification No. 61/2022, for the modification to light industry - mod I on Lot 6 DP 1096603, Lot 2 DP 1096603, Lot 3 DP 1096603, 19 Kollas Drive Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

- 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
Survey Plan Drawing No. 22043_DL	Arete Survey Solutions 20/5/2022	Received 8 June 2022 Stamped No. 61/2022
Site Plan Job 207/21 Sheet 1 Version 2	Vision Town Planning 4/5/2022	Received 21 May 2024 Stamped No. 10.2024.61.2 (B)
Right of Way Plan Job 207/21 Sheet 1A Version 1	Vision Town Planning 31/5/2022	Received 8 June 2022 Stamped No. 61/2022

Site and Floor Plan – Shed 1 Job 207/21 Sheet 2 Version 2	Vision Town Planning 4/5/2022	Received 21 May 2024 Stamped No. 10.2024.61.2 (B)
Elevations – Shed 1 Job 207/21 Sheet 3 Version 2	Vision Town Planning 4/5/2022	Received 21 May 2024 Stamped No. 10.2024.61.2 (B)
Site and Floor Plan – Shed 2 Job 207/21 Sheet 4 Version 2	Vision Town Planning 4/5/2022	Received 21 May 2024 Stamped No. 10.2024.61.2 (B)
Elevations – Shed 2 Job 207/21 Sheet 5 Version 2	Vision Town Planning 6/2/2023	Received 21 May 2024 Stamped No. 10.2024.61.2 (B)
Site and Floor Plan – Shed 3 Job 207/21 Sheet 6 Version 3	Vision Town Planning 6/2/2023	Received 21 May 2024 Stamped No. 10.2024.61.2 (B)
Elevations – Shed 3 Job 207/21 Sheet 7 Version 3	Vision Town Planning 6/2/2023	Received 21 May 2024 Stamped No. 10.2024.61.2 (B)
Statement of Environmental Effects Issue A	Currajong 27 May 2022	Received 8 June 2022 Stamped

		No. 61/2022
Clearance Report	Central West Power Construction 20/9/2022 REF 22184	Received 20/9/2022 Stamped DA 61/2022
Clearance Report – Site Plan	Central West Power Construction 20/9/2022 REF 22184	Received 20/9/2022 Stamped DA 61/2022
Proposed Office Floor Plans – Shed I Job 207/21 Sheet 17 Version 2	Vision Town Planning 17/4/2024	Received 21 May 2024 Stamped No. 10.2024.61.2 (B)
Mod DA Report Revision C	Currajong 23 May 2024	Received 23 May 2024 Stamped No. 10.2024.61.2 (C)

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 uses to be commenced in the premises are to be consistent with light industry as defined in Cowra Local Environmental Plan 2012. Alternative separately defined uses will require additional development consent.
4. Liquid trade waste material is not to be discharged into the sewerage system without first obtaining the approval of Cowra Shire Council.
5. All traffic movements in and out of the development are to be in a forward direction.

6. The emission of noise from the premises must be in accordance with the Noise Policy for Industry (2017) published by NSW EPA.
7. Provide on-site parking for a minimum of 32 car parking spaces in accordance with the submitted plans. Car parking and trafficable areas shall be designed and maintained in accordance with Cowra Shire Council Development Control Plan 2021.
8. Parking for disabled persons is to be provided and signposted in accordance with the approved plans and the requirements of Australian Standard 2890.1. The access linking such parking areas to their associated developments shall generally not have gradients steeper than 1:14.
9. 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.
10. The approved hours of operation are as follows:
 - 7:00am to 6:00pm Monday to Friday
 - 7:00am to 3:00pm Saturday
 - Nil Sunday & Public Holidays

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

11. Prior to the issue of the Construction Certificate, the Applicant must obtain consent from Council pursuant to Section 138 of the Roads Act 1993 for the construction of a driveway crossings to the development site from Mees Street for lots 2 & 3, & from Kollas Drive for lot 6 in accordance with Cowra Shire Council's Engineering Standards.

Note 1: All costs associated with the construction of the access driveway shall be borne by the Applicant.

Note 2: Use Council standard drawings CS-R-0002 & CS-R-0003, or CS-R-0004 (existing K&G)

12. Prior to the issue of a Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of a suitably sized metered water service to the development.
13. Prior to the issue of a Construction Certificate, a Stormwater Management Plan shall be submitted to Council's Manager – Technical Services for approval. The plan is to demonstrate that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

14. 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 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. This may entail alterations to the proposal so that it complies with these standards.
15. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building Works' and 'Appointment of Principal Certifier'.
16. The Applicant is to obtain all relevant approvals to carry out sewerage work, to carry out stormwater drainage work and to carry out water supply work from Cowra Shire Council prior to commencing works to and comply with any conditions of that permit. All work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:
 - (a) Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.
 - (b) External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.
 - (c) Water Supply: Hot and cold water supply pipework when the pipework is installed and prior to concealment. Pipes should be under pressure test.
 - (d) Stormwater: When the stormwater and roof water drainage system has been completed.
17. 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 Council Development Control Plan 2021 at all times.
18. Prior to the commencement of works, a Stormwater Management Plan shall be submitted to Council for approval. The plan is to demonstrate that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council. Plans should also state control measure for erosion and sedimentation.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

19. In the event of any damage being caused to the existing kerb, guttering, footpath, water mains, sewer mains or public roadway during demolition or construction works, the applicant shall reimburse the Council for the full costs of repairing and

making good. Any temporary cross-over material must not remain in the street gutter.

20. **Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.**
21. **All construction work shall be carried out within the confines of the property unless separate written permission is obtained from the relevant landowner and/or authority in control of the land. A copy of any written notices authorising off-site construction operations shall be submitted to Council prior to any operations commencing on the affected land.**
22. **All building rubbish and debris, including that which can be wind-blown, 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.**
23. **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.**
24. **All loading, unloading and storage of goods and building materials, or the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. No loading or unloading of goods on the public roadway system shall be permitted.**
25. **All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia to discharge to Council's Stormwater Management System in accordance with the approved stormwater management plan.**
26. **As soon as is practical, and within a maximum of 7 days following the placement of any roofing material, all guttering and downpipes must be installed and connected to Council's drainage system. If no Council drainage system is available, the guttering and downpipes must be discharged away from the building site onto a stable vegetated area in a manner that does not cause nuisance or erosion to adjoining properties.**

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

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

28. Prior to the issue of an Occupation Certificate, the car parking facilities including all internal manoeuvring areas and the link between the disabled car parking area and the building area are to be constructed and sealed in accordance with Australian Standard 2890.1 Off-Street Car Parking and Australian Standard 2890.2 Commercial Vehicle Facilities. The Applicant shall line-mark including directional arrows and signage to delineate parking spaces, traffic flow and traffic priority and provide concrete edging around all car parking areas in accordance with the Cowra Council Development Control Plan 2021 and Cowra Infrastructure and Operations Engineering Standards. All costs associated with the sealing and construction of concrete edging shall be borne by the Applicant and at no cost to Council.
29. All loading, unloading and storage of goods associated with the use of the premises shall be carried out within the confines of the property. No loading or unloading of goods on the public roadway system shall be permitted.
30. 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
31. 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.
32. Prior to the issue of an Occupation Certificate, the applicant must construct and seal/concrete/pave driveway accesses to the development site from Kollas Drive and Mees Street in accordance with consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. All costs associated with the construction of the access driveways shall be borne by the Applicant.
33. Prior to the issue of a Whole Occupation Certificate, all landscape works shall be completed in accordance with the approved plans.

34. Deleted**OPERATIONAL CONDITIONS**

35. Proposed landscaping, signage and fencing is not to impede sight lines of traffic and/or pedestrians within the development or when entering and leaving the development. Safe intersection sight distances are to be maintained for the development.
36. All loading, unloading and storage of goods associated with the use of the premises shall be carried out within the confines of the property. No loading or unloading of goods on the public roadway system shall be permitted.

ESSENTIAL ENERGY CONDITIONS

37. Essential Energy's records indicate existing overhead powerlines and underground cables are located across the Mees Street frontage of the properties:
- a) The information provided from the ASP for Lots 2 and 3 indicates the 2.1 metres horizontal clearance is achieved.
 - b) The Applicant must consider how they will build and maintain the proposed sheds, especially on Lot 3. They must meet the requirements that SafeWork NSW have in place for working near powerlines. The structure may meet the clearance requirements, however, it may not be able to be built or maintained safely.
 - c) Minimum safety clearance requirements are to be maintained at all times for the proposed driveways access and/or exit (concrete crossovers) off Mees Street, as such driveways access will pass under Essential Energy's existing overhead powerlines located at the front of the property. The driveways must comply with clearances for trafficable land, ground clearances must be maintained. Refer Essential Energy's policy CEOM7106.25 Minimum Clearance Requirements for NSW and the latest industry guideline currently known as [ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure](#).
 - d) Any proposed driveways access and/or exit (concrete crossovers) must remain at least 1.0 metre away from any electricity infrastructure (power pole, streetlight) at all times, to prevent accidental damage.
 - e) Any proposed driveways or access used by vehicles into the property must have a minimum clearance of 500 millimetres from its closest point to the service pillar(s) located at the front of the property.
 - f) Any excavation works in this area or works on the proposed driveways must comply with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. 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) to locate the existing cables.

- g) The proposed driveways must not impact on existing cables, cable joints, pits, pillars and the like – refer Essential Energy’s policy CEOM7098 Distribution Underground Design and Construction Manual. Note that approval is not possible where the driveway is proposed to be located with an impact on existing cables, cable joints, pits, pillars and the like - refer ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.
 - h) The cables are to maintain a minimum clearance of 1.0 metre to any activity.
 - i) Any landscaping, tree planting fencing in this area must comply with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.
 - j) The service pillar(s) are to remain clear of vegetation, retaining walls, garden beds, fence etc (500mm clearance for fence).
38. The Applicant will need to engage the services of an Accredited Service Provider to ensure adequate provision of power is available to the proposed shed(s) in accordance with NSW Service and Installation Rules. A Level 2 Electrician will be able to advise on these requirements and carry out the required work to ensure compliance.

ADVICE

Essential Energy also makes the following general comments:

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
3. In addition, Essential Energy’s records indicate there is overhead and underground electricity infrastructure located within close proximity of the properties. Any activities within these locations must be undertaken in accordance with *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the properties encroach on the electricity infrastructure.
4. 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)*.
5. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines/Underground Assets*.

INTRODUCTION

Development Application No. 61/2022 proposes S4.55(1A) Modification to light industry - Mod 1 on Lot 6 DP 1096603, Lot 2 DP 1096603, Lot 3 DP 1096603, 19 Kollas Drive Cowra. The application was lodged by Currajong Pty Ltd on 8 May 2024.

The application is reported to Council because the original Development Application was determined by Council.

A copy of the site and elevation plans of the proposed S4.55(1A) Modification to light industry - Mod 1 are included in Attachment '1' to this report and a copy of the Statement of Environmental Effects is included in Attachment '2'.

Description of Site

Lots 2, 3 & 6 DP 1096603, 19 Kollas Drive & 6-12 Mees Street Cowra has a combined area of 5250m². The lot is located in the E4 General Industrial under Cowra Local Environmental Plan (LEP) 2012.

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

Description of Proposal

As per the Mod DA Report, the applicant proposes the following works:

In relation to Lot 6 DP 1096603, being Proposed Shed 1:

- *The construction of an additional toilet facility within the approved shed building. The toilet facility is located immediately adjacent to the unisex access toilet in the SW corner of the building.*
- *The construction of second storey floorspace within the shed building. The floorspace is to be created along the inside of the western elevation of the building and comprises 4 separate offices.*
- *The construction of four new windows to the western elevation of the building. The windows provide natural light and ventilation to the rooms on the second storey floorspace.*
- *The relocation of the site access (to Kollas Drive) to a position that is closer to the northern boundary.*
- *Redesign of the proposed on-site car parking area. There is no proposal to reduce the number of spaces. Six of the spaces will be retained along the northern boundary as parallel spaces, with the remaining 2 spaces (including the disabled space) relocated to the northern edge of the proposed building.*

In relation to Lot 3 DP 1096603, being Proposed Shed 2:

- *A redesign of the internal floor space to include only a single tenancy.*

- *A redesign of the internal floor space to include a lunchroom, unisex access toilet and an additional toilet.*
- *The construction of one new window to the eastern elevation of the building. The window provides natural light and ventilation to the new lunchroom.*
- *Reconfiguration of the exit doors and roller doors on the northern elevation of the proposed shed building.*
- *Removal of the wrap-around signage awning from the eastern and northern elevations of the building.*
- *Extension of the cantilevered awning to run the full length of the northern elevation of the building.*
- *Redesign of the proposed on-site car parking area. There is no proposal to reduce the number of spaces. The design is necessary to suit the new locations of the roller doors to the shed building.*

In relation to Lot 2 DP 1096603, being Proposed Shed 3:

- *A redesign of the internal floor space to include only a single tenancy.*
- *A redesign of the internal floor space to include two lunch rooms, an office, reception space, unisex access toilet and an additional toilet.*
- *The construction of four new windows to the eastern elevation of the building. The windows provide natural light and ventilation to the new reception, office and lunchroom areas.*
- *Reconfiguration of the exit doors and roller doors on the southern elevation of the proposed shed building.*
- *Removal of the wrap-around signage awning from the eastern and southern elevations of the building.*
- *Extension of the cantilevered awning to run the full length of the southern elevation of the building.*
- *Redesign of the proposed on-site car parking area. There is no proposal to reduce the number of spaces. The design is necessary to suit the new locations of the roller doors to the shed building.*
- *Construction of a 150mm concrete tilt panel 600mm high retaining wall along the northern boundary of Lot 2 DP 1096603.*

The submitted modified plans also show the removal of the awning from sheds 2 and 3.

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 61/2022:

S4.15(1)(a)(i) Any Environmental Planning InstrumentCowra Local Environmental Plan 2012

The subject land is zoned E4 General Industrial under the provisions of the Cowra Local Environmental Plan (LEP) 2012. The S4.55(1A) Modification to light industry - Mod I is permitted with development consent.

The proposed modification does not alter the original assessment. The proposal as modified remains consistent with the zone objectives.

State Environmental Planning Policies

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

SEPP (RESILIENCE AND HAZARDS) 2021

Under SEPP 55 a consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose

The proposed modification does not alter the original assessment.

There are no known prior land-uses on the site that are likely to have resulted in the contamination of the land. Site inspection carried out did not reveal any evidence of contamination of the site. The Statement of Environmental Effects submitted with the application does not mention any previous land use likely to have resulted in contamination of the site. No further investigation is warranted.

SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

The original application was referred to Essential Energy due to the proximity of the powerlines. Essential Energy recommended conditions of consent are included. The proposed modification does not alter the original assessment.

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

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

S4.15(1)(a)(iii) Any Development Control Plan (DCP)**Cowra Shire Council Development Control Plan 2021****Part B – Land Management**

Soil erosion and sediment control measures will be detailed on the final plans for construction of the proposed development and submitted with the application for Construction Certificate. The proposed modification does not alter the original assessment.

Part C – Biodiversity Management

The proposed modification does not alter the original satisfactory assessment.

Part I – Industrial Development

I.1.3	The proposed modification does not alter the original satisfactory assessment.
I.1.4.1 Front Setbacks	The proposed modification does not alter the original satisfactory assessment.
I.1.4.2 Side Setbacks	The proposed modification does not alter the original satisfactory assessment.
I.1.5.1 Building Design	The proposed modification does not alter the original satisfactory assessment.
I.1.5.2 Building Height	The proposed modification does not alter the original satisfactory assessment.
I.1.5.3 Building Materials	The proposed modification does not alter the original satisfactory assessment.
I.1.6 Waste Management Controls	The proposed modification does not alter the original satisfactory assessment.
I.1.7 Fencing Controls	The proposed modification does not alter the original satisfactory assessment.
I.1.8 Servicing Controls	The proposed modification does not alter the original satisfactory assessment.
I.1.9 Commercial Activity Controls	N/A for the proposed development.
I.1.10 Parking, Access and Mobility	Parking is considered under Part M of the DCP below.
I.1.11 Signage	No changes to the proposed signage.
I.1.12 Landscaping	Landscaping is considered under Part N of the DCP below.
I.1.13 Soil Erosion and Sediment Control	Land Management is considered under Part B of the DCP above.

Part L – Advertising and Signage

Proposed sheds 2 and 3 will no longer include an articulated signage band. It is considered the development as modified would have a reduced environmental impact as compared to the approved plans.

Part M - Parking, Access and Mobility

The proposed modification would result in modified car parking locations as compared to the approved, with no reduction in spaces. It is considered the proposed modification does not alter the original assessment:

The access, car parking and vehicle circulation spaces within the proposed development have been designed in accordance with the relevant standards and guidelines.

The applicant does not have any firm advice on the precise nature of the businesses that will occupy each shed. Instead, approval is sought for the use of the sheds to be for light industrial purposes generally.

According to Section M.1.5.4, the rate of on-site car parking to support light industrial development is to be determined "having regard to the nature of the proposed development".

An overview of the proposed on-site car parking arrangements is detailed as follows by the applicant, including justification for the number of spaces to be provided:

19 Kollas Drive - Lot 6 DP 1096603

A total of 8 on-site car parking spaces, including 1 disabled space, has been provided to support the proposed light industrial use on this lot. The provision of on-site car parking for this shed calculates out at approximately 1 space per 90m² of shed area. The planning rationale to support the provision of 8 on-site car parking spaces is based on the following:

- 1 x car parking space per work bay in the shed (4 spaces), plus*
- An additional 4 car parking spaces to support the likely customer / staff base for the development.*

6-12 Kollas Drive - Lots 2 and 3 DP 1096603

A total of 3 on-site car parking spaces, including 1 disabled space, has been provided within Lot 3 DP 1096603 to support the proposed light industrial use on this lot.

A total of 3 on-site car parking spaces, including 1 disabled space, has been provided within Lot 2 DP 1096603 to support the proposed light industrial use on this lot.

A total of 10 on-site car parking spaces has been provided in a centralised location (partly on Lot 2 DP 1096603 and partly on Lot 3 DP 1096603) for shared use between the light industrial activities on these lots.

The provision of on-site car parking for these two sheds calculates out at approximately 1 space per 90m² of shed area. The planning rationale to support the provision of 16 on-site car parking spaces is based on the following:

- 1 x car parking space per work bay in the shed (8 spaces), plus*
- An additional 8 car parking spaces to support the likely customer / staff base for the development.*

The proposed on-site car parking areas will adequately service the future industrial activities on the land and have been placed in accessible locations that provide for direct connections to the public road network.

The development complies with the prescribed criteria for access locations.

Access has been designed for dual access (ingress and egress). Access to be signposted if required to ensure safe traffic movement into and throughout the development. Parking areas will be suitable line marked. The development plans show adequate circulation space for the design vehicle.

Disabled parking has been provided in accordance with Australian Standards. The disabled parking locations are accessible to building entries and a continuous accessible path of travel can be achieved.

Minimum 6.0m circulation width has been provided throughout the development.

The proposed access and parking design for the development will provide for loading and unloading operations to be carried out wholly within the development site. With the proposed system of easements for access, larger vehicles will have the option of entering from Kollas Drive and exiting to Mees Street.

The simple site layout and design and scale of the development means that the sign posting of car parking areas and installation of pavement arrows will generally be unnecessary. The delineation of proposed car parking spaces with suitable line marking will adequately provide for the needs of the development.

The development is not served by existing public footpaths.

Landscaped areas have been provided in accordance with the requirements of Parts I and N of the DCP. The number of car parking spaces required to service the development does not necessitate the provision of shade trees. Awning protection will be sufficient for the car parking locations abutting the proposed sheds.

Car parking spaces will be line marked. Appropriate kerbing techniques will be used to separate car parking spaces from other non-trafficable areas including landscape areas.

The following surface materials are proposed for the development in accordance with the DCP requirements:

- *Accesses - concrete*
- *Parking - concrete / bitumen seal*
- *Loading and unloading - concrete / bitumen seal*
- *Vehicle manoeuvring - blue metal / crushed road base.*
- *Accessible paths of travel - concrete / bitumen seal.*

Part N – Landscaping

The proposed modification does not alter the original satisfactory assessment. The landscape design is assessed to be consistent with the nominated criteria for industrial landscape design.

Part P – CPTED Principles

The proposed development would include an office component within shed I.

The proposed buildings have been designed to be simple yet functional structures. The street elevation to Shed 1 (on Lot 6) also includes large window treatments to improve street elevation to Kollas Drive.

The entries to each of the proposed industrial sheds will have visibility to the public domain. The design of the development avoids the placement of large blank walls facing directly to the street environment.

The proposed development will be provided security fencing and lockable gates as required.

Appropriate street numbering will be installed on the front facades of each new industrial building to ensure proper identification by postal and other service provider.

Street lighting is available in Kollas Drive. Appropriate lighting techniques will be used to illuminate building entries and car parking areas as necessary.

Car parking areas associated with the proposed development will be located in areas that are visible from the public domain and other adjoining sites.

It is considered the proposed development as modified would not substantially increase the risk of crime.

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

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

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

Section 4.15(1)(a)(iv) requires Council to also consider Clauses 61, 62, 63 and 64 of the Environmental Planning and Assessment Regulation. The following provides an assessment of the relevant clauses of the Regulation:

- Clause 61 – The proposal does not involve demolition of a building and therefore the requirements of AS 2601-2001 are not required to be considered in accordance with Clause 61(1).
- Clause 62 – The proposal does not involve the change of a building use for an existing building, or the use of an existing building as a place of public entertainment and therefore the requirement to consider fire safety and structural adequacy of buildings in accordance with Clause 62 is unnecessary.
- Clause 63 – The proposal does not involve the erection of a temporary structure and therefore the requirements to consider fire safety and structural adequacy is unnecessary.
- Clause 64 – The proposal does not involve the alteration, enlargement or extension of an existing building and therefore the requirement to consider the upgrading of buildings into total or partial conformity with the Building Code of Australia is unnecessary.

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

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

Context and Setting

The site is located within a new industrial subdivision. The surrounding areas are dominated by industrial operations. The proposal is assessed as being consistent with the character of the locality and as conditioned is appropriate given its local context and setting.

Access, Transport and Traffic

Refer to DCP assessment.

Public Domain

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

Utilities

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

Heritage

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

Other Land Resources

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

Water, Sewerage and stormwater

The land is serviced by Council's reticulated water and sewerage system. A condition of consent has been applied to submit a stormwater management plan to Council for approval prior to the issue of the Construction Certificate. A recommended condition will be included to connect the stormwater in accordance with the approved stormwater management plan.

Soils

The development will not have a negative impact on soils. A recommended condition will apply to require compliance with Council's DCP 2021 with regard to erosion and sedimentation controls.

Air and Microclimate

Minimal amounts of dust may be generated during the construction period. Once construction works are complete the development is unlikely to impact unsatisfactorily on air quality.

Flora and Fauna

The proposal does not require the removal of any trees. Council records do not indicate that there are any critical habitats or threatened species on the site. The development is not expected to impact on any critical habitats or threatened species.

Waste

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

Energy

A BASIX Certificate is not required.

Noise and Vibration

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding construction hours is recommended.

It is assessed that a light industrial use is unlikely to impact on the amenity of the area given that the site is located within a light industrial subdivision. The development will be required to comply with the definition of light industry (as per zoning at time of original application and determination) which includes the following:

“light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise”,

A condition of consent will also apply to require the development to comply with the NSW Noise Policy for Industry.

Any change of use to a separately defined land use will require development consent if it does not represent exempt development. It is assessed that there will be no adverse impacts due to noise or vibration.

Natural Hazards

A review of Council's mapping system and inspection of the site did not identify the subject land as being subject to flooding or bushfire or any other potential hazards.

Technological Hazards

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

Safety, Security and Crime Prevention

This development will not generate any activity likely to promote any safety or security problems to the subject land or surrounding area.

Social and Economic Impacts on the locality

The proposed development will not result in any negative social or economic impacts.

Site Design and Internal Design

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

Construction

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

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic activity to the site will occur during the construction phase and traffic movements thereafter are not anticipated to create any unsatisfactory cumulative impacts. There are no unsatisfactory cumulative visual impacts.

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

The development is consistent with the zone objectives and consideration has been given to the impacts the development will have within the locality.

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

Public Consultation

Under Part B.5 of Cowra Council Development Control Plan 2021 the Section 4.55(1A) Modification Application is not required to be re-notified to adjoining owners.

Public Authority Consultation:

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

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

Community Interest

S7.12 Fixed development consent levies

N/A as no change in cost of works.

Conclusion

Development Application No. 61/2022 proposes a s4.55(1a) modification to light industry - mod 1 on Lot 6 DP 1096603, Lot 2 DP 1096603, Lot 3 DP 1096603, 19 Kollas Drive Cowra. The application was lodged by Currajong Pty Ltd on 8 May 2024.

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

The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the E4 General Industrial zone and is consistent with existing land-use activities of the locality.

The development application was not required to be notified in accordance with Cowra Community Participation Plan 2020.

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

ATTACHMENTS

1. DA 10.2022.61.2 - Development Plans [↓](#)
2. DA 10.2022.61.2 - Statement of Environmental Effects [↓](#)
3. DA 10.2022.61.2 - Location map [↓](#)
4. DA 10.2022.61.2 -Aerial map [↓](#)
5. DA 10.2022.61.2 - Original Determination Documents [↓](#)
6. DA 10.2022.61.2 - Original Development Consent [↓](#)

5 LATE REPORTS

6 NOTICES OF MOTIONS

7 CONFIDENTIAL MATTERS