



# **AGENDA**

## **Ordinary Council Meeting**

**Date: Monday, 22 July 2024**

**Time: 5 pm**

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

**Larissa Hackett  
Acting General Manager**

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## **I INTRODUCTION**

### **I.1 Recording & Publishing**

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

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

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

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

List of apologies for the meeting.

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

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

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

### **I.5 Presentations**

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

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

## **2 CONFIRMATION OF MINUTES**

Confirmation of Minutes of Ordinary Council Meeting held on 24 June 2024





# **MINUTES**

## **Ordinary Council Meeting Monday, 24 June 2024**

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**MINUTES OF COWRA COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA  
ON MONDAY, 24 JUNE 2024 AT 5 PM**

**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 Bill West, Cr Peter Wright

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

#### Apology

#### **RESOLUTION 111/24**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Bill West

**That the apology received from Cr Erin Watt be accepted and leave of absence granted.**

CARRIED

### 1.4 Disclosures of Interest

Mr Graham Apthorpe, Director – Corporate Services declared a non-pecuniary interest in relation to Item 7.1 Pistol Club Building Damage as he is secretary of the Cowra Pistol Club and left the Chambers during consideration of this item.

### 1.5 Presentations

#### 1.5.1 Cowra CBD Place Vision & Activation Plan - Presentation by Village Well

Mr Gilbert Rochecouste on behalf of Village Well addressed Council via a video link providing a visual presentation and of the Cowra CBD Place Vision and Activation Plan.

1.6 Public Forum9.1 Recycling Rebate

Mr Scott Vickary addressed Council speaking in support of Item 9.1, Proposed Recycling Rebate.

5.1 Section 355 Committee Draft Minutes – CBD Committee

Mr Jesse Murphy addressed Council on behalf of the CBD Committee and the work of the CBD Committee.

**2 CONFIRMATION OF MINUTES****RESOLUTION 112/24**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Peter Wright

**That the minutes of Ordinary Council Meeting held on 27 May 2024 be confirmed.**

CARRIED

**3 MAYORAL MINUTES**3.1 Mayoral Minute - Second Bridge Crossing**RESOLUTION 113/24**

Moved: Cr Ruth Fagan

Seconded: Cr Bill West

**That Council note the Mayoral Minute on continued advocacy for the inclusion of a second bridge crossing within the Cowra township in Transport for NSW future plans.**

CARRIED

3.2 Mayoral Minute - Central NSW Joint Organisation Board Meeting 23 May 2024**RESOLUTION 114/24**

Moved: Cr Ruth Fagan

Seconded: Cr Nikki Kiss OAM

**That Council note the Mayoral Minute regarding the Central NSW Joint Organisation Board meeting held on 23 May 2024.**

CARRIED

**4 GENERAL COMMITTEE RECOMMENDATIONS - TUESDAY, 11 JUNE 2024****DIRECTOR-CORPORATE SERVICES REPORT****4.1 Local Government Remuneration Tribunal Report on Mayoral and Councillor Fees****RESOLUTION 115/24**

Moved: Cr Judi Smith

Seconded: Cr Sharon D'Elboux

- 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.**

CARRIED

**4.2 Investments and Financial Report****RESOLUTION 116/24**

Moved: Cr Bill West

Seconded: Cr Sharon D'Elboux

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

CARRIED

**DIRECTOR-ENVIRONMENTAL SERVICES REPORT****4.3 Cowra Housing Strategy****RESOLUTION 117/24**

Moved: Cr Judi Smith

Seconded: Cr Cheryl Downing

- 1. That Council notes the report and endorse the strategy timeline 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.**

CARRIED

- 4.4 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 1, lodged by Currajong Pty Ltd. The property owner is JR Morgan Investments Pty Ltd.

### RESOLUTION 118/24

Moved: Cr Bill West

Seconded: Cr Paul Smith

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979; and
2. That Section S4.55(1A) Modification No. 61/2022, for the modification to light industry - mod 1 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

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
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)

<b>Elevations – Shed 2</b> Job 207/21 Sheet 5 Version 2	<b>Vision Town Planning</b> 6/2/2023	<b>Received</b> 21 May 2024 <b>Stamped</b> <b>No. 10.2024.61.2 (B)</b>
<b>Site and Floor Plan – Shed 3</b> Job 207/21 Sheet 6 Version 3	<b>Vision Town Planning</b> 6/2/2023	<b>Received</b> 21 May 2024 <b>Stamped</b> <b>No. 10.2024.61.2 (B)</b>
<b>Elevations – Shed 3</b> Job 207/21 Sheet 7 Version 3	<b>Vision Town Planning</b> 6/2/2023	<b>Received</b> 21 May 2024 <b>Stamped</b> <b>No. 10.2024.61.2 (B)</b>
<b>Statement of Environmental Effects</b> Issue A	<b>Currajong</b> 27 May 2022	<b>Received</b> 8 June 2022 <b>Stamped</b> <b>No. 61/2022</b>
<b>Clearance Report</b>	<b>Central West Power Construction</b> 20/9/2022 REF 22184	<b>Received</b> 20/9/2022 <b>Stamped</b> <b>DA 61/2022</b>
<b>Clearance Report – Site Plan</b>	<b>Central West Power Construction</b> 20/9/2022 REF 22184	<b>Received</b> 20/9/2022 <b>Stamped</b> <b>DA 61/2022</b>
<b>Proposed Office Floor Plans – Shed 1</b> Job 207/21 Sheet 17 Version 2	<b>Vision Town Planning</b> 17/4/2024	<b>Received</b> 21 May 2024 <b>Stamped</b> <b>No. 10.2024.61.2 (B)</b>
<b>Mod DA Report</b> Revision C	<b>Currajong</b> 23 May 2024	<b>Received</b> 23 May 2024 <b>Stamped</b> <b>No. 10.2024.61.2 (C)</b>

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

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

CARRIED

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

Against: Nil

CARRIED 8/0

## 5 GENERAL MANAGER

### 5.1 Section 355 Committee Draft Minutes - CBD Committee

#### **RESOLUTION 119/24**

Moved: Cr Sharon D'Elboux

Seconded: Cr Cheryl Downing

1. That the draft minutes of the CBD Committee meetings held on 16 and 30 April, 28 May and 12 June 2024 be noted.
2. That Council place the draft Cowra CBD Place Vision and Activation Plan on public exhibition for a period of at least 28 days.

CARRIED

### 5.2 Draft Delivery Program 2022-2023 to 2025-2026 and Operational Plan 2024-2025; Draft Long-Term Financial Plan 2024-2025 to 2033-2034; Draft Revenue Policy 2024-2025

#### **RESOLUTION 120/24**

Moved: Cr Bill West

Seconded: Cr Judi Smith

1. That Council note the submissions received.
2. That Council adopt the:
  - Draft Integrated Delivery Program 2022-2023 to 2025-2026 and

**Operational Plan 2024-2025**

- **Draft Long-Term Financial Plan 2024-2025 to 2033-2034**
- **Draft Revenue Policy 2024-2025**

**Noting the draft plans attached are inclusive of the changes outlined in the General Manager's report to the meeting.**

CARRIED

**5.3**     Acting General Manager

**RESOLUTION 121/24**

Moved:     Cr Bill West

Seconded: Cr Nikki Kiss OAM

**That the Director – Environmental Services, Mrs Larissa Hackett, be appointed Acting General Manager for the period 8-19 July 2024 inclusive due to the General Manager's absence on leave.**

CARRIED

**6**       **DIRECTOR-CORPORATE SERVICES**

**6.1**     Section 355 Committee Draft Minutes - Cowra Youth Council

**MOTION**

Moved:     Cr Judi Smith

Seconded: Cr Cheryl Downing

**That the draft Minutes of the Cowra Youth Council ordinary meetings held on 12 February, 11 March, 8 April and 13 May 2024 be noted.**

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

**RESOLUTION 122/24**

Moved:     Cr Sharon D'Elboux

Seconded: Cr Ruth Fagan

- 1. That the draft Minutes of the Cowra Regional Art Gallery Advisory Committee meeting held on 10 April 2024 be noted.**
- 2. That a letter of appreciation be forwarded to Lois Foster on her retirement thanking her for her contribution to the Cowra Regional Art Gallery Advisory Committee.**

CARRIED



6.3 Donation - Gooloogong Log Cabin Hall Inc.- Esky Ball**RESOLUTION 123/24**

Moved: Cr Paul Smith

Seconded: Cr Peter Wright

**That Council approve a request from Gooloogong Log Cabin Hall Inc for a donation of \$200 being 50% of the total bin & collection charges for the Gooloogong Esky Ball event held on 15 June 2024.**

CARRIED

6.4 Donation – Erambie Allblacks Rugby League Football Team**RESOLUTION 124/24**

Moved: Cr Cheryl Downing

Seconded: Cr Judi Smith

**That Council provide a donation of \$7,500.00 to Erambie Allblacks Rugby League Football Club to assist with the cost to compete in the 2024 Annual NSW Aboriginal Rugby League Knockout to be held at Hereford St Sporting Fields, Bathurst on October 4-7, 2024.**

CARRIED

6.5 Audit, Risk & Improvement Committee - Appointment of Independent Members**RESOLUTION 125/24**

Moved: Cr Paul Smith

Seconded: Cr Bill West

- 1. That Mr Geoff Twomey, currently an Independent Member on Council's Audit, Risk & Improvement Committee, continue his appointment as Independent Member to complete his term of four years on 17 October 2026**
- 2. That Mr Shannon Buckley be appointed as the third Independent Member on Council's Audit Risk and Improvement Committee effective from 1 July 2024 for a period of three years.**

CARRIED

6.6 2024/25 Loan Borrowing**RESOLUTION 126/24**

Moved: Cr Paul Smith

Seconded: Cr Bill West

- 1. That Council note the approval received from NSW Treasury Corporation (TCorp) for the amount of \$450,000 to fund the Waste Facility – Admin Amenities.**
- 2. That the Mayor and General Manager be authorised to sign and affix the seal to any contract documentation associated with the funding.**

CARRIED

**7 DIRECTOR-INFRASTRUCTURE & OPERATIONS****7.1 Pistol Club Building Damage****RESOLUTION 127/24**

Moved: Cr Paul Smith

Seconded: Cr Judi Smith

- 1. That Council not make an insurance claim for the building damage to the Pistol Club due to the insurance excess being \$20,000.**
- 2. That Council make a settlement offer to the Cowra Pistol Club for the building repairs to the value of \$21,465.40 excluding GST.**

CARRIED

**7.2 Review of Liquid Trade Waste Regulation Policy****RESOLUTION 128/24**

Moved: Cr Paul Smith

Seconded: Cr Judi Smith

**That Council adopt the updated Liquid Trade Waste Regulation Policy as presented.**

CARRIED

**7.3 Review of 2014 Pedestrian and Cycling Plan****RESOLUTION 129/24**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Paul Smith

- 1. That Council endorses the draft 2024 Review of Pedestrian and Cycling Plan for the purpose of public exhibition for a minimum of twenty eight (28) days in accordance with the Community Engagement Strategy.**
- 2. That following the public exhibition the Director – Infrastructure & Operations provide a further report to Council for the formal adoption of the draft 2024 Review of Pedestrian and Cycling Plan considering any submissions made.**

CARRIED

**8 LATE REPORTS**

Nil

## 9 NOTICES OF MOTIONS

### 9.1 Notice of Motion - Recycling Rebate

Moved: Cr Sharon D'Elboux

Seconded: Cr Cheryl Downing

1. That Cowra Council provide a full and open written apology to the residents of Cowra LGA.
2. That a 50% discount be given to rate payers in the 2024/2025 financial year for recycling charges. This would appear on outgoing rate notices.

LOST

### **RESOLUTION 130/24**

Moved: Cr Paul Smith

Seconded: Cr Nikki Kiss OAM

**That after consideration of all the issues regarding the non-processing of kerbside recycling collected between January 2018 and May 2019, Council:**

- 1. Acknowledge that the community should have been notified at the time and apologise unreservedly for that oversight.**
- 2. Acknowledge the money collected was used for waste management and will continue to be used for improved recycling practices.**
- 3. Not provide a rebate to consumers.**

CARRIED

Councillors Sharon D'elboux and Cheryl Downing requested their vote be recorded against the motion.

## 10 CONFIDENTIAL MATTERS

### **RESOLUTION 131/24**

Moved: Cr Judi Smith

Seconded: Cr Nikki Kiss OAM

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

## 11 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE & OPERATIONS

### **11.1 Tender for Dam Surveillance and Inspections (WI\_2024)**

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

CARRIED

### **3 GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 8 JULY 2024**

File Number: D24/1135

Author: Graham Aphorpe, Acting Director - Corporate Services

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The Committee refers the following recommendations to Council:

#### **DIRECTOR-CORPORATE SERVICES REPORT**

##### **3.1 Donation - Woodstock Memorial Show Inc.**

###### **RECOMMENDATION**

That Council contribute the sum of \$2,000 from the Section 356 expenses budget to assist Woodstock Memorial Show Inc. with the running costs of the Annual Spring Show to be held on 1 September 2024.

##### **3.2 Investments and Financial Report**

###### **RECOMMENDATION**

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

##### **3.3 Rent of Enclosed Dedicated Roads**

###### **RECOMMENDATION**

That Council confirm the following action to be taken in respect of rental of Enclosed Dedicated Roads.

1. That the amounts invoiced in 2023/24 be credited in full and new invoices issued showing a 3.9% increase on the amounts charged in the previous year together with an explanatory letter.
2. That a change to the Revenue Policy for 2024/25 be advertised as required, to change the calculation for the Rent of Unused Public Roads Annual Rent fee to “Annual increase by Rate Pegging percentage”.

#### **DIRECTOR-INFRASTRUCTURE & OPERATIONS REPORT**

**3.4 Committee Minutes - Traffic Committee****RECOMMENDATION**

1. That the minutes of the Traffic Committee meeting held on 11 June 2024 be noted.
2. That Council approves the Class 2 special event to be held as part of the 80th Anniversary Commemorations of the Cowra POW Breakout to be held on 4-5 August 2024 subject to compliance with the requirements of Transport for New South Wales (TfNSW) and NSW Police.
3. That Cowra Junior Soccer be permitted to activate a Speed Zone Reduction on Saturday mornings between 7:30am to 1:00 pm, from 29 June 2024 to 21 September 2024, excluding school holidays:
  - by suitably accredited persons with no less than an “Implement Traffic Control Plan” accreditation, issued by Safework NSW.
  - subject to compliance with the requirements of Transport for New South Wales (TfNSW) and NSW Police.
4. That no changes to vehicle movements at Busby Place Carpark Macquarie Street access be taken at the present, but the counter is to remain in place to monitor traffic behaviour and an update be forwarded at the next Local Traffic Committee.
5. That the southern end of the “No Stopping” zone, north of the access to “Cowra Van Park”, be extended to a point 20.5m south of the middle of the Park access on Lachlan Street.
6. That:
  - a. Eagle View Road from 414 Eagle View Road to Boorowa Road.
  - b. Bonnie Braes Road from Noonbinna road to Noonbinna GrainCorp site.
  - c. Bulkhead Road from Boorowa Road to the Cowra GrainCorp site.
  - d. North Logan Road from Nangar Street to Sloan Street, Billimari,
  - e. Sloan Street, Billimari.
  - f. Merriganowry Bridge Road from Sloane Street to Forbes Road.be approved for Tier 3, PBS Level 2B, 30m “A- Double” access at High Mass Limit (HML).

**3.5 Section 355 Committee Minutes - Saleyards Committee****RECOMMENDATION**

1. That the minutes of the Saleyards Committee meeting held on 2 May 2024 be noted.
2. That the Mayor write to Ian Wright to thank him for his contributions to the Saleyards Committee.

**DIRECTOR-ENVIRONMENTAL SERVICES REPORT**

- 3.6 Development Application No. 14/2024, Lot 363 DP 752948, 14 Shelley Street Cowra, Section 4.55(1A) modification to carport (modify front and side setbacks) - Mod I, lodged by K Wilson

**RECOMMENDATION**

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979; and
2. That Section S4.55(1A) Modification No. 14/2024, for the modification to carport (modify front and side setbacks) - mod I on Lot 363 DP 752948, 14 Shelley Street Cowra be approved subject to the following conditions:

**GENERAL CONDITIONS**

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
<b>Proposed Site Plan</b>	<b>Currajong Drawn 29/06/24 REV B</b>	<b>Received 12 June 2024 Stamped No. DA 10.2024.14.2</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.</b>

		<b>DA 10.2024.14.1</b>
<b>Shadow Diagrams - Plan View</b>	<b>Currajong Drawn 29/06/24 REV B</b>	<b>Received 12 June 2024 Stamped No. DA 10.2024.14.2</b>
<b>Shadow Diagrams - 3D (9am – 11am)</b>	<b>Currajong Drawn 29/06/24 REV B</b>	<b>Received 12 June 2024 Stamped No. DA 10.2024.14.2</b>
<b>Shadow Diagrams - 3D (12pm – 2pm)</b>	<b>Currajong Drawn 29/06/24 REV B</b>	<b>Received 12 June 2024 Stamped No. DA 10.2024.14.2</b>
<b>Shadow Diagrams - 3D (3pm – 4pm)</b>	<b>Currajong Drawn 29/06/24 REV B</b>	<b>Received 12 June 2024 Stamped No. DA 10.2024.14.2</b>

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

- 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**

- Prior to the issue of a Construction Certificate, the Applicant must obtain consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve.

#### **CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS**

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

This may entail alterations to the proposal so that it complies with these standards.

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

#### **CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION**

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



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

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

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

#### **ADVICE**

If, during work, an Aboriginal object is uncovered then **WORK IS TO CEASE IMMEDIATELY** and the Office of Environment & Heritage is to be contacted urgently on (02) 6883 5300. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 60 of the NPW Regulation.

- 3.7 Development Application No. 80/2023, Lot 2 DP 868109, 8 Short Street Cowra, Demolition of existing dwelling, construction of 4 detached dwellings and 4 lot Torrens Title subdivision, lodged by V A Munoz – Ferrada. The property owner is K R Spencer & V A Munoz - Ferrada.

### RECOMMENDATION

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The variations to Section No. E.2.7., E.2.13 and E.2.14 of Part E of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and no submissions were received; and
2. That Council approves variations to Sections E.2.7, E.2.13 and E.2.14 of Part E of Council's Development Control Plan 2021 for this development to allow a site frontage of 15.3 metres per dwelling, a rear setback of 1.95 metres for dwellings 1 and 2 and separation between habitable rooms and balconies of 4.07 metres.
3. That Development Application No. 80/2023, for the demolition of an existing dwelling, construction of 4 detached dwellings and 4 lot Torrens Title subdivision on Lot 2 DP 868109, 8 Short Street Cowra be approved subject to the following conditions:

### GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Existing Site Plan Drawing 01	McKinnon Design 23/02/2024 Job 22090 Issue H	Received 1 May 2024 Stamped No. 10.2023.80.1 (C)
Proposed Site Plan Drawing 02	McKinnon Design 30/04/2024 Job 22090 Issue J	Received 1 May 2024 Stamped No. 10.2023.80.1 (C)
Floor Plan Units 1 & 2 Drawing 03	McKinnon Design 23/02/2024 Job 22090 Issue H	Received 1 May 2024 Stamped No. 10.2023.80.1 (C)
Floor Plan Units 3 & 4 Drawing 04	McKinnon Design 26/07/2023 Job 22090	Received 1 May 2024 Stamped

	<b>Issue C</b>	<b>No. 10.2023.80.1 (C)</b>
<b>East and West Elevations Units 1 &amp; 2 Drawing 05</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>North and South Elevations Unit 1 Drawing 06</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>North and South Elevations Unit 2 Drawing 07</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>East and West Elevations Units 3 &amp; 4 Drawing 08</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>North and South Elevations Unit 3 Drawing 09</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>North and South Elevations Unit 4 Drawing 10</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>Proposed Sub-Division Plan Drawing 11</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>Shadow Diagrams Drawing 12</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>Shadow Diagrams Drawing 13</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>Cover Sheet, Locality Plan and Drawing Schedule Drawing C00</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>General Notes and Legends</b>	<b>TTW 26.02.24</b>	<b>Received 5 March 2024</b>

<b>Drawing C01</b>	<b>Project 231867 Revision P2</b>	<b>Stamped No. 10.2023.80.1 (A)</b>
<b>Sediment and Erosion Control Plan Drawing C02</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Sediment and Erosion Control Detail Drawing C03</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Bulk Earthworks Plan Drawing C04</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Cut and Fill Plan Drawing C05</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Bulk Earthworks Sections Drawing C06</b>	<b>TTW 14.03.24 Project 231867 Revision P3</b>	<b>Received 20 March 2024 Stamped No. 10.2023.80.1 (B)</b>
<b>Vehicle Scraping Details Sheet 1 Drawing C20</b>	<b>TTW July 2024 Project 231867 Revision P1</b>	<b>Received 20 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Vehicle Scraping Details Sheet 2 Drawing C21</b>	<b>TTW July 2024 Project 231867 Revision P1</b>	<b>Received 20 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Vehicle Scraping Details Sheet 3 Drawing C22</b>	<b>TTW July 2024 Project 231867 Revision P1</b>	<b>Received 20 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Stormwater Reticulation Layout Sheet 1 of 2</b>	<b>Heath Consulting Engineers June 2024 Job 24_015 Rev B</b>	<b>Received 12 June 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Sewer and Water Reticulation Layout Sheet 2 of 2</b>	<b>Heath Consulting Engineers June 2024 Job 24_015 Rev B</b>	<b>Received 12 June 2024 Stamped No. 10.2023.80.1 (A)</b>

<b>Asbestos Identification</b>	<b>Safe Work and Environments 14 September 2023 SWE Ref SI I2330.1</b>	<b>Received 9 November 2023 Stamped No. 10.2023.80.1</b>
<b>BASIX Certificate No. I392974M</b>	<b>Marc Kiho Issued: 28 July 2023</b>	<b>Received 30 August 2023 Stamped No. 10.2023.80.1</b>
<b>Statement of Environmental Effects V04032024</b>	<b>Saunders Property 4 March 2024</b>	<b>Received 8 March 2024 Stamped No. DA 10.2023.80.1 (C)</b>
<b>Additional Information V280424</b>	<b>Saunders Property 28 April 2024</b>	<b>Received 29 April 2024 Stamped No. DA 10.2023.80.1</b>

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

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).
3. The development is to be undertaken in the following stages:
  - Stage 1 - The demolition of the existing dwelling.
  - Stage 2 – The construction of four new dwellings and associated infrastructure including access crossings, driveways, landscaping and all service connections.
  - Stage 3 – Four lot Torrens Title subdivision.
4. Pursuant to Section 4.17(4) of the Environmental Planning & Assessment Act 1979, the outcome that this development must achieve is the establishment of a single dwelling on each allotment. This is to be achieved by ensuring that all stages of the development are completed in accordance with condition 3.
5. Any cutting and filling on the site shall be either battered at a maximum slope of one vertical to two horizontal (1V:2H) and revegetated or suitably retained by a retaining structure, designed and constructed to appropriate engineering standards. A retaining wall that does not comply with State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 will require the prior consent of Council. The erection of retaining walls may require the approval and certification of a suitably qualified structural engineer. All works are to be carried out within the boundaries of the property and without

affecting the structural integrity of boundary fencing or neighbouring structures.

6. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:
  - (i) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised;
  - (ii) The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted;
  - (iii) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
  - (iv) The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used.
7. Traffic movements from proposed lots 3 & 4 out of the development to Short Street must turn left.

#### **CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF DEMOLITION WORKS**

8. All utility service connections, including sewer and water, shall be properly disconnected as part of the demolition works. In this regard the Applicant must consult with relevant service authorities regarding their requirements for the disconnection of services prior to any demolition works commencing at the site.

#### **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION WORKS**

9. The demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the Work Health and Safety Act 2011.
10. Demolition works are to be carried out so as not to cause damage to adjacent and adjoining properties. All damage arising from the removal of the building is to be made good and any necessary repairs and renovations are carried out within six months. Existing site to be left in a clear, clean condition with all existing plumbing and drainage lines terminated to the satisfaction of Council.
11. All works involving the removal and disposal of asbestos cement and other products containing asbestos must only be undertaken by contractors who hold a current WorkCover licence appropriate to the work being undertaken.
12. All removal, transport and disposal of asbestos or other contaminated waste materials shall be controlled in accordance with the Work Health and Safety Act 2011 and the Safe Work Australia Code of Practice – How to Manage and Control Asbestos in the Workplace. Any delivery of asbestos waste to Cowra

**Shire Council's Materials Recycling Facility (MRF) must be pre-booked by phoning the MRF on (02) 6340 2140.**

- 13. In the event of any damage being caused to the existing kerb, guttering, footpath, water mains, sewer mains or public roadway during demolition 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.**
- 14. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.**
- 15. Demolition work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.**
- 16. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the development site prior to work commencing and shall be maintained for the term of the demolition 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 demolition site.**
- 17. On the completion of all asbestos removal works, a Clearance Certificate is to be obtained in accordance with the Work Health and Safety Regulations 2017 and provided to Council.**

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

- 18. Prior to the issue of a Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of suitably sized metered water services to the development.**
- 19. Construction Certificate plans are to show that the stairs providing access along the north side of any dwelling on proposed lot 4 to be moved to a location not encumbered by an easement.**
- 20. Pursuant to Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Cowra Section 94A Contributions Plan 2016**

adopted on 26 April 2016. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

Contribution Type	Proposed Cost of Development <sup>1</sup>	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution <sup>2</sup>	\$1,810,000.00	1%	\$18,100.00	30 June 2025

**Notes**

<sup>1</sup> As shown on the Development Application/Construction Certificate Application/Complying Development Certificate Application

<sup>2</sup> Council's Section 94A Contributions Plan 2016 may be viewed during office hours at Council's Customer Service Centre, 116 Kendal Street Cowra, or on Council's website [www.cowracouncil.com.au](http://www.cowracouncil.com.au)

21. 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 crossing to the development site from Market Street & Short Street, in accordance with Cowra Shire Council's Engineering Standards. Access from Market Lane to lot 1 must show an algebraic change in grade not in excess of 12.5%.
22. Prior to the issue of a Construction Certificate, the Applicant must amend the plans to provide suitable screening between the deck of Dwelling 2 and the southern facing Living Room window of Dwelling 1 to the satisfaction of Council's Manager – Planning Services.

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

23. 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.
24. 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.
25. 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'.

26. 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**

27. 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.
28. 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.
29. 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.
30. 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.
31. 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.
32. All impervious surfaces shall be properly drained to the front of the premises and directed to Cowra Shire Council's drainage system on Short Street. A Junction Pit with a grated cover is to be constructed where the proposed inter- allotment line joins Council's stormwater main, in accordance with Council's Engineering Standards.
33. 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 discharge concentrated storm water flow and cause nuisance or erosion to adjoining properties.

34. All plumbing work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:
- (a) Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.
  - (b) External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.
  - (c) Water Supply: Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.
  - (d) Stormwater: When the stormwater and roof water drainage system has been completed.

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

35. The Applicant must not commence occupation or use of the dwellings until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
36. Prior to issue of any Occupation Certificate, the Applicant shall construct the access crossings to the development site from Short Street and Market Lane in accordance with consent from the road's authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the Section 138 Permit. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.
37. Prior to the issue of a Whole Occupation Certificate, all landscape works shall be completed in accordance with the approved plans including the installation of fencing dividing private open space areas.
38. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water and sewer supply to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of any Occupation Certificate.

Water reticulation mains and metered services and sewer reticulation mains must be physically provided to the development in accordance with Cowra

Infrastructure and Operations Engineering Standards. Council will not issue any Occupation Certificate until a Compliance Certificate has been issued, verifying that all works have been satisfactorily completed. All monetary contributions in relation to the augmentation of reticulated water and sewer supply must be paid in full to Cowra Shire Council before any Occupation Certificate will be issued. Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on (02) 6340 2070.

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

39. The Applicant is to lodge with Cowra Shire Council a Subdivision Certificate Application together with the original plan. All necessary information to support the certificate release and the necessary fee is required to be included with the Subdivision Certificate Application.
40. Prior to the issue of a Subdivision Certificate, the applicant must provide to Council a Notification of Arrangement from Essential Energy confirming that satisfactory arrangements have been made for the provision of power with respect to all lots in the subdivision.
41. Prior to the issue of the Subdivision Certificate, the applicant is to provide evidence to Council that arrangements have been made for:
  - (a) The installation of fibre-ready facilities (or equivalent) to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose, and
  - (b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.
42. Prior to issue of the Subdivision Certificate, the Applicant shall include on the final plan of subdivision all necessary easements required for water, sewer, stormwater, and access.
43. The Applicant shall detail a three-metre-wide easement along the northern boundary of proposed lots 3 & 4 for purposes of providing access to the sewer mains system, water supply, inter-allotment drainage and for maintenance purposes.

#### **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 60 of the **NPW Regulation**.

**Essential Energy** makes the following general comments:

- **As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;**
- **If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;**
- **Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;**
- **Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions;**
- **In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;**
- **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);**
- **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](http://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 and Code of Practice – Work near Underground Assets.**

## **4 DIRECTOR-CORPORATE SERVICES**

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

File Number: D24/974

Author: Graham Apthorpe, Acting Director - Corporate Services

### **RECOMMENDATION**

**That the draft Minutes of the Cowra Regional Art Gallery Advisory Committee meetings held on 8 May 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. Cowra Regional Art Gallery Advisory Committee Minutes - 10 May 2024 [↓](#)
2. Cowra Regional Art Gallery Advisory Committee Minutes - 12 June 2024 [↓](#)

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**MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 8 MAY 2024 AT THE COWRA REGIONAL ART GALLERY**

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Council Delegate: Cr S. D'Elboux

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

In Attendance: B. Langer (Gallery Director)

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**1. APOLOGIES:**

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

**2. CONFIRMATION OF PREVIOUS MINUTES:**

**2.1 Motion**

Moved: Cr S. D'Elboux      Seconded: David Henley

That the minutes of the Gallery Advisory Committee meeting held on 10 April 2024 be confirmed.

Carried

**3. BUSINESS ARISING FROM LAST MEETING:**

3.1 A special thank you card with messages from the committee and Gallery staff together with a special posy of native flowers was delivered to Lois Foster as requested at the April meeting.

**4. CORRESPONDENCE:**

4.1 Nil.

**5. FRIENDS FINANCIAL REPORT:**

**5.1 Motion**

Moved: D. Henley      Seconded: L. Murray

**That the Friends of the Gallery financial report balance was unchanged at \$5,646.90.**

Carried

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This is Page 1 of 3 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 8 May 2024.

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MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 8 MAY 2024 AT THE COWRA REGIONAL ART GALLERY

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**6. GALLERY DIRECTOR'S REPORT 10 April to 8 May 2024**

**6.1 Program Activities**

- **Dobell Drawing Prize #23** exhibition closing 12 May 2024
- Several new acquisitions from the collection will be framed during April for inclusion in the next exhibition **Collection in Focus: Highlights**
- The **Calleen Art Award 2024** entry form is now live on the Gallery website
- The **Calleen Art Award 2024** Call for Entries marketing material was completed including the design of the 2024 Calleen Art Award banner and advertising artwork for promotion in several major art publications including LOOK magazine (Art Gallery NSW) as well as a digital tile for online promotion.
- During April general promotion/marketing of the Gallery program included monthly editorial and information listings for May/June in selected art journals; editorial information in local media such as Discover magazine and the Phoenix.
- **Art After Dark** promotion included the mailout of a promotional invitation to the members of the Friends of the Gallery and local supporters, Also, a poster was distributed to local cafes and notices were placed on plus facebook and mailchimp
- Attended the Mayoral reception of the Fourth Annual Kōyō Matsuri at the Japanese Garden on Friday 3 May 2024.

**Upcoming May/June 2024**

- Ongoing - social media updates re exhibition and what's on activities
- Promotion/Mail out **Calleen Art Award 2024** - Call for Entries notices to artists
- De- installation **Dobell Drawing Prize #23**
- Confirmation/presentation of the **Art After Dark** event planned for 18 May 2024
- Curatorial development of **Collection in Focus** exhibition
- Production and mail out of the Gallery Newsletter to Friends of the Gallery members
- Production and mail out **Collection in Focus** exhibition invites
- Launch (no opening) **Collection in Focus: Highlights from the past 10 years** exhibition Friday 24 May 2024 closing 30 June 2024.

**6.2 Motion**

Moved D. Henley

Seconded: L. Murray

That the Gallery Director's Report for 8 May 2024 be accepted and confirmed.

Carried

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This is Page 2 of 3 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 8 May 2024.

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**MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 8 MAY 2024 AT THE COWRA REGIONAL ART GALLERY**

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**7. GENERAL BUSINESS:**

- 7.1 Update establishment of the Cowra Regional Art Gallery Foundation.

**8. BUSINESS ARISING WITHOUT NOTICE**

- 8.1 Nil

**9. NEXT EXHIBITION CHANGEOVER DATES:**

- 9.1 De - installation ***Dobell Drawing Prize #23*** exhibition pack up Sunday 12 May from 2 pm and 13/14 May
- 9.2 Set up for the ***Art After Dark*** including works from the collection event - 15/16/17 May
- 9.3 Installation ***Collection in Focus*** exhibition - 20 to 23 May.

**10. NEXT COMMITTEE MEETING**

- 10.1 The next meeting of the Gallery Advisory Committee is at the Cowra Regional Art Gallery on Wednesday 12 June 2024 at 5pm.

**11. MEETING CLOSED**

- 6.15pm David Henley, Committee Chair

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This is Page 3 of 3 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 8 May 2024.

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**MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 12 JUNE 2024 AT THE COWRA REGIONAL ART GALLERY**

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Council Delegate: Cr S. D'Elboux

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

In Attendance: B. Langer (Gallery Director)

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**1. APOLOGIES:**

1.2 Apologies were accepted from, J. Fagan

**2. CONFIRMATION OF PREVIOUS MINUTES:**

**2.1 Motion**

Moved: Cr S. D'Elboux      Seconded: J. Ware

That the minutes of the Gallery Advisory Committee meeting held on 8 May 2024 be confirmed.

Carried

**3. BUSINESS ARISING FROM LAST MEETING:**

3.1 Nil.

**4. CORRESPONDENCE:**

4.1 Nil.

**5. FRIENDS FINANCIAL REPORT:**

**5.1 Motion**

Moved: D. Henley      Seconded: L. Murray

**That the Friends of the Gallery financial report balance was unchanged at \$5,646.90.**

Carried

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This is Page 1 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 12 June 2024.

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MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 12 JUNE 2024 AT THE COWRA REGIONAL ART GALLERY

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**6. GALLERY DIRECTOR'S REPORT 8 May to 12 June 2024**

**Program Activities**

- The **Dobell Drawing Prize #23** exhibition continued to 12 May 2024. Total Visitors over 38 days open was 1,020.
- The de-installation and pack up of the exhibition **Dobell Drawing Prize #23** took place from 12 to 14 May 2024.
- Booking numbers (as decided by the committee) for the **Art After Dark** public program event was confirmed on Monday 13 May.
- **Art After Dark** dinner and guest speaker event took place on Saturday 18 May. The night was a great success with many requests to present another similar event in the future.
- The next exhibition at the Gallery - **Collection in Focus: Highlights from the past 10 years** commenced on Friday 24 May 2024. The exhibition celebrates the breadth and diversity of contemporary artworks donated, purchased and gifted to the Gallery during the past ten years including ceramics, painting, printmaking and textiles, as well as, recent Calleen Art Award acquisitions. The exhibition continues to 30 June 2024.
- Entries for the **Calleen Art Award 2024** are now being received via an e-Entry Form on the Gallery Website
- The promotion/marketing of the **Calleen Art Award 2024 Call for Entries** has continued during May/June in various art journals and social media posts.
- Gallery Newsletter (Jan - May 2024) sent to Friends of the Gallery members and available at the Gallery and Library.
- Touring preparations for the exhibition **Capturing the Home Front** from the Australian Maritime Museum and liaising with Australian War Memorial re Cowra Breakout 80<sup>th</sup> Anniversary exhibition continued during May/June.
- Other promotion/marketing included program listings for May/June in selected art journals; editorial information in local media such as Council Noticeboard, Discover magazine and the Phoenix.

**Upcoming June/July 2024**

- Ongoing – Gallery social media updates re Facebook and Instagram
- Promotion last days - **Calleen Art Award 2024** - Call for Entries continues
- De-installation **Collection in Focus: Highlights from the past 10 years**
- Installation **Capturing the Home Front** and **Cowra Breakout 80<sup>th</sup> Anniversary – Heritage Display**
- Opening **Capturing the Home Front** and **Cowra Breakout 80<sup>th</sup> Anniversary – Heritage Display** Saturday 6 July @ 2pm

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This is Page 2 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 12 June 2024.

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**MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 12 JUNE 2024 AT THE COWRA REGIONAL ART GALLERY**

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- Production and distribution next exhibition invitation
- Production/printing July – December 2024 program brochure
- Gallery website exhibition program update - June to December 2024

**6.2 Motion**

Moved R. Gillard Seconded: Cr S. D'Elboux

That the Gallery Director's Report for 12 June 2024 be accepted and confirmed.

Carried

**7. GENERAL BUSINESS:**

- 7.1 The Gallery Director provided background information regarding new acquisitions offered to the Gallery under the Cultural gifts program, long-term loans and possible donations. The information provided was discussed and the committee was satisfied that the works on offer were of a high quality by renowned and/or established artists and therefore be considered by the Gallery Director as new acquisitions for the Gallery Collection and Sculpture Park.

The final consensus and decision by the Advisory Committee was to support the Gallery Director to continue with his negotiations for the proposed new acquisitions/loans as required. Starting with an offer of a donation under the Cultural Gifts Program for the Gallery Collection of Aboriginal artwork/s by Brenda Colahan, art collector and Director, Brenda Colahan Fine Art.

Proposed acquisitions for the Cowra Sculpture Park include the donation of a freestanding steel sculpture by the distinguished Australian artist Ron Robertson-Swann OAM under the Cultural Gifts Program and a second freestanding steel sculpture as a long-term loan, not less than five years. There are also two metal free standing sculptures possibly to be donated by renowned sculptor Orest Keywan, as Cultural Gift donations. Both sculptors have extensive exhibition backgrounds in Australia and overseas each spanning over fifty years. There is another offer of one freestanding sculpture as a long-term loan, not less than five years by Ayako Saito who was born in Japan and has lived in Australia since 2002. Her works are included in private collections in Sydney, Melbourne, Canberra, Perth, Tokyo, Singapore, New Zealand and The United States.

- 7.2 The Gallery Director informed the committee that following discussions with the former Director and current Acting Director of Corporate Services it has been decided that due to the current constraints on the Gallery Collection storage area a selection of paintings from the Gallery Collection (this doesn't include works from

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This is Page 3 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 12 June 2024.

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**MINUTES OF THE ADVISORY COMMITTEE OF COWRA REGIONAL ART GALLERY MEETING HELD WEDNESDAY 12 JUNE 2024 AT THE COWRA REGIONAL ART GALLERY**

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the Calleen Art Collection and recent acquisitions) will be transported and stored at the Bathurst Storage Facility managed by the Bathurst Council later this year for a trial period of 12 months. The committee endorsed the proposal.

**8. BUSINESS ARISING WITHOUT NOTICE**

8.1 Nil

**9. NEXT EXHIBITION CHANGEOVER DATES:**

- 9.1 De - installation *Collection in Focus* exhibition - 30 June (2pm – 4pm), 1 - 2 July (10am – 4pm)  
9.2 Delivery 2 July / Installation *Capturing the Home Front 2* – 5 July (10am – 4pm)

**10. NEXT COMMITTEE MEETING**

- 10.1 The next meeting of the Gallery Advisory Committee is at the Cowra Regional Art Gallery on Wednesday 10 July 2024 at 5pm.

**11. MEETING CLOSED**

6.15pm David Henley, Committee Chair

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This is Page 4 of 4 of the Minutes of the Cowra Regional Art Gallery Advisory Committee held on Wednesday 12 June 2024.

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**4.2 Release of Closed Decisions**

File Number: D24/1017

Author: Graham Apthorpe, Acting Director - Corporate Services

**RECOMMENDATION**

**That Council note the release of the resolutions made in Closed Council at the Council Meetings on 27 May and 24 June 2024:**

Request for Tender SI\_2024 - Supply and Delivery of Bitumen Emulsion

**RESOLUTION 109/24**

**That Council:**

- 1. accept and sign a contract with Bitupave Ltd for the supply and delivery of bitumen emulsion for the period 1 June 2024 to 31 May 2026 with an optional 12 month extension, and**
- 2. advise the Central NSW Joint Organisation of its decision.**

Water and Sewerage Telemetry System Upgrade

**RESOLUTION 110/24**

- 1. That Council adopt the following amendments to the 2023 / 24 Water and Sewerage Capital works program:**
  - The budget for WO 1391 High Lift Pump at River – Switch Board be reduced from \$1,384,210 to \$60,000 noting that the project scope has been amended from ‘replacement of the switchboard’ to ‘replacement of the air circuit breaker’.**
  - Council allocate a further \$544,000 to WO1384 Telemetry RTU replacement program.**
  - Council allocate a further \$86,000 to WO 1697 Chlorine monitoring equipment; to be installed to Bendick Murrell, Greenethorpe and Westville Reservoirs.**
- 2. That Council receive and note the information provided on the manual changeover switch to the electrical switchboard to enable transition of the switchboard to generator power.**

Tender for Dam Surveillance and Inspections (WI\_2024)

**RESOLUTION 132/24**

**That Council:**

- 1. Accept the tender from Department of Regional NSW for WI\_2024 (Dam Surveillance and Inspections) for the lump sum of \$203,761.80 (including GST) for five years; and**
- 2. Authorise the General Manager to execute any documentation required to award Contract WI\_2024 (Dam Surveillance and Inspections).**

**INTRODUCTION**

The above decisions were made at the Council Meetings on 27 May and 24 June 2024. These decisions have now been released by the Chairperson.

**BUDGETARY IMPLICATIONS**

Nil

**ATTACHMENTS**

Nil

**4.3                      Section 355 Committee Minutes – Cowra Sport & Recreation Council**

File Number:        D24/1128

Author:                Graham Apthorpe, Acting Director - Corporate Services

**RECOMMENDATION**

**That the draft Minutes of the Cowra Sport & Recreation Committee ordinary meeting held on 5 June 2024 be noted.**

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**INTRODUCTION**

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

**BUDGETARY IMPLICATIONS**

Nil

**ATTACHMENTS**

- I.     Cowra Sport & Recreation Committee draft Minutes - 5 June 2024 [↓](#)



# **MINUTES**

## **Cowra Sports & Recreation Committee Meeting Wednesday, 5 June 2024**



COWRA SPORTS & RECREATION COMMITTEE MEETING  
MINUTES

5 JUNE 2024

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**COWRA SPORTS & RECREATION COMMITTEE MEETING  
MINUTES****5 JUNE 2024****MINUTES OF COWRA COUNCIL  
COWRA SPORTS & RECREATION COMMITTEE MEETING HELD AT THE CJ'S,  
CLUB COWRA  
ON WEDNESDAY, 5 JUNE 2024 AT 6.00-7.30PM**

**PRESENT:** Chairperson Marc McLeish (Cowra Magpies RLFC), Mr Tom Perfect (Cowra Golf Club), Mr Lee Wilson (Cowra Junior Cricket & Cowra Junior Soccer Clubs), Mr David Porter (Cowra Triathlon Club), Cr Cheryl Downing

**IN ATTENDANCE:** Mrs Linda Barron (Community Projects Officer)

**1 APOLOGIES**

Ms Krisha Tysoe (Cowra Little Athletics)

Absent: Mr Jason Munday (Cowra Swimming Club)

**2 CONFIRMATION OF MINUTES****RECOMMENDATION**

**That the minutes of Cowra Sports & Recreation Committee Meeting held on 28 February 2024 be confirmed.**

Moved: Marc McLeish Seconded: Lee Wilson

CARRIED

**3 BUSINESS ARISING FROM PREVIOUS MINUTES****3.1 Funding for Master Plan Development**

An amount of \$80 000 has been allocated in the 2024/25 Council budget for preparation of Master Plans for West Cowra Recreation Ground (WCRG) and Mulyan Oval Precincts. The process will involve consultation with user-groups. The Committee noted that Cowra Soccer clubs should be involved in consultation for WCRG and suggested that consideration be given to good examples of multi-use facility design.

The Committee would like to host a consultation session and be involved in the planning process.

**3.2 Traffic Matters**

Following consultation with user-groups, the change to rear-in parking arrangements on Vaux Street at River Park adjacent to the rugby league field, has been implemented by

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**COWRA SPORTS & RECREATION COMMITTEE MEETING  
MINUTES****5 JUNE 2024**

Council. This is anticipated to improve safety, particularly for junior sport.

**4 GENERAL BUSINESS****4.1 Grant Update**

Club Grants are currently open and close on 8 August. Marc McLeish can provide further information. It was agreed to circulate details of the grant funding on the Cowra Sport & Recreation Network group.

**4.2 Facilities Infrastructure and Operations Update**

The Facilities Infrastructure and Operations Update provided by the Manager, Cowra Services, was circulated to Committee members at the meeting. A copy of the report is included at Attachment A.

**4.3 Cowra Sport & Recreation Network Event**

The 2024 Cowra Sport & Recreation Network event will be scheduled for Wednesday 24 July, to be held at Club Cowra. Suggested presentations include:

- Participation by high performing Cowra athletes to share their achievements. Potential athletes include Shannon Boyd, Ky Garratt, Nicole Tarbutt, Laura Price, Brody Fiene
- Ellie Carpenter to be approached to do a Swish video for Cowra kids
- Duke of Edinburgh program and potential for recruiting young volunteers
- High performance strength training, Ryan Downing, RAD Gym

The Community Development Officer will prepare a flyer. Members will assist with contacting athletes in their sports.

**4.4 Cowra Kids & Parents Introductory Sports Program**

The Committee determined to proceed with an introductory sports program in late Spring/early Summer. The program could be rolled out over 6 weeks with one sport per week.

It was agreed to hold a special meeting on Wednesday 26 June from 5.30-7pm, to progress planning for the new sport participation project.

**4.5 Club Updates**

Cricket Seniors – competition will be up and running for next season.

Rugby League – Cowra is going well in the Woodbridge Cup. Swoop Program involving ticket giveaways to parents of junior players is proving successful with strong attendances at home games.

Golf – Pro Am golf competitions have returned to Cowra Golf Club. New Bowling Club

**COWRA SPORTS & RECREATION COMMITTEE MEETING  
MINUTES****5 JUNE 2024**

Manager is settling in. Replacement of fencing damaged in the floods is complete.

Soccer – winter season competition is going really well. Slightly down on numbers from last year with approximately 340 registered junior players.

Cricket – Lee submitted a grant application under the Cricket Australian Infrastructure Fund for repair of the River Park cricket nets. Notification of the grant outcome hasn't yet been received, however, Mark Tucker at Council has been contacted by Cricket NSW about the possibility of extending funding to include an upgrade to the pitch at Raudonokis Oval.

Triathlon – The club has registered a few new members and continue to try to attract more kids to join. A suggestion was offered that the Club may like to consider running a Relay Night similar to the Business House Relay run by the Cowra Swimming Club as a way of increasing awareness and attracting new members.

**5 NEXT MEETING DATE**

The next meeting will be held on Wednesday, 27 November 2024 at 6.00 - 7.30 pm at Club Cowra, Liverpool Street, Cowra.

**6 MEETING CLOSE**

The Meeting closed at 7.30pm.

.....  
**CHAIRPERSON**

**COWRA SPORTS & RECREATION COMMITTEE MEETING  
MINUTES****5 JUNE 2024****ATTACHMENT A****Cowra Council – Facilities Infrastructure & Operations Report, June 2024**

- Works at Col Stinson Park are going well with fit out currently underway. Representatives from Cowra Netball committee have met with Council regarding additional works which are outside the scope of the project for example lighting inside the indoor court. Due to limited funds at commencement of the project the design intent was to construct a building that would meet current needs and also continue to be improved in the future i.e forgo lighting or indoor sports flooring so that budget could be spent on making sure the space was big enough for an indoor court. Council has indicated that some works (lighting and flooring) are outside of the budget and there is no current budget allocation for these works. Cowra Netball have indicated interest in securing additional grant funding for these works.
- Temporary works were completed at West Cowra Rec Ground prior to the commencement of the current season to provide a private dressing area in the home side change facility. This included installing a door on the umpire / strapping room and installing benches and hangers on the wall.
- Funding has been allocated in the draft delivery program for master planning at West Cowra Rec Ground and Mulyan Oval.
- The EOI Play Our Way grant was applied for with a budget of \$1.5M for female change facilities for both West Cowra Rec Ground and Mulyan Oval.
- Council has accepted the request from Leisure and Recreation Group to exercise the option for a 12 month contract extension for management of the aquatic centre.
- \$4,890,218 announced by Senator O'Neil for the Aquatic Centre upgrade project under the Growing Regions Program. This means that funding is now sufficient to commence the project valued at \$8.37M. This includes Council pool reserve funds \$1.5M, Council Loan \$1M, Stronger Country Communities \$0.98M and Growing Regions Program \$4.89M. Council is currently completing the detailed design.
- Sporting clubs are reminded to ensure communication with Council with regards to grants they wish to apply for.

**Philippa Childs**

Manager – Cowra Services

**Phone:** 02 6340 2054**Mobile:** 0417 104 586[www.cowracouncil.com.au](http://www.cowracouncil.com.au)

**4.4 Civic Centre Theatre Seating**

File Number: D24/1147

Author: Graham Apthorpe, Acting Director - Corporate Services

**RECOMMENDATION**

**That Council provide \$40,000 as an increase in Civic Centre capital expenditure to complete the work required under the NSW Regional Tourism Activation Fund for the Upstairs Theatre in the Civic Centre.**

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**INTRODUCTION**

The completion of the Upstairs Theatre project has been delayed due to the non-installation of reclining seats. An alternative supplier is currently being sourced because the original supplier has gone into liquidation.

**BACKGROUND**

The proposed improvements to the Theatre were made possible by a \$337,000 grant from the NSW Regional Tourism Activation Fund, designated for carpet tiling, toilet accessibility doors, assistive hearing, a raised seating platform and raked reclining seating. The company supplying the raked seating required a 50% deposit of \$42,587 (ex GST), which was paid on 7 February 2024. At that time, it was expected that with that installation, Council would meet the grant requirements and complete the project by 30 June 2024. Shortly after, the company entered administration and Council lodged its claim as an unsecured creditor.

Over the following months, the administrators completed their investigations and at a meeting of creditors on 15 July 2024, it was resolved to wind up the company. Council will pursue its rights; however, no dividend is expected. Council had provided details concerning the supplier's default to the grant provider, but no additional funds could be provided.

Council is now seeking an alternative and reliable supplier for the chairs. While \$60,392 remains unspent from the grant funding, additional funds of up to \$40,000 may be required to purchase and install the necessary seating. An adjustment to the budget will be made should the work be at a lesser amount.

**BUDGETARY IMPLICATIONS**

\$40,000 increase in Civic Centre capital expenditure.

**ATTACHMENTS**

Nil

## 5 DIRECTOR-INFRASTRUCTURE & OPERATIONS

### 5.1 Local Roads and Community Infrastructure Grants - Phase 4

File Number: D24/1154

Author: Dirk Wymer, Director-Infrastructure & Operations

### RECOMMENDATION

**That the Director – Infrastructure & Operation’s report on the Local Roads and Community Infrastructure Grants – Phase 4 be received and noted.**

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### INTRODUCTION

Council accepted an allocation of \$1,443,505 from the Local Roads and Community Infrastructure Grant Program – Phase 4 on 25 September 2023.

At the time of signing the funding deed it was unknown if the allocation from this grant would be needed to support the Cowra Aquatic Centre Upgrade project and the ‘Works Schedule’ for the grant finding had not been submitted.

Given Council has secured Federal ‘Growing Regions’ grant funding for the pool upgrade a ‘Work Schedule’ for the grant funding is now due to be submitted.

### BACKGROUND

Council’s LRCI 4 funding is divided into two sections:

- Part A - \$915,452 for approved local road and community infrastructure projects
- Part B - \$528,053 for approved road projects in regional, rural and outer-urban areas only, unless otherwise agreed by the Department

The delivery timeframe for the project delivery is:

- Draft Work Schedule to be submitted by 31 December 2024.
- Eligible construction time period end date 30 June 2025.
- Funding agreement end date 30 June 2026.

Given that Council has identified the roads capital works to be delivered in Council’s adopted Operational Plan 2024 /25 it is proposed to use a similar methodology as was used for LRCI Phase 3:

- Part fund Council’s approved urban and resealing programs from LRCI Phase 4 Part B:
  - Urban reseals \$245,000
  - Rural reseals \$351,000
  - Total reseals \$596,000
- Part fund Council’s approved grading maintenance budget from LRCI Phase 4 Part A:
  - Maintenance grading \$951,000
- This will ensure the grant funding requirements are met; specifically: *eligible construction time period ends 30 June 2025.*

- Transfer the previously allocated Council funds of \$1,443,505 to a reserve titled 'LRCI Phase 4 Grant Reserve'.
- Council to allocate the reserve funding toward adopted projects that meet the program guidelines.

The projects will only be nominated from Council's adopted Operational Plan 2024/25; specifically:

- Sporting facilities:
  - L2.2.a Develop masterplans for West Cowra Recreation Ground, River Park precinct, Edgell Park precinct and Mulyan Recreation precinct.
- Peace Precinct Masterplan development:
  - L2.4.a Seek funding and implement identified projects within the Peace Precinct Masterplan.
  - L2.4.b Seek funding for asset renewal projects, eg. guard tower, shade sail for Adventure Playground and access pathways around Sculpture Park and playgrounds.
- Parks and playground renewals and upgrades
  - L2.6.c Subject to funding, design improvements to presentation of the Festival of International Understanding tree planting area and erect signage in Brougham Park.
  - L2.6.e In renewing playgrounds, consider provision of facilities accessible for all the community.
  - R3.1.d Subject to Council approval, seek grant funding for modification of playgrounds to ensure equity in accessibility.
- Accessibility upgrades:
  - L2.9.a Complete plans and seek grant funding to install accessible amenities facility in Olympic Park.
  - B4.2.a Seek funding for upgrade of Squire Park amenities to accessible standard
  - R3.1.c Support co-location of adult change facility with inclusive playground.
  - B4.3.a Implement actions from adopted CBD Activation Strategy (includes Squire Park upgrades)
- Various Masterplans implementation:
  - L2.5.a Pursue funding and implement when adequate resources are available the following initiatives from the Lachlan River Precinct Masterplan:
    - The Col Newton Park improvements identified in the Masterplan.
  - C4.1.a Seek funding to progress projects in adopted strategic plans including:
    - Village Improvement Plan
    - Sport and Recreation Plan
    - Peace Precinct Masterplan
    - Pedestrian and Cycling Plan
    - Lachlan River Precinct Masterplan
  - T5.1.a Seek funding for projects identified in the Pedestrian and Cycling Plan.



Given a grant funding application has already been submitted for female facilities at West Cowra Recreation Ground and Mulyan Oval; it is recommended that if this grant is unsuccessful a high priority is the funding of projects that will be identified in:

- L2.2.a Develop masterplans for West Cowra Recreation Ground, River Park precinct, Edgell Park precinct and Mulyan Recreation precinct.

Additional recommended priority projects include:

- Addressing the unfunded asset renewal of Council playgrounds including provision of facilities accessible for all the community;
- Further works identified in the Lachlan River Precinct Masterplan including the Col Newton Park improvements identified in the Masterplan.



EXHIBIT 4  
ENLARGED AREA CONCEPT PLAN  
LACHLAN RIVER PRECINCT MASTER PLAN

**BUDGETARY IMPLICATIONS**

The proposed works schedule is grant funded.

**ATTACHMENTS**

Nil

**5.2 Transport Assets Upgrade Planning: Roads to Recovery Program**

File Number: D24/1155

Author: Dirk Wymer, Director-Infrastructure &amp; Operations

**RECOMMENDATION**

**That Council allocate the 2024/25 Federal Roads to Recovery program funding as follows:**

	<b>2024 /25</b>
Total Forecast RTR Funding	\$1,144,315
<i>RTR - Gravel Resheeting rock busting</i>	\$286,079
<i>RTR - Rural Roads Resealing</i>	\$160,000
<i>RTR - Rural culverts and causeways</i>	\$80,000
<i>RTR - Rural Sealed Road Rehabilitation:</i>	
Bangaroo Road	\$228,000
North Logan Road	\$390,000

**INTRODUCTION**

The intent of this report is to provide Councillors information on the proposed allocation of the 2024/25 Federal Roads to Recovery grant funds.

**BACKGROUND**

At its April 2019 Ordinary Meeting Council considered a report 2019/20 to 2023/24 Roads to Recovery Program (refer attachment). In determining priorities for allocating limited funding toward rural road asset upgrades the 2019 report noted:

*Attachment A to the report indicates there is a significant length of Council's rural sealed road network that does not meet these minimum formation or seal width standards; and a capital upgrade funding requirement of \$16M to \$18M to bring all rural road formation and seal widths to the minimum standard. (Please note this is not a 'backlog' in existing asset renewal, it is asset upgrade).*

*Additionally, narrow bitumen seals create ongoing maintenance issues of edge drop and edge break and narrow unsealed shoulders are difficult to maintain and do not provide any run-off area.*

*Council's Delivery Program identifies the Federal Roads to Recovery grant program as the predominant funding source for sealed rural roads asset upgrade works.*

*Council has been advised that its allocation under the Federal Roads to Recovery Program allocations are increasing on a sliding scale and doubling at the end of the five year program.*

To update the 2019 Roads to Recovery report three additional justifications for the proposed shoulder widening / rehabilitation priorities are:

**Priority: Improved Road Safety**

The strategies included in the TfNSW '2026 Road Safety Action Plan: Toward zero trauma on NSW roads':

- Deliver a new Towards Zero Safer Roads Program by 2030 to systematically build a safer road network through safety infrastructure and speed management, with the majority of this investment going to the Saving Lives on Country Roads Program.
- Integrate road safety assessment, safety features and requirements into broader transport infrastructure planning and delivery to ensure early and ongoing assessment and management of road safety risks

Referring to Tale 1.1 of 'Practical Approaches for Managing Regional Road Safety Priorities: Practitioner Resources' (Austroads Research Report AP-R700-23, 2023)

### 1.1 Factsheet Matrix

A matrix based on the factsheet has been included below (Table 1.1) to assist with the identification of potential countermeasures for each road and transport safety issue. The column on the left of Table 1.1 lists the road and transport safety issue while the cells to the right of this column lists the name of the factsheet that contains potential interventions that can be applied to address the identified issue.

Table 1.1: Factsheet matrix

Road and Transport Safety Issue	Safe Roads	Safe Speeds	Safe People	Safe Vehicles
Alcohol			• Drink Driving	
Illicit Drugs			• Illicit Drugs and Driving	
Fatigue	• Audio Tactile Line Markings		• Fatigue	• Advanced Driver Assist Systems • Heavy Vehicles
Unlicensed Driving			• Unlicensed Driving	
Restraint Non-use			• Restraints	
Lane departure	• Road Safety Barriers • Wide Centrelines • Shoulder Sealing • Audio Tactile Line Markings		• Advanced Driver Assist Systems	• Advanced Driver Assist Systems • Heavy Vehicles
Intersection Crashes	• Roundabouts • Vehicle Activated Systems • Transverse Rumble Strips • Channelisation • Staggered T-junction Intersections			• Advanced Driver Assist Systems
Speeding	• Lower Speed Limits	• Automated Enforcement		• Advanced Driver Assist Systems
Vehicle Loss of Control				• Advanced Driver Assist Systems
Vehicle Crash Safety				• Safe Vehicles Ratings Program • Safe Vehicles Fleet Purchasing Policies
Vehicle Fleet Safety				• Safe Vehicles Ratings Program • Safe Vehicles Fleet Purchasing Policies • Heavy Vehicles

Within the 'Safe Roads' portion of the 'Safe systems' approach, high priority interventions include shoulder sealing and wider centrelines;

- Wide Centre Line Treatment (WCLT) is the widening of centre line marking to create greater lateral separation between opposing traffic lanes.
- WCLT reduces the likelihood of head-on crashes along undivided roads.
- Shoulder sealing is a common method for reducing the likelihood of road departure crashes by providing additional road seal beyond the travel lane to allow vehicle recovery in a "drift-off" scenario.

Both these treatments point to the effectiveness of wider rural sealed roads.

**Priority: Improved access to the road network for higher efficiency freight vehicles.**

Strategies to improve access to the network for high efficiency freight vehicles; for example A-Double vehicles; include:

- Shoulder widening,
- Pavement rehabilitation / strengthening.

**Priority: Disaster Resilience**

Strategies to improve the resilience of the rural road network to natural disasters included:

- Improved culverts and causeways to reduce the damage of flood events,
- Construct pavement and bitumen seal high maintenance effort / steep and scoured unsealed roads to reduce maintenance effort,

Within Council's Long-Term Financial Plan, the only source of funding for potential transport asset upgrades is the recurrent Federal grant funding program 'Roads to Recovery'.

The proposed allocation of the grant funding is as follows:

	2025	2026	2027	2028
Total Forecast RTR Funding	1,144,315	1,373,178	1,602,041	1,830,904
<i>Proposed Allocations:</i>				
<i>RTR - Heavy Patching</i>	(RERRF funding)	(RERRF funding)	(RERRF funding)	457726
<i>RTR - Gravel Resheeting rock busting</i>	286079	343295	400510	457726
<i>RTR - Rural Roads Resealing</i>	160000	160000	160000	160000
<i>RTR - Rural culverts and causeways</i>	80000	80000	80000	80000
<i>RTR - Urban drainage improvements</i>		120000	200000	
<i>RTR - Rural Sealed Road Rehabilitation</i>	618236	669884	761531	675452

As noted in the Regional Emergency Road Repair Fund report an allocation from grant funds toward recurrent gravel resheeting on the unsealed road network improves the level of service for the community.

As noted in the Asset Management Strategy 2023/24 -2042/43; adopted by Council in August 2023:

Key performance indicators in the strategy include

- An increasing backlog in the transport assets class; this backlog is in the 'roads surface' component and demonstrates Council is currently underfunding bitumen resealing. Additional funding needs to be allocated to this asset renewal and may need to be allocated from the Federal grant funded Roads to Recovery Program in the future.

Allocating Roads to Recovery grant funding to Rural Roads resealing will lower the reseal interval and improve the technical level of service of the bitumen seal component. A lower average bitumen seal life means improved water proofing capacity.

	Annual Average Ten Year LTTP Budget	Asset quantity		Unit Rate		Level of Service: Reseal interval		Amended annual budget	Level of Service: Reseal interval	
Cowra Street reseals	\$ 361,459	1,075,791	m2	4	per m2	12	years			
Rural reseals	\$ 411,894	2,129,981	m2	4	per m2	21	years	\$570,000	15	years

A funding allocation toward rural road causeway and drainage improvements has been included to improve resilience of the road network during and after rainfall events.

A funding allocation toward urban stormwater drainage improvements is included. This will allow Council to plan to address recurring urban stormwater issues including:

- Waratah Street between Hartley Street and Young Road
- Lyall Street between Hartley Street and West Cowra Channel
- Nangar Street Glen Logan Road area

Further report will be provided to Council before specific project funding is allocated to these urban stormwater drainage projects.

An annual report has been; and will be; provided to Council with the recommended project allocation of the 'Rural Sealed Road Rehabilitation and Shoulder Widening' grant funds. The proposed projects will meet the formation and bitumen seal width priorities identified in the 2019 report; and will generally be Local Collector Roads in the road hierarchy.

The total proposed allocation in the 4 year period toward Rural Sealed Road Rehabilitation and Shoulder Widening' is \$2,725,103.

Recent advice to Council from the National Heavy Vehicle Regulator:

*50.57% of permits in Cowra Shire from start of 2017-18 FY to now are PBS. In the 2023-24 FY to date, PBS have accounted for 53.8% of permits in Cowra Shire – bearing in mind that the shire has had blanket PBS 2A approval since November 2021. So to see this percentage still increasing indicates the need to consider larger vehicles.*

*It is apparent that the roads applied for by PBS within Cowra Shire are somewhat limited and can easily be counteracted by gazettes. Cowra is fortunate to have state road thoroughfares that traffic can be directed to the majority of the time, meaning the roads being applied for are much easier to pinpoint than many other shires.*

*The most commonly applied for routes in Cowra Shire under PBS are:*



<b>Route</b>	<b>Suggested Gazette</b>
Monongla Rd, Reids Flat Rd, Battery Rd to Glenella Quarry	PBS 2B (and remove B-Double and 2A restriction if Battery Road is now sealed)
Mulyan Street, North Logan Road, Glenlogon Road to quarries	PBS 2B
Bulkhead Road and Fishburn Street	PBS 2B
Merriganowry Road through to Canowindra Road via your preferred route (Billimari Rd and/or Bangaroo/Yuraga Rd)	PBS 2B
Belubula Way from edge of Cabonne to Blayney Shires	PBS 2B
Warraderry Road from edge of Forbes to Cabonne	PBS 2B

The route highlighted in yellow above is recommended for the 2024/25 Rural Sealed Road Rehabilitation and Shoulder Widening project;

- It provides an east-west heavy vehicle link across the Cowra LGA between the State Highways, Canowindra Road and Lachlan Valley Way
- If extended to include North Logan Road it will improve freight efficiency for a number of key industries across Cowra LGA

The recommended works for 2024 /25 'Rural Sealed Road Rehabilitation and Shoulder Widening' are therefore:

<b>Road Name</b>	<b>Length (km)</b>	
Bangaroo Road	1.5	\$ 228,000
North Logan Road	2.6	\$ 390,000
	<b>Total for 2024 / 25</b>	<b>\$ 618,000</b>

## BUDGETARY IMPLICATIONS

The proposed works program is funded through the Federal Roads to Recovery program.

## ATTACHMENTS

- I. Director Infrastructure & Operation's Report to April 2019 General Committee Meeting [↓](#)



**DIRECTOR – INFRASTRUCTURE & OPERATIONS REPORT TO THE  
GENERAL COMMITTEE MEETING TO BE HELD ON MONDAY 8  
APRIL 2019.**

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**Author:** Director – Infrastructure & Operations

**Item No:** 4

**Subject:** 2019/20 to 2023/24 Roads to Recovery Program

**Precis:** This report provides a summary of the rural road transport infrastructure challenges in Cowra Shire and an ongoing asset upgrade program funded through the Federal Government Roads to Recovery grant program.

**Budget:** Council has been advised that its allocation under the Federal Roads to Recovery Program from 2019/20 to 2023/24 is \$3,661,809 in total over the five year life of the program; \$732,362 per annum

**Recommendation:**

1. **That Council continue to allocate the Federal Government Roads to Recovery grant funding toward addressing the rural sealed road asset upgrades required to meet the road access and road safety requirements generated through the NSW Heavy Vehicle Access Policy Framework.**
2. **That prior to commencement of the program Council be provided with an annual proposed program of works and upgraded programs as changes are required.**

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**4. 2019/20 to 2023/24 Roads to Recovery Program**

The Cowra Regional Economic Development Strategy has identified the importance of transport infrastructure to the agricultural, manufacturing and visitor economies.

The road transport needs of these economic sectors are different with the manufacturing and agricultural economies seeking access to high efficiency freight vehicles on the local road network and visitors and local passenger vehicles predominately seeking access to abutting properties and road safety.

One of the visions of the Transport for NSW *Regional NSW Services and Infrastructure Plan* is 'Movement and place: great regional places supported by transport'.

In terms of 'movement' it should be noted that the NSW Heavy Vehicle Access Policy Framework (September 2018) '*identifies 30m Performance Based Standards (PBS) Level 2B vehicles as the next PBS vehicle to be permitted wider access to NSW roads using a staged approach' 'as PBS 30m vehicles are safer and provide up to 30 per cent payload improvement and generally fit on the current B-double network'.*

Page 1 of Item 4

**DIRECTOR – INFRASTRUCTURE & OPERATIONS REPORT TO THE  
GENERAL COMMITTEE MEETING TO BE HELD ON MONDAY 8  
APRIL 2019.**

The rural road network in Cowra Shire has been gazetted for B-double use; with exceptions due to poor road alignment and narrow width. Applying the 'primary vision' of the NSW Heavy Vehicle Access Policy Framework to 'develop a PBS Level 2B network for access by notice' would indicate that the majority of the Cowra Shire rural road network will be subject to access applications for PBS 30m vehicles.

The following explanation of the functional hierarchy of roads explains the balance to be achieved between 'movement and place':

*The different transport and other functions served by roads, together with the needs of abutting land use, determine how they should be managed. From a road function viewpoint there are two essential needs which must be met:*

- *the traffic movement, or mobility, function – providing the means by which people and goods can move from one place to another*
- *the access function – providing access to properties and land uses adjacent to the road.*

*Consideration of these two main functions of a road is fundamental to traffic management. Ideally a given road would perform only one of these primary functions, but in practice, most roads do both.*

*Austrroads: Guide to Traffic Management Part 1: Introduction to Traffic Management (2019)*

The Cowra rural local road network performs both functions and any strategies for improvement need to demonstrate benefits to both functions. Increased lane and sealed shoulder widths across the rural road network will improve road safety and safely increase opportunities for network access for higher productivity freight vehicles.

*The desirable lane width on rural roads is 3.5 m. This width allows large vehicles to pass or overtake without either vehicle having to move sideways towards the outer edge of the lane. The lane width and the road surface condition have a substantial influence on the safety and comfort of users of the roadway. In rural applications the additional costs that will be incurred in providing wider lanes will be partially offset by the reduction in long-term shoulder maintenance costs. Narrow lanes result in a greater number of wheel concentrations in the vicinity of the pavement edge and will also force vehicles to travel laterally closer to one another than would normally happen at the design speed. Drivers tend to reduce their travel speed, or shift closer to the lane/road centre (or both) when there is a perception that a fixed hazardous object is too close to the nearside or offside of the vehicle. When there is a perceived fixed hazard, there is a movement by the vehicle towards the opposite lane line.*

*Austrroads: Guide to Road Design: Part 3: Geometric Design (2010).*

Rural road width standards are available from a variety of technical reference sources:

- *Austrroads Guide to Road Design: Part 3: Geometric Design (2010) including a section on the "Extended Design Domain (EDD)" 'These are values outside of the normal design domain (NDD) that through research and/or operating*

**DIRECTOR – INFRASTRUCTURE & OPERATIONS REPORT TO THE GENERAL COMMITTEE MEETING TO BE HELD ON MONDAY 8 APRIL 2019.**

*experience, particular road authorities have found to provide a suitable solution in constrained situations (typically at brownfield sites).'*

- Performance Based Standards Scheme Network Classification Guidelines (National Transport Commission (NTC) 2007); noting that a **B-double is a 'close present vehicle description' to a proposed PBS L2 class vehicle**
- Cowra Council's Transport Asset Management Plan

As stated in the NTC document one of the purposes of the standard road formation and seal widths is *to provide sufficient carriageway for vehicles to operate without a heavy vehicle imposing a risk to other road users by impinging on adjacent lanes or encroaching on limited or no shoulders.*

The following table compares these road width standards:

	<b>Austroads</b>	<b>Austroads EDD</b>	<b>NTC PBS L2</b>	<b>Council</b>
Vehicles per day	500-1000	500-1000	500-1000	> 50
Design feature:				
Centre line width (m)	0.3	0.3		
Lane width (m) (x 2)	3.1	3.1	3.1	3.25
Minimum sealed shoulder width (m) (x2)	0.5	0.85		
Unsealed shoulder width (m) (x2)	1	0	1.2	1
<b>Total seal width</b>	<b>7.2</b>	<b>7.9</b>	<b>6.2</b>	<b>6.5</b>
<b>Total formation width</b>	<b>9.2</b>	<b>7.9</b>	<b>8.6</b>	<b>8.5</b>

A combination of the above road width standards could be interpreted as an absolute minimum formation width of 7.9m and an absolute minimum seal width of 6.2m is required to operate B-double and PBS Level 2 vehicles. Attachment A to this report indicates there is a significant length of Council's rural sealed road network that does not meet these minimum formation or seal width standards; and a capital upgrade funding requirement of \$16M to \$18M to bring all rural road formation and seal widths to the minimum standard. (Please note this is not a 'backlog' in existing asset renewal, it is asset upgrade).

Additionally, narrow bitumen seals create ongoing maintenance issues of edge drop and edge break and narrow unsealed shoulders are difficult to maintain and do not provide any run-off area.

Council's Delivery Program identifies the Federal Roads to Recovery grant program as the predominant funding source for sealed rural roads asset upgrade works. Council has been advised that its allocation under the Federal Roads to Recovery Program from 2019/20 to 2023/24 is

- \$3,661,809 in total over the five year life of the program
- \$732,362 per annum

**DIRECTOR – INFRASTRUCTURE & OPERATIONS REPORT TO THE  
GENERAL COMMITTEE MEETING TO BE HELD ON MONDAY 8  
APRIL 2019.**

In previous Delivery Programs these grant funds have generally been allocated toward rural sealed road reconstruction, shoulder widening and heavy patching and rural sealed road gravel resheeting or rock busting.

A forward program of formation and seal widening has been prepared based on providing wider linkages on rural roads between the State Highway and Regional Roads network. This program is supplemented by gravel road rock busting and a commitment to the Bangaroo Bridge replacement funding with Cabonne Shire. A map showing the distribution of proposed projects across the shire area is shown in Attachment B.

At this stage of the program preparation the total program expenditure exceeds the grant income due to expected cost savings in the delivery of some projects and the expectation that further grant funds will be sought for some of the projects where grant criteria can be met.

Please note the project list shows saving on projects funded through the Roads to Recovery program in 2018/19 that have either been completed or works have commenced. It does not include the \$530,000 allocated from the Roads to Recovery program toward the Kendal Street footpath or the \$83,000 allocated to additional culverts on the gravel road network; both projects not yet commenced.

<b>Sealed Road Shoulder Widening</b>	<b>From</b>	<b>to</b>	<b>Length (km)</b>		
Morongla Road	0	8	8	\$ 800,000	
Chiverton Road	0.8	1.4	0.6	\$ 60,000	
Chiverton Road	1.8	5	3.2	\$ 320,000	
Rivers Road	5	5.9	0.9	\$ 90,000	
Rivers Road	9.3	10.9	1.6	\$ 160,000	
Rivers Road	10.9	12.95	2.05	\$ 205,000	
Scrubby Rush Road	0	1.3	1.3	\$ 130,000	
Sheet O Bark Road	0.6	2	1.4	\$ 140,000	
George Russell Drive	3	5.2	2.2	\$ 220,000	
George Russell Drive	8.1	10.7	2.6	\$ 260,000	
George Russell Drive	14.4	15.1	0.7	\$ 70,000	
Merriganowry Road	0	9	9	\$ 900,000	
North Logan Road	0.95	1.35	0.4	\$ 40,000	
North Logan Road	1.72	3.2	1.48	\$ 148,000	
North Logan Road	4	5.14	1.14	\$ 114,000	
North Logan Road	6.2	8	1.8	\$ 180,000	
North Logan Road	8	9	1	\$ 100,000	
North Logan Road	15.5	18.1	2.6	\$ 260,000	
Purcell Drive	1.9	3.3	1.4	\$ 140,000	
Airport Road	0	1.3	1.3	\$ 130,000	
Carleton Street	0	0.2	0.2	\$ 20,000	
				<b>Subtotal</b>	<b>\$ 4,487,000</b>

**DIRECTOR – INFRASTRUCTURE & OPERATIONS REPORT TO THE  
GENERAL COMMITTEE MEETING TO BE HELD ON MONDAY 8  
APRIL 2019.**

<b>Gravel Road Resheeting and Rock Busting</b>	<b>From</b>	<b>to</b>	<b>Length (km)</b>		
Barryrennie Road	15	16.9	1.9	\$ 23,750	
Leura Road	3.7	5.64	1.94	\$ 24,250	
Myalla Road	0	0.78	0.78	\$ 9,750	
Swan Ponds Road	0	2.5	2.5	\$ 31,250	
Sheep Station Road	0	1.6	1.6	\$ 20,000	
Sheep Station Road	1.6	3.9	2.3	\$ 28,750	
Sheep Station Road	4.7	5.47	0.77	\$ 9,625	
Sheep Station Road	8.19	9.4	1.21	\$ 15,125	
Middle Creek Road	0	4.4	4.4	\$ 55,000	
Kangaroo by Road	19.07	20.47	1.4	\$ 17,500	
Kangaroo by Road	15.45	16.92	1.47	\$ 18,375	
Kangaroo by Road	14.6	15.93	1.33	\$ 16,625	
Kangaroo by Road	21.37	22.37	1	\$ 12,500	
Kangaroo by Road	17.9	18.89	0.99	\$ 12,375	
Sutherland Road	7.7	9.5	1.8	\$ 22,500	
Tallarook Road	1	7	6	\$ 75,000	
Tallarook Road	7	9.38	2.38	\$ 29,750	
Quartpot Road	11	14.6	3.6	\$ 45,000	
Glen Logan Siding Road	2.6	4.55	1.95	\$ 24,375	
Glen Logan Road	2.38	4.4	2.02	\$ 25,250	
Pine Hill Road	2.5	3	0.5	\$ 6,250	
Pine Hill Road	5.1	5.5	0.4	\$ 5,000	
Pine Hill Road	7.1	8.9	1.8	\$ 22,500	
				<b>Subtotal</b>	\$ 550,500
<b>Bridge Works</b>					
Contribution to Bangaroo Bridge replacement, Cabonne Shire					\$ 405,947
				<b>Total R2R</b>	<b>\$ 5,443,447</b>

**Attachments:**      **Attachment A** - Cowra Shire Class 2 Rural Sealed  
Distributor Network Widths

**Attachment B** - Map of Planned R2R Funded Rural Road  
Works

Dirk Wymer  
**Director – Infrastructure & Operations**  
2/4/19

ATTACHMENT A

Asset ID	Asset Name	Asset Class	Asset Sub Class	Asset Type	Hierarchy	Segment/Group Name	Start Chainage	End Chainage	Segment Length (m)	Formation Width (m)	Surface Width (m)	Austrorads Upgrade cost if formation width < 7.9m and seal width < 7.2m	NTC Upgrade cost if formation width < 8.6m and seal width < 6.2m	Cowra Standard Upgrade cost if formation width < 8.5m and seal width < 6.5m	Austrorads Formation Width Deficiency (m)	Austrorads Seal Width Deficiency (m)	Cowra Shire Standard Formation Width Deficiency (m)	Cowra Shire Standard Seal Width Deficiency (m)
173.30	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	30 (5.99 - 7.31)	5,990.00	7,310.00	1,320.00	5.00	5.00	\$ 99,000	\$ 99,000	\$ 99,000	2.90	2.20	3.5	1.5
277.05	WARRANGONG RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.11)	0.00	1,110.00	1,110.00	5.50	5.50	\$ 83,250	\$ 83,250	\$ 83,250	2.40	0.50	3	1
108.30	GOODACRE DR	Local	Rural	Sealed	02 Distributor 1	30 (6.82 - 7.93)	6,820.00	7,930.00	1,110.00	6.50	5.00	\$ 83,250	\$ 83,250	\$ 83,250	1.40	1.00	2	1.5
108.35	GOODACRE DR	Local	Rural	Sealed	02 Distributor 1	35 (7.93 - 9.20)	7,930.00	9,200.00	1,270.00	6.50	5.00	\$ 95,250	\$ 95,250	\$ 95,250	1.40	1.00	2	1.5
108.40	GOODACRE DR	Local	Rural	Sealed	02 Distributor 1	40 (9.20 - 10.10)	9,200.00	10,100.00	900.00	6.50	5.00	\$ 67,500	\$ 67,500	\$ 67,500	1.40	1.00	2	1.5
277.10	WARRANGONG RD	Local	Rural	Sealed	02 Distributor 1	10 (1.11 - 1.94)	1,110.00	1,940.00	830.00	6.50	5.00	\$ 62,250	\$ 62,250	\$ 62,250	1.40	1.00	2	1.5
180.27	MT McDONALD RD	Local	Rural	Sealed	02 Distributor 1	27 (5.23 - 6.20)	5,230.00	6,200.00	970.00	6.50	6.20	\$ 72,750	\$ 72,750	\$ 72,750	1.40	0.00	2	0.3
115.10	GREENTHORPE RD	Local	Rural	Sealed	02 Distributor 1	10 (1.80 - 3.32)	1,800.00	3,320.00	1,520.00	6.90	5.40	\$ 114,000	\$ 114,000	\$ 114,000	1.00	0.60	1.6	1.1
115.05	GREENTHORPE RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.80)	0.00	1,800.00	1,800.00	6.90	5.40	\$ 135,000	\$ 135,000	\$ 135,000	1.00	0.60	1.6	1.1
193.10	NOONBINNA RD	Local	Rural	Sealed	02 Distributor 1	10 (1.31 - 2.86)	1,310.00	2,860.00	1,550.00	6.90	5.40	\$ 116,250	\$ 116,250	\$ 116,250	1.00	0.60	1.6	1.1
193.15	NOONBINNA RD	Local	Rural	Sealed	02 Distributor 1	15 (2.86 - 4.56)	2,860.00	4,560.00	1,700.00	6.90	5.40	\$ 127,500	\$ 127,500	\$ 127,500	1.00	0.60	1.6	1.1
214.20	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	20 (3.62 - 5.33)	3,620.00	5,330.00	1,710.00	6.90	5.40	\$ 128,250	\$ 128,250	\$ 128,250	1.00	0.60	1.6	1.1
214.25	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	25 (5.33 - 6.76)	5,330.00	6,760.00	1,430.00	6.90	5.40	\$ 107,250	\$ 107,250	\$ 107,250	1.00	0.60	1.6	1.1
214.30	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	30 (6.76 - 8.13)	6,760.00	8,130.00	1,370.00	6.90	5.40	\$ 102,750	\$ 102,750	\$ 102,750	1.00	0.60	1.6	1.1
227.65	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	65 (13.07 - 13.92)	13,070.00	13,920.00	850.00	6.90	5.40	\$ 63,750	\$ 63,750	\$ 63,750	1.00	0.60	1.6	1.1
227.70	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	70 (13.92 - 15.20)	13,920.00	15,200.00	1,280.00	6.90	5.40	\$ 96,000	\$ 96,000	\$ 96,000	1.00	0.60	1.6	1.1
227.75	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	75 (15.20 - 16.45)	15,200.00	16,450.00	1,250.00	6.90	5.40	\$ 93,750	\$ 93,750	\$ 93,750	1.00	0.60	1.6	1.1
102.10	GLENLOGAN RD	Local	Rural	Sealed	02 Distributor 1	10 (1.02 - 1.92)	1,020.00	1,920.00	900.00	7.00	5.50	\$ 67,500	\$ 67,500	\$ 67,500	0.90	0.50	1.5	1
102.15	GLENLOGAN RD	Local	Rural	Sealed	02 Distributor 1	15 (1.92 - 2.68)	1,920.00	2,680.00	760.00	7.00	5.50	\$ 57,000	\$ 57,000	\$ 57,000	0.90	0.50	1.5	1
165.35	MERRIGANOWRY RD	Local	Rural	Sealed	02 Distributor 1	35 (6.28 - 7.46)	6,280.00	7,460.00	1,180.00	7.00	5.50	\$ 88,500	\$ 88,500	\$ 88,500	0.90	0.50	1.5	1
165.40	MERRIGANOWRY RD	Local	Rural	Sealed	02 Distributor 1	40 (7.46 - 8.91)	7,460.00	8,910.00	1,450.00	7.00	5.50	\$ 108,750	\$ 108,750	\$ 108,750	0.90	0.50	1.5	1
173.10	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	10 (1.04 - 2.12)	1,040.00	2,120.00	1,080.00	7.00	5.50	\$ 81,000	\$ 81,000	\$ 81,000	0.90	0.50	1.5	1
173.15	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	15 (2.12 - 3.41)	2,120.00	3,410.00	1,290.00	7.00	5.50	\$ 96,750	\$ 96,750	\$ 96,750	0.90	0.50	1.5	1
173.20	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	20 (3.41 - 4.60)	3,410.00	4,600.00	1,190.00	7.00	5.50	\$ 89,250	\$ 89,250	\$ 89,250	0.90	0.50	1.5	1
173.25	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	25 (4.60 - 5.99)	4,600.00	5,990.00	1,390.00	7.00	5.50	\$ 104,250	\$ 104,250	\$ 104,250	0.90	0.50	1.5	1
173.35	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	35 (7.31 - 8.98)	7,310.00	8,980.00	1,670.00	7.00	5.50	\$ 125,250	\$ 125,250	\$ 125,250	0.90	0.50	1.5	1
173.40	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	40 (8.98 - 10.16)	8,980.00	10,160.00	1,180.00	7.00	5.50	\$ 88,500	\$ 88,500	\$ 88,500	0.90	0.50	1.5	1
173.45	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	45 (10.16 - 11.62)	10,160.00	11,620.00	1,460.00	7.00	5.50	\$ 109,500	\$ 109,500	\$ 109,500	0.90	0.50	1.5	1
173.05	MORONGLA RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.04)	0.00	1,040.00	1,040.00	7.00	5.50	\$ 78,000	\$ 78,000	\$ 78,000	0.90	0.50	1.5	1
180.45	MT McDONALD RD	Local	Rural	Sealed	02 Distributor 1	45 (8.86 - 10.02)	8,860.00	10,020.00	1,160.00	7.00	5.50	\$ 87,000	\$ 87,000	\$ 87,000	0.90	0.50	1.5	1
193.05	NOONBINNA RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.31)	0.00	1,310.00	1,310.00	7.00	5.50	\$ 98,250	\$ 98,250	\$ 98,250	0.90	0.50	1.5	1
195.25	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	25 (5.25 - 6.42)	5,250.00	6,420.00	1,170.00	7.00	5.50	\$ 87,750	\$ 87,750	\$ 87,750	0.90	0.50	1.5	1
195.30	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	30 (6.42 - 7.23)	6,420.00	7,230.00	810.00	7.00	5.50	\$ 60,750	\$ 60,750	\$ 60,750	0.90	0.50	1.5	1
195.35	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	35 (7.23 - 8.49)	7,230.00	8,490.00	1,260.00	7.00	5.50	\$ 94,500	\$ 94,500	\$ 94,500	0.90	0.50	1.5	1
195.40	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	40 (8.49 - 9.60)	8,490.00	9,600.00	1,110.00	7.00	5.50	\$ 83,250	\$ 83,250	\$ 83,250	0.90	0.50	1.5	1
195.45	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	45 (9.60 - 10.44)	9,600.00	10,440.00	840.00	7.00	5.50	\$ 63,000	\$ 63,000	\$ 63,000	0.90	0.50	1.5	1
195.50	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	50 (10.44 - 11.31)	10,440.00	11,310.00	870.00	7.00	5.50	\$ 65,250	\$ 65,250	\$ 65,250	0.90	0.50	1.5	1
195.55	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	55 (11.31 - 12.42)	11,310.00	12,420.00	1,110.00	7.00	5.50	\$ 83,250	\$ 83,250	\$ 83,250	0.90	0.50	1.5	1
195.70	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	70 (15.26 - 16.16)	15,260.00	16,160.00	900.00	7.00	5.50	\$ 67,500	\$ 67,500	\$ 67,500	0.90	0.50	1.5	1
195.75	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	75 (16.16 - 17.15)	16,160.00	17,150.00	990.00	7.00	5.50	\$ 74,250	\$ 74,250	\$ 74,250	0.90	0.50	1.5	1
195.80	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	80 (17.15 - 18.44)	17,150.00	18,440.00	1,290.00	7.00	5.50	\$ 96,750	\$ 96,750	\$ 96,750	0.90	0.50	1.5	1
214.10	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	10 (1.17 - 2.30)	1,170.00	2,300.00	1,130.00	7.00	5.50	\$ 84,750	\$ 84,750	\$ 84,750	0.90	0.50	1.5	1
214.15	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	15 (2.30 - 3.62)	2,300.00	3,620.00	1,320.00	7.00	5.50	\$ 99,000	\$ 99,000	\$ 99,000	0.90	0.50	1.5	1
214.35	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	35 (8.13 - 9.36)	8,130.00	9,360.00	1,230.00	7.00	5.50	\$ 92,250	\$ 92,250	\$ 92,250	0.90	0.50	1.5	1
214.40	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	40 (9.36 - 10.12)	9,360.00	10,120.00	760.00	7.00	5.50	\$ 57,000	\$ 57,000	\$ 57,000	0.90	0.50	1.5	1
214.45	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	45 (10.12 - 10.95)	10,120.00	10,950.00	830.00	7.00	5.50	\$ 62,250	\$ 62,250	\$ 62,250	0.90	0.50	1.5	1
214.05	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.17)	0.00	1,170.00	1,170.00	7.00	5.50	\$ 87,750	\$ 87,750	\$ 87,750	0.90	0.50	1.5	1
214.50	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	50 (10.95 - 11.98)	10,950.00	11,980.00	1,030.00	7.00	5.50	\$ 77,250	\$ 77,250	\$ 77,250	0.90	0.50	1.5	1
214.55	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	55 (11.98 - 13.13)	11,980.00	13,130.00	1,150.00	7.00	5.50	\$ 86,250	\$ 86,250	\$ 86,250	0.90	0.50	1.5	1
214.60	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	60 (13.13 - 14.10)	13,130.00	14,100.00	970.00	7.00	5.50	\$ 72,750	\$ 72,750	\$ 72,750	0.90	0.50	1.5	1
214.65	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	65 (14.10 - 15.25)	14,100.00	15,250.00	1,150.00	7.00	5.50	\$ 86,250	\$ 86,250	\$ 86,250	0.90	0.50	1.5	1
214.70	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	70 (15.25 - 16.08)	15,250.00	16,080.00	830.00	7.00	5.50	\$ 62,250	\$ 62,250	\$ 62,250	0.90	0.50	1.5	1
214.75	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	75 (16.08 - 17.20)	16,080.00	17,200.00	1,120.00	7.00	5.50	\$ 84,000	\$ 84,000	\$ 84,000	0.90	0.50	1.5	1
214.80	PINE MOUNT RD	Local	Rural	Sealed	02 Distributor 1	80 (17.20 - 18.02)	17,200.00	18,020.00	820.00	7.00	5.50	\$ 61,500	\$ 61,500	\$ 61,500	0.90	0.50	1.5	1
217.05	PORTERS MOUNT RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 0.35)	0.00	350.00	350.00	7.00	5.50	\$ 26,250	\$ 26,250	\$ 26,250	0.90	0.50	1.5	1
219.15	PURCELL DR	Local	Rural	Sealed	02 Distributor 1	15 (2.03 - 3.44)	2,030.00	3,440.00	1,410.00	7.00	5.50	\$ 105,750	\$ 105,750	\$ 105,750	0.90	0.50	1.5	1
219.05	PURCELL DR	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 0.88)	0.00	880.00	880.00	7.00	5.50	\$ 66,000	\$ 66,000	\$ 66,000	0.90	0.50	1.5	1
227.15	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	15 (1.80 - 2.95)	1,800.00	2,950.00	1,150.00	7.00	5.50	\$ 86,250	\$ 86,250	\$ 86,250	0.90	0.50	1.5	1
227.20	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	20 (2.95 - 3.95)	2,950.00	3,950.00	1,000.00	7.00	5.50	\$ 75,000	\$ 75,000	\$ 75,000	0.90	0.50	1.5	1
227.25	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	25 (3.95 - 5.03)	3,950.00	5,030.00	1,080.00	7.00	5.50	\$ 81,000	\$ 81,000	\$ 81,000	0.90	0.50	1.5	1
227.05	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 0.77)	0.0											

ATTACHMENT A

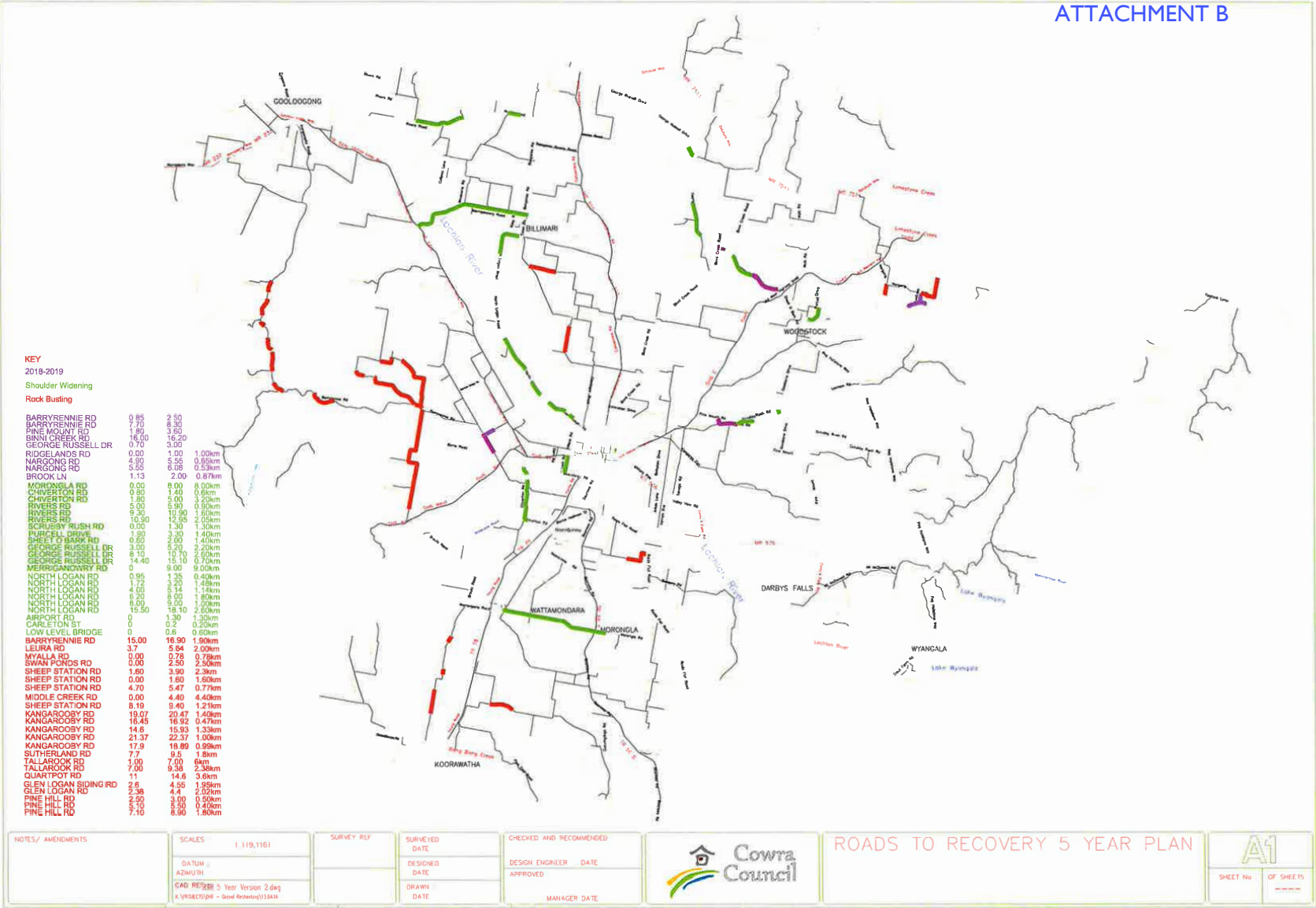
227,50	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	50 (9.43 - 10.87)	9,430.00	10,870.00	1,440.00	7.10	5.60	\$	108,000	\$	108,000	\$	108,000	0.80	0.40	1.4	0.9
230,10	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	10 (0.90 - 1.91)	900.00	1,910.00	1,010.00	7.10	5.60	\$	75,750	\$	75,750	\$	75,750	0.80	0.40	1.4	0.9
230,15	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	15 (1.91 - 3.30)	1,910.00	3,300.00	1,390.00	7.10	5.60	\$	104,250	\$	104,250	\$	104,250	0.80	0.40	1.4	0.9
230,20	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	20 (3.30 - 4.82)	3,300.00	4,820.00	1,520.00	7.10	5.60	\$	114,000	\$	114,000	\$	114,000	0.80	0.40	1.4	0.9
230,05	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 0.90)	0.00	900.00	900.00	7.10	5.60	\$	67,500	\$	67,500	\$	67,500	0.80	0.40	1.4	0.9
230,75	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	75 (17.08 - 18.59)	17,080.00	18,590.00	1,510.00	7.10	5.60	\$	113,250	\$	113,250	\$	113,250	0.80	0.40	1.4	0.9
34,10	BROULA RD	Local	Rural	Sealed	02 Distributor 1	10 (1.58 - 3.19)	1,580.00	3,190.00	1,610.00	7.10	5.60	\$	120,750	\$	120,750	\$	120,750	0.80	0.40	1.4	0.9
34,15	BROULA RD	Local	Rural	Sealed	02 Distributor 1	15 (3.19 - 4.74)	3,190.00	4,740.00	1,550.00	7.10	5.60	\$	116,250	\$	116,250	\$	116,250	0.80	0.40	1.4	0.9
34,20	BROULA RD	Local	Rural	Sealed	02 Distributor 1	20 (4.74 - 6.28)	4,740.00	6,280.00	1,540.00	7.10	5.60	\$	115,500	\$	115,500	\$	115,500	0.80	0.40	1.4	0.9
34,25	BROULA RD	Local	Rural	Sealed	02 Distributor 1	25 (6.28 - 7.47)	6,280.00	7,470.00	1,190.00	7.10	5.60	\$	89,250	\$	89,250	\$	89,250	0.80	0.40	1.4	0.9
34,30	BROULA RD	Local	Rural	Sealed	02 Distributor 1	30 (7.47 - 8.74)	7,470.00	8,740.00	1,270.00	7.10	5.60	\$	95,250	\$	95,250	\$	95,250	0.80	0.40	1.4	0.9
34,05	BROULA RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.58)	0.00	1,580.00	1,580.00	7.10	5.60	\$	118,500	\$	118,500	\$	118,500	0.80	0.40	1.4	0.9
52,10	CHIVERTON RD	Local	Rural	Sealed	02 Distributor 1	10 (1.16 - 2.39)	1,160.00	2,390.00	1,230.00	7.10	5.60	\$	92,250	\$	92,250	\$	92,250	0.80	0.40	1.4	0.9
52,15	CHIVERTON RD	Local	Rural	Sealed	02 Distributor 1	15 (2.39 - 3.63)	2,390.00	3,630.00	1,240.00	7.10	5.60	\$	93,000	\$	93,000	\$	93,000	0.80	0.40	1.4	0.9
52,20	CHIVERTON RD	Local	Rural	Sealed	02 Distributor 1	20 (3.63 - 4.76)	3,630.00	4,760.00	1,130.00	7.10	5.60	\$	84,750	\$	84,750	\$	84,750	0.80	0.40	1.4	0.9
52,25	CHIVERTON RD	Local	Rural	Sealed	02 Distributor 1	25 (4.76 - 5.71)	4,760.00	5,710.00	950.00	7.10	5.60	\$	71,250	\$	71,250	\$	71,250	0.80	0.40	1.4	0.9
52,30	CHIVERTON RD	Local	Rural	Sealed	02 Distributor 1	30 (5.71 - 6.78)	5,710.00	6,780.00	1,070.00	7.10	5.60	\$	80,250	\$	80,250	\$	80,250	0.80	0.40	1.4	0.9
52,05	CHIVERTON RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.16)	0.00	1,160.00	1,160.00	7.10	5.60	\$	87,000	\$	87,000	\$	87,000	0.80	0.40	1.4	0.9
97,10	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	10 (0.92 - 1.75)	920.00	1,750.00	830.00	7.10	5.60	\$	62,250	\$	62,250	\$	62,250	0.80	0.40	1.4	0.9
97,15	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	15 (1.75 - 3.22)	1,750.00	3,220.00	1,470.00	7.10	5.60	\$	110,250	\$	110,250	\$	110,250	0.80	0.40	1.4	0.9
97,20	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	20 (3.22 - 4.26)	3,220.00	4,260.00	1,040.00	7.10	5.60	\$	78,000	\$	78,000	\$	78,000	0.80	0.40	1.4	0.9
97,25	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	25 (4.26 - 5.04)	4,260.00	5,040.00	780.00	7.10	5.60	\$	58,500	\$	58,500	\$	58,500	0.80	0.40	1.4	0.9
97,30	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	30 (5.04 - 5.96)	5,040.00	5,960.00	920.00	7.10	5.60	\$	69,000	\$	69,000	\$	69,000	0.80	0.40	1.4	0.9
97,35	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	35 (5.96 - 6.81)	5,960.00	6,810.00	850.00	7.10	5.60	\$	63,750	\$	63,750	\$	63,750	0.80	0.40	1.4	0.9
97,40	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	40 (6.81 - 8.11)	6,810.00	8,110.00	1,300.00	7.10	5.60	\$	97,500	\$	97,500	\$	97,500	0.80	0.40	1.4	0.9
97,45	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	45 (8.11 - 9.31)	8,110.00	9,310.00	1,200.00	7.10	5.60	\$	90,000	\$	90,000	\$	90,000	0.80	0.40	1.4	0.9
97,05	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 0.92)	0.00	920.00	920.00	7.10	5.60	\$	69,000	\$	69,000	\$	69,000	0.80	0.40	1.4	0.9
97,50	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	50 (9.31 - 10.08)	9,310.00	10,080.00	770.00	7.10	5.60	\$	57,750	\$	57,750	\$	57,750	0.80	0.40	1.4	0.9
97,55	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	55 (10.08 - 11.02)	10,080.00	11,020.00	940.00	7.10	5.60	\$	70,500	\$	70,500	\$	70,500	0.80	0.40	1.4	0.9
97,60	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	60 (11.02 - 11.85)	11,020.00	11,850.00	830.00	7.10	5.60	\$	62,250	\$	62,250	\$	62,250	0.80	0.40	1.4	0.9
97,65	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	65 (11.85 - 12.77)	11,850.00	12,770.00	920.00	7.10	5.60	\$	69,000	\$	69,000	\$	69,000	0.80	0.40	1.4	0.9
97,70	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	70 (12.77 - 14.23)	12,770.00	14,230.00	1,460.00	7.10	5.60	\$	109,500	\$	109,500	\$	109,500	0.80	0.40	1.4	0.9
226,70	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	70 (15.27 - 16.21)	15,270.00	16,210.00	940.00	7.10	6.60	\$	70,500	\$	70,500	\$	70,500	0.80	0.00	1.4	0
226,100	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	100 (22.70 - 24.38)	22,700.00	24,380.00	1,680.00	7.30	5.80	\$	126,000	\$	126,000	\$	126,000	0.60	0.20	1.2	0.7
226,105	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	105 (24.38 - 26.00)	24,380.00	26,000.00	1,620.00	7.30	5.80	\$	121,500	\$	121,500	\$	121,500	0.60	0.20	1.2	0.7
226,110	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	110 (26.00 - 26.93)	26,000.00	26,930.00	930.00	7.30	5.80	\$	69,750	\$	69,750	\$	69,750	0.60	0.20	1.2	0.7
226,115	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	115 (26.93 - 27.87)	26,930.00	27,870.00	940.00	7.30	5.80	\$	70,500	\$	70,500	\$	70,500	0.60	0.20	1.2	0.7
226,120	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	120 (27.87 - 28.76)	27,870.00	28,760.00	890.00	7.30	5.80	\$	66,750	\$	66,750	\$	66,750	0.60	0.20	1.2	0.7
226,55	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	55 (11.78 - 12.82)	11,780.00	12,820.00	1,040.00	7.30	5.80	\$	78,000	\$	78,000	\$	78,000	0.60	0.20	1.2	0.7
226,60	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	60 (12.82 - 14.00)	12,820.00	14,000.00	1,180.00	7.30	5.80	\$	88,500	\$	88,500	\$	88,500	0.60	0.20	1.2	0.7
226,65	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	65 (14.00 - 15.27)	14,000.00	15,270.00	1,270.00	7.30	5.80	\$	95,250	\$	95,250	\$	95,250	0.60	0.20	1.2	0.7
226,75	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	75 (16.21 - 17.09)	16,210.00	17,090.00	880.00	7.30	5.80	\$	66,000	\$	66,000	\$	66,000	0.60	0.20	1.2	0.7
226,80	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	80 (17.09 - 18.62)	17,090.00	18,620.00	1,530.00	7.30	5.80	\$	114,750	\$	114,750	\$	114,750	0.60	0.20	1.2	0.7
226,85	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	85 (18.62 - 20.19)	18,620.00	20,190.00	1,570.00	7.30	5.80	\$	117,750	\$	117,750	\$	117,750	0.60	0.20	1.2	0.7
226,90	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	90 (20.19 - 21.85)	20,190.00	21,850.00	1,660.00	7.30	5.80	\$	124,500	\$	124,500	\$	124,500	0.60	0.20	1.2	0.7
226,95	REG HAILSTONE WAY	Local	Rural	Sealed	02 Distributor 1	95 (21.85 - 22.70)	21,850.00	22,700.00	850.00	7.30	5.80	\$	63,750	\$	63,750	\$	63,750	0.60	0.20	1.2	0.7
230,45	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	45 (9.87 - 10.90)	9,870.00	10,900.00	1,030.00	7.30	5.80	\$	77,250	\$	77,250	\$	77,250	0.60	0.20	1.2	0.7
230,50	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	50 (10.90 - 11.77)	10,900.00	11,770.00	870.00	7.30	5.80	\$	65,250	\$	65,250	\$	65,250	0.60	0.20	1.2	0.7
230,55	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	55 (11.77 - 13.05)	11,770.00	13,050.00	1,280.00	7.30	5.80	\$	96,000	\$	96,000	\$	96,000	0.60	0.20	1.2	0.7
230,80	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	80 (18.59 - 20.04)	18,590.00	20,040.00	1,450.00	7.30	5.80	\$	108,750	\$	108,750	\$	108,750	0.60	0.20	1.2	0.7
108,25	GOODACRE DR	Local	Rural	Sealed	02 Distributor 1	25 (5.18 - 6.82)	5,180.00	6,820.00	1,640.00	7.50	6.00	\$	123,000	\$	123,000	\$	123,000	0.40	0.00	1	0.5
137,10	KANGAROOBY RD	Local	Rural	Sealed	02 Distributor 1	10 (1.13 - 2.36)	1,130.00	2,360.00	1,230.00	7.50	6.00	\$	92,250	\$	92,250	\$	92,250	0.40	0.00	1	0.5
137,15	KANGAROOBY RD	Local	Rural	Sealed	02 Distributor 1	15 (2.36 - 3.69)	2,360.00	3,690.00	1,330.00	7.50	6.00	\$	99,750	\$	99,750	\$	99,750	0.40	0.00	1	0.5
137,20	KANGAROOBY RD	Local	Rural	Sealed	02 Distributor 1	20 (3.69 - 4.94)	3,690.00	4,940.00	1,250.00	7.50	6.00	\$	93,750	\$	93,750	\$	93,750	0.40	0.00	1	0.5
137,25	KANGAROOBY RD	Local	Rural	Sealed	02 Distributor 1	25 (4.94 - 6.36)	4,940.00	6,360.00	1,420.00	7.50	6.00	\$	106,500	\$	106,500	\$	106,500	0.40	0.00	1	0.5
137,30	KANGAROOBY RD	Local	Rural	Sealed	02 Distributor 1	30 (6.36 - 6.96)	6,360.00	6,960.00	600.00	7.50	6.00	\$	45,000	\$	45,000	\$	45,000	0.40	0.00	1	0.5
137,05	KANGAROOBY RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.13)	0.00	1,130.00	1,130.00	7.50	6.00	\$	84,750	\$	84,750	\$	84,750	0.40	0.00	1	0.5
165,10	MERRIGANOWRY RD	Local	Rural	Sealed	02 Distributor 1	10 (0.86 - 1.97)	860.00	1,970.00	1,110.00	7.											

ATTACHMENT A

195,13	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	13 (1.50 - 2.86)	1,500.00	2,860.00	1,360.00	7.70	6.20	\$ 102,000	\$ 102,000	\$ 102,000	0.20	0.00	0.8	0.3
195,60	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	60 (12.42 - 13.85)	12,420.00	13,850.00	1,430.00	7.80	6.30	\$ 107,250	\$ 107,250	\$ 107,250	0.10	0.00	0.7	0.2
195,65	NORTH LOGAN RD	Local	Rural	Sealed	02 Distributor 1	65 (13.85 - 15.26)	13,850.00	15,260.00	1,410.00	7.80	6.30	\$ 105,750	\$ 105,750	\$ 105,750	0.10	0.00	0.7	0.2
21,30	BINNI CREEK RD	Local	Rural	Sealed	02 Distributor 1	30 (5.98 - 7.13)	5,980.00	7,130.00	1,150.00	7.80	6.30	\$ 86,250	\$ 86,250	\$ 86,250	0.10	0.00	0.7	0.2
21,35	BINNI CREEK RD	Local	Rural	Sealed	02 Distributor 1	35 (7.13 - 8.59)	7,130.00	8,590.00	1,460.00	7.80	6.30	\$ 109,500	\$ 109,500	\$ 109,500	0.10	0.00	0.7	0.2
230,60	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	60 (13.05 - 14.64)	13,050.00	14,640.00	1,590.00	7.80	6.30	\$ 119,250	\$ 119,250	\$ 119,250	0.10	0.00	0.7	0.2
230,65	RIVERS RD	Local	Rural	Sealed	02 Distributor 1	65 (14.64 - 15.84)	14,640.00	15,840.00	1,200.00	7.80	6.30	\$ 90,000	\$ 90,000	\$ 90,000	0.10	0.00	0.7	0.2
1210,10	WYANGALA RD	Local	Rural	Sealed	02 Distributor 1	10 (0.47 - 0.96)	470.00	960.00	490.00	7.80	6.30	\$ 36,750	\$ 36,750	\$ 36,750	0.10	0.00	0.7	0.2
269,10	TROUT FARM RD	Local	Rural	Sealed	02 Distributor 1	10 (0.80 - 1.71)	800.00	1,710.00	910.00	7.90	6.40	\$ -	\$ 68,250	\$ 68,250	0.00	0.00	0.6	0.1
269,15	TROUT FARM RD	Local	Rural	Sealed	02 Distributor 1	15 (1.71 - 3.05)	1,710.00	3,050.00	1,340.00	7.90	6.40	\$ -	\$ 100,500	\$ 100,500	0.00	0.00	0.6	0.1
180,30	MT McDONALD RD	Local	Rural	Sealed	02 Distributor 1	30 (6.20 - 6.70)	6,200.00	6,700.00	500.00	8.00	6.50	\$ -	\$ 37,500	\$ 37,500	0.00	0.00	0.5	0
21,05	BINNI CREEK RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.25)	0.00	1,250.00	1,250.00	9.00	7.50	\$ -	\$ -	\$ 93,750	0.00	0.00	0	0
227,30	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	30 (5.03 - 6.17)	5,030.00	6,170.00	1,140.00	8.70	7.20	\$ -	\$ -	\$ 85,500	0.00	0.00	0	0
227,35	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	35 (6.17 - 7.21)	6,170.00	7,210.00	1,040.00	8.70	7.20	\$ -	\$ -	\$ 78,000	0.00	0.00	0	0
227,80	REIDS FLAT RD	Local	Rural	Sealed	02 Distributor 1	80 (16.45 - 17.56)	16,450.00	17,560.00	1,110.00	8.50	7.00	\$ -	\$ 83,250	\$ 83,250	0.00	0.00	0	0
269,05	TROUT FARM RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 0.80)	0.00	800.00	800.00	8.50	7.00	\$ -	\$ 60,000	\$ 60,000	0.00	0.00	0	0
55,30	CLEMENTS RD	Local	Rural	Sealed	02 Distributor 1	30 (8.20 - 9.47)	8,200.00	9,470.00	1,270.00	8.50	7.00	\$ -	\$ 95,250	\$ 95,250	0.00	0.00	0	0
55,40	CLEMENTS RD	Local	Rural	Sealed	02 Distributor 1	40 (9.47 - 10.65)	9,470.00	10,650.00	1,180.00	8.50	7.00	\$ -	\$ 88,500	\$ 88,500	0.00	0.00	0	0
60,10	CRANKY ROCK RD	Local	Rural	Sealed	02 Distributor 1	10 (0.95 - 2.07)	950.00	2,070.00	1,120.00	8.50	7.00	\$ -	\$ 84,000	\$ 84,000	0.00	0.00	0	0
60,05	CRANKY ROCK RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 0.95)	0.00	950.00	950.00	8.50	7.00	\$ -	\$ 71,250	\$ 71,250	0.00	0.00	0	0
97,105	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	105 (22.39 - 23.65)	22,390.00	23,650.00	1,260.00	8.50	7.00	\$ -	\$ 94,500	\$ 94,500	0.00	0.00	0	0
97,110	GEORGE RUSSELL DR	Local	Rural	Sealed	02 Distributor 1	110 (23.65 - 24.82)	23,650.00	24,820.00	1,170.00	8.50	7.00	\$ -	\$ 87,750	\$ 87,750	0.00	0.00	0	0
55,25	CLEMENTS RD	Local	Rural	Sealed	02 Distributor 1	25 (7.19 - 8.20)	7,190.00	8,200.00	1,010.00	8.50	7.00	\$ -	\$ 75,750	\$ 75,750	0.00	0.00	0	0
19,10	BILLIMARI RD	Local	Rural	Sealed	02 Distributor 1	10 (1.17 - 2.44)	1,170.00	2,440.00	1,270.00	8.30	6.80	\$ -	\$ 95,250	\$ 95,250	0.00	0.00	0.2	0
19,15	BILLIMARI RD	Local	Rural	Sealed	02 Distributor 1	15 (2.44 - 3.88)	2,440.00	3,880.00	1,440.00	8.30	6.80	\$ -	\$ 108,000	\$ 108,000	0.00	0.00	0.2	0
19,20	BILLIMARI RD	Local	Rural	Sealed	02 Distributor 1	20 (3.88 - 4.93)	3,880.00	4,930.00	1,050.00	8.30	6.80	\$ -	\$ 78,750	\$ 78,750	0.00	0.00	0.2	0
19,25	BILLIMARI RD	Local	Rural	Sealed	02 Distributor 1	25 (4.93 - 5.99)	4,930.00	5,990.00	1,060.00	8.30	6.80	\$ -	\$ 79,500	\$ 79,500	0.00	0.00	0.2	0
19,30	BILLIMARI RD	Local	Rural	Sealed	02 Distributor 1	30 (5.99 - 7.22)	5,990.00	7,220.00	1,230.00	8.30	6.80	\$ -	\$ 92,250	\$ 92,250	0.00	0.00	0.2	0
19,05	BILLIMARI RD	Local	Rural	Sealed	02 Distributor 1	05 (0.00 - 1.17)	0.00	1,170.00	1,170.00	8.30	6.80	\$ -	\$ 87,750	\$ 87,750	0.00	0.00	0.2	0
									247,710.00			\$ 16,629,750	\$ 18,321,000	\$ 18,578,250				

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## 6 DIRECTOR-ENVIRONMENTAL SERVICES

- 6.1 Development Application No. 80/2023, Lot 2 DP 868109, 8 Short Street Cowra, construction of 4 detached dwellings and 4 lot Torrens Title subdivision, lodged by V A Munoz – Ferrada. The property owner is K R Spencer & V A Munoz - Ferrada.**

File Number: D24/1136

Author: Larissa Hackett, Acting General Manager

### RECOMMENDATION

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The variations to Section No. E.2.7., E.2.13 and E.2.14 of Part E of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and no submissions were received; and
2. That Council approves variations to Sections E.2.7, E.2.13 and E.2.14 of Part E of Council's Development Control Plan 2021 for this development to allow a site frontage of 15.3 metres per dwelling, a rear setback of 1.95 metres for dwellings 1 and 2 and separation between habitable rooms and balconies of 4.07 metres.
3. That Development Application No. 80/2023, for the construction of 4 detached dwellings and 4 lot Torrens Title subdivision on Lot 2 DP 868109, 8 Short Street Cowra be approved subject to the following conditions:

### GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Existing Site Plan Drawing 01	McKinnon Design 23/02/2024 Job 22090 Issue H	Received 1 May 2024 Stamped No. 10.2023.80.1 (C)
Proposed Site Plan Drawing 02	McKinnon Design 30/04/2024 Job 22090 Issue J	Received 1 May 2024 Stamped No. 10.2023.80.1 (C)
Floor Plan Units 1 & 2 Drawing 03	McKinnon Design 23/02/2024 Job 22090 Issue H	Received 1 May 2024 Stamped No. 10.2023.80.1 (C)

<b>Floor Plan Units 3 &amp; 4 Drawing 04</b>	<b>McKinnon Design 26/07/2023 Job 22090 Issue C</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>East and West Elevations Units 1 &amp; 2 Drawing 05</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>North and South Elevations Unit 1 Drawing 06</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>North and South Elevations Unit 2 Drawing 07</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>East and West Elevations Units 3 &amp; 4 Drawing 08</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>North and South Elevations Unit 3 Drawing 09</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>North and South Elevations Unit 4 Drawing 10</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>Proposed Sub-Division Plan Drawing 11</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>Shadow Diagrams Drawing 12</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>Shadow Diagrams Drawing 13</b>	<b>McKinnon Design 30/04/2024 Job 22090 Issue J</b>	<b>Received 1 May 2024 Stamped No. 10.2023.80.1 (C)</b>
<b>Cover Sheet, Locality Plan and Drawing Schedule</b>	<b>TTW 26.02.24 Project 231867</b>	<b>Received 5 March 2024 Stamped</b>

<b>Drawing C00</b>	<b>Revision P2</b>	<b>No. 10.2023.80.1 (A)</b>
<b>General Notes and Legends Drawing C01</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Sediment and Erosion Control Plan Drawing C02</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Sediment and Erosion Control Detail Drawing C03</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Bulk Earthworks Plan Drawing C04</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Cut and Fill Plan Drawing C05</b>	<b>TTW 26.02.24 Project 231867 Revision P2</b>	<b>Received 5 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Bulk Earthworks Sections Drawing C06</b>	<b>TTW 14.03.24 Project 231867 Revision P3</b>	<b>Received 20 March 2024 Stamped No. 10.2023.80.1 (B)</b>
<b>Vehicle Scraping Details Sheet 1 Drawing C20</b>	<b>TTW July 2024 Project 231867 Revision P1</b>	<b>Received 20 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Vehicle Scraping Details Sheet 2 Drawing C21</b>	<b>TTW July 2024 Project 231867 Revision P1</b>	<b>Received 20 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Vehicle Scraping Details Sheet 3 Drawing C22</b>	<b>TTW July 2024 Project 231867 Revision P1</b>	<b>Received 20 March 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Stormwater Reticulation Layout Sheet 1 of 2</b>	<b>Heath Consulting Engineers June 2024 Job 24_015 Rev B</b>	<b>Received 12 June 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Sewer and Water</b>	<b>Heath Consulting</b>	<b>Received</b>

<b>Reticulation Layout Sheet 2 of 2</b>	<b>Engineers June 2024 Job 24_015 Rev B</b>	<b>12 June 2024 Stamped No. 10.2023.80.1 (A)</b>
<b>Asbestos Identification</b>	<b>Safe Work and Environments 14 September 2023 SWE Ref SI12330.1</b>	<b>Received 9 November 2023 Stamped No. 10.2023.80.1</b>
<b>BASIX Certificate No. I392974M</b>	<b>Marc Kiho Issued: 28 July 2023</b>	<b>Received 30 August 2023 Stamped No. 10.2023.80.1</b>
<b>Statement of Environmental Effects V04032024</b>	<b>Saunders Property 4 March 2024</b>	<b>Received 8 March 2024 Stamped No. DA 10.2023.80.1 (C)</b>
<b>Additional Information V280424</b>	<b>Saunders Property 28 April 2024</b>	<b>Received 29 April 2024 Stamped No. DA 10.2023.80.1</b>

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

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).
3. The development is to be undertaken in the following stages:
  - Stage 1 - The demolition of the existing dwelling.
  - Stage 2 – The construction of four new dwellings and associated infrastructure including access crossings, driveways, landscaping and all service connections.
  - Stage 3 – Four lot Torrens Title subdivision.
4. Pursuant to Section 4.17(4) of the Environmental Planning & Assessment Act 1979, the outcome that this development must achieve is the establishment of a single dwelling on each allotment. This is to be achieved by ensuring that all stages of the development are completed in accordance with condition 3.
5. Any cutting and filling on the site shall be either battered at a maximum slope of one vertical to two horizontal (1V:2H) and revegetated or suitably retained by a retaining structure, designed and constructed to appropriate engineering

standards. A retaining wall that does not comply with State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 will require the prior consent of Council. The erection of retaining walls may require the approval and certification of a suitably qualified structural engineer. All works are to be carried out within the boundaries of the property and without affecting the structural integrity of boundary fencing or neighbouring structures.

6. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:
  - (i) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised;
  - (ii) The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted;
  - (iii) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
  - (iv) The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used.
7. Traffic movements from proposed lots 3 & 4 out of the development to Short Street must turn left.

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

8. Prior to the issue of a Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of suitably sized metered water services to the development.
9. Construction Certificate plans are to show that the stairs providing access along the north side of any dwelling on proposed lot 4 to be moved to a location not encumbered by an easement.
10. Pursuant to Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Cowra Section 94A Contributions Plan 2016 adopted on 26 April 2016. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

Contribution Type	Proposed Cost of Development <sup>1</sup>	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
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<b>Section 94A Contribution<sup>2</sup></b>	<b>\$1,810,000.00</b>	<b>1%</b>	<b>\$18,100.00</b>	<b>30 June 2025</b>
<b>Notes</b> <sup>1</sup> As shown on the Development Application/Construction Certificate Application/Complying Development Certificate Application <sup>2</sup> Council's Section 94A Contributions Plan 2016 may be viewed during office hours at Council's Customer Service Centre, 116 Kendal Street Cowra, or on Council's website <a href="http://www.cowracouncil.com.au">www.cowracouncil.com.au</a>				

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 crossing to the development site from Market Street & Short Street, in accordance with Cowra Shire Council's Engineering Standards. Access from Market Lane to lot 1 must show an algebraic change in grade not in excess of 12.5%.
12. Prior to the issue of a Construction Certificate, the Applicant must amend the plans to provide suitable screening between the deck of Dwelling 2 and the southern facing Living Room window of Dwelling 1 to the satisfaction of Council's Manager – Planning Services.

#### **CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS**

13. 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.
14. 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.
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 or Subdivision Works' and 'Appointment of Principal Certifier'.
16. 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**

17. 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.
18. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.
19. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.
20. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
21. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
22. All impervious surfaces shall be properly drained to the front of the premises and directed to Cowra Shire Council's drainage system on Short Street. A Junction Pit with a grated cover is to be constructed where the proposed inter-allotment line joins Council's stormwater main, in accordance with Council's Engineering Standards.
23. 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 discharge concentrated storm water flow and cause nuisance or erosion to adjoining properties.
24. All plumbing work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:



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

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

- 25. The Applicant must not commence occupation or use of the dwellings until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
- 26. Prior to issue of any Occupation Certificate, the Applicant shall construct the access crossings to the development site from Short Street and Market Lane in accordance with consent from the road's authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the Section 138 Permit. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.
- 27. Prior to the issue of a Whole Occupation Certificate, all landscape works shall be completed in accordance with the approved plans including the installation of fencing dividing private open space areas.
- 28. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water and sewer supply to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of any Occupation Certificate.

Water reticulation mains and metered services and sewer reticulation mains must be physically provided to the development in accordance with Cowra Infrastructure and Operations Engineering Standards. Council will not issue any Occupation Certificate until a Compliance Certificate has been issued, verifying that all works have been satisfactorily completed. All monetary contributions in relation to the augmentation of reticulated water and sewer supply must be paid in full to Cowra Shire Council before any Occupation Certificate will be issued. Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on (02) 6340 2070.

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

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

Application together with the original plan. All necessary information to support the certificate release and the necessary fee is required to be included with the Subdivision Certificate Application.

30. Prior to the issue of a Subdivision Certificate, the applicant must provide to Council a Notification of Arrangement from Essential Energy confirming that satisfactory arrangements have been made for the provision of power with respect to all lots in the subdivision.
31. Prior to the issue of the Subdivision Certificate, the applicant is to provide evidence to Council that arrangements have been made for:
  - (a) The installation of fibre-ready facilities (or equivalent) to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose, and
  - (b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.
32. Prior to issue of the Subdivision Certificate, the Applicant shall include on the final plan of subdivision all necessary easements required for water, sewer, stormwater, and access.
33. The Applicant shall detail a three-metre-wide easement along the northern boundary of proposed lots 3 & 4 for purposes of providing access to the sewer mains system, water supply, inter-allotment drainage and for maintenance purposes.

## 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 60 of the NPW Regulation.

Essential Energy makes the following general comments:

- As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;

- Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions;
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;
- 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);
- 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](http://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 and Code of Practice – Work near Underground Assets.

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## INTRODUCTION

Development Application No. 80/2023 proposes the construction of 4 detached dwellings and 4 lot Torrens Title subdivision on Lot 2 DP 868109, 8 Short Street Cowra. The application was lodged by V A Munoz - Ferrada on 30 August 2023.

The application is being reported to Council because of several variations to Cowra Council Development Control Plan 2021 which are discussed in the relevant section of this report.

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

### Description of Site

Lot 2 DP 868109, 8 Short Street Cowra is a rectangular allotment of approximately 1445m<sup>2</sup>. The lot is located in the R1 General Residential under Cowra Local Environmental Plan (LEP) 2012. The site contained an existing dwelling which was been approved for demolition under DA 50/2024 with consent being granted on 21 June 2024.

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

### Description of Proposal

The applicant proposes to construct 4 new dwellings with Torrens Title subdivision into 4 equal lots of 361.2m<sup>2</sup>. The dwellings on Lots 1 and 2 will achieve access from Market Lane and Lots 3 and 4 from Short Street. The dwellings are single level, 2 bedroom (plus study) with Colorbond roofing and exteriors composed of textured coating and coloured Hebel panels.

### 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 80/2023:

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

##### Cowra Local Environmental Plan 2012

The land is zoned R1 General Residential under the provisions of the Cowra Local Environmental Plan 2012

##### 1.2 Aims of Plan

The development is not inconsistent the aims of the LEP.

##### 1.4 Definitions

**dwelling house** means a building containing only one dwelling.

##### 1.6 Consent authority

The consent authority for the purposes of this Plan is (subject to the Act) the Council.

##### 1.9A Suspension of covenants, agreements and instruments

The subject lot is not burdened by easements and there are no covenants or agreements known to affect the property.

##### 2.1 Land use zones

The site is zoned R1 General Residential, and **dwelling houses** are permitted with consent.



### 2.3 Zone objectives and Land Use Table

#### I Objectives of the Zone

Objective	Comment
• To provide for the housing needs of the community.	Consistent
• To provide for a variety of housing types and densities.	Consistent
• To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Not inconsistent
• To provide attractive, affordable, well located and market-responsive residential land.	Not inconsistent
• To ensure that any non-residential land uses permitted within the zone are compatible with the amenity of the area.	Not applicable
• To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities.	Not inconsistent
• To maximise public transport patronage and encourage walking and cycling.	Not inconsistent

#### 2 Permitted without consent

Environmental protection works; Home occupations

#### 3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; **Dwelling houses**; Food and

drink premises; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

#### **4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Public administration buildings; Recreation facilities (major); Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

Comment:

The proposed the development is permitted with consent.

#### **2.6 Subdivision requirements**

The proposed development requires consent and would not result in a secondary dwelling being located of a separate lot.

#### **2.7 Demolition requires development consent**

The proposed demolition has already received Council approval.

#### **2.8 Temporary Use of land**

The proposal does not involve the temporary use of the land.

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

The proposed subdivision is permissible under Clause 4.1C as the proposed subdivision includes a dwelling on each lot and each lot would be above 300m<sup>2</sup> which is the minimum lot size under Clause 4.1C.

#### **5.10 Heritage conservation**

There are no heritage items on-located on the site (identified on either the SHR or in the LEP), and the site is not located in a HCA.

#### **5.11 Bushfire**

The site is not located within an area mapped as prone to bushfire; accordingly, this clause is not applicable.

### 5.21 Flood planning

The land is not in the flood planning area.

### Part 6 Urban release areas

The site is not identified as being within an urban release area.

### 7.1 Earthworks

The site has a 12% slope and substantial (1.4m) earthworks and a 2.1m retaining wall are required. A suitable sediment and erosion control plan has been submitted, and it is considered that there will be no adverse impact or environmental risk from the earthworks required.

### 7.3 Terrestrial biodiversity

This clause applies to land that is identified as biodiversity land on the *Terrestrial Biodiversity Map*; the site is not mapped as being affected.

### 7.4 Riparian land and watercourses

This clause applies to land that is identified as a watercourse on the *Watercourses Map*, or is within 40 metres of a mapped watercourse; the site is not mapped as being affected; accordingly, this clause is not applicable.

### 7.5 Wetlands

This clause applies to land identifies on the wetlands map; the site is not identified as being affected; accordingly, this clause is not applicable.

### 7.6 Groundwater vulnerability

This clause applies to land that is identified as groundwater vulnerable on the *Groundwater Vulnerability Map*, the site is not identified as being affected; accordingly this clause is not applicable.

### 7.7 Airspace operations

This clause applies to developments that penetrate the Limitation or Operations Surface of the Cowra Airport. Works carried out on the site will not project into the Airport airspace.

### 7.8 Essential Services

Water	The proposed development would connect to Council's reticulated water service by way of 3 new meters to Short Street frontage.
Electricity	The proposed development will be connected to electricity supply to the requirements of the relevant energy provider.
Sewage	The proposed development will connect to Council's reticulated sewer service. An extension of the reticulated sewer line is proposed. As the construction would be undertaken prior to subdivision, a Subdivision Works Certificate is not required.

	Applicable conditions are instead applied prior to Construction Certificate.
Stormwater	Each dwelling would direct stormwater to a rainwater tank with overflow to connect to Council's reticulated stormwater service. An extension of the reticulated stormwater line is proposed. As the construction would be undertaken prior to subdivision, a Subdivision Works Certificate is not required. Applicable conditions are instead applied prior to Construction Certificate.
Access	It is proposed that proposed dwellings 1 & 2 would be accessed by new driveways and crossovers to Market Lane, dwellings 3 & 4 would be accessed by new driveways and crossovers to Short Street. A condition for a S138 application has been imposed.

### 7.11 Development on land in karst areas

This clause applies to land that is identified as karst environment on the *Natural Resources Sensitivity – Land Map*. The land is not mapped as being affected; accordingly this clause is not applicable.

### State Environmental Planning Policies

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Housing) 2021	Not applicable
SEPP (Industry and Employment) 2021	Not applicable
SEPP 65—Design Quality of Residential Apartment Development	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	Includes the former SEPP 55 – Remediation of Land. See comment below.
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	A BASIX certificate has been provided as the cost exceeds



	\$50,000
SEPP (Transport and Infrastructure) 2021	Not applicable

### SEPP (RESILIENCE AND HAZARDS) 2021

Under Clause 4.6 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

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 removal of asbestos contained in the existing dwelling has been addressed under DA 50/2024 with the application of appropriate conditions relating to asbestos removal. No further investigation is warranted in this instance. In this regard it is considered the potential for contamination is minimal.

#### S 4.15(1)(a)(ii) provisions of any draft Environmental Planning Instrument(s)

There are no draft Environmental Planning Instrument(s) that are relevant to the site.

#### S 4.15(1)(a)(iii) provisions of any Development Control Plan(s)

### PART A – PLAN INTRODUCTION

Consent is required for the proposed demolition, 4 dwellings, and Torrens title subdivision.

### PART B – LAND MANAGEMENT

Appropriate erosion and sediment controls to be implemented prior to the commencement of works. The soil disturbance area is relatively minor.

### PART C – BIODIVERSITY MANAGEMENT

The development area is clear of vegetation – no further assessment required relating to Biodiversity.

### PART D – SUBDIVISION DEVELOPMENT

Section	Comments
D.3.1. Application of this part	The development proposes subdivision of land located in the R1 General Residential zone under the LEP. Part D.3 is applicable to the development.

D.3.2. Objectives	The development is consistent with the objectives contained in D.5.2.
D.3.3. Lot Size, Layout and Dimensions	The land is shown on the LEP lot size map as having a minimum lot size of 700 square metres. However, the proposed development would utilise Clause 4.1C of the LEP to subdivide into 4 lots of over 300 <sup>2</sup> m as a new dwelling is proposed on each lot. The allotments would be smaller than nearby lots, but would have a similar frontage to adjacent Lot 1 DP868109 to the north.
D.3.4. Street Design	No new roads will be created as part of the development.
D.3.5. Access Provision	All proposed lots have direct and lawful access to the public road network.
D.3.6. Utility Provision	The proposed lots would include new water and sewer connections for each dwelling. An extension of Council's sewer main is required within a proposed easement to service dwellings 1 and 2.
D.3.7. Stormwater, Drainage & Waterways	The proposed lots would include an extension of Council's stormwater system within a proposed easement. Each dwelling would drain into the proposed stormwater management system.

## PART E – URBAN AND VILLAGE DEVELOPMENT

### Part E.2 Medium Density Housing

Section	Comments
E.2.1. Application of Section	The subject land is zoned R1 General Residential and 4 dwelling houses and Torrens title subdivision is proposed, therefore part E.2 applies.
E.2.2. Objectives	The proposed development meets these objectives.
E.2.3. Site Analysis	A site analysis has been provided on the submitted plans.
E.2.4. Soil Erosion and Sedimentation Control	Erosion and Sediment Control Plan provided with appropriate controls to be put in place.
E.2.5. Landscaping	Part N has been considered below.
E.2.6. Cut and Fill Controls	The subject lot would be levelled with 1.4m of cut, 1m of fill, and a retaining wall to a maximum of 2.1m.
E.2.7. Site Area and Frontage Controls	<p>The minimum site area is calculated by dividing the total area of the development site by the number of proposed dwelling units.</p> <p>The original lot is 1443.94sqm, with 4 dwellings to be situated on it, giving a minimum site area per dwelling of 360.985sqm, consistent with E.2.7.</p> <p><b>Variation requested.</b> The site frontages would be 15.3m, contrary to the 18m required under E.2.7.(b).</p> <p>The variation is considered at the end of this section.</p>
E.2.8. Streetscape Controls	The proposed dwellings are consistent with the scale and character of adjoining dwellings and the surrounding environment. Each dwelling would address a different frontage. Each dwelling would include a habitable room window overlooking the respective street. The proposed development would provide passive surveillance to each street frontage. The proposed development would present as a single storey dwelling consistent with the streetscape.

E.2.9. Height Controls	The proposed dwellings are single storey with a maximum height above NGL of 8.6m.
E.2.10. Solar Access Controls	Complies. The provided shadow diagrams indicate the living areas and private open spaces of 75% of the dwellings within the development would receive a minimum of 3 hours sunlight between 9am and 3pm on the 21 <sup>st</sup> June.
E.2.11. Front setback controls	The proposed development would have a front setback to both Short Street and Market Lane of 4.585 metres. The dwelling on Lot 1 DP868109 to the north has a front setback of approximately 2.7m and the dwelling to the south on Lot 3 Section 39 DP758300 has a front setback to Short Street of approximately 7m. The proposed setback of 4.585 is considered a minor variation to the required 4.85m in Scenario 4 (5.46%)
E.2.12. Side Setbacks	The proposed houses would have a minimum side setback of 985mm consistent with E.2.12.
E.2.13. Rear Setbacks	<b>Variation requested.</b> The proposed rear setback for dwellings 1 and 2 would be 1.95m, contrary to the 3m that should be provided under E.2.13. (a). The variation is considered at the end of this section. The rear setback for dwellings 3 and 4 would be compliant at 3 metres.
E.2.14. Visual & Acoustic Privacy Controls	<b>Variation requested.</b> The northern side of the proposed dwelling 2 deck would overlook the window on the southern elevation of proposed dwelling 1 with a separation of 4.27m, contrary to the 12 metres that should be provided under E.2.14. (c). A condition of consent has been included to provide a privacy screen to the deck to the satisfaction of Council to reduce visual privacy impacts and reduce the required separation to 9m per E.2.14. (f). The variation is considered at the end of this section. The remaining dwelling houses are single storey and would not create any significant privacy impacts to neighbouring properties.
E.2.15. Private Open Space	Each dwelling would be provided with a minimum of 46.2sqm of north facing, private open space, as well as 13.4sqm of deck directly connected to internal living areas.
E.2.16. Sustainable Building Design Controls	A compliant BASIX Certificate for multi dwelling development has been provided.
E.2.17. Liveable Housing Design	The dwellings would have step-free access from the parking areas to the entrance. Internal doors and corridors have been designed to facilitate comfortable and unimpeded movement between spaces. The proposed bathrooms can provide a hob less shower. The proposed dwellings have been designed to meet the requirements of Part E.2.17.

### Variations:

#### E.2.7 Site area and frontage controls

Site area and frontage controls aim to ensure that medium density residential development can achieve a coherent and practical site layout.

Section E.2.7.(b) of Part E of the Cowra Council DCP 2021 requires a minimum site frontage of 18 metres for dual occupancies, semi-detached dwellings, attached dwellings and multi-dwelling housing.

The proposed development would provide a site frontage of 15.3 metres for each lot.

The applicant provides the following response to justify the variation request:

*“We also submit that whilst we do not present 18 metres per proposed lot, the character and street presentation is considered appropriate when the same layout could be approved without the subdivision arrangement. The above diagram indicates that dual occupancy and multi dwelling housing can be supported on lots of 18 metres width. This would be achievable if the units were on one title or strata subdivided. The intent for well spaced dwellings or units that present to the street as single dwelling frontages is still achieved. The intent of the DCP has therefore been achieved from a residential character and amenity.*

*The proposal has regard to both street frontages, allows for garages and windows to address the street and provides a cottage style streetscape presentation.*

*Long walls facing the street will not be included with cottage style dimensions with a staggered wall associated with the front verandahs and front doors included in the street presentation.*

*With a 15.3 metre frontage and modest dwellings shown with suitable side and front setbacks, a reasonable street character is still achieved.*

*We also note the adjoining property 10 Short Street and nearby 5 Main Street have frontages of only 14 metres. The proposed frontages of each lot fit the surrounding frontage character and theme.”*

### Comment

It is noted that adjacent Lot 1 DP 868109 (10 Short Street) has a street frontage of approximately 14 metres, and Lot 1 DP 100533 (5 Main Street) has a street frontage of 13.7 metres. The proposed development would present as single dwellings, and would be consistent with the character of the area.

It is considered the reduced site frontage would allow the development to achieve the objectives of this section and not adversely impact the ability to provide a coherent and practical site layout. In this regard it is considered the proposed variation can be supported.

### E.2.13 Rear Setbacks

Rear setbacks are important for achieving open space to the rear of the lot for private recreation and relaxation and ensuring visual and acoustic privacy in dwellings.

Section E.2.13. (a) of Part E of the Cowra Council DCP 2021 provides that single storey building should be setback a minimum of 3 metres from the boundary.

The proposed development would provide a rear setback for dwellings 1 and 2 of 1.95 metres.

The applicant provides the following response to justify the variation request:

*“We consider a variation to the DCP is warranted given the location of private open space further north. We also consider with the location of windows and blank privacy walls that a separation distance of 4.78 metres essentially achieves a compliant setback albeit across a boundary.*

*This narrow section has little utility or amenity and does not form part of the main usable open space area. In this instance the narrower setback would achieve no further design advantage at 3.0 metres in this adjoining area. The areas of private open space and solar access will not alter by increasing to 3.0 metres.”*

#### Comment

It is considered the proposed development would provide adequate Private Open Space to each of the dwellings through usable decks and side setbacks. It is considered there would be minimal privacy issues between dwellings 1 and 2 to dwellings 3 and 4 resulting from the reduced setback as there would be a 1.8m boundary fence and privacy screens provided to the elevated decks of dwellings 1 and 2.

It is considered the proposed rear setback meets the objectives of this section and the proposed variation can be supported.

#### E.2.14 Visual & Acoustic Privacy Controls

Visual and acoustic privacy is important for creating high quality environments and maintaining general neighbourhood amenity.

Section E.2.14. (c) of Part E of the Cowra Council DCP 2021 provides that a minimum separation of 12 metres should be provided between buildings where habitable rooms / balconies face habitable rooms/ balconies.

Section E.2.14. (f) of Part E of the Cowra Council DCP 2021 allows a separation distance to be reduced by up to 25% where privacy issues can be addressed by other means to the satisfaction of Council.

The proposed development would include a living room window for proposed dwelling 1 within 4.27m of the deck of proposed dwelling two. Due to the height of this window and deck above ground level, they would not be screened by a 1.8m boundary fence.

#### Comment

The applicant has requested screening be provided prior to CC as a condition of consent, however with this mitigation measure the proposed development would still exceed 25% under E.14. (f).

It is considered that privacy can be managed through suitable screening provided by way of timber slats, lattice screening, directional louvres, or the like on the window and/or deck handrail. This request is considered reasonable, and a condition has been added accordingly.

The proposed variation can be supported with appropriate mitigation as conditioned.

## **PART K – LAND USE BUFFERS**

### **Cowra Airport Obstacle Limitation Surface**

The subject land is located outside of the OLS.

### **PART M – PARKING, ACCESS AND MOBILITY**

The proposed development includes a single car parking space per dwelling consistent with Part M. Visitor parking is not required.

The proposal will require new driveways and crossover, and an S138 has been conditioned accordingly.

### **PART N – LANDSCAPING**

Landscaping shown on the Site Plan is assessed to be compliant with Section N.3.1. of the DCP.

### **PART O – ENVIRONMENTAL HAZARD MANAGEMENT**

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

### **PART P – CPTED PRINCIPLES**

The applicant has not provided a CPTED Assessment. However, the development is of a minor scale and involves the construction of 4 detached dwellings and Torrens title subdivision. The proposed dwellings will provide a surveillance role with regard to the streetscape. There are no identified blind corners or entrapment areas. It is assessed that the development is suitable with regard to the CPTED principles.

### **S 4.15(1)(a)(iii)(a) provisions of any Planning Agreement(s)**

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.

#### *S 4.15(1)(a)(iv) any matters prescribed by the regulations*

Section 4.15(1)(a)(iv) requires the Council to also consider Clauses 61, 62, 63 and 64 of the *Environmental Planning and Assessment Regulation 2021*. The following provides an assessment of the relevant Clauses of the Regulation:

- Clause 61 – The proposal **does** involve demolition of a building and therefore the requirements of AS 2601-2001 have been considered in accordance with Clause 61(1) and relevant conditions applied.
- 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 rebuilding, alteration, enlargement or extension of an existing building or place of public entertainment and therefore the requirement to consider the upgrading of buildings into total or partial conformity with the Building Code of Australia is not required to be undertaken.

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

Section 4.15(1)(b) requires the Council to consider the likely impacts of the development, including environmental impacts on both the natural and built environments as well as the social and economic impacts in the locality. The following provides an assessment of the likely impacts of the development:

##### Context and Setting

The area is characterised by single storey residential developments. This proposal would present as 4 single dwellings and is consistent with the existing character of the locality.

##### Access, Parking, traffic

The site has access to Short Street and Market Lane. Short Street is a local sealed road with kerb and guttering on both sides, while Market Lane is a sealed laneway with no kerb and guttering. 4 new driveways and crossovers are proposed and an application under Section 138 of the Roads Act 1993 has been conditioned. No other traffic or parking concerns are identified.

##### 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. The proposed development includes a new proposed sewer and stormwater extension.

##### 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 proposed development would connect to Council's water, sewer and stormwater services.

##### 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 sedimentation and erosion controls.

### Air and Microclimate

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

### Flora and Fauna

The development does not require removal of any significant vegetation. There will be no significant impact on native flora & fauna.

### Waste

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

### Energy

A BASIX Certificate has been provided for the proposed dwellings.

### 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. The constructed development will not result in any ongoing noise or vibration.

### Natural Hazards

The land is not identified as bushfire or flood prone land.

### Technological Hazards

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

It is considered 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. This will be limited by a condition of consent and will not continue once construction is completed.

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

The development is consistent with the zone objectives and consideration has been given to the impacts the development will have within the locality. It is considered that the proposed development will not create adverse impacts within its local setting. It is assessed that the development will not impact upon any existing services. The development site is not identified as bushfire or flood prone or otherwise unsatisfactorily constrained by natural features. The site is considered suitable for the development subject to the imposition of appropriate conditions of consent.

**S4.15(1)(d) Any Submissions Received**Public Consultation

The subject Development Application was notified to adjoining owners in writing from 5 September 2023 to 19 September 2023, in accordance with Cowra Community Participation Plan 2020. No submissions were received in relation to the proposed development.

Public Authority Consultation:

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

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

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

**S7.12 Fixed development consent levies**

The proposed development is not within a growth area identified under the Cowra Council s94 Contributions Plan 2016. No evidence of any prior 7.11 Development Contributions being levied has been identified. Therefore, the recommended conditions include S7.12 (formerly S94A) development contributions to be levied in accordance with Cowra Council S94A Contributions Plan 2016.

**Conclusion**

Development Application No. 80/2023 proposes the construction of 4 detached dwellings and 4 lot Torrens Title subdivision on Lot 2 DP 868109, 8 Short Street Cowra. The application was lodged by V A Munoz - Ferrada on 30 August 2023.

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

The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the R1 zone and is consistent with existing land-use activities of the locality. The variations to Section No. E.2.7., E.2.13, and E.2.14 of Cowra Development Control Plan 2021 is sufficiently justified.

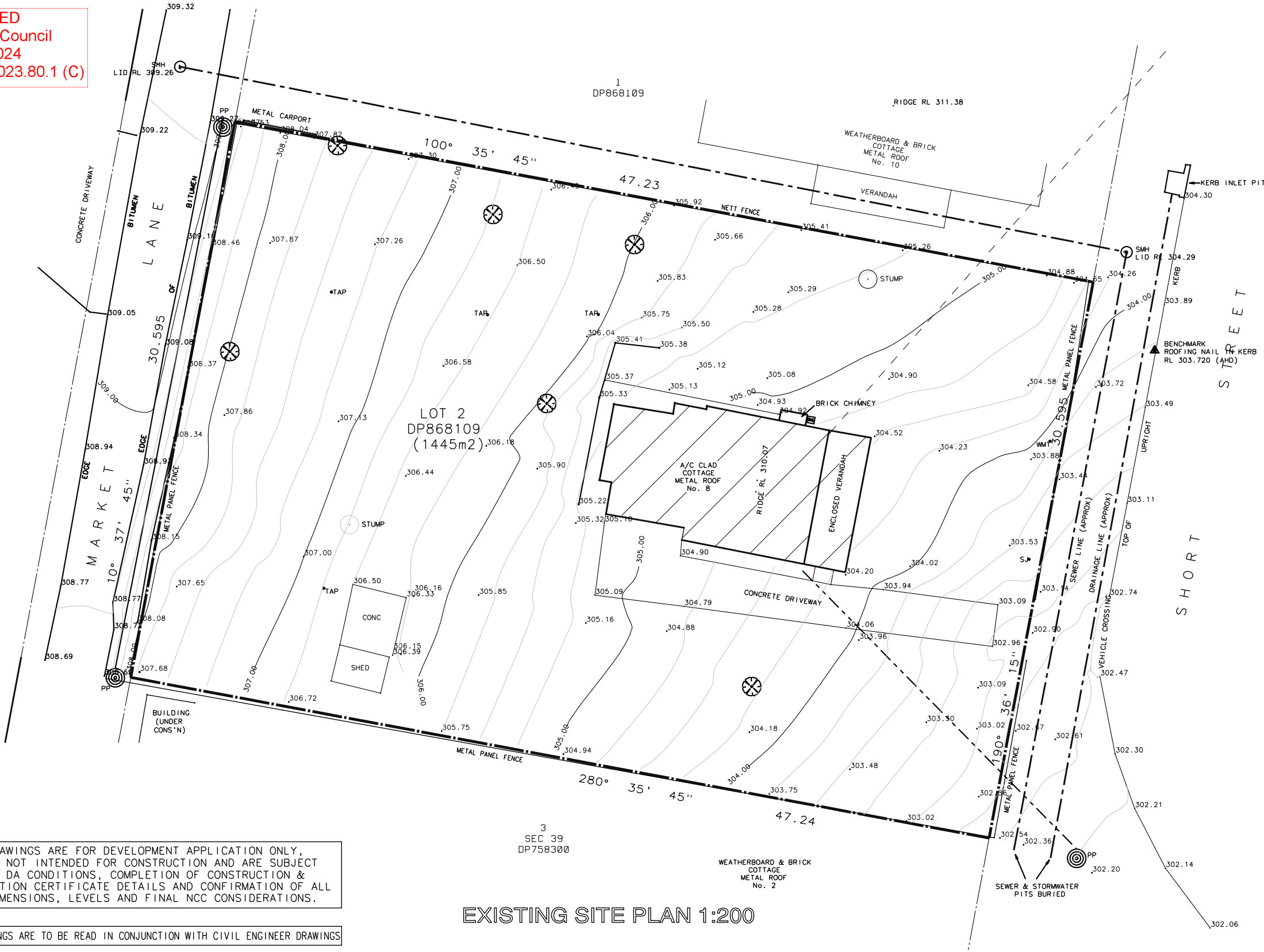
The development application was notified in accordance with Cowra Community Participation Plan 2020. No submissions were received following the consultation process.

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 80/2023 - Development Plans [↓](#)
2. DA 80/2023 - Statement of Environmental Effects [↓](#)
3. DA 80/2023 - Location Plan [↓](#)
4. DA 80/2023 - Aerial view [↓](#)

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Cowra Shire Council  
1 May 2024  
Plan No: DA 10.2023.80.1 (C)



NOTE: THESE DRAWINGS ARE FOR DEVELOPMENT APPLICATION ONLY, THEY ARE NOT INTENDED FOR CONSTRUCTION AND ARE SUBJECT TO FINAL DA CONDITIONS, COMPLETION OF CONSTRUCTION & CONSTRUCTION CERTIFICATE DETAILS AND CONFIRMATION OF ALL FINAL DIMENSIONS, LEVELS AND FINAL NCC CONSIDERATIONS.

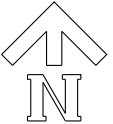
NOTE: THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH CIVIL ENGINEER DRAWINGS

EXISTING SITE PLAN 1:200

no.	description	date
1	ISSUED FOR DA	23/02/2024
2	GENERALLY AMENDED	19/07/2023
3	FOR DA ONLY - NOT FOR CONSTRUCTION	30/05/2023
4	amendment	
5	amendment	

GENERAL NOTES:  
1 - All dimension shown in millimeters unless noted otherwise.  
2 - DO NOT SCALE from drawing. If in doubt ask.  
3 - All dimension and levels are to be confirmed on site prior to construction.  
4 - Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 2870 - 1996.  
5 - All structural elements to be designed by a practicing structural engineer.  
6 - All timber used in the building shall be strictly in accordance with the provisions of AUSTRALIAN STANDARD 1684-1992, NATIONAL TIMBER FRAMING CODE, unless a certificate from a practicing

structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.  
7 - Construction of any stairways and balustrades shall comply with the requirements of the BUILDING CODE OF AUSTRALIA, 2011.  
8 - All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 3500-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.  
9 - Protection of the building from attack by termites is to be carried out in accordance with the provisions of the BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3660.1-1995 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.



FOR D.A. SUBMISSION ONLY  
NOT FOR CONSTRUCTION

1:200 0 2 4 6 8 10 metres

project:  
PROPOSED NEW RESIDENCE  
LOT 2 (D.P. 868109)  
no. 8 SHORT STREET  
COWRA N.S.W.

client:  
VIVIAN MUNOZ-FERRADA  
& KEITH SPENCER  
title:  
EXISTING SITE PLAN



P 02 8988 1780  
182 KITE STREET,  
PO BOX 1038  
COWRA NSW 2800  
E info@mcckinnondesign.com.au  
COWWOOD PTY LTD  
ABN 24 074 428 788

scale:  
AS NOTED  
drawn:  
HE & HA MCK NOV. 2022  
job no:  
22090  
dig no:  
01  
issue:  
H

LANDSCAPING SPECIFICATION:

ALL GARDEN BEDS TO BE EDGED WITH BRICK, HARDWOOD OR CONCRETE EDGING TO PROVIDE MOWING STRIPS.

LAWN AREAS TO BE TURFED OR SOWN.

THESE AREAS TO BE PROPERLY PREPARED WITH 150mm MIN. TOPSOIL DEPTH.

TURFING :

OBTAIN TURF FROM A SPECIALIST LOCAL GROWER OF CULTIVATED TURF. TURF TO BE LAID, FERTILISED & WATERED AS SPECIFIED BY SUPPLIER. INSTALL WATERING SYSTEM TO ENSURE PROPER WATERING WITH ECONOMICAL WATER USAGE.

SOWING :

PROVIDE LAWN SEED MIXTURE SUITABLE FOR LOCAL CLIMATE. SOW SEED AS RECOMMENDED BY SUPPLIER. WATER & FERTILISE IN AN APPROVED MANNER. INSTALL WATERING SYSTEM TO ENSURE PROPER WATERING WITH ECONOMICAL WATER USAGE.

GARDEN BEDS :

GARDEN BEDS TO BE FILLED WITH 200mm MIN. OF GOOD QUALITY TOPSOIL. PRIOR TO INSTALLATION OF TOPSOIL, GROUND TO BE RIPPED TO MIN. DEPTH OF 300mm. SPECIFIED PLANTS AND GROUND COVERS TO BE PLANTED IN GARDEN BEDS. BEDS TO BE MULCHED WITH GOOD QUALITY SHREDDED MULCH. INSTALL SUBSURFACE WATERING SYSTEM FOR MINIMAL WATER USAGE.

SELECTED EDGING TO GARDEN BEDS

MULCH :

MULCH APPLIED TO GARDEN BEDS TO BE MIN. DEPTH OF 85mm. MULCH TO BE OF GOOD QUALITY ORGANIC MATERIAL.

IRRIGATION :

PROVIDE SUITABLE WATER EFFICIENT DRIP IRRIGATION SYSTEM ON AUTOMATIC TIMER TO ALL GARDEN BEDS.

TREE & PLANT PLANTING :

EXCAVATE PLANT HOLES LARGE ENOUGH TO ACCEPT ROOT BALLS & 0.1m<sup>3</sup> OF BACKFILLING WITH TOPSOIL. THOROUGHLY WATER THE PLANTS BEFORE & IMMEDIATELY AFTER PLANTING AND AS REQUIRED TO MAINTAIN GROWTH RATES FREE OF STRESS. USE SUITABLE PLANT FERTILISER AROUND PLANTS AT TIME OF PLANTING.

STAKING OF PLANTS & TREES :

INSTALL HARDWOOD STAKES DRIVEN INTO THE GROUND AT LEAST 1/3 THEIR LENGTH. AVOID ROOT DAMAGE DURING INSTALLATION.

STAKE SIZES:

FOR PLANTS > 2.5m HIGH : THREE 50 x 50 x 2.4m STAKES PER PLANT  
FOR PLANTS 1- 2.5m HIGH : TWO 50 x 50 x 1.8m STAKES PER PLANT  
FOR PLANTS < 1.0m HIGH : ONE 38 x 38 x 1.2m STAKES PER PLANT

TIE PLANTS TO STAKES WITH APPROVED TIES DESIGNED NOT TO DAMAGE PLANT OR TREE.

COMPLETION :

THROUGHOUT THE PLANTING & ESTABLISHMENT PERIOD, CARRY OUT MAINTENANCE WORK INCLUDING WATERING, MOWING, RUBBISH REMOVAL, FERTILISING, PEST & DISEASE CONTROL, RE-SEEDING, RE-TURFING, STAKING & TYING, CULTIVATING, PRUNING, REINSTATEMENT OF MULCH, TOP DRESSING & KEEPING SITE NEAT & TIDY. CONTINUE TO REPLACE FAILED, DAMAGED OR STOLEN PLANTS.

PRIVATE OPEN SPACE

PRIVATE OPEN SPACE REQUIRED = 40.0m<sup>2</sup> PER DWELLING

PRIVATE OPEN SPACE PROVIDED

DWELLING 1 = 52.1m<sup>2</sup>  
DWELLING 2 = 56.1m<sup>2</sup>  
DWELLING 3 = 82.5m<sup>2</sup>  
DWELLING 4 = 86.9m<sup>2</sup>

 - DENOTES PRIVATE OPEN SPACE

LANDSCAPING LEGEND:

MEDIUM TREES:

F - MALUS TSCHONSKII (FLOWERING CRAB)

SMALL TREES & SHRUBS :

H - HEBE 'TEMPTATION'  
A - AGAPANTHUS

TURF - TURF AREA

MATURE HEIGHT

7m

1m

0.5m

NO. OF PLANTS

4

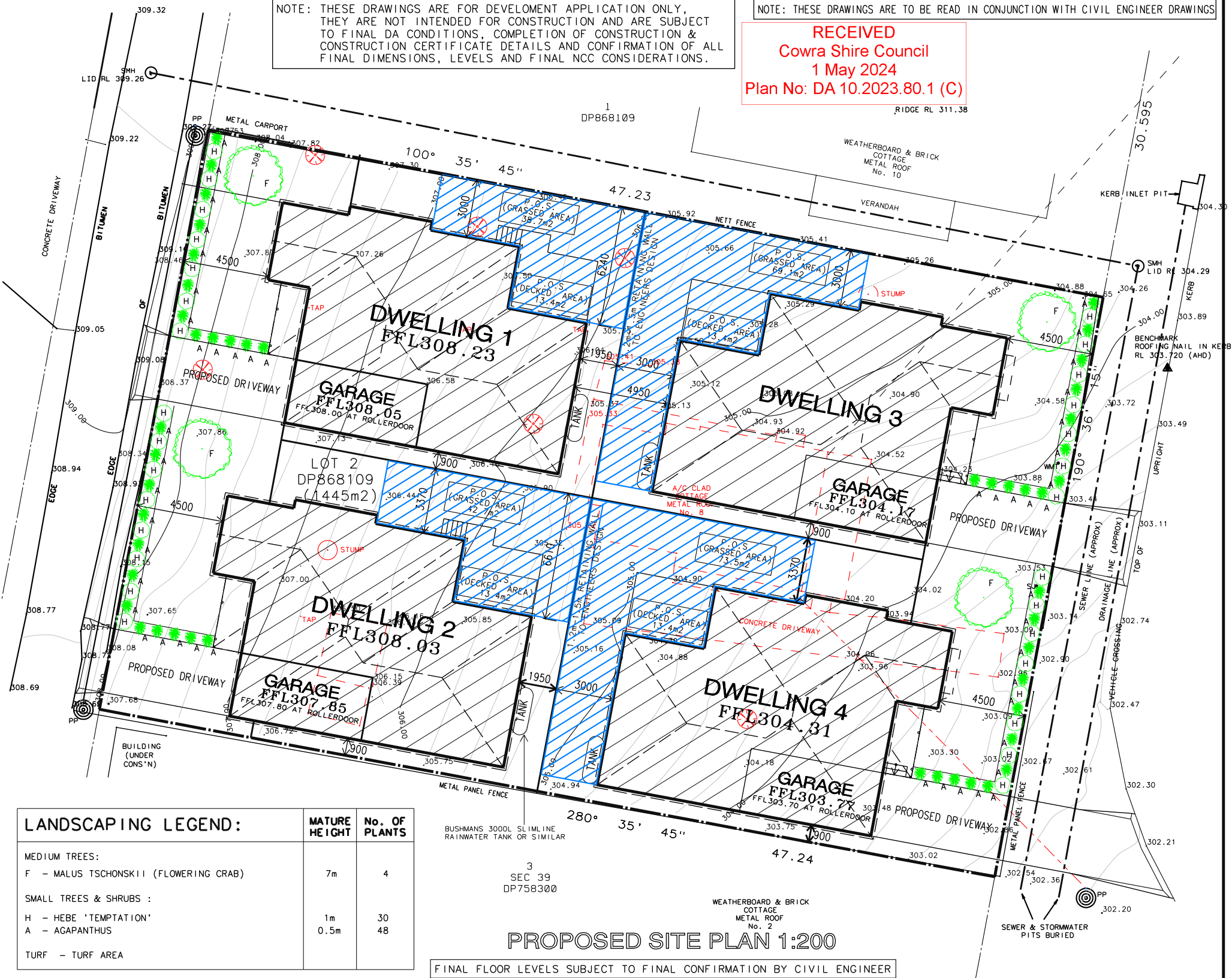
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48

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Cowra Shire Council  
1 May 2024  
Plan No: DA 10.2023.80.1 (C)



J	GENERAL AMEND	30/04/2024
G	GENERALLY AMENDED	21/02/2024
F	PRIVATE OPEN SPACE NOTE ADDED	19/01/2024
E	FLOOR LEVELS AMENDED + GENERALLY AMENDED	20/11/2023
D	LANDSCAPING & FLOOR LEVELS ADDED	01/11/2023
no.	description	date
	amendments	
© copyright - mckinnon design DO NOT SCALE		

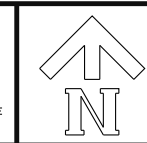
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structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.

7 - Construction of any stairways and balustrades shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.

8 - All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 3500-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.

9 - Protection of the building from attack by termites is to be carried out in accordance with the provisions of the BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3601.1-1995 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.



FOR D.A. SUBMISSION ONLY  
NOT FOR CONSTRUCTION

1:200 0 2 4 6 8 10 metres

project:  
PROPOSED NEW RESIDENCE  
LOT 2 (D.P. 888109)  
no. 8 SHORT STREET  
COWRA N.S.W.

client:  
VIVIAN MUNOZ-FERRADA  
& KEITH SPENCER

title:  
PROPOSED SITE PLAN

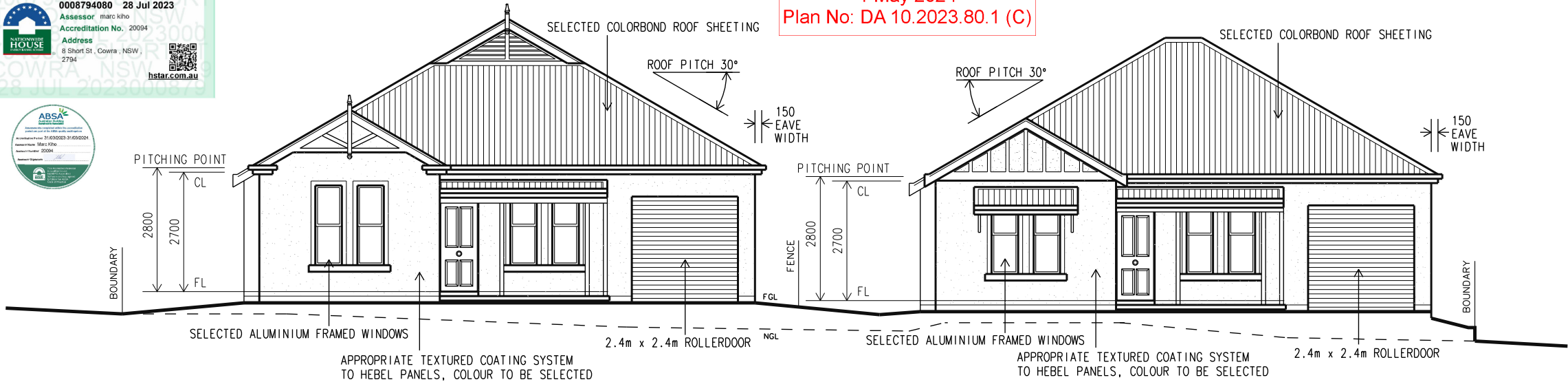


P 02 8988 1780	scale: AS NOTED
182 KITE STREET, PO BOX 1035 COWRA NSW 2800	drawn: HE & HA MCK NOV. 2022
E info@mckinnondesign.com.au	job no: 22090
COWWOOD PTY LTD ABN 24 074 428 788	date: 02
	issue: J





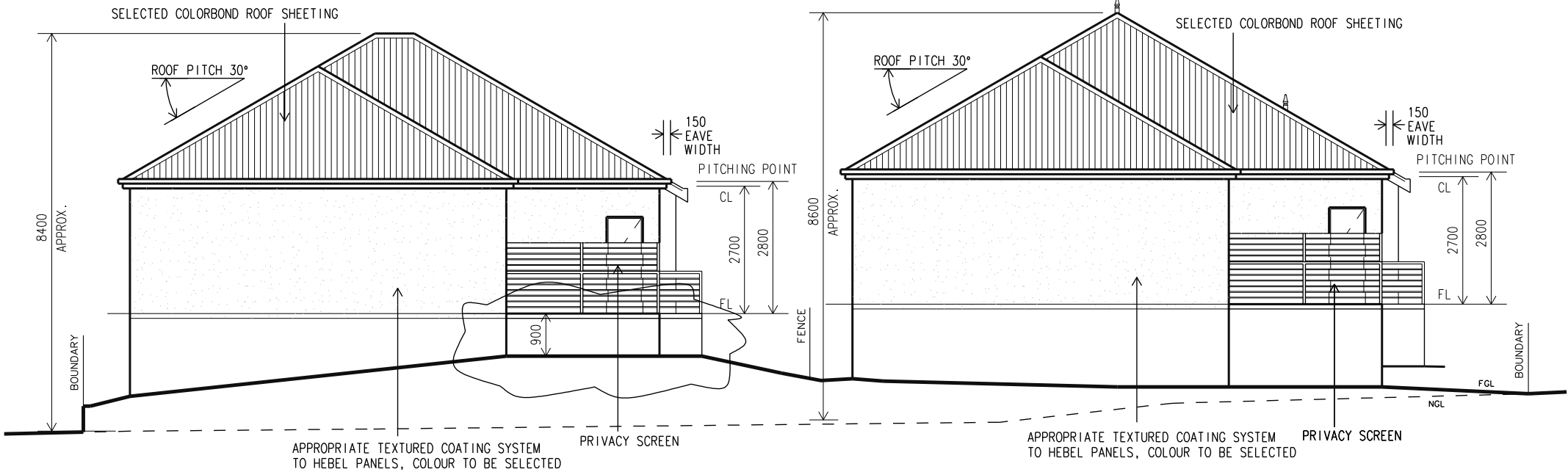
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Plan No: DA 10.2023.80.1 (C)



WEST ELEVATION 1:100  
UNITS 1 & 2

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EAST ELEVATION 1:100  
UNITS 1 & 2

J	GROUND LEVELS AMENDED + GENERALLY AMENDED (CLOUDED)	30/04/2024
H	FLOOR LEVELS AMENDED	23/02/2024
G	GROUND LEVELS AMENDED + GENERALLY AMENDED	21/02/2024
E	FLOOR LEVELS AMENDED + GENERALLY AMENDED	20/11/2023
B	GENERALLY AMENDED	19/07/2023
A	FOR DA ONLY - NOT FOR CONSTRUCTION	30/05/2023
no.	description	date
amendment		
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FOR D.A. SUBMISSION ONLY  
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1:100 0 1 2 3 4 5 6 metres A3

project:  
PROPOSED NEW RESIDENCE  
LOT 2 (D.P. 888109)  
no. 8 SHORT STREET  
COWRA N.S.W.

client:  
VIVIAN MUNOZ-FERRADA  
& KEITH SPENCER  
title:  
PROPOSED ELEVATIONS  
UNITS 1 & 2

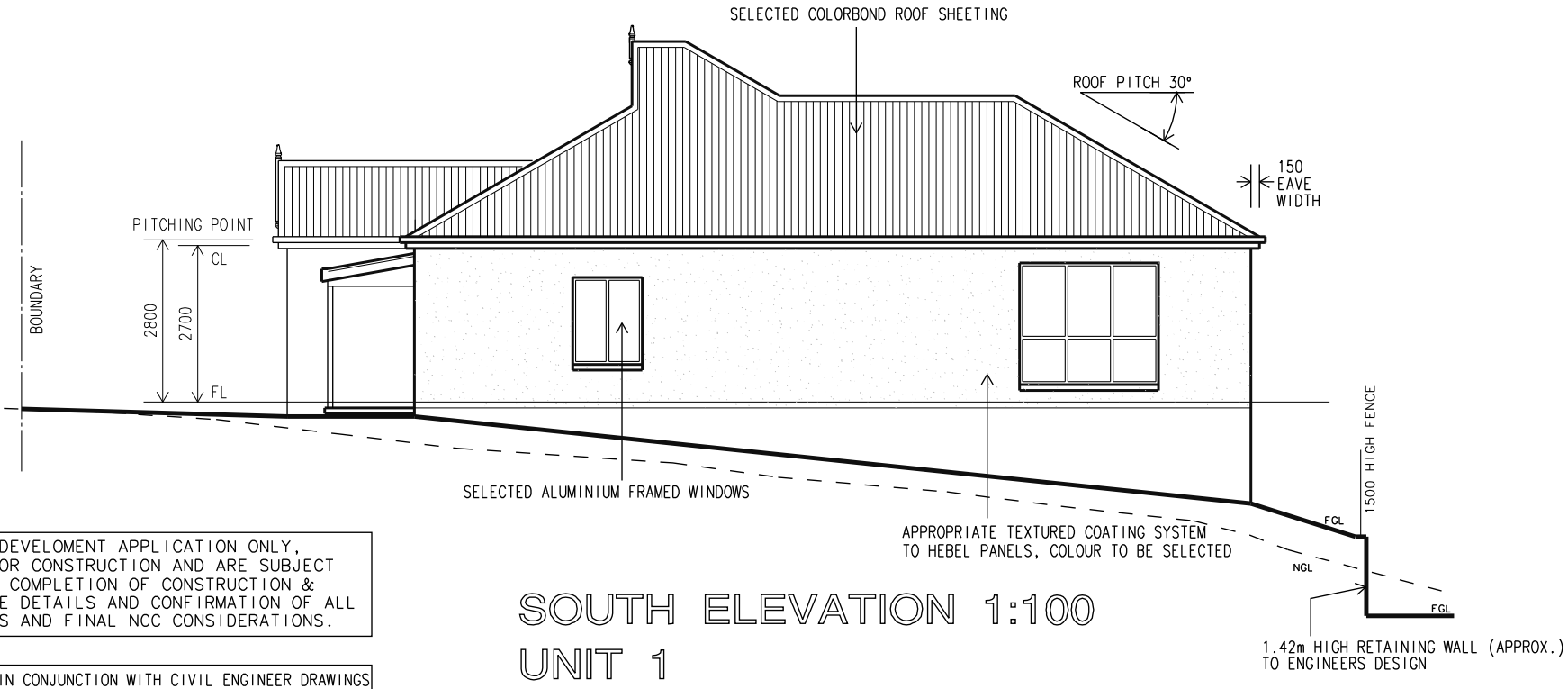
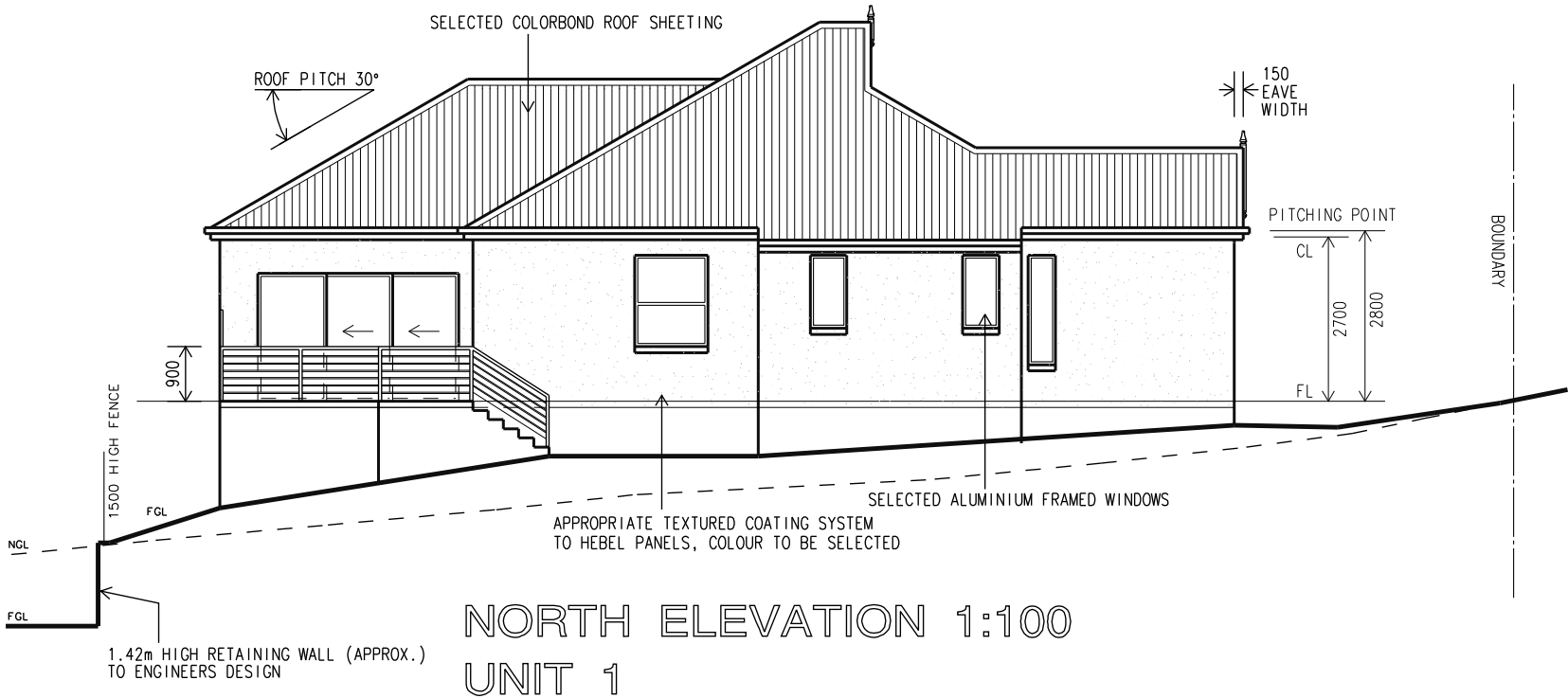


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182 KITE STREET,  
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E info@mckinnondesign.com.au  
COWWOOD PTY LTD  
ABN 24 074 428 788

scale:  
AS NOTED  
drawn:  
HE & HA MCK NOV 2022  
job no:  
22090  
dig no:  
05  
issue:  
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amendment		
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1:100 0 1 2 3 4 5 6 metres A3

project:

PROPOSED NEW RESIDENCE  
LOT 2 (D.P. 888109)  
no. 8 SHORT STREET  
COWRA N.S.W.

client:

VIVIAN MUNOZ-FERRADA  
& KEITH SPENCER

title:

PROPOSED ELEVATIONS  
UNIT 1



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ABN 24 074 428 788

scale:

AS NOTED

drawn:

HE & HA MCK

date:

NOV. 2022

job no:

22090

diag no:

06

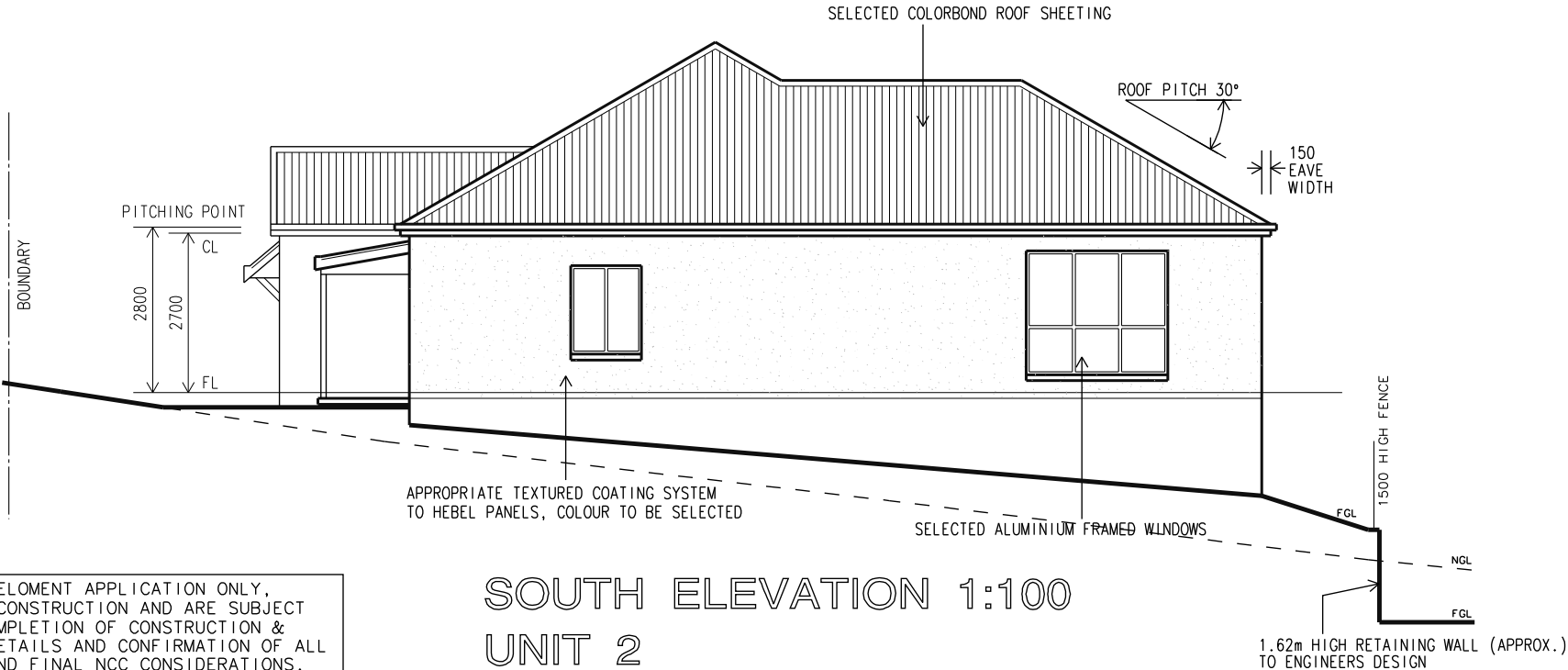
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SOUTH ELEVATION 1:100  
UNIT 2



NORTH ELEVATION 1:100  
UNIT 2

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amendment		
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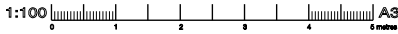
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project:

PROPOSED NEW RESIDENCE  
LOT 2 (D.P. 888109)  
no. 8 SHORT STREET  
COWRA N.S.W.

client:

VIVIAN MUNOZ-FERRADA  
& KETH SPENCER

title:

PROPOSED ELEVATIONS  
UNITS 2



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COWWOOD PTY LTD  
ABN 24 074 428 788

scale:

AS NOTED

drawn:

HE & HA MCK

date:

NOV. 2022

job no:

22090

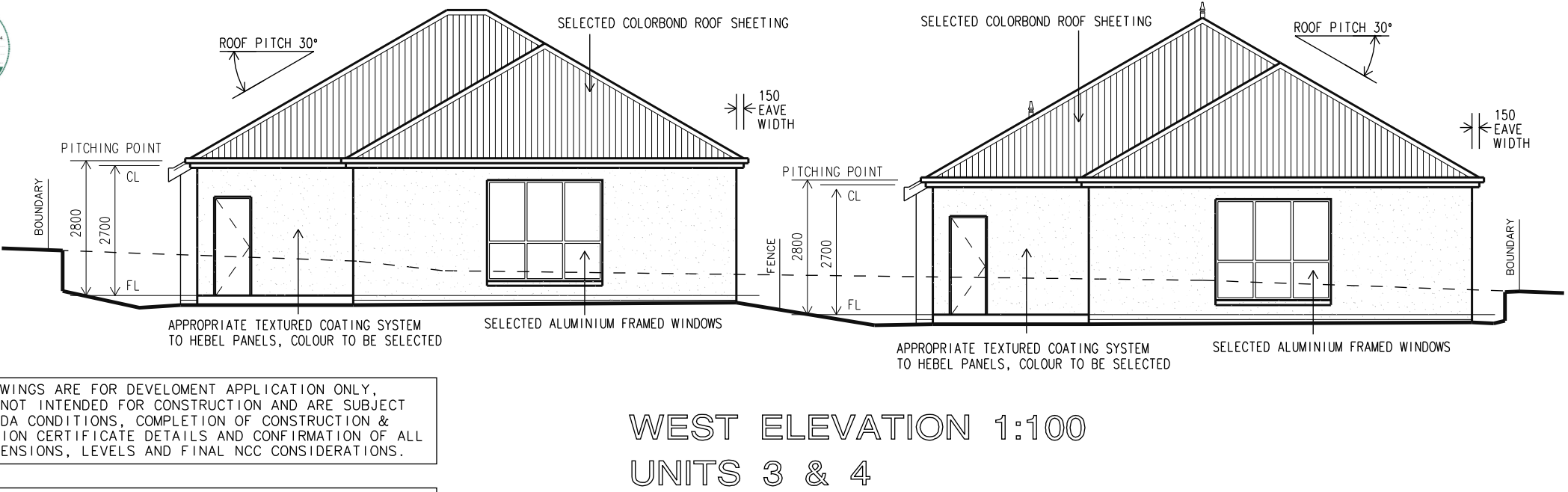
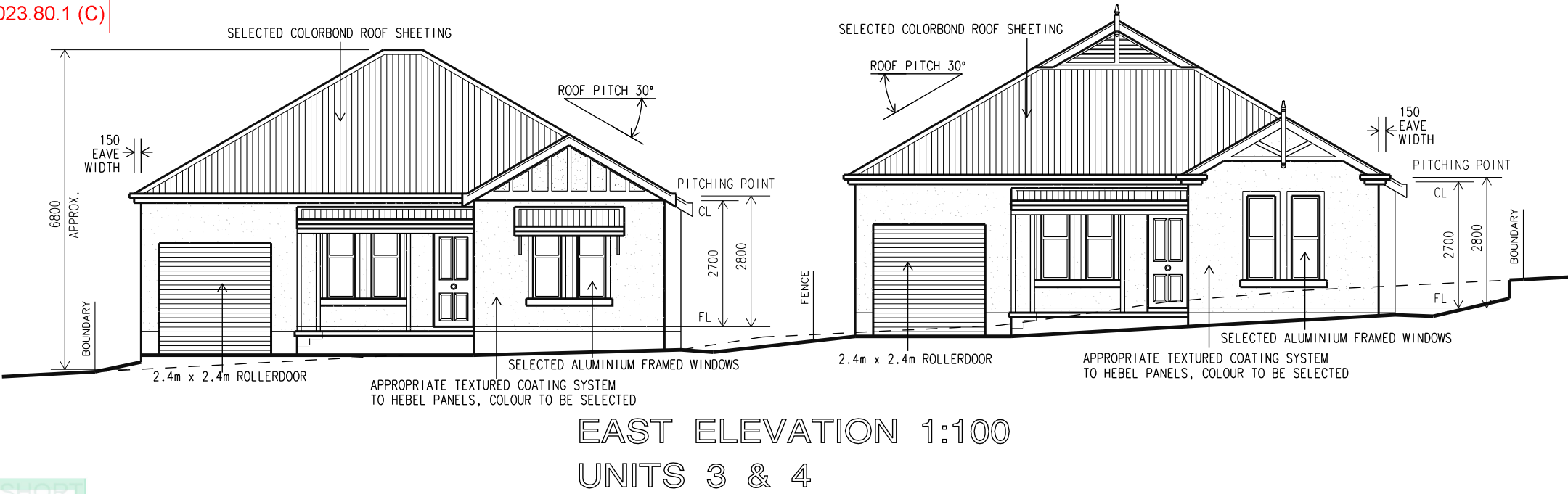
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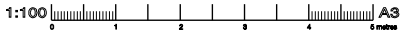
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project:  
**PROPOSED NEW RESIDENCE**  
LOT 2 (D.P. 888109)  
no. 8 SHORT STREET  
COWRA N.S.W.

client:  
**VIVIEN MUNOZ-FERRADA & KEITH SPENCER**  
  
title:  
**PROPOSED ELEVATIONS**  
**UNITS 3 & 4**



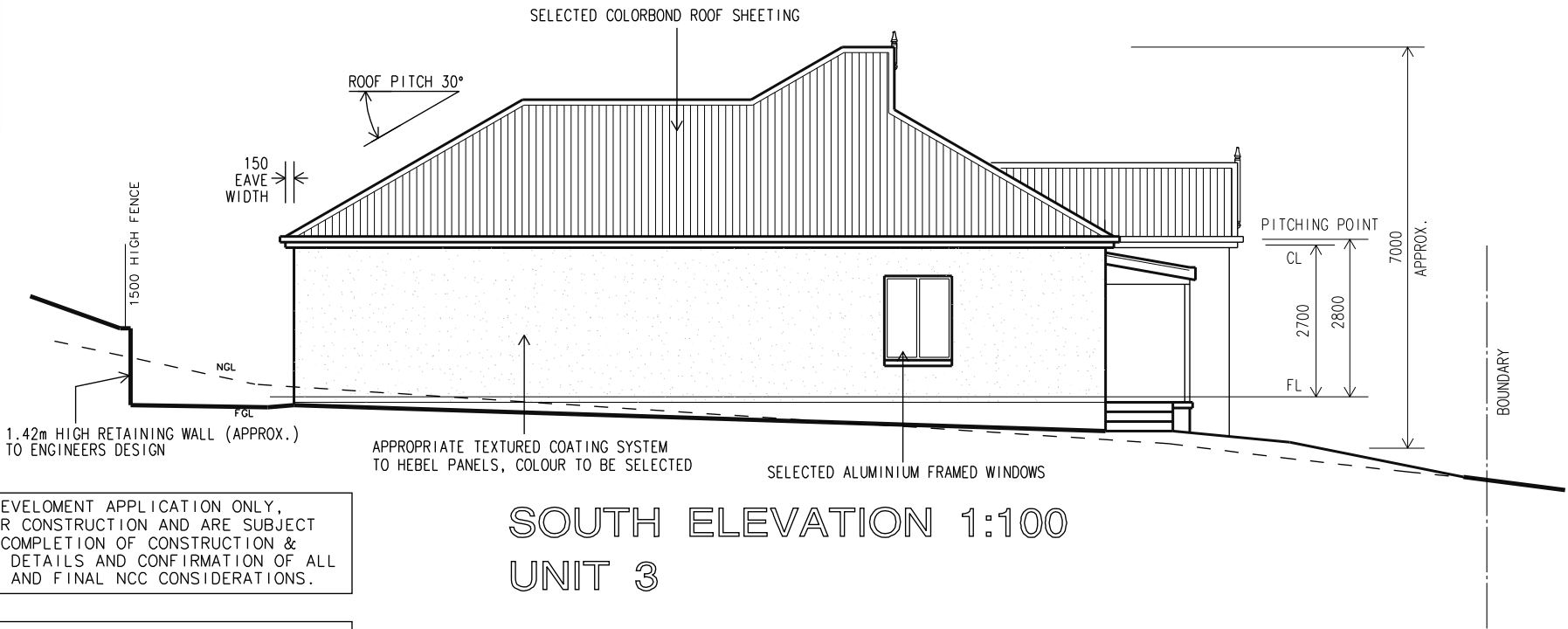
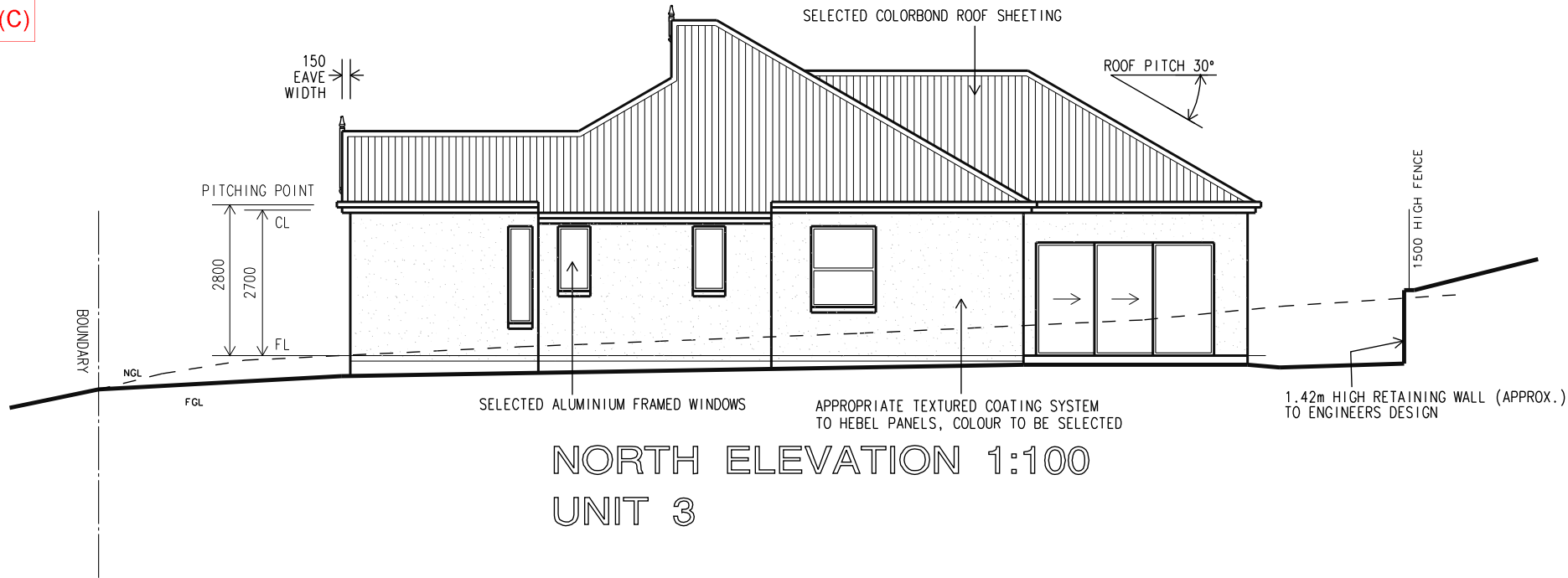
P 02 8988 1780  
182 KITE STREET,  
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ORANGE NSW 2800  
E info@mckinnondesign.com.au  
COWWOOD PTY LTD  
ABN 24 074 428 788

scale:  
AS NOTED  
drawn: date:  
HE & HA MCK NOV 2022  
job no:  
**22090**  
E info@mckinnondesign.com.au  
dig no:  
**08**  
issue:  
**J**

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1:100 0 1 2 3 4 5 6 metres A3

project:

PROPOSED NEW RESIDENCE  
LOT 2 (D.P. 888109)  
no. 8 SHORT STREET  
COWRA N.S.W.

client:

VIVIEN MUNOZ-FERRADA  
& KEITH SPENCER

title:

PROPOSED ELEVATIONS  
UNIT 3



P 02 8988 1780

182 KITE STREET,  
PO BOX 1033  
COWRA NSW 2800

E info@mckinnondesign.com.au

COWWOOD PTY LTD  
ABN 24 074 428 788

mkinnon design

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HE & HA MCK NOV. 2022

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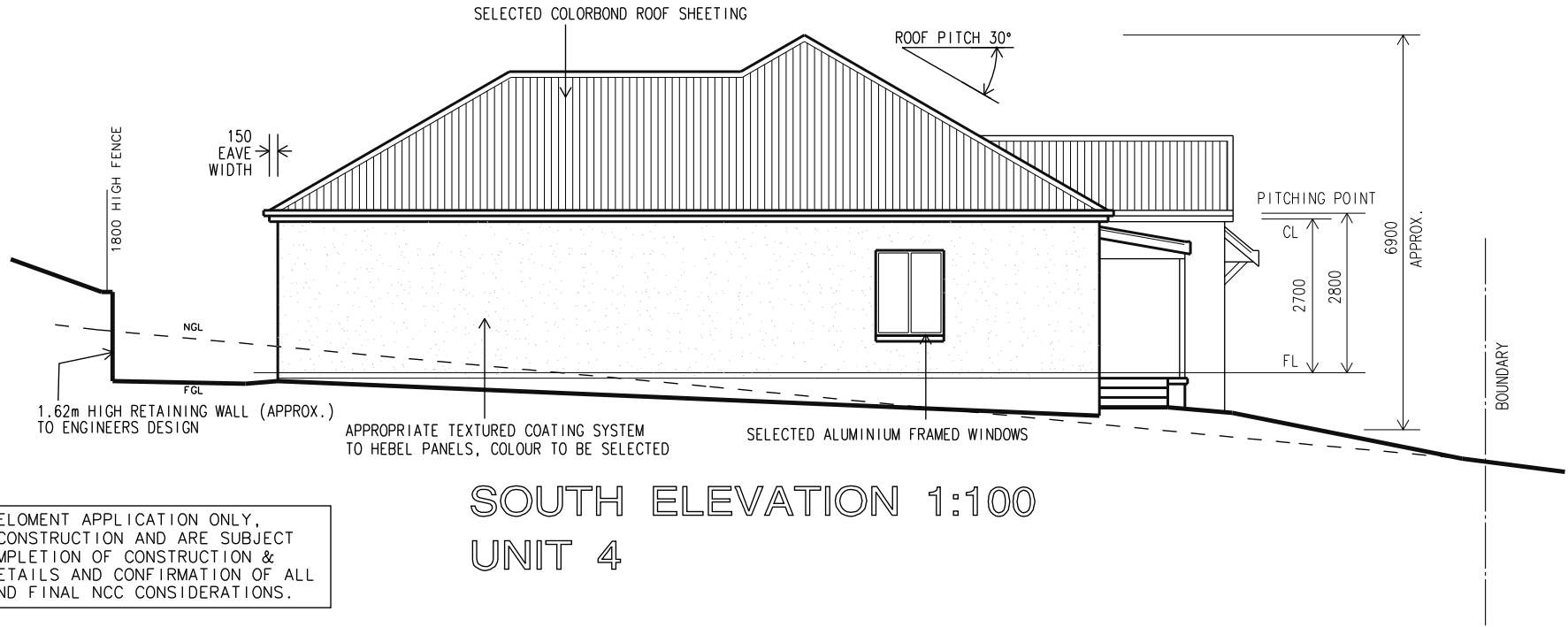
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issue:

J



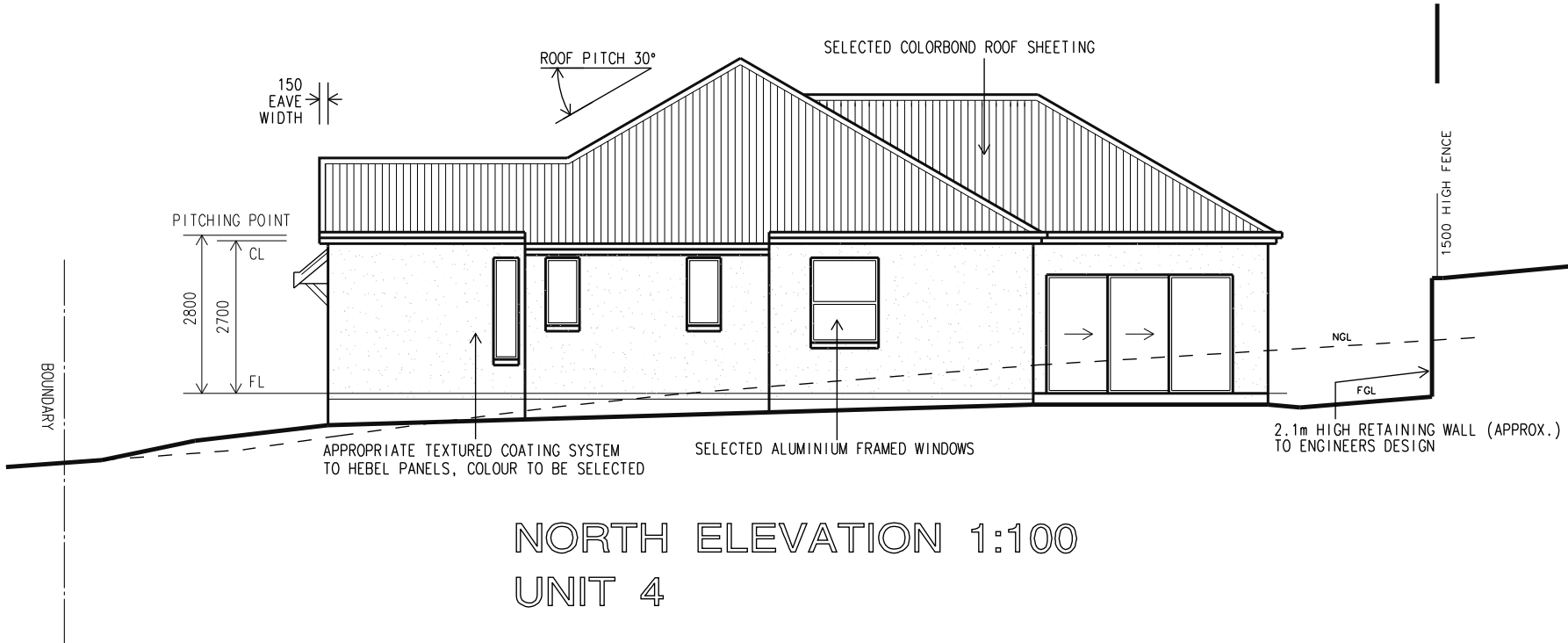
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SOUTH ELEVATION 1:100  
UNIT 4



NORTH ELEVATION 1:100  
UNIT 4

J	GROUND LEVELS AMENDED + GENERALLY AMENDED	30/04/2024
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1:100 0 1 2 3 4 5 6 metres A3

project:

PROPOSED NEW RESIDENCE  
LOT 2 (D.P. 888109)  
no. 8 SHORT STREET  
COWRA N.S.W.

client:

VIVIEN MUNOZ-FERRADA  
& KEITH SPENCER

title:

PROPOSED ELEVATIONS  
UNIT 4



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COWWOOD PTY LTD  
ABN 24 074 428 788

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PROPOSED SUB-DIVISION PLAN 1:200

NOTE: FINAL LOT BOUNDARIES SUBJECT TO SURVEY

J	BOUNDARIES ADJUSTED	30/04/2024
H	ISSUED FOR DA	23/02/2024
G	PAGE ADDED	21/02/2024
no.	description	date
amendment		
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1:100 0 1 2 3 4 5 6 metres A3

project: PROPOSED NEW RESIDENCE LOT 2 (D.P. 888109) no. 8 SHORT STREET COWRA N.S.W.	client: VIVIAN MUNOZ-FERRADA & KEITH SPENCER	scale: AS NOTED drawn: HE & HA MCK NOV. 2022 job no: 22090 date: 11 issue: J
title: PROPOSED SUB-DIVISION PLAN		author: E info@mckinnondesign.com.au COWWOOD PTY LTD ABN 24 074 428 788

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SHADOW DIAGRAM - 10AM

SUNLIGHT REQUIRED IN PRIVATE OPEN SPACE = 20.0m2			
AS PER DCP - 50% x REQUIRED PRIVATE OPEN SPACE			
DWELLING 1 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 20.3m2	COMPLIES	
DWELLING 2 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 17.7m2	MINOR NON-COMPLIANCE	
DWELLING 3 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 29.0m2	COMPLIES	
DWELLING 4 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 32.1m2	COMPLIES	



SHADOW DIAGRAM - 11AM

SUNLIGHT REQUIRED IN PRIVATE OPEN SPACE = 20.0m2			
AS PER DCP - 50% x REQUIRED PRIVATE OPEN SPACE			
DWELLING 1 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 25.7m2	COMPLIES	
DWELLING 2 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 20.0m2	COMPLIES	
DWELLING 3 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 33.9m2	COMPLIES	
DWELLING 4 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 35.1m2	COMPLIES	

— DENOTES SHADOWS CAST BY PROPOSED BUILDINGS & FENCES

no.	description	date
1	PAGE ADDED	30/04/2024
2	amendment	

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7 - Construction of any stairways and balustrades shall comply with the requirements of the BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARD 3500-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.  
8 - All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 3500-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.  
9 - Protection of the building from attack by termites is to be carried out in accordance with the provisions of the BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3660.1-1995 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.

**FOR D.A. SUBMISSION ONLY  
NOT FOR CONSTRUCTION**

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0 1 2 3 4 5 6 metres

A3

project:  
**PROPOSED NEW RESIDENCE  
LOT 2 (D.P. 888109)  
no. 8 SHORT STREET  
COWRA N.S.W.**

client:  
**VIVIEN MUNOZ-FERRADA  
& KEITH SPENCER**

title:  
**SHADOW DIAGRAMS**

scale:  
AS NOTED

drawn:  
HE & HA MCK NOV. 2022

job no:  
**22090**

diag no:  
**12**

issue:  
**J**

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ABN 24 074 428 788

mckinnon design



RECEIVED  
Cowra Shire Council  
1 May 2024  
Plan No: DA 10.2023.80.1 (C)



SHADOW DIAGRAM - 12PM

SUNLIGHT REQUIRED IN PRIVATE OPEN SPACE = 20.0m2			
AS PER DCP - 50% x REQUIRED PRIVATE OPEN SPACE			
DWELLING 1 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 26.6m2	COMPLIES	
DWELLING 2 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 16.8m2	MINOR NON-COMPLIANCE	
DWELLING 3 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 36.7m2	COMPLIES	
DWELLING 4 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 34.6m2	COMPLIES	



SHADOW DIAGRAM - 1PM

SUNLIGHT REQUIRED IN PRIVATE OPEN SPACE = 20.0m2			
AS PER DCP - 50% x REQUIRED PRIVATE OPEN SPACE			
DWELLING 1 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 23.8m2	COMPLIES	
DWELLING 2 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 14.0m2	MINOR NON-COMPLIANCE	
DWELLING 3 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 21.9m2	COMPLIES	
DWELLING 4 - SUNLIGHT PROVIDED TO PRIVATE OPEN SPACE	= 22.8m2	COMPLIES	

 - DENOTES SHADOWS CAST BY PROPOSED BUILDINGS & FENCES

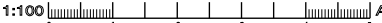
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1	PAGE ADDED	30/04/2024
2	amendment	

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**GENERAL NOTES:**

1 - All dimension shown in millimeters unless noted otherwise.  
2 - DO NOT SCALE from drawing, if in doubt ask.  
3 - All dimension and levels are to be confirmed on site prior to construction.  
4 - Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 2870 - 1996.  
5 - All structural elements to be designed by a practicing structural engineer.  
6 - All timber used in the building shall be strictly in accordance with the provisions of AUSTRALIAN STANDARD 1684-1992, NATIONAL TIMBER FRAMING CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.  
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RECEIVED  
Cowra Shire Council  
8 March 2024  
Plan No: DA 10.2023.80.1 (C)

**SAUNDERS**  
**PROPERTY**  
TOWN PLANNING  
+ VALUATIONS.

**DEVELOPMENT APPLICATION**

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**PROPOSED DEMOLITION OF COTTAGE  
MULTI DWELLING HOUSING  
AND  
TORRENS TITLE LOT SUBDIVISION**

**8 SHORT STREET  
COWRA NSW 2794**

V04032024

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### 1.0 OVERVIEW

Council's development consent is sought to demolish an existing dwelling, construct 4 multi-dwelling units, then four lot Torrens title subdivision with dwelling upon each allotment.

The subject site is identified as lot 2 in Deposited Plan 868109, 8 Short Street, Cowra.

The land has an area of 1445 sqm in an established residential precinct overlooking highway, railway line and Waugoola Creek.

The proposal will comprise a number of stages as follows:

1. Demolition of existing dwelling
2. Erection of 4 multi unit dwellings
3. Four lot torrens title subdivision

Standard Council approval is required for this development under Part 4, Division 4.3, section 4.15 of the *Environmental Planning and Assessment Act 1979*.

### 2.0 APPLICANT

Vivien Munoz-Ferrada and Spencer  
c/ Saunders Property  
2/124-128 Summer Street  
ORANGE NSW 2800

### 3.0 OWNER

Vivien Munoz-Ferrada and Spencer  
c/ Saunders Property  
2/124-128 Summer Street  
ORANGE NSW 2800

### 4.0 SUBJECT LAND

#### 4.1 Location and Land Description

The subject property is located on the western side of Short Street north of the Mid Western Highway, Cowra. Market Street adjoins the rear of the land.

The property has a slight easterly aspect toward the street.

The existing dwelling is situated in the middle of the land with older style verandah and clad cottage in average basic condition.

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Location of subject site.

## 5.0 THE PROPOSAL

The proposed staged development comprises

1. Demolition of the existing cottage,
2. Construction of four new dwellings,
3. Four lot Torrens title subdivision

## 6.0 PLANNING REQUIREMENTS AND ASSESSMENT

In determining the application, Council is required to consider the relevant matters identified under section 4.15 of the Environmental Planning and Assessment Act, 1979. This section forms the basis of our assessment below.

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## 6.1 Environmental Planning and Assessment Act 1979

Issues relevant to the decision making process in the context of Section 4.15(1) of the Act, and which should be addressed in any statement of environmental effects that would accompany a development application, include:

- (a) the provisions of—*
  - (i) any environmental planning instrument, and*
  - (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - (iii) any development control plan, and*
  - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
  - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (v) (Repealed)*  
*that apply to the land to which the development application relates,*
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

The matters included in Section 4.15(1) are now discussed in turn.

## 6.2 State Environmental Planning Policy (State and Regional Development) 2011

### 4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—
  - (a) it has considered whether the land is contaminated, and
  - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
  - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a

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report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

(4) The land concerned is—

(a) land that is within an investigation area,

(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,

(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—

(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and

(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

The subject area has been used for residential purposes approx. 100 years. There is no evidence of old sheds, oil stains, scalding or other evidence on the ground.

The site has not been used for any commercial use, mechanical repairs or fuel storage or sale. Normal duty of care will occur during any site works for the open space area should any 'hotspots' or signs of fuel deposits be discovered during work.

### 6.3 Cowra Local Environmental Plan 2012

The subject land is zoned R1 General Residential in accordance with the provisions of Cowra Local Environmental Plan 2012.

#### **Zone R1 General Residential**

##### **1 Objectives of zone**

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

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## **2 Permitted without consent**

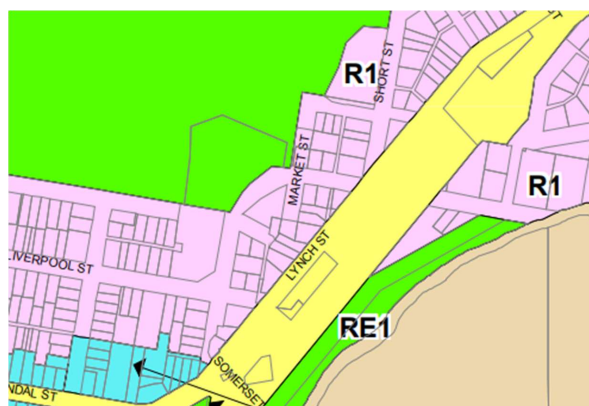
*Environmental protection works; Home occupations*

## **3 Permitted with consent**

*Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4*

## **4 Prohibited**

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Public administration buildings; Recreation facilities (major); Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies*



### **Response:**

The proposed demolition is permissible. The property is not a Heritage Item.

The proposed use for multi dwelling housing is permissible with development consent. The minimum lot size for this area is 700 sqm.

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Council's adopted Development Control Plan 2021, particularly Chapters C requires merit-based assessment of the proposal and is addressed in this submission.

In general terms, however, we consider that the proposed development is considered to be consistent with the overall residential and heritage character of the locality.

Other issues associated with potential for additional traffic generation and utility services is considered to be of a minor nature with minimal impact envisaged.

Our submission therefore largely focuses on the design elements and residential character as the critical considerations.

#### **4.1 Minimum subdivision lot size**

*(1) The objectives of this clause are as follows—*

*(a) to ensure that new subdivisions reflect characteristic lot sizes and patterns in the surrounding locality,*

*(b) to ensure that lot sizes for dwelling houses are consistent with lot sizes on adjoining land,*

*(c) to ensure that lot sizes have a practical and efficient layout to meet the intended use of the lot,*

*(d) to prevent the fragmentation of rural land.*

*(2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.*

*(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.*

*(3A) Despite subclause (3), if the consent authority is satisfied that each lot is, or will be, serviced by a water reticulation system—*

*(a) land identified as "Area A" on the [Lot Size Map](#) may be subdivided to create lots of at least 2 hectares, and*

*(b) land identified as "Area D" on the [Lot Size Map](#) may be subdivided to create lots of at least 5 hectares.*

*(3B) Despite subclause (3), if the consent authority is satisfied that each lot is, or will be, serviced by a sewage reticulation system—*

*(a) land identified as "Area B" on the [Lot Size Map](#) may be subdivided to create lots of at least 4,000 square metres, and*

*(b) land identified as "Area C" on the [Lot Size Map](#) may be subdivided to create lots of at least 1,000 square metres.*

*(4) This clause does not apply in relation to the subdivision of any land—*

*(a) by the registration of a strata plan or strata plan of subdivision under the [Strata Schemes Development Act 2015](#), or*

*(b) by any kind of subdivision under the [Community Land Development Act 2021](#).*

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

*(1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*

*(2) This clause applies to development on land in the following zone—*

*(a) R1 General Residential.*

*(3) Development consent may be granted to a single development application for development to which this clause applies that is both of the following—*

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- (a) the subdivision of land into 2 or more lots,*
- (b) the erection of a dwelling house, an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, if the size of each lot is equal to or greater than 300 square metres.*

In this instance the intent of the above clause allows for the 4 lots being more than 300 square metres. The proposal supports the intent for housing diversity in an integrated manner.

No specific matters under Part 6 of the LEP are relevant to the proposal.

#### **5.10 Heritage conservation**

##### **Note—**

*Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5.*

##### **(1) Objectives** *The objectives of this clause are as follows—*

- (a) to conserve the environmental heritage of Cowra,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

##### **(2) Requirement for consent**

*Development consent is required for any of the following—*

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—*
  - (i) a heritage item,*
  - (ii) an Aboriginal object,*
  - (iii) a building, work, relic or tree within a heritage conservation area,*
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
- (d) disturbing or excavating an Aboriginal place of heritage significance,*
- (e) erecting a building on land—*
  - (i) on which a heritage item is located or that is within a heritage conservation area, or*
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*
- (f) subdividing land—*
  - (i) on which a heritage item is located or that is within a heritage conservation area, or*
  - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

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**(3) When consent not required**

However, development consent under this clause is not required if—

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—
  - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
  - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development—
  - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
  - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

**(4) Effect of proposed development on heritage significance**

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

**(5) Heritage assessment**

The consent authority may, before granting consent to any development—

- (a) on land on which a heritage item is located, or
  - (b) on land that is within a heritage conservation area, or
  - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

**(6) Heritage conservation management plans** The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

**(7) Archaeological sites** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies)—

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

**(8) Aboriginal places of heritage significance** The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—

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*(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*  
*(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

**(9) Demolition of nominated State heritage items** *The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—*

*(a) notify the Heritage Council about the application, and*  
*(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

**(10) Conservation incentives**

*The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—*

*(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*  
*(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*  
*(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*  
*(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*  
*(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

The subject site is not a Heritage Item or situated in the HCA.

**Part 7 Additional Local Provisions**

**7.1 Earthworks**

*(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.*

*(2) Development consent is required for earthworks unless—*

*(a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*  
*(b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*

*(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*

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- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

**Note—**

*The [National Parks and Wildlife Act 1974](#), particularly section 86, deals with harming Aboriginal objects.*

**Response:**

The above objectives are satisfied with respect to surrounding development, heritage character, landform and broader environmental function and processes. We submit that all earthworks will occur in a manner compliant with Council's Development and Subdivision Code and supporting Australian Standards including sediment and erosion control measures during the construction phase.

No other major earthworks are expected except servicing and new buildings. Engineering plans will be submitted in due course.

**7.8 Essential services**

*Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:*

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) storm water drainage or on-site conservation,*
- (e) suitable road access.*

**Response**

The above essential services are connected to the site. Additional installations are expected as part of the new housing and subdivision.



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**6.4 Provisions of Draft Environmental Planning Instruments That Has Been Placed on Exhibition s4.15(1)(a)(ii)**

There are no known draft LEP's that relate to the land.

**6.5 Provisions of Development Control Plans**

Council's Development Control Plan, also applies to the subject property.

**MERIT BASED APPROACH TO RESIDENTIAL DEVELOPMENT**

The following subheadings are being used as an outline to illustrate that the proposed development adequately addresses significant design issues to ensure that the proposed development provides opportunities for good quality housing development and integrates well with its surrounding environment.

**E.2.2. Objectives**

*The objectives for medium density housing are:*

- a. To provide opportunities for a mix of dwelling types and increase housing choice within Cowra.*
- b. To provide housing opportunities for the range of population groups in the Cowra Shire, including aged population and those requiring accessible housing forms.*
- c. To provide functional yet well designed medium density housing that responds to the constraints and conditions of the site and surrounding environment.*
- d. To ensure that medium density housing is designed to be compatible with the positive characteristics of the existing streetscape and enhances the surrounding environment.*
- e. To ensure that medium density housing is provided with landscaping that complements the design of the development, defines private open space areas and improves liveability and general amenity.*
- f. To ensure that bulk and scale of new development does not have an unacceptable impact on the streetscape and character of the locality.*
- g. To ensure that all medium density housing is provided with appropriate low maintenance areas for private outdoor recreation and relaxation.*
- h. To ensure that medium density housing is designed to maximise visual and acoustic privacy and general amenity both within and external to the development site.*
- i. To ensure that medium density housing is provided with adequate and safe vehicle access, internal manoeuvring areas, and on-site car parking for occupants and visitors.*
- j. To ensure that ancillary structures (i.e. carports etc) are integrated into the overall site and building design and do not result in unacceptable impacts on the streetscape and the character of the locality.*
- k. To encourage passive solar design and maximise sunlight and daylight access, both within and external to the development site.*
- l. To encourage medium density housing in areas that are central to essential community facilities, civic areas and public transport routes.*
- m. To ensure that all essential services and facilities are provided to new medium density housing developments.*

The proposal considers the above design elements with regard to bulk and scale, solar access, parking, privacy, access to transport and employment, surrounding development, diversity of housing choice, open space opportunities and streetscape consideration.

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The overall scale of the development as small freestanding cottages respects surrounding development and overall character of the locality.

#### **E.2.3. Site Analysis**

*A site analysis identifies the constraints and opportunities of the site as well as its immediate locality and the wider environment. It includes both natural and built elements. The site analysis will influence how the design optimises site attributes and complements neighbourhood character whilst preserving the amenity of adjoining developments. Building designers are encouraged to carry out a site analysis before designing medium density housing. A site typically involves identification of:*

- a. The broad opportunities and constraints of the layout and design of the site.*
- b. The positive characteristics of the streetscape and surrounding natural and built environments.*
- c. Important site characteristics such as lot orientation and prevailing climatic conditions.*
- d. Existing areas likely to be impacted by overshadowing, for example, neighbouring private open space.*
- e. Inherent site constraints including flood affected land, overland flow paths, slope instability, contaminated land, landfill areas, heritage and archaeological features.*
- f. The location of existing services and facilities including drainage infrastructure and reticulated water and sewerage supply systems.*
- g. Easement, fence, boundary and access locations.*
- h. Views to and from the site and the existence of any significant nearby view corridors from public spaces.*
- i. Movement corridors including local streets and pedestrian pathways.*
- j. Existing mature trees and vegetation that should be retained.*
- k. An example of a site analysis plan is shown below:*

The site, following demolition will be a blank canvas with a moderate easterly slope that allows opportunities for good access and drainage, good views and streetscape consideration with logical design concepts for the slope of the site.

#### **E.2.4. Soil Erosion and Sedimentation Control**

*Soil erosion and the sedimentation of our waterways is a major problem affecting riverine health. These problems are particularly relevant in Cowra, where many construction sites eventually drain into the Lachlan River. The following controls apply to new medium density housing:*

- a. A Soil Erosion & Sediment Control Plan must be prepared and submitted to Council for approval prior to the issue of the Construction Certificate for new dwellings.*
- b. The Soil Erosion & Sediment Control Plan should be prepared in accordance with Part Q of this DCP – Land Management.*
- c. Soil erosion and sediment controls must be in place prior to the commencement of any construction works associated with the dwelling, including earthworks involved with site preparation.*

Suitable details will be provided with the Construction Certificate to ensure soil erosion control measures are implemented. Similarly engineer details for the site will include normal details for soil management control.

#### **E.2.5. Landscaping**

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*Landscaping of residential blocks plays an important function in providing shade and shelter. It also enhances the appearance of the residence and surrounding streetscape, which in turn can have a positive influence on property values.*

*The following controls apply to new medium density housing:*

- a. Medium density housing proposals are required to comply with the landscaping provisions under Part N of this DCP, including the submission of a Landscape Plan where required under that Part.*

Final landscape design will be lodged with the CC. The site plan illustrates ample space in POS areas and for streetscape landscape design opportunities. This can be managed as a standard condition of consent.

#### **E.2.6. Cut and Fill Controls**

*By managing the extent of cut and fill used on building sites, it is possible to maintain the integrity of natural topography and minimise impacts drainage, soil stability and structural integrity. The following controls apply to new medium density housing:*

- a. Development Applications for new dwellings on sloping sites must be accompanied by a cut and fill plan, prepared to scale, showing the extent of all cut and fill proposed for the development.*
- b. Split level or pier foundation house designs are encouraged for sloping sites to minimise site disturbance and achieve a design response that relates to the topography of the site.*
- c. Cut areas should be setback from boundaries a minimum of 0.9 metres, and fill areas are to be setback from boundaries a minimum of 1.5 metres.*
- d. Cut and fill batters should not exceed a slope of 1:2 (v:h) unless a geotechnical report has been submitted to Council certifying site stability. All batters are to be provided with both short term and long term stabilisation to prevent soil erosion, and adequate drainage is to be provided to divert water away from batters.*
- e. Stormwater or surface water runoff should not be redirected or concentrated onto adjoining properties so as to cause a nuisance.*
- f. Cut and fill levels for new dwellings should generally not exceed one metre, unless:*
  - i. The excavation is within the confines of the building, or*
  - ii. The excavation is intended to provide a flat area of private open space in accordance with the requirements of Section E.2.11, and*
  - iii. The excavations will be properly drained and retained in accordance with engineering details, and*
  - iv. It can be demonstrated that the appearance of the development would not create unreasonable impacts on the streetscape.*

We note a 6.7 metre rise from the front to rear boundary however this is over a 47 metre lot length being 1:7 slope. The proposed will incorporate some cut and fill that will allow for flat accessible open space areas at the rear and elevated frontages facing Short Street with floor levels at approx. 1.2 – 1.5 metres. Fencing and retaining walls will be suitably designed to allow for good open space access and usable outdoor areas.

Areas of cut along the southern boundary are greater than 900 mm and can be managed with retaining walls to achieve the 1:2 gradient. Other areas with 4.6 metres or greater to front setbacks and

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separation between dwellings at 4.7 metres is ample distance to manage slope, cut and fill considerations.

The proposal satisfies this section of the DCP with reasonable streetscape outcomes, open space areas that are accessible and usable and involves excavation within the site only.

#### **E.2.7. Site Area and Frontage Controls**

*Site area refers to the total area of an allotment. Frontage refers to the total length of that part of the allotment that is adjacent to the main street/road. Site area and frontage controls ensure that medium density residential development can achieve a coherent and practical site layout.*

*a. A minimum average site area of 300m<sup>2</sup> per dwelling unit is required for secondary dwellings, dual occupancies, semi-detached dwellings, attached dwellings and multi-dwelling housing. The minimum site area is calculated by dividing the total area of the development site by the number of proposed dwelling units.*

*b. A minimum site frontage of 18 metres is required for dual occupancies, semi-detached dwellings, attached dwellings and multi-dwelling housing, except for development on allotments with a curvilinear street frontage which can have a minimum site frontage of 17 metres at the front building line.*

*Note: The site area controls are minimum only. Depending on the characteristics of the site and the design of the development, a larger site area per dwelling unit may be required in order to comply with all of the controls in Section E.2. The following diagram illustrates the site area and frontage controls.*

The proposal easily complies with 361 sqm per dwelling and a total frontage over 30 metres to both Market Lane and Short Street.

#### **E.2.8. Streetscape Controls**

*Streetscape design is about ensuring there is consistency in built and landscape form along streets on private sites. The following controls apply to new medium density housing:*

*a. Developments in existing urban areas must be consistent with the scale and character of adjoining dwellings and the surrounding environment.*

*b. Developments on sites with two or more street frontages must address both frontages,*

*c. Each dwelling should provide a minimum of one major window to a habitable room (living area) directly overlooking the street or public open space area. The design should avoid kitchen, bathroom or laundry windows dominating the street elevation.*

*d. Site & building design should consider the existing topographic setting and characteristics of other buildings and sites along the street, particularly those that are older and more established.*

*e. New development should provide landscaping that enhances the appearance of the development and surrounding area.*

*f. Walls along side and rear boundary setbacks should be broken or staggered to avoid the appearance of unduly massive or long walls.*

*g. Any carport or garage that is visible from the public domain should be compatible with the design of the residential building.*

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*h. Removal of street trees is not permitted without prior approval of Council. Existing street trees and other natural features shall be retained wherever practical. The following diagram conceptually illustrates some of the key streetscape concepts for medium density housing.*

The proposal has regard to both street frontages, allows for garages and windows to address the street and provide an interesting streetscape presentation. Further landscape detail at the CC stage will further enhance this.

No street trees will be removed as part of the proposal.

Long walls facing the street will not be included with cottage style dimensions with a staggered wall associated with the front verandahs and front doors included in the street presentation.

#### **E.2.9. Height Controls**

*By limiting the height of new residential buildings, it is possible to manage bulk and scale and ensure that new development responds to the desired character of streets and the local area. It is also possible to ensure there is a reasonable level of uniformity along streetscapes. Height controls also ensure that properties have equal access to views, vistas, and sunlight. The following controls apply to new medium density housing:*

- a. The maximum height to the ridge of the roof of the building should not exceed 9.0 metres above the natural ground level vertically below that point. This control is illustrated conceptually in the diagram to the right.*
- b. Where steep or sloping sites exist, the building should not protrude from the landscape but should be designed to be staggered or stepped into the natural slope of the land to accommodate the height control.*
- c. For dwelling proposals involving two (or more) storeys, or where there is any uncertainty relating to the overall height of a development, Council may require plans to show reduced levels (RL), taken from a fixed datum point, for the maximum ridge height and natural ground levels.*

The single storey construction and the moderate excavation will allow the dwellings to be set into the site rather than excessive roof and wall heights dominating the streetscape or skyline.

The proposal is within normal residential expectations with a modest cottage appearance with modest dimensions.

#### **E.2.10. Solar Access Controls**

*The solar access of a property refers to its potential to receive adequate sunlight so certain areas of a dwelling can catch the sun's energy. A property with good solar access enjoys adequate sunlight to living and recreation areas. The following controls aim to retain good solar access and avoid adverse overshadowing of these spaces. The following controls apply to new medium density housing:*

- a. Medium density housing should be designed to ensure that living areas of adjoining dwellings and at least 50% of their usable private open space, receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June (winter solstice). Where such areas already receive less than 3 hours of sunlight, new development should not further reduce sunlight access.*

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*b. Medium density housing should be designed to allow the living areas and private open space areas of at least 75% of dwellings (within the development) to receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June (winter solstice).*

*c. Council may request shadow diagrams to be provided by the applicant where there is a reasonable likelihood of the development causing overshadowing impacts on adjoining property. Shadow Diagrams should show magnetic and true north.*

The proposal, due to slope and orientation will not receive optimal afternoon sunlight. The north facing deck and living room windows and the southern orientation of garages will however ensure optimal solar access from 8/9 am through to 2pm, easily complying with the 3 hour requirement. Solar access will be available to outdoor areas and also to east facing front walls of units 3 and 4.

#### **E.2.11. Front setback controls**

*Front setbacks are important as they establish the building's location in relationship to neighbouring buildings and the streetscape in general. Front setbacks also allow space for landscaping in residential areas. Front setbacks are measured from the front boundary of the allotment to the outer edge of the wall of the building.*

Front setbacks are satisfactory at 4.58 metres from Market Lane and Short Street.

##### **E.2.11.1. New Dwellings**

*a. The front setback for new dwellings is determined by applying any one of the following scenarios to the proposed development:*

*i. Scenario 1 - Where there are not two existing dwellings within 40m that face the same street, the minimum front setback is 6m.*

*ii. Scenario 2 - Measure the setbacks of the nearest two dwellings facing the same street, and where the setback difference is no more than 2m, choose either setback.*

*iii. Scenario 3 - Measure the setbacks of the nearest two dwellings facing the same street, and where the setback difference is no more than 2m, take the average of those setbacks.*

*iv. Scenario 4 - Measure the setbacks of the nearest two dwellings facing the same street, and where the setback difference is more than 2m, take the average of those setbacks.*

*v. Scenario 5 - Measure the setbacks of the nearest two dwellings facing the same street, and where the setback difference is more than 2m, articulate the setbacks on the proposed dwelling to match both existing buildings.*

The adjoining dwelling is closer to the Short Street frontage. The proposed setback represents a typical residential setback and is considered within expectations.

##### **E.2.11.2. Treatment of Articulation Features**

*a. Where it is proposed to construct articulation features such as front entrance features, awnings, sun shades, and small balconies in front of the building line, these may encroach the front setback area by a maximum of 1 metre, provided the combined frontage of the projections does not exceed 25% of the total building frontage.*

Not applicable. No protrusions forward of the main wall.

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**E.2.11.3. Corner Lots**

*a. Where the allotment is a corner allotment, the minimum setback to the secondary street frontage should always be 4.5 metres.*

Not applicable.

**E.2.12. Side Setbacks**

*Minimising side boundary setbacks allows the building to have a wide street and rear building frontage, giving greater elevation length for habitable room windows to be oriented to the front and rear of the lot. Side setbacks are measured from the side boundary to the outside edge of any articulation to the buildings elevation but do not include external living areas.*

*a. Single storey buildings should be setback a minimum 0.9 metres from the boundary (eaves must be a minimum 0.45 metres from the boundary).*

*b. Two storey buildings should be setback a minimum 1.5 metres from the boundary (eaves must be a minimum 0.45 metres from the boundary).*

The side boundaries area setback greater than 900 mm.

**E.2.13. Rear Setbacks**

*Rear setbacks are important for achieving open space to the rear of the lot for private recreation and relaxation and ensuring visual and acoustic privacy in dwellings. Rear setbacks are measured from the rear property boundary (not the rear of the units) to the outside edge of any articulation to the buildings elevation.*

*a. Single storey buildings should be setback a minimum 3 metres from the boundary.*

*b. Two storey buildings should be setback a minimum 6 metres from the boundary.*

The site has two frontages. Rear setbacks are at 2.39 metres, below the 3.0 metre requirement.

We consider a variation to the DCP is warranted given the location of private open space further north. We also consider with the location of windows and blank privacy walls that a separation distance of 4.78 metres essentially achieves a compliant setback albeit across a boundary.

This narrow section has little utility or amenity and does not form part of the main usable open space area. In this instance the narrower setback would achieve no further design advantage at 3.0 metres in this adjoining area. The areas of private open space and solar access will not alter by increasing to 3.0 metres.

**E.2.14. Visual & Acoustic Privacy Controls**

*Visual and acoustic privacy is important for creating high quality environments and maintaining general neighbourhood amenity. It is particularly important for medium density housing where residents live much closer to one another. Well designed development can readily avoid most sources of conflict between neighbours over noise and privacy problems. Whilst complete privacy in urban environments is not always possible, proper consideration of the site conditions at the design stage is*

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*a good start to achieving reasonable levels of privacy both within and external to the development site. The following controls apply to new medium density housing:*

- a. Building elements such as balconies and decks should be designed to minimise overlooking of living areas and private open space areas of adjoining dwellings.*
- b. The windows of dwellings should be located and designed so they do not provide direct and close views into the living area windows or courtyards of other dwellings. This can be achieved by offsetting or using windows which are narrow, translucent, obscured or fitted with louvers or screen panels.*
- c. A minimum separation of 12 metres should be provided between buildings where habitable rooms / balconies face habitable rooms/ balconies.*
- d. A minimum separation of 9 metres should be provided between buildings where habitable rooms / balconies face non-habitable rooms or blank walls.*
- e. A minimum separation of 3 metres should be provided between buildings where non-habitable rooms / blank walls face other non-habitable rooms / blank walls.*
- f. Separation distance may be reduced by up to 25% where privacy issues can be addressed by other means to the satisfaction of Council.*
- g. Dwellings within each development should be designed to minimise noise transmission by locating busy, noisy areas next to each other and quieter areas next to other quieter areas, for example, living rooms with living rooms, bedrooms with bedrooms.*
- h. Noise generating areas of development (e.g. air conditioning plant, swimming pool areas and the like) should be adequately screened or located away from the bedroom areas of dwellings within and external to the development site to minimise their impact.*

The proposal has consideration to the orientation of habitable and non-habitable rooms, particularly between decking areas of units 1 and 2 and distance to the living room windows of units 3 and 4. The privacy screen however and the blank eastern walls of units 1 and 2 will ensure that a satisfactory level of privacy can be achieved.

#### **E.2.15. Private Open Space Controls**

*Private open space is an important part of medium density housing. These spaces provide places for residents to develop their own private garden, entertain, play and relax. Whilst many medium density housing developments provide common or shared open space areas, it is still a requirement for each dwelling to have opportunities for private recreation. The following controls apply to new medium density housing:*

- a. Private open space should be oriented to have a north easterly aspect where possible.*
- b. Living areas should open out into the private open space area.*
- c. Private open space is to be clearly defined by walls, fencing and landscaping so as to provide a self contained space, but*
- d. The recommended amount of private open space, to be located behind the building line, for medium density housing, is as follows:*
  - i. 40m<sup>2</sup> per dwelling, minimum width 3m in any direction (and excluding any outdoor patio area, areas used for car parking and manoeuvring, waste bin storage and the like), for all medium density housing except for residential flat buildings.*
  - ii. 10m<sup>2</sup> per dwelling, minimum width 2.5m in any direction (and may include balconies, terraces and the like above ground level) for residential flat buildings.*
  - iii. 80m<sup>2</sup> for secondary dwellings, shared with the main dwelling.*



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The proposed dwelling open space easily complies with an area 6 x 6 metres being available situated close to internal living areas.

**E.2.16. Sustainable Building Design Controls**

*Sustainable building design is concerned with renewable energy, ecologically designed and renewable building materials, water conservation and indoor environmental quality. Sustainable building design minimises the environmental footprint of development, and helps to significantly reduce the cost of running a home. The following controls apply to new medium density housing:*

- a. Development Applications for new medium density housing proposals and specified alterations and additions must be accompanied by a BASIX Certificate, issued by the NSW Government.*
- b. Applicants should consider the potential sustainability performance of the development when the proposal is being designed and commit to a range of measures offered in BASIX to ensure that the development meets (or exceeds) the NSW Government's sustainability targets.*
- c. Council will check that the details of the proposed development contained in the BASIX certificate are consistent with the details contained in the Development Application, and that the relevant BASIX commitments are shown on plans.*
- d. The design of medium density housing should adopt the following principles which promote sustainable building practices:*
  - i. Plan the site so that new development is oriented to optimise northern aspect where possible.*
  - ii. Optimise the number of apartments receiving daylight access to habitable rooms and private open space.*
  - iii. Supplement daylight access through the use of skylights where possible.*
  - iv. Ensure single aspect, single-storey dwellings have a northerly, or easterly aspect.*
  - v. Locate living spaces to the north and service areas to the south and west of the development.*
  - vi. Limit the number of south-facing apartments and increase their window area.*
  - vii. Use shading devices such as eaves, awnings, colonnades, balconies, pergolas, external louvers and planting.*
  - viii. Maximise the number of the dwellings which are naturally cross-ventilated and limit the use of mechanical ventilation.*
  - ix. Facilitate natural cross ventilation by minimising interruptions in air flow through dwellings and grouping rooms with similar usage together (e.g. keep living spaces together and sleeping spaces together). Note: NatHERS (National Housing Energy Rating Scheme) and Part J of the Building Code of Australia also include provisions for measuring the energy efficiency of new residential developments.*

The proposal refers to hebel panel construction and double glazed windows to present a good standard of environmental performance plus rain tanks, instantaneous hot water, 4 star fixtures and a 59/40 energy score.

**E.2.17. Livable Housing Design**

*In 2012 Liveable Housing Australia produced the Livable Housing Design Guidelines (the Guidelines), which encourages homes to be designed and built to meet the changing needs of occupants across their lifetime. Liveable design recommends the inclusion of key easy living features that aim to make homes easier and safer for all occupants including: people with disability, ageing Australians, people with temporary injuries, and families with young children. Livable Housing Design is largely based on the notion that it is more costeffective to make simple design choices when building a new home than it is to try and retrofit a building when life's events require the occupants of a dwelling to change. A liveable*

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*home is designed and built to meet the changing needs of occupants across their lifetime. The Cowra LGA has an ageing population and therefore it will become increasingly important to ensure that housing stock in the LGA will be able to meet the needs of the local housing market in years to come. The Guidelines identify seven core design features that should be incorporated, as a minimum, into new dwelling design. These include:*

- a. A safe continuous and step free path of travel from the street entrance and / or parking area to a dwelling entrance that is level.*
- b. At least one, level (step-free) entrance into the dwelling.*
- c. Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.*
- d. A toilet on the ground (or entry) level that provides easy access.*
- e. A bathroom that contains a hobless (step-free) shower recess.*
- f. Reinforced walls around the toilet, shower and bath to support the safe installation of grab-rails at a later date.*
- g. A continuous handrail on one side of any stairway where there is a rise of more than 1 metre. If a dwelling design incorporates the seven core design features, then it achieves a silver performance level under the Guidelines.*

*Gold level performance can be achieved by adopting the seven core design features, plus additional features recommended by the Guidelines.*

*Platinum level performance can be achieved by adopting all 16 design features recommended by the Guidelines.*

*Controls - Generally*

*a. As a minimum, the design of all new medium density housing should achieve a silver performance level in accordance with the Livable Housing Guidelines. Controls - Cowra CBD The following control applies to any new medium density housing development located in the area shown in Map No. 1 over page.*

*b. As a minimum, the design of all new medium density housing should achieve a gold performance level in accordance with the Livable Housing Guidelines.*

The proposed units achieve a minimum seven core silver performance with the following:

- Step free access to units 1 and 2.
- Ground floor toilet access. All units.
- Ability for toilet and shower rails with suitable wall framing for rails.
- Hobless shower access
- Continuous handrails on step locations
- Ability for unimpeded internal movement

We note the location is outside the core area map in the DCP. Less central sites and steeper site will face challenges in satisfying all Liveable Housing Design Criteria.

It is requested these matters be reviewed at the CC stage for compliance as a condition of consent.

#### **E.4.6. Fencing Controls**

*The design of fences has an impact on the real and perceived safety and security of residents as well as on the amenity of the public domain and streetscape character. The visual impact, scale and design of fences all need to be carefully considered. The provisions of the Dividing Fences Act, 1991, must be considered when erecting a fence. This Act is not administered by Council. The provisions of this Act*

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*regulate the construction and repair of dividing fences between properties including procedures for the apportionment of costs between owners.*

*The following controls apply to new fences:*

**E.4.6.1. Front Fences**

*a. Front and side return fences should:*

- i. Not be higher than 1.2 metres.*
  - ii. Not be higher than 0.9 metres if it is a solid design.*
  - iii. Not be constructed of colourbond, if it is a front fence.*
  - iv. Reflect the design and character of the dwelling and other buildings along the street.*
- b. Front fences higher than 1.2 metres will be considered but only where:*
- i. The fence will not be higher than the average front fence height prevailing along the streetscape; and*
  - ii. The fence will be constructed with a combination of solid and open elements having a minimum aperture of 0.25m. Solid fences higher than 1.2 metres are not permitted.*
  - iii. The fence will reflect the design and character of the dwelling and other buildings along the street.*
  - iv. The fence will not impede sight distances for traffic on public roads.*

No front fences proposed.

**E.4.6.2. Side and Rear Fences**

- a. Side and rear fences (behind the building line) are to be a maximum height of 1.8 metres above ground level. If the fence is on a sloping site and stepped to accommodate the fall in land, it must not be higher than 2.1 metres above existing ground level at each step.*
- b. Powder coated metal (colour bond) fences are not permitted on street frontages of corner allotments, forward of the building line. c. All fencing is to be constructed of new materials of the same colour, especially those fences that are visible from a public road.*

Refer to submitted plans with side and internal fences of 1.8 metres to be reviewed by Council.

**E.4.7. Waste Management Controls**

*It is important to consider the design and siting of garbage storage areas, particularly for medium density housing to ensure that these areas are both accessible to residents and waste collection vehicles and do not result in adverse odour or visual impacts both within and external to the development.*

**E.4.7.1. Single Dwellings**

- a. Each dwelling must be provided with sufficient onsite space to store Council's garbage and recycling bins.*
- b. The location of the on-site bin storage areas should be located so as not to impact negatively on the visual amenity of the area and should preferably be located in the rear yard of the premises. The area should also be designed to minimise impacts on neighbours, particularly from odour and vermin.*
- c. Each dwelling and its environs are to be designed to allow the easy collection of garbage and recycling bins from a suitable kerbside point.*

**E.4.7.2. Medium Density Housing** *a. Where possible, each dwelling should be provided with sufficient on-site space to store Council's garbage and recycling bins within the confines of their own private open space. Where this is not possible, a suitable bin storage area is to be provided to accommodate 2 x 240 litre mobile garbage bins per dwelling. Special consideration must be given to:*

- i. The areas visual amenity.*

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- ii. Potential impacts on neighbours, both within and external to the development site.*
- iii. The provision of adequate services for cleaning and draining the area.*
- iv. The accessibility of the bin storage area to each dwelling and the point where waste collection will occur. If the waste collection vehicle cannot access the bins, they will not be collected.*
- v. The need for a waste collection vehicle to access private roads, and design road geometry and strength accordingly.*

There is ample opportunity for the storage of bins in private areas and ease of cleaning and placing on the street by residents. The side setback near driveways is the obvious storage location.

#### **E.4.9. Site Facility Controls**

*Planning for site facilities is an important element of the design process that is often overlooked. The location of site facilities should be carefully considered to ensure that residential developments function in a user friendly manner.*

Not applicable to the complex with no shared facilities.

##### **E.4.9.1. Letterboxes**

*a. Each dwelling must be provided with an appropriate letter box to facilitate the delivery of mail and other postal services. b. Letterboxes should comply with the minimum requirements of Australia Post, which are: i. Minimum dimensions - 230mm wide (left to right) x 330mm deep (front to back) x 160mm high (top to bottom) ii. Full width slot, but not large enough for a persons to hand to fit through, elevated between 0.9 metres and 1.2 metres above ground. iii. Clearly displayed street address. c. Letterboxes should be located in a position that is easy to access, clearly in view and next to the driveway or a similar position. This is particularly important for medium density housing. d. The design of letterboxes should be sympathetic to the design the dwelling that it services and the character of the street. e. Materials used in the construction of letterboxes are to be solid and stable on the ground.*

Noted. Check at CC stage.

##### **E.4.9.2. Clothes Drying Facilities**

*a. Provision shall be made for external clothes drying areas for dwelling. A minimum of 4.5m<sup>2</sup> per dwelling is to be provided. b. Clothes drying areas should be located in a rear services area that receives adequate sunlight access and should be suitably screened from the public domain.*

In addition to POS areas, ample area is available on the north side of each dwelling for good clothes drying opportunities. Laundry locations are also favourably located in this regard close to outdoor areas facing north.

##### **E.4.10. Servicing Controls**

*All new residential dwellings are expected to be serviced to a minimum level. The provision of essential services allows residential development to function properly within an urban environment and helps to ensure that neighbouring property owners are not adversely impact by new residential buildings and associated activities.*

Noted. Split system units can be designed to ensure no adverse noise impacts.

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**E.4.10.1. Energy and Telecommunication Services**

- a. All dwellings must be provided with an adequate energy supply that meets with the requirements of BASIX, and / or the relevant service provider.*
- b. All dwellings must be provided with an adequate telecommunications supply that meets with the requirements of the relevant service provider.*
- c. Underground energy and telecommunications services should be provided where ever possible.*

Noted.

**E.4.10.2. Stormwater**

- a. All roofed, paved and other hardstand surface areas must be drained to the Council's street drainage system, piped drainage system, or other approved drainage system to the satisfaction of Council.*
- b. All stormwater drainage lines should be gravity fed to a legal point of discharge. Pump-out stormwater drainage systems are not permitted as the sole method for stormwater disposal in medium density housing developments.*
- c. Applications for medium density housing developments shall be accompanied by detailed engineering design plans of the proposed stormwater drainage system, including locations of grade inlet pits, size of pipes and modelling results for certain stormwater events. The stormwater drainage design must ensure that post-development peak flows match pre-development peak flows.*
- d. All stormwater from the development site must be properly managed and not permitted to flow onto adjoining land.*

No adverse stormwater issues with flow to the front Short Street boundary.

**E.4.10.3. Water and Sewer**

- a. All dwellings (including those in medium density housing) must be provided with separate connections to Council's reticulated water supply system. Any relevant headworks contributions (in accordance with Council's Developer Servicing Plan current at the time of payment) will be required to be paid to Council prior to the issue of the Construction Certificate.*
- b. All dwellings (including those in medium density housing) in the R1, B1, B2 and B5 zones must be provided with separate connections to Council's reticulated sewer supply system. Any relevant headworks contributions (in accordance with (in accordance with Council's Developer Servicing Plan current at the time of payment) will be required to be paid to Council prior to the issue of the Construction Certificate.*
- c. All dwellings (including those in medium density housing) in the RU5 zone that cannot be connected to reticulated sewer must comply with the following controls.*
  - i. The proposed method of effluent disposal and the associated waste water disposal area must comply with AS/NZS1547:2000 – Onsite Domestic Wastewater Management and the most current version of the Environmental Health Protection Guidelines On-site Sewage Management for Single Households. Recommended buffer distances are shown in the Table over page.*

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*ii. The location and proposed method of waste water disposal must be shown on the plans submitted with the Development Application. A report prepared by a suitably qualified Geotechnical Engineer may also be requested by Council as part of the Development Application.*

Detailed engineering plans at the CC stage will show suitable water, sewer and stormwater connections.

**6.6 Matters Prescribed by the Regulations [Section 4.15(a)(iv)]**

Regulations have not been prescribed under Section 4.15 of the Act which relate to this proposal.

**6.7 The likely Impacts of Development [Section 4.15(b)]**

In summary, the likely impacts of the development have been addressed under the DCP section of our report. The main considerations relate to residential character, open space, parking, privacy and solar access.

The favourable north facing scenario shows that shadow plans are not required with ease of compliance from 8/9am to 2 pm compliance for all units.

Further cut and fill compliance can be achieved with suitable retaining walls.

Landscaping design can be considered and approved at the CC stage.

The submitted plan and SoEE demonstrate compliance overall.

**6.8 Suitability of the site for Development [Section 4.15(c)]**

We submit the subject site is suitable for infill development with minimal change to the overall appeal and function of the site.

The design and character consideration undertaken ensure there is appropriate streetscape and local character taken into account.

Other factors such as access, privacy, streetscape have been considered and put forward in our report.

**6.9 Any Submissions Made in Accordance with this Act or the Regulations [Section 4.15(d)]**

This requirement only applies once the application is lodged with the consent authority.

**6.10 The Public Interest [Section 4.15(e)]**

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The proposal is considered to accord with the wider public interest in that:

- It proposes a development of land in keeping with Council's planning instruments;
- Contributes to the local economy;
- Promotes sound urban consolidation principles utilising existing servicing infrastructure.
- Provides for development that complements surrounding residential land use and residential character.

#### 7.0 SUMMARY

The proposed residential development and associated Torrens subdivision is consistent with the objectives of Cowra Local Environmental Plan 2012 and Council's Development Control Plan 2021.

The development overall will provide a good standard of accommodation and amenity, providing suitable privacy levels and protects local residential character.

The overall bulk, scale and use of compatible building materials will ensure that the proposal will be complementary with the residential character of the immediate area.

Any concerns or requirements may be addressed through application of conditions of development approval or through consultation with the applicant.

Yours faithfully,

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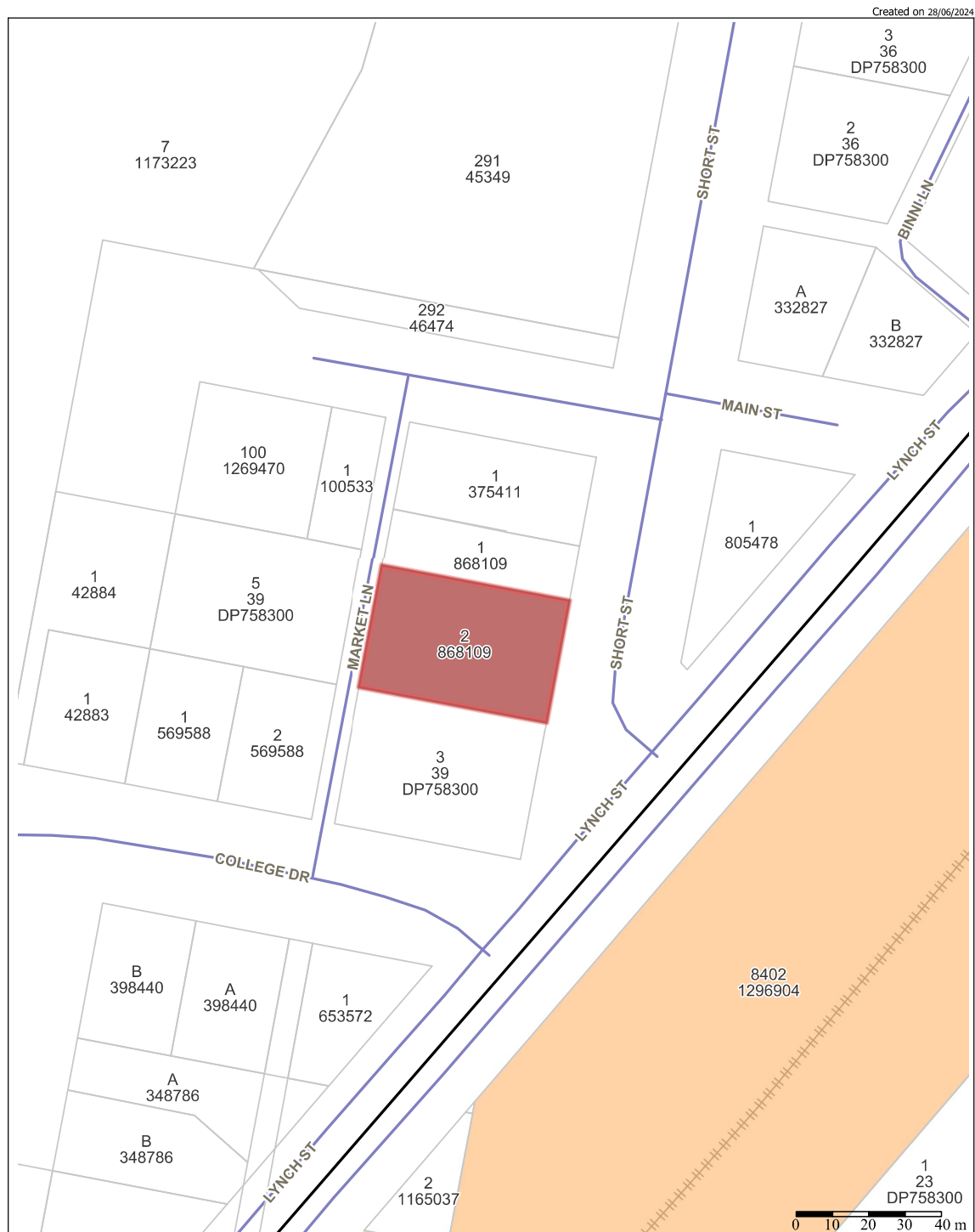
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Drawn By: Cassandra Gally  
Projection: # GDA2020 / MGA zone 55

**DA 80/2023 - 8 Short  
Street Cowra**

Created on 28/06/2024

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Drawn By: Cassandra Galley

Projection: # GDA2020 / MGA zone 55

**DA 80/2023 - 8 Short  
Street Cowra**

**7 LATE REPORTS****8 CONFIDENTIAL MATTERS****RECOMMENDATION**

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

**9 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE & OPERATIONS****9.1 Saleyards - eID Installation Project**

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