



AGENDA

General Committee Meeting

Date: Monday, 8 September 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 meetings you are respectful to others and use appropriate language at all times. Cowra Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this meeting.

I.2 Acknowledgement of Country

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

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

List of apologies for the meeting.

I.4 Disclosures of Interest

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

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

I.5 Presentations

I.6 Public Forum

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

2 CONFIRMATION OF MINUTES

Confirmation of Minutes of General Committee Meeting held on 11 August 2025



MINUTES

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**MINUTES OF COWRA COUNCIL
GENERAL COMMITTEE MEETING
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 11 AUGUST 2025 AT 5.30 PM**

PRESENT: Cr Paul Smith (Mayor), Cr Nikki Kiss OAM (Deputy Mayor), Cr Karren Cave, Cr Cheryl Downing, Cr Tony Horton, Cr Cheryl Speechley, Cr Peter Wright

IN ATTENDANCE: Paul Devery (General Manager), Alan Dalton (Director - Corporate Services), Larissa Hackett (Director - Environmental Services), Dirk Wymer (Director - Infrastructure & Operations)

I INTRODUCTION

1.1 Recording & Publishing

The Mayor advised that the meeting was being recorded.

1.2 Acknowledgement of Country

The Mayor delivered the Acknowledgment of Country.

1.3 Apologies and Applications for Leave of Absence by Councillors

Apology

COMMITTEE RESOLUTION

Moved: Cr Cheryl Speechley

Seconded: Cr Tony Horton

That apologies from Cr Ruth Fagan and Cr Erin Watt be received and accepted.

CARRIED

1.4 Disclosures of Interest

Nil

1.5 Presentations

Nil

1.6 Public Forum

Nil

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Tony Horton

Seconded: Cr Nikki Kiss OAM

That the minutes of General Committee Meeting held on 14 July 2025 be confirmed.

CARRIED

3 GENERAL MANAGERS REPORT**3.1 Organisation Structure****COMMITTEE RESOLUTION**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Peter Wright

That Council endorse the current three (3) Directorate Organisational Structure for Cowra Council.

CARRIED

4 DIRECTOR-CORPORATE SERVICES REPORT**4.1 Donation - Cowra High School - 2025 Schools Spectacular****COMMITTEE RESOLUTION**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Cheryl Downing

That Council approve a donation of \$2,000 to Cowra High School to assist Cowra High School Dance attending the Schools Spectacular in November 2025.

CARRIED

4.2 Donation - Noel Collett Legacy - Koori Knockout 2025**COMMITTEE RESOLUTION**

Moved: Cr Tony Horton

Seconded: Cr Nikki Kiss OAM

That Council approve a donation of \$1,500 to Noel Collett Legacy to assist fielding a memorial team in the September 2025 Regional Koori Knockout.

CARRIED

4.3 Investments and Financial Report**COMMITTEE RESOLUTION**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Paul Smith

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

CARRIED

5 DIRECTOR-ENVIRONMENTAL SERVICES REPORT

5.1 Development Application No. 10.2025.59.1, Lot 20 Section 9 DP 977420, 59A Kite Street Cowra, multi dwelling housing (four attached dwellings), lodged by M Pullen. The property owner is Jackie Chiles Pty Ltd.

COMMITTEE RESOLUTION

Moved: Cr Tony Horton

Seconded: Cr Cheryl Downing

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 E.2.7 of Part E and Section M.2.3 of Part M of Council's Development Control Plan 2021 are sufficiently justified and the application was publicly notified and no submissions were received; and
2. That Council approves variations to Section E.2.7 of Part E and Section M.2.3 of Part M of Council's Development Control Plan 2021 for this development to allow an average site area per dwelling of 252.8sqm and car parking spaces forward of the building line; and
3. That Development Application No. 10.2025.59.1, for the construction of multi dwelling housing on Lot 20 Section 9 DP977420, 59A Kite 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
Window Schedule A000A	Vision Property Development Hub 21 January 2025 Revision A	Received 11 July 2025 Stamped No. 10.2025.59.1 (A)
Proposed Site Plan A001C	Vision Property Development Hub 4 September 2024 Revision C	Received 11 July 2025 Stamped No. 10.2025.59.1 (A)
Proposed Floor Plan A101C	Vision Property Development Hub 4 September 2024 Revision C	Received 11 July 2025 Stamped No. 10.2025.59.1 (A)
Proposed Elevations A201B	Vision Property Development Hub 21 January 2025 Revision B	Received 11 July 2025 Stamped No. 10.2025.59.1 (A)

Statement of Environmental Effects	Currajong 13 June 2025 Revision B	Received 11 July 2025 Stamped No. 10.2025.59.1 (A)
BASIX Certificate No. 1799383M (or as revised)	Vision Town Planning Consultants PTY LTD Issued: 11 June 2025	Received 13 June 2025 Stamped No. 10.2025.59.1
Site Survey	Karl Lupis 20 February 2025 Ref 24-206	Received 13 June 2025 Stamped No. 10.2025.59.1

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. A retaining wall that does not comply with State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 will require the prior consent of Council. The erection of retaining walls may require the approval and certification of a suitably qualified structural engineer. All works are to be carried out within the boundaries of the property and without affecting the structural integrity of boundary fencing or neighbouring structures.
4. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:
 - (i) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised;
 - (ii) The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted;
 - (iii) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
 - (iv) The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used.
5. All traffic movements in and out of the development are to be in a forward direction

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

6. Prior to the issue of a Construction Certificate, the Applicant is to submit a detailed Landscape Plan for the approval of the Principal Certifier which

includes details of the proposed plant species and maintenance schedule. The plan is to be prepared in accordance with Part N of Cowra Council Development Control Plan 2021, and include screening of the carpark area from the street.

7. Prior to the issue of a Construction Certificate, a Stormwater Management Plan shall be submitted to Council for approval. The plan is to demonstrate that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council.
8. Prior to the issue of a Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of a 25mm metered water service to the development.
9. 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 ¹	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution ²	\$602,441.00	1%	\$6,024.41	30 June 2026

Notes

¹ As shown on the Development Application/Construction Certificate Application/Complying Development Certificate Application

² 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

10. 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. The proposed driveway must be a minimum of 6 metres wide in accordance with Section M.2.2.b.ii of Part M of the DCP.

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.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

15. 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.
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 to Council's stormwater management system on Kite Street.
21. 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.
22. 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 multi dwelling development 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, the Applicant shall construct an access crossing to the development site from Logan Street in accordance with consent from the road's authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the Section 138 Permit. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.
25. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water supply 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 Occupation Certificate.

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

26. Prior to the issue of any Occupation Certificate the Applicant shall ensure that all new vehicular parking areas, including the proposed staff car parking area are clearly defined and/or line-marked in accordance with Cowra Infrastructure & Operations Engineering Standards and Australian Standard 2890.1-2004 - Off Street Parking Facilities. A sign(s) that are conspicuous and legible from the proposed new access road, and from within the development site, shall be permanently displayed indicating the points of ingress and egress, to the proposed development. All costs associated with the identification and line marking of the car parking areas shall be borne by the Applicant and at no cost to Council.

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, Nikki Kiss OAM, Karren Cave, Cheryl Downing, Tony Horton, Cheryl Speechley and Peter Wright

Against: Nil

CARRIED 7/0

- 5.2 Development Application No. 10.2024.11.1, Lots 9 & 10 DP 1096603, 11-13 Kollas Drive Cowra, 64 self-storage units, lodged by B J Wilkinson. The property owner is B J & N A Wilkinson

COMMITTEE RESOLUTION

Moved: Cr Nikki Kiss OAM

Seconded: Cr Tony Horton

- I. 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 Sections 1.1.4.1 and M.1.5.1 of Parts I and M of Council's Development Control Plan 2021 are sufficiently justified and the application was publicly notified and no submissions were received; and

2. That Council approves variations to Sections I.1.4.1 and M.1.5.1 of Parts I and M of Council's Development Control Plan 2021 for this development to allow a minimum 4.65m front boundary setback and 6 car parking spaces; and
3. That Development Application No. 10.2024.11.1, for the construction of 64 self-storage units on Lots 9 & 10 DP 1096603, 11-13 Kollas Drive Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Lot Plan Drawing A001	Vision Property Development Hub 13 November 2024	Received 4 June 2025 Stamped No. 10.2024.11.1
Site Plan Drawing A002 C	Vision Property Development Hub 1 April 2025	Received 21 July 2025 Stamped No. 10.2024.11.1
Stage 1 Elevations Drawing A201	Vision Property Development Hub 16 January 2025	Received 4 June 2025 Stamped No. 10.2024.11.1
Stage 2 Elevations Drawing A202	Vision Property Development Hub 16 January 2025	Received 4 June 2025 Stamped No. 10.2024.11.1
Statement of Environmental Effects Version 5	Vision Property Development Hub 16 July 2025	Received 21 July 2025 Stamped No. 10.2024.11.1

2. 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.
3. 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).
4. All traffic movements in and out of the development are to be in a forward direction.

5. The emission of sound from the premises shall be controlled at all times in accordance with the Noise Policy for Industry (2017) published by NSW EPA.
6. No advertising sign and/or structure other than that which is permissible without consent is to be erected as part of the approved development until a formal application has been submitted to Council and a development consent has been issued.

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

7. Prior to the issue of a Construction Certificate for each stage of the development, the Applicant must demonstrate that the development complies with firefighting capabilities in accordance with AS 2419.1:2021, Fire Hydrant Installations, and Fire and Rescue NSW (FRNSW) guidelines. All costs associated with the augmentation of water reticulation relating to the development shall be borne by the Applicant and at no cost to Council.
8. Prior to the issue of a Construction Certificate for each stage, Council's sewer main alignment and depth shall be accurately located and the greater of the following clearance criteria must be achieved and demonstrated:
 - (i) A line taken at an angle of 45 degrees downwards from the lower edge of the proposed footing will not intersect Council's sewer main and its trench;
 - (ii) A minimum 1100mm between the building's footings and centre line of the sewer main;
 - (iii) The building and its footings are located outside any existing sewer easement.

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

9. Prior to the issue of the Construction Certificate for each stage, the Council's stormwater main alignment and depth shall be accurately located and the greater of the following clearance criteria must be achieved and demonstrated:
 - (i) *A line taken at an angle of 45 degrees downwards from the lower edge of the proposed footing will not intersect Council's stormwater main and its trench;*
 - (ii) *A minimum 1100mm between the building's footings and centre line of*

the stormwater main;

- (iii) The building and its footings are located outside any existing stormwater easement.*

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

10. Prior to the issue of the Construction Certificate for the each stage, the Applicant must obtain consent from Council pursuant to Section 138 of the Roads Act 1993 for the construction of the driveway crossings to the development site from Kollas Drive in accordance with Cowra Shire Council's Engineering Standards.
11. Prior to the issue of a Construction Certificate for each stage, a Stormwater Management Plan shall be submitted to Council for approval which shows:
 - all trafficable surfaces to be of an impervious nature.
 - a "vee" shaped drain, to the satisfaction of Council's Infrastructure & Operations Department, over Council's stormwater main located adjacent to the drainage easement parallel to the northern boundary.
 - adequate provision has been 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.
12. Prior to the issue of a Construction Certificate for each stage, the Applicant is to submit design details of the proposed retaining wall for the approval of Council's Manager – Assets & Technical services. The design must be prepared by a suitably qualified engineer for retaining walls adjacent to Council's sewer & stormwater mains. Construction is to be supervised by an engineer.
13. Prior to the issue of a Construction Certificate for each stage, the Applicant is to submit a Landscape Plan for the approval of the Principal Certifier which includes details of the proposed plant species and maintenance schedule. The plan is to be prepared in accordance with Part N of Cowra Council Development Control Plan 2021.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

14. The Applicant is to obtain a Construction Certificate for each stage of the development from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building

Code of Australia and applicable Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

15. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work.
16. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.
17. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. The erosion and sediment control measures are to comply with Part B of Cowra Shire Council Development Control Plan 2021 at all times.
18. Any alterations to the ground surface adjacent to the sewerage access chamber in the vicinity/or within the property will require application and payment to Council for alterations to the access chamber level to match the new ground surface level. Access chambers within driveways will require provision of a trafficable lid at the applicant's cost.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

19. 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.
20. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.
21. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act

1993.

22. **Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.**
23. **All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.**
24. **All stormwater management works shall be undertaken in accordance with the approved Stormwater Management Plan. Any required stormwater drainage facilities necessary to service the development shall be carried out prior to the issue of any Occupation Certificate.**
25. **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.**
26. **As soon as is practical, and within a maximum of 7 days following the placement of any roofing material, all guttering and downpipes must be installed and connected to Council's drainage system.**
27. **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 PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

28. The Applicant must not commence occupation or use self-storage units until a Whole or Partial Occupation Certificate for each stage of the development has been issued from the Principal Certifier appointed for the subject development.
29. Prior to the issue of a Whole Occupation Certificate, all landscape works for the relevant stage shall be completed in accordance with the approved plans.
30. Prior to the issue of an Occupation Certificate for each stage, the Applicant shall seal or concrete internal driveways, hardstand areas and the car parking spaces for the relevant stage in accordance with Cowra Infrastructure and Operations Engineering Standards.
31. Prior to the issue of an Occupation Certificate for the relevant stage, the retaining wall is to be engineer certified as being constructed in accordance with the approved design.
32. Parking for disabled persons is to be provided and signposted in accordance with the approved plans and the requirements of Australian Standard 2890.1. The access linking such parking areas to their associated developments shall generally not have gradients steeper than 1:14.
33. Prior to the issue of an Occupation Certificate for each stage, the Applicant shall construct access crossings to the development site from Kollas Drive 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.
34. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water supply to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of the Occupation Certificate for the relevant stage of development.

Separate reticulated water reticulation mains including a 25mm metered water service must be physically provided to each lot of the development in accordance with Cowra Infrastructure and Operations Engineering Standards. Council will not issue the Occupation Certificate until a Compliance Certificate has been issued, verifying that all works have been satisfactorily completed. Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on

(02) 6340 2070.

35. 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
36. An Annual Fire Safety Statement completed by a competent fire safety practitioner for all the Essential Fire Safety Measures applicable to the building must be given to Council and a copy forwarded to the Fire Commissioner via the dedicated email address afss@fire.nsw.gov.au:
- (i) within 12 months after the date on which an annual fire safety statement was previously given, or
- (ii) if a fire safety certificate has been issued within the previous 12 months, within 12 months after the fire safety certificate was issued, whichever is the later.

An Annual Fire Safety Statement must be issued using the standard template form published by the NSW Government. A copy of the Annual Fire Safety Statement (together with a copy of the current fire safety schedule) must also be prominently displayed in the building.

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, Nikki Kiss OAM, Karren Cave, Cheryl Downing, Tony Horton, Cheryl Speechley and Peter Wright

Against: Nil

CARRIED 7/0

5.3 Modification to Council's Access Incentive Scheme Grant Funding Guidelines

COMMITTEE RESOLUTION

Moved: Cr Nikki Kiss OAM

Seconded: Cr Cheryl Downing

That the Draft Access Incentive Scheme Grant Policy be placed on public exhibition for a period of at least 28 days.

CARRIED

6 **LATE REPORTS**

Nil

7 **NOTICES OF MOTIONS**

Nil

The Meeting closed at 6.02 pm

The Minutes of this meeting are confirmed at the General Committee Meeting held on 8 September 2025.

.....
CHAIRPERSON

3 GENERAL MANAGERS REPORT

3.1 Business Assistance to Cowra Early Childhood Services

File Number: D25/1519

Author: Paul Devery, General Manager

RECOMMENDATION

1. That council, having given public notification and considered submissions received, provide financial assistance to Cowra Early Childhood Services by way of a \$36,000 partial refund of development application fees for the construction of a preschool at 14 Short Street, Cowra.
 2. That funds be transferred from the Business Assistance Reserve to cover this payment.
-

INTRODUCTION

Council at its 28 July 2025 meeting resolved:

1. *That Council give public notification of its intention to provide financial assistance to Cowra Early Childhood Services by way of a \$36,000 partial refund of development application fees for the construction of a pre-school at 14 short street Cowra.*
2. *That funds be transferred from the Business Assistance Reserve to cover this payment.*

The proposal was widely advertised and at the close of the exhibition period on Monday 1 September 2025, twelve (12) submissions had been received. Copies of the submissions are included at Attachment 1.

Eleven of the twelve submissions are supportive of the proposal.

Given council's original decision and the outcome of the public exhibition process it would seem appropriate to proceed to provide the financial assistance proposed.

BUDGETARY IMPLICATIONS

\$36,000 from the Business Assistance Reserve.

ATTACHMENTS

1. Submissions [↓](#)

From: Dimity Southwell
Sent: Thursday, 7 August 2025 12:00 PM
To: Cowra Council
Subject: Support for CECS Partial Refund

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.

I am writing to express my support of the partial grant in application fees to Cowra Early Childhood Services preschool facility.

As a working mother of 5 children, 2 of preschool age, this service is desperately required in our community.

To be able to effectively support my community in my NDIS plan management role, quality and accessible childcare is essential.

Thank you

Kind regards,
Dimity Southwell
Balance Plan Manager

Cowra Office A: 18 Redfern Street, PO Box 727 Cowra NSW 2794
Office Hours Mon-Fri – 8:30am-5:00pm



From: Emily Reynolds
Sent: Thursday, 7 August 2025 9:18 PM
To: Cowra Council
Subject: Support for Cowra Early Childhood Services

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 Cowra Council,

I am writing as an employee at Cowra Early Childhood Services in response to the public notice regarding the proposed \$36,000 partial refund of development application fees for the construction of our new preschool at 14 Short Street, Cowra.

Having seen firsthand the positive impact our service has on local families, I want to express my strong support for this initiative. This financial assistance will make a genuine difference in helping us deliver improved facilities and better opportunities for early learning in our community.

Regards,
Emily Reynolds

From: Penny Smith
Sent: Wednesday, 13 August 2025 11:13 AM
To: Cowra Council
Subject: Submission in Support – Financial Assistance to Cowra Early Childhood Services

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 Councillors,

I am writing to express my full support for Council's proposal to provide financial assistance to Cowra Early Childhood Services (CECS) by way of a \$36,000 partial refund of development application fees for the construction of a preschool at 14 Short Street, Cowra.

Cowra Early Childhood Services is a community-based, not-for-profit organisation that has long been recognised as a leader in early childhood education and care within our region. Their reputation for delivering high-quality, inclusive, and community-connected programs is unmatched locally. As an organisation driven not by profit but by the needs of families, CECS reinvests resources directly back into its services, ensuring children and families benefit first and foremost.

The proposed preschool expansion represents an important step in meeting the growing demand for early childhood places in our community. With their proven record of excellence, deep local knowledge, and strong community ties, CECS is uniquely positioned to deliver this expansion in a way that upholds the highest educational and care standards while fostering the values and connections that make Cowra such a strong community.

Supporting this initiative through a partial refund of DA fees is a practical and forward-thinking investment in the future of our town. It ensures resources can be channelled towards delivering quality facilities and programs rather than being tied up in administrative costs. This decision will directly benefit local families, children, and the broader community for many years to come.

I commend Council for recognising the value of CECS and for taking this proactive step to support their continued growth and success.

Yours sincerely,

Penny Smith

Cowra Early Childhood Services - Mobile
20 Comerford St.
COWRA NSW 2794



From: Charles Grace
Sent: Friday, 15 August 2025 12:16 PM
To: Cowra Council
Subject: Submission in Support of Financial Assistance for Cowra Early Childhood Services

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.

To Whom It May Concern,

I am writing to express my strong support for Cowra Council's proposal to provide financial assistance to Cowra Early Childhood Services (CECS) through a partial refund of development application fees for the construction of a new preschool at 14 Short Street, Cowra.

As a local educator and community member, I have seen firsthand the positive impact CECS has on children and families in our region. My daughter Winnie attends the CECS Truck School, and the care and support she has received there have been nothing short of transformative. Winnie experienced a difficult transition into early learning, having missed an entire year of preschool while in her mother's care. When she came into my care, she needed a nurturing environment with skilled educators who could support her emotional and developmental needs. The staff at CECS welcomed her with warmth, patience, and professionalism. Thanks to their dedication, Winnie is now flourishing — socially, emotionally, and academically.

The proposed preschool development will allow CECS to expand its reach and continue delivering high-quality, inclusive early childhood education. The \$36,000 refund represents a meaningful investment in the wellbeing of children like Winnie and reflects Council's commitment to supporting families and future generations. I commend Council for considering this initiative and urge you to proceed with the proposed assistance.

Thank you for the opportunity to contribute to this public submission.

Kind regards

Charles Grace

*High School Support teacher / Youth worker / Primary teacher
Cowra High School*



*** This message is intended for the addressee named and may contain privileged information or confidential information or both. If you are not the intended recipient please notify the sender and delete the message. ***

From:**Sent:** Wednesday, 27 August 2025 3:33 PM**To:** Cowra Council**Subject:** Council's decision to refund the development application fees

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.

General manager
Cowra Shire Council

Sir,

27/08/2025

I would like to address the council's decision to refund the development application fees for Cowra Early Childhood Services (CEC).

I totally agree with the three councillors who voted against this motion and admit I have used some of their arguments against the motion in my submission

Firstly, I acknowledge the remarkable longevity of CEC, which has been operating for over 40 years and has provided invaluable support to numerous families within our community. Their financial stability and organizational effectiveness are commendable. However, the primary discussion should not solely revolve around the approval of funding amounts, whether it be \$5,000, \$10,000, or \$30,000. It is crucial to recognize that such funding does not dictate the outcome of the centre's construction; CEC is not in a situation where this financial support is critical to their establishment. There are two significant issues at hand.

The first pertains to the provision of support to a specific organization.

Should the council choose to deviate from established protocols for one entity, it raises important questions regarding the criteria to be applied in future scenarios. Who else may approach the council requesting similar forms of support?

I wish to emphasize that I am not questioning the merits of CEC as an organization; rather, my concern lies within the decision making process of the council itself. If the council continues to grant exceptions, it risks setting a precedent that may lead to numerous additional requests for funding.

It is imperative to establish transparent criteria for these decisions:

What justifies a positive response, and what warrants a refusal?

Without comprehensive consideration of these criteria, the council places itself in a tenuous position, allowing opportunities for criticism. While it is entirely appropriate for the council to support local businesses and organizations, it is vital to avoid the perception of arbitrarily selecting "winners."

CEC may indeed be a valuable organization, but there are countless other groups that also contribute positively to the community.

The council must not adopt an indiscriminate approach by simply acquiescing to every request without a structured framework.

This situation invites crucial questions: When does the council opt to approve requests, and when does it choose to decline? What process governs these decisions?

Furthermore, the council has a multitude of projects it aims to pursue, including those identified by the CBD committee that require financial support. The ongoing efforts to revitalize the Business Chamber are equally significant.

My primary concern lies not in the specific amounts involved—whether they are \$5, \$10, or \$500—but in the lack of clarity surrounding the framework used to arrive at this decision.

Was the decision consistent? I believe it lacks consistency and raises necessary concerns regarding transparency. It is important to note that the council may have \$36,000 in funds that were

accumulated through the diligent efforts of council staff who collaborated with the proponents. These funds had likely been earmarked for specific purposes. If the council chooses to reallocate these funds, it must derive them from another source, directly relating to the community's established priorities. In essence, "The size of the pie is the size of the pie."

If the council intends to alter the distribution of resources, it is crucial to clarify the recipients of these funds and identify what existing allocations will be reduced.

Financial resources do not materialize without designation; all funds are allocated for specific purposes. Should the council reassign these funds, it is essential to account for their origins.

Unless I am mistaken, the council does not possess an excess of surplus funds available for distribution. Any allocation must have a clear source.

Therefore, it is imperative that the council engages in a substantive discussion regarding whether it intends to offer structured support for charitable organizations and nonprofits. If such support is to be provided, it is important to define its scope and underlying rationale.

I fully support Cowra Early Childhood Services and recognize their contributions to the community, but this discussion extends beyond their situation. The council must engage in a thorough and open dialogue about the criteria and processes for decision-making.

If the council chooses to amend its procedures at this juncture, it is crucial to provide a robust justification for such changes.

This necessitates a broader conversation about the approach the council will take towards future requests for assistance.

Thank you for the opportunity to voice my opinion on this matter

Thank you.

Paul Galea



Ability Network
PO Box 332
COWRA NSW 2794
ABN 57 168 715 294

12 August 2025

To Whom it May Concern

Ability Network supports the partial refund of council development fees to Cowra Early Childhood Services Cooperative Ltd (CECS).

On behalf of the management and Board of Ability Network, we are writing to express our strong support for the proposal to allocate \$36,000 to CECS, by way of partial refund of the Development Application Fees related to the future build of their new preschool.

Ability Network and CECS are unique in the Cowra community. Both organisations have been in operation for decades as non-profit enterprises and continue to provide services to the Cowra community, in ways that only community based not-for-profits can. When it came time for Ability Network to vacate its Berowra Street property that we had occupied for about 20 years, CECS was our first option considered to take up a lease. We knew that CECS had been struggling for space given the growing demand on child care and early education services, and were only happy to pass (at below market rental) our community asset to CECS to use for the future. We were equally excited to hear of the plans for the new preschool but know all too well the financial pressures of building a new facility as a charity organisation.

We firmly believe it is the council's responsibility to utilise its excess funds to support charity and community non-profit organisations that benefit the broader community and we fully endorse the proposed refund of development application fees relating to the new development to CECS in this instance.

Yours sincerely,

Shane Kruger
Chief Executive Officer
Ability Network



August 2025

To whom it may concern,

As a local resident of Cowra, I wanted to register my support for the CECS Assistance in the partial refund of development application fees for the Cowra Early Childhood Service.

It is great to see Cowra Council supporting long-standing community not-for-profits and showing their support for Cowra's families and children for generations to come.

As a mother, rate-payer and contributing member of Cowra's community, I register my whole-hearted support of this submission and refund.

Thank you for your kind consideration.

Yours sincerely,

Lusi Austin

www.lusiaustin.com

Cowra Citizen of the Year (2025)

COWRA 2794
15 August 2025

Cowra Council
166 Kendal St
Cowra 2794.

Dear councillors,

I write in support of Cowra Council's intention to provide financial assistance to Cowra Early Childhood Services (CECS) by way of a \$36,000 partial refund of development application fees for the construction of a preschool at 14 Short Street, Cowra.

As a resident of Cowra, I have become aware of the challenges facing families with young children in finding places in centres. I am also aware of the challenges facing early childhood centres in recruiting and retaining qualified educators. The thoughtfully-planned, state-of-the-art preschool offers an option for families to select a preschool pathway, alongside existing childcare options, and also has the potential to attract well-qualified and experienced educators to the town.

As an academic working in the field of regional, rural and remote education, I have been shocked and dismayed by statistics depicting the educational disadvantage of children residing in regional town such as Cowra. Early childhood education is recognised as having the greatest benefits for these children, and I applaud the CECS team for their commitment to principles that will ensure Cowra's children have access to high quality early childhood education, seeing them begin their formal schooling with the skills required for engagement in learning.

Recently, I have had an opportunity to view infrastructure plans for the preschool and to discuss the developmental processes and plans, as well as the underlying educational goals with CECS staff. The achievements to date are remarkable, and support from the greater local community is warranted in light of the potential benefits for the town's economic, educational and community development.

At this point in the preschool's development, Cowra Council is in a unique position to contribute to the project through the partial refund of development application fees, and I support this decision wholeheartedly.

Sincerely,



Dr Wendy Brooks

CEO, Young Regional Conservatorium

President, NSW Association of Regional Conservatoriums (ANSWRC)

Executive, Society of Provision of Education on Rural Australia (SPERA)

Peter Launders

Tuesday 26th August 2025

Cowra NSW 2794

To: Cowra Shire Council

Re: Refund of DA fees to Cowra Early Childhood Services (CECS)

Dear Councillors,

I would like to express my strong support for the proposal to partially refund to Cowra Early Childhood Services (CECS) the Development Application fees, related to the new community preschool in Short Street.

I am writing this letter of support in my personal capacity, as a previous customer of many of CECS's services for my three children; as a resident of Cowra and ratepayer for approximately 16 years; and as a local business owner. But I also need to declare that I have been the voluntary Treasurer for CECS for 8 years and the President for the past 2 years, so have more than a passing interest in the financial aspects of the community preschool project.

The community preschool project has required an enormous amount of work from CECS and the support of an array of partners, including Cowra Shire Council. It is an exciting time for CECS as expansion of our services has been a goal for many years.

As you may be aware, due to delays in grant approval, the cost of the project has increased significantly and CECS has had to invest a far greater sum than first anticipated. Fortunately, CECS was in a financial position to be able to afford this (just) but our financial resources are limited.

The State Government grant funding does not cover the internal fitout and furnishings, among other things, so CECS still needs to find funds to complete these aspects of the project. As a not-for-profit community organisation, funding for significant projects is not easy to come by so any avenues that are available to preserve our spending capacity are definitely welcome.

I genuinely believe that Council using its funds to support not-for-profits and charitable organisations in their delivery of vital services to the local community is an appropriate use of Council's financial resources (which I appreciate are not unlimited).

Again, I would like to thank everyone who has been involved with the community preschool project from the Council side – we would like to think we are developing the preschool in partnership with Cowra Shire Council and your support thus far is greatly appreciated and acknowledged.

Kind regards



Peter Launders

Dear Councillors,

I am writing in support of Council's proposal to provide financial assistance to Cowra Early Childhood Services in the form of a \$36,000 partial refund of development application fees for the construction of a preschool at 14 Short Street, Cowra.

As both a parent and a teacher trained in early childhood and primary education, I know how important the early years are in shaping a child's future. Quality preschool education builds strong foundations for learning, confidence, and social skills, setting children up for success when they start school.

For families like mine, access to local, high quality early learning is not just an educational need it's a community priority. This preschool will give children a safe and nurturing place to learn as they begin their educational journey.

The proposed financial assistance will directly contribute to reducing the cost burden on a vital community service. This investment will deliver long-term social and economic benefits for our community, as the preschool will support local families, and enhance the educational outcomes for our youngest learners.

For these reasons, I fully support the resolution and commend Council for recognising the importance of investing in high quality early childhood education.

Kind regards,

Kristen Matic

Natalie Rush

COWRA NSW 2794

E.

M.

13 August 2025

Dear Cowra Council,

I am writing to provide my full support for the request by Cowra Early Childhood Services (CECS) for a partial refund of the \$36,000 development application fees associated with the new preschool facility at 14 Short Street.

I have seen first-hand the profound impact CECS has had on families and children in Cowra and the surrounding region. For more than 40 years, this organisation has led the way in setting the standard for what high-quality early childhood education and care looks like in our community. CECS has not only provided a safe and nurturing environment for children to learn and grow, but has also worked tirelessly to ensure that every child, regardless of background or circumstance, has the opportunity to reach their full potential.

The establishment of this new preschool is more than just a building project; it is an investment in the future of Cowra. It will increase access to early childhood education, meet the growing needs of local families, and strengthen the foundations for lifelong learning. These benefits will extend beyond the classroom, creating positive social, educational, and economic outcomes for the entire community.

As a not-for-profit organisation, every dollar saved by CECS can be directly reinvested into services, resources, and opportunities that benefit our children. By granting this partial refund, Cowra Council would be recognising the enormous value CECS has brought to our community for decades and ensuring they can continue this important work for generations to come.

Thank you for your time and consideration of this request. I strongly endorse CECS's application and the positive impact this preschool will have on the families, educators, and future of our region.

Natalie Rush

Early Childhood Educator/ Community Member

From: Liz Reynolds
Sent: Thursday, 7 August 2025 8:40 PM
To: Cowra Council <council@cowra.nsw.gov.au>
Subject: Support for Cowra Early Child Services application for refund of \$36 000 DA fees

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.

Attention Cowra Council,

I am writing in support of Cowra Early Childhood Services application for refund of \$36 000 DA fees for their new centre. Cowra Early Childhood Services provides a valuable and much needed service to our local community, and the new centre will help families currently on wait lists to access quality childcare. This is a vital service which allows parents to participate in work, hence benefits the entire Cowra Community.

Liz Reynolds

[Yahoo Mail: Search, organise, conquer](#)

4 DIRECTOR-CORPORATE SERVICES REPORT

4.1 Policy Review - Payment of Expenses and the Provision of Facilities to the Mayor and Councillors

File Number: D25/1448

Author: Alan Dalton, Director - Corporate Services

RECOMMENDATION

That Council adopt the draft revised Policy - Payment of Expenses and the Provision of Facilities to the Mayor and Councillors.

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.

At the 28 July 2025 Council Meeting, a resolution was passed to place the draft revised Policy - Payment of Expenses and the Provision of Facilities to the Mayor and Councillors, on public exhibition for 28 days, as required by the Act. With no submissions received on the draft policy, it is recommended that it be adopted by Council.

BACKGROUND

The draft revised policy was publicly exhibited for the required 28 days. At the close of the exhibition period no submissions had been received.

As previously reported to Council, the draft policy is based on a substantially revised template issued by the Office of Local Government. Accordingly, although the existing policy is attached for reference, 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 Long-Term Financial Plan.

ATTACHMENTS

1. Draft Policy - Payment of Expenses and the Provision of Facilities to the Mayor and councillors [↓](#)
2. Current Policy - Payment of Expenses and the Provision of Facilities to the Mayor and Councillors - Adopted Council 27 January 2015 [↓](#)



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

2025/23789

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

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

Cowra Shire Council
Private Bag 342
Cowra NSW 2794

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

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

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.

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

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

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

- **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

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

- 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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- 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.

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

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.

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

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

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

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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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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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.

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

- 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.

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

- 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.

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

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.

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

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

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

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

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

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

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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- 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.

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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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.
- 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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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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- **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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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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- 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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- 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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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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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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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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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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- 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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- 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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- 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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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
www.cowracouncil.com.au

2014-2015 Expenses of Members of Council

Date	Event/Project	Destination/ Phone number or Website	Kilometres /Expense	Total (\$)
Travelling (10053) Council or Committee Meeting; Other (not included in categories below) *** Attach Receipts				
Interstate Visits (10139) Travel; Accommodation; Incidental Expenses *** Attach Receipts				
Overseas Visits (10140) Travel; Accommodation; Incidental Expenses*** Attach Receipts				
Conference / Seminar Attendance (10137) Travel; Accommodation; Incidental Expenses** Attach Receipts				
Training/Skill Development (10138) Travel; Accommodation; Incidental Expenses** Attach Receipts				
Mayoral Expenses (10051) *** Attach Receipts				
Telephone/Fax & PDA (10136) Attach statement. Capped at maximum value of \$50.00 per month inc GST** Attach Receipts				
Partner/Spouse Expenses Ticket, meal, direct cost of attending local functions/LGA/ LGSA Conference (excluding travel) ** Attach Receipts				
Councillor Carers Expenses (10142) Capped at maximum of \$10 per hour** Attach Receipts				
TOTAL CLAIMED				\$

I hereby certify that the expenses detailed herein have been validly incurred by me as a Councillor and are claimed in accordance with Council policy.

Councillor Mayor/Deputy Mayor General Manager/Delegate

Office Use:
Received Date: _____
Time: _____
Registration Date: _____
Document No.: _____
Officer Initial: _____
Disposal: _____ years

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

4.2 Donation - Mulyan Public School - 2025 Schools Spectacular

File Number: D25/1571

Author: Alan Dalton, Director - Corporate Services

RECOMMENDATION

That Council approve a donation of \$3,000 to Mulyan Public School to assist the Schools Spectacular Team attending the Schools Spectacular in November 2025.

INTRODUCTION

Ms Jo Densmore – Business Manager Mulyan Public School, has written to Council seeking financial assistance to facilitate the Schools Spectacular Team attending the Schools Spectacular in November 2025. The application is eligible for support under Council's Donation Policy, with \$3,000 being requested.

BACKGROUND

The Schools Spectacular is hosted every year by the NSW Department of Education and provides the opportunity for public schools to highlight the talents of their students over various categories of art and performances. Council has made similar donations in previous years to Mulyan Public School towards their participation, namely:

- 2024 – \$2,000
- 2023 – \$2,000

For comparison, Council has made similar donations to Cowra High School towards the its participation in the Schools Spectacular, namely:

- 2025 – \$2,000
- 2024 – \$2,000
- 2023 – \$2,000

The request meets the eligibility requirements of Clause 9 of Council's Donations Policy in the following areas:

- 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.

No other donation requests have been received from Mulyan Public School this financial year.

BUDGETARY IMPLICATIONS

The request for \$3,000 is within the 2025-26 unallocated s.356 budget of \$6,997.

ATTACHMENTS

1. Cover Letter - Mulyan Public School - Request for Financial Assistance [↓](#)
2. Application - Financial Assistance Donation Request - Mulyan Public School - Schools Spectacular 2025 [↓](#)

**MULYAN PUBLIC SCHOOL**

92 - 94 Lachlan St
COWRA NSW 2794
Ph: 02 6342 2531
Principal: Mrs Catherine Briggs

13th August 2025

Mr Paul Devery
General Manager
Cowra Shire Council
116 Kendal Street
COWRA NSW 2794

Dear Mr Devery

Mulyan Public School Schools Spectacular Team

Mulyan Public School Schools Spectacular team are excited to have been successful in our application into the 2025 Schools Spectacular 'Remarkable' show to be held in Sydney in November.

The Schools Spectacular is a weeklong event from the 25th to the 29th November and ending in 4 spectacular performances at the QUDOS Bank Arena, Olympic Park.

This year Mulyan students are extremely excited to have been successful in their choir audition. This is very exciting for our school community and our teams, providing an experience for many of our students who otherwise would not have the opportunity for perform on such a high-profile platform.

The financial costs of such an event are quite high to participate for the week and our teams are well on their way with a long list of fundraising events/activities to support themselves. In the past Cowra Shire Council has generously supported our team through a financial donation of \$2000 towards the costs for our students and we would be grateful for any continued support for 2025.

The costs include transport to Sydney, accommodation for a week at the Great Southern Hotel in Sydney for staff and students, costumes, food and other incidentals. We have reduced the number activities where possible to help our families with costs given the current climate.

Thank you for your consideration, if you require further information, please contact us on 6342 2531 or our students would happily attend a meeting with you.

Kind regards,

Mulyan Schools Spectacular Choir team

Mrs Lauren Wilson & Miss Daisy Heilman
Coordinating Teachers

Respect Responsible Resilience



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

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

Contact Name/ Sporting Applicant: Jo Densmore
Mailing address: 92-94 Lachlan Street Cowra
Phone: (Home) _____ (Business) 02 6342 2531
Email: mulyan-p.school@det.nsw.edu.au
Signature: _____ Date: 18 / 08 / 2025

Organisation Details

Organisation responsible for the event/activity: Mulyan Public School Schools Spectacular Team
President/Secretary Contact Details: Jo Densmore
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 Financial support for our 16 students to attend and participate in the School Spectacular
Date/s of the proposed event/project 25.11.2025 - 29.11.2025
Venue where will the event/project take place? Qudos Arena, Olympic Park, Sydney

Financial Details

Amount of assistance being sought: \$ 3000.00
Total Estimated cost of the total event/project \$ 13,040.00
How are funds to be raised? School financial support, fundraising events business sponsorship, grants
Funds available at present to go towards event \$ 4400.00
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? \$ 2000.00
When was it provided? November 2024
Have you applied for funding from other organisations? ☒ YES ☐ NO
If YES, how much has been sought \$ \$3200 (collective funding outside of grants and school contributions)

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:

- 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.

Provide an experience to students that would otherwise not have the opportunity to be involved in such a largescale production

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)

Total costs are \$815 per student, grant funding from event organisers is \$50 per student plus school contributions leaving parents and students to fundraise the remainder of the costs

Objective 3: To provide access and usage of community resources, services and facilities, and equity of access for special needs groups

The event promotes inclusion therefore using Qudos Arena as it caters for all

Objective 4: To encourage and enable broad community participation in cultural/ community service programs.

Encouraging regional participation to expend students confidence and resilience in many community aspects and promoting cultural confidence

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

4.3 Donation - Woodstock Panthers Football Club - 2025 Community Cup Challenge

File Number: D25/1587

Author: Alan Dalton, Director - Corporate Services

RECOMMENDATION

That Council approve the provision and collection of garbage bins to the value of \$423 to assist with the 2025 Community Cup Challenge in September 2025.

INTRODUCTION

Ms Catherine Green – Publicity Officer, has written to Council seeking the provision and collection of waste bins to assist the club's hosting of the Woodstock Panthers Football Club 2025 Community Cup Challenge, being held at the Woodstock Showground on 27 September 2025.

The application is eligible for support under Council's Donation Policy, with the provision and collection of bin services being requested equating to \$423 in donations funds.

BACKGROUND

The Woodstock Panthers Football Club participates in the Mid West Community Cup, which is a regional Rugby League competition running over September and October each year. The Community Cup Challenge 2025 is being held at the Woodstock Showground as the Woodstock Panