



# **AGENDA**

## **Ordinary Council Meeting**

**Date: Monday, 30 September 2024**

**Time: 5 pm**

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

**Dirk Wymer  
Acting General Manager**

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## **I INTRODUCTION**

### **I.1 Welcome**

### **I.2 Election of Chair**

### **I.3 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.4 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.5 Apologies and Applications for Leave of Absence by Councillors**

List of apologies for the meeting.

### **I.6 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.7 Public Forum**

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

## 2 REPORTS OF GENERAL MANAGER

### 2.1 Audio-Visual Attendance

File Number: D24/1480

Author: Paul Devery, General Manager

### RECOMMENDATION

**That Councillor Ruth Fagan and Councillor Paul Smith be permitted to attend and participate in the ordinary council meeting held on Monday 30 September 2024 by audio-visual means as both will be travelling overseas and unable to attend in person.**

### INTRODUCTION

Part 5 of Council's Code of Meeting Practice provides for the attendance of councillors by audio-visual link, with the approval of Council:

*5.18 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.*

*5.19 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.*

*5.22 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.*

*5.23 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:*

*(a) the meetings the resolution applies to, and*

*(b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.*

Councillors Ruth Fagan and Paul Smith have sought permission to attend the 30 September 2024 council meeting by audio-visual means as they will be travelling at the time. Accordingly, it is recommended Council resolve to allow councillors Fagan and Smith to participate in the meeting.

### BUDGETARY IMPLICATIONS

Nil

### ATTACHMENTS

Nil

**2.2 Oath and Affirmation of Office**

File Number: D24/1482

Author: Paul Devery, General Manager

**RECOMMENDATION**

**That council note the taking of the oath/affirmation of office by councillors Cheryl Downing, Tony Horton, Erin Watt, Nikki Kiss, Cheryl Speechley, Peter Wright, Ruth Fagan and Paul Smith.**

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**INTRODUCTION**

Under the NSW Local Government Act 1993 councillors are required to take an oath or affirmation of office.

**BACKGROUND**

The oath or affirmation must be taken or made by each councillor at or before the first meeting after being elected.

Councillors Cheryl Downing, Tony Horton, Erin Watt, Nikki Kiss, Cheryl Speechley and Peter Wright will be taking their oath/affirmation at this meeting.

The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner, or a justice of the peace.

Councillors need to be physically present before the general manager, legal practitioner or justice of the peace when taking their oath or making their affirmation of office.

Given the requirement for the councillor to be physically present, Councillors Smith and Fagan made their oath before the general manager on 14 and 17 September 2024 respectively and copies of their signed oaths are included at Attachments 1 and 2.

**BUDGETARY IMPLICATIONS**

Nil

**ATTACHMENTS**

1. Affirmation - Cr Ruth Fagan [↓](#)
2. Oath - Cr Paul Smith [↓](#)



# Cowra Council

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### Councillor Oath

I, Ruth Fagan, swear that I will undertake the duties of the office of councillor in the best interests of the people of Cowra Shire and the Cowra Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

### Councillor Affirmation

I, Ruth Fagan, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Cowra Shire and the Cowra Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

Oath/Affirmation taken before General Manager Paul Devery on Tuesday 17 September 2024 at Cowra Council, 116 Kendal Street Cowra NSW 2794.

Cr Ruth Fagan

Paul Devery  
General Manager

Graham Apthorpe  
A/g Director Corporate Services





**2.3 Term of Deputy Mayor**

File Number: D24/1478

Author: Paul Devery, General Manager

**RECOMMENDATION**

**That the Deputy Mayor be elected for a 2-year term to end in September 2026 coinciding with the next Mayoral election.**

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**INTRODUCTION**

Section 230 of the NSW Local Government Act (the Act) provides that a Mayor elected by councillors holds the office of Mayor for 2 years, subject to the Act. Section 231 of the Act provides that a Council may elect a person to the office of deputy mayor for the mayoral term or a shorter term. Since the inclusion of this provision in 2016 Cowra Council has resolved to appoint a person to the office for 2 years in line with the term for the office of mayor.

**BACKGROUND**

The Act provides for the Mayor to be elected for a period of 2 years. Therefore, a mayoral election will be held in September 2026 with the Mayor elected at that time holding office until the September 2028 election. It is recommended the term of the Deputy Mayor mirror that of the Mayor for this term of Council.

**BUDGETARY IMPLICATIONS**

Nil

**ATTACHMENTS**

Nil



**2.4 Election of Mayor and Deputy Mayor**

File Number: D24/1479

Author: Paul Devery, General Manager

**RECOMMENDATION**

**That the process to elect the Mayor and Deputy Mayor be by open voting in the event of two or more nominations being received for either position.**

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**INTRODUCTION**

The NSW Local Government Act provides that the Mayor elected at this meeting will hold office until September 2026.

Given that two councillors have requested to participate in this meeting remotely it is recommended the elections, if required, are conducted by open voting ie a show of hands.

**BACKGROUND****Election of Mayor**

Schedule 7 of the Local Government (General) Regulation 2021, details the procedure for the election of a mayor by councillors. The Fact Sheet included at Attachment I details the key elements of the process.

The Council is required to determine the method of voting for the elections.

Three methods are available:

- Ordinary ballot
- Open voting; or
- Preferential ballot

As indicated above the open voting method is recommended.

**Election of Deputy Mayor**

Procedures for the election of Deputy Mayor are the same as for the election of Mayor.

**BUDGETARY IMPLICATIONS**

Nil

**ATTACHMENTS**

- I. Mayoral Elections Factsheet [↓](#)













**3 CONFIRMATION OF MINUTES**

Confirmation of Minutes of Ordinary Council Meeting held on 26 August 2024

Confirmation of Minutes of Extraordinary Council Meeting held on 9 September 2024





# **MINUTES**

**Ordinary Council Meeting  
Monday, 26 August 2024**

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**MINUTES OF COWRA COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA  
ON MONDAY, 26 AUGUST 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 Erin Watt, Cr Bill West, Cr Peter Wright

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

Nil

### 1.4 Disclosures of Interest

Cr Bill West declared a non-pecuniary interest in relation to Item 3.1 *Donation - Cowra Japanese Garden & Cultural Centre for Sakura Matsuri Festival* due to his position as Chair of the Cowra Japanese Garden & Cultural Centre.

Cr Erin Watt declared a non-pecuniary interest in relation to Item 7.1 *Development Application No. 56/2024* due to a close relative being involved in submitting the application.

Cr Peter Wright declared a non-pecuniary interest in relation to Item 5.5 *Donation Request - Cowra Eisteddfod Inc.* due to his wife being President of the Eisteddfod Committee.

Cr Cheryl Downing declared a non-pecuniary interest in relation to Item 5.4 *Donation - Chor Farmer Concert* due to her Rotarian membership and Rotary's support of the Seikei Student Exchange.

Cr Judi Smith declared a non-pecuniary interest in relation to Item 5.4 *Donation - Chor Farmer Concert* due to her membership on the Cowra Seikei Student Exchange Committee.

Cr Nikki Kiss OAM declared a non-pecuniary interest in relation to Item 5.3 *Section 355 Committee Draft Minutes - Cowra Youth Council* due to her son being a member of the Youth Council.

1.5 Presentations

Nil

1.6 Public Forum

Mr Richard Neate, Treasurer of the Cowra Eisteddfod Inc., addressed Council speaking in support of the Eisteddfod's request for a donation for the fees for the Civic Centre hire to ensure the costs are known for the 2025 Eisteddfod.

**2 CONFIRMATION OF MINUTES****RESOLUTION 151/24**

Moved: Cr Judi Smith

Seconded: Cr Sharon D'Elboux

**That the minutes of Ordinary Council Meeting held on 22 July 2024 be confirmed.**

CARRIED

**RESOLUTION 152/24**

Moved: Cr Sharon D'Elboux

Seconded: Cr Erin Watt

**That the minutes of Extraordinary Council Meeting held on 12 August 2024 be confirmed.**

CARRIED

**3 GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 12 AUGUST 2024****DIRECTOR-CORPORATE SERVICES REPORT**

At 5.08 pm, Cr Bill West left the meeting.

3.1 Donation - Cowra Japanese Garden & Cultural Centre for Sakura Matsuri Festival**RESOLUTION 153/24**

Moved: Cr Peter Wright

Seconded: Cr Judi Smith

**That Council provide a donation from the Section 356 expenses budget to assist the Cowra Japanese Garden and Cultural Centre during the Sakura Matsuri Festival to be held on 24 September 2024 of:**

- 1. \$313.50 to assist with supply, delivery and waste disposal costs.**
- 2. \$2,200 to assist with the event costs.**

CARRIED

At 5.09 pm, Cr Bill West returned to the meeting.

3.2 Donation - Cowra & District Senior Citizen's Club for Water and Sewerage Access Charges

**RESOLUTION 154/24**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Judi Smith

**That Council contribute the sum of \$1,214.00 from the Section 356 expenses budget to assist Cowra & District Senior Citizens Club Inc with its water and sewer charges for 2023-24.**

CARRIED

3.3 Investments and Financial Report

**RESOLUTION 155/24**

Moved: Cr Erin Watt

Seconded: Cr Sharon D'Elboux

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

CARRIED

**DIRECTOR-ENVIRONMENTAL SERVICES REPORT**

3.4 Draft Cowra Community Participation Plan (CPP) 2024

**RESOLUTION 156/24**

Moved: Cr Erin Watt

Seconded: Cr Judi Smith

1. **That Council notes the report on the findings of the public exhibition of the Draft Cowra Community Participation Plan 2024.**
2. **That the Draft Cowra Community Participation Plan 2024 be formally adopted by Council.**
3. **That the Director – Environmental Services arranges to publish the adopted Cowra Community Participation Plan 2024 on the NSW Government's Planning Portal.**

CARRIED

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

Against: Nil

CARRIED 9/0

3.5 Review of Council's Code of Planning Practice - processing Development Applications policy

**RESOLUTION 157/24**

Moved: Cr Bill West

Seconded: Cr Judi Smith

**That Council note the recommendation on the Draft Code of Planning Practice – processing Development Applications policy.**

CARRIED

3.6 Development Application No. 1/2023, Lot 1 DP 599492, 17 Walker Street Cowra, Section 4.55(1A) modification to 3 lot subdivision and the construction of two dwellings (modify sewer design) Mod 1, lodged by T Bruin

**RESOLUTION 158/24**

Moved: Cr Judi Smith

Seconded: Cr Paul Smith

1. **That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979; and**
2. **That Section 4.55(1A) Modification No. 1/2023, for the modification to 3 lot subdivision and the construction of two dwellings (modify sewer design) Mod 1 on Lot 1 DP 599492, 17 Walker Street Cowra be approved subject to the following conditions:**

**GENERAL CONDITIONS**

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

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

<b>Plan No./ Supporting Document</b>	<b>Prepared by/Reference Details</b>	<b>Cowra Shire Council Reference</b>
<b>Site Plan Sheet 01</b>	<b>K. Ostini-Donnelly 9 December 2022</b>	<b>Received 3 January 2023 Stamped No. DA 1/2023</b>
<b>Floor Plans Sheet 02</b>	<b>K. Ostini-Donnelly 9 December 2022</b>	<b>Received 3 January 2023 Stamped No. DA 1/2023</b>
<b>Elevation Plan Sheet 03</b>	<b>K. Ostini-Donnelly 9 December 2022</b>	<b>Received 3 January 2023 Stamped No. DA 1/2023</b>

<b>Notes &amp; Basix Commitments Sheet 04</b>	<b>K. Ostini-Donnelly 9 December 2022</b>	<b>Received 3 January 2023 Stamped No. DA 1/2023</b>
<b>Proposed Plan of Subdivision Sheet A.01 Rev E</b>	<b>Currajong Pty Ltd 14 April 2023</b>	<b>Received 14 April 2023 Stamped No. DA 1/2023(C)</b>
<b>Proposed Vehicle Surfaces Sheet A.02 Rev D</b>	<b>Currajong Pty Ltd 22 March 2023</b>	<b>Received 22 March 2023 Stamped No. DA 1/2023(B)</b>
<b>Landscaping Plan Sheet A.03 Rev B</b>	<b>Currajong Pty Ltd 22 March 2022</b>	<b>Received 22 March 2023 Stamped No. DA 1/2023(A)</b>
<b>Landscaping Plan Sheet A.04 Rev A</b>	<b>Currajong Pty Ltd 20 December 2022</b>	<b>Received 3 January 2023 Stamped No. DA 1/2023</b>
<b>Sewer – Zone of Influence Assessment Sheet A.05 Rev A</b>	<b>Currajong Pty Ltd 7 March 2023</b>	<b>Received 7 March 2023 Stamped No. DA 1/2023</b>
<b>Sewer Layout Plan Issue G Dwg No. C01</b>	<b>Calare Civil Consulting Engineers 8/05/24</b>	<b>Received 22 July 2024 Stamped No. DA 10.2023.1.2</b>
<b>Stormwater Management Plan Issue C Dwg No. G01, G02, C01, C02 &amp; C03</b>	<b>Calare Civil Consulting Engineers 20/02/23</b>	<b>Received 7 March 2023 Stamped No. DA 1/2023(A)</b>
<b>BASIX Certificate No. 1355841S</b>	<b>Currajong Pty Ltd Issued: 8 December 2022</b>	<b>Received 3 January 2023 Stamped No. DA 1/2023</b>
<b>BASIX Certificate No. 1361831S</b>	<b>Currajong Pty Ltd Issued: 8 December 2022</b>	<b>Received 3 January 2023 Stamped No. DA 1/2023</b>
<b>Statement of Environmental Effects Rev E</b>	<b>Currajong Pty Ltd 28 August 2023</b>	<b>Received 29 August 2023 Stamped No. DA 1/2023(B)</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 construction of two new dwellings and associated infrastructure including access crossing, driveway, landscaping and all service connections.**

**Stage 2 – The subdivision of Lot 1 DP 599492 into 3 lots.**

**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 both stages of the development are completed in accordance with condition 3.**

**5. All traffic movements in and out of the development are to be in a forward direction.**

**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.**

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

**7. Pursuant to Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Subdivision Certificate or Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Cowra Section 94A Contributions Plan 2016 adopted on 26 April 2016. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.**

Contribution Type	Proposed Cost of Development <sup>1</sup>	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution <sup>2</sup>	\$560,00.00	1%	\$5,600.00	30 June 2023

**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)

8. 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.
9. 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 new dwellings.

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

10. No building, engineering or excavation work is to be carried out in relation to this development until the necessary Certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the applicable Council Engineering Standards This may entail alterations to the proposal so that it complies with these standards.
11. 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.
12. 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'.
13. 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.
14. Council's sewer main alignment and depth shall be accurately located and the greater of the following clearance criteria must be achieved prior to commencement of works:

- (i) A line taken at an angle of 45 degrees downwards from the lower edge of the proposed footing will not intersect Council's sewer main and its trench;
- (ii) A minimum 1100mm between the building's footings and centre line of the sewer main;
- (iii) The building and its footings are located outside any existing sewer easement.

If the above criteria cannot be achieved, the submission to, and approval by Council of designs prepared by a suitably qualified engineer for special footings adjacent to Council's sewer main is required prior to the commencement of works. Construction is to be supervised by an engineer and certified as being constructed in accordance with the approved design prior to issue of the final certificate or occupation of the dwelling, whichever is the earliest.

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

- 15. 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.
- 16. 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.
- 17. 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.
- 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. 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.**
- 23. Deleted**
- 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 proposed dwellings until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.**
- 26. Prior to the issue of any Occupation Certificate, all roofed areas from the proposed dwellings and the existing rear shed are to be properly drained in accordance with the Plumbing Code of Australia and discharged to Council's stormwater management system on Walker Street in accordance with the approved Stormwater Management Plan.**
- 27. Prior to the issue of any Occupation Certificate, the applicant shall connect the new dwellings to Council's reticulated water and sewer supply systems and to the satisfaction of the relevant service provider, being**

**Cowra Shire Council.**

28. Prior to the issue of any Occupation Certificate, the Applicant shall seal or concrete internal driveways and manoeuvring areas in accordance with the approved plans and with Cowra Infrastructure and Operations Engineering Standards.
29. Prior to the issue of any Occupation Certificate, the Applicant shall construct an access crossing to the development site from Walker 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.
30. 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 the proposed internal fencing dividing dwellings 1 and 2.

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

31. The Applicant is to lodge with Cowra Shire Council a Subdivision Certificate Application together with the original plan and a minimum of four copies for signature. All necessary information to support the certificate release and the necessary fee is required to be included with the Subdivision Certificate Application.
32. The Applicant shall include on the final plan of subdivision all necessary easements required over access, water, sewer, stormwater, electricity and telecommunications mains. This includes 3 metre wide easements centrally located over all sewerage mains for the purpose of providing access to the mains system and for maintenance purposes.
33. The plan of survey subject of a Subdivision Certificate shall indicate restrictions on title under Section 88B of the Conveyancing Act 1919 creating:
  - (a) a right of carriageway in favour of the lot(s) for which access is to be provided being of a width adequate to accommodate the full width as constructed;
  - (b) a restriction as to user whereby it is noted that responsibility for construction and/or maintenance of the right of carriageway is with the owner(s) of the lots benefited.

**ADVICE**

- I. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 68 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water and sewer supply to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of the Occupation Certificate. Water and sewer

reticulation mains and metered services must be physically provided to the development in accordance with Cowra Infrastructure and Operations Engineering Standards. Council will not issue the 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 the 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.

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

CARRIED

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

Against: Nil

CARRIED 9/0

- 3.7 Section 355 Committee Draft minutes - Cowra Natural Resource Management Advisory Committee meeting held 19 June 2024

#### **RESOLUTION 159/24**

Moved: Cr Peter Wright

Seconded: Cr Cheryl Downing

**That Council note the draft minutes of the Cowra Natural Resource Management Advisory Committee meeting held on 19 June 2024.**

CARRIED

## **4 GENERAL MANAGER**

- 4.1 State of our City Report 2024

#### **RESOLUTION 160/24**

Moved: Cr Judi Smith

Seconded: Cr Nikki Kiss OAM

**That Council endorse the State of our City Report 2024 with an amendment on page 4 to the second item under Council Services: Waste Management as below:**

- **Change "little control" to "litter control".**

CARRIED

4.2 Delivery Program 2022-2023 to 2025-2026; Operational Plan 2023-2024; Six-Month Review to 30 June 2024

**RESOLUTION 161/24**

Moved: Cr Bill West

Seconded: Cr Judi Smith

**That Council note the Six-Month Review to 30 June 2024 of the Delivery Program 2022-2023 to 2025-2026; Operational Plan 2023-2024.**

CARRIED

4.3 Acting General Manager

**RESOLUTION 162/24**

Moved: Cr Bill West

Seconded: Cr Sharon D'Elboux

- 1. That Director Infrastructure and Operations Dirk Wymer be appointed Acting General Manager during periods of General Manager Paul Devery's leave during September 2024.**
- 2. That Director Environmental Services Larissa Hackett be appointed Acting General Manager during periods of General Manager Paul Devery's leave during October 2024.**

CARRIED

4.4 Appointment of Delegates

**RESOLUTION 163/24**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Sharon D'Elboux

**That Council endorse the following delegates continuing until the new council considers appointments:**

<b>Cowra Tourism Corporation</b>	<b>Judi Smith</b>
	<b>Erin Watt</b>
<b>Cowra Japanese Garden &amp; Cultural Centre</b>	<b>Bill West</b>

CARRIED

**4.5 2024 Meeting Dates**

Moved: Cr Ruth Fagan  
 Seconded: Cr Nikki Kiss OAM  
**RECOMMENDATION**

1. That Council rescind resolution number 24/24 from February 2024

*That Council adopt the following Council meeting dates for 2024 and amending the recommendation to change the date for the September meeting to the 23<sup>rd</sup> September 2024:*

<i>Month</i>	<i>Day</i>	<i>Date</i>	<i>Meetings</i>	<i>Time</i>
<i>JANUARY</i>	<i>Monday</i>	<i>22</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>FEBRUARY</i>	<i>Monday</i>	<i>12</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>26</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>MARCH</i>	<i>Monday</i>	<i>11</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>25</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>APRIL</i>	<i>Monday</i>	<i>8</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>22</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>MAY</i>	<i>Monday</i>	<i>13</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>27</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>JUNE</i>	<i>Tuesday</i>	<i>11</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>24</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>JULY</i>	<i>Monday</i>	<i>8</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>22</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>AUGUST</i>	<i>Monday</i>	<i>12</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>26</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>OCTOBER</i>	<i>Monday</i>	<i>14</i>	<i>Ordinary Council</i>	<i>5pm</i>
	<i>Monday</i>	<i>28</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>NOVEMBER</i>	<i>Monday</i>	<i>11</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>25</i>	<i>Ordinary Council</i>	<i>5pm</i>
<i>DECEMBER</i>	<i>Monday</i>	<i>9</i>	<i>General Committee</i>	<i>5pm</i>
	<i>Monday</i>	<i>16</i>	<i>Ordinary Council</i>	<i>5pm</i>

2. That Council adopt the following meeting dates for the remainder of 2024:

SEPTEMBER	Monday	23	Ordinary Council	5pm
OCTOBER	Monday	14	General Committee	5pm
	Monday	28	Ordinary Council	5pm
NOVEMBER	Monday	11	General Committee	5pm
	Monday	25	Ordinary Council	5pm
DECEMBER	Monday	9	General Committee	5pm
	Monday	16	Ordinary Council	5pm

LOST



**RESOLUTION 164/24**

Moved: Cr Peter Wright

Seconded: Cr Cheryl Downing

**1. That Council rescind resolution number 24/24 from February 2024***That Council adopt the following Council meeting dates for 2024:*

<b>Month</b>	<b>Day</b>	<b>Date</b>	<b>Meetings</b>	<b>Time</b>
<b>JANUARY</b>	<b>Monday</b>	<b>22</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>FEBRUARY</b>	<b>Monday</b>	<b>12</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>26</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>MARCH</b>	<b>Monday</b>	<b>11</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>25</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>APRIL</b>	<b>Monday</b>	<b>8</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>22</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>MAY</b>	<b>Monday</b>	<b>13</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>27</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>JUNE</b>	<b>Tuesday</b>	<b>11</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>24</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>JULY</b>	<b>Monday</b>	<b>8</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>22</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>AUGUST</b>	<b>Monday</b>	<b>12</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>26</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>OCTOBER</b>	<b>Monday</b>	<b>14</b>	<b>Ordinary Council</b>	<b>5pm</b>
	<b>Monday</b>	<b>28</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>NOVEMBER</b>	<b>Monday</b>	<b>11</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>25</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>DECEMBER</b>	<b>Monday</b>	<b>9</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>16</b>	<b>Ordinary Council</b>	<b>5pm</b>

**2. That Council adopt the following meeting dates for the remainder of 2024:**

<b>SEPTEMBER</b>	<b>Monday</b>	<b>30</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>OCTOBER</b>	<b>Monday</b>	<b>14</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>28</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>NOVEMBER</b>	<b>Monday</b>	<b>11</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>25</b>	<b>Ordinary Council</b>	<b>5pm</b>
<b>DECEMBER</b>	<b>Monday</b>	<b>9</b>	<b>General Committee</b>	<b>5pm</b>
	<b>Monday</b>	<b>16</b>	<b>Ordinary Council</b>	<b>5pm</b>

CARRIED

**5 DIRECTOR-CORPORATE SERVICES****5.1 Quarterly Budget Review Statement - June 2024****RESOLUTION 165/24**

Moved: Cr Bill West

Seconded: Cr Judi Smith

**That the Fourth Quarter Budget Review for 2023-2024 showing a Surplus of \$11,096,000 be adopted.**

CARRIED

**5.2 Section 355 Committee Draft Minutes - Audit, Risk & Improvement Committee - 8 August 2024****RESOLUTION 166/24**

Moved: Cr Paul Smith

Seconded: Cr Nikki Kiss OAM

**That the draft Minutes of the Audit, Risk & Improvement Committee meeting held on 8 August 2024 be noted.**

CARRIED

**5.3 Section 355 Committee Draft Minutes - Cowra Youth Council****RESOLUTION 167/24**

Moved: Cr Erin Watt

Seconded: Cr Bill West

- 1. That the draft Minutes of the Cowra Youth Council ordinary meeting held on 17 June 2024 and 12 August be noted.**
- 2. That Council forward a letter of appreciation to Cr Judi Smith thanking her for her contribution and significant role with the Cowra Youth Council.**

CARRIED

At 6.43 pm, Cr Judi Smith and Cr Cheryl Downing left the meeting.

**5.4 Donation - Chor Farmer Concert****RESOLUTION 168/24**

Moved: Cr Bill West

Seconded: Cr Nikki Kiss OAM

**That Council provide a donation of up to \$988 (excluding GST) to the Cowra Seikei Student Exchange Committee from the Section 356 expenses budget for the hire of the Civic Centre for the Chor-Farmer concert on 12<sup>th</sup> October 2024.**

CARRIED

At 6.45 pm, Cr Judi Smith and Cr Cheryl Downing returned to the meeting.

At 6.45 pm, Cr Peter Wright left the meeting.

5.5 Donation Request - Cowra Eisteddfod Inc.

**RESOLUTION 169/24**

Moved: Cr Bill West  
Seconded: Cr Paul Smith

**That the fee for the 2025 Eisteddfod be the 2024 fee of \$12,000 plus the rate percentage increase of 4.5% being \$12,540 ex GST.**

**That the \$356 donation to the Cowra Eisteddfod Committee is estimated to be \$16,595, being the difference between \$12,540 to be paid by the Eisteddfod Committee and the actual charges estimated at \$29,135.**

CARRIED

At 6.50 pm, Cr Peter Wright returned to the meeting.

5.6 Release of Closed Decisions

**RESOLUTION 170/24**

Moved: Cr Bill West  
Seconded: Cr Judi Smith

**That Council note the release of the resolution made in Closed Council at the Council Meeting on 22 July 2024:**

**Saleyards - eID Installation Project**

**RESOLUTION 149/24**

- 1. That Council accept the quote in full from Allflex for \$255,408 (incl. GST) for design and installation of eID readers and associated infrastructure and a second purchase order be issued to Allflex.**
- 2. That Council award the contract in accordance with the NSW Local Government Act (1993) Section 55.3.i.**
- 3. That the extenuating circumstances under Section 55.3.i are:**
  - Council has staged the engagement for the works as required to meet granting funding limits and conditions.**
  - A thorough quote assessment process has been undertaken via both Council's standard Quote Assessment procedure and through the DPI Report Form Planning Design Grants.**
  - The project needs to be completed by 1 January 2025 to meet the NSW DPI regulatory requirements. There is a high likelihood that this limited timeframe would not allow sufficient time to undertake a tender and for construction works to be completed.**

CARRIED

**6 DIRECTOR-INFRASTRUCTURE & OPERATIONS****6.1 Committee Minutes - Traffic Committee****RESOLUTION 171/24**

Moved: Cr Paul Smith

Seconded: Cr Nikki Kiss OAM

1. That the minutes of the Traffic Committee meeting held on 19 August 2024 be noted.
2. That no changes to vehicle movements be made to the Busby Place carpark Macquarie Street access.
3. That Council approves, in principle, the Class 2 special event to be held by Cowra Show Society on 18 October 2024 to 19 October 2024 subject to compliance with the requirements of Transport for New South Wales (TfNSW) and NSW Police.
4. That the following route be approved for Tier 3, PBS Level 2B, 30m “A Double” access at 85.5T Higher Mass Limits (HML):
  - Campbell Street, from Parkes Street to Darby’s Falls Road (MR576).
  - Darby’s Falls Road to Kendal Street via Fitzroy Street (MR576).
5. That the single disabled parking space in front of 37 Macquarie Street remain in its current location, with the following changes to be made for compliance, and facilitating access from the disabled space to the footpath:
  - Existing disabled space to be widened 1.2m to facilitate access from the passenger door and not intrude on the adjacent space.
  - The existing galvanised gutter crossing to the west of the disabled space be moved to the western extent of the widened existing disabled space.
  - Removal of the planter box and tree immediately behind the existing disabled space.

CARRIED

**6.2 Wyangala Water Treatment Plant Land Acquisition****RESOLUTION 172/24**

Moved: Cr Bill West

Seconded: Cr Judi Smith

**That Council receive and note the information provided on progress of the land acquisition for the Wyangala Water Treatment Plant.**

CARRIED

**7 DIRECTOR-ENVIRONMENTAL SERVICES**

At 7.01 pm, Cr Erin Watt left the meeting.

7.1 Development Application No. 56/2024, Lot 1 DP 738717, 16-18 Kendal Street Cowra, internal alterations to a pub (Imperial Hotel), lodged by Vision Town Planning Consultants Pty Ltd

**RESOLUTION 173/24**

Moved: Cr Paul Smith

Seconded: Cr Nikki Kiss OAM

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The application was publicly exhibited and no submissions were received; and
2. That Development Application No. 10.2024.56.1, for the construction of internal alterations to a pub (Imperial Hotel) on Lot 1 DP 738717, 16-18 Kendal 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
Site plan	Vision Property development hub	Received 9 July 2024 Stamped No. DA 10.2024.56.1
Existing floor plan	Vision Property development hub	Received 9 July 2024 Stamped No. DA 10.2024.56.1
Proposed floor plan	Vision Property development hub	Received 9 July 2024 Stamped No. DA 10.2024.56.1
Statement of Environmental Effects	Vision Property development hub	Received 9 July 2024 Stamped No. DA 10.2024.56.1

In the event of any inconsistency between conditions of this development

consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).
3. Any demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the Work Health and Safety Act 2011.

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

4. 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. 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.

10. 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.
11. 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.

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

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

#### **ADVICE**

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

CARRIED

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

Against: Nil

CARRIED 8/0

At 7.03 pm, Cr Erin Watt returned to the meeting.

7.2 Review of Council's Code of Planning Practice - processing Development Applications policy

#### **RESOLUTION 174/24**

Moved: Cr Judi Smith  
Seconded: Cr Bill West

1. That Council endorses the Draft Code of Planning Practice – processing Development Applications policy for the purpose of public exhibition for a minimum of 28 days in accordance with the Cowra Community Participation Plan.
2. That following the public exhibition the Director of Environmental Services provides a further report to Council for the formal adoption of the draft Code of Planning Practice – Processing of Development Applications Policy considering any submissions made.

CARRIED

7.3 Access Incentive Fund Application - Gooloogong Historical Society

**RESOLUTION 175/24**

Moved: Cr Sharon D'Elboux

Seconded: Cr Cheryl Downing

**That Council provides \$5,500 from the Access Incentive Scheme Grant fund to assist with the costs of providing improved access to the Club House building at I Racecourse Road Gooloogong for the Gooloogong Historical Society.**

CARRIED

**8 LATE REPORTS**

**9 CONFIDENTIAL MATTERS**

**RESOLUTION 176/24**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Erin Watt

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

**10 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE & OPERATIONS**

**10.1 Demolition and Disposal of Council Owned Building at 10 Lowe Lane**

**This matter is considered to be confidential under Section 10A(2)(c) 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

**10.2 Safe and Secure Water Program - Cowra Water Treatment Works (SSWP413)**

**This matter is considered to be confidential under Section**



**10A(2)(d(ii)) 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 information that would, if disclosed, confer a commercial advantage on a competitor of the council.**

## **II CONFIDENTIAL DIRECTOR-ENVIRONMENTAL SERVICES**

### **II.1 Appeal NSW Land and Environment Court - DA 37/2022 - Refusal Subdivision and Multi Dwelling Housing 13 Tokyo Terrace, Cowra**

**This matter is considered to be confidential under Section 10A(2)(g) 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.**

**CARRIED**



# **MINUTES**

**Extraordinary Council Meeting  
Monday, 9 September 2024**

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2.1 Development Application No. 68/2024, Lot 291 DP 45349, Lot 292 DP 46474, 14 Short Street  
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**MINUTES OF COWRA COUNCIL  
EXTRAORDINARY COUNCIL MEETING  
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA  
ON MONDAY, 9 SEPTEMBER 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 Erin Watt, Cr Bill West, Cr Peter Wright

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

That the apology received from Mr Paul Devery (General Manager) be noted.

### 1.4 Disclosures of Interest

Nil

### 1.5 Public Forum

Libby Ewing-Jarvie addressed Council speaking in support of DA 68/2004.

## **2 DIRECTOR-ENVIRONMENTAL SERVICES**

2. Development Application No. 68/2024, Lot 291 DP 45349, Lot 292 DP 46474, 14 Short Street  
1 Cowra, centre-based child care facility (preschool care), lodged by S D'souza

### **RESOLUTION 180/24**

Moved: Cr Erin Watt

Seconded: Cr Judi Smith

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The variation to Part N.2 of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and no submissions were received; and
2. That Council approves a variation to Part N.2 of Part N of Council's Development Control Plan 2021 for this development to allow the provision of a landscape plan after the determination of the application; and
3. That Development Application No. 68/2024, for the construction of a centre-

based child care facility (preschool care) on Lot 291 DP 45349, Lot 292 DP 46474, 14 Short Street Cowra be approved subject to the following conditions:

### GENERAL CONDITIONS

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

<b>Plan No./ Supporting Document</b>	<b>Prepared by/Reference Details</b>	<b>Cowra Shire Council Reference</b>
<b>Cover Plan Drawing TP01</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Site Plan Drawing TP02</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Site Plan Parking &amp; Drive Detail Drawing TP03</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Site Analysis Plan Drawing TP04</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Existing Site &amp; Demolition Plan Drawing TP05</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Floor Plan Drawing TP06</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Roof Plan Drawing TP07</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Building Elevations Drawing TP08</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>

<b>Boundary Elevations Drawing TP09</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Building Sections &amp; Details Drawing TP10</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Building Details Drawing TP11</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>3D Images Drawing TP12</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>3D Images Drawing TP13</b>	<b>HJL Architecture Pty Ltd 7/08/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Detailed contamination investigation Phase A of the proposed Early Childhood Precinct Rev 0 R43874c</b>	<b>Barnson Pty Ltd 9/05/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Detailed contamination investigation Phase B of the proposed Early Childhood Precinct Rev 0 R43874cI</b>	<b>Barnson Pty Ltd 4/07/2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Stormwater Management Plan Ref: 24116</b>	<b>Engineering Project Solutions August 2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Waste Management Plan Ref: 24191W Version F0I</b>	<b>Sustainable Transport Surveys Pty Ltd 9 August 2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>
<b>Traffic Impact Assessment Report Ref: 24191T Version F0I</b>	<b>Sustainable Transport Surveys Pty Ltd 9 August 2024</b>	<b>Received 13 August 2024 Stamped No. 10.2024.68.1</b>

Statement of Environmental Effects Ref: 21235P	Ratio Consultants Pty Ltd 12 August 2024	Received 13 August 2024 Stamped No. 10.2024.68.1
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In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).
3. Any cutting and filling on the site shall be either battered at a maximum slope of one vertical to two horizontal (1V:2H) and revegetated or suitably retained by a retaining structure, designed and constructed to appropriate engineering standards. A retaining wall that does not comply with State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 will require the prior consent of Council. The erection of retaining walls may require the approval and certification of a suitably qualified structural engineer. All works are to be carried out within the boundaries of the property and without affecting the structural integrity of boundary fencing or neighbouring structures.
4. 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.
5. Remediation of the site is to be carried out in accordance with the recommendations of the 'Detailed contamination investigation Phase B of the proposed Early Childhood Precinct' (Ref R4387c1) prepared by Barnson Pty Ltd and dated 4/07/2024.
6. All traffic movements in and out of the development are to be in a forward direction.
7. Liquid trade waste material is not to be discharged into the sewerage system without first obtaining the approval of Cowra Shire Council. An approval is

needed if liquid trade waste is being discharged into the sewer. A liquid trade waste notification is required if it is produced, but not discharged into Council's sewer system.

8. The approved hours of operation are as follows:

- 6:30am to 7:00pm Monday to Friday

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

9. Prior to the issue of a Construction Certificate, notice is to be provided to Council in accordance with Section 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021 which includes a validation assessment confirming that the site is suitable for the proposed childcare land use.
10. Prior to the issue of a Construction Certificate, the Applicant must demonstrate that the development complies with firefighting capabilities in accordance with AS 2419.1:2021, Fire Hydrant Installations, and Fire and Rescue NSW (FRNSW) guidelines. If required, 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 25mm water service to the development. All costs associated with the augmentation of water reticulation relating to the development shall be borne by the Applicant and at no cost to Council.
11. Prior to the issue of a Construction Certificate, the Applicant is to submit a Landscape Plan for the approval of the Principal Certifier which includes details of the proposed plant species and maintenance schedule. The plan is to be prepared in accordance with Part N of Cowra Council Development Control Plan 2021.
12. 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.

<b>Contribution Type</b>	<b>Proposed Cost of Development<sup>1</sup></b>	<b>Levy Percentage</b>	<b>Total Contribution</b>	<b>Contribution Rate Remains Current Until</b>
<b>Section 94A Contribution<sup>2</sup></b>	<b>\$3,693,252.00</b>	<b>1%</b>	<b>\$36,932.52</b>	<b>30 June 2025</b>

**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)

13. 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 demolition and remediation of the existing access crossing and kerb and gutter from Short Street and the construction of a new access crossing to the development site from Short Street. Construction is to be in accordance with Cowra Shire Council's Engineering Standards.

#### **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 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.
15. 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.
16. 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'.
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 the approved plans and Part B of Cowra Shire Council Development Control Plan 2021 at all times.

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

18. 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.
19. Any alterations to the ground surface adjacent to the sewerage access chamber in the vicinity/or within the property will require application and payment to Council for alterations to the access chamber level to match the new ground surface level. Access chambers within driveways will require provision of a trafficable lid at the applicant's cost.

20. 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.
21. 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.
22. 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.
23. 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.
24. Stormwater infrastructure is to comply with the following:
  1. That:
    - a) Stormwater runoff volumes and detention; and
    - b) Stormwater quality treatment measures; and
    - c) Erosion and Sedimentation Control,be addressed as stated in the Stormwater Management Report submitted by Engineering Project Solutions for the proposed Childcare Development at 14 Short Street; and
  2. The detention basin be designed to have a minimum slope of 1% to the discharge control pit; and
  3. That the development stormwater runoff will discharge directly into the existing council stormwater reticulation network at the corner of Main Street and Short Street. It is to be a direct connection into the existing pit.
25. Car parking facilities, including all internal parking and manoeuvring areas are to be constructed and sealed in accordance with Australian Standard 2890.1 Off-Street Car Parking and Australian Standard 2890.2 Commercial

Vehicle Facilities and are to include all necessary line marking, directional arrows and signage to delineate parking spaces, traffic flow and traffic priority. All costs associated with the construction of the parking area shall be borne by the Applicant.

26. 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.
27. The primary entrances and pathways to the building are to comply with the requirements of the Disability (Access to Premises – Buildings) Standards 2010 and Australian Standard 1428.1-2021 Design for Access and mobility.
28. 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**

29. 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.
30. Prior to issue of any Occupation Certificate, the Applicant shall construct the access crossing to the development site from Short Street and remediate the existing crossing 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.
31. Prior to issue of the Occupation Certificate, the applicant shall connect to Council's Reticulated Water Supply System and to the satisfaction of the relevant service provider, being Cowra Shire Council.

32. Prior to issue of the Occupation Certificate, the applicant shall connect to Council's Reticulated Sewer Supply System and to the satisfaction of the relevant service provider, being Cowra Shire Council.
33. Prior to the issue of any Occupation Certificate, the Applicant shall replace kerb and gutter in the location of the existing Short Street crossover and reinstate a level footpath area. The kerb and gutter shall be constructed in accordance with Cowra Infrastructure and Operations Engineering Standards.
34. Prior to the issue of an Occupation Certificate, the Applicant shall construct a concrete footpath in Short Street for the full frontage of the development site. The footpath shall be constructed in accordance with Cowra Infrastructure and Operations Engineering Standards. Full engineering plans and details of the footpath are to be provided to Cowra Shire Council's Infrastructure and Operations Department for approval prior to the commencement of the work. The footpath in front of the allotment shall be made level with the profile of kerb and guttering.
35. Prior to the issue of any Occupation Certificate the Applicant shall pave/seal and line-mark and provide concrete edging around all car parking areas in accordance with Cowra Council's Development Control Plan 2021 and Cowra Infrastructure and Operations Engineering Standards. All costs associated with the sealing of the car parking areas and construction of concrete edging shall be borne by the Applicant and at no cost to Council.
36. Prior to the issue of a Whole Occupation Certificate, all landscape works shall be completed in accordance with the approved plans.
37. A Fire Safety Certificate shall be furnished to the Principle Certifying Authority for all the Essential Fire Safety Measures specified in the current fire safety schedule for the building, prior to issue of an Occupation Certificate. A copy of the Fire Safety Certificate must be submitted to Council by the PCA 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)
38. An Annual Fire Safety Statement 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.

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.

- 39. 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.

**ADVICE**

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

CARRIED

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

Against: Nil

CARRIED 9/0

**3 LATE REPORTS**

Nil

Retirement of Director – Art Gallery

The Acting Director – Corporate Services announced to Council that Mr Brian Langer, Director – Cowra Regional Art Gallery, will be retiring in November 2024

The Meeting closed at 5.21 pm

The minutes of this meeting were confirmed at the Council Meeting held on 30 September 2024.

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**CHAIRPERSON**

## 4 DIRECTOR-CORPORATE SERVICES

### 4.1 Completion of 2023/24 Financial Statements

**File Number:** D24/I476

**Author:** Graham Apthorpe, Acting Director - Corporate Services

### RECOMMENDATION

1. That Council authorise the referral to audit of the financial statements for the financial year ending 30 June 2024 in order for Council's Auditors to conduct the audit.
2. That Council upon completion of the audit, authorise the Mayor, Deputy Mayor, General Manager and Director – Corporate Services to sign the Statement by Council and Management for the General Purpose and Special Purpose Financial Statements.

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### INTRODUCTION

Request for Council to sign documentation under Section 413(2) of the Local Government Act for the referral of the 2023/24 Financial Statements to the Audit office of NSW for audit.

### BACKGROUND

Council's 2023/24 principal financial reports are presented in draft form and are recommended to be provided to the Council's auditors.

Section 413 of the Local Government Act 1993 requires Council to refer to audit its Annual Financial Statements ensuring lodgement prior to the Office of Local Governments deadline on 31 October 2024.

The draft income statements and balance sheets for both the General Purpose Financial Statements and Special Purpose Financial Statements are attached. As part of the audit process, these financial reports may be subject to change.

In order for the audited financial statements to be submitted to the Office of Local Government by the deadline, the Mayor, Deputy Mayor, General Manager and Director – Corporate Services are required to sign the Statement by Council and Management for the General Purpose and Special Purpose Financial Statements.

### BUDGETARY IMPLICATIONS

Included in Annual Audit Fee

### ATTACHMENTS

1. Statement by Councillors and Management for General Purpose and Special Purpose Financial Statements [↓](#)



















**5 LATE REPORTS**