



# **AGENDA**

## **Ordinary Council Meeting**

**Date: Monday, 28 July 2025**

**Time: 5.30 pm**

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

**Paul Devery  
General Manager**

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## **I INTRODUCTION**

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

In accordance with the Local Government Act (1993), Cowra Council is recording this meeting and will upload the recording to Council's website. By speaking at this meeting, you agree to being recorded and having that recording published in the public domain. Please ensure that when you speak at 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 23 June 2025





# **MINUTES**

**Ordinary Council Meeting  
Monday, 23 June 2025**

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**MINUTES OF COWRA COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA  
ON MONDAY, 23 JUNE 2025 AT 5.30 PM**

**PRESENT:** Cr Paul Smith (Mayor), Cr Karren Cave, Cr Ruth Fagan, Cr Tony Horton, Cr Cheryl Speechley, Cr Erin Watt, Cr Peter Wright

**IN ATTENDANCE:** Mr Paul Devery (General Manager), Mrs Larissa Hackett (Director-Environmental Services), Mr Dirk Wymer (Director-Infrastructure & Operations), Mr Alan Dalton (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 112/25**

Moved: Cr Ruth Fagan

Seconded: Cr Peter Wright

**That apologies from Cr Nikki Kiss OAM and Cr Cheryl Downing be received and accepted.**

CARRIED

### 1.4 Disclosures of Interest

- Cr Erin Watt declared a non-pecuniary interest in relation to item 3.8 *Development Application No. 10.2025.35.1, Lot 1 DP 776076, 42 Chardonnay Road Cowra* due to a family member being involved in the submission, and will leave the Chambers during consideration of this item.
- Cr Ruth Fagan declared a non-pecuniary interest in relation to item 3.5 *Development Application No. 10.2024.27.1, Lot 1 DP 801755, 2 Lachlan Street Cowra* due to her husband's position as Chair of the Parish Finance Committee of St Raphael's Catholic Church which has made a submission regarding the development application, and will leave the Chambers during consideration of this item.
- Cr Ruth Fagan declared a non-pecuniary interest in relation to item 3.8 *Development Application No. 10.2025.35.1, Lot 1 DP 776076, 42 Chardonnay Road Cowra* as Cr Fagan resides on adjoining property, and will leave the Chambers during consideration of this item.
- Cr Ruth Fagan declared a non-pecuniary interest in relation to item 7.1 *Development Application No. 10.2024.27.1, Lot 1 DP 801755, 2 Lachlan Street Cowra* due to her

husband's position as Chair of the Parish Finance Committee of St Raphael's Catholic Church which has made a submission regarding the development application, and will leave the Chambers during consideration of this item.

- Cr Peter Wright declared a non-pecuniary interest in relation to item 4.1 *Draft Community Strategic Plan, Delivery Program, Operational Plan, Long-Term Financial Plan, Revenue Policy and Workforce Management Strategy* due to his wife being the President of the Cowra Eisteddfod, and will remain in the Chambers during consideration of this item.

At 5:33 pm, Cr Ruth Fagan left the meeting.

#### 1.5 Presentations

Nil

#### 1.6 Public Forum

Items 3.5 and 7.1 - Development Application No. 10.2024.27.1, Lot 1 DP 801755, 2 Lachlan Street Cowra

Mr Richard Sinclair addressed Council, speaking in support of the Development Application.

At 5:36pm Cr Erin Watt arrived at the meeting at this point.

At 5:38 pm Cr Ruth Fagan returned to the meeting.

## **2 CONFIRMATION OF MINUTES**

### **RESOLUTION 113/25**

Moved: Cr Peter Wright

Seconded: Cr Tony Horton

**That the minutes of Ordinary Council Meeting held on 26 May 2025 be confirmed.**

CARRIED

**3 GENERAL COMMITTEE RECOMMENDATIONS - TUESDAY, 10 JUNE 2025****GENERAL MANAGERS REPORT****3.1 Re-Adoption of Codes of Conduct and Code of Meeting Practice****RESOLUTION 114/25**

Moved: Cr Tony Horton

Seconded: Cr Peter Wright

**That Council re-adopt the:**

- **Code of Conduct for Councillors**
- **Code of Conduct for Council Staff**
- **Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers**
- **Code of Meeting Practice**

CARRIED

**3.2 Election Costs****RESOLUTION 115/25**

Moved: Cr Ruth Fagan

Seconded: Cr Tony Horton

**That Council note the cost of the 2024 election and the 2024 by-election.**

CARRIED

**DIRECTOR-CORPORATE SERVICES REPORT****3.3 Donation - Woodstock and District Progress Association****RESOLUTION 116/25**

Moved: Cr Tony Horton

Seconded: Cr Erin Watt

**That Council approve Woodstock and District Progress Association's request for a \$1,147.50 donation as a refund of fees paid to Council concerning development of a primitive campground at Woodstock Showground.**

CARRIED

**3.4 Investments and Financial Report****RESOLUTION 117/25**

Moved: Cr Ruth Fagan

Seconded: Cr Peter Wright

**That Council note the Investments and Financial Report for May 2025.**

CARRIED

At 5:49 pm, Cr Ruth Fagan left the meeting.

**DIRECTOR-ENVIRONMENTAL SERVICES REPORT**

3.5 Development Application No. 10.2024.27.1, Lot 1 DP 801755, 2 Lachlan Street Cowra, demolition of existing buildings and construction of a service station with drive-through facility and internal seating, lodged by D Kane. The property is owned by Ultra Cowra Pty Ltd

**RESOLUTION 118/25**

Moved: Cr Tony Horton

Seconded: Cr Peter Wright

**That the recommendation from the General Committee be noted as this matter will be considered later in this meeting.**

CARRIED

In Favour: Crs Paul Smith, Karren Cave, Tony Horton, Cheryl Speechley, Erin Watt and Peter Wright

Against: Nil

CARRIED 6/0

At 5:50 pm Cr Ruth Fagan returned to the meeting.

3.6 Development Application No. 10.2020.124.3, Lot 15 DP 23837, 28 Hartley Street Cowra, s4.55(1A) modification to demolition of existing carport, construction of new dwelling, carport and 2 lot Strata Title subdivision (change to 4 lot Community Title subdivision) Mod 2 lodged by M B Kilzi. The property owner is M B Kilzi.

**RESOLUTION 119/25**

Moved: Cr Peter Wright

Seconded: Cr Tony Horton

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 not required to be publicly notified; and**
2. **That Section 4.55(1A) Modification Application No. 10.2020.124.3, for the modification to demolition of existing carport, construction of new dwelling, carport and 2 lot Strata Title subdivision (change to 4 lot Community Title subdivision) Mod 2 on Lot 15 DP 23837, 28 Hartley Street Cowra be approved subject to the following conditions (new or amended conditions are highlighted):**

**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 Sheet No. 1 of 8 Reference No. 19594 Issue B</b>	<b>CPC Land Development Consultants Pty Ltd 1 May 2025</b>	<b>Received 19 May 2025 Stamped No. DA 10.2020.124.3</b>
<b>Proposed Subdivision Plan Sheet No. 2 of 8 Reference No. 19594 Issue B</b>	<b>CPC Land Development Consultants Pty Ltd 1 May 2025</b>	<b>Received 19 May 2025 Stamped No. DA 10.2020.124.3</b>
<b>Sketch showing Proposed Subdivision Under the Provisions of the Community Land Development Act</b>	<b>Karl Lupis 4/03/2025</b>	<b>Received 19 May 2025 Stamped No. DA 10.2020.124.3</b>
<b>Proposed Floor Plan &amp; Elevations (proposed dwelling) Sheet No. 3 of 8 Reference No. 19594</b>	<b>CPC Land Development Consultants Pty Ltd 12 June 2021</b>	<b>Received 17 August 2021 Stamped No. 124/2020(C)</b>
<b>Privacy Control Plan Sheet No. 4 of 8 Reference No. 19594</b>	<b>CPC Land Development Consultants Pty Ltd 12 June 2021</b>	<b>Received 17 August 2021 Stamped No. 124/2020(A)</b>
<b>Proposed Landscaping Plan Sheet No. 5 of 8 Reference No. 19594 Issue B</b>	<b>CPC Land Development Consultants Pty Ltd 1 May 2025</b>	<b>Received 19 May 2025 Stamped No. DA 10.2020.124.3</b>
<b>Landscaping Details Sheet No. 6 of 8 Reference No. 19594</b>	<b>CPC Land Development Consultants Pty Ltd 12 June 2021</b>	<b>Received 17 August 2021 Stamped No. 124/2020(C)</b>
<b>Preliminary Engineering Plan Sheet No. 7 of 8 Reference No. 19594</b>	<b>CPC Land Development Consultants Pty Ltd 12 June 2021</b>	<b>Received 17 August 2021 Stamped No. 124/2020(B)</b>
<b>Proposed Floor Plan &amp; Elevations (carport) Sheet No. 8 of 8 Reference No. 19594</b>	<b>CPC Land Development Consultants Pty Ltd 12 June 2021</b>	<b>Received 17 August 2021 Stamped No. 124/2020(A)</b>
<b>Expected Shadows 21<sup>st</sup> June 9am Sheet No. 1 of 9 Reference No. 19594</b>	<b>CPC Land Development Consultants Pty Ltd 12 June 2021</b>	<b>Received 17 August 2021 Stamped No. 124/2020(B)</b>
<b>Expected Shadows 21<sup>st</sup> June 12 noon Sheet No. 2 of 9 Reference No. 19594</b>	<b>CPC Land Development Consultants Pty Ltd 12 June 2021</b>	<b>Received 17 August 2021 Stamped No. 124/2020(B)</b>



Expected Shadows 21 <sup>st</sup> June 3pm Sheet No. 3 of 9 Reference No. 19594	CPC Land Development Consultants Pty Ltd 12 June 2021	Received 17 August 2021 Stamped No. 124/2020(B)
Expected Shadows 22 <sup>nd</sup> September 9am Sheet No. 4 of 9 Reference No. 19594	CPC Land Development Consultants Pty Ltd 12 June 2021	Received 17 August 2021 Stamped No. 124/2020(B)
Expected Shadows 22 <sup>nd</sup> September 12 noon Sheet No. 5 of 9 Reference No. 19594	CPC Land Development Consultants Pty Ltd 12 June 2021	Received 17 August 2021 Stamped No. 124/2020(B)
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Expected Shadows 22 <sup>nd</sup> December 9am Sheet No. 7 of 9 Reference No. 19594	CPC Land Development Consultants Pty Ltd 12 June 2021	Received 17 August 2021 Stamped No. 124/2020(B)
Expected Shadows 22 <sup>nd</sup> December 12 noon Sheet No. 8 of 9 Reference No. 19594	CPC Land Development Consultants Pty Ltd 12 June 2021	Received 17 August 2021 Stamped No. 124/2020(B)
Expected Shadows 22 <sup>nd</sup> December 3pm Sheet No. 9 of 9 Reference No. 19594	CPC Land Development Consultants Pty Ltd 12 June 2021	Received 17 August 2021 Stamped No. 124/2020(B)
BASIX Certificate Certificate Number: 1227130S	CPC Land Development Consultants Issued: 28 July 2021	Received 29 July 2021 Stamped No. 124/2020(A)
Statement of Environmental Effects	CPC Land Development Consultants	Received 2 September 2021 Stamped No. 124/2020(D)

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

2. The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Environmental Planning and Assessment Regulation 2000 (see attached Advisory Note).
3. 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(s) to proposed lot 4.
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.

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

- 5. 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.
- 6. 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.
- 7. 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.
- 8. Demolition activities or 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.
- 9. All loading, unloading and storage of goods, equipment, tools and materials, or the carrying out of 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.
- 10. 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.

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

- 11. 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 associated with the access crossing to proposed lot 4.**

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

- 12. Deleted**

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

- 13. Deleted**

- 14. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed dwelling and carports are in accordance with the Building Code of Australia and applicable Council Engineering Standards prior to any building 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. 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 works, a 'Notice of Commencement of Building/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 Q of Cowra Shire Council Development Control Plan 2014 at all times.**

#### **CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION AND SUBDIVISION WORKS**

- 17. In accordance with Clause 162A of the Environmental Planning and Assessment Regulation 2000, where Council is nominated as the Certifier, the works must be inspected by Council at the times specified below:**
  - (a) After excavation for, and prior to the placement of, any footings;**
  - (b) In the case of a swimming pool, as soon as practicable after the barrier (if one is required under the Swimming Pools Act 1992) has been erected;**

- (c) Prior to pouring any in-situ reinforced concrete building element;
- (d) Prior to covering of the framework for any floor, wall, roof or other building element;
- (e) Prior to covering waterproofing in any wet areas;
- (f) Prior to covering any stormwater drainage connections; and
- (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

Where Cowra Council is required to carry out inspections the principal contractor for the building site, or the owner-builder, must notify Council at least 48 hours before each required inspection needs to be carried out. Failure to obtain an inspection of the works at the times specified above may prevent an Occupation Certificate being issued for the development.

- 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. 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 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**

- 23. The Applicant must not commence occupation or use of the dwelling until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
- 24. Prior to the issue of a Whole Occupation Certificate, all landscape works shall be completed in accordance with the approved plans and maintained in good order at all times.
- 25. Prior to the issue of a Whole Occupation Certificate, the applicant must construct an access driveway to Lot 4 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. The driveway is to be constructed in accordance with Council's engineering standards. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.

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

- 26. Prior to the issue of the Subdivision Certificate, the Applicant must construct the access driveways to Lots 2 & 3 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. The driveways are to be constructed in accordance with Council's engineering standards. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.
- 27. Prior to the issue of a Subdivision Certificate, the applicant must provide to Council a certificate from Essential Energy, or another energy provider, to the effect that:

- a) suitable power supply is available to all lots in the subdivision, or
  - b) arrangements have been made for suitable power supply to be made to all lots in the subdivision.
28. 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 lots 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 lots demonstrated through an agreement with a carrier.
29. The person acting on the consent shall include on the final plan of subdivision any and all necessary easements required over access, water, sewer, stormwater, electricity and telecommunications mains.
- 29a) The stormwater easements included on the final subdivision plan are to reflect the stormwater layout as constructed.**
30. The person acting on the consent is to lodge with Cowra Shire Council a Subdivision Certificate Application together with the final subdivision 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.

#### ADVICE

1. 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.
2. The Applicant is required to obtain a Certificate of Compliance pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 certifying that all works, fees and charges required in connection with the provision of water and sewerage 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 Subdivision/Occupation Certificate (whichever occurs first).

Separate reticulated water and sewer mains and services must be

physically provided to the development in accordance with Cowra Council Development Control Plan 2014 and Cowra Infrastructure and Operations Engineering Standards. Council will not issue the Subdivision/Occupation Certificate until the Compliance Certificate has been issued, verifying that all works have been satisfactorily completed.

Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on (02) 6340 2070.

CARRIED

In Favour: Crs Paul Smith, Karren Cave, Ruth Fagan, Tony Horton, Cheryl Speechley, Erin Watt and Peter Wright

Against: Nil

CARRIED 7/0

3.7 Development Application No. 10.2025.31.1, Lot 2 DP 808999, 2304 George Russell Drive Canowindra, plant nursery, lodged by J D Pearce. The property owner is M J & J D Pearce.

### **RESOLUTION 120/25**

Moved: Cr Tony Horton

Seconded: Cr Ruth Fagan

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 Section M.3.13 of Part M 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 Section M.3.13 of Part Part M of Council's Development Control Plan 2021 for this development to allow an unsealed carpark; and
3. That Development Application No. 10.2025.31.1, for a plant nursery on Lot 2 DP808999, 2304 George Russell Drive Canowindra 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	Applicant n.d.	Received 12 May 2025 Stamped No. 10.2025.31.1 (A)
Proposed car park plan for nursery	Applicant n.d.	Received 12 May 2025 Stamped

		<b>No. 10.2025.31.1 (A)</b>
<b>Statement of Environmental Effects</b>	<b>Applicant n.d.</b>	<b>Received 16 April 2025 Stamped No. 10.2025.31.1</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 approved hours of operation are as follows:
 

**Monday – Friday: 4pm to 6pm**

**Saturday: 9am – 11am & 4pm – 6pm**
4. The applicant shall provide on-site parking for a minimum of 10 car parking spaces in accordance with the submitted plans. No excavation is permitted during the construction of the carpark. Car parking and trafficable areas shall be designed and maintained in a manner that does not cause erosion or nuisance to adjoining properties.

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

5. 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.
6. 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.
7. 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.

#### **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 Paul Smith, Karren Cave, Ruth Fagan, Tony Horton, Cheryl Speechley, Erin Watt and Peter Wright

Against: Nil

CARRIED 7/0

At 5:56 pm, Cr Ruth Fagan and Cr Erin Watt left the meeting.

3.8 Development Application No. 10.2025.35.1, Lot 1 DP 776076, 42 Chardonnay Road Cowra, dwelling (caretakers residence), lodged by M Jackson. The property owner is M Jackson.

### **RESOLUTION 121/25**

Moved: Cr Tony Horton

Seconded: Cr Cheryl Speechley

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 F.1.4 of Part F 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 F.1.4 of Part F of Council's Development Control Plan 2021 for this development to allow setbacks of under 150m; and
3. That Development Application No. 10.2025.35.1, for the construction of a dwelling (caretakers residence) on Lot 1 DP 776076, 42 Chardonnay Road 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
Schedules Drawing A000	Vision Property Development Hub 3/12/2024 Job 244/24	Received 23 April 2025 Stamped No. DA 10.2025.35.1
Proposed Site Plan Drawing A001A	Vision Property Development Hub 3/12/2024 Job 244/24 Revision A	Received 23 April 2025 Stamped No. DA 10.2025.35.1

<b>Proposed Floor Plan Drawing A101</b>	<b>Vision Property Development Hub 2/12/2024 Job 244/24</b>	<b>Received 23 April 2025 Stamped No. DA 10.2025.35.1</b>
<b>Proposed Elevations (North &amp; South) Drawing A201</b>	<b>Vision Property Development Hub 28/03/2025 Job 244/24</b>	<b>Received 23 April 2025 Stamped No. DA 10.2025.35.1</b>
<b>Proposed Elevations (East &amp; West) Drawing A202</b>	<b>Vision Property Development Hub 28/03/2025 Job 244/24</b>	<b>Received 23 April 2025 Stamped No. DA 10.2025.35.1</b>
<b>Statement of Environmental Effects</b>	<b>Vision Property Development Hub 31/03/2025 Version 1</b>	<b>Received 23 April 2025 Stamped No. DA 10.2025.35.1</b>
<b>BASIX Certificate No. 1792530S (or as revised)</b>	<b>Vision Town Planning Consultants Issued: 22 April 2025</b>	<b>Received 23 April 2025 Stamped No. DA 10.2025.35.1</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 use of the dwelling is to be ancillary to the existing motel and cannot be used for accommodation by persons other than those required for the management and / or maintenance of the motel and property.

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

4. Prior to the issue of a Construction Certificate an effluent management report prepared by a geotechnical consultant is to be submitted to the Principal Certifier for approval. The report is to confirm that the existing on-site sewage management system remains adequate to service the completed development. The report is to identify any upgrade works that may be necessary to facilitate the operation of the system or in order to achieve compliance with relevant health and environmental guidelines and requirements.
5. Prior to the issue of a Construction Certificate a landscaping plan showing a landscape buffer to the south of the proposed development consistent with Appendix A of Part F of the Cowra Development Control Plan 2021 shall be submitted to the Principal Certifier for approval.
6. Prior to the issue of a Construction Certificate, plans showing compliance with the BASIX requirements shall be submitted to the Principal Certifier for approval.

7. 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.
8. 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>	\$403,709.43	1%	\$4,037.09	30 June 2026
<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>				

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

9. 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.
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. 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.

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.

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

14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and discharged three metres clear of any building/structure in a manner that does not cause soil erosion or nuisance to adjoining properties.
20. 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.

21. 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 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**

22. The Applicant must not commence occupation or use of the dwelling until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
23. Prior to the issue of an Occupation Certificate, any upgrade works to the on-site sewage management system required in accordance with condition 4 are to be completed.
24. Prior to the issue of a Whole Occupation Certificate, the Applicant shall seal the access crossing to the development site from Chardonnay Road 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.
25. Prior to the issue of a Whole Occupation Certificate, the Applicant shall install the vegetation buffer in accordance with the approved plans and clauses b & c of Appendix A of Part F of Cowra Council Development Control Plan 2021.

**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 Paul Smith, Karren Cave, Tony Horton, Cheryl Speechley and Peter Wright

Against: Nil

CARRIED 5/0

At 6:00 pm, Cr Ruth Fagan and Cr Erin Watt returned to the meeting.

**4 GENERAL MANAGER**

4.1 Draft Community Strategic Plan; Draft Delivery Program 2025-2026 to 2028-2029 and Operational Plan 2025-2026; Draft Long-Term Financial Plan 2025-2026 to 2034-2035; Draft Revenue Policy 2025-2026; Draft Workforce Management Strategy 2025-2029

**RESOLUTION 122/25**

Moved: Cr Erin Watt

Seconded: Cr Tony Horton

1. That Council note the submissions received.

2. That Council adopt the:

- Draft Community Strategic Plan;
- Draft Delivery Program 2025-2026 to 2028-2029 and Operational Plan 2025-2026;
- Draft Long-Term Financial Plan 2025-2026 to 2034-2035;
- Draft Revenue Policy 2025-2026; and
- Draft Workforce Management Strategy 2025-2029.

CARRIED

4.2 Acting General Manager

**RESOLUTION 123/25**

Moved: Cr Ruth Fagan

Seconded: Cr Tony Horton

**That the Director – Corporate Services, Mr Alan Dalton, be appointed Acting General Manager for the period 7-16 July 2025 inclusive due to the General Manager's absence on leave.**

CARRIED

4.3 CBD Committee**RESOLUTION 124/25**

Moved: Cr Erin Watt

Seconded: Cr Tony Horton

1. That Council note the draft minutes of the CBD committee meeting held on Wednesday 11 June 2025.
2. That Council note the decisions of Phil Beer and Christine Muddle not to continue their membership of the CBD Committee.
3. That Council write to Phil Beer and Christine Muddle thanking them for their contribution to the CBD Committee.
4. That Council note the advice from BizHQ that while they are not able to provide a regular member they will continue to provide support to the committee.
5. That Council appoint David Barrand to the CBD Committee as a representative of Cowra Tourism Corporation.
6. That Council appoint Zachary Jones to the CBD Committee as the representative of the Cowra Business Chamber.
7. That Council appoint the following persons to the CBD committee as business representatives:
  - Adam Gambrill
  - Katherine Jeffs
  - Bruce Rowston

CARRIED

4.4 Community Engagement Strategy**RESOLUTION 125/25**

Moved: Cr Erin Watt

Seconded: Cr Ruth Fagan

1. That Council note the submissions received
2. That Council adopt the draft Community Engagement Strategy.

CARRIED

**5 DIRECTOR-CORPORATE SERVICES****5.1 Donation Request - Gooloogong Log Cabin Hall - 2025 Esky Ball****RESOLUTION 126/25**

Moved: Cr Erin Watt

Seconded: Cr Peter Wright

**That Council approve Gooloogong Log Cabin Hall's request for half the cost of bin hire, being \$337.35 (including delivery and collection charges) as a donation towards the Gooloogong Esky Ball event scheduled for 21 June 2024.**

CARRIED

**6 DIRECTOR-INFRASTRUCTURE & OPERATIONS****6.1 Committee Minutes - Traffic Committee****RESOLUTION 127/25**

Moved: Cr Paul Smith

Seconded: Cr Tony Horton

- 1. That the minutes of the Traffic Committee meeting held on 10 June 2025 be noted.**
- 2. That "No Parking" zones be implemented:**
  - a. Along the north side of Bartlett Avenue from Darling Street to Fitzroy Street, and**
  - b. Along the south side of Bartlett Avenue from Darling Street to the western boundary of 124 Kendal Street, and**
  - c. Along the south side of Bartlett Avenue from Fitzroy Street to the western boundary of 112 Fitzroy Street.**

**And a "Left Turn Only" sign be placed between 25 and 27 Bartlett Avenue.**
- 3. That:**
  - a. Signage be erected that prohibits heavy vehicles from parking on the southern side of Kendal Street from the "No Stopping" sign, 10 metres from the intersection of Fitzroy Street to a point 46 metres east to comply with Part 4A of the Austroads Guide to Road Design, Table 3.2, and**
  - b. The current "No Parking" sign be removed east of the existing parallel parking zone.**

CARRIED

At 6:26 pm Cr Ruth Fagan left the meeting.



**7 DIRECTOR-ENVIRONMENTAL SERVICES**

7.1 Development Application No. 10.2024.27.1, Lot 1 DP 801755, 2 Lachlan Street Cowra, demolition of existing buildings and construction of a service station with drive-through facility and internal seating, lodged by D Kane. The property is owned by Ultra Cowra Pty Ltd

**RESOLUTION 128/25**

Moved: Cr Peter Wright

Seconded: Cr Tony Horton

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 Section O.1.9.3.a of Part O of Cowra Council Development Control Plan 2021 is sufficiently justified. The application was publicly notified and the submissions received have been satisfactorily addressed in the planning report; and
2. That Council approves a variation to Section O.1.9.3.a of Part O of Cowra Council Development Control Plan 2021 for this development to allow a floor level below the flood planning level; and
3. That Development Application No. 10.2024.27.1, for the demolition of existing buildings and construction of a service station with drive-through facility and internal seating on Lot: 1 DP 801755, 2 Lachlan 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
Plan View Detail and Contour Plan A1 Issue A	CPC Land Development Consultants P/L 21.9.2020	Received 15 March 2024 Stamped DA No. 10.2024.27.1
Cover Sheet + Drawing Schedule A – 00 DA-3	R.J. Sinclair Pty Ltd -	Received 25 September 2024 Stamped DA No. 10.2024.27.1
Site: Existing Features & Levels A – 01	R.J. Sinclair Pty Ltd 15.02.2024	Received 15 March 2024 Stamped

<b>DA-1</b>		<b>DA No. 10.2024.27.1</b>
<b>Site: Demolition Plan A – 02 DA-2</b>	<b>R.J. Sinclair Pty Ltd 4.03.2025</b>	<b>Received 5 March 2025 Stamped DA No. 10.2024.27.1</b>
<b>Site: General Arrangement Plan A – 11 DA-5</b>	<b>R.J. Sinclair Pty Ltd 4.03.2025</b>	<b>Received 5 March 2025 Stamped DA No. 10.2024.27.1</b>
<b>Site: Building Works Plan A – 12 DA-5</b>	<b>R.J. Sinclair Pty Ltd 4.03.2025</b>	<b>Received 5 March 2025 Stamped DA No. 10.2024.27.1</b>
<b>Site: Setout Plan A – 13 DA-5</b>	<b>R.J. Sinclair Pty Ltd 4.03.2025</b>	<b>Received 5 March 2025 Stamped DA No. 10.2024.27.1</b>
<b>Site: Levels A – 14 DA-4</b>	<b>R.J. Sinclair Pty Ltd 24.09.2024</b>	<b>Received 25 September 2024 Stamped DA No. 10.2024.27.1</b>
<b>Site: Roof Plan A – 15 DA-2</b>	<b>R.J. Sinclair Pty Ltd 27.03.2024</b>	<b>Received 28 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Site: Elevations A – 16 DA-3</b>	<b>R.J. Sinclair Pty Ltd 18.06.2024</b>	<b>Received 19 June 2024 Stamped DA No. 10.2024.27.1</b>
<b>Construction Management Plan CM - 01 DA-1</b>	<b>R.J. Sinclair Pty Ltd 15.02.2024</b>	<b>Received 29 April 2024 Stamped DA No. 10.2024.27.1</b>
<b>Construction Management Details &amp; Notes CM - 02 DA-1</b>	<b>R.J. Sinclair Pty Ltd 15.02.2024</b>	<b>Received 29 April 2024 Stamped DA No. 10.2024.27.1</b>
<b>Site: Signage Location Plan</b>	<b>R.J. Sinclair Pty Ltd</b>	<b>Received 5 March 2025</b>

<b>SS - 01 DA-4</b>	<b>4.03.2025</b>	<b>Stamped DA No. 10.2024.27.1</b>
<b>Site: Signage Details SS - 02 DA-5</b>	<b>R.J. Sinclair Pty Ltd 30.04.2025</b>	<b>Received 2 May 2025 Stamped DA No. 10.2024.27.1</b>
<b>Landscape Layout 01 DA-B</b>	<b>Green Mouse Landscape Architecture 15/12/23</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Hardscape Plan 02 DA-B</b>	<b>Green Mouse Landscape Architecture 15/12/23</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Planting Plan 03 DA-B</b>	<b>Green Mouse Landscape Architecture 15/12/23</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Hydraulic Services: Concept Stormwater Drainage Plan HS – 01 DA-I</b>	<b>R.J. Sinclair Pty Ltd 15.02.2024</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Hydraulic Services: Concept Trade Waste Systems Plan HS – 11 DA-I</b>	<b>R.J. Sinclair Pty Ltd 15.02.2024</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Hydraulic Services: Stormwater Pit + Drain Details, Oil/Water Separator Trade Waste Details HS – 21 DA-I</b>	<b>R.J. Sinclair Pty Ltd 15.02.2024</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Hydraulic Services: Grease Arrestor Details HS – 22 DA-I</b>	<b>R.J. Sinclair Pty Ltd 15.02.2024</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Vehicle Turning Study No. 01 – Cars + 12.5m</b>	<b>R.J. Sinclair Pty Ltd</b>	<b>Received</b>

<b>Service Vehicle TS – 01 DA-2</b>	<b>24.09.2024</b>	<b>25 September 2024 Stamped DA No. 10.2024.27.1</b>
<b>Vehicle Turning Study No. 02 – Large Car (4WD) + Caravan TS – 02 DA-2</b>	<b>R.J. Sinclair Pty Ltd 24.09.2024</b>	<b>Received 25 September 2024 Stamped DA No. 10.2024.27.1</b>
<b>Vehicle Turning Study No. 05 – 17m Fuel Tanker TS – 05 DA-2</b>	<b>R.J. Sinclair Pty Ltd 24.09.2024</b>	<b>Received 25 September 2024 Stamped DA No. 10.2024.27.1</b>
<b>Vehicle Turning Study No. 06 – Coffee Drive- Thru when Refuelling Bay No.6 Occupied by Large Car + Caravan incl. Coffee Waiting Bay TS – 06 DA-2</b>	<b>R.J. Sinclair Pty Ltd 24.09.2024</b>	<b>Received 25 September 2024 Stamped DA No. 10.2024.27.1</b>
<b>Site: Vehicle Turning Study No.10 – Turning from Lachlan Street into Redfern Street TS-10 DA-3</b>	<b>R.J. Sinclair Pty Ltd 4.03.2025</b>	<b>Received 5 March 2025 Stamped DA No. 10.2024.27.1</b>
<b>Site: Parking + Drive- Thru Coffee Bay Queuing Study PS - 01 DA-2</b>	<b>R.J. Sinclair Pty Ltd 24.09.2024</b>	<b>Received 25 September 2024 Stamped DA No. 10.2024.27.1</b>
<b>Site: Sight Lines for Coffee Drive-Thru Customers Exiting to Lachlan Street SL - 01 DA-1</b>	<b>R.J. Sinclair Pty Ltd 24.09.2024</b>	<b>Received 25 September 2024 Stamped DA No. 10.2024.27.1</b>
<b>Traffic and Parking Assessment Report Ref: 21091</b>	<b>Terraffic Pty Ltd 4 March 2024</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>

<b>Environmental Site Assessment N7043</b>	<b>NEO Consulting 27 June 2023</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Waste Management Plan – Service Station Upgrade Edition ii</b>	<b>R.J. Sinclair Pty Ltd Building Design 5 February 2024</b>	<b>Received 15 March 2024 Stamped DA No. 10.2024.27.1</b>
<b>Statement of Environmental Effects Revision 3</b>	<b>Inhouse Town Planning Studio 2 May 2025</b>	<b>Received 2 May 2025 Stamped DA No. 10.2024.27.1</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 approved hours of operation are as follows:
  - Shop: Monday to Friday 5.00am to 12.00am  
Saturday, Sunday & Public Holidays 6.00am to 10.00pm
  - Fuel: 24hrs (pay at pump)
4. Fuel deliveries to the site are to be scheduled to occur outside of the following peak hours:
  - 8.00am to 9.00am
  - 12.30pm to 1.30pm
  - 3.15pm to 4.15pm
5. Service vehicles accessing the site are not to exceed 12.5m in length except for fuel tankers servicing the site.
6. All traffic movements in and out of the development are to be in a forward direction. Vehicles exiting to Lachlan Street must turn left. No right turn is to be permitted. Vehicles are not to block pedestrian access via the footpath.
7. The 7m high x 1.8m wide illuminated brand ID and fuel price board numbered PBI on drawing No. SS-01 near the SE corner of the main building is to be removed or reduced in height to a maximum of 3m and a

maximum width of 1.2m.

8. The underground petroleum storage system (UPSS) must be designed, installed and tested by a duly qualified person in accordance with the minimum requirements of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 and Australian Standard AS 4897-2008. The UPSS must not operate without loss monitoring and leak detection systems.
9. Decommissioning of the existing tanks must be undertaken in accordance with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 and Australian Standard AS 4976 – 2008 where relevant. Decommissioning notifications and reports prepared by a duly qualified person are to be provided by the person responsible to Council in accordance with the Clauses 23-24 of the Regulation.
10. Transportation of contaminated fill or materials from the site on public roads must be carried out in accordance with the requirements of Australian Goods Code and Australian Standard 4452 Storage and Handling of Toxic Substances. This must include relevant incident management strategies for transportation on public roads.
11. All construction activities, including loading, unloading, storage of materials and construction activities must be undertaken wholly within the site and not impact the safety of all road users, including pedestrians or the efficiency of the public road network.
12. 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.
13. Landscaping, signage and fencing is not to impede sight lines of traffic within or when passing, entering or departing the site. Safe intersection sight distances are to be maintained for the development.
14. Provide on-site parking for a minimum of 12 car parking spaces in accordance with the approved plans. Car parking and trafficable areas shall be designed and maintained in accordance with Cowra Shire Council's DCP 2021, Part M – Parking, Access, and Mobility.
15. All signage including any proposed internally lit signs must be contained within property boundaries and designed to meet the criteria of the Department of Planning's Transport Corridor Outdoor Advertising and Signage Guidelines 2017 including, but not limited to, Section 3.3.3 Illumination and reflectance.
16. All outdoor lighting shall be designed and installed so that no light will cast onto any adjoining properties. The lighting is to comply with AS4282:2019 Control of the Obtrusive Effects of Outdoor Lighting.
17. If the work involved in the erection or demolition of a building:

- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- b) involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

The applicant must obtain consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for works within the road reserve.

- 18. The proposed refuelling area will include a Trade Waste System for the site that is a Class I SPEL Purceptor System. The refuelling area's pavement will be captured and directed to the Trade Waste System before being discharged to the stormwater system. The site operator will be required to organise removal of any fuel spill from the tank by a trade waste contractor to dispose off-site in accordance with local authority requirements.
- 19. 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.
- 20. As recommended by Transport for NSW, the following requirements must be met:
  - Road works as illustrated on the site plan titled Vehicle Turning Study prepared by R.J. Sinclair Pty Ltd (dated 4 March 2025, Dwg No. TS-10, Amdt. DA-3), including raised centre median works on Redfern Street (MR310), are to be designed and constructed in accordance with Austroads Guide to Road Design, Australian Standards and TfNSW supplements and to the satisfaction of TfNSW and completed prior to the issue of an Occupation Certificate.
  - As road works are required on the Redfern Street (MR310), a classified (State) road, the developer must enter into a Works Authorisation Deed (WAD) with TfNSW. TfNSW will exercise its powers and functions of the road authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Roads Act 1993, as applicable, for all works under the WAD.
  - Prior to the operation of the development, the proposed ingress and egress accesses be designed and constructed in accordance with Council's engineering standards.
  - Works to remove, remediate or construct a new driveway on Redfern Street must match existing kerb and gutter and footway formations to Council's satisfaction.
  - Prior to the commencement of construction work impacting traffic

on Redfern Street (MR310), the proponent is to contact the TfNSW Road Access Unit at [road.access@transport.nsw.gov.au](mailto:road.access@transport.nsw.gov.au) to determine if a Road Occupancy Licence (ROL) is required. In the event an ROL is required, the proponent is to provide the consent number in the ROL application. Please note that up to 10 working days is required for ROL applications to be assessed and processed. For more information about ROL see: <https://roads-waterways.transport.nsw.gov.au/business-industry/road-occupancylicence/index.html>

- No Hi-flow diesel bowzers are to be installed in the service station. Any Hi-Flo pumps may be replaced with low flow pumps.
- “No Right Turn” (R2-6(R)) signs are to be provided on Lot 1 DP801755 at each side of the exit driveway to Redfern Street prior to issuing of the occupation certificate.
- “No Entry” (R2-4) signs (minimum Size B) are to be provided on Lot 1 DP801755 at each side of the exit driveways prior to issuing of the occupation certificate. The signs are to face Redfern Street to advise motorists not to enter the exit driveway.
- All construction activities, including loading, unloading, storage of materials and construction activities must be undertaken wholly within the site and not impact the safety of all road users, including pedestrians or the efficiency of the public road network.
- Any landscaping, fencing and signage provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with Austroads SISD and Australian Standard AS2890.1-2004 Off-street car parking.

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

21. 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**

22. 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.
23. 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.

24. 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.
25. 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.
26. 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. The 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.
27. On the completion of any asbestos removal works, a Clearance Certificate is to be obtained in accordance with the The Work Health and Safety Regulations 2011 and provided to Council.

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

28. Prior to issue of a Construction Certificate, a Flood Action Plan or Emergency Business Continuity Plan, including details of evacuation procedures, is to be submitted to and approved by the Principal Certifier. Evidence of implementation of the Plan will be necessary prior to occupation or commencement of operations.
29. In accordance with condition 20 and prior to the issue of an Occupation Certificate, the Redfern Street roadworks are to be completed. Further, plans are to indicate the removal of the Hi-flow diesel pump(s) or replacement with a low flow pump.
30. Prior to issue of a Construction Certificate, the UPSS design specifications demonstrating compliance with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 and relevant industry standards is to be submitted to the Principal Certifier with evidence that the design has been prepared by a duly qualified person in accordance with the Regulation.
31. Prior to the issue of a Construction Certificate, structural certification prepared by a structural engineer is to be submitted to the Principal Certifier certifying that the building additions are appropriately designed to withstand flood waters for the flood hazard category of the land.
32. Prior to the issue of a Construction Certificate, a detailed Stormwater

Management Plan shall be submitted to Council's Manager – Assets & 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. This is to include a comparison of existing and design flows, and also show control measures for erosion and sedimentation.

33. Prior to the issue of a Construction Certificate, revised signage plans shall be submitted in consultation with and for the approval of Council's Manager – Assets & Technical Services. The plans are to reflect the requirements of the conditions of this consent including conditions 6, 7 and 20. Note: It is Council's opinion that the sign numbered IS6/IS8 on drawing No. SS-01 adjacent to the NE corner of the main building does not comply with Clause 3.2.4 (b) and fig 3.3 "Minimum Sight Lines for Pedestrian Safety" of AS/NZS 2890.1:2004.
34. Prior to the issue of a Construction Certificate, revised landscape plans are to be submitted for the approval of Council's Manager – Planning Services. The plan is to reflect the layout as approved (incl. no external seating) and be prepared in accordance with Part N of Cowra Council Development Control Plan 2021.
35. 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 Redfern Street in accordance with Cowra Shire Council's Engineering Standards. All costs associated with the construction of roadworks and the access driveway(s) shall be borne by the Applicant and at no cost to TfNSW or Council. Crossing is to be treated as a heavy vehicle crossing in accordance with Council's Engineering Standards.
36. Construction Certificate plans are to demonstrate compliance with the relevant requirements of the Disability (Access to Premises – Buildings) Standards 2010 and Australian Standard 1428.1-2021 Design for access and mobility.
37. 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 7.12 Contribution <sup>2</sup>	\$1,750,659.00	1%	\$17,506.59	30 June 2026

**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)

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

38. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Cowra Shire Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained.
39. 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.
40. 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'.
41. 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.
42. 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.
43. 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.

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

- 44. 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.
- 45. 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.
- 46. 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.
- 47. 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.
- 48. 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.
- 49. Car parking facilities, including all internal parking and manoeuvring areas are to be constructed 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.
- 50. Parking for disabled persons is to be provided in accordance with the

approved plans and the requirements of Australian Standard 2890.6. The access linking such parking areas to their associated developments shall generally not have gradients steeper than 1:14.

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

51. 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.
52. Prior to the issue of an Occupation Certificate the Applicant shall pave/seal and line-mark and provide concrete edging around all car parking areas in accordance with Cowra Council 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.
53. Prior to the issue of an Occupation Certificate, certification is to be provided to the Principal Certifier that the UPSS has satisfied an equipment integrity test in accordance with Clause 9 of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.
54. Prior to the issue of a Whole Occupation Certificate, all landscaping works shall be completed in accordance with the approved landscape plan.
55. All stormwater management works shall be undertaken in accordance with the Stormwater Management Plan approved under condition 31. All required stormwater drainage facilities necessary to service the development shall be carried out prior to the issue of an Occupation Certificate.

The sizes of all necessary stormwater pits and pipes, and the depth of cover provided over such infrastructure shall be in accordance with the Cowra Council Development Control Plan 2021 and Cowra Infrastructure and Operations Engineering Standards. All costs associated with the management of stormwater relating to the development shall be borne by the applicant and at no cost to Council.

56. 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)
57. 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.

#### ADVICE

1. 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.
2. If excavating, it is recommended you go to Before You Dig Australia at [www.byda.com.au](http://www.byda.com.au) and lodge a free enquiry that helps keep people safe and protect underground infrastructure.
3. The conditions of consent do not guarantee TfNSW's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. TfNSW must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work. The WAD process, including acceptance of design documentation and construction, can take time. The developer must allow sufficient lead time within the project development program to accommodate this process. It is therefore requested that the developer work through this process as soon as possible with TfNSW.

CARRIED

In Favour: Crs Karren Cave, Tony Horton, Cheryl Speechley and Peter Wright

Against: Crs Paul Smith and Erin Watt

CARRIED 4/2

At 6:59 pm Cr Ruth Fagan returned to the meeting.

7.2 Section 355 Committee Draft Minutes - Access Committee Meeting held 5 May 2025**RESOLUTION 129/25**

Moved: Cr Tony Horton

Seconded: Cr Peter Wright

1. That Council notes the draft minutes of the Access Committee meeting held on 5 May 2025.
2. That Council appoints Mr Peter Dawson as a member of the Access Committee.
3. That Council acknowledges Ms Narrelle Russell's resignation from the Access Committee and that the Mayor sends a letter of appreciation.

CARRIED

**8 LATE REPORTS****9 CONFIDENTIAL MATTERS****RESOLUTION 130/25**

Moved: Cr Ruth Fagan

Seconded: Cr Tony Horton

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

**10 CONFIDENTIAL GENERAL COMMITTEE RECOMMENDATIONS - TUESDAY, 10 JUNE 2025****10.1 Request for Tender SI\_2025: Supply and Delivery of Bulk Fuel for Central NSW Councils**

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.

**11 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE & OPERATIONS****11.1 Council Building Asset - 1 Bourke Street, Cowra - Lot 11 Section 22 DP 977420**

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.

**11.2 Expression of Interest - Cowra Aquatic Centre Upgrade**

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.

**11.3 Electricity Procurement**

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 MAYORAL MINUTES

#### 3.1 Mayoral Minute - Central NSW Joint Organisation Board Meeting May 2025

File Number: D25/1180

Author: Paul Smith, Mayor

#### RECOMMENDATION

**That That Council note the report from the Mayor on the Central NSW Joint Organisation (CNSWJO) Board meeting on 29 May 2025 held in Orange.**

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#### INTRODUCTION

The General Manager and I attended the recent meeting of the Central NSW Joint Organisation Board held in Orange 29 May 2025. The minutes from the meeting are attached for information (Attachment 1).

#### BACKGROUND

Please find following, advice from the recent meeting of the Central NSW Joint Organisation Board held in Orange on 29 May 2025. On the night before the Board and guests held a farewell for Ms Jenny Bennett who has been the Executive Officer of the CNSWJO, and Centroc before it, for 19 years. Ms Kate Barker will be the Interim Executive Officer as the Board recruits a new Executive Officer.

Delegates were welcomed to Orange by its Mayor, Cr Tony Mileto. Speakers to the Board meeting were Mr Martin Rush from Mining and Energy Related Councils and representatives from the NSW Reconstruction Authority.

More detail on reports to the meeting are below where the agenda can be found on the CNSWJO website.

#### Forward budget

The Board adopted its Statement of Budget and Revenue. It can be found on the CNSWJO website.

Considerations for the 2025/2026 budget include:

- taking up the rate peg increase of 3.8% for fees where this figure is the lowest rate increase in this region (Blayney);
- noting the decision by the Board to realise \$150K from internally restricted reserves to support the cyber security project;
- noting the Statement of Strategic Regional Priority (SSRP) will be finalised in November of this calendar year and changes to priorities will be funded in the budget;
- based on the pilot with Forbes Shire Council, growth in the service offering for the procurement function to include a “fee-for-service” procurement management service at a reasonable cost to members showing a conservative income stream of \$20K;
- inclusion of \$12,500 to support matching funding for energy projects;
- inclusion of grant funded projects for:

- Disaster Readiness;
- Joint Organisation Net Zero Acceleration Program; and
- Water Loss Management.

### **Advocacy**

The impact of the significant number of renewable energy development across the region was a hot topic on the day. Not a single council in the Central West is in the so-called Central West and Orana Renewable Energy Zone (REZ). This means that all the support and funding that the communities in the REZ enjoy does not come to our communities. This is simply unfair and the Mayors of the region are working together to go for a better more equitable outcome.

Another area of significant concern is the Belubula Water Security Project. CNSWJO will support Central Tablelands Water as it seeks to get optimal outcomes for the region in water security.

Submissions seeking endorsement were:

- Submission to the Inquiry into Infrastructure Needed to Support Electric and Alternate Source Vehicles – 1 May 2025
- Submission on the Draft Guidelines for QBRS – 18 April 2025
- Inquiry into the Impacts of the Water Amendment (Restoring our Rivers) Act 2023 on NSW regional communities – 14 April 2025
- Submission to the Roads Act 1993 Review – April 2025
- Submission to the Regional Consultation Guidelines – March 2025
- Response to the Natural Resource Commission on the review of the Lachlan Regulated River Water Source 2016 – 23 February 2025
- Submission Council Code of Meeting Practice Review – February 2025
- Central West Orana Strategic Regional Integrated Transport Plan – February 2025

Media releases issues in the past quarter were:

- Central NSW Councils Take Action on Disaster Preparedness with \$743k in Funding – 20 May 2025
- Nuclear or not nuclear is the wrong question – 16 April 2025
- Federal Government's aspirations for regional communities needs to just add water – 8 April 2025
- No relief in sight from the Federal Budget for cash strapped councils – March 2025
- CNSWJO urges member councils to encourage community feedback on Transport Plan – 20 February 2025
- Central West Orana Strategic Regional Integrated Transport Plan – February 2025
- Federal Candidate briefing in Central NSW – February 2025
- UN Youth Summit – February 2025

### **Feedback from the UN Youth Summit**

Council will recall previous reports on the UN Youth Summit. The event was held on 26 March 2025 at CSU Bathurst. A full report is being drafted by UN youth which will be tabled at the UN in September.

A debriefing session was held on 9 April 2025 where it was agreed that more events of this type would be welcomed.

### **Charles Sturt University Medical Scholarship Review**

CNSWJO has a policy position recognising that growing our own health workforce, particularly doctors, is the most likely approach to tackling health workforce shortages. After a decade of advocacy supported by CNSWJO, Charles Sturt University (CSU) has opened a medical school.

The Board previously resolved to support three students from the first cohort on the proviso they were from this region. The scholarships were for five years and finished this financial year.

The students will complete their study this calendar year and reports from CSU have provided advice that this support has been invaluable, both as a help financially, but also as recognition that the region has for them. One student reported feeling accountable.

A final report was provided by CSU which was considered by the Board who subsequently resolved to continue with the program. Please request the report. Charles Sturt will be asked to track where these students work in the future.

Charles Sturt University has provided advice that these students will be graduating at the end of this calendar year. Advice will be provided to Council accordingly and Councillors are encouraged to attend to support this initiative.

Thank you.

I cannot thank the Central NSW Joint Organisation enough for their generosity in sponsoring the scholarship to support three of our cohort through the five years of our degree.

Their support is much greater than financial, knowing that we are supported by an organisation is an enormous boost to confidence, and is a great source of comfort in some of the more challenging times.

I would also like to take this opportunity to thank the Central NSW Joint Organisation for its hard work and persistence in advocating for the Doctor of Medicine program at CSU over the past years, it is something I have been very aware of, and I am incredibly appreciative for the chance to study Medicine so close to my hometown.

The Board agreed to continue the sponsorship for a further 5 years for 3 more students.

### **Interim Report to the May Board meeting on recommendations for the Statement of Strategic Regional Priority from the Enduring Financial Sustainability Subcommittee**

At the direction of the Board, a subcommittee has been created to provide feedback on programming for this term of the Statement of Strategic Regional Priority (SSRP) to support Council enduring financial sustainability.

This includes consideration of advocacy in two areas. Firstly, for an efficiency dividend for Councils paid from the NSW Government recognising the time-wasting processes of the bureaucracy and its impacts on council resources and secondly for the use by NSW agencies of regulatory impacts statements with particular focus on regional impacts.

From an operational perspective, the Board will receive advice on existing and potential operational support for members in enduring council financial sustainability.

### **Operational support for Councils Highlights**

CNSWJO provides a substantial program of operational support to members through 15 regional operational teams of council staff, delivering a return on investment year-on-year of over 9:1 for membership fees. The teams across the region support staff in many areas ranging from water to roads to planning to HR, WHS and tourism. All teams have terms of reference and plans on a page. Please find advice from five of the region's teams following.

### Regional Cyber Security Program Report

The Regional Cyber Security Program (the Program) aims to support member councils in a foundational shift in how cyber risk is addressed across the region.

Recognising the shared nature of cyber threats, and the benefits of collective governance and resourcing, the Program delivers a unified approach that uplifts each council's capability while leveraging regional economies of scale. It responds directly to the [NSW Auditor-General's Report](#) into cyber security in local government and the Office of Local Government's Cyber Security Guidelines (OLG Guidelines).

The Program initiated with the appointment of Jordan Weldenlley as the Chief Information Security Officer (CISO) in February 2025, and to date has

developed governance, engaged councils establishing maturity baselines, developed resources and supported quick wins in cyber security uplift as members raise concerns about specific events.

#### Ramnicu Valcea

Ramnicu Valcea (rarm-niku vul-ch-a) is known as hackerville, the most dangerous town on the Internet.

Hackers based in this town have raked in on average US \$1 billion annually.



*Figure 1 This slide is from a three-part training pack on improving cyber security safety for Council staff. Did you know there are communities for whom hacking is just a day job?*

### Regional Procurement and Contract Management

Delegates to the Board meeting noted the ongoing growth of the Regional Procurement and Contract Management Program with its corollary cost savings to member councils. There are currently 20 regional contracts available for use by members, with a further 13 under development.

### Transport

The Transport Technical Committee (TTC) is scoping a Regional Freight Strategy to address shared priorities such as freight route definition and network mapping, regional road hierarchy and design standards, alternate route analysis, integration of bridge integrity testing findings, link to CNSWJO Matrix projects and natural disaster resilience and recovery; supporting future planning, investment and advocacy. The project is likely to be delivered in-house with council-led GIS support. The timeline and scope are currently being finalised.

Transport for NSW is expected to release the Central West Orana Strategic Regional Integrated Transport Plan (CWOSRITP) and the Great Western Highway (GWH) Corridor Assessment by mid-2025. A CNSWJO briefing will be scheduled to coincide with the exhibition period, once confirmed. CNSWJO has submitted formal feedback advocating for stronger local input,

predictable road funding, betterment investment, and improved multi-modal freight and workforce planning.

## Water

Over the past two decades, the CNSWJO's reputation in both operational and strategic water management has made it the go-to for government and other stakeholders seeking advice on the policy, strategic and regulatory framework for town water.

In 2025, CNSWJO program design and implementation are influencing state policy and program delivery with the design of tools to enable replication of programs elsewhere across the state including across portfolios.

The reputation of the CNSWJO and the Water Utilities Alliance (the Alliance) has led to the adoption of a more flexible partnership approach to funding and program delivery for water loss management (WLM) and water efficiency. This partnership approach has been adopted more broadly by the NSW Department of Climate Change, Energy, the Environment and Water's (DCCEEW) Water Efficiency Program team. Hopefully, the success of this partnership will see more fit-for-purpose regional program design and rollout and a move to incentivised project funding leveraging the collaborative power of Joint Organisations (JOs) across the water and other portfolios.

With the NSW Water Minister's support for co-design with the Local Water Utility (LWU) sector of the strategic framework for water management, CNSWJO staff, informed by the work of the Alliance, are often called on by DCCEEW and other stakeholders to participate in consultative processes. This includes sitting on DCCEEW's Skills and Training Focus Group and the Western NSW Council Reference Group formed to progress the Productivity and Equality Commission's (PEC) recommendations for Alternative Funding Models for Local Water Utilities.



### Water Advocacy

The CNSWJO has been working hard on progressing a number of strategic and advocacy priorities, including:

- Alternative Funding Models for Local Water Utilities (LWU)
- Belubula Water Security Project
- Fish River Wywanddy Regional Water Strategy
- Macquarie - Castlereagh and Lachlan Regional Water Strategies
- Work with Charles Sturt University on productive water policy
- Local Water Utility Strategic Planning
- Work to validate the State Government's Water Conservation Cost-Benefit Guidelines



Through the strong collaborative relationship built with the Department of Climate Change Energy Environment - Water (DCCEEW) Water Efficiency team, phase two of the Water Loss Management and Efficiency Hub continues to leverage local expertise and the regional potential of Joint Organisations to ensure a fit-for-purpose regional program design and rollout.

Where water and its management are the subject of ongoing reform, there is also a steady stream of requests for submissions at both the state and federal level.

## Energy

The announcement of JONZA Round 3 has been made (however the formal announcement is under embargo for now) in relation to an 18-month program has been provided internally within the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW). A list of projects has been suggested for inclusion in the upcoming program, where applications closed on 30 May 2025. CNSWJO applied for this funding to continue the work being undertaken over recent years to support councils in emissions reduction.

An Expression of Interest has been lodged with the NSW Environment Protection Authority (EPA) for a landfill emissions education officer. The opportunity is funding to embed a resource within a Joint Organisation for a period of up to 18 months. This potential project aligns well with the recommendations from the CNSWJO Emissions Reduction Regional Opportunities Report, which is available on request, and also comes as a direct request from a member council for this support.

An opportunity has arisen regarding biodiversity inseting (as opposed to offsetting) with a program recently being announced under the Low Carbon Landscapes grant. Where General Managers received a presentation from NSW DCCEEW's Sustainable Councils at its May meeting, with interest expressed from Orange and Parkes Councils, this grant opportunity aligns well.

Work is near completion on the procurement process for the supply of electricity for small market sites showing good results which will be reported in due course and contracts are yet to be finalised. The Sponsoring General Managers of the energy priority have oversight of this project.

The Essential Energy network price list has recently been released where initial estimates suggest increases of 7-12%. Advice has been sought from Essential Energy in this regard. A report will be provided to GMAC detailing the increases where it will impact every site connected to an electricity meter.

## Value to Council

80% of CNSWJO resources are dedicated to providing its operational support program. For the 2023/2024 year this program delivered a return on investments of 9.3:1 for every dollar Council spends on its membership fees. This value is made up of grant income, monies saved through the CNSWJO procurement program and public relations value from its tourism marketing.



CNSWJO will be applying for funding under the LGP Capability Fund to facilitate workshops with non-procurement staff on Procurement 101 and also with local suppliers in how to respond to requests for quotations and tenders to ensure they have the best possible chance at winning work.



CNSWJO is leading a project to develop an interactive map to support EV drivers to travel around regional NSW with a focus on increasing spend through spontaneous tourism. Watch this space - a very exciting project!



Congratulations to the 20 staff from 7 councils who have completed the 'Depower and Reinitialise Battery Electric Vehicle (EV) and Hybrid EV' training course which enables them to conduct basic servicing of hybrids and EVs in-house



The work the region does in writing submissions, media, supporting projects and project teams, developing collateral and providing opportunities for members in various forums to represent their views is not included in the above figure of 9.3:1 ROI. However, this value is reported quarterly to the Board. Please go to the CNSWJO website to review past Board agendas or to review last year's Annual Statement.

**ATTACHMENTS**

- I. Draft Minutes - CNSWJO Board Meeting 29 May 2025 [↓](#)

## Minutes of the Board meeting 29 May 2025 held in Orange

## Voting delegates

<b>Cr R Taylor</b>	Bathurst Regional Council	<b>Cr J Medcalf, OAM</b>	Lachlan Shire Council
<b>Cr B Reynolds</b>	Blayney Shire Council	<b>Cr S Ring</b>	Lithgow City Council
<b>Cr K Beatty</b>	Cabonne Council	<b>Cr A McKibbin</b>	Oberon Council
<b>Cr P Smith</b>	Cowra Shire Council	<b>Cr T Mileto</b>	Orange City Council
<b>Cr C Roylance</b>	Forbes Shire Council	<b>Cr P Best</b>	Weddin Shire Council

## Associate Member delegates and others attending

Mr N Southorn*	Bathurst Regional Council	Cr A Rawson	Central Tablelands Water
Mr M Dicker	Blayney Shire Council	Mr C Harris	Central Tablelands Water
Mr B Byrnes	Cabonne Council	Cr B Fry	CTWA
Mr P Devery	Cowra Shire Council	Mr J Gordon	RDACW
Mr R Jane*	Forbes Shire Council	Ms K Annis-Brown	NSW OLG
Mr G Tory	Lachlan Shire Council	Ms G Collins	NSW Premier's Dept
Mr R Gurney	Lithgow City Council	Ms J Bennett	CNSWJO
Mr G Wallace	Oberon Council	Ms K Barker	CNSWJO
Mr D Waddell	Orange City Council	Ms M Macpherson	CNSWJO
Mr K Boyd PSM	Parkes Shire Council	Ms J Webber	CNSWJO
Ms N Vu	Weddin Shire Council	Ms C Griffin	CNSWJO

\*Acting General Manager

Voting members in **bold**

Meeting opened at 10.00 am, Chaired by Cr K Beatty

## 1. Acknowledgement of Country

## 2. Apologies

Mr D Sherley, Mr S Loane OAM, Cr P Miller OAM, Cr N Westcott, Cr C Coleman

<b>Resolved</b>	<b>Cr C Roylance/Cr A McKibbin</b>
That the apologies for the Central NSW Joint Organisation Board meeting 29 May 2025 listed above be accepted.	

## 3. Conflicts of Interest

<b>Resolved</b>	<b>Cr B Reynolds / Cr P Smith</b>
No conflicts of interest were declared.	

## 4. Speakers

- NSW Reconstruction Authority – Ms Sarah Tasic, Mr Ken Harrison, Ms Beck Dawson (online), Ms Rhian Tough (online)
- Mining and Energy Related Councils (MERC) – Mr Martin Rush

## 5. Minutes

## 6a Confirmation of the Minutes of the CNSWJO Board Meeting dated 27 February 2025 held in Oberon

<b>Resolved</b>	<b>Cr S Ring / Cr B Reynolds</b>
That the Minutes of the CNSWJO Board Meeting held 27 February 2025 held in Oberon were accepted.	

## 6b Noting the Minutes of the CNSWJO GMAC Meeting held on 1 May 2025 in Orange

<b>Resolved</b>	<b>Cr B Reynolds / Cr A McKibbin</b>
That the Minutes of the CNSWJO GMAC Meeting held on 1 May 2025 in Orange were noted.	



## 7. Glossary – noted.

## 8. Business Arising from the Minutes - Matters in Progress

Resolved	Cr S Ring / Cr A McKibbin
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested, and consolidate the 3 drought preparedness plans for the region and pass the information on to Portfolio Mayors.	

## 9a Financial Report

Resolved	Cr C Roylance / Cr R Taylor
That the Board note the Financial Report and	
1. note the correspondence from Local Government Procurement (LGP) in relation to the notice of change to the rebate scheme providing rebates back to councils rather than the JO;	
2. note the impact that the loss of rebate income will have to the JO budget and seek feedback from General Managers regarding this issue to inform a report to the Board.	

## 9b Budget and Statement of Revenue 2025/2026 Report

Resolved Smith	Cr R Taylor / Cr P
That the Board adopt the Budget and Statement of Revenue Policy 2025-2026.	

## 9c Shared Audit Risk and Improvement Committee and Internal Audit Service Report

Resolved	Cr S Ring / Cr T Mileto
That the Board note the Audit Risk and Improvement Committee (ARIC) and Internal Audit (IA) Service Report and	
1. agree to participate in the cross-JO Shared ARIC and Shared Internal Audit Service using the Hunter Joint Organisation model at an estimated annual cost of \$10-15K per year; and	
2. advise Hunter Joint Organisation accordingly.	

## 9d Advocacy Report

Resolved	Cr P Smith / Cr C Roylance
That the Board note the Advocacy Report and	
1. note the progress of the Portfolio Mayors and the Opt-in Advocacy Subcommittee; and	
a. note that through the Chair of the Country Mayors Association seek to invite Andrew Gee to the meeting in Orange on 12 June;	
b. seek to work with Mr Michael McCormack MP, Mr Jamie Chaffey MP and Mr Andrew Gee MP for the coordination of orange passes for the August meeting at Federal Parliament House;	
c. explore options for working more closely with the Duty Senator; and	
d. invite Mr Andrew Gee MP, Mr Michael McCormack MP, Mr Jamie Chaffey MP, Senator Deborah O'Neill and Minister Catherine King to the August meeting;	
e. endorse the following regarding the Belubula Water Security Project	
i. a memo be drafted for the Board in relation to the Belubula Water Security Project under the hand of the Chair;	
ii. coordinate a delegation of Mayors to meet with the Minister in Sydney in relation to the Belubula Water Security Project and other water security issues;	
iii. provide briefing notes to the delegation for information into the meeting; and	
iv. provide a letter of support from the Board in regard to the Belubula Water Security Project to CTW for their meeting with the Minister;	
f. the actions from the meeting with Mayors and General Managers regarding the opportunities and challenges for councils regarding large renewable energy generation be progressed, notably:	
i. develop a lessons learned document which will include case studies from member councils focused on the areas noted in the report; and	

<ul style="list-style-type: none"> <li>ii. follow-up with key influencers;</li> <li>2. at an appropriate time, after to the publication of the draft Great Western Highway Corridor Strategy (white paper), engage with Blue Mountains and Western Sydney councils with regards to the safe, swift and secure link between Central NSW and Sydney;</li> <li>3. approve the CNSWJO Matrix Regional Priority Projects Review Policy;</li> <li>4. endorse the following submissions that have been lodged: <ul style="list-style-type: none"> <li>a. Inquiry into Infrastructure Needed to Support Electric and Alternate Source Vehicles;</li> <li>b. Draft Guidelines for QBRs;</li> <li>c. Impacts of the Water Amendment (Restoring our Rivers) Act 2023 on NSW regional communities;</li> <li>d. Roads Act 1993 Review;</li> <li>e. Regional Consultation Guidelines;</li> <li>f. Natural Resource Commission on the review of the Lachlan Regulated River Water Source 2016;</li> <li>g. Council Code of Meeting Practice Review; and</li> <li>h. Central West Orana Strategic Regional Integrated Transport Plan</li> </ul> </li> </ul>
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**9e Interim Report to the May Board meeting on recommendations for the Statement of Strategic Regional Priority from the Enduring Financial Sustainability Subcommittee**

<b>Resolved</b>	<b>Cr C Roylance / Cr B Reynolds</b>
<p>That the Board note the Interim Report to the May Board meeting on recommendations for the Statement of Strategic Regional Priority from the Enduring Financial Sustainability Subcommittee and;</p> <ol style="list-style-type: none"> <li>1. amend the Statement of Strategic Regional Priority FROM <ol style="list-style-type: none"> <li>1.1 Drive efficiencies and effectiveness saving Councils money TO</li> <li>1.1 Drive efficiencies and effectiveness saving Councils money in the context of enduring Council financial sustainability;</li> </ol> </li> <li>2. monitor the state and federal government responses to inquiries in council financial sustainability advocating for better outcomes for members and leveraging opportunities as directed by the Board;</li> <li>3. develop advice for Board consideration for advocacy purposes on <ol style="list-style-type: none"> <li>a. an efficiency dividend for Councils paid from NSW Government recognising the time-wasting processes of the bureaucracy and its impacts on council resourcing; and</li> <li>b. the use by NSW agencies of regulatory impacts statements with particular focus on regional impacts;</li> </ol> </li> <li>4. seek advice from members on the need for development and delivery of tailored training for Councillors in financial management;</li> <li>5. provide support to Councils on reporting Nice to Haves, Have to Haves and rates as a % of total income to help build a better understanding of Council finances in the community; and</li> <li>6. develop advice for the Board on existing and potential operational support for members in enduring council financial sustainability</li> </ol>	

**9f Statement of Strategic Priority Review Progress Report**

<b>Resolved</b>	<b>Cr S Ring / Cr J Medcalf</b>
<p>That the Board note the Statement of Strategic Regional Priority (SSRP) Review Progress Report and</p> <ol style="list-style-type: none"> <li>1. adopt the Evaluation Plan;</li> <li>2. note the recommended minor changes in wording of the strategic priorities for 1.1, 1.3 and 7.1.2;</li> <li>3. note the progress of consultation with State agencies;</li> <li>4. ask the Opt-in Advocacy Mayors to monitor progress including advice from State agencies; and</li> <li>5. adopt the report from the 11 March workshop with Councils.</li> </ol>	

**9g Policy for Service Provision for Neighbouring Councils Report**

<b>Resolved</b>	<b>Cr T Mileo / Cr A McKibbin</b>
That the Board note the Policy for Service Provision for Neighbouring Councils Report and adopt the policy accordingly with review in November 2025.	

**9h Regional Cyber Security Program Report**

<b>Resolved</b>	<b>Cr B Reynolds / Cr P Best</b>
That the Board note the Regional Cyber Security Program Report and note that a presentation on strategy and implementation including Cyber Central will be provided to GMAC and the Board.	

**9i Regional Procurement and Contracts Report**

<b>Resolved</b>	<b>Cr B Reynolds / Cr A McKibbin</b>
That the Board note the Procurement Report and;	
1. approve a 50/50 split of contract management fees from new contracts identified by the Transport Technical Committee between the JO procurement budget line and a newly created Regional Transport Projects budget line, noting any existing or renewed transport-related contracts already in place are not included in this approach; and	
2. approve the updates to the procurement plan.	

Cr B Fry declared an interest in the CSU report, however is not a voting member.

**9j Charles Sturt University Medical Scholarship Review**

<b>Resolved</b>	<b>Cr J Medcalf / Cr R Taylor</b>
That the Board note the review of the Charles Sturt University Medical Scholarships (CSU) Program and	
1. note that the first cohort of three students will complete medical degrees this calendar year;	
2. note that the scholarship was integral to the completion of the three students' success;	
3. continue funding three new students at \$6K per annum for the next 5 years for a total of \$90,000 or \$18,000 per annum;	
4. ask CSU to track the extent to which their student cohort, particularly the CNSWJO scholarships students, work in medicine in this region;	
5. encourage members to attend the graduation ceremony at a date to be advised in December of this year; and	
6. write to the scholarship recipients to congratulate and wish them well.	

**9k Regional Resilience Program**

<b>Resolved</b>	<b>Cr T Mileto / Cr R Taylor</b>
That the Board note the Regional Resilience Program report and;	
1. endorse the Integrated Preparedness Project Plan for the Disaster Ready Fund Round 2 project;	
2. note a regional application has been submitted to the Disaster Ready Fund Round 3; and	
3. amend the Risk Register to include item 61 and monitor accordingly.	

**9l Regional Transport Report**

<b>Resolved</b>	<b>Cr A McKibbin / Cr B Reynolds</b>
That the Board note the Transport Report and;	
1. note that the Transport Technical Committee is progressing the preparation work for the development of a Regional Freight Strategy in-house; and	
2. note that the Integrated Preparedness project, funded through Disaster Ready Fund Round 2, has commenced and aligns with the work of the Transport Technical Committee.	

**9m Regional Water Report**

<b>Resolved</b>	<b>Cr C Roylance / Cr R Taylor</b>
That the Board note the Regional Water Report and note the engagement of the CNSWJO Water Utilities Alliance in the co-design of a pilot to test the impact of the Alliance model on the Community Service Obligations / Basic Levels of Service approach for Western NSW councils.	

**9n Regional Energy Program Report**

<b>Resolved</b>	<b>Cr B Reynolds / Cr C Roylance</b>
That the Board note the Regional Energy Program Report and	
<ol style="list-style-type: none"> <li>1. note the inclusion of Mr Gary Wallace as a Sponsoring General Manager for the energy priority;</li> <li>2. approve the submission of an application for the Joint Organisation Net Zero Accelerator (JONZA) Round 3 program through NSW Department of Climate Change, Energy, the Environment and Water's (NSW DCCEEW's) Sustainable Councils program;</li> <li>3. endorse CNSWJO's Expression of Interest application to the Environment Protection Authority (EPA) for an emissions education resource;</li> <li>4. approve a regional application under the NSW DCCEEW Low Carbon Landscapes program for a biodiversity inseting project;</li> <li>5. advice be provided to councils on the increases in Essential Energy's network charges;</li> <li>6. endorse the proposed expansion of the Southern Lights Group to include energy and network security, where an increased member base is being sought from other Joint Organisations;</li> <li>7. continue to be heavily involved in a cross-regional approach with other JOs for advocacy in streetlighting and energy network security and note that \$10k per year from the energy project budget line already approved will fund CNSWJO's contribution;</li> <li>8. approve a silver sponsorship for the Regional Development Australia Central West Circular Futures Forum of \$5k for its September event.</li> </ol>	

**9o Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025**

<b>Resolved</b>	<b>Cr T Mileto / Cr A McKibbin</b>
That the Board note the Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025.	

CNSWJO staff and non-member representatives left the room.

**10 Resolve into Confidential Committee of the Whole**

<b>Resolved</b>	<b>Cr S Ring / Cr J Medcalf</b>
That the Board	
<ol style="list-style-type: none"> <li>1. resolve into closed session to consider business identified, together with any late reports tabled at the meeting.</li> <li>2. Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.</li> <li>3. Correspondence and reports relevant to the subject business be withheld from access.</li> </ol>	

**10a Resignation of the Executive Officer Report**

<b>Resolved</b>	<b>Cr S Ring / Cr C Roylance</b>
That the Board note the Resignation of the Executive Officer Report and	
<ol style="list-style-type: none"> <li>1. appoint Ms Kate Barker as Interim Executive Officer (EO) for up to 12 months, commencing 30 May 2025;</li> <li>2. make provision for appropriate resources to be provided for backfilling of staff positions;</li> <li>3. note the EO and Interim EO have two weeks cross-over post the May Board meeting;</li> <li>4. note that an external party is required for recruitment;</li> <li>5. authorises the Chair to undertake all necessary steps to commence a recruitment process for an Executive Officer with a report to be provided to the Joint Organisation within an appropriate timeframe;</li> <li>6. acknowledge the high level of service Jenny Bennett has provided over the years to the Joint Organisation and Centroc and wish her well for the future;</li> <li>7. note the interim organisational structure;</li> <li>8. note that all existing EO delegations will be resumed by Kate Barker while in the Interim EO position;</li> <li>9. terminate Jenny Bennett's credit card from 12 June 2025;</li> <li>10. increase the limit of Kate Barker's credit card to \$8k with a review once a new EO appointed;</li> </ol>	

11. terminate Jenny Bennett's access as a signatory on the CNSWJO bank accounts from 12 June;
12. add Meredith Macpherson as a co-signatory on the CNSWJO bank accounts and setup online banking access; and
13. update the delegations register to include Meredith Macpherson as a payroll approver and amend the payroll process as required;
14. facilitate the offboarding process for Jenny Bennett including removing access to systems; and
15. the EO's vehicle to be retained by the JO as an additional pool vehicle for staff in Orange/Bathurst, noting it has been fully depreciated.

CNSWJO staff and non-member representatives left the room.

#### **11 RDA Central West Report**

##### **Noted**

That the Board note the Report provided by Regional Development Australia Central West.

#### **12 NSW Premier's Department Report**

##### **Noted**

That the Board received a verbal report by NSW Premier's Department.

#### **13 NSW Office of Local Government (OLG) Report**

##### **Noted**

That the Board note the report provided by NSW Office of Local Government.

#### **14. Late Reports**

Nil.

#### **15. Matters raised by Members**

- Blayney – MERC presentation
- Blayney – PFAS

#### **16. Speakers to the next meeting**

##### **July meeting**

- National Farmers Federation
- Regional Australia Institute

##### **Future meetings**

- Ms Kate Lorimer Ward – Local Land Services
- Mr Ian Smith – NSW Department of Primary Industries and Regional Development
- Mr Ashley Albury - EnergyCo
- Ms Kristanne Anderson – NSW Department of Climate Change, Energy, the Environment and Water re regional water strategies
- Ms Kate McMullen – Homes NSW
- Western Region Academy of Sport (WRAS)
- Biosecurity Commissioner

#### **17. Dates for the next meeting**

- 30 July 2025 – Canberra, followed by the meeting with Ministers at Federal Parliament House on 31 July 2025
- 12 November 2025 – Sydney, followed by the meeting with Ministers at NSW Parliament House on 13 November 2025

**Meeting closed at 1.42pm**

Page 7 is the last page of the Central NSW Joint Organisation Board meeting minutes of meeting of 29 May 2025 held in Orange.

Page 7

## **4 GENERAL COMMITTEE RECOMMENDATIONS - MONDAY, 14 JULY 2025**

File Number: D25/I208

Author: Alan Dalton, Director - Corporate Services

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The Committee refers the following recommendations to Council:

### **GENERAL MANAGERS REPORT**

#### **4.1 Alcohol Free Zone**

##### **RECOMMENDATION**

- I. That Council give notice, in accordance with Part 4 of Chapter 16 of the *Local Government Act 1993*, of its intention to establish, for a period of 4 years, an Alcohol Free Zone in the following locations:
  - The Mid Western Highway from Shelley Street extending east over the Lachlan River bridge along Kendal Street/Mid Western Highway to Somerset Street;
  - All streets running off Kendal Street between those designated areas above north to Liverpool Street and south to Vaux Street;
  - The entire length of Liverpool Street;
  - The entire length of Vaux Street;
  - The entire length of Bartlett Street;
  - The entire length of Bartlett Avenue;
  - The entire length of Railway Street;
  - The entire length of Railway Lane;
  - The entire length of Busby Lane;
  - The entire length of Doust Lane;
  - The entire length of Rowston Lane;
  - Redfern Street from the intersection of Smith Street south into Bridge Street to the intersection of Lachlan Street;
  - Smith Street from the intersection of Liverpool Street south to the intersection of Redfern Street;
  - Unnamed street from intersection of Bridge Street south under the bridge overpass to the intersection with Lachlan Street;
  - Unnamed street from intersection of Bridge Street west over the Low Level Bridge to the intersection of Lachlan Valley Way;

- The entire length of Len Whiteley Drive; and
- Public places within the proposed Alcohol Free Zone that are a car park or part of a car park.

2. That the Alcohol Free Zone exclude those areas with separate approval from Council and Liquor and Gaming NSW to conduct footpath dining including the consumption of alcohol.

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

##### **4.2 Country University Centre**

###### **RECOMMENDATION**

That Cowra Shire Council note the progress of the Country Universities Centre (CUC) Cowra Region.

##### **4.3 Policy Review - Council Donation Policy**

###### **RECOMMENDATION**

That Council agree that the draft revised Donation Policy be placed on public exhibition for three weeks, to inform its consideration of adopting the policy at the following Council meeting.

##### **4.4 Investments and Financial Report**

###### **RECOMMENDATION**

That Council note the Investments and Financial Report for June 2025.

##### **4.5 Section 355 Committee Draft Minutes - Cowra Youth Council**

###### **RECOMMENDATION**

That the draft Minutes of the Cowra Youth Council meeting held on 2 July 2025 be noted.

##### **4.6 Section 355 Committee Draft Minutes – Australian Chapter of the World Peace Bell Association**

###### **RECOMMENDATION**

That the draft Minutes of the Australian Chapter of the World Peace Bell Association meeting held on 3 June 2025 be noted.



**4.7 Section 355 Committee Minutes – Cowra Sport & Recreation Council****RECOMMENDATION**

That the draft Minutes of the Cowra Sport & Recreation Committee meeting held on 4 June 2025 be noted.

**4.8 Donation - Cowra Early Childhood Services****RECOMMENDATION**

That Council defer consideration of a donation of a partial refund of Development Application fees for the construction of a preschool at 14 Short Street, Cowra to enable a report to be provide to Council on what alternative internal resources of up to \$10,000 in funding or in-kind support may be available.

**DIRECTOR-ENVIRONMENTAL SERVICES REPORT****4.9 Development Application No. 10.2025.40.1, Lot 1 DP 589602, 6 Neila Lane Cowra, carport, lodged by W D Symons. The property owner is W D & M M Symons****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 E.5.4.1.b and E.5.4.2.b. of Part E of Council's Development Control Plan 2021 are sufficiently justified and the application was publicly notified and no submissions were received.
2. That Council approves variations to E.5.4.1.b and E.5.4.2.b. of Part E of Council's Development Control Plan for this development to allow a carport forward of the building line and a height of 4.65 metres.
3. That Development Application No. 10.2025.40.1, for the construction of a carport on Lot 1 DP589602, 6 Neila Lane 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	Applicant N.D.	Received 8 July 2025 Stamped No. DA 10.2025.40.1(A)
Floor Plan Sheet 1 of 5	Northern Consulting Engineers Job MAST37975 4 April 2025	Received 9 May 2025 Stamped No. DA 10.2025.40.1
Elevations Sheet 2 of 5	Northern Consulting Engineers Job MAST37975 4 April 2025	Received 9 May 2025 Stamped No. DA 10.2025.40.1
Statement of Environmental Effects (pro-forma template)	Wayne Symons N.D.	Received 9 May 2025 Stamped No. DA 10.2025.40.1

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 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 meet the requirements for exempt development under 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.

#### **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. 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 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.
14. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and discharged to Council's stormwater management system on Taragala Street.
15. 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**

16. 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.
17. Prior to the issue of an Occupation Certificate, a legal stormwater discharge point must be provided to Lot 1 DP589602. This may be achieved in one of the following ways:
  - (a) Consolidation of Lots 1 and 2 DP589602 into one lot. The plan of consolidation is to be registered with NSW Land Registry Services with evidence of registration submitted to the Principal Certifier prior to issue of the Whole Occupation Certificate.
  - (b) Alternatively, in order to formalise the existing inter-allotment drainage over adjoining properties, documentary evidence of the lodgement with NSW Land Registry Services of a Section 88B instrument is to be submitted to Council prior to the issue of the Construction Certificate. Prior to the issue of the Occupation

Certificate, a copy of the registered Certificate of Title is to be submitted to Council verifying the creation of the drainage easement.

## ADVICE

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

- 4.10 Development Application No. 10.2025.52.1, Lot 9 DP 789769, 106 Andersons Lane Cowra, dwelling and shed, lodged by Boncrag Pty Limited. The property owner is Boncrag Pty Limited.

## 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 F.1.4.1.b. of Part F of Council's Development Control Plan 2021 are sufficiently justified. The application was publicly notified and no submissions were received.
2. That Council approves variations to Section F.1.4.1.b. of Part F of Council's Development Control Plan 2021 for this development to allow 24m and 25m side boundary setbacks and 10m wide vegetation buffers.
3. That Development Application No. 10.2025.52.1, for the construction of a dwelling and shed on Lot 9 DP 789769, 106 Andersons Lane 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
Schedules Drawing A00	Vision Property Development Hub Job Number 62/25 Dated 05/07/25	Received 3 June 2025 Stamped No. DA 10.2025.52.1
Site Plan	Vision Property	Received

<b>Drawing A01</b>	<b>Development Hub Job Number 62/25 Dated 06/05/25</b>	<b>3 June 2025 Stamped No. DA 10.2025.52.1</b>
<b>Ground Floor Plan Drawing A02</b>	<b>Vision Property Development Hub Job Number 62/25 Dated 06/05/25</b>	<b>Received 3 June 2025 Stamped No. DA 10.2025.52.1</b>
<b>Elevations (North &amp; South) Drawing A03</b>	<b>Vision Property Development Hub Job Number 62/25 Dated 06/05/25</b>	<b>Received 3 June 2025 Stamped No. DA 10.2025.52.1</b>
<b>Elevations (East &amp; West) Drawing A04</b>	<b>Vision Property Development Hub Job Number 62/25 Dated 06/05/25</b>	<b>Received 3 June 2025 Stamped No. DA 10.2025.52.1</b>
<b>Shed Floor Plan Drawing A05</b>	<b>Vision Property Development Hub Job Number 62/25 Dated 05/15/25</b>	<b>Received 3 June 2025 Stamped No. DA 10.2025.52.1</b>
<b>Shed Elevations Drawing A06</b>	<b>Vision Property Development Hub Job Number 62/25 Dated 05/15/25</b>	<b>Received 3 June 2025 Stamped No. DA 10.2025.52.1</b>
<b>BASIX Certificate No. 1795646S Or as revised</b>	<b>Vision Town Planning Consultants PTY LTD Issued: 15 May 2025</b>	<b>Received 3 June 2025 Stamped No. DA 10.2025.52.1</b>
<b>Statement of Environmental Effects Version 2</b>	<b>Vision Property Development Hub Dated 03/07/25</b>	<b>Received 4 July 2025 Stamped No. DA 10.2025.52.1(A)</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. 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 meet the requirements for exempt development under 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.

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

4. Prior to the issue of a Construction Certificate, a preliminary contamination report is to be prepared by a suitably qualified professional and submitted to Council for approval.
5. Prior to the issue of a Construction Certificate, any works required in the approved preliminary contamination report (or subsequent detailed contamination report if one is recommended in the preliminary report or required by the Principal Certifier) are to be undertaken to the satisfaction of the Principal Certifier.
6. 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.
7. 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.
8. Prior to the issue of a Construction Certificate, the applicant is to prepare an unidentified finds procedure for site development works due to the potential for asbestos containing pipe material under the surface. The procedure is to be submitted for the approval of the Principal Certifier.
9. Prior to the issue of a Construction Certificate, the Applicant must submit to Cowra Shire Council an application to Install and Operate an On-Site Sewage Management System. The application must be accompanied by a report prepared by a suitably qualified professional including a geotechnical report to confirm that an On-Site Sewage Management System in compliance with ASI547:2012 can operate in the proposed area.
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
Section 94A Contribution <sup>2</sup>	\$768,669.84	1%	\$7,686.70	30 June 2026
<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  
[www.cowracouncil.com.au](http://www.cowracouncil.com.au)

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

- 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. 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.**
- 13. 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'.**
- 14. 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.**
- 15. The Applicant is to obtain all relevant approvals to Install and Operate an On-Site Sewage Management System from Cowra Shire Council prior to commencing works to install the system and comply with any conditions of that approval. The works must be inspected by Council at the times specified below:**
  - a) Tank Installation: When the tank is installed and prior to backfilling.**
  - b) Absorption Trench: When void arching and stone void fill is in place prior to covering.**

**All work must be carried out by a licensed plumber or drainer and to the requirements of NSW Environment and Health Protection Guidelines, Plumbing Code of Australia and Australian Standard/ New Zealand Standard 1547:2000 On-Site Domestic Wastewater Management. The licensed plumber or drainer must notify Cowra Council at least 48 hours before each required inspection needs to be carried out.**

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

- 16. 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.

17. 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*.
18. 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.
19. 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.
20. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and discharged three metres clear of any building/structure in a manner that does not cause soil erosion or nuisance to adjoining properties.
21. 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**

22. The Applicant must not commence occupation or use of the dwelling until a **Whole or Partial Occupation Certificate** has been issued from the Principal Certifier appointed for the subject development.
23. Prior to the issue of any **Occupation Certificate**, provide a minimum of 45,000 litres of tanked water supply for domestic consumption for the dwelling or a larger volume of water supply in accordance with **BASIX** certificate commitments. In addition to the water supply required for domestic consumption and **BASIX**, an additional 10,000 litres of water supply shall be reserved for fire-fighting purposes for dwelling in accordance with the **NSW Rural Fire Service** requirements. Where the total volume for dwelling is provided in a single tank, the draw off point for the domestic supply is to be located at or above the 10,000 litre level. The tank shall be fitted with a 65mm **Storz** fitting and ball or gate valve. Water tanks shall be generally located in close proximity to the dwelling-house and allow access for fire fighting vehicles.

Water tanks are not to be constructed of plastic if they are to be exposed to medium to high level bushfire risk. Further information relating to the location and design of water tanks and emergency fire-fighting requirements for water tanks and connections can be downloaded from the **NSW Rural Fire Service** website, [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au).
24. Prior to the issue of a **Whole Occupation Certificate**, the Applicant shall construct an access crossing to the development site from **Andersons 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.
25. Prior to the issue of a **Whole Occupation Certificate**, the Applicant shall install the vegetation buffers in accordance with the approved plans and clauses b & c of **Appendix A** of **Part F** of **Cowra Council Development Control Plan 2012**.

## 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**.

## 5 GENERAL MANAGER

### 5.1 Cowra Early Childhood Services Financial Assistance

File Number: D25/1262

Author: Paul Devery, General Manager

### RECOMMENDATION

**That Council give public notification of its intention to provide financial assistance to Cowra Early Childhood Services by way of a <insert amount> partial refund of development application fees for the construction of a preschool at 14 Short Street, Cowra.**

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### INTRODUCTION

Council at the General Committee meeting on 14 July resolved to defer consideration of Cowra Early Childhood Services (CECS) request for a \$36,000 refund of DA fees to allow for further advice. A copy of the original report submitted to the committee meeting is included at Attachment I.

Councillors sought advice on separating this request from the typical donation requests and treating it as a business assistance request. There was also a request for staff to provide advice on the potential to offer a donation of up to \$10,000 drawn from an alternative source within the budget.

### BACKGROUND

#### Business Assistance

It is certainly possible for this request to be treated as a business assistance request.

Section 356 of the Act provides as follows:

#### **356 Can a council financially assist others?**

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) However, public notice is not required if—*
  - (a) the financial assistance is part of a specific program, and*
  - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
  - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
  - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*

While CECS is a registered charity, given the high value of support proposed, the fact that there are alternative providers in the community and to ensure transparency in providing business assistance, if council wishes to proceed it is recommended public notice be provided in accordance with s356 (2). This course of action provides the opportunity for public submissions,

including those who may consider themselves commercial competitors of CECS and other business operators within the shire.

### Funding

From a funding perspective, while the request complies with council's s356 Donations Policy, utilising the allocated budget for a \$10,000 donation would almost exhaust the annual allocation of \$11,497. It was suggested that funds could alternatively be drawn from the business assistance line item of \$38,000. Councillors from the last term may recall this amount has been carried forward in the financial plan to provide resources to implement actions from the CBD plan, support the Business Chamber if it were to re-form and for incidental business support related activities eg small business month, hosting forums etc. Approximately 35 of the actions listed in the CBD plan have been included in the recently adopted Delivery Program/Operational Plan. How much of the allocated \$38,000 may be required for those actions to be implemented is unknown at this time.

As a result, if council decides to make a one-off payment of say \$4,000 - \$10,000 to CECS, separate from the s356 budget line item, I would recommend a new line item be added to the budget for that specific amount and purpose.

### In-kind Support

There was some suggestion of in-kind support eg footpath construction. I would not recommend that approach for a number of reasons. Council resources are already constrained and adding additional work exacerbates that stress. I would also note work such as footpath construction is generally contracted out in any event.

Regardless of whether any work was undertaken internally or via a contractor, there is still a financial cost that needs to be quantified for the assistance provided. Accordingly, my advice is that it is a much cleaner and more transparent approach to simply provide the direct funding.

### Potential for further funding

It is also worth considering whether this instance may result in further such requests for business assistance coming forward, noting for example council staff are currently assessing a DA for a new childcare facility in Cowra. If that were to be the case it is suggested council should consider whether an additional or ongoing budget allocation is required and, in that event, I would recommend the service area from which the funds should be diverted is identified by council rather than continuing to add to the budget deficit.

### Conclusion

Councillors have sought advice on providing a business assistance contribution to CECS. This report provides advice and a pathway for council to pursue if it so desires. It also recommends councillors consider the precedent that may be set and how future requests may be funded.

## **BUDGETARY IMPLICATIONS**

Budget implications will depend upon the decision made by council following consideration of this report.

## **ATTACHMENTS**

- I. Director Corporate Services - Report to General Committee - CECS Donation [↓](#)

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GENERAL COMMITTEE MEETING AGENDA14 JULY 2025

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**4.7 Donation - Cowra Early Childhood Services**

File Number: D25/1132

Author: Alan Dalton, Director - Corporate Services

**RECOMMENDATION**

**That Council approve a donation of \$4,000 to Cowra Early Childhood Services Cooperative as a partial refund of Development Application fees for the construction of a preschool at 14 Short Street, Cowra.**

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**INTRODUCTION**

Mr Libby Ewing-Jarvie, General Manager of Cowra Early Childhood Services Cooperative (CECS), has written seeking a refund of the Development Application fees for construction of a new preschool at 14 Short Street, Cowra. She advises that delays in the NSW Department of Education approving a \$3.7 million grant application, have increased project costs to \$4.9 million.

The application is eligible for support under Council's Donation Policy, however the request for \$36,178 exceeds the annual budget for Council donations. As such, a more modest \$4,000 rebate is recommended so as to retain budget for future donation requests during 2025-26.

**BACKGROUND**

In 2023 CECS applied for a NSW Government grant towards the construction of a new preschool; the grant was approved with CECS contributing around \$250,000. CECS advises that over the nine months taken to approve the grant, costs of the project increased requiring CECS to also raise its financial contribution to over \$1 million. Construction is scheduled to begin in September 2025.

Total DA fees for the project are \$45,184 of which CECS seeks a partial reimbursement of \$36,178. Ms Ewing-Jarvie has verbally advised that CECS has sufficient funds to accommodate the DA fees without risking the project proceeding, and that it is understood Council may not have capacity to both fully meet the reimbursement request and also support other community donation requests this financial year.

Eligibility Consideration

The request was submitted under the following category of Council's Donation's Policy:

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

The request is considered eligible for support under the policy.

Community Benefit

The preschool will accommodate up to 60 students within the 3-5 year age range. Grant conditions require at least ten years of operation, however the application estimates that services will be provided for at least 40 years.

The application notes that there is no existing community preschool in Cowra and that what facilities exist are commercial. Accordingly, there appears to be an affordability service gap that will be addressed by the new facility.

**GENERAL COMMITTEE MEETING AGENDA****14 JULY 2025**Grants Towards the Project

The NSW Department of Education has provided \$3.7 million under its Capital Works Grants Program towards development of the facility. NSW Crown Lands also announced that in June 2023 it handed over management and use of the site to CECS for establishing the new preschool and early childhood precinct (media release attached).

Previous Support from Council

CECS received a \$2,200 donation from Council for family day care in 2024-25.

**BUDGETARY IMPLICATIONS**

The request for \$36,178 substantially exceeds Council's 2025-26 unallocated s.356 budget of \$11,497. Approving the recommended \$4,000 grant would retain \$7,497 for donations over the remainder of 2025-26.

It is noted that the current Long Term Financial Plan allocates \$25,000 across several regular annual recipients of donations drawn from the general (unallocated) s.356 budget line. As such, the general s.356 donations budget was correspondingly reduced for 2025-26 from the \$35,642 expensed the previous year.

**ATTACHMENTS**

1. Email from Cowra Early Childhood Services Cooperative Ltd – 26 June 2025
2. Cowra Early Childhood Services – Donation Application – 9 July 2025
3. Cowra Early Childhood Services – Invoices
4. Crown Lands Media Release 15 March 2025 - Funding secured for Cowra Early Childhood Precinct

## GENERAL COMMITTEE MEETING

14 JULY 2025

**From:** Libby Ewing-Jarvie <[libby.ewing-jarvie@cecs.com.au](mailto:libby.ewing-jarvie@cecs.com.au)>  
**Sent:** Thursday, 26 June 2025 2:05 PM  
**To:** Paul Devery <[paul.devery@cowra.nsw.gov.au](mailto:paul.devery@cowra.nsw.gov.au)>  
**Cc:** Peter Launders <[peter.launders@cecs.com.au](mailto:peter.launders@cecs.com.au)>  
**Subject:** Request for Partial Reimbursement of DA Fees – DA 10.2024.68.1 (14 Short Street, Cowra)

**CAUTION:** This email originated from outside of the Cowra Shire Council Domain. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Dear Paul,

I hope this email finds you well.

I am writing on behalf of Cowra Early Childhood Services to respectfully request a partial reimbursement of Development Application (DA) fees, totalling \$45,184, associated with DA 10.2024.68.1 for the development of Cowra Community Preschool, located at 14 Short Street, Cowra.

I note that I have included our Committee President and Treasurer, Peter Launders, on this email as well.

As a not-for-profit organisation, Cowra Early Childhood Services provides high-quality early education and care to families in our region. The development of the preschool is a significant investment in the wellbeing and future of local children and families, ensuring our facilities remain safe, inclusive, and fit for purpose.

We are requesting a partial reimbursement of the DA fees, in recognition of the community-focused nature of this project and the financial pressures faced by not-for-profit providers. This would allow us to redirect vital funds back into the delivery of services and infrastructure that directly benefit Cowra families.

We understand that some regional councils, have established policies that allow for the waiver or reimbursement of DA fees for charitable and community organisations under certain criteria, of up to 75%. Whilst our understanding is such that Cowra Council may not have a formal policy in place, we hope that a similar spirit of community support and flexibility can be extended in this case.

Additionally, we would like to highlight that as part of the DA conditions, our organisation has been required to fund the construction of a footpath on Council land adjacent to the development site. Whilst we fully support Council's commitment to pedestrian accessibility, this requirement places additional financial burden on our project with limited meaningful public benefit.

This additional cost and its impact on our project budget reinforce the importance of financial relief where possible.

We also acknowledge the time and valuable commitment of Council staff and elected members, many of whom serve in a voluntary capacity. We are grateful for the ongoing support Cowra Council provides to CECS and would be happy to provide any further documentation or meet to discuss this request in more detail.

Thank you for your consideration.

Warm Regards,

Libby Ewing-Jarvie  
General Manager  
Cowra Early Childhood Services Cooperative Ltd  
0414 987 258



## GENERAL COMMITTEE MEETING

14 JULY 2025



Cowra Shire Council  
Private Bag 342  
Cowra NSW 2794  
Phone: 02 6340 2000  
council@cowra.nsw.gov.au  
www.cowracouncil.com.au

## Application for Financial Assistance/Donation

## Applicant Information

Local Sporting Team/Organisation

Cowra Early Childhood Services

[applications must be made by the local team of which the individual is a member]

Contact Name/ Sporting Applicant: Libby Ewing-Jarvie  
Mailing address: 20 Comerford St Cowra NSW 2794  
Phone: (Home) [redacted] (Business) 02 6342 2338  
Email: admin@cecs.com.au.  
Signature: [redacted] Date: 9 / 7 / 2025

## Organisation Details

Organisation responsible for the event/activity: Cowra Early Childhood Services

President/Secretary Contact Details: Peter Laiders

Organisation Type (please circle): Non Profit/ Charity Incorporated / Business / other:

Do membership fees apply? ☐ YES ☒ NO

If yes, annual membership/fees \$

## Event Details

Description of the event/project/request/person for which assistance is sought: Construction of

a new community preschool

Date/s of the proposed event/project: Commencing 1/9/25

Venue where will the event/project take place? 14 Short St Cowra NSW 2794

## Financial Details

Amount of assistance being sought: \$ 36,178 (75% of total DA costs)

Total Estimated cost of the total event/project: \$ 4,873,438

How are funds to be raised? Grant funding + Invested Surplus

Funds available at present to go towards event: \$ 761,870

Will the event/project support charities? ☐ YES ☒ NO

If YES, value of support \$

Previous / Other Assistance: Not directly, but it will be a NFP early childhood services managed by CECS, as a registered charity

Has Council previously assisted you/your organisation? ☒ YES ☐ NO but not for this project

If so what was the amount of the assistance from Council? \$2000 grants for Family Day Care

When was it provided? last FY

Have you applied for funding from other organisations? ☒ YES ☐ NO - Dept of Education Grant

If YES, how much has been sought: \$ 3,707,796.00



## GENERAL COMMITTEE MEETING

14 JULY 2025

**Eligibility** - Please tick the applicable areas relevant to the application:-

- ☒ Community development projects – projects that meet an identified community need, have been developed in consultation with the community and encourage participation in the development of the project.
- ☐ Festivals and special events which enhance community spirit.
- ☐ Support for a locally based voluntary community service or program where the majority of its income is fundraising.
- ☐ Local Community, charity and not for profit activities or events/functions that may be conducted outside the shire, but provide a benefit to the shire's residents
- ☐ To assist an individual's or team's sporting, cultural or academic achievement at a significant and recognised level.
- ☐ Community, charity and not for profit organisations' use of Council owned and controlled facilities including halls, sporting grounds and other venues.

**Request Details** – Please complete either **A** or **B** below

**A. Sporting applications** – Please select relevant sporting category below

☐ Australian/NSW/Territory Representative or team competing overseas

☐ Australian/NSW/Territory Representative or team competing in NSW or interstate

**PLEASE NOTE:** Sporting applications will only be considered when made by the local organisation/club of which the individual/team is a member, and must be supported by a letter of confirmation from the State or National body.

**Attachments required for sporting applications:**

- Supporting letter from local organisation body
- Supporting letter from State/Australian Supporting body
- Please attach any other information to support your application to Council

**B. Community/Event applications** – Please ensure all questions are answered.

**Council Community Objectives** - To enable Council to consider your application, Council requires details of how this event/project will meet Council's objectives.

**Objective 1:** To provide benefit to the residents of Cowra Shire Council.  
*60 place preschool for 3-5 year olds. Required for the next 10 years under grant conditions - we anticipate state funded places for preschoolers at least 10 years!*

**Objective 2:** To conduct quality cultural, sporting and community service programs or events which cannot attract sufficient funds from other sources. **Please indicate why you are running the event**  
*There is no community preschool in Cowra. There are long day care preschool programs which are not state funded and therefore not free for families*

**Objective 3:** To provide access and usage of community resources, services and facilities, and equity of access for special needs groups  
*this facility ensures that all children in our district have the same opportunity to attend preschool regardless of their age, location, physical & mental ability, income or background.*

**Objective 4:** To encourage and enable broad community participation in cultural/ community service programs.  
*this facility will be accessible to all, designed to be beautiful, welcoming and available for the long term benefit of generations to come*

**Attachments required for Community/Event applications:**

- copy of the project's proposed budget, detailing anticipated costs, with quotations if applicable;
- If you are a registered public charity, a copy of the registration certificate
- Please attach any other information to support your application to Council

**Please check:**

- All questions on Page 1 to be completed
- Eligibility criteria has been selected
- Section A or Section B above has been completed
- Supporting documents for sporting activities included

## GENERAL COMMITTEE MEETING

14 JULY 2025

<b>Project Budget</b>		
Project: 34 Short St, Cowra NSW 2794		
Date: 29/06/2025		
Budget Item	\$ ex GST	\$ ex GST
<b>Construction</b>		
Site clearing and waste	\$	341,791
Preliminaries	\$	13,453
Demolition	\$	785,292
Ground Works & Concrete	\$	924,470
Building Envelope	\$	155,992
Internal Lightweight Framing, Lining, Glazing & Doors	\$	242,105
Hydraulic & Civil Storm Water Services	\$	114,910
Mechanical Services	\$	184,396
Electrical Services	\$	65,079
Fire Services	\$	46,341
Painting	\$	118,065
Floor & Wall Coverings	\$	152,889
Joinery	\$	2,283
Statutory Signage	\$	104,749
Architectural Metal & Timber Work	\$	17,352
Compliance Items	\$	28,792
Fixtures & Fittings	\$	200,000
Landscaping	\$	18,000
Outdoor Deck - Honed Concrete	\$	29,740
Footpath	\$	182,205
Contingency	\$	3,797,796
<b>Total Construction Costs</b>		<b>3,797,796</b>
<b>Remediation - Total</b>		<b>155,369</b>
Project management fees		
Mollard Property Group - Development Management	\$	126,328
Mollard Property Group - DA Modification	\$	9,050
Mollard Property Group - Project Administration	\$	135,351
Mollard Property Group - Development Management & Project Administration - Fee Adjustment Estimate	\$	32,650
Admin expenses (Authority fees)		
Cowra Council - DA Application Fee, Notification Fee	\$	7,412.36
Cowra Council - DA Mod Application Fee	\$	839.00
Cowra Council - Section 4.96 Modification	\$	3,054.00
Council Development Contribution	\$	16,933
NBW Long Service Levy	\$	9,147.00
Other Authority Costs Allowance	\$	20,000
<b>Professional Fees</b>		<b>77,385</b>
<b>Development Application (DA)</b>		
Architect - DA	\$	73,500
Architect - DA drawings variation	\$	8,500
Architect - DA Modification	\$	20,000
Architect - Copyright & Project Files	\$	9,000
Civil Engineer - DA	\$	12,500
Civil Engineer - DA Modification	\$	6,000
Quantity Surveyor	\$	600
Town Planner - DA	\$	11,027
Town Planner - DA Modification	\$	3,280
Traffic Engineer	\$	4,950
Traffic Engineer - DA Modification	\$	2,900
Waste Management Consultant	\$	2,750
<b>Construction Certificate (CC)</b>		
Architect - Interior Concept Design and Specification	\$	26,500
Architect - Interior Concept Design and Specification	\$	10,300
Landscape Designer (Greenscape) - CC	\$	7,700
Landscape Designer (Package) - CC Variation	\$	5,860
Building Certifier	\$	16,000
Building Designer - CC Drawings	\$	18,500
Building Designer - CC Drawings Variation	\$	18,500
Civil Engineer - CC	\$	20,000
Civil Engineer - CC Variation	\$	1,500
Services Engineer - CC	\$	19,000
Services Engineer - CC Variation	\$	10,000
Structural Engineer - CC & Construction	\$	42,000
Structural Engineer - CC Variation	\$	4,800
Underground Services Locator	\$	2,040
Construction Superintendent - Design Management & Construction	\$	80,600
Construction Superintendent - Design Management	\$	5,400
Geotech	\$	10,800
Level 3 AS/NZS Electrical Engineer	\$	9,900
Services Engineer - Section 1 Report	\$	3,000
Services Engineer - Section 1 Report Variation	\$	3,000
Access Consultant - CC	\$	3,200
Access Consultant - CC Update	\$	2,400
Other Consultants Allowance	\$	31,563
Cycle Authorised Work for CC	\$	514,110
Services Construction (Allowance)	\$	65,000
Contingency - Provider	\$	50,000
<b>Total</b>		<b>4,873,438</b>
<b>Fund Distribution</b>		
Department funding	\$	3,797,796
Provider contribution	\$	1,155,642
<b>Total</b>		<b>4,873,438</b>

## GENERAL COMMITTEE MEETING

14 JULY 2025



# FEE ESTIMATE

Development Application Modification

116 Kendal Street  
Private Bag 342  
Cowra NSW 2794  
(02) 6340 2040

7 May 2025

**How To Pay****PLEASE NOTE: Your Application Is Not Lodged Until Payment Has Been Received**

Please call Customer Service on (02) 6340 2061 to arrange payment. **Credit Card payment via phone is the preferred payment method.**  
Complete the 'Additional Information Stage' once you have paid the relevant fees with the receipt number.

**Application Details**

Planning Portal Reference: PAN-532214  
Applicant: Steffan D'souza  
Organisation: Cowra Early Childhood Services Co-op Ltd  
Property Description: 14 Short Street, Cowra  
Description of Proposal: Minor reduction in built form & provision of carparking and relocation of stormwater detention basin  
Estimated Cost:  
DA Number: DA 10.2024.68.2

**Development Application (DA) Modification Fees**

Amount GST

	Amount	GST
Application Processing Fee	\$839.00	N/A

**Total Application Fees at time of lodgement**

\$839.00 INC

(this amount does not include additional fees below that are due payable prior to your post consent certificate being issued)

**Additional Fees - Developer Contribution Fees**

Amount GST

This fee is to be paid prior to the Post Consent Certificate being issued.

Section 7.12 Contribution Plan 2016 - Estimated Cost \$100,000-200,000	Na
Section 7.12 Contribution Plan 2016 - Estimated Cost >\$200,000	Na
Section 7.11 Contribution Plan 2016 - Development in Growth Area	Na

**Additional Advice**

- Note 1** This quote has been estimated on the advice given by the applicant at the time of issue. The fees are checked by the assessing officer **after** the application has been lodged to ensure the correct fees have been paid and may be subject to change.
- Note 2** The fees are subject to change at the end of each financial year. Fee estimates are valid for the financial year it was issued and is given in good faith based on the information that has been provided to Council.
- Note 3** Please note that you may require a post consent certificate prior to commencement of construction which will require additional application/s and fees.

**Office Use Only****Application Receipt Details**

Receipt Number: \_\_\_\_\_  
Total Fee Paid: \_\_\_\_\_  
Date Paid: \_\_\_\_\_

DA Number: \_\_\_\_\_

Ref: NC

## GENERAL COMMITTEE MEETING

14 JULY 2025



## FEE ESTIMATE

Development Application

116 Kendal Street  
Private Bag 342  
Cowra NSW 2794  
(02) 6340 2040

13 August 2024

### How To Pay **PLEASE NOTE: Your Application Is Not Lodged Until Payment Has Been Received**

Please call Customer Service on (02) 6340 2061 to arrange payment. **Credit Card payment via phone is the preferred payment method.**  
Complete the 'Additional Information Stage' once you have paid the relevant fees with the receipt number.

### Application Details

Planning Portal Reference: PAN-460840  
Applicant: Steffan D'souza  
Organisation:  
Property Description: 14 Short Street, Cowra  
Description of Proposal: Early Education and Childcare Facility  
Estimated Cost: \$3,693,252  
DA Number: DA 10.2024.68.1

Development Application (DA) Fees	Amount	GST
Application Processing Fee	\$7,283.36	N/A
Notification Fee	\$129.00	N/A
Advertising Fee	Na	INC

**Total Application Fees at time of lodgement** **\$7,412.36 INC**  
(this amount does not include additional fees below that are due payable prior to your post consent certificate being issued)

Additional Fees - Developer Contribution Fees	Amount	GST
This fee is to be paid prior to the Post Consent Certificate being issued.		
Section 7.12 Contribution Plan 2016 - Estimated Cost \$100,000-200,000		Na
Section 7.12 Contribution Plan 2016 - Estimated Cost >\$200,000	\$36,932.52	
Section 7.11 Contribution Plan 2016 - Development in Growth Area		Na

### Additional Advice

- Note 1** This quote has been estimated on the advice given by the applicant at the time of issue. The fees are checked by the assessing officer **after** the application has been lodged to ensure the correct fees have been paid and may be subject to change.
- Note 2** The fees are subject to change at the end of each financial year. Fee estimates are valid for the financial year it was issued and is given in good faith based on the information that has been provided to Council.
- Note 3** Please note that you may require a post consent certificate prior to commencement of construction which will require additional application/s and fees.

### Office Use Only

#### Application Receipt Details

Receipt Number: \_\_\_\_\_  
Total Fee Paid: \_\_\_\_\_  
Date Paid: \_\_\_\_\_

DA Number: \_\_\_\_\_

Ref: NC

## GENERAL COMMITTEE MEETING

14 JULY 2025



## GENERAL COMMITTEE MEETING

14 JULY 2025



Australian Government  
Australian Taxation Office



020  
00649

COWRA EARLY CHILDHOOD SERVICES  
CO-OPERATIVE LTD  
CARINYA  
20 COMERFORD ST  
COWRA NSW 2794

Our reference: 7157783323860  
Phone: 1300 130 248  
Client ID: 23 319 969 249  
2 April 2025



### Your organisation is endorsed for charity tax concessions

To whom it may concern,

We have endorsed your organisation for charity tax concessions and enclose your *Notice of endorsement for charity tax concessions*.

The following details will appear on the Australian Business Register:  
■ your organisation's endorsement to access charity tax concessions  
■ the date or period of effect.

You can view the details including the type of charity concessions at [www.abr.business.gov.au](http://www.abr.business.gov.au)

If your organisation has also applied for other endorsements, you will receive separate notification.

### What you need to do

Every year you should review your organisation's entitlement to charity tax concessions.

If the organisation makes changes to its governing rules, structure or activities visit [www.ato.gov.au/nfpselfreview](http://www.ato.gov.au/nfpselfreview) to check your continued eligibility for endorsement. If no longer entitled, be sure to notify us as soon as you can.

### For more information

Go to [www.ato.gov.au/notforprofit](http://www.ato.gov.au/notforprofit) to find out more about your entitlements and obligations. Also visit [www.ato.gov.au/nfpnews](http://www.ato.gov.au/nfpnews) to subscribe to our monthly newsletter that will keep you up-to-date with the latest tax and super information. If you have any questions specific to not-for-profit organisations, phone us on **1300 130 248** between 8.00am and 6.00pm, Monday to Friday.

For information about our commitments to you and what we ask of you, go to [www.ato.gov.au/atocharter](http://www.ato.gov.au/atocharter)

### If you phone us

We may ask you a few questions specific to you and your organisation to be sure we are talking with an authorised person about your tax affairs. Please have your Australian Business Number and quote 'Our reference' at the top of this letter.

Yours faithfully

Will Day  
Second Commissioner of Taxation

ED0726-S00001-F305921

70571-195981-01-2024

## GENERAL COMMITTEE MEETING

14 JULY 2025



Australian Government  
Australian Taxation Office

2 April 2025

**Notice of endorsement for charity tax concessions**

This endorsement notice has been issued to:

Name **COWRA EARLY CHILDHOOD SERVICES CO-OPERATIVE LTD**  
Australian business number **23 319 969 249**

**COWRA EARLY CHILDHOOD SERVICES CO-OPERATIVE LTD**, a registered charity, is endorsed to access the following tax concessions from the dates shown:

**Income tax exemption** from **1 July 2009** under Subdivision 50-B of the *Income Tax Assessment Act 1997*.

**GST concessions** from **1 July 2009** under Division 176 of *A New Tax System (Goods and Services Tax) Act 1999*.

**FBT rebate** from **1 July 2009** under section 123E of the *Fringe Benefits Tax Assessment Act 1986*.

As a rebatable employer, your organisation is entitled to have its FBT liability reduced by a rebate equal to 47% of the gross FBT payable (subject to a capping of \$30,000 per employee). If the total grossed-up taxable value of fringe benefits provided to an employee is more than \$30,000, a rebate cannot be claimed for your organisation's FBT liability on the excess amount.

**Reportable fringe benefits**

If the value of certain fringe benefits provided to your organisation's employees exceeds \$2,000 in an FBT year, your organisation is required to record the grossed-up taxable value of those benefits on its employee's payment summary for the corresponding income year.

Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at [www.abr.business.gov.au](http://www.abr.business.gov.au)

Your organisation must notify us in writing if it ceases to be entitled to endorsement.

Yours faithfully

Will Day  
Second Commissioner of Taxation

E00728-S00002-F305921

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## GENERAL COMMITTEE MEETING

14 JULY 2025



Australian Government  
Australian Taxation Office



020

COWRA EARLY CHILDHOOD SERVICES  
COOPERATIVE LTD BUILDING FUND  
CARINYA  
20 COMERFORD ST  
COWRA NSW 2794

Our reference: 7157783420786  
Phone: 1300 130 248  
ABN: 23 319 969 249

2 April 2025



### Your organisation's fund, authority or institution is endorsed as a deductible gift recipient

To whom it may concern,

We've endorsed your organisation's fund, authority or institution as a deductible gift recipient and enclosed your *Notice of endorsement as a deductible gift recipient*.

This endorsement allows your organisation's fund, authority or institution to receive gifts which are tax deductible to donors.

You and your donors can view the details of your endorsement and the date of effect on the Australian Business Register at [www.abr.business.gov.au](http://www.abr.business.gov.au)

Income tax deductions are available only where gifts are made to the fund, authority or institution named in the notice. It doesn't apply to the whole of your activities, unless your organisation is separately endorsed. If you've applied for other endorsements, you'll get a separate notification.

#### What you need to do

Every year you should review your organisation's fund, authority's or institution's endorsement as a deductible gift recipient.

If the organisation's fund, authority or institution makes changes to its governing rules, structure or activities visit [www.ato.gov.au/nfpselfreview](http://www.ato.gov.au/nfpselfreview) to check your continued eligibility for endorsement. If no longer entitled, be sure to notify us as soon as you can.

#### For more information

Go to [www.ato.gov.au/notforprofit](http://www.ato.gov.au/notforprofit) to find out more about your entitlements and obligations. Also visit the [www.ato.gov.au/nfpnews](http://www.ato.gov.au/nfpnews) to subscribe to our monthly newsletter that will keep you up-to-date with the latest tax and super information. If you have any questions specific to not-for-profit organisations, phone us on 1300 130 248 between 8.00am and 6.00pm, Monday to Friday.

For information about our commitments to you and what we ask of you, go to [www.ato.gov.au/atocharter](http://www.ato.gov.au/atocharter)

#### If you phone us

We may ask you a few questions specific to you and your organisation to be sure we are talking with an authorised person about your tax affairs. Please have your Australian Business Number and quote 'Our reference' at the top of this letter.

Yours faithfully

Will Day  
Deputy Commissioner of Taxation

E60728-S00003-F308921

70571.195778-01-2024



## GENERAL COMMITTEE MEETING

**14 JULY 2025**



**Australian Government**  
**Australian Taxation Office**

2 April 2025

**Notice of endorsement as a deductible gift recipient**

Endorsement as a deductible gift recipient under Subdivision 30-BA of the *Income Tax Assessment Act 1997* is provided for the operation of a fund, authority or institution as detailed below.

Name	COWRA EARLY CHILDHOOD SERVICES COOPERATIVE LTD BUILDING FUND
Australian business number	23 319 969 249
Name of fund, authority or institution to which endorsement relates	COWRA EARLY CHILDHOOD SERVICES COOPERATIVE LTD BUILDING FUND
Endorsement date of effect	27 November 2023
Provision for gift deductibility	Item 1 of the table in section 30-15 of the <i>Income Tax Assessment Act 1997</i>
Item(s) in Subdivision 30-B of the <i>Income Tax Assessment Act 1997</i>	2.1.10 school building fund

Your organisation's endorsement as a deductible gift recipient for a fund, authority or institution that it operates, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at [www.abr.business.gov.au](http://www.abr.business.gov.au)

Your organisation must notify us in writing if it ceases to be entitled to endorsement.

Yours faithfully

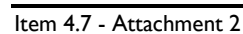
**Will Day**  
Deputy Commissioner of Taxation

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3 of 4

**14 JULY 2025**

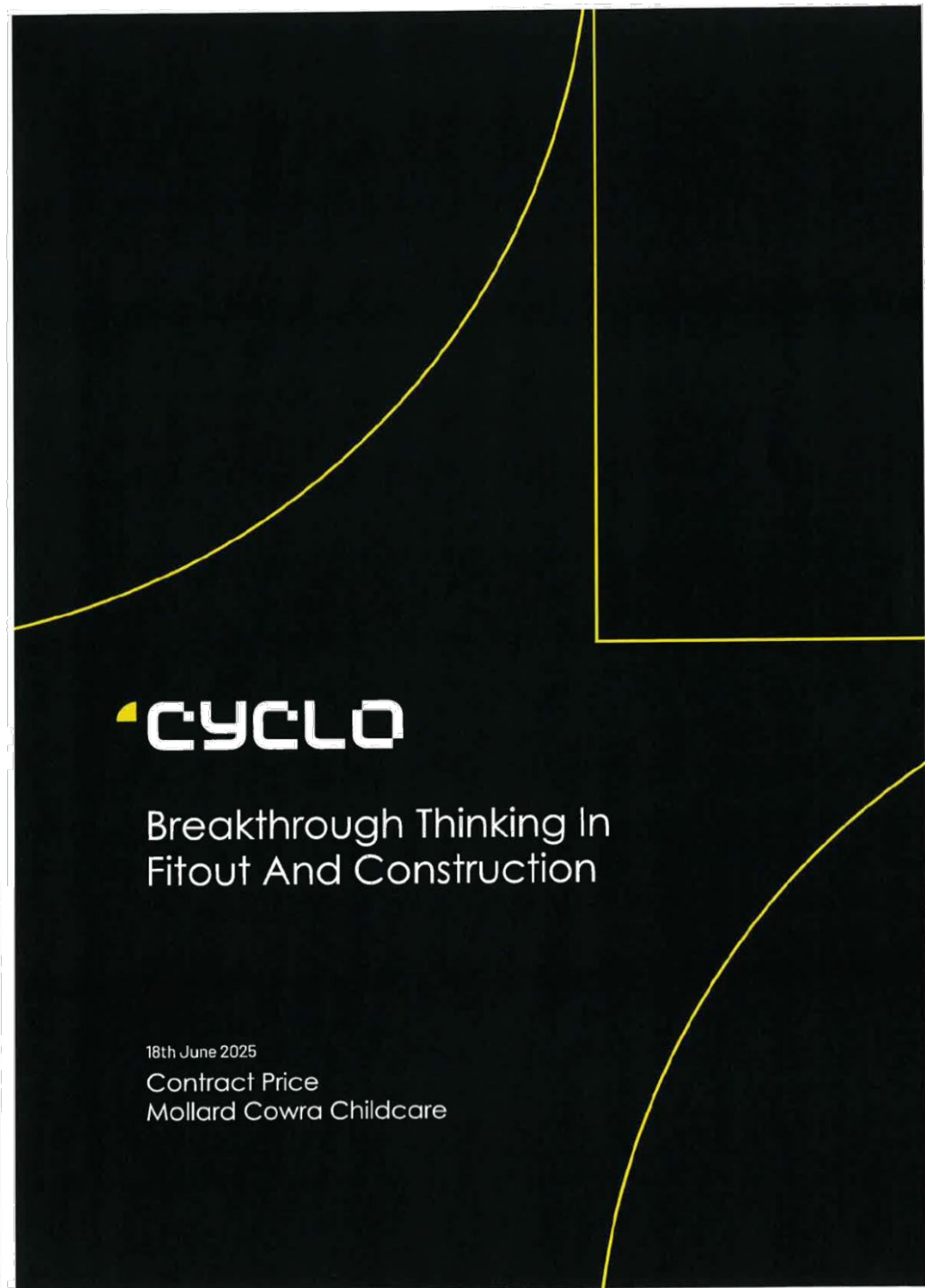


**14 JULY 2025**




GENERAL COMMITTEE MEETING

14 JULY 2025



## GENERAL COMMITTEE MEETING

14 JULY 2025



Design, Fitout And Construction Of Childcare,  
Veterinary, Animal Care And Medical Premises

Since 1988, Cyclo Group has been providing comprehensive solutions to the challenges faced by our clients as they grow their businesses.

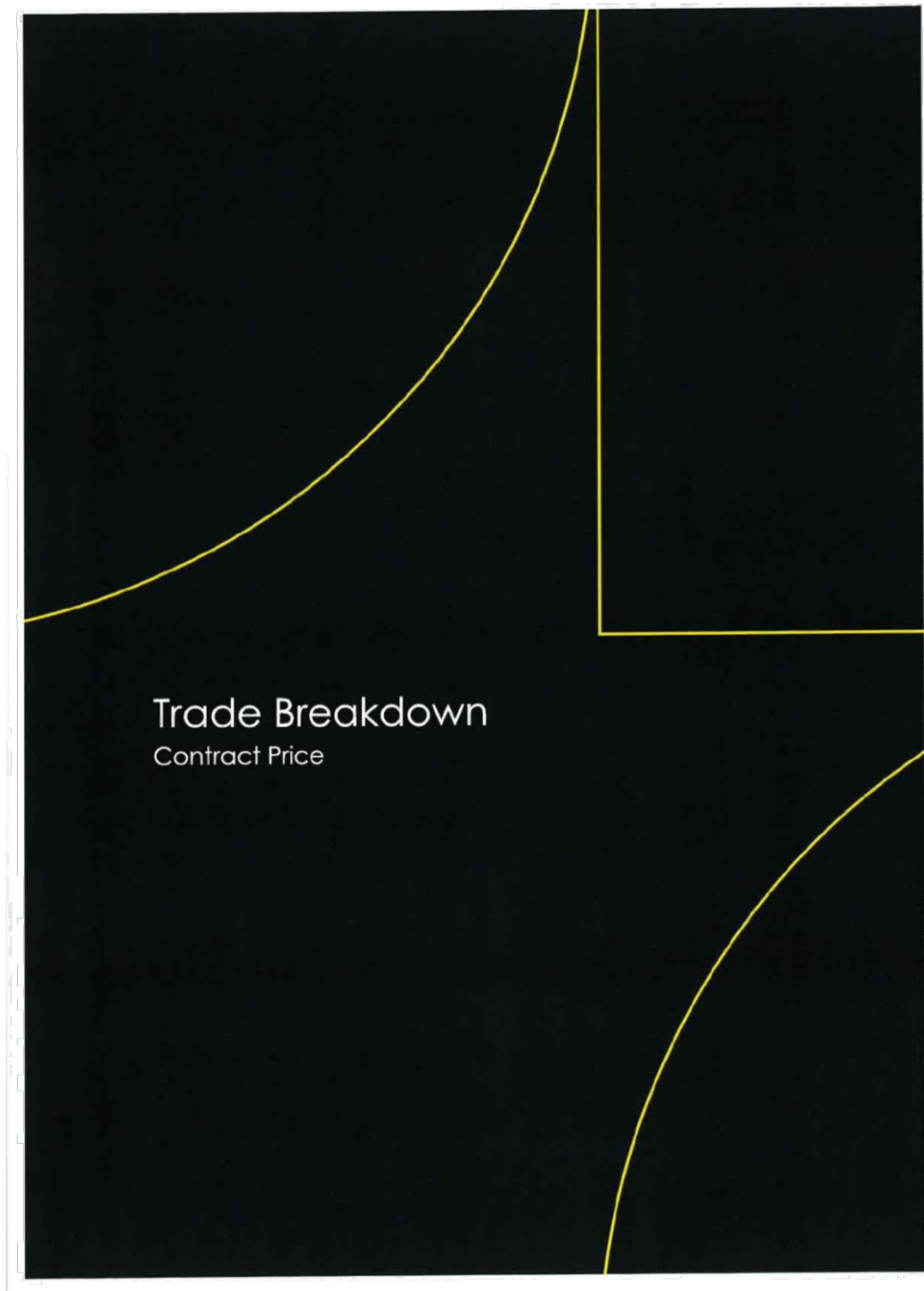
Our team of project managers, tradesmen, designers and builders are experts in their fields, with long experience in finding solutions to space shortages, compliance issues, tight budgets and short time frames. We have a large team of in-house tradesmen to cover core construction roles and have also built up strong relationships with reliable subcontractors across Australia, and in particular the eastern states, specialising in design and construct type Building Works.

We have architects, drafts people and interior designers who have long experience in childcare centres and are familiar with all the challenges of a early learning centre as well as regulatory constraints.

Whilst the design detailing has not been finalised, we believe that the following detailed breakdown is an accurate estimate of what the project will cost. This Progressive Budget is presented with a view to ensuring that we deliver a final design outcome that aligns as close as possible with your budget and expectations and if there is a misalignment, we are keen to discuss it further so as to ensure what is approved by authorities is within budget.

GENERAL COMMITTEE MEETING

14 JULY 2025



## GENERAL COMMITTEE MEETING

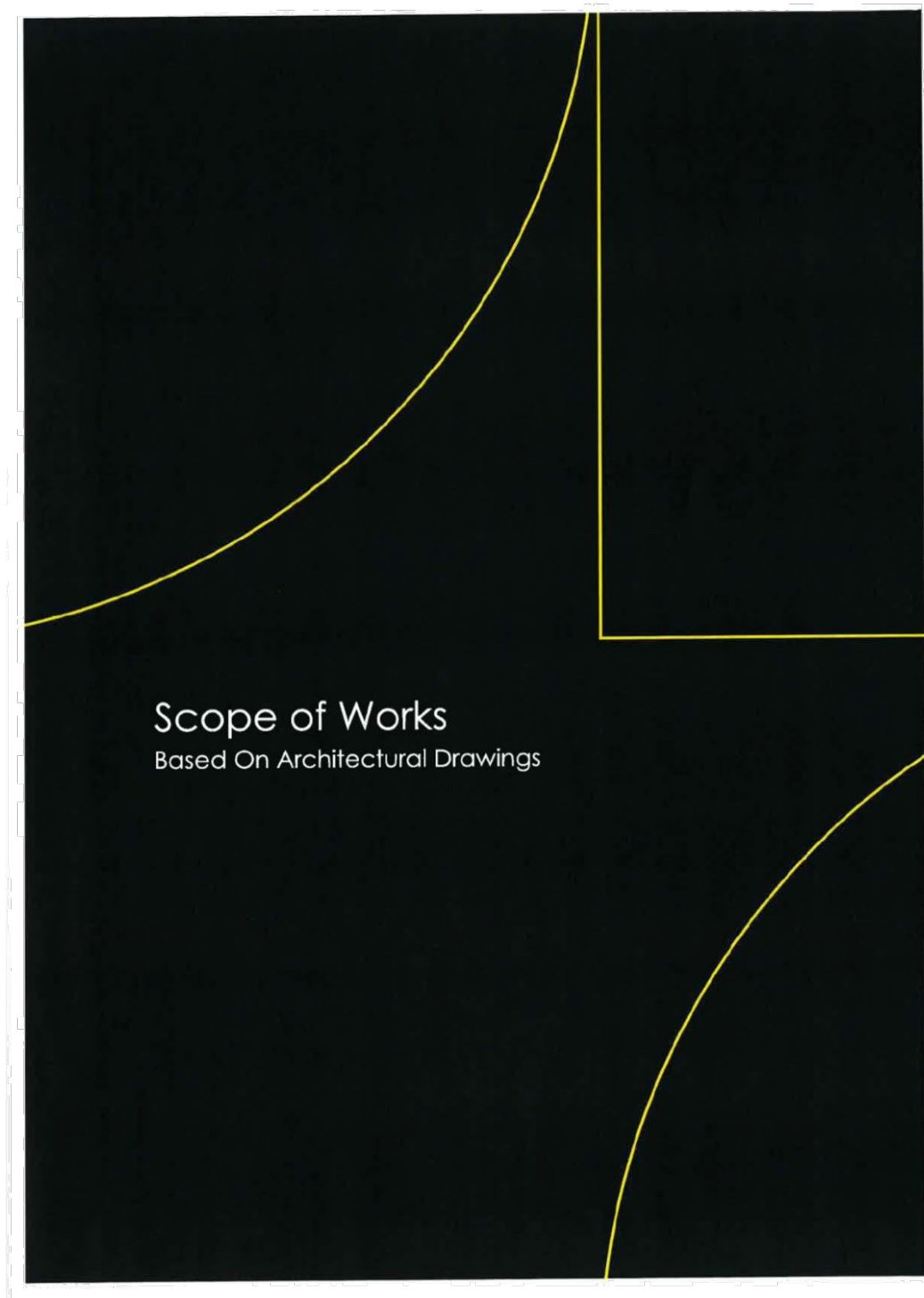
14 JULY 2025

CONTRACT PRICE	
TRADE	SELL PRICE EX. GST
Preliminaries	\$341,781.00
Demolition	\$13,433.00
Ground Works & Concrete	\$785,292.00
Building Envelope	\$824,470.00
Internal Lightweight Framing, Lining, Glazing & Doors	\$155,992.00
Hydraulic & Civil Storm Water Services	\$242,105.00
Mechanical Services	\$114,910.00
Electrical Services	\$184,566.00
Fire Services	\$65,078.00
Painting	\$48,341.00
Floor & Wall Coverings	\$118,065.00
Joinery	\$152,889.00
Statutory Signage	\$2,283.00
Architectural Metal & Timber Work	\$104,749.00
Compliance Items	\$17,102.00
Fixtures & Fittings	\$28,792.00
Landscaping (\$180,000 Provisional Sum)	\$200,000.00
<b>TOTAL</b>	<b>\$3,499,848.00</b>
<b>GST</b>	<b>\$349,984.80</b>
<b>TOTAL INC GST</b>	<b>\$3,849,832.80</b>



GENERAL COMMITTEE MEETING

14 JULY 2025





## GENERAL COMMITTEE MEETING

14 JULY 2025

**ESTABLISHMENT OF PROJECT TEAM THROUGHOUT ENTIRE CONSTRUCTION PERIOD**

- Senior Project Manager - Oversees the entire construction project, ensuring it stays on schedule and within budget. Manages resources, communicates with stakeholders, and resolves any issues that arise.
- Assistant Project Manager - Supports the Project Manager in planning and execution. Handles administrative tasks, coordinates between teams, monitors progress, and assists in problem-solving.
- Site Manager - Supervises daily operations on the construction site. Ensures safety compliance, manages on-site staff, monitors progress, and coordinates materials and equipment logistics.

**CYCLO WILL BE FULLY RESPONSIBLE FOR THE MANAGEMENT AND OH&S OF TRADES ENGAGED BY CYCLO**

- Workplace health and personal insurance.
- Workplace health and safety including Preparation of project safety plan, preparation of work method statements, undertake risk assessments prior to works commencing.
- Undertake risk assessment prior to works commencing & undertake regular risk assessments as work progresses.
- Industry induction of all personnel and trades involved in all the construction works.
- Cyclo will abide by all statutory authority compliances including local Council approved DA working hours of Monday to Friday 7:00am to 6:00pm and Saturday 8:00am to 1:00pm.
- Provision of First Aid.

**SITE ESTABLISHMENT & MAINTENANCE**

- Supply Site offices where required, location TBC.
- Supply mains connected Site toilets for workers, clean once a week.
- Supply and install 1 x 24/7 monitored Security camera.
- Supply Skip bins for all onsite general waste
- Site maintenance and cleaning during construction.
- Laying of plastic & core flute protection of finished surfaces during construction.
- Full commercial clean of interior and external areas at completion of work.
- Supply Crane Lifts when required.
- Supply and install temporary fencing, sediment fencing x 50m, weather access material to driveway. Plan to be provided to ensure no hindrance to operations prior to install.
- Hire of height access equipment to complete works.

Contract Price

## GENERAL COMMITTEE MEETING

14 JULY 2025

## DEMOLITION

- Removal and dispose two nominated trees.
- Removal and dispose existing nominated crossing and kerb within public domain.

## GROUNDWORKS &amp; CONCRETE

- Generally in accordance with HJL Architecture Drawings TP01-TP13, dated 09/05/2025. Where discrepancies exist, the clarifications outlined within this scope shall take precedence over the drawings. Final construction shall be based on the IFC drawings and scope by Cyclo Construction & Fitout.
- All works in generally accordance with EPS Engineering Project Solutions Structural Engineering Preliminary Drawing Number 00'-31, Date: 15/11/2024 with further clarification of changes below.
- All works generally in accordance with EPS Engineering Project Solutions Civil Engineering Drawings Number C01-CV35, Date: 03/12/2024.
- Construct a temporary sediment entry/exit in accordance with Council requirements as per SD 6-14
- Provide sediment control measures, including sediment traps, in all required areas.
- Provide sandbag protection to surrounding existing stormwater inlets
- Carry out bulk excavation works for the car park, building pad, and external areas in accordance with the provided drawings.
- Prepare the car park subgrade to a minimum CBR of >6%, compacted to 98% modified compaction. Provide a 150mm layer of DGS40 base, compacted to 98% modified compaction, followed by a 120mm layer of DGB20 base, also compacted to 98% modified compaction.
- Prepare the Building subgrade CBR>6% compaction to 98% modified compaction, including 50mm sand bedding.
- Prepare footpath subgrade CBR>6% compaction to 95% modified compaction, including 25mm sand bedding.
- Construct the proposed swales to capture and convey upstream catchment runoff to the public road network. The swale shall be sized to accommodate 1-in-100-year runoff flows. Refer to Drawing C-15 for detailed swale design.
- Set out all works for detailed excavation of nominated strip footings, pad footings, and piers in accordance with the provided drawings.
- If, following removal of topsoil and grass and completion of the proof roll, the subgrade is found to be unsuitable, additional costs will apply for any required deeper excavation to achieve the necessary compaction levels. These works will be costed based on the contractor's provided rates and submitted as a variation order request prior to commencement.
- This allowance assumes that material excavated during the site's cut and fill operations will be suitable for reuse on-site. However, if the geotechnical engineer determines that the fill material is non-compactable, it must be removed from the site. In such cases, the cost for loading and transporting non-contaminated material will be charged at \$65 per tonne.
- Vehicular crossing in accordance with the provided drawings.
- 100mm deep raft slab with SL92 mesh in the top layer, in accordance with the provided drawings. Works to include all step downs, recesses, and installation of a vapour barrier.
- Pad footings, reinforced concrete (RC) piers, edge beams, and internal beams in accordance with the provided drawings
- 100mm thick, 25MPa concrete with SL62 mesh, in accordance with the provided drawings. Works to include all necessary doweled construction joints, isolation joints, and sawn joints.
- Kerb and gutters in accordance with provided drawings
- Concrete stairs in accordance with provided drawings
- Supply and install 190mm series Besser block retaining walls, reinforced with steel and core-filled with concrete, in all nominated areas. Walls to be waterproofed using Blackjack or similar, and include ag drains, filter fabric, and recycled backfill.
- Bitumen emulsion seal using 14mm and 7mm pre coated crushed basalt aggregate in lieu of Asphalt.
- No allowances have been made for Planter boxes within Carpark. To be 150mm concrete kerbs only.
- No allowances have been made for Engineering inspections by EPS. To be paid direct from client.
- No allowances have been made for footpath length of Short Street.
- Level two testing for civil works only, no allowance for level 1 supervision.
- No allowance has been made for rock hammering or sawing. If required, rock hammering will be billed at \$180 plus GST per hour, and rock sawing at \$230 plus GST per hour.

Contract Price

## GENERAL COMMITTEE MEETING

14 JULY 2025

## BUILDING ENVELOPE - BASE BUILDING UPGRADE WORKS

- Generally in accordance with HJL Architecture Drawings TP01-TP13, dated 09/05/2025. Where discrepancies exist, the clarifications outlined within this scope shall take precedence over the drawings. Final construction shall be based on the IFC drawings and scope by Cyclo Construction & Fitout.
- Structural steel in accordance with EPS Structural Engineering updated concept Drawings dated 12th June 2025.
- Supply and installation of 92mm 1.158MT stud walls between structural steel external walls. While internal walls will be built using 92mm 0.558MT stud walls.
- Suspended furring channel ceilings throughout at 2.7m high excluding Reception to be raked ceiling in accordance with provided drawings.
- External glazing will be installed in accordance with provided plans and report.
- Manual corrugated roller door to waste store in standard Colourbond colours.
- Acrylic render to building planter boxes only. No allowances have been made for rendering to retaining wall adjacent carpark, these walls to be grey besser block with caps.
- Alumate V Groove Cladding including building wrap, battens, fixings & accessories to Southeast Elevation only – refer to marked up elevations.
- James Hardie Axon 133mm smooth, including building wrap, battens, fixings & accessories to remaining 3 sides.
- Alumate V Groove Cladding to the entry gable only, including all necessary battens and blocking.
- 9mm thick set fibre cement lining, including all necessary battening and blocking, to all gable ends and nominated posts. Cyclo Group to frame out purlins and posts and create a drip joint to allow the ceiling finish to return into.
- 9mm thick set fibre cement soffit lining with 10mm express joints to all external ceilings.
- 0.48mm Trimdek roof sheeting, 150mm standard gutters, box gutters, and PVC downpipes in accordance with the provided drawings.
- No allowances have been made for solar tubes and aluminium mesh to gutters – refer to optional pricing below.
- No allowances have been made for Alumate V Groove Cladding on external ceilings other than Entry Gable. – refer to optional pricing below.
- No allowances have been made for Alumate V Groove Cladding to Northeast, Northwest, & Southwest Elevations. – refer to optional pricing below.
- No allowances have been made for roof access system.
- No allowances have been made for M6- Stone retaining walls. All retaining walls tagged with M6 to be with 190mm blockwork, rendered and painted.

## INTERNAL LIGHTWEIGHT FRAMING, LINING, GLAZING &amp; DOORS

- Generally in accordance with HJL Architecture Drawings TP01-TP13, dated 09/05/2025. Where discrepancies exist, the clarifications outlined within this scope shall take precedence over the drawings. Final construction shall be based on the IFC drawings and scope by Cyclo Construction & Fitout.
- R3.5 insulation will be applied to all internal ceilings. R2.5 insulation will be used for external walls, and all internal walls will feature 50mm sound batts in accordance with required section J values.
- 13mm plasterboard ceiling to all areas with moisture resistant plasterboard to all Bathroom, Food Prep areas.
- Foam filling to all walls for Food Preparation areas.
- All Doors and hardware to be painted MDF doors with 100mm aluminium door frame fitted with three hinges and Lockwood hardware in accordance with Cyclo standard range.
- Wall junction throughout to be generally 25mm aluminium to top of wall against square set to set plaster ceilings.
- All glazing has been priced at 6.38mm clear laminated glass unless otherwise noted.
- No allowance has been made for cladding to internal wall features.
- No allowance has been included for feature ceiling linings.
- No allowance has been included for finger guards. To be completed by client if required.

Contract Price

## GENERAL COMMITTEE MEETING

14 JULY 2025

## HYDRAULIC SERVICES

- All works in accordance with EPS Engineering Project Solutions Civil Engineering Drawings Number C01-CV35, Date: 03/12/2024, and concept drawing with reduced pipe sizes provide by EPS.
- Cyclo Construction & Fitout will engage MCDC Engineers to provide IFC drawings, these drawings will include value engineering design items below.
- Supply and install stormwater pipe system, including all excavation, backfilling, bends, and connections.
- Supply and install all sewer pipework, including excavation, backfilling, and complete with all bends and connections.
- Supply and install a sewer pump at the nominated location in accordance with the provided drawings.
- Supply and install retaining wall drainage, including all necessary backfilling, bends, and connections to ensure a complete system.
- Supply and install pits, precast reinforced concrete lintels, and grated drains as per the provided drawings.
- Supply and install hose taps fitted with RPZD devices for grease arrestor maintenance.
- Supply and install a 2000L grease trap, including all connecting pipework as per the drawings.
- Supply and install a 75m<sup>3</sup> detention basin in accordance with the provided documentation.
- Supply and install cold and hot water reticulation to all fixtures as shown in the architectural plans.
- Supply and install a pressure-limiting valve on the RPZD outlet, set to 500 kPa.
- Supply and install a 32mm water meter assembly with an integrated 40mm RPZD-type backflow device.
- Supply and install a thermostatic mixing valve (TMV) recessed in a lockable stainless steel Steel box, at the nominated finished floor level (FFL).
- Supply and install tempering valves beneath the staff room sink, set to 50°C.
- Supply and install hot water return line, with hot water supplied to the Waste Store only.
- Supply and install all nominated downpipes, including required spreaders.
- Supply and install stainless steel heel grate floor drains to all vinyl floor areas.
- The following items have been removed as part of value management design and/or will be re-engineered as part of D & C, plaster arrestors, cooling pit, hot water system, hot water to bin store.
- Testing and commissioning on completion, certification with AS3500.

Contract Price

## GENERAL COMMITTEE MEETING

14 JULY 2025

## MECHANICAL SERVICES

Cyclo Construction & Fitout will engage MCDC Engineers to provide IFC drawings, these drawings will include value engineering design items below.

**ROOM 1:**

- Mounting of the new 10kw outdoor unit (CU-5Z100VBR) on the western side of the building
- Mounting of the new AC1-1 7.1kw wall split indoor unit (CS-Z71XKRW) on the eastern wall
- Mounting of the new AC1-2 7.1kw wall split indoor unit (CS-Z71XKRW) on the southern wall
- Interconnecting pipework, condensate drain and control cable concealed in PVC trunking Commissioning

**ROOM 2:**

- Mounting of the new 10kw outdoor unit (CU-5Z100VBR) on the western side of the building
- Mounting of the new 7.1kw wall split indoor units (CS-Z71XKRW 2 off) on the western wall
- Interconnecting pipework, condensate drain and control cable concealed in PVC trunking Commissioning

**ROOM 3:**

- Mounting of the new 10kw outdoor unit (CU-5Z100VBR) on the western side of the building
- Mounting of the new 7.1kw wall split indoor units (CS-Z71XKRW 2 off) on the western wall
- Interconnecting pipework, condensate drain and control cable concealed in PVC trunking Commissioning

**ADMIN AREA:**

- Mounting of the new 10kw outdoor unit (CU-5Z100VBR) on the western side of the building
- Mounting of the new AC4-1 2.5kw wall split indoor unit (CS-Z25XKRW) on the eastern wall of meeting room
- Mounting of the new AC4-2 2.5kw wall split indoor unit (CS-Z25XKRW) on the eastern wall of staff room
- Mounting of the new AC4-3 2kw wall split indoor unit (CS-Z20XKRW) on the eastern wall of planning room
- Mounting of the new AC4-4 2.5kw wall split indoor unit (CS-Z25XKRW) on the eastern wall of Directors Office
- Interconnecting pipework, condensate drain and control cable concealed in PVC trunking Commissioning

**KITCHEN:**

- Mounting of the new 5kw outdoor unit on the western side of the building
- Mounting of the new 5kw flush mounted cassette central to kitchen ceiling
- Interconnecting pipework, condensate drain and control cable concealed in PVC trunking
- Ductwork as per nominated drawings,
- KVF Halton capture jet Wall hood with make-up air in front face.
- Commissioning

**MECHANICAL EXHAUST**

- Toilet exhaust is proposed to be ducted externally, either through the eaves or adjacent external walls.

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Contract Price

## GENERAL COMMITTEE MEETING

14 JULY 2025

## ELECTRICAL SERVICES

Cyclo Construction & Fitout will engage MCDC Engineers to provide IFC drawings; these drawings will include value engineering design items below.

**GENERAL POWER INSTALLATION (AS PER TENDER DRAWINGS)**

- Supply, wire, and install 50 x standard double power points
- Supply, wire, and install 4 x weatherproof power points
- Supply, wire, and install 10 x dedicated power circuits
- Supply, wire, and install 2 x 32-amp three-phase circuits (for air conditioning)
- Supply, wire, and install 1 x 32-amp three-phase circuit (for cooktop)

**COMMUNICATIONS (AS PER TENDER DRAWINGS)**

- 1. Supply, wire, and install 10 x single Cat 6 data outlets
- 2. Supply, wire, and install 4 x double Cat 6 data outlets
- 3. Supply, wire, and install 1 x 18RU data cabinet
- 4. Supply and install NBN conduit with draw wire from site boundary to communications cabinet

**EXTERNAL CONDUITS & PITS**

- 1. Supply and install conduit for consumer mains
- 2. Supply and install conduits for external lighting
- 3. Supply and install 5 x electrical pits

**EMERGENCY LIGHTING**

- 1. Supply, wire, and install 15 x emergency lights
- 2. Supply, wire, and install 14 x exit lights
- 3. Supply, wire, and install 2 x surface-mounted emergency flood lights

**LIGHTING CONTROL**

- 1. Supply, wire, and install 8 x motion/light sensors in the main hallway and toilet areas
- Lighting (Updated Specification)
- WH Downlights Throughout - 13w Sterling Downlight TC 3/4/5K CRI90+ LED. White Trim. IP65. Dimmable Driver Flex & Plug 101
- LED Downlight Entry Type A - 13W Gimble Downlight 3000K LED White Trim - A313W - 9
- Kitchen - LED Panel Light 4000k- 40W - Including Surface Mount Kit - 4
- Type B - Wall Bracket Up & Down Light - SAL - 9
- Type M - Exterior LED Commercial Bollard Light - 24W CLH 20W 2200 Lumens IP65 - 33
- 40w 1200mm LED Weatherproof SM Batten - Opal White - 2

**LEVEL 2 WORKS**

- 1. Submit application for new 80-amp three-phase supply, including metering. Supply and install new permanent private pole with temporary meter panel, fuses, meter, and construction power points
- 2. Complete all associated paperwork and portal submissions

**SWITCHBOARDS**

- 1. Supply, wire, and install 1 x external meter panel on building
- 2. Supply, wire, and install 1 x 48-pole internal distribution board

**MAINS CABLING**

- 1. Supply, wire, and install 25mm<sup>2</sup> three-phase consumer main from private pole to meter panel
- 2. Supply, wire, and install 16mm<sup>2</sup> three-phase consumer main from meter panel to internal distribution board

**EXCLUSIONS**

- No allowances have been made for Solar;
- No allowances have been made for Strip Lighting throughout or LED lighting to all joinery, deleted as part of VE.
- No allowances for EV Charging switchboards, outlets and any associated equipment or cabling.
- Removed 10 x bollard lighting - re engineered light fittings & lux levels.
- Motion sensors in playrooms, offices - changed to switching.
- Telstra/NBN Fee's & Ausgrid/endeavour fee's
- ASP1 works - likely not required.

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Contract Price

## GENERAL COMMITTEE MEETING

14 JULY 2025

## FIRE SERVICES

Cyclo Construction & Fitout will engage MCDC Engineers to provide IFC drawings, these drawings will include value engineering design items below.

- Supply and install a complete fire detection and occupant warning system in accordance with AS1870.1, including the fire alarm block plan, brigade strobe at the building entry point, concealed space detectors, Fire Detection Control and Indicating Equipment (FDCIE), and occupant warning system. Works include DLP testing and a 12-month warranty.
- Supply & install fire extinguishers & blankets in accordance with AS2444
- Hydrant coverage to be provided by street hydrant across the road, pressure and flow enquiry has been completed and coverage plan confirm compliance.
- Fire hose reel to be installed with 4m of reception and provide coverage throughout building.

## PAINTING

- Apply one coat of Dulux Ultra Prep or equivalent commercial-grade primer to all internal and external walls and ceilings. Follow with two coats of Dulux Wash & Wear or an equivalent product, lightly sanding between coats. Apply one undercoat and two topcoats of gloss enamel paint to all doors, ensuring coverage on both the top and bottom edges.

## FLOOR &amp; WALL COVERINGS

- Floor preparation is limited to polyvac & 1mm feather finish skim coat to all areas. No allowance for additional ardit floor levelling and/or heavy grinding if required, to be priced as variation to scope during construction and agreed by client prior to commencement.
  - Slab control joints maybe present, note control joints will be required in vinyl if present.
  - Waterproofing allowances as per detailed room specifications.
  - FAB Specified 5mm Vinyl Plank to general areas, including 100mm Midnight Feathered Edge Skirting
  - Polyflor Polysafe Stone FX Jurassic stone Sheet vinyl to Kitchen, including Coving.
  - Laundry, W/C, ACC W/C, Bath 1 & 2: Install porcelain floor tiles from Cyclo Group standard range.
  - Bath 1 & 2: Install 1.2m high ceramic wall tiles to all walls & 2.1m high to shower area from Cyclo Group standard range.
  - W/C & ACC W/C: Install skirting to all & 2.1m high to shower area from Cyclo Group standard range.
  - Kitchen: Install full-height ceramic wall tiles from the Cyclo Group standard range with epoxy grout to meet commercial kitchen compliance requirements.
  - Room 1-3: 600mm high splash backs to Craft Joinery only.
  - Note: Cyclo Group per m2 allowance for tiling \$50 per m2.
- Excludes - No allowances for any window coverings/blinds throughout, to price during design development otherwise engaged directly by the client.

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Contract Price

## GENERAL COMMITTEE MEETING

14 JULY 2025

## JOINERY

## RECEPTION DESK

- ARC L-Shaped Reception Desk DT-K094 – L260 × W60/120 × H100cm – \$5,854.00 + Installation

## KITCHEN

- Stainless steel bench, Base and overhead cabinets, 4-drawer unit with plastic cutlery tray, Provision for microwave, Pull-out bin drawer, Provision for dishwasher

## STORAGE AREA

- 33mm laminate benchtop, Base and overhead cabinets

## DIRECTORS' OFFICE

- 33mm laminate benchtop (approx. 3.6 L/M), Overhead cabinets 1 × drawer unit under bench

## PLANNING AREA

- L-shaped 33mm laminate benchtop, Overhead cabinets 1 × drawer unit under bench

## STAFF KITCHEN

- 33mm laminate benchtop, Base and overhead cabinets, 4-drawer unit with plastic cutlery tray, Provision for microwave, Pull-out bin drawer, Provision for dishwasher

## LAUNDRY

- Laminate finish, 33mm laminate benchtop, Base and overhead cabinets

## ROOM 1 – ART &amp; CRAFT (2.2 L/M)

- 33mm laminate benchtop, Base and overhead cabinet, Pull-out bin drawer

## ROOM 2 – ART &amp; CRAFT (2.2 L/M)

- 33mm laminate benchtop, Base and overhead cabinets, Pull-out bin drawer

## ROOM 3 – ART &amp; CRAFT (2.2 L/M)

- 33mm laminate benchtop, Base and overhead cabinets, Pull-out bin drawer

## PREP / STOREROOMS (X2)

- 33mm laminate benchtop, Base and overhead cabinets to sink run, Tall storage cabinet adjacent to fridge

## BATHROOMS 1 &amp; 2 – TOILET PARTITIONS

- Standard anodised aluminium wall fixings, 150mm anodised aluminium legs, 13mm compact laminate panels, Pull-out child stairs to Bath 2,
- Note: Cyclo Group has provided a value engineered alternate design in lieu of proposed FFE & Joinery drawings. No allowance has made for any joinery or finishes not listed above. Optional joinery items below as options with costings not included in total.

## SIGNAGE

- Allowance to supply & install statutory signage throughout.
- All client signage throughout excluded, client to advise if provisional sum is to be included. Final design to be priced during design development otherwise engaged directly by the client.

## SECURITY SERVICES

- No security, access control or alarm system allowed for, client to advise if provisional sum is to be included. Final design to be priced during design development otherwise engaged directly by the client.

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Contract Price



## GENERAL COMMITTEE MEETING

14 JULY 2025

## ARCHITECTURAL METAL &amp; TIMBER WORK

- Generally in accordance with HJL Architecture Drawings TP01-TP13, dated 09/05/2025. Where discrepancies exist, the clarifications outlined within this scope shall take precedence over the drawings. Final construction shall be based on the IFC drawings and scope by Cyclo Construction & Fitout.
- 1800mm high upright 25x25x1.2mm punched through 40x40x1.6mm rail @ 112mm centres in standard Colourbond colours to Outdoor Space. No service gate has been allowed by highly recommended by Cyclo Group.
- 1200mm high upright 25x25x1.2mm punched through 40x40x1.6mm rail @ 112mm centres in standard Colourbond colours to top of retaining wall.
- Stainless-steel hand railing in accordance with architectural drawings, comprising 316 grade stainless steel components including 50.8mm round tube handrails, caps, joiners, brackets, welded rectangular tube kick rails, and threaded rods with fasteners.
- New Security Chain-link gates in accordance with provided drawings.
- No allowances have been made for Architectural metal around Waste Store & Terrace to front of building.
- All works subject to future acoustic report and requirements.

## COMPLIANCE ITEMS

- Generally in accordance with HJL Architecture Drawings TP01-TP13, dated 09/05/2025. Where discrepancies exist, the clarifications outlined within this scope shall take precedence over the drawings. Final construction shall be based on the IFC drawings and scope by Cyclo Construction & Fitout.
- Supply and install 19 Rubber Wheel Stops KERB PSS-161.
- Supply and install 2 single bike hoops galvanised
- Supply and install Safety yellow coated, steel surface mount bollard
- Supply and install Line marking to all nominated areas
- Rubber tactile mats in accordance with provided drawings.
- Aluminium stair nosing's with rubber insert.

## FIXTURE &amp; FITTINGS

- Generally in accordance with HJL Architecture Drawings TP01-TP13, dated 09/05/2025. Where discrepancies exist, the clarifications outlined within this scope shall take precedence over the drawings. Final construction shall be based on the IFC drawings and scope by Cyclo Construction & Fitout.
  - A provisional allowance of \$20,000.00 is set aside for the supply of fixtures and fittings. Please note that all provisional sums are subject to a 15% management fee, bringing the total to \$23,000.00, plus the installation of fixtures and fittings.
- No allowances have been made for supply of Appliances.

## LANDSCAPING

- A provisional allowance of \$180,000.00 has been allocated for landscaping works across the site, including works within the terrace area. Please note, all provisional sums are subject to a 10% management fee, bringing the total allowance to \$207,000.00.

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Contract Price

## GENERAL COMMITTEE MEETING

14 JULY 2025

## ADDITIONAL CLARIFICATIONS/EXCLUSIONS NOT LISTED ABOVE

- All consultant fees, contributions, levy charges, and engineering fees related to Construction Certificate will be invoiced separately.
- No allowance has been made for the following items listed in the Cowra Council Notice of Determination – Application to Modify Development Consent, which are to be completed by the client: Sections 9, 10a, 11, 12, 13, and 35a.
- No allowance has been made for any upgrade works to the sewerage access chamber as referenced in Section 19 of the Cowra Council Notice of Determination.
- Section 64 fees for water and sewer are excluded from this proposal.
- Energy supply fees and head works connections excluded.
- Long Service Levy (LSL) and Development Contributions (including any payments made by Cyclo Group) will be invoiced separately.
- Includes provision for loose furniture, workstations, seating, and door and wall protection (as documented).
- No allowance has been made for the supply of appliances.
- Door and wall protection is limited to items shown on the drawing set; all other protective elements are excluded.
- All irrigation works are to be undertaken by the landscape contractor.
- Includes roof-mounted mechanical platforms and acoustic balustrades.
- Supply of Appliances

## OPTIONAL ITEMS NOT INCLUDED IN TOTAL

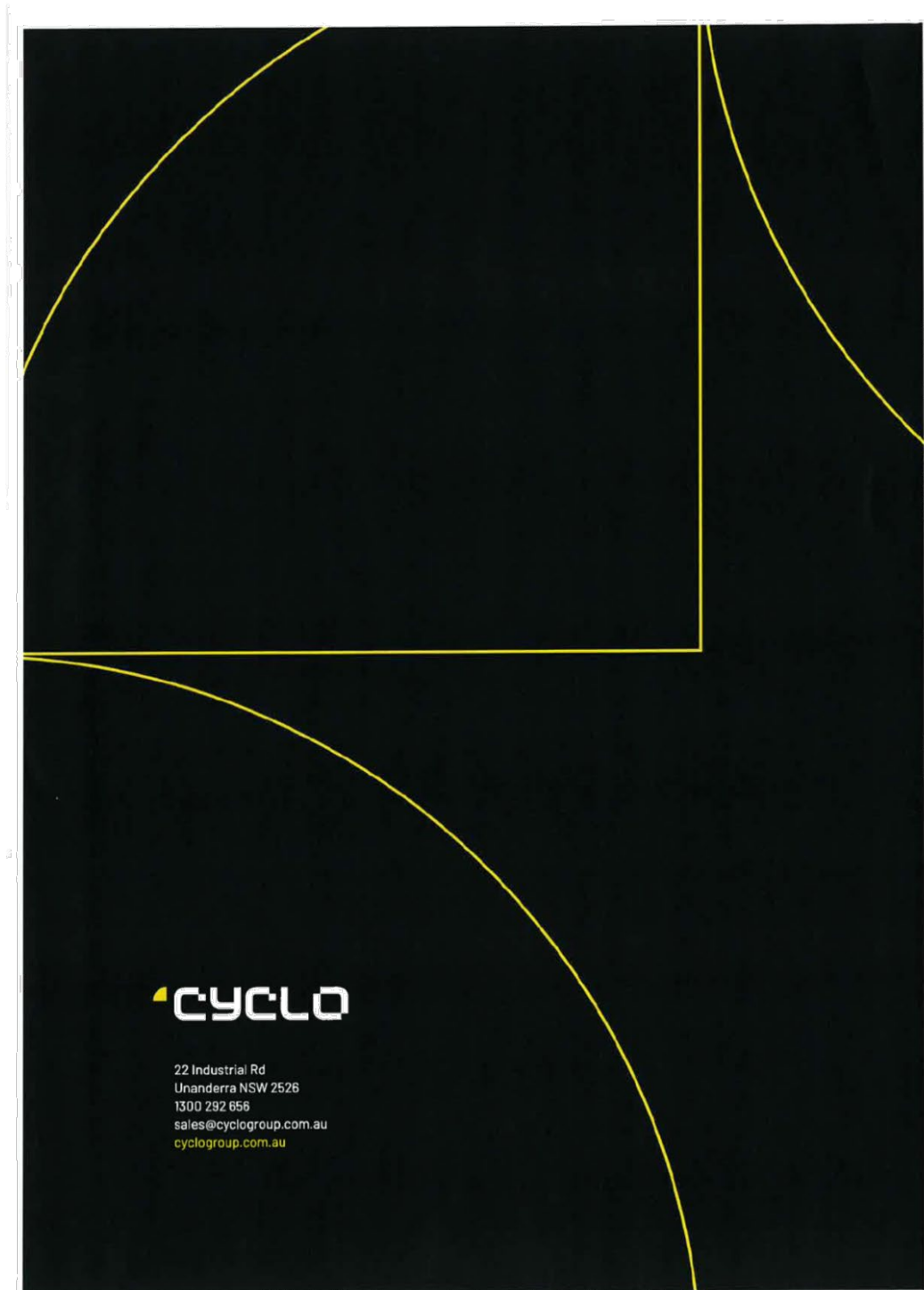
- TL – Timber Look Laminate Particle Board STD 16mm – Throughout in accordance with provided drawings.
- 1200mm high batten fencing with top and bottom rails to all nominated areas as M5 in standard Colourbond colours to Front of proposed Daycare.
- No allowance has been made for fully stainless-steel joinery within Kitchen. Kitchen to consist of laminate finish with stainless steel benchtop only.
- FMDF – Flued MDF Surround by Laminex Scallop 45 Primed Wall Panel – Reception & Director Office
- 2.7m high Architectural metal screen to Waste Bin Store
- Aluminium Mesh gutter guard
- 5x Solar Tubes and back flashings
- LTT – surfaced LED Lights in accordance with provided drawings.
- PB1 – 7x Pinboard – multipurpose; rooms, hallway, office meeting – custom designs and shapes
- PB2 – Customised cork board – round, multiple colours. Cork boards can be made in natural, black, or white. Other colours available on request.
- Supply and install concrete footpath along the full length of Short Street.
- Supply and install 138mm spotted gum decking to Outdoor Space over existing concrete using H3 structural exterior grade pine frame with poly adjustable feet for drainage clearance beneath frame.
- Supply and install honed concrete finish with standard colours to Outdoor Space area.
- Alumate V Groove Cladding to Northeast, Northwest, & Southwest Elevations External Walls in lieu of James Hardie Axon Cladding.
- Alumate V Groove Cladding to Entire external ceiling throughout in lieu of 9mm thick-set fibre cement lining.

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Contract Price

GENERAL COMMITTEE MEETING

14 JULY 2025



**14 JULY 2025**

**Item 4.7 - Attachment 3**

## GENERAL COMMITTEE MEETING

14 JULY 2025

7/9/25, 11:57 AM

Funding secured for Cowra Early Childhood Precinct | Crown Lands

A NSW Government website

[News \(/news\)](#) > Funding Secured For Cowra Early Childhood Precinct

## Funding secured for Cowra Early Childhood Precinct

14 March 2024

Plans to establish a new pre-school and early childhood precinct on Crown land in Cowra have taken a big step forward with the NSW Government allocating \$3.7 million to Cowra Early Childhood Services Co-operative Ltd.

In June last year, Crown Lands handed over management and use of a 10,550 square metre site in Short Street to Cowra Early Childhood Services (CECS) to assist its plans to establish a new pre-school and early childhood precinct.

The former Essential Energy depot was first cleaned up by removing old structures and over 900 tonnes of materials before the site was handed over to CECS as the new appointed Crown land manager of the site.

Now the NSW Department of Education has provided CECS with \$3.7 million under its Capital Works Grants Program to support its plans.

Not-for-profit CECS, which has been operating since the 1950s, provides early and middle childhood education and care services to more than 500 families.

CECS employs 64 educators and staff and operates a long day care service, out of school hours care services, family day care through 17 residential services, and mobile long day care and preschool services at a range of sites.

The Crown land site and funding will support CECS plans to build a new 60 place pre-school to support up to 150 children a week and, over time, consolidate its many services into a centralised childhood education and care precinct.

Cowra Early Childhood Services General Manager Libby Ewing-Jarvie said CECS' preschool age waitlists had grown from 30 to 80 and, even with several other providers in Cowra, there were still another 170 preschool age children who are not attending a preschool program.

"With demand being so high, Cowra needs a preschool to support that, and we are thrilled with the funding outcome we have achieved, in partnership with the Department of Education," Ms Ewing-Jarvie said.

[Skip to navigation](#)<https://www.crownland.nsw.gov.au/news/funding-secured-cowra-early-childhood-precinct>

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**GENERAL COMMITTEE MEETING****14 JULY 2025**

7/9/25, 11:57 AM

Funding secured for Cowra Early Childhood Precinct | Crown Lands

“Discussions with stakeholders had been ongoing over several years, and we are grateful for the support of the community, sector partners, Crown Lands and the Department of Education in supporting the application to secure the grant funds.

“These funds will allow us to develop this preschool and introduce more spaces, which ultimately means we more easily meet the community demand. In doing so, we help to secure the future of early childhood in our community.

“By establishing a community pre-school we will be able to transition preschool age children in our long day care settings to a dedicated preschool environment, which in turn opens up places in long day care, and gives us the option to reconfigure our current venues to increase our licensed places for younger children.”

Crown land reserves play an important role supporting communities with everything from space for childcare and education services, parks and walking tracks to showgrounds, sporting ovals and community halls.

The Cowra site and its surrounds are in a natural environment close to Billy Goat Hill Nature Reserve so also has potential for bush kinder and bush tucker programs to create a new level of active learning allowing children to get directly involved in their surroundings.

Updated 14 March 2024

<https://www.crownland.nsw.gov.au/news/funding-secured-cowra-early-childhood-precinct>

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**5.2                      Memorandum of Understanding - Cowra Council and Cowra Tourism Corporation**

File Number:        D25/1268

Author:                Paul Devery, General Manager

**RECOMMENDATION**

**That Council accept the proposed changes included in the attachment to the General Manager's report and enter into a Memorandum of Understanding with Cowra Tourism Corporation for a four-year period commencing 1 July 2025.**

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**INTRODUCTION**

The most recent Memorandum of Understanding (MOU) between Cowra Council and Cowra Tourism Corporation (CTC) expired on 30 June 2025.

**BACKGROUND**

The Mayor and I met with representatives of the Cowra Tourism Corporation Board in June to discuss the MOU and councillors considered a draft agreement at the 21 July 2025 Information meeting.

A copy of the recently expired MOU with proposed tracked changes is included at Attachment 1 and the draft MOU, to take effect from 1 June 2025 for a four-year period, is recommended for adoption.

**BUDGETARY IMPLICATIONS**

Nil

**ATTACHMENTS**

- I.     Draft MOU - Cowra Council and CTC [↓](#)



Cowra  
Council



## MEMORANDUM OF UNDERSTANDING

between

**COWRA COUNCIL**

and

**COWRA TOURISM CORPORATION**

**1 JULY 2025-30 June**

**2025**



**Parties to the Agreement**

The parties to this Memorandum of Understanding

Cowra Shire Council  
Private Bag 342  
Cowra NSW 2794

and

Cowra Tourism Corporation  
PO Box 34  
Cowra NSW 2794

Hereby enter into a partnership agreement to ensure the highest quality level of facilities and services are provided to tourism businesses and tourists and Cowra is promoted as a great place to visit.

**Term**

The agreement period is from 1/7/2025 to 30/6/2025.

**Objectives**

The parties of this agreement will work collaboratively to raise the profile and performance of the Cowra Shire tourism industry by working together in:

- Providing leadership in the ongoing development of local tourism
- Increasing the community awareness of the significance and value of tourism
- Providing clear communication to industry with respect to tourism activities offering support to all tourism operators in the shire
- Endeavour to increase numbers of visitors to and visitor spend within the Cowra Shire
- Collaborate with Council on relevant tourism related opportunities to increase use of Council facilities

**Strategic Context**

The parties to the agreement will seek to work collaboratively to support the Cowra Shire Council's [Community Strategic Plan, Delivery Program](#)/Operational Plan in respect of agreed Goals and Objectives. Cowra Shire Council has historically delegated its tourism function to Cowra Tourism Corporation and has provided significant levels of annual funding to Cowra Tourism Corporation. Cowra Shire Council's minimum expectations of service and activity levels are set out in this MOU.

**Obligations of the Council**

- To consult Cowra Tourism Corporation on planned activity for each financial year, to be given due consideration within normal budget planning processes.

- To maintain the existing levels of funding to Cowra Tourism Corporation for services provided over the period subject to CPI increases. For the year commencing 1 July 2025 the following funding has been committed to by Council:

Annual contribution	\$307,743
Events Officer contribution	\$ 53,084
Building Maintenance – Visitor Information Centre	\$ 12,000
Visitor's Centre rent contribution	\$ 36,595
Contribution – Christmas lights competition	\$ 5,000
Christmas Street Festival traffic control	\$ 22,632

- That payment for the Annual contribution and Events Officer contribution services be remunerated on a quarterly basis with payments due on the first day of July, October, January and April following submission of a tax invoice by Cowra Tourism Corporation.
- To provide regular and timely feedback to Cowra Tourism Corporation in respect of financial and operational issues as and when they arise.
- To provide two delegates to Cowra Tourism Corporation's Board of Directors in accordance with Cowra Tourism Corporation's Articles of Incorporation.
- To respond in a timely manner to tourism issues raised by Cowra Tourism Corporation or by tourism operators.
- To acknowledge that Cowra Council's tourism and local area, including tourism business promotion interests are undertaken by Cowra Tourism Corporation over the life of this MOU.

#### **Role of Council**

- To continue to provide, maintain and improve infrastructure that supports tourism industry needs, (litter, township presentation, Visitor Information Centre maintenance, car parking, signage etc).
- To provide a primary link from Cowra Shire Council's homepage to tourism and other relevant links from Council's website to Cowra Tourism Corporation's website.
- To engage in mutually agreed and supportive promotions.
- In consultation with Cowra Tourism Corporation, to continue to ensure that Council's planning instruments and processes recognise tourism related developments/activities, such as Event Tourism as being integral to the shire's strategic development and growth and encourage appropriate tourism development in the region.

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- To ensure Council staff engage with Cowra Tourism Corporation if the need arises, and after approval by the General Manager, provide expertise and advice for initiatives, projects and general operations.
- To monitor the operation of this MOU during the term of the agreement.

#### **Obligations of Cowra Tourism Corporation**

- To develop and submit to Council a one-year Tourism/Marketing Plan outlining the proposed services to be undertaken as well as performance measures in the next financial year to assist Council to be informed on tourism issues. This should be done by March with supportive information as part of Cowra Tourism Corporation's budget submission to enable any projects to be considered by Council as part of normal budgetary processes.
- To provide to Council an adopted budget for Cowra Tourism Corporation by 31 July each year.
- To provide Council with ~~six-monthly~~<sup>quarterly</sup> financial ~~report~~<sup>severview</sup> including balance sheets, profit & loss statements and cash flow statements across all entities controlled by Cowra Tourism.
- To provide Council with ~~six-monthly~~<sup>quarterly</sup> reports on performance against Cowra Tourism's ~~20252-20295~~ Marketing Objectives.
- To be available to make presentations to Council when required.
- To actively support the development and implementation of regional tourism strategies by involvement with State and regional organisations.
- To acknowledge Cowra Shire Council as a principal financial supporter at the Visitor Information Centre and on promotional material including the Cowra Visitor Guide and Website.
- Seek to maximise grant funding opportunities for tourism related projects.
- Provide a copy of the locally developed Destination Management Plan to Council.

#### **Role of Cowra Tourism Corporation**

- To operate a comprehensive website which includes standardised information for all tourism sites in the shire and which provides a link to Cowra Shire Council.
- To actively and accurately coordinate a calendar list of business and community events on the Cowra Tourism website.
- To manage and operate the Cowra Visitors Centre ~~364 days a year from 9am until 5pm~~ in accordance with accreditation guidelines and to maintain current Level One accreditation status of the centre.

- To encourage sustainable high visitation levels to the shire.
- To act as a promoter of Cowra as a great place to visit and to assist business and community to meet and fulfil the expectations of visitors to the shire.
- To work actively with Council to ensure the best provision of public visitor services such as information and amenities.
- To suggest on a continuing basis the fostering by Council of economic and financial policies and instruments which facilitate the successful development and operation of tourism.
- To work with local businesses and Council in conducting tourism industry development activities, networking and familiarisation tours.
- To develop timely and regular promotional and media material.
- To promote the value of tourism to the wider community.

**General**

This MOU terminates on 30 June 2025 however may be renegotiated or extended during its operation. The parties of this agreement may also enter into other contracts or agreements as required for the delivery of services which shall be in writing and form attachments to this agreement.

Significant departures from the terms or the spirit of the MOU that are raised by either party will be resolved on a co-operative basis with a view to action being agreed to rectify such issues however if unresolved, will be reported to Council. Should such action not be successful in resolving the matter it will be subject to a report to a Council meeting.

**Management**

Meetings will be held between Cowra Shire Council and Cowra Tourism Corporation as set out in this MOU but also as agreed between the Council's General Manager and the Manager of Cowra Tourism Corporation to ensure that the objectives of this MOU are being met and that if necessary agreed corrective action can be undertaken.

**Acknowledgement**

Both parties to this MOU will acknowledge each other in appropriate communications to appropriate and relevant tourism stakeholders.

**Terms of Agreement**

Cowra Shire Council and Cowra Tourism Corporation hereby acknowledge their acceptance of the terms and conditions of this Memorandum of Understanding.

**SIGNED FOR COWRA COUNCIL**

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**Paul Devery**  
General Manager

**Date**

**SIGNED FOR COWRA TOURISM CORPORATION**

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**Kurt Overzet**  
Tourism Manager

**Date**

## 6 DIRECTOR-CORPORATE SERVICES

### 6.1 Release of Closed Decisions

File Number: D25/920

Author: Alan Dalton, Director - Corporate Services

### RECOMMENDATION

**That Council note the release of the resolutions made in Closed Council at the Ordinary Council Meetings held on 26 May and 23 June 2025:**

#### **Council Building Asset - 1 Bourke Street, Cowra - Lot 11 Section 22 DP 977420**

##### ***Resolution 110/25***

***That Council defer consideration of this item to the next General Committee meeting, pending receipt of further information from council's insurer.***

#### **Proposed Low Level Bridge Major Maintenance**

##### ***Resolution 111/25***

***That Council enter into a contract with Timber Restoration Services in the amount of \$419,915 excl GST (\$461,906.50 incl GST) for the Low Level Bridge - Retrofit Repairs per Level 2 Inspection Report – 2025 on the basis that a satisfactory result would not be achieved by inviting tenders because:***

- 1. Council has engaged the same companies***
  - a. Wood Research and Development***
  - b. Timber Restoration Services***

***to complete the structural condition assessment and bridge structural repairs since the 2019 inspection and repairs, to maintain continuity of the assessment process and planned cyclical repairs;***
- 2. the standard of work completed in 2019 has been demonstrated by subsequent structural assessment to be of high standard;***
- 3. Council has the opportunity to, and will, supplement the contractor team with its internal workforce to reduce costs and increase internal skill levels.***

#### **Request for Tender SI 2025: Supply and Delivery of Bulk Fuel for Central NSW Councils**

##### ***Resolution 131/25***

***That Council:***

- 1. accept and sign a contract with the following organisations for the supply and delivery of bulk fuel:***
  - Castlyn Pty Ltd. T/A Inland Petroleum;***
  - Ocwen Energy Pty Ltd T/As Lowes Petroleum Service; and***
  - Petro National Pty Ltd T/A Oilsplus; and***

2. *advise the Central NSW Joint Organisation of its decision.*

**Council Building Asset - 1 Bourke Street, Cowra - Lot 11 Section 22 DP 977420****Resolution 132/25**

**That:**

1. *Council relocate the fencing of 1 Bourke Street Cowra to the boundaries of Lot 11 Section 22 DP77420.*
2. *Council sell Lot 11 Section 22 DP77420 in accordance with the Disposal of Council Assets Policy.*

**Expression of Interest - Cowra Aquatic Centre Upgrade****Resolution 133/25**

**That Council:**

1. *Invite the following organisations to submit tenders for the Cowra Aquatic Centre Upgrade (RFT No: 2006590):*
  - *Dalski Pty Ltd (ABN: 11 107 119 442);*
  - *Elm Group Pty Ltd (ABN: 26 646 788 614);*
  - *Endeavour Pools & Spas Pty Ltd (ABN: 91 629 498 246); and*
  - *Momentum Built Pty Ltd (ABN: 31 138 854 618).*

**Electricity Procurement****Resolution 134/25**

***That Council note the confidential report on Council electricity procurement.***

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**INTRODUCTION**

The above decisions were made at the Council Meetings on 26 May and 23 June 2025 and have now been released by the Chair.

**BUDGETARY IMPLICATIONS**

Nil

**ATTACHMENTS**

Nil

**6.2 Policy - Payment of Expenses and the Provision of Facilities to the Mayor and Councillors**

File Number: D25/969

Author: Alan Dalton, Director - Corporate Services

**RECOMMENDATION**

**That Council agree to publicly exhibit for 28 days the proposed updated Policy – Payment of Expenses and the Provision of Facilities to the Mayor and Councillors, based on the model template released by the Office of Local Government.**

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**INTRODUCTION**

Section 252 of the *Local Government Act 1993* (the Act) requires a councillor expenses policy to be adopted within 12 months of a new Council term commencing. Section 253 of the Act requires a draft councillor expenses policy to be publicly exhibited for 28 days before adoption by Council.

The draft Policy - Payment of Expenses and the Provision of Facilities to the Mayor and Councillors, is included at Attachment 1 and was prepared based on an updated template issued by the Office of Local Government (OLG) as a suggested format for NSW councils.

**BACKGROUND**

Council's existing policy was reviewed in June 2015, and is included at Attachment 2 for reference, however as the updated OLG template differs so substantially from the existing policy, tracked changes of updates are not provided. Key features of the proposed policy include:

- Six-monthly reporting of expenses paid to each councillor.
- Rates of expenses reimbursement and allowances are based on the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as updated.
- Introduction of a new requirement is introduced for the mayor to keep a log book for use of the mayoral vehicle.
- For councillors travelling internationally, revising the class of airfare entitlement from economy to premium economy, if available.
- Providing councillors issued a laptop computer rather than an internet-enabled tablet, with a \$20 reimbursement of home internet expenses (equivalent to the cost of a tablet SIM card).
- Requiring pre-approval for expected expenses exceeding \$100.

Differences from the model policy include:

- Removal of expense caps for individual councillors, due to the typically low level of councillor benefits paid, preferencing flexible management of our modest budget for such expenses and due to the new six-monthly reporting requirement on payments to councillors.
- Retaining provision for spousal and partner expenses in certain circumstances, in order to reflect that their occasional attendance at Council events accords with councillors' roles.



The previous inclusion of partner expenses to attend the annual Local Government NSW and Australian Local Government Association conferences is, however, removed.

**BUDGETARY IMPLICATIONS**

Nil – provision for councillor expenses and related costs was included in Council's recently-adopted Long Term Financial Plan.

**ATTACHMENTS**

1. Payment of Expenses and the Provision of Facilities to the Mayor and Councillors - Amended  
[!\[\]\(b1b781be830eb908d845c527ab08d5f8\_img.jpg\)](#)
2. Payment of Expenses and the Provision of Facilities to the Mayor and Councillors - Current  
[!\[\]\(2176a4ba510fa27404d783166e891577\_img.jpg\)](#)

# COUNCIL POLICY



## Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

2025/23789

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 Payment of Expenses and the Provision of Facilities to the Mayor and Councillors
 

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Council Meeting Date	27 January 2015
Council Department	Corporate Services
Contact Officer	Director-Corporate Services
Revision Required	Annually

Policy Review

This policy shall be reviewed yearly at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.

Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
1	12 July 2004	90/2004	Director-Corporate Services
2	29 March 2005 (Item 4)	20/2005	Director-Corporate Services
3	25 March 2008	62/2008	Director-Corporate Services
4	28 June 2010	169/2010	Director-Corporate Services
5	27 September 2010	283/2010	Director-Corporate Services
6	28 October 2013	232/2013	Director-Corporate Services
7	27 January 2015	13/2015	Director-Corporate Services
8	July 2025		Director-Corporate Services

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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## Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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### Policy summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and Local Government (General) Regulation 2021 (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy includes the maximum amounts Council will pay for specific expenses and facilities, and identifies other in-kind support that may be provided. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expenses and Facilities Table

Expense or facility	Maximum aggregate amount for all councillors	Frequency
General travel expenses	\$15,032	Per year
Interstate, overseas and long distance intrastate travel expenses	\$Nil	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Training & Conferences	\$31,580	Per year
Information and communications technology (ICT) expenses	ICT hardware provided by Council	Per year
Carer expenses	\$694	Per year
Councillor Communication Expenses	\$4,931	Per year
Access to facilities in a Councillor common room Clause 9.1]	Councillor room provided for access by all councillors	Not relevant
Council vehicle and fuel card [where applicable Clause 10]	Provided to the mayor	Not relevant
Number of staff supporting the Mayor and Councillors [where applicable Clause 10]	One personal assistant shared by the general manager and mayor	Not relevant

Additional costs incurred by a councillor in excess of these limits are considered a personal expense that is the responsibility of the councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

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#### Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website.

These reports will include expenditure summarised by individual councillor and as a total for all councillors.

## Part A – Introduction

### 1. Introduction

- 1.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Cowra Shire Council.
- 1.2. The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to councillors. The minimum and maximum fees a Council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

### 2. Policy Objectives

#### 2.1. The objectives of this policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties.
- enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties.
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors.
- ensure facilities and expenses provided to councillors meet community expectations.
- support a diversity of representation.
- fulfil the council's statutory responsibilities.

### 3. Principles

#### 3.1. Council commits to the following principles:

- **Proper conduct:** councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
- **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor
- **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a councillor
- **Equity:** there must be equitable access to expenses and facilities for all councillors
- **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.

#### 4. Private or Political Benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, councillors must reimburse the council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
  - production of election material
  - use of Council resources and equipment for campaigning
  - use of official Council letterhead, publications, websites or services for political benefit
  - fundraising activities of political parties or individuals, including political fundraising events.

### Part B – Expenses

#### 5. General Expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

#### 6. Specific Expenses

##### **General travel arrangements and expenses**

- 6.1. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each councillor, and the mayor, may be reimbursed for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
  - for public transport fares

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- for the use of a private vehicle or hire car
- for parking costs for Council and other meetings
- for tolls
- by Cabcharge card or equivalent
- for documented ride-share programs, such as Uber, where tax invoices can be issued.

6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.

6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

**Interstate, overseas and long distance intrastate travel expenses**

6.5. In accordance with Section 4, Council will scrutinise the value and need for councillors to undertake overseas travel. Councillors should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the council and the local community. This includes travel to sister and friendship cities.

6.6. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the general manager prior to travel.

6.7. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.

6.8. The case should include:

- objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties
- who is to take part in the travel
- duration and itinerary of travel
- a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.



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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- 6.9. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.10. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.11. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.12. Bookings for approved air travel are to be made through the general manager's office.
- 6.13. For air travel that is reimbursed as Council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

**Travel expenses not paid by Council**

- 6.14. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

**Accommodation and meals**

- 6.15. In circumstances where it would introduce undue risk for a councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the general manager. This includes where a meeting finishes later than 9.00 pm or starts earlier than 7.00 am and the councillor lives more than 50 kilometres from the meeting location.
- 6.16. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside \$150 km of the Cowra Shire Boundary.
- 6.17. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employee (Public Service conditions of Employment Reviewed Award 2009, as adjusted annually.
- 6.18. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.17.
- 6.19. Councillors will not be reimbursed for alcoholic beverages.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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**Refreshments for Council related meetings**

- 6.20. Appropriate refreshments will be available for Council meetings, Council committee meetings, councillor briefings, approved meetings and engagements, and official Council functions as approved by the general manager.
- 6.21. As an indicative guide for the standard of refreshments to be provided at Council related meetings, the general manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

**Professional development**

- 6.22. Council will set aside an amount in its annual Long Term Financial Plan to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies, and to facilitate councillor attendance at conferences and seminars. The General Manager will ensure that access to expenses for professional development is distributed equally.
- 6.23. In the first year of a new Council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.24. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.25. Approval for professional development activities is subject to a prior written request to the general manager outlining the:
- details of the proposed professional development
  - relevance to Council priorities and business
  - relevance to the exercise of the councillor's civic duties.
- 6.26. In assessing a councillor request for a professional development activity, the general manager must consider the factors set out in Clause 6.25, as well as the cost of the professional development in relation to the councillor's remaining budget.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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**Conferences and seminars**

- 6.27. Council is committed to ensuring its councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.28. Council will set aside an amount in its annual budget to facilitate councillor attendance at conferences and seminars to be administered consistent with clause 6.22.
- 6.29. Approval to attend a conference or seminar is subject to a written request to the general manager. In assessing a councillor request, the general manager must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the councillor's civic duties
  - cost of the conference or seminar in relation to the total remaining budget.
- 6.30. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the general manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.16-6.18.

**Information and communications technology (ICT) expenses**

- 6.31. Council will provide councillors with a:
- laptop computer and reimburse up to \$20 per month on presentation of a tax invoice \$20 per month to offset internet data costs; or
  - tablet device with a mobile data SIM card.
- 6.32. Councillors may seek reimbursement for applications on their mobile electronic communication device that are necessary to undertake their duties as a councillor.

**Special requirement and carer expenses**

- 6.33. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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provision for sight or hearing impaired councillors and those with other disabilities.

- 6.34. Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.
- 6.35. In addition to the provisions above, the general manager may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.
- 6.36. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$10 per hour for attendance at official business, plus reasonable travel from the principal place of residence. Council will reimburse at an agreed reasonable cost.
- 6.37. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.38. In the event of caring for an adult person, councillors will need to provide suitable evidence to the general manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

**Spouse and Partner Expenses**

- 6.39. Council shall meet the following costs of an accompanying person for attending:
- (a) The costs of registration and any official conference dinners of the mayor's or councillor's accompanying person in attending the annual conferences of LGNSW, but excluding any travel expenses, additional accommodation expenses and any optional personal tours which shall be the personal responsibility of the individual councillor.
  - (b) Official council functions within area.
  - (c) Costs incurred by the mayor or a councillor on behalf of, or by, an accompanying person in attending official council functions of a formal and ceremonial nature within the Cowra Shire local government area, such as Australia Day awards ceremonies, citizenship ceremonies, civic receptions, mayoral receptions and the annual Christmas function held for council and senior staff.
  - (d) Community organised functions within area.
  - (e) Community organised functions to which the mayor or councillors and their partners have been invited to attend as representatives of Council. The latter would include but not be limited to events such as balls, annual dinners of service organisations, sportsman of the year awards and better business awards.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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Note: The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above should be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

- 6.40. The council shall not meet the costs of an accompanying person for attending any event, function, seminar or conference outside the Council area, including interstate and overseas. In these situations, all costs, including any additional accommodation costs, must be met by the councillor or the spouse/partner/accompanying person unless by special resolution of the Council.

## 7. Insurances

- 7.1. In accordance with Section 382 of the Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this policy.
- 7.2 Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 7.4 Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.

## 8. Legal Assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:

- a councillor defending an action arising from the performance in good faith of a function under the Act provided that the outcome of the legal proceedings is favourable to the councillor
- a councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor
- a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.

- 8.2. In the case of a code of conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the general manager

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.

8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.

8.4. Council will not meet the legal costs:

- of legal proceedings initiated by a councillor under any circumstances
- of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
- for legal proceedings that do not involve a councillor performing their role as a councillor.

8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

## Part C – Facilities

### 9. General Facilities for all Councillors

#### Facilities

9.1. Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:

- a councillor common room appropriately furnished to include telephone, photocopier, printer, desk, computer terminals, pigeon holes
- access to shared car parking spaces while attending council offices on official business
- personal protective equipment for use during site visits
- a name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or mayor or deputy mayor.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- 9.2. Councillors may book meeting rooms for official business in a specified council building at no cost. Rooms may be booked through a specified officer in the mayor's office or other specified staff member.
- 9.3. The provision of facilities will be of a standard deemed by the general manager as appropriate for the purpose.

**Stationery**

- 9.4. Council will provide the following stationery to councillors each year:
- letterhead, to be used only for correspondence associated with civic duties
  - business cards
  - postage for associated mailing of official correspondence.

**Administrative support**

- 9.5. Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by council's administrative staff as arranged by the general manager or their delegate.
- 9.6. As per Section 4, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

**10. Additional Facilities for the Mayor**

- 10.1. Council will provide to the mayor a maintained vehicle to a similar standard of other Council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the mayor's office.
- 10.2. The mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to council on a monthly basis.
- 10.3. The mayoral allowance will be reduced to cover the cost of any private travel recorded in the log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.4. A parking space at council's offices will be available for the mayor's council-issued vehicle for use on official business, professional development and attendance at the mayor's office.
- 10.5. Council will provide the mayor with a furnished office incorporating a computer configured to council's standard operating environment, telephone and meeting space.
- 10.6. In performing his or her civic duties, the mayor may be assisted by a small number of staff providing administrative and secretarial support, as determined by the general manager.
- 10.7. The number of exclusive staff provided to support the mayor will not exceed one full time equivalent.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- 10.8. As per Section 4, staff assisting the mayor are expected to work on official business only, and not on matters of personal or political interest, including campaigning.

## **Part D – Processes**

### **11. Approval, Payment and Reimbursement Arrangements**

- 11.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses exceeding \$100, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
- local travel relating to the conduct of official business
  - carer costs
  - ICT expenditure.
- 11.4. Final approval for payments made under this policy will be granted by the general manager or their delegate.

#### **Direct payment**

- 11.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the director – corporate services for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

#### **Reimbursement**

- 11.6. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the director – corporate services.

#### **Notification**

- 11.7. If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.
- 11.8. If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.



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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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**Reimbursement to council**

- 11.9. If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy, council will invoice the councillor for the expense:
- the councillor will reimburse council for that expense within 14 days of the invoice date
  - if the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the general manager. The general manager may elect to deduct the amount from the councillor's allowance.

**Timeframe for reimbursement**

- 11.10. Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

**12. Disputes**

- 12.1. If a councillor disputes a determination under this policy, the councillor should discuss the matter with the general manager.
- 12.2. If the councillor and the general manager cannot resolve the dispute, the councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

**13. Return or Retention of Facilities**

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a councillor desire to keep any equipment allocated by council, then this policy enables the councillor to make application to the general manager to purchase any such equipment. The general manager will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by councillors under Clause 13.2 will be recorded in Council's annual report.

**14. Publication**

- 14.1. This policy will be published on council's website.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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### 15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulation.
- 15.2. Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a Council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

### 16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in council's audit program and an audit undertaken at least every two years.

### 17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the general manager.
- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

## PART E – Appendices

### 18. Appendix I: Related Legislation, Guidance and Policies

#### Relevant legislation and guidance:

- *Local Government Act 1993*, Sections 252 and 253
- *Local Government (General) Regulation 2021*, Sections 217 and 403
- *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009*
- *Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities*
- *Local Government Circular 05-08 legal assistance for Councillors and Council Employees.*

#### Related Council policies:

- Code of Conduct

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 Payment of Expenses and the Provision of Facilities to the Mayor and Councillors
 

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### 19. Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support councillors undertaking official business
Act	Means the <i>Local Government Act 1993 (NSW)</i>
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the mayor
General Manager	Means the general manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix I
NSW	New South Wales
official business	Means functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: meetings of Council and committees of the whole meetings of committees facilitated by Council civic receptions hosted or sponsored by council meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor
Regulation	Means the <i>Local Government (General) Regulation 2021 (NSW)</i>
year	Means the financial year, that is the 12 month period commencing on 1 July each year

# COUNCIL POLICY



Payment of Expenses and the Provision of  
Facilities to the Mayor and councillors

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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Council Meeting Date	27 January 2015
Council Department	Corporate Services
Contact Officer	Director-Corporate Services
Revision Required	Annually

Policy Review

This policy shall be reviewed yearly at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.

Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
1	12 July 2004	90/2004	Director-Corporate Services
2	29 March 2005 (Item 4)	20/2005	Director-Corporate Services
3	25 March 2008	62/2008	Director-Corporate Services
4	28 June 2010	169/2010	Director-Corporate Services
5	27 September 2010	283/2010	Director-Corporate Services
6	28 October 2013	232/2013	Director-Corporate Services
7	27 January 2015	13/2015	Director-Corporate Services

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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**PART 1 – INTRODUCTION****1.1 Title and Commencement of Policy**

This policy is titled Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

**1.2 Purpose of the Policy**

A Councillor expenses and facilities policy allows councillors to receive adequate and reasonable expenses and be provided with facilities to enable them to carry out their civic duties as elected representatives of their local communities. The purpose of this policy is to comply with the guidelines issued by the Department of Local Government (October 2009) together with Circular 11/27 *Findings from Review of Councillor Expenses and Facilities Policies*. Such a policy aims to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors and that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

**1.3 Policy Goals**

To provide guidelines on:

- Types of expenses Councillors are entitled to claim payment for from the Council.
- Council equipment that may be used by Councillors, frequency with which equipment may be used and the process to be followed in using it.
- Facilities available to the Mayor above and beyond the facilities made available to other Councillors.

To ensure that no Councillor suffers financial hardship by meeting their civic responsibilities and obligations or by reason of meeting their civic responsibilities as an elected person.

To adequately reimburse Councillors for expenses incurred in the performance of their duties, including expenses incurred in becoming adequately informed on subjects relevant to their civic duties over and above the payment by Council of Councillors' annual fees which are a matter for the Local Government Remuneration Tribunal.

**PART 2 LEGISLATIVE REQUIREMENTS****2.1 Legislative Provisions Objectives**

The object of this policy is to comply with the mandatory provisions of

- Sections 248, 249, 250, 251, 252, 253 and 254 of the Local Government Act, 1993 and Local Government (General) Regulation 2005
- NSW Government policy provisions including Department of Local Government (DLG) Guidelines, Circulars to Councils, Model Code of Conduct for local Councils in NSW and ICAC publications. Section 253 of the *Local Government Act 1993*

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- Cowra Council Code of Conduct March 2013
- Guidelines issued under Section 23A of the Local Government Act 1993.
- Circular 05/08 Legal assistance for Councillors and Council employees.
- Circular 08/24 Misuse of Council Resources
- Circular 08/37 Council Decision Making Prior to Ordinary Elections
- The Local Government (General) Regulation
- Any relevant guidelines issued under Section 23A of the Act.
- Any regulations issued under Section 23A of the Act
- Section 23A makes provision for the Director-General of the Department of Local Government to prepare, adopt or vary guidelines that relate to the exercise by a Council of any of its functions.
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW - Division of Local Government ,Department of Premier and Cabinet - October 2009
- Department of Local Government Circular 11/27 *Findings from Review of Councillor Expenses and Facilities Policies*

## 2.2 Specific Provisions under the Local Government (General) Regulation 2005

Clause 403 (Payment of expenses and provision of facilities) states:

*“A policy under Section 252 of the Local Government Act 1993 must not include any provision enabling a Council:*

- (a) to pay any Councillor an allowance in the nature of a general expense allowance; or*
- (b) to make a motor vehicle owned or leased by the Council available for the exclusive or primary use or disposition of a particular Councillor other than a Mayor.”*

## 1.3 The Model Code of Conduct for Local Councils in NSW

The policy should be consistent with the Model Code of Conduct for Local Councils in NSW, Department of Local Government – March 2013. The following parts of the code are particularly relevant to s252 policies:

*“Use of Council Resources*

- 7.12 You must use Council resources ethically, effectively, efficiently and carefully in the course of your official duties, and must not use them for private purposes (except when supplied as part of a contract of employment) unless this use is lawfully authorised and proper payment is made where appropriate.*
- 7.14 You must be scrupulous in your use of Council property including intellectual property, official services and facilities and should not permit their misuse by any other person or body.*
- 7.15 You must avoid any action or situation which could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body*



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- 7.16. *You must not use council resources, property or facilities for the purpose of assisting your election campaign or the election campaign of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.*
- 7.17 *You must not use council letterhead, council crests and other information that could give the appearance it is official council material for:*
- the purpose of assisting your election campaign or the election campaign of others, or for other non-official purposes.*
- 7.18 *You must not convert any property of the council to your own use unless properly authorised.*
- 7.19 *You must not use council's computer resources to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.*

**2.4 ICAC Publication - No Excuse for Misuse, Preventing the Misuse of Council Resources**

Councils should also be aware of and take account of the Independent Commission Against Corruption (ICAC) publication "No Excuse for Misuse, preventing the misuse of Council resources (Guidelines 2)" November 2002. This publication is available on the ICAC website at [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au).

**2.5 Reporting Legislative Requirements**

Section 428 of the *Local Government Act 1993* provides for specific information to be included in Council's Annual Report setting out details of payments made to Mayors and Councillors.

**PART 3 MAKING AND ADOPTING THE POLICY**

**3.1 Council must**

- implement Section 253 of the *Local Government Act 1993* by giving public notice of its intention and allow at least 28 days for public submissions before adopting or amending a policy.
- consider any submissions received and make any appropriate changes to the policy.
- not close to the public any Council or Committee meeting which considers the adopting or amending of such a policy

**3.2 Council does not need to give public notice of a proposed amendment to the policy, if the amendment is not substantial. The term "not substantial" should be taken to mean minor changes to wording of the policy or changes to monetary provisions or rates that are less than 5%. It also means minor changes to the standard of the provision of equipment and facilities. Substantial amendments to the policy that could include larger changes to monetary limits than the limit noted above, and/or major changes to the standard of provision of equipment and facilities, will require public notice of the amendment. Any new**

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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category of expenses, facilities and equipment included in the policy will also require public notice.

- 3.3** Changes to Sections 252(5) and 253 of the Local Government Act 1993, made by the Local Government Amendment Act 2005, require Councils to make and submit their expenses and provision of facilities policies annually to the Department of Local Government by 30th November each year even if the policy is the same as the existing policy.
- 3.4** Council will review this policy in September each year.
- 3.5** Following adoption of the policy a copy will be made available on Council's website at [www.cowracouncil.com.au](http://www.cowracouncil.com.au).
- 3.6** Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this Section, a Council is to forward to the Director-General:
- (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and
  - (b) a statement setting out, for each submission, the Council's response to the submission and the reasons for the Council's response, and
  - (c) a copy of the notice given under subsection (1).
- 3.7** The public is able to inspect during office hours at the Council, and at no charge, the current version and the immediately preceding version of the Council's expenses and facilities policy. The public are also entitled to a copy of the policy either free of charge or on payment of a reasonable copying charge.

## **PART 4 – GENERAL PROVISIONS**

### **4.1 General**

- 4.1.1** Mayors and Councillors can only be reimbursed for expenses and provided with facilities in accordance with this policy.
- 4.1.2** Council can reduce the amount payable to Mayors and Councillors (under Sections 248-251 of the Local Government Act 1993) by the amount representing any private benefit of a facility provided by the Council to them
- 4.1.3** The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the Mayor or a Councillor of a facility provided by the Council to the Mayor or Councillor.
- 4.1.4** A Council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the Mayor, the deputy Mayor (if there is one) or a Councillor otherwise than in accordance with a policy under this Section.
- 4.1.5** A Council may from time to time amend a policy

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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**4.2 Allowances and Expenses**

Council does not provide general allowances to Councillors. Councillors are entitled to the expenses set out in this policy provided that they satisfy the stated requirements.

**4.3 Private Benefit**

Councillors are not to receive private benefit from Council expenses such as frequent flyer points or other loyalty schemes.

**4.4 Political Benefit**

Council facilities must not be used for the production of election material such as pamphlets etc.

No payment will be made by Council for attendance by a Councillor at any political fundraising event, for any donation to a political party or candidate's electoral fund or for some other private benefit.

**4.5 Token Gifts**

In circumstances where it is appropriate for Councillors to give a gift or benefit (for example, on a Council business related trip or when receiving visitors), these gifts and benefits should be of token value and in accordance with a policy developed by the Council.

**4.6 Participation Equity and Access**

4.6.1 Councillor expenses and facilities are designed to be non-discriminatory, equitable and encourage participation of Council by people from diverse backgrounds that represent the demographics of the local community.

4.6.2 Council also provides in its budget an allocation for carers leave to ensure that any person in the role of primary caregiver may be able to seek election to Council and not be financially disadvantaged.

**4.7 Dispute Resolution – Payment of Expense Claims**

Approval for expenses claimed as a result of attendance at a conference, seminar or function for which there is no formal Council resolution to attend will normally be made jointly by the General Manager and the Mayor (or if the claim is made by the Mayor, the General Manager and the Deputy Mayor or another Councillor). In the event of a dispute as to the payment of expenses claimed by a Councillor the General Manager will prepare a report for consideration to the corporate meeting and then that recommendation will be taken to the Council meeting where Council's decision will be final.

**4.8 Insurance Expenses and Obligations**

Councillors are to receive the benefit of insurance cover for:

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- **personal injury** for matters arising out of Councillor's performance of civic duties or exercise of their functions under the Act but subject to any limitations set out in the policy of insurance that is, at the direction of Council, taken out;
- **professional indemnity** for matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty is, in the opinion of Council, in good faith or proper. But subject to any limitations or conditions set out in the policy of insurance that is, at the direction of Council, taken out;
- **public liability** (including Councillor's Personal Liability, Employment Practices and Statutory Liability) for matters arising out of Councillor's performance of civic duties or exercise of their functions under the Act but subject to any limitations set out in the policy of insurance that is, at the direction of Council, taken out.

#### 4.9 Legal Expenses and Obligations

- 4.9.1 Council may by resolution indemnify or reimburse the reasonable legal expenses of the following provided that the outcome of the legal proceedings is favourable to the Councillor:
- A Councillor defending an action arising from the performance, in good faith, of a function under *the Local Government Act*; or
  - A Councillor defending an action in defamation provided the statements complained of were made in good faith while exercising a function under the *Local Government Act*; or
  - Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the *Local Government Act* should be distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term of office.
- 4.9.2 It should be noted that Council would not meet the costs of an action in defamation taken by a Councillor in any circumstances where legal proceedings are initiated by a Councillor or where legal proceedings involve the Councillor not undertaking their role as a Councillor.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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## **PART 5 – PAYMENT OF EXPENSES**

### **5.1 Reimbursement and Reconciliation of Expenses**

The policy does not provide reimbursement of payment of expenses of a private benefit unless such are incidental expenses

### **5.2 Annual Fees**

Councillors' annual fees do not fall within the scope of this policy.

### **5.3 Making a Claim for Expenses**

5.3.1 Reimbursement of expenses shall only be made upon the production of appropriate receipts and/or tax invoices and the completion of the required claim forms.

5.3.2 All reimbursement of expenses must be approved by the General Manager or his delegate and Mayor or Deputy Mayor. Expenses must not be approved by one sole decision maker.

5.3.3 Expenses will only be reimbursed in accordance with the provisions of this policy.

5.3.4 A Councillor seeking reimbursement must **lodge a claim within 3 months** of the expense being incurred before Council will pay for an expense under this policy.

5.3.5 Overseas travel must be approved by a meeting of full Council prior to the Councillor taking a trip and must be included in the Council business paper for that meeting and not through a Mayoral Minute. Upon the Councillor's return, a report on the visit must be presented to Council.

5.3.6 Each claim must include original receipts, or tax invoices (where GST applies), to be considered for reimbursement. Council will pay properly documented claims within seven days of the submission of the claim.

5.3.7 With the exception of claims for travel where the Councillor's private vehicle has been used, any claim where the expense incurred is greater than \$55.00 inclusive of GST, a Tax Invoice **must** be provided. Failure to provide a valid Tax Invoice will result in an amount equal to the GST component being deducted from the reimbursement.

### **5.4 Payment in Advance**

5.4.1 Where it is not appropriate or practicable for Council to pay in advance for a Councillor to attend a conference, seminar or other event, cash or a cheque equivalent will be paid to the Councillor in advance.

5.4.2 Councillors must reconcile all expenses against the amount of the advance within 30 days of returning from the event concerned, and present the reconciliation to Council with all receipts, or tax invoices if GST applies.

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 Payment of Expenses and the Provision of Facilities to the Mayor and Councillors
 

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- 5.4.3 All funds not expended on official business must be reimbursed to Council within a further 30 days. Council is entitled to deduct from the Councillor's monthly fees any amounts outstanding after this time.

## 5.5 Establishment of Monetary Limits and Standards

Cowra Shire Council will review the limits applicable to its payments of expenses for Councillors on an annual basis when preparing the Management Plan. For the current year (2012/2013) Council's budget contains the following allocations:

Mayoral expenses	\$	9,270
Mayoral motor vehicle expenses	\$	22,446
Travelling expenses all Councillors	\$	13,217
Conference/ seminar expenses	\$	10,970
Training, skills and development	\$	5,485
Councillor interstate visits	\$	4,275
Councillor partner/spouses expenses	\$	3,291
Councillor carer expenses	\$	515
Telephone/Facsimile expenses all Councillors	\$	5,665

## 5.6 Telephone Costs and Expenses

- 5.6.1 If a Councillor uses his or her fixed phone/mobile phone for official business, Council will for that portion of costs of council to private use:
- reimburse the cost for official calls up to a maximum value of \$50.00 per month (including GST); OR
  - reimburse the network, line rentals, leasing or acquisition costs of a mobile phone to a maximum value of \$50.00 per month (including GST); OR
  - reimburse costs including a combination of the two options above to a maximum value of \$50.00 per month (including GST).
- 5.6.2 Reimbursement of call costs expenses applies to a phone owned or leased by a Councillor, and extends to include a phone acquired before the commencement of this policy, or subject to a lease or network access plan which existed before the commencement of this policy, and which continues after the commencement of this policy.
- 5.6.3 Charges in excess of \$50.00 per month (including GST) are the responsibility of the Councillor.
- 5.6.4 Where a Councillor claims telephone expenses, the claim must include an activity statement from the service provider, where available, or such other proof of the amount of official calls as the General Manager requires.
- 5.6.5 Councillors must seek reimbursement in a formal written claim lodged not later than three months after the expense was incurred.
- 5.6.6 Council will pay properly documented claims within seven days of the submission of the claim.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- 5.6.7 Telephone includes smart phones whether or not they include computing, telephone, wireless internet and/or wireless email functionality.

**5.7 Internet**

Internet access is provided to each councillors via iPads. There is no general reimbursement for other private internet costs incurred.

**5.8 Care and Other Related Expenses**

- 5.8.1 Council will reimburse Councillors for the reasonable cost of child/dependant care services (including care of elderly, disabled and/or sick immediate family members of Councillors) incurred while attending Council meetings, Committee meetings, workshops, briefing sessions and other meetings relating to Council's operations.
- 5.8.2 Councillors will be reimbursed for expenses associated with child/dependent care paid to providers other than immediate family, spouse or partner up to 1 hour before and after such meetings (based on advertised commencement time) subject to the prescribed form being completed and/or the production of appropriate documentation/receipts.
- 5.8.3 The amount of reimbursement will be the actual cost incurred, with a maximum of \$15.00 per hour applying.

**5.9 Additional Expenses for the Mayor**

**5.9.1 Mayoral Annual Expenses**

- 5.9.1.1 In addition to the Annual Fees payable under Sections 248 and 249 the Mayor shall have access to an expense account, equivalent to the amount specified in the annual budget, to be drawn upon for items of benefit to the community which are incidental to execution of his/her official duties. Such expenses will be countersigned by the General Manager.
- 5.9.1.2 Other expenses incurred by the Deputy Mayor and Councillors, whilst representing the Mayor or Council, may be payable from this expense account, subject to the approval of the Mayor and General Manager.

**5.9.2 Corporate Credit Card**

The Mayor is to be provided with a Cowra Shire Council corporate credit card for official Council purposes.

**5.9.3 Corporate Fuel Card**

The Mayor is to be provided with a Cowra Shire Council corporate fuel card for the purposes of providing fuel to the vehicle provided to the Mayor for official Council purposes.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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**PART 6 - CONFERENCES, SEMINARS, EDUCATION & TRAINING**

**6.1 Spouse and Partner Expenses**

6.1.1 Council shall meet the following costs of an accompanying person for attending:

- (a) Australian Local Government Association and Local Government New South Wales (LGNSW) Annual Conferences;
- (b) The costs of registration and any official conference dinners of the Mayor's or Councillor's accompanying person in attending the annual conferences of LGNSW, but excluding any travel expenses, additional accommodation expenses and any optional personal tours which shall be the personal responsibility of the individual Councillor.
- (c) Official Council Functions within area.
- (d) Costs incurred by the Mayor or a Councillor on behalf of, or by, an accompanying person in attending official Council functions of a formal and ceremonial nature within the Cowra Shire local government area, such as Australia Day awards ceremonies, citizenship ceremonies, civic receptions, Mayoral Receptions and the annual Christmas function held for Council and Senior Staff.
- (e) Community Organised Functions within area.
- (f) Community organised functions to which the Mayor or Councillors and their partners have been invited to attend as representatives of Council. The latter would include but not be limited to events such as balls, annual dinners of service organisations, Sportsman of The Year awards and Better Business awards.

Note: The payment of expenses for spouses, partners or accompanying persons for attending appropriate functions as permitted above should be confined specifically to the ticket, meal and/or the direct cost of attending the function. Peripheral expenses incurred by spouses, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

6.1.2 The Council shall not meet the costs of an accompanying person for attending:

- (a) Functions outside the area

Any event, function, seminar or conference outside the Council area, including interstate and overseas other than the annual conference of the Local Government and Shires Associations as provided for in (a) 2.2.3 above. In these situations all costs, including any additional accommodation costs, must be met by the Councillor or the spouse/partner/accompanying person unless by special resolution of the Council.



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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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**6.2 Who May Attend Conferences and Seminars**

- 6.2.1 A Councillor who wishes to undertake a trip or attend a conference or similar event must provide a written or emailed request to the Mayor, unless invited to attend by the Mayor. If the trip or attendance is interstate, the Councillor should submit the itinerary and cost for consideration.
- 6.2.2 Attendance will be subject to the joint approval of the Mayor and the General Manager.
- 6.2.3 Clause 6.2.2 does not apply to the Mayor, however, his attendances at conferences and seminars will be reported to Council on a six monthly basis.
- 6.2.3 Council will make an annual allocation to fund attendances at conferences and similar events. However, Council may agree to allocate additional funds in specific cases where it decides that there is a benefit to Council from the attendance.
- 6.2.4 The Mayor may nominate a substitute attendee including the Deputy Mayor or another Councillor in his or her stead on those occasions where the Mayor is unable to be present.
- 6.2.5 After returning from the conference, Councillors or a member of Council staff accompanying the Councillor(s) should provide a written report to Council on the aspects of the conference relevant to Council business and/or the local community. No written report is required for the annual conferences of LGNSW.

**6.3 Attendance at Conferences and Seminars**

- 6.3.1 The conferences to which this policy applies shall generally be confined to:-
- Local Government NSW annual conference
  - Australian Local Government Association annual conference;
  - Special “one-off” conferences called or sponsored by the LGNSW and/or ALGA on important issues;
  - Annual Conference of the major Professions in Local Government;
  - Regional Organisations of Councils Conference;
  - Conferences, which further training and development efforts of the Council and of Councillors, or which relate to or impact upon the Council’s functions;
  - Any Meetings or Conferences of organisations or bodies on which a Councillor of the Council may be elected, or appointed to as a delegate of the Council;
  - Other conferences that may be attended would include those listed in the report provided to Council (from time to time) adopting the delegates/duty delegates.

**6.4 Registration**

The Council will normally pay in advance for all accommodation (double room of an adequate standard), and normal registration costs charged by organisers, including the

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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costs of related official luncheons, dinners and tours that are reasonably relevant to the interests of Council or assist Councillors to discharge the functions of their civic office.

## **6.5 Incidental Expenses**

Reasonable out of pocket or incidental expenses associated with Councillors attending conferences, seminars or training courses may be reimbursed provided that it can be demonstrated that the expenses were actually incurred and that established reconciliation procedures are followed, for example, the completion of a claim form. A claim form must include an itemised account of expenditure and should not be general in nature.

Incidental expenses could reasonably include telephone or facsimile calls, refreshments, internet charges, laundry and dry cleaning, newspapers, taxi fares and parking fees. In addition, the cost of meals not included in the registration fees for conferences or similar functions may be reimbursed after reconciliation. It is expected that councils would specify daily limits to these out of pocket or incidental expenses in their policy. All advanced payments are required to be reconciled.

## **6.6 Training and Educational Expenses**

6.6.1 In addition to attending conferences, Councillors are encouraged to undertake training and educational courses, and attend seminars and briefings from key members of the community, politicians and business that are directly related to their civic functions and responsibilities.

6.6.2 A Councillor who wishes to attend a training and educational course, or attend a seminar or briefing, must provide a written request to the General Manager stating the reasons why the Councillor wishes to attend and what benefits it will bring to Council, unless invited to attend by the Mayor. The approval will be subject to the joint approval of the Mayor and the General Manager. If the Mayor requires approval it will be subject to the joint approval of the Deputy Mayor and the General Manager.

6.6.3 Council will make an annual budget allocation to fund relevant training and educational courses, and attendances at seminars and briefings. However, Council may agree to allocate additional funds in specific cases where it decides that there is a benefit to Council from the attendance. This allocation is for all Councillors taken together and the Mayor and General Manager will ensure that access to training and educational courses is distributed equitably.

6.6.4 Council will reimburse expenses incurred while at training or educational courses, or seminars or briefings, to the limits of, and in the same way as, the allowances referred to under clause 2.4.1.4 'Incidental Expenses' above. However, expenses that are additional to the service component, such as political donations or some other private benefit, are excluded.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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## **PART 7 – TRAVEL CLAIMS**

### **7.1 Local Travel Arrangements and Expenses**

7.1.1 Councillors are entitled to claim "kilometrage" allowance for use of private vehicles to drive from their home to and from:

- Council or Committee meetings;
- appointments within the Cowra Shire area involving Council business;
- inspections within the Cowra Shire area, undertaken according to a resolution of the Council;
- functions or meetings where they act as a representative of the Mayor or Council when requested by the Mayor;
- functions or meetings where the invitation to attend arises only as a result of their position as a Councillor;

7.1.2 Provided that:

- the travel is undertaken expediently, and by the shortest practicable route, subject to personal medical considerations or special needs;
- "kilometrage" rates will be paid at the then current rate set by the appropriate Local Government Award.

7.1.3 The driver is personally responsible for all traffic, speeding or parking fines incurred while travelling in private or Council vehicles on Council business. Where the Councillor is not the driver, the Councillor shall ensure that all traffic, speeding or parking fines are paid.

### **7.2 Travel Outside the Cowra Shire Area Including Interstate Travel**

7.2.1 Travel is to be undertaken by the shortest practicable route, subject to personal medical considerations or special needs;

7.2.2 Council will meet all reasonable travel costs associated with an approved attendance. Travel may be by air, private or hire car, train, coach or taxi.

7.2.3 Where air travel is appropriate, it will be provided by economy class.

7.2.4 Wherever possible and appropriate a Council vehicle will be made available for use by a Councillor travelling outside the Cowra Shire boundary on approved Council business.

7.2.5 Travel by private or hire vehicle shall be permitted provided that:

- The Councillor has first inquired of the General Manager as to the availability of a Council vehicle;

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- the travel is undertaken expediently, and by the shortest practicable route, subject to personal medical considerations or special needs;
- "kilometrage" rates will be paid for private vehicles at the then current rate set by the appropriate Local Government Award;
- payment will not exceed the cost of economy class airfares to and from the particular destination.

## **PART 8 – PROVISION OF FACILITIES & EQUIPMENT**

### **8.1 Provision of Facilities Generally**

- 8.1.1 Councillors should note the requirements of Council's *Code of Conduct for Councillors* when using Council facilities. The Code requires Council resources to be used ethically and only in the course of civic duties unless private use is specifically authorised.
- 8.1.2 Councillors should particularly note that the interests of Councillors in their re-election are private interests. Councillor letterhead, Council crests and other resources must never be used for these purposes.

### **8.2 Private Use of Equipment and Facilities**

- 8.2.1 Councillors should not use Council equipment for their own personal benefit. However, it is acknowledged that incidental use of Council equipment for private benefit may occur. Such incidental use will not be subject to repayment.
- 8.2.2 Where more substantial use of Council equipment occurs Council will seek reimbursement at a rate determined by the:
- Mayor/Deputy Mayor and the General Manager or
  - Council, depending upon the circumstances.

### **8.3 Equipment and Facilities Provided**

Councillors are to be provided with access and use of the following:

- 8.3.1 A room suitably furnished with appropriate office equipment for use by all Councillors;
- 8.3.2 Access to a motor vehicle if available, or alternative arrangement (eg hire car), for the purposes of attending official functions or meetings outside the Council area;
- 8.3.3 Council shall provide secretarial support for Councillors for the following purposes:-
- Answering correspondence received from residents/ ratepayers in relation to the business of Council;

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- Replying to invitations to attend functions/gatherings received in their capacity as Councillor;
- Communications to Council, Councillors or Council staff on official business;
- Other assistance upon request subject to the General Manager's approval.

8.3.4 Council will provide, upon request, the following stationery to Councillors to be used only on Council business:-

- Writing Pads
- Envelopes
- Business Cards
- Writing Pens
- Diary
- Postage for associated mailing of official correspondence.

8.3.5 Use of Council photocopiers, telephones, computers, (& associated equipment) and fax machine in the course of the Councillor undertaking official Council business.

- A Council iPad principally for the distribution of Council agendas and business papers, council related documents and emails. I pads also have internet access. Each iPad has a generous allowance of 4GB of data per month. Councillors are referred to the Cowra Council Code of Conduct in respect of iPad use. Council reserves the right to monitor the quantity of data being used.

#### **8.4 Provision of Additional Equipment and Facilities for Mayor**

8.4.1 In addition to those facilities/equipment listed above, the Mayor will be provided with the use of the following equipment at Council's expense:

- An office suitably furnished;
- Mayoral robes and chains; and
- A motor vehicle to be used primarily in the discharge of the functions of Civic Office and the performance of Council business with limited private use and associated cost being met by the Mayor.
- The vehicle shall always remain the property of the Council.
- A telephone with hands free connection will be included with the vehicle for use on Council business and will remain the property of the Council. The Council will pay associated costs/rentals.
- Secretarial and administrative assistance relating to the discharge of his or her civic functions.
- Use of a mobile telephone for official business.
- Council will pay call, usage and other associated charges not exceeding \$250.00 per month (including GST) for items in (vii) above.

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Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

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- Charges in excess of \$250.00 per month (including GST) are the responsibility of the Mayor and will be paid to Council within 30 days of request.

**8.5 Acquisition and Returning of Facilities and Equipment by Councillors**

- 8.5.1 All equipment provided to the Mayor, Deputy Mayor or a Councillor to assist them to carry out their official duties remains the property of Council and is to be returned to Council upon the Mayor or the Councillor ceasing to hold office.
- 8.5.2 A Councillor may at the cessation of their duties request to purchase the equipment provided to them for their official duties or part thereof. Any items offered for sale to a Councillor under this clause will be offered on the basis that they are valued at a fair market price or the current written down value, whichever is the greater.

**PART 9 - ALLOWANCES**

- 9.1 The following allowances are based on the Australian Taxation Office Taxation Determinations 2012/17. The following limits apply to reimbursement or in the case where accommodation is pre-booked by Council staff.

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 Payment of Expenses and the Provision of Facilities to the Mayor and Councillors
 

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**Table I – Meal and Accommodation Allowances**

The following maximum amounts can only be claimed for the meals AND DRINK specified below.

**Table I: Amounts of reasonable food and drink - within Australia based on Sydney costs component of ATO ruling**

Place	Accommodation \$	Food and drink \$		Incidentals \$
		Breakfast	27.60	
		Lunch	39.10	
		Dinner	54.75	
Adelaide	208.00		121.45	26.75
Brisbane	257.00		121.45	26.75
Canberra	223.00		121.45	26.75
Darwin	287.00		121.45	26.75
Hobart	176.00		121.45	26.75
Melbourne	228.00		121.45	26.75
Perth	260.00		121.45	26.75
Sydney	246.00		121.45	26.75
High cost country centres	190.00		121.45	26.75
Country centres	175.00	Breakfast	25.35	26.75
		Lunch	25.35	
		Dinner	50.55	

## **APPENDIX A – Expenses of Members of Council**



Cowra Shire Council  
Private Bag 342  
Cowra NSW 2794  
Phone: 02 6340 2000  
Fax: 02 6340 2011  
[council@cowra.nsw.gov.au](mailto:council@cowra.nsw.gov.au)  
[www.cowracouncil.com.au](http://www.cowracouncil.com.au)

## 2014-2015 Expenses of Members of Council

[illegible]



## Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

**APPENDIX B – Application to Attend Conference/Seminar**

Cowra Shire Council  
Private Bag 342  
Cowra NSW 2794

Phone: 02 6340 2000  
Fax: 02 6340 2011  
council@cowra.nsw.gov.au  
www.cowracouncil.com.au

**Application to Attend Conference/Seminar**

[Unless invited to attend by the Mayor]

Name: \_\_\_\_\_ Date: \_\_\_\_\_

In accordance with clause 2.3.1, I make application to attend .....

..... [name of conference/seminar]

On ..... [date] at ..... [location]

I feel my attendance at this conference/seminar would be beneficial to me .....

..... [please provide explanation]

I feel my attendance at this conference/seminar would be beneficial to Council .....

..... [please provide explanation]

I anticipate incurring the following expenses:-

- ☐ Registration
- ☐ Accommodation
- ☐ Related official luncheons, dinners, tours etc.
- ☐ Conference dinners
- ☐ Travel expenses
- ☐ Other: .....
- ☐ The trip **is / is not** interstate [Attach itinerary for interstate trips and cost details for consideration]  
[please circle >]

After returning from the conference/seminar, I will provide a written report to Council on the aspects of the conference/seminar relevant to Council business and/or the local community. [No written report required for the annual conferences of the Local Government and Shires Associations.]

I understand that my attendance will be subject to the joint approval of the Mayor/Deputy Mayor and the General Manager.

\_\_\_\_\_  
Councillor

Approval IS / IS NOT given for the above request.

\_\_\_\_\_  
Mayor /  
Deputy Mayor [in the case of application by Mayor]

\_\_\_\_\_  
General Manager

## Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

**APPENDIX C – Application to Attend Training/Education Course**

Cowra Shire Council  
Private Bag 342  
Cowra NSW 2794  
  
Phone: 02 6340 2000  
Fax: 02 6340 2011  
council@cowra.nsw.gov.au  
www.cowracouncil.com.au

**Application to Attend Training/Education Course**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

In accordance with clause 2.3.2, I make application to attend .....

..... [name of training/course]

on.....[date] at ..... [location]

I feel my attendance at this course would be beneficial to me .....

..... [please provide explanation]

I feel my attendance at this course would be beneficial to Council .....

..... [please provide explanation]

I anticipate incurring the following expenses:-

- ☐ Registration  
☐ Accommodation  
☐ Travel expenses  
☐ Other: .....  
☐ The trip **is / is not** interstate [Attach itinerary for interstate trips and cost details for consideration]  
[please circle]

I understand that my attendance will be subject to the joint approval of the Mayor/Deputy Mayor and the General Manager.

\_\_\_\_\_  
Councillor

Approval IS / IS NOT given for the above request.

\_\_\_\_\_  
Mayor /  
Deputy Mayor [in the case of application by Mayor]

\_\_\_\_\_  
General Manager

**6.3 Policy Review - Council Donation Policy**

File Number: D25/1274

Author: Alan Dalton, Director - Corporate Services

**RECOMMENDATION**

**That Council agree that the draft revised Donation Policy, with minor additional content to that endorsed for exhibition by the General Committee of Council, be placed on public exhibition for three weeks, to inform a decision on adopting the policy at the following Council meeting.**

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**INTRODUCTION**

The draft Donation Policy updates the current policy, adopted in 2014. The General Committee of Council reviewed the draft on 14 July 2025, and recommended it be placed on public exhibition.

Councillor Nikki Kiss has proposed that limited additional content be included in the draft policy in advance of its exhibition. This content does not contradict other content and would assist Council in making informed decisions about donation requests. As such, it is considered reasonable to include in the exhibition document.

An updated draft policy with Councillor Kiss' suggested text included as tracked changes, is included at Attachment 1.

**BACKGROUND**

Further to amendments supported by the General Committee of Council for public exhibition, Councillor Kiss has proposed content to:

- At clause 9.3 'Procedures' – clarify that applicants may be invited to present to Council on their requests.
- At clause 9.4 'Conditions for Council Donations' – require recipients to advise Council should they later receive further grants or donations from public agencies towards the same endeavour.

Councillor Kiss' explanation of her intentions informing the proposed additional content, is included as Attachment 2, for Council's information.

The General Committee of Council was briefed on those earlier amendments it endorsed for public exhibition. Consequently, those details are not replicated in this briefing note.

**BUDGETARY IMPLICATIONS**

Nil. Council determined a 2025-26 budget of \$11,497 for donations, in finalising its Long Term Financial Plan.

**ATTACHMENTS**

1. Revised Donation Policy [↓](#)
2. Proposal for Additional Content from Cr Kiss [↓](#)

# COUNCIL POLICY



Donation Policy

Draft

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Donations Policy

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Council Department	Corporate Services
Contact Officer	Director – Corporate Services
Revision Required	Every 4 Years

Policy Review

This policy shall be reviewed at four (4) yearly intervals at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.

Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
1	NA	Various	Director - Corporate Services
2	25 July 2011 (Formerly Donations & Sponsorship Policy)	158/11	Director - Corporate Services
3	22 July 2013	144/13	Director - Corporate Services
4	24 November 2014	271/14	Director - Corporate Services
5	28 July 2025	TBA	Director - Corporate Services

2025/21134

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Cowra Shire Council  
Private Bag 342  
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Internet: [www.cowracouncil.com.au](http://www.cowracouncil.com.au)

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Donation Policy

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Donation Policy

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**1. Introduction**

Cowra Shire Council provides a wide range of services to ratepayers and residents within the local government area. In doing so, Council is committed to supporting activities that contribute to maintaining and adding to the community's rich and supportive culture, and achievements by individuals or groups.

At times Cowra's active community, sporting and cultural sectors may lack the resources they need to achieve their objectives, and Council is prepared to assist by providing financial and 'in-kind' donations in support of local groups and individuals.

These guidelines have been developed to maintain a consistent, open and equitable approach for the consideration and distribution of Council donations, in alignment with its strategic and operating priorities for the benefit of the shire and its residents.

**2. Legal Authority for Donations**

Council is empowered to make donations of financial or other assistance in accordance with Sections 356 and 377 of the *Local Government Act 1993* (as amended).

**3. Definition**

A donation may be in the form of cash, goods, services or rates / charges reductions or waivers. Each form of financial assistance shall be costed and included within Council's Annual Budget as the monetary equivalent.

**4. Funding Limitations**

- Council resources are generally limited to the budgeted amount included in Council's Long Term Financial Plan.
- Council does not guarantee to fund any application in full or in part.
- Unless Council decides otherwise, any decision to provide assistance, it is not an ongoing commitment to support in any following year.

**5. Provisions**

- The granting of all donations will be subject to Council receiving a written application in an approved form.
- Applications compliant with the policy will be referred to Council for a decision.

**6. Purpose**

The objectives of the policy are:

- To establish the basis for Council providing donations to organisations and individuals.
- To establish an application process including guidelines and procedures for use by organisations and individuals in applying for donations (including "in kind" support).

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Donation Policy

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**7. Objectives**

**Objective 1:** To assist local service, cultural, sporting, charitable or not-for-profit organisations and comparable organisations from beyond the shire providing services that benefit shire residents.

**Objective 2:** To assist organisations to conduct quality cultural, sporting and community service programs or events which cannot attract sufficient funds from other sources.

**Objective 3:** To contribute towards the achievement of Cowra Shire Council objectives under Council's Delivery Program and Operational Plan, including ensuring inclusive access to community resources, services and facilities, and promoting equitable opportunities for people with disabilities.

**Objective 4:** To encourage and facilitate broad community participation in cultural, sporting and community service programs and events.

**8. Scope**

This policy applies to **all** requests for donations including both financial and in-kind support. This document sets out the procedures for an application to be assessed as eligible for a recommendation to Council for approval. Each donation that is granted must be approved by a Council resolution.

**9. Eligibility**

An application for a donation must fit one of the categories nominated below:

1. Community development projects – projects that meet an identified community need, have been developed in consultation with the community and encourage participation in the development of the project.
2. Festivals and special events which enhance community spirit.
3. Support for a locally-based voluntary community service or program where the majority of its income is fundraising.
4. Local community, charity and not-for-profit activities or events that may be conducted outside the shire, but provide a meaningful benefit to the shire's residents
5. To assist an individual's, group's or team's sporting, cultural or academic participation at a significant and recognised level.
6. Community, charity and not-for-profit organisations' use of council-owned and controlled facilities including halls, sporting grounds and other venues.

A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this policy until at least 28 days' public notice of Council's proposal to pass the necessary resolution has been given.

In respect of sporting representatives and cultural and academic pursuits:

- An individual or organisation/group is limited to one donation per annum, unless Council deems an exception.
- Council donations for individuals participating in an:



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Donation Policy

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- Overseas event may be granted up to \$800.
- Australian event may be granted up to \$550.
- An application for an individual will only be considered when accompanied by:
  - a letter of support from the relevant local organisation of which the person is a member; and
  - should the event be hosted or sponsored by a state or national body, written confirmation from that body (or, for overseas events, the Australian equivalent) that the person is registered to attend as a participant (i.e. not as an observer or volunteer).

**9.1 Ineligibility Categories**

Applications for purposes in the following categories are ineligible for assistance under this policy:

1. Duplication of a service or a project.
2. Projects occurring outside the Cowra Shire local government area, except where a local benefit can be demonstrated.
3. Activities that are retrospective.
4. Where a more appropriate funding source is available.
5. Where a government department or agency or an organisation primarily funded by the Commonwealth or State Government (including the Department of Education, State Schools and Non-Government Schools) makes application for a donation to fund a normal operating expense.

**9.2 Criteria for Assessment**

In assessing the application, Council will consider the following:

- Does the application meet the eligibility criteria?
- What policy objectives does the project/event meet?
- Who and how many benefit from the project/event (target group)?
- Who and how many will benefit from the donation?
- To what degree is the group or project self financing?
- Has the need for the project/event been demonstrated?
- Has the need for funding been demonstrated?
- Is the organisation able to make a financial or in-kind contribution?
- What efforts have been made, **or are intended to be made**, to seek funds from other sources?
- Does the application have a broad community focus?
- If the project/event has a regional focus, what benefit will occur for Cowra Shire residents?
- What effect would Council making / not making a donation to the project or event have on its outcome?

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Donation Policy

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- Are there any other facilities or venues available and more suitable for the project or event?

**9.3 Procedures**

- All applications for financial assistance should be submitted on the approved application form to Council.
- Applicants may be requested to attend an interview or deliver a presentation to Council as part of the application process.
- A budget for a funded purpose may be requested by Council.
- Upon receipt of an application, an assessment will be submitted to Council for consideration under the current or next future Long Term Financial Plan.

**9.4 Conditions for Council Donations**

- Should a donation recipient be unable to expend the donation they shall advise and explain the circumstances, to the Director – Corporate Services.
- If a donation recipient wishes to modify their request or alter the scope of the intended activity, they shall submit a variation request with the General Manager, who shall then decide whether the modification satisfies the objectives considered when Council decided the original application.
- Where possible or feasible, recipients are requested to give public recognition to the donation received from Council and acknowledge Council's assistance on any related promotional or other material.
- Recipients shall advise Council should they later receive further grants or donations from public agencies towards the same endeavour.
- Where a recipient does not comply with these or other conditions set by Council they may be declared ineligible to receive funding for the following year.
- Council may impose additional conditions on grant recipients where it considers it necessary.

**10. Preparation of Application**

Applicants must submit a completed application form entitled "Application for Financial Assistance/Donation" (refer [Appendix](#)).

**11. Implementation**

Council's Director – Corporate Services will report to Council on each application's compliance with the eligibility criteria. Applications not meeting the eligibility criteria may be refused without the request proceeding to Council, and the applicant advised in writing.

## Donation Policy

## 13. Appendix



Cowra Shire Council  
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www.cowracouncil.com.au

## Application for Financial Assistance/Donation

**Applicant Information****Local Sporting Team/Organisation**

[ applications must be made by the local team of which the individual is a member ]

Contact Name/ Sporting Applicant: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

**Organisation Details**

Organisation responsible for the event/activity: \_\_\_\_\_

President/Secretary Contact Details: \_\_\_\_\_

Organisation Type (please circle): Non Profit / Charity / Incorporated / Business / other: \_\_\_\_\_

Do membership fees apply ? ☐ YES ☐ NO

If yes, annual membership/fees \$ \_\_\_\_\_

**Event Details**

Description of the event/project/request/person for which assistance is sought \_\_\_\_\_

Date/s of the proposed event/project \_\_\_\_\_

Venue where will the event/project take place? \_\_\_\_\_

**Financial Details**

Amount of assistance being sought: \$ \_\_\_\_\_

Total Estimated cost of the total event/project \$ \_\_\_\_\_

How are funds to be raised? \_\_\_\_\_

Funds available at present to go towards event \$ \_\_\_\_\_

Will the event/project support charities ☐ YES ☐ NO

If YES, value of support \$ \_\_\_\_\_

Previous / Other Assistance: \_\_\_\_\_

Has Council previously assisted you/your organisation? ☐ YES ☐ NO

If so what was the amount of the assistance from Council? \$ \_\_\_\_\_

When was it provided? \_\_\_\_\_

Have you applied for funding from other organisations? ☐ YES ☐ NO

If YES, how much has been sought \$ \_\_\_\_\_

## Donation Policy

**Eligibility** - Please tick the applicable areas relevant to the application:-

- ☐ Community development projects – projects that meet an identified community need, have been developed in consultation with the community and encourage participation in the development of the project.
- ☐ Festivals and special events which enhance community spirit.
- ☐ Support for a locally based voluntary community service or program where the majority of its income is fundraising.
- ☐ Local Community, charity and not for profit activities or events/functions that may be conducted outside the shire, but provide a benefit to the shire's residents
- ☐ To assist an individual's or team's sporting, cultural or academic achievement at a significant and recognised level.
- ☐ Community, charity and not for profit organisations' use of Council owned and controlled facilities including halls, sporting grounds and other venues.

**Request Details** – Please complete either A or B below**A. Sporting applications** – Please select relevant sporting category below

- ☐ Australian/NSW/Territory Representative or team competing overseas
- ☐ Australian/NSW/Territory Representative or team competing in NSVV or interstate

**PLEASE NOTE:** Sporting applications will only be considered when made by the local organisation/club of which the individual/team is a member, and must be supported by a letter of confirmation from the State or National body.

**Attachments required for sporting applications:**

- o Supporting letter from local organisation body
- o Supporting letter from State/Australian Supporting body
- o Please attach any other information to support your application to Council

**B. Community/Event applications** – Please ensure all questions are answered

**Council Community Objectives** - To enable Council to consider your application, Council requires details of how this event/project will meet Council's objectives.

**Objective 1:** To provide benefit to the residents of Cowra Shire Council.

**Objective 2:** To conduct quality cultural, sporting and community service programs or events which cannot attract sufficient funds from other sources. **[Please indicate why you are running the event]**

**Objective 3:** To provide access and usage of community resources, services and facilities, and equity of access for special needs groups

**Objective 4:** To encourage and enable broad community participation in cultural/ community service programs.

**Attachments required for Community/Event applications:**

- o copy of the project's proposed budget, detailing anticipated costs, with quotations if applicable;
- o If you are a registered public charity, a copy of the registration certificate
- o Please attach any other information to support your application to Council

Please check: 1. All questions on Page 1 to be completed  
2. Eligibility criteria has been selected  
3. Section A or Section B above has been completed  
4 Supporting documents for sporting activities included

Submission – Nikki Kiss 15/7/25

4.2 Policy Review - Council Donation Policy ..... 34

This is an ideal opportunity to add those issues that we've come across over the years, but have been at a loss as to how to implement them. They are 2 important issues that are lacking in this policy.

And pending the acceptance of these minor adjustments, I'd like to offer an adjustment to the Recommendation.

There are 2 adjustments that I would like to propose.

Firstly, is that we insert the request **for a presentation** should Council wish to be involved face to face with the applicant. In this case, I would suggest we include it in 9.3 Procedures (page 42)– by adding to dot point 2, Applicants may be requested to attend an interview **or make a presentation** as part of the application process.

As far I know, we've never asked an Applicant to attend 'an interview', but from my experience presentations that have been offered to Council have been very much welcomed, additionally giving Council the opportunity to ask questions directly. This is just tightening up our wording, additionally giving us the right to ask an applicant to provide us with information both before and after their endeavour.

I'd like my fellow Councillors to consider this issue.

Secondly, I believe Council not only has the right, but the responsibility, to have a knowledge of what other sources of funds will be, or may be, contributed to the endeavour. As Council is donating public money, it must ensure that it understands where its contribution sits within the holistic funding picture. In fact, part of our wording (on page 51) advises that in Assessing the application, Council will consider "What effect would council making/not making a donation to the project or event have on its outcome?" Clearly Council wants to understand the impact of its donation. And within the Application Form itself it does ask, (on page 53),

"Have you applied for funding from other organisations?" –

This is to assist us in determining their level of need, and Council's potential financial impact. But there is nothing obliging the recipient to advise us of any other successful funding sources post us having received their application.

It does not mean to say that new information would alter our decision, but it may guide us in determining future similar donation requests, and again, will help Council better understand the true financial impact it had on enabling the endeavour to take place.

To include this, I suggest we add a condition (on page 42)

9.4 Conditions for Council Donations

***Recipients shall advise council should they later receive further grants or donations from public agencies towards the same endeavour.***

Also,

9.2 Criteria for Assessment

Insert 'Or are intended to be made' into dot point 9. Currently reads, "What efforts have been made to seek funds from other sources". I propose it reads:

***"What efforts have been made, or are intended to be made, to seek funds from other sources":***

Pending the outcome of the public exhibition, I suggest this alteration to the Recommendation itself:  
***“that Council agrees that updates to the Council’s Donation Policy be reflected in the Application Form”.....*** this will allow the Director to make any updates to the Application Form needed to bring it into line with these Policy additions.

## **7 DIRECTOR-INFRASTRUCTURE & OPERATIONS**

### **7.1 Committee Minutes - Traffic Committee**

File Number: D25/I256

Author: Dirk Wymer, Director-Infrastructure & Operations

### **RECOMMENDATION**

- 1. That the minutes of the Extraordinary Traffic Committee meeting held via email on 17 July 2025 be noted.**
- 2. That Council approves the Class 3 special event to be held by Cowra RSL Sub Branch on 15 August, to commemorate the 80th Anniversary of “VP Day”, subject to compliance with the requirements of NSW Police.**
- 3. That Council approves the Class 3 special event to be held by Cowra RSL Sub Branch on 18 August 2025, to commemorate Vietnam Veterans Day, in principle, subject to compliance with the requirements of NSW Police.**

---

### **INTRODUCTION**

The minutes and recommendations of the Traffic Committee meeting are presented for Council’s consideration.

### **BACKGROUND**

The minutes and recommendations from the recent Extraordinary Traffic Committee meeting are attached for the information of Councillors and consideration of the above recommendations.

### **BUDGETARY IMPLICATIONS**

N/A

### **ATTACHMENTS**

- 1. Minutes of the Extraordinary Traffic Committee meeting held via email 17 July 2025 [↓](#)**



# **MINUTES**

## **Extraordinary Traffic Committee Meeting**

**Thursday, 17 July 2025**



EXTRAORDINARY TRAFFIC COMMITTEE MEETING  
MINUTES

17 JULY 2025

Order Of Business

1 Apologies .....3

2 Reports of Council Officers .....3

2.1 Victory In The Pacific Remembrance Day - 2025 ..... 3

2.2 Vietnam Veterans Day - 2025 ..... 3

3 General Business.....3

Nil

4 Next Meeting Date .....4

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**EXTRAORDINARY TRAFFIC COMMITTEE MEETING  
MINUTES**

17 JULY 2025

**MINUTES OF COWRA COUNCIL  
EXTRAORDINARY TRAFFIC COMMITTEE MEETING HELD VIA EMAIL 17 JULY  
2025**

**PRESENT:** Cr Paul Smith (Mayor), Ms Anne Jeffery, Mr Jason Nicholson, Inspector Thomas Murdoch

**IN ATTENDANCE:** Dirk Wymer (Director - Infrastructure & Operations), Ian Thomas (Manager - Assets & Technical Services), Rodney Stammers (Development & Traffic Engineer)

**1 APOLOGIES**

Nil

**2 REPORTS OF COUNCIL OFFICERS****2.1 Victory In The Pacific Remembrance Day - 2025**

Local Traffic Committee advice to Council on proposal: Unanimous support

**COMMITTEE RESOLUTION**

**That Council approves the Class 3 special event to be held by Cowra RSL Sub Branch on 15 August, to commemorate the 80<sup>th</sup> Anniversary of “VP Day”, subject to compliance with the requirements of NSW Police.**

CARRIED

**2.2 Vietnam Veterans Day - 2025**

Local Traffic Committee advice to Council on proposal: Unanimous support

**COMMITTEE RESOLUTION**

**That Council approves the Class 3 special event to be held by Cowra RSL Sub Branch on 18 August 2025, to commemorate Vietnam Veterans Day, in principle, subject to compliance with the requirements of NSW Police.**

CARRIED

**3 GENERAL BUSINESS**

Nil

**EXTRAORDINARY TRAFFIC COMMITTEE MEETING  
MINUTES**

---

**17 JULY 2025****4 NEXT MEETING DATE**

The next meeting will be held on Monday, 11 August 2025 at 9.30am in the Cowra Council Chambers, 116 Kendal Street, Cowra.

**5 MEETING CLOSE**

The Meeting closed.

.....  
**CHAIRPERSON**

**7.2 IPART Review of WaterNSW Proposed Bulk Water Pricing Increase**

File Number: D25/1263

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

**RECOMMENDATION**

That information provided on the IPART one year determination for WaterNSW maximum prices for bulk water services to rural valleys in NSW and the progress of the 'IPART Review of WaterNSW Proposed Bulk Water Pricing' be received and noted.

**INTRODUCTION**

In November 2024 WaterNSW and the Water Administration Ministerial Corporation (WAMC) provided draft bulk water pricing proposals for the period 2025 to 2030 to the Independent Pricing and Regulatory Tribunal (IPART).

IPART prepared an issues paper on the impacts to consumers of the proposed pricing models and requested responses from bulk water users.

**BACKGROUND**

Cowra Council provided a response to IPART in December 2024 and provided a copy of the response to MP Step Cooke's office. Additionally, a CentralNSWJO response was provided to IPART. Details of the Cowra response are as follows:

**Questions 1 and 13: How will the WaterNSW and WAMC proposed prices impact customers?**

The combined WAMC and WaterNSW Lachlan Valley proposed prices will result in the following significant increases in annual cost of water to the Cowra Council Local Water Utility (LWU):

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
Council Adopted Long Tern Financial Plan: Purchase of Water Expense	\$197,521	\$202,262	\$207,116	\$212,087	\$217,177	\$222,389
<b>Total Estimate of WAMC and WaterNSW Prices</b>	<b>\$235,143</b>	<b>\$306,969</b>	<b>\$409,478</b>	<b>\$570,294</b>	<b>\$796,379</b>	<b>\$1,114,297</b>

**Questions 2 and 14: What factors should we consider so that prices are appropriate for different customer types?**

When setting its water prices the Cowra Council LWU must take into account the ability of its customers to pay for residential water supply; a critical human need.

Council cannot continue to raise water prices to its customers to meet increased prices from WAMC and WaterNSW; the LWU Performance Monitoring database indicates that Cowra LWU is already a high price water utility relative to national median and state trends:

(reference: <https://water.dpie.nsw.gov.au/our-work/local-water-utilites/local-water-utility-performance>)

## Performance monitoring database

The performance monitoring data dashboard below provides a comparison of all local water utilities in regional NSW.

Assets | Connections | Environment | Financial | Health | Pricing | Water | Yearly Trends | Glossary

Ind Group SubGroup Name: Charges and bills - Typical residential bill - Annual bill based on 200kL/a - WS

Select Report Year: 2021-22

Select Nominal or CPI Value: Nominal Value

National Median: 708.0

Weighted Median: 702.00

### Annual bill based on 200kL/a - WS

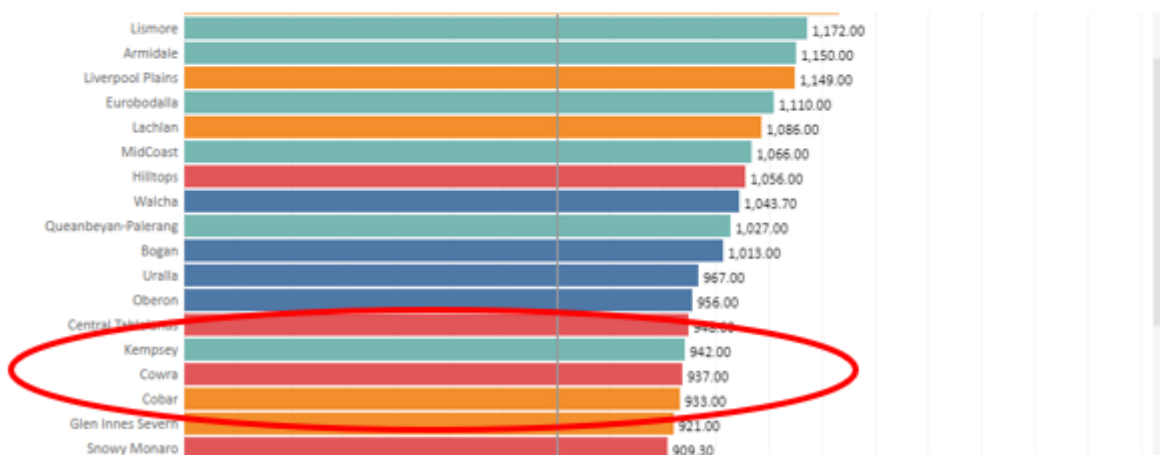
Units: \$/assmt

Annual water bill based on 200 kilolitre of water consumption

The data shows the nominal value of the selected report year

The weighted median is the median of the available validated data for the indicator with the number of connected properties applied as weights.

The national median is the median of available data from the latest national performance report. The included data is only for the LWUs with more than 10,000 connected properties.



The limitations of a LWU to pass on cost increases to its customers; particularly fixed charges which are levied regardless of water usage; must be a factor in setting appropriate prices for WAMC and WaterNSW for LWU town water licence holders.

**Question 20: Would you prefer prices to remain stable over the determination period or do you support WNSW's proposal for a revenue cap?**

**Question 21 If you are a Lachlan Valley customer how will the proposed changes to price structure affect you?**

Up until the implementation of the 'improved regulatory and assurance framework for local water utilities' under the Town Water Risk Reduction Program in July 2022, the Council LWU has been regulated to a fixed proportion of income from its customers of only 25%; with 75% income to be recovered from usage charges.

This income proportion was regulated on a LWU the size of Cowra to ensure an appropriate price signal was sent to customers: reducing water usage reduces annual bills.

While the Council LWU can now transition to a higher proportion of fixed (access) charges, Council is at high risk of not receiving sufficient revenue over the Long Term Financial Plan period to recover its costs.

The proposed WaterNSW move to higher proportion of income from fixed charges (80% of income) in the Lachlan Valley further increases Council's risk.

To minimise the financial risk of payment of high fixed charges to WaterNSW for the supply of water; regardless if water is used by Cowra Council LWU customers; Cowra Council LWU would need to increase its proportion of income from access charges (fixed charges) from its customers.

This will be a direct contradiction to the current pricing signal sent by Cowra Council LWU to its consumers: reducing annual water usage reduces annual bills. The flow on effects of this contradictory message could be:

- increased water demand leading to further costs for the LWU;
- additional capital cost to increase treatment and system capacity as demand increases.

In June 2025 IPART provided the following information on the pricing review:

*IPART has released its Final Report on the maximum prices WaterNSW can charge to provide rural bulk water services. The Independent Pricing and Regulatory Tribunal (IPART) has made a 1-year determination for WaterNSW maximum prices for bulk water services to rural valleys in NSW, commencing on 1 July 2025.*

*Under IPART's 1-year determination:*

- *Prices will increase by 5.8% plus inflation of 2.4% for bulk water (including Fish River) customers*
- *The WaterNSW Rural Valleys Murray Darling Basin Authority (MDBA) charge, which applies to the Murray and Murrumbidgee valleys, will increase by 0.6% plus inflation of 2.4%*
- *The WaterNSW Dumaresq-Barwon Border Rivers Commission (BRC) charge, which applies to the Border valley, will increase by 1.1% plus inflation of 2.4%*
- *All other prices will increase by inflation only of 2.4% (including the North and South Coast and the Yanco Creek levy).*

*Tribunal Chair Carmel Donnelly said WaterNSW originally proposed a significant increase of 53% in revenue for its services to rural valleys over 2025 to 2030, which would require large price rises for customers if approved.*

*However, at this stage, the Tribunal is not convinced that all the increased costs proposed by WaterNSW are sufficiently justified, and more assessment is needed to determine how much of any efficient increases should be passed on to customers.*

*IPART does not have flexibility to extend the timeline for this pricing review. New prices must be in place by 1 July 2025 to ensure consumer protection. By making a 1-year determination the Tribunal has ensured new prices will take effect by 1 July 2025 as required, also providing an interim period for IPART to fully investigate the large increases proposed by WaterNSW and the matters raised by stakeholders in our consultation," she said.*

*"We thank all stakeholders for providing feedback on the prices of WaterNSW's rural bulk water services, and we have considered everything in every submission.*

*"Our 1-year determination will allow a modest increase in revenue for WaterNSW, while limiting bill impacts for customers compared to the revised 25% before inflation increase in prices in 2025-26 sought by WaterNSW in its submission to the IPART's recent Information Paper."*

**BUDGETARY IMPLICATIONS**

There will be an increase in the budget 'purchase of water line' item. However, Council's practice is to average water purchase and sales over a longer period to even out the peaks and troughs caused by consumption patterns. Increases in cost and water consumption levels (sales) will be monitored over the quarterly budget review process.

**ATTACHMENTS**

Nil

## 8 DIRECTOR-ENVIRONMENTAL SERVICES

### 8.1 Draft Street Awnings and Balconies Safety Policy

File Number: D25/I273

Author: Glenn Oakley, Acting Director - Environmental Services

### RECOMMENDATION

**That the Draft Street Awnings and Balconies Safety Policy be placed on public exhibition for a period of at least 28 days.**

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#### Introduction

In 2016, Council adopted the Street Awnings and Balconies policy in response to a circular issued by the then Department of Planning and Infrastructure recommending steps be undertaken by both councils and building owners to identify potential safety concerns related to awnings over public land, including footpaths, to ensure that potential for awning and balcony collapse is minimised.

A review of the adopted Street Awnings and Balconies Safety Policy has been undertaken to ensure currency against existing adopted legislation. Minor modifications have been undertaken to the existing policy. The revised policy Cowra Council Street Awnings and Balconies Safety Policy is attached.

#### Background

A coronial inquest was undertaken in 2007 following the collapse of an awning at Balgowlah. Recommended actions were subsequently incorporated into a circular advising councils to implement a program to raise awareness of the need to monitor and maintain awnings and balconies to ensure the safety of the structures.

The Department stipulated that the main components of a council program to monitor awning safety should include the following actions:

- Writing to owners of buildings with awnings over public lands.
- Notifying owners of the dangers of awnings collapsing, especially during storms.
- Putting owners on notice of their responsibility for the safety of their buildings and advising that they should obtain their own legal advice about questions of legal liability for any failure or collapse of their awning over public lands.
- Strongly advising owners of awnings more than 10 years old, to have those awnings inspected by a practising professional engineer for structural adequacy (provide owners with a copy of Practice Note 18 issued in July 2008 by the Association of Consulting Structural Engineers of New South Wales entitled “Inspection and Assessment of Existing Tied Awnings”).
- Requesting the results of the inspection and any resulting action taken to be communicated to Council.

Council’s Street Awnings and Balconies Safety Policy was developed to include the abovementioned actions. Further, in 2016 Council resolved to undertake an inspection program of



all existing street awnings and balconies throughout the shire. This one-off inspection program was separate to the Street Awnings and Balconies Safety Policy.

The inspection program resulted in a total of 87 street awnings and balconies being inspected, with a preliminary structural report being provided to Council and to the owners of the structures. Of the 87 inspections completed, 48 structures were found to be structurally adequate, three required urgent works and 36 were found to require minor works in the short to medium term. Of the three structures requiring urgent attention, two were removed due to being structurally unsafe and one was upgraded and certified by a structural engineer. The owners of the 36 structures which required minor works were contacted and requested to undertake these works.

As part of the awning and balconies program implementation, all property owners are required to have regular inspections undertaken by suitably qualified and practising structural engineers to confirm the ongoing structural adequacy of the awnings and balconies. A copy of the certificate is required to be forwarded to Council following each inspection.

### **Budgetary Implications**

Nil

### **CONCLUSION**

A review of the Street Awnings and Balconies Safety Policy has been undertaken with minor modifications to the existing policy implemented.

Council is asked to endorse that the draft policy be placed on public exhibition for a period of twenty-eight (28) days. The final policy will be presented to Council for adoption on completion of the exhibition process.

### **ATTACHMENTS**

1. Current Adopted Policy - Street Awnings and Balcony Safety Policy [↓](#)
2. Planning Circular - Safety of Awnings Over Public Lands [↓](#)
3. Draft Street Awnings and Balconies Safety Policy - Track Changes [↓](#)
4. Draft Street Awnings and Balconies Safety Policy 2025 - for public exhibition [↓](#)

# COUNCIL POLICY



## Street Awnings and Balconies Safety Policy

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Street Awnings and Balconies Safety Policy

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Commencement Date	22 February 2021
Council Department	Environmental Services
Relevant Legislative Provisions:	Environmental Planning and Assessment Act 1979 Local Government Act 1993 Roads Act 1993
Contact Officer	Director-Environmental Services
Revision Required	Every 4 years

Policy Review

This policy shall be reviewed at four (4) yearly intervals at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.

Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
1	23 May 2016	129/2016	Director-Environmental Services
2	22 February 2021	50/2021	Director-Environmental Services

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Street Awnings and Balconies Safety Policy

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Street Awnings & Balconies Safety Policy

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**1. Introduction**

Currently there are approximately 85 buildings within the Cowra Shire which have attached awnings or balconies which project over public land and footways (footpaths). A large proportion of these buildings are located in the central business district of Cowra.

Awnings and balconies provide a number of benefits including protecting pedestrians from heat and rain, shading buildings and providing opportunities for advertising. Awnings and balconies also add to the architectural features of a building. However these structures can pose a significant danger if they are not regularly inspected and maintained.

Most awnings in the Shire are tied to building facades using steel tension rods. Historically some of these awnings were supported by posts mounted on the footpath with an attachment to the facade of the building. In the 1950's legislation required the supporting posts of awnings to be removed due to the danger of collapse if a motor vehicle mounted the footpath and knocked out a support. The posts were replaced by the steel tension rods connected to the building facade. This legislation has since been repealed.

Steel tension rods supporting awnings can fail over time due to numerous reasons including corrosion, wind loads, weather conditions, lack of maintenance and increased loading on the awning by such things as air conditioner units and debris. Failure of a steel tension rod can lead to an awning collapse resulting in property damage, personal injury or death.

The Roads Act 1993 clarifies in section 142(1) that a person who has a right to the control, use or benefit of a structure in, on or over a public road (which includes a footway), must maintain the structure in a satisfactory state of repair. This obligation does not apply to a person whose right to the control, use or benefit of a structure or work consists merely of a right of passage that the person has as a member of the public or a right of access that the person has as the owner of adjoining land.

**2. Purpose**

The NSW Government has requested Council's implement a program to raise awareness of the need to monitor the safety of awnings as they age, both in their own organisations and with the owners of buildings with awnings over public land.

This policy has been developed to increase the awareness of building owners which have awnings or balconies which project over public land or footways about the need to have these structures regularly inspected and maintained to ensure they are safe, and stipulate the requirements to undertake inspections or work on these structures.

**3. Objectives**

The objectives of this policy are to:

1. Identify all buildings within the Cowra Shire with awnings or balconies which project over public land or footways and maintain a register of these buildings;
2. Notify owners of these structures about the dangers of collapse and their responsibility to ensure that these structures are structurally adequate at all times especially during and after adverse weather conditions;

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Street Awnings and Balconies Safety Policy

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3. Encourage owners of such awnings and balconies to get the structures regularly inspected by an appropriate professional engineer and refer them to Practice Note 18 'Inspection and Assessment of Existing Tied Awnings', issued in July 2008 by the Association of Consulting Structural Engineers of NSW, which provides a process which can be used for the determination of awning safety;
4. Advise owners to seek their own legal advice about their potential liabilities in the event of failure or collapse of their awning or balcony;
5. Require owners to notify Council of the results of any inspections conducted on their awning or balcony and ensure that Council approval is obtained prior to undertaking any works on these structures.

#### **4. Scope**

This policy applies to all land within the Cowra Shire on which there is a building with an awning or balcony which projects over public land or a footway.

#### **5. Provisions**

##### **5.1 Identification**

Council will identify the location and ownership of all existing awnings or balconies which project over public land or footways within the Cowra Shire and generate a base date register of these structures.

All new awnings or balconies which are constructed over public land or footways will require development consent and will be placed on the register once completed.

##### **5.2 Notification**

Council will write to the owner(s) of buildings listed on the street awnings and balconies register every two (2) years to advise the following:

1. Building owners are responsible for keeping awnings and balconies in good order at all times including during adverse weather conditions;
2. Building owners should seek legal advice about the liability for failure or collapse of their awning or balcony;
3. Building owners must hold appropriate public liability insurance to a minimum value of \$20 million at all times with regards to their awning or balcony;
4. Awnings and balconies should be regularly inspected by a professional engineer for structural adequacy. Practice Note 18 'Inspection and Assessment of Existing Tied Awnings', issued in July 2008 by the Association of Consulting Structural Engineers of NSW, provides a process which can be used for the determination of awning safety;
5. Cowra Council must be notified of the results of any inspections undertaken on awnings or balconies;

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Street Awnings and Balconies Safety Policy

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6. Cowra Council's Street Awnings and Balconies Policy must be complied with.

### **5.3 Inspection**

The Roads Act 1993 clarifies in section 142(1) that a person who has a right to the control, use or benefit of a structure in, on or over a public road (which includes a footway), must maintain the structure in a satisfactory state of repair. A building owner is responsible for all costs associated with the inspection, maintenance, repair or demolition of an awning or balcony projecting over public land or a footway.

Awnings and balconies should be regularly inspected by a professional engineer for structural adequacy. Awnings and balconies should be assessed against the requirements of Australian Standard 1170 Parts 1 and 2, as current at the time of the inspection. A previous version of these standards may be used with the agreement of the professional engineer and Council.

Cowra Council also recommends the use of Practice Note 18 'Inspection and Assessment of Existing Tied Awnings', issued in July 2008 by the Association of Consulting Structural Engineers of NSW as the process to be used for the determination of awning safety.

The results of any inspection completed by a professional engineer should be in writing and should be provided to Council within 7 days of being issued. The inspection assessment should provide detailed instructions for any rectification work that may be necessary, recommendations for an ongoing maintenance or inspections and stipulate the methods used to assess the structural adequacy of the awning or balcony.

### **5.4 Public Liability**

The owner of any awning or balcony which projects over public land or footways must hold appropriate public liability insurance to a minimum value of \$20 million at all times. Confirmation of this insurance must be provided to Cowra Council annually.

### **5.5 Approvals**

Prior to undertaking any inspection or works on or over a public road (which includes the road reserve and footway) a section 138 Permit must be obtained from Cowra Council under the Roads Act 1993.

Where upgrading, repair or demolition works are required to be undertaken on an awning or balcony, development consent may be required. Owners must ensure that development consent is obtained where necessary, prior to the commencement of any works.

Any proposed upgrading, repair or demolition works must take into consideration the character, streetscape and heritage values of the subject awning or balcony.

The demolition of an awning or balcony will only be considered where the structure has been assessed by a professional engineer and Council and found to be so dilapidated that it is beyond repair and poses a danger to the public. In this event the building owner will be required to replace the awning unless otherwise stipulated by Council. Development consent will be required for any new structure and it must be designed to take into consideration the character, streetscape and heritage values of the building and surrounding area.

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Street Awnings and Balconies Safety Policy

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### **5.6 Enforcement**

#### *Environmental Planning and Assessment Act 1979*

Where Council identifies that an awning or balcony which projects over public land or a footway, is or is likely to pose a danger to the public or persons or property in the area, Council may take action via the issuing of an order under the Environmental Planning and Assessment Act 1979. An order issued under this Act may require the structure to be repaired, structurally altered or demolished. Council may also require suitable barriers and/or fencing to be installed to protect property or persons in a public place.

Council will comply with the requirements of the Environmental Planning and Assessment Act 1979, prior to issuing any such order. Failure to comply with an order may result in Council taking further action under the Environmental Planning and Assessment Act 1979.

#### *Local Government Act 1993*

Where Council identifies that an awning or balcony which projects over public land or a footway is not in a safe or healthy condition, Council may take action via the issuing of an order under the Local Government Act 1993. An order issued under this Act may require the owner of the structure to undertake works in order to ensure the structure is placed or kept in a safe and healthy condition.

Council will comply with the requirements of the Local Government Act 1993, prior to issuing any such order. Failure to comply with an order may result in Council taking further action under the Local Government Act 1993.

### **6. Review**

This Policy will be reviewed every 4 years.





## PLANNING circular

### BUILDING SYSTEM

#### Building regulation advisory note

<b>Circular</b>	BS 13-001
<b>Issued</b>	8 March 2013
<b>Related</b>	DLG 99/33

# Safety of awnings over public lands

The purpose of this circular is to raise awareness of the recurring potential safety issues related to awnings over public lands (e.g. footpaths) and to seek councils' cooperation in taking action to communicate and follow up with building owners to minimise future risks of collapse.

This circular is issued following consultation with the Division of Local Government of the Department of Premier and Cabinet.

## Introduction

This circular is issued in response to recommendations of the Deputy State Coroner following a coronial inquest into a fatal accident at Balgowlah involving the collapse of an awning. The Deputy State Coroner made recommendations to address the issue of awning safety over public lands.

### Coroner's report and awning safety programs

The Deputy Coroner noted in his report that there had been 17 reported incidents of awning collapses at various locations throughout NSW since a fatal accident resulting from an awning collapse at Bathurst in 1998.

The Deputy Coroner's report also raised three specific issues:

- council's powers regarding public safety
- council's powers under the Roads Act, and
- the nature of approvals required for awnings.

These issues are addressed later in this circular.

Following the Coroner's recommendations regarding the Bathurst fatality, circular DLG 99/33 was issued by the then Department of Local Government, to encourage all councils to have awnings in their areas inspected to determine their structural soundness, in the interests of public safety.

Since then, a number of councils have instituted individual awning safety programs. However, a higher level of implementation of such programs is needed to address the issue state wide.

## Safety of awnings

Awnings are part of the buildings to which they are attached and are the responsibility of the owner of the building, even when an awning is located over a public footpath.

The Roads Act 1993 clarifies in s.142(1) the responsibility for awnings over roads (including footpaths) by requiring that a person having a right to control the structure must maintain it in a satisfactory state of repair.

To increase the level of consistency in the safety of awnings across the state, councils are requested to implement a program to raise awareness of the need to monitor the safety of awnings as they age, both in their own organisations and with the owners of buildings in their areas with awnings over public lands.

Components of a program to raise awareness of the safety of awnings would include:

- identifying owners of buildings with awnings over public lands (including councils)
- notifying owners of their responsibility to keep awnings in good order in all conditions, including during storms
- advising owners to seek legal advice about liability for failure or collapse of their awning
- advising owners that awnings more than 10 years old are more susceptible to failure and should be inspected by a professional engineer for structural adequacy. The attached Practice Note 18 '*Inspection and Assessment of Existing Tied Awnings*', issued in July 2008 by the Association of Consulting Structural Engineers of NSW could be used to provide details to owners of the processes for the determination of awning safety.

Department of Planning & Infrastructure – Building Circular BS 13-001

- request owners to provide details of any inspections and works to council.

### Councils' powers regarding public safety

Legislation provides councils with powers to carry out inspections of, or require repairs to, defective structures by the issue of orders in the following circumstances:

- *Environmental Planning and Assessment Act 1979*; section 121B, Order No 2 or 4, when a "building is or is likely to become a danger to the public" or a "building is so dilapidated as to be prejudicial to its occupants or to persons or property in the neighbourhood";
- *Local Government Act 1993*; section 124, Order 21 or 29, when "the land or premises are not in a safe or healthy condition"; or where it is necessary to "alter or repair a work or structure on, over or under a public place", because "it is in the public interest to do so".

Other related powers are available to councils under the *Roads Act 1993*:

- Councils, as the relevant roads authority, are provided with powers under sections 98, 142, 164, and 165, to take any necessary action required to secure the safety of the general public in their use of public footpaths, from dangerous or potentially dangerous awnings.

These powers are available to councils to assist in achieving timely and required outcomes regarding the safety of awnings.

### Approval required for awnings

In the past, many awnings were erected or altered as "exempt development" or otherwise without consent.

In September 2009 the then Department of Planning clarified that approval for awnings is required by a complying development certificate or development approval, as follows:

- The State Environmental Planning Policy (Exempt and Complying Development) 2008 (the Codes SEPP), introduced a new Part 5 *General Commercial and Industrial Code*.
- Provisions under this Part:
  - specify the type of awning developments that are complying development under the Codes SEPP; and
  - require other specified awning developments to obtain development consent.
- A general requirement for complying development (as for development approval) is that it must meet the relevant provisions of the Building Code of Australia.

### Further information

Please contact the Department of Planning & Infrastructure's Information Centre on 1300 305 695.

Department of Planning & Infrastructure circulars are available from <http://www.planning.nsw.gov.au/circulars>

### Authorised by:

**Richard Pearson**  
A/Director-General

**Important note:** This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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**PRACTICE NOTE No. 18****July 2008****INSPECTION AND ASSESSMENT OF EXISTING TIED AWNINGS****INTRODUCTION**

A recent collapse of a tied awning in Balgowlah resulted in the death of a man standing under the awning at the time of the collapse. The accident happened during a storm involving high wind and heavy rain and is the subject of a coronial enquiry at the time of drafting this Practice Note.

Based on available press reports, the awning in question appeared to be a conventional steel frame awning with tie-rod supports, the tie-rods being anchored at the front masonry wall to the premises in an undefined manner. There are many such similar awnings throughout NSW.

As a result of the collapse, a number of Councils are now requiring owners of premises with similar existing awnings to engage structural engineers to provide certification of such awnings. Property owners are legally liable for damage caused by their property not being properly maintained and Councils are enforcing the law in respect of awnings. Awnings should be regularly inspected as part of normal building maintenance in any case.

This Practice Note is intended to provide some guidance on the approach that might be used by structural engineers engaged in the task of inspecting, reporting on or certifying existing tied awnings.

**THE ISSUES**

The issues central to evaluating the strength and serviceability of existing awnings which are tied back to masonry walls are seen to be as follows:

- (1) the design live load has increased considerably with the introduction of AS 1170 Part 1 – 2002 compared to earlier editions of this standard. Older awnings would have been designed to previous editions of this standard
- (2) wind loading may be the critical design loading
- (3) reliable documentation of the construction details are generally not available
- (4) older masonry walls may have lime mortar rather than cementitious mortar or may have a combination of both if repairs have been undertaken previously
- (5) corrosion of the tie-rods and/or corrosion around the anchor plates and/or corrosion of masonry ties is often the main issue. Awnings close to salt-laden spray will be more liable to corrosion than those in other locations
- (6) the tie-rods to the awning generally penetrate the external masonry wall and the tie-rods are generally not accessible for inspection at points beyond where they penetrate the masonry wall
- (7) the awning framing is fully enclosed by roof sheeting at the top face and lining at the bottom face so that there is no access available for a structural engineer to measure awning framing member sizes or connection details nor to assess the level of steel corrosion of the awning framing

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**PRACTICE NOTE No. 18****Page 2**

- (8) the masonry wall ties are not accessible for inspection around the point where the awning tie-rods are anchored in walls or parapets of cavity masonry construction
- (9) the tie-rods are generally anchored to plates built into either the front wall of the premises or any party wall between the adjacent premises and these anchor plates are generally not accessible for inspection
- (10) if the tie-rods are anchored into a parapet, then the parapet strength will have to be assessed despite the fact that the construction and condition of the parapet masonry may not be readily accessible.
- (11) in heavy rain or hail, gutters may not be able to drain water fully and ponding may occur (not all awnings will have an overflow system for the gutters). Hail may also collect on the awning
- (12) awnings that are part of a "row" where tie-rods may support two adjacent awnings to adjacent premises may be susceptible to adverse loading should one awning on one side fail
- (13) whether load-testing of any structural elements (either within the awning framing or of the tie-rod or tie-rod anchors) is required. In order to avoid removing masonry in order to examine tie-rod anchors, load-testing may be employed.

**DESIGN LOADS**

If certification to the BCA is required, then reference to Part B1 of Volume 1 of the BCA is necessary in order to determine the appropriate codes – refer to Practice Note 16. Clause B1.2 of the BCA refers to AS/NZS 1170 Part 1 for permanent actions.

AS/NZS1170 Part 1(2002 edition) "Permanent, imposed and other actions" classifies street awnings as R1 and in Table 3.2 specifies the following reference values for roof live load actions :

\*Awnings accessible from adjacent windows, roofs or balconies -- a uniformly distributed action of 1.5 kPa and a concentrated action of 1.8 kN

\*Awnings accessible only from ground level – a uniformly distributed action of 1.0 kPa and a concentrated action of 1.8 kN.

Previous editions of AS 1170 Part 1 called for a uniformly distributed action of  $(1.8/A+0.12)$  kPa but not less than 0.25 kPa and a concentrated action of 1.4 kN, in common with other roofs, where A= the plan projection of the surface area of roof supported by the member under analysis.

If for some reason, the structural engineer is not certifying to the BCA but only certifying to a previous edition of AS 1170 Part 1 by agreement of the authority requesting the certificate, then these lesser loads may be used but the loads used need to be stated on any certificate. However, consideration should be given to the fact that these older loads may not adequately allow for crowd loading, ponding of rainwater or accumulation of hail on the awning.

The Commentary to AS/NZS 1170 Part 1:2002 states that : --

"Roof Category R1 is intended to cover situations where people may gain unauthorized access through their own efforts to a roof not intended for such use. The lower load of 1.0 kPa allows for greater difficulty in gaining access compared to the value of 1.5 (kPa) where access may be

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facilitated by adjacent windows, balconies or other awnings. An example is a street awning on a multi-storey building with openable windows."

The design load used should also consider whether significant numbers of people may access an awning to watch a parade on the street below, in which case the above loads might be increased. The design loads nominated in AS/NZS 1170 Part 1 : 2002 should be adequate to allow for any ponding of water or accumulation of hail on the roof during rain storms.

Wind loads should be assessed using AS/NZS 1170 Part 2 : 2002 , and both uplift and downward pressure cases should be considered . Pressure caused by wind hitting a near-by multi-storey building or the parapet of the building with the awning and being deflected downwards can result in higher design downwards loads than the above design live loads. Uplift due to wind may result in the tie-rods being considered inadequate due to compression force in the slender tie-rod.

The effect of wind loads from nearby buildings may need special consideration for example a funnell effect causing increased wind speeds.

**RECOMMENDED PROCEDURE**

The recommended procedure involves the following stages:

- stage 1 initial inspection and appraisal
- stage 2 second inspection after opening up
- stage 3 reporting and detailing of any rectification requirements
- stage 4 final inspection
- stage 5 certification

The recommended procedure is intended to ensure that: (i) all visible and hidden structural elements in the awning have been inspected and evaluated for structural adequacy; (ii) any deficiencies have been reported and rectification procedures have been advised; and (iii) all rectification work has been inspected after completion by a builder. The final step is to issue a certificate once the structural engineer is satisfied as to the structural adequacy of the awning after any necessary repairs have been done.

**STAGE 1 -- INITIAL INSPECTION AND APPRAISAL**

The initial inspection entails the establishment for the awning of interest of the dimensions, likely age, external configuration, existence of main support walls and cross walls, drainage from the gutter and any other relevant information.

Extensive site photography should be undertaken for use with subsequent reports.

An investigation should be made as to the existence of any structural drawings for the awning, generally through Council records, although in many instances, no such drawings will be available. Even if drawings are available, no great reliance should be placed on these as actual conditions may well vary from those indicated on the drawings.

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**STAGE 2 -- SECOND INSPECTION**

It is considered essential that a second detailed inspection will be undertaken following on from Stage 1. The information gained at the Stage 1 inspection can be used to draft instructions for the opening up of the awning for a detailed inspection at this stage.

The awning will generally need to be propped at the front edge. This will require Council approval and will require barriers to be installed. It may also require to be tied down against wind uplift which will involve concrete weight blocks. The Council is likely to require information on the length of time the barriers will be in place, measures to be taken to protect the public, and certification of the barriers to withstand vehicular impact. Such propping and its certification could be left to specialist providers who are familiar with the requirements. A fee would normally need to be paid to Council.

Areas of roofing and/or lining will need to be identified for removal to allow determination of the sizes and condition of the rafters and purlins. An area equivalent to 4 to 6 bricks of the parapet/front wall masonry will need to be removed around the areas where the tie-rods penetrate the masonry. Access scaffolds and ladders complying with Workcover requirements will need to be installed to allow the structural engineer to carry out an inspection.

A detailed set of requirements, probably with photographs, will need to be drawn up by the structural engineer based on the detailed inspection requirements to be undertaken as set out below. The requirements will need to include methods of reinstatement of the affected areas once any required rectification work is completed.

The Client would need to engage a licensed Builder to carry out the work, including the engagement of the specialist firm to supply and certify the propping. It is likely that the structural engineer may have to project manage the building work as many Clients will not have the expertise to do so.

The detailed inspection of the opened-up awning can then be made. This will involve the following :

- sketching the framing of the structural elements;
- measurement of the member sizes and level of corrosion on the structural steel;
- sketching and measuring the connection details for the structural steel;
- measurement of the size and level of corrosion of the tie-rods;
- sketching and measuring the connection details for the tie-rods , top and bottom;
- measuring the connection plates and fixing details within the masonry;
- assessing details of the masonry and condition of the masonry ties .

Extensive photography of all areas would normally be undertaken.

**STAGE 3 -- REPORTING AND RECTIFICATION INSTRUCTIONS**

After the second inspection, any necessary calculations should be carried out using AS 4100, AS 4600 and AS 3700 as required. Allowance can be made for corrosion of steel elements by using the net thickness remaining of an element at the time of the inspection less a further corrosion allowance based on the remaining design life as advised by the Client. Any corrosion will require

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a corrosion removal and protection system to be devised, which may require input from paint supply companies.

Load testing of the anchors of the tie rods could be considered at this point if there is insufficient access for inspection or there is any question about the adequacy of the anchors following the inspection and/or the result of the calculations.

Load testing should be based on a proof load determined in accordance with AS 4100 and should be based on the critical load case.

At this point a report should be prepared advising the Client of the status of the awning and of any repairs to , strengthening of or replacement of structural elements that are considered necessary.

Detailed instructions will need to be prepared for any rectification work including corrosion protection. Substantial rectification works may require a Development Application to be submitted to Council.

Consideration might be given to recommending the fixing of a sign on the awning roof sheeting indicating the load that the awning can sustain. Such a sign should indicate the Design Roof Loading for distributed loads (in kgs per square metre) and for concentrated loads (in kilograms).

Recommendations for ongoing regular maintenance and inspections should also be included in the report.

**STAGE 4 -- FINAL INSPECTION**

Inspection(s) as necessary will need to be carried out on any rectification work and on the making -good work in order to ensure that the structural integrity of the works is to the structural engineer's satisfaction and is accordance with all drawings, sketches, specifications and instructions issued by the structural engineer.

**STAGE 5 -- CERTIFICATION**

Certification can be issued once the final inspection has taken place. Certification should detail the loads that have been used, any assumptions made in the calculations that are relevant and any qualifications that the structural engineer thinks is appropriate. Any drawings, sketches or specifications issued could be referenced.

If only periodic inspections of the work was carried out, the certificate should make clear that only periodic inspections were carried out and that no supervision was involved.

Certification should clearly define the scope of what was undertaken by the structural engineer so that it is clear what is being certified and what is not being certified. If necessary, reasons for some elements not being certified could be given (e.g not accessible ). Certification should be restricted to what the structural engineer knows.

Recommendations for ongoing inspections (say every five(5) years) could be included in the certificate.

Structural engineers should be wary of using pro-forma certificates issued by Council unless the structural engineer is satisfied with the wording used.

Any certificate should make it clear that the certificate does not relieve any other party of its responsibilities, liabilities or contractual obligations.

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# COUNCIL POLICY



## Street Awnings and Balconies Safety Policy



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Street Awnings and Balconies Safety Policy

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Commencement Date	22 February 2021
Council Department	Environmental Services
Relevant Legislative Provisions:	Environmental Planning and Assessment Act 1979 Local Government Act 1993 Roads Act 1993
Contact Officer	Director-Environmental Services
Revision Required	Every 4 years

Policy Review

This policy shall be reviewed at four (4) yearly intervals at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.

Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
1	23 May 2016	129/2016	Director-Environmental Services
2	22 February 2021	50/2021	Director-Environmental Services

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Street Awnings and Balconies Safety Policy

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## Street Awnings &amp; Balconies Safety Policy

**1. Introduction**

Currently there are approximately 85 buildings within the Cowra Shire which have attached awnings or balconies which project over public land and footways (footpaths). A large proportion of these buildings are located in the central business district of Cowra.

Awnings and balconies provide a number of benefits including protecting pedestrians from heat and rain, shading buildings and providing opportunities for advertising. Awnings and balconies also add to the architectural features of a building. ~~However,~~ these structures can pose a significant danger if they are not regularly inspected and maintained.

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Most awnings in the Shire are tied to building facades using steel tension rods. Historically some of these awnings were supported by posts mounted on the footpath with an attachment to the facade of the building. In the 1950's legislation required the supporting posts of awnings to be removed due to the danger of collapse if a motor vehicle mounted the footpath and knocked out a support. The posts were replaced by the steel tension rods connected to the building facade. This legislation has since been repealed.

Steel tension rods supporting awnings can fail over time due to numerous reasons including corrosion, wind loads, weather conditions, lack of maintenance and increased loading on the awning by such things as air conditioner units and debris. Failure of a steel tension rod can lead to an awning collapse resulting in property damage, personal injury or death.

The Roads Act 1993 clarifies in section 142(1) that a person who has a right to the control, use or benefit of a structure in, on or over a public road (which includes a footway), must maintain the structure in a satisfactory state of repair. This obligation does not apply to a person whose right to the control, use or benefit of a structure or work consists merely ~~as a~~ ~~rite~~ of passage that the person has as a member of the public or a right of access that the person has as the owner of adjoining land.

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**2. Purpose**

The NSW Government has ~~legislation that~~ Council implement a program to raise awareness of the need to monitor the safety of awnings as they age, both in their own organisations and with the owners of buildings with awnings over public land.

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This policy has been developed to increase the awareness of building owners ~~who have~~ awnings or balconies which project over public land or footways about the need to have these structures regularly inspected and maintained to ensure they are safe, and stipulate the requirements to undertake inspections or work on these structures.

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**3. Objectives**

The objectives of this policy are to:

1. Identify all buildings within the Cowra Shire with awnings or balconies which project over public land or footways and maintain a register of these buildings;
2. Notify owners of these structures about the dangers of collapse and their responsibility to ensure that these structures are structurally adequate at all times especially during and after adverse weather conditions;

## Street Awnings and Balconies Safety Policy

3. Encourage owners of such awnings and balconies to ~~have the~~ structures inspected at least every ~~four~~ years by an appropriate professional engineer and refer them to Practice Note 18 'Inspection and Assessment of Existing Tied Awnings', issued in July 2008 by the ~~Association~~ of Consulting Structural Engineers of NSW, which provides a process which can be used for the ~~assessment and~~ determination of awning safety;
4. Advise owners to seek their own ~~independent~~ legal advice about their potential liabilities in the event of failure or collapse of their awning or balcony;
5. Require owners to notify Council of the results ~~in writing~~ of any inspections conducted on their awning or balcony and ensure that Council approval is obtained prior to undertaking any works on these structures.

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#### 4. Scope

This policy applies to all land within the Cowra Shire on which there is a building with an awning or balcony which projects over public land or a footway.

#### 5. Provisions

##### 5.1 Identification

Council will identify the location and ownership of all existing awnings or balconies which project over public land or footways within the Cowra Shire and generate a base date register of these structures.

All new awnings or balconies which are constructed over public land or footways will require development consent and will be placed on the register once completed.

##### 5.2 Notification

Council will write to the owner(s) of buildings listed on the street awnings and balconies register every ~~four (4)~~ years to advise the following:

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1. Building owners are responsible for keeping awnings and balconies in good order at all times including during adverse weather conditions;
2. Building owners should seek legal advice about the liability for failure or collapse of their awning or balcony;
3. Building owners must hold appropriate public liability insurance to a minimum value of \$20 million at all times with regards to their awning or balcony;
4. Awnings and balconies should be ~~inspected every 4 years~~ by a professional engineer for structural adequacy. Practice Note 18 'Inspection and Assessment of Existing Tied Awnings', issued in July 2008 by the ~~Association of~~ Consulting Structural Engineers of NSW, provides a process which can be used for the determination of awning safety;
5. Cowra Council must be notified of the results of any inspections undertaken on awnings or balconies;

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Street Awnings and Balconies Safety Policy

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6. Cowra Council's Street Awnings and Balconies Policy must be complied with.

**5.3 Inspection**

The Roads Act 1993 clarifies in section 142(1) that a person who has a right to the control, use or benefit of a structure in, on or over a public road (which includes a footway), must maintain the structure in a satisfactory state of repair. A building owner is responsible for all costs associated with the inspection, maintenance, repair or demolition of an awning or balcony projecting over public land or a footway.

Awnings and balconies should be regularly inspected by a professional engineer for structural adequacy. Awnings and balconies should be assessed against the requirements of Australian Standard 1170 Parts 1 and 2, as current at the time of the inspection. A previous version of these standards may be used with the agreement of the professional engineer and Council.

Cowra Council also recommends the use of Practice Note 18 'Inspection and Assessment of Existing Tied Awnings', issued in July 2008 by the Association of Consulting Structural Engineers of NSW as the process to be used for the determination of awning safety.

The results of any inspection completed by a professional engineer should be in writing and should be provided to Council within 7 days of being issued. The inspection assessment should provide detailed instructions for any rectification work that may be necessary, recommendations for an ongoing maintenance or inspections and stipulate the methods used to assess the structural adequacy of the awning or balcony.

**5.4 Public Liability**

The owner of any awning or balcony which projects over public land or footways must hold appropriate public liability insurance to a minimum value of \$20 million at all times. Confirmation of this insurance must be provided to Cowra Council annually.

**5.5 Approvals**

Prior to undertaking any inspection or works on or over a public road (which includes the road reserve and footway) a section 138 Permit must be obtained from Cowra Council under the Roads Act 1993.

Where upgrading, repair or demolition works are required to be undertaken on an awning or balcony, development consent may be required. Owners must ensure that development consent is obtained where necessary, prior to the commencement of any works.

Any proposed upgrading, repair or demolition works must take into consideration the character, streetscape and heritage values of the subject awning or balcony.

The demolition of an awning or balcony will only be considered where the structure has been assessed by a professional engineer and Council and found to be so dilapidated that it is beyond repair and poses a danger to the public. In this event the building owner will be required to replace the awning unless otherwise stipulated by Council. Development consent will be required for any new structure and it must be designed to take into consideration the character, streetscape and heritage values of the building and surrounding area.

## Street Awnings and Balconies Safety Policy

**5.6 Enforcement***Environmental Planning and Assessment Act 1979*

Where Council identifies that an awning or balcony which projects over public land or a footway, is or is likely to pose a danger to the public or persons or property in the area, Council may take action via the issuing of a [Development Control Order](#) under the Environmental Planning and Assessment Act 1979. An order issued under this Act may require the structure to be repaired, structurally altered or demolished. Council may also require suitable barriers and/or fencing to be installed to protect property or persons in a public place.

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Council will comply with the requirements of the Environmental Planning and Assessment Act 1979, prior to issuing any such [Development Control Order](#). Failure to comply with a [Development Control Order](#) may result in Council taking further action under the Environmental Planning and Assessment Act 1979.

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*Local Government Act 1993*

Where Council identifies that an awning or balcony which projects over public land or a footway is not in a safe or healthy condition, Council may take action via the issuing of an order under the Local Government Act 1993. An order issued under this Act may require the owner of the structure to undertake works in order to ensure the structure is placed or kept in a safe and healthy condition.

Council will comply with the requirements of the Local Government Act 1993, prior to issuing any such order. Failure to comply with an order may result in Council taking further action under the Local Government Act 1993.

**6. Review**

This Policy will be reviewed every 4 years.

# COUNCIL POLICY



## Street Awnings and Balconies Safety Policy

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Street Awnings and Balconies Safety Policy

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Commencement Date	22 February 2021
Council Department	Environmental Services
Relevant Legislative Provisions:	Environmental Planning and Assessment Act 1979 Local Government Act 1993 Roads Act 1993
Contact Officer	Director-Environmental Services
Revision Required	Every 4 years

Policy Review

This policy shall be reviewed at four (4) yearly intervals at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.

Revision History

Version	Council Meeting Date	Resolution No.	Responsible Officer
1	23 May 2016	129/2016	Director-Environmental Services
2	22 February 2021	50/2021	Director-Environmental Services

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Street Awnings and Balconies Safety Policy

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Street Awnings & Balconies Safety Policy

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## **1. Introduction**

Currently there are approximately 85 buildings within the Cowra Shire which have attached awnings or balconies which project over public land and footways (footpaths). A large proportion of these buildings are located in the central business district of Cowra.

Awnings and balconies provide a number of benefits including protecting pedestrians from heat and rain, shading buildings and providing opportunities for advertising. Awnings and balconies also add to the architectural features of a building. However, these structures can pose a significant danger if they are not regularly inspected and maintained.

Most awnings in the Shire are tied to building facades using steel tension rods. Historically some of these awnings were supported by posts mounted on the footpath with an attachment to the facade of the building. In the 1950's legislation required the supporting posts of awnings to be removed due to the danger of collapse if a motor vehicle mounted the footpath and knocked out a support. The posts were replaced by the steel tension rods connected to the building facade. This legislation has since been repealed.

Steel tension rods supporting awnings can fail over time due to numerous reasons including corrosion, wind loads, weather conditions, lack of maintenance and increased loading on the awning by such things as air conditioner units and debris. Failure of a steel tension rod can lead to an awning collapse resulting in property damage, personal injury or death.

The Roads Act 1993 clarifies in section 142(1) that a person who has a right to the control, use or benefit of a structure in, on or over a public road (which includes a footway), must maintain the structure in a satisfactory state of repair. This obligation does not apply to a person whose right to the control, use or benefit of a structure or work consists merely as a rite of passage that the person has as a member of the public or a right of access that the person has as the owner of adjoining land.

## **2. Purpose**

The NSW Government has legislation that Council implement a program to raise awareness of the need to monitor the safety of awnings as they age, both in their own organisations and with the owners of buildings with awnings over public land.

This policy has been developed to increase the awareness of building owners who have awnings or balconies which project over public land or footways about the need to have these structures regularly inspected and maintained to ensure they are safe, and stipulate the requirements to undertake inspections or work on these structures.

## **3. Objectives**

The objectives of this policy are to:

1. Identify all buildings within the Cowra Shire with awnings or balconies which project over public land or footways and maintain a register of these buildings;
2. Notify owners of these structures about the dangers of collapse and their responsibility to ensure that these structures are structurally adequate at all times especially during and after adverse weather conditions;

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Street Awnings and Balconies Safety Policy

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3. Encourage owners of such awnings and balconies to have the structures inspected at least every four years by an appropriate professional engineer and refer them to Practice Note 18 'Inspection and Assessment of Existing Tied Awnings', issued in July 2008 by the Association of Consulting Structural Engineers of NSW, which provides a process which can be used for the assessment and determination of awning safety;
4. Advise owners to seek their own independent legal advice about their potential liabilities in the event of failure or collapse of their awning or balcony;
5. Require owners to notify Council of the results in writing of any inspections conducted on their awning or balcony and ensure that Council approval is obtained prior to undertaking any works on these structures.

#### **4. Scope**

This policy applies to all land within the Cowra Shire on which there is a building with an awning or balcony which projects over public land or a footway.

#### **5. Provisions**

##### **5.1 Identification**

Council will identify the location and ownership of all existing awnings or balconies which project over public land or footways within the Cowra Shire and generate a base date register of these structures.

All new awnings or balconies which are constructed over public land or footways will require development consent and will be placed on the register once completed.

##### **5.2 Notification**

Council will write to the owner(s) of buildings listed on the street awnings and balconies register every four (4) years to advise the following:

1. Building owners are responsible for keeping awnings and balconies in good order at all times including during adverse weather conditions;
2. Building owners should seek legal advice about the liability for failure or collapse of their awning or balcony;
3. Building owners must hold appropriate public liability insurance to a minimum value of \$20 million at all times with regards to their awning or balcony;
4. Awnings and balconies should be inspected every 4 years by a professional engineer for structural adequacy. Practice Note 18 'Inspection and Assessment of Existing Tied Awnings', issued in July 2008 by the Association of Consulting Structural Engineers of NSW, provides a process which can be used for the determination of awning safety;
5. Cowra Council must be notified of the results of any inspections undertaken on awnings or balconies;

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Street Awnings and Balconies Safety Policy

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6. Cowra Council's Street Awnings and Balconies Policy must be complied with.

### **5.3 Inspection**

The Roads Act 1993 clarifies in section 142(1) that a person who has a right to the control, use or benefit of a structure in, on or over a public road (which includes a footway), must maintain the structure in a satisfactory state of repair. A building owner is responsible for all costs associated with the inspection, maintenance, repair or demolition of an awning or balcony projecting over public land or a footway.

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### **5.4 Public Liability**

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Any proposed upgrading, repair or demolition works must take into consideration the character, streetscape and heritage values of the subject awning or balcony.

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Street Awnings and Balconies Safety Policy

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### **5.6 Enforcement**

#### *Environmental Planning and Assessment Act 1979*

Where Council identifies that an awning or balcony which projects over public land or a footway, is or is likely to pose a danger to the public or persons or property in the area, Council may take action via the issuing of a Development Control Order under the Environmental Planning and Assessment Act 1979. An order issued under this Act may require the structure to be repaired, structurally altered or demolished. Council may also require suitable barriers and/or fencing to be installed to protect property or persons in a public place.

Council will comply with the requirements of the Environmental Planning and Assessment Act 1979, prior to issuing any such Development Control Order. Failure to comply with a Development Control Order may result in Council taking further action under the Environmental Planning and Assessment Act 1979.

#### *Local Government Act 1993*

Where Council identifies that an awning or balcony which projects over public land or a footway is not in a safe or healthy condition, Council may take action via the issuing of an order under the Local Government Act 1993. An order issued under this Act may require the owner of the structure to undertake works in order to ensure the structure is placed or kept in a safe and healthy condition.

Council will comply with the requirements of the Local Government Act 1993, prior to issuing any such order. Failure to comply with an order may result in Council taking further action under the Local Government Act 1993.

### **6. Review**

This Policy will be reviewed every 4 years.

## **9 LATE REPORTS**

## **10 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:

### **11 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE & OPERATIONS**

#### **11.1 Request for Tender 2-2025: Gravel Production (2025-2027)**

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.

#### **11.2 Request for Tender 3-2025: Gravel Road Grading Wet Plant Hire (2025-26)**

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.

#### **11.3 Request for Tender: Cowra Aquatic Centre Renewal**

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.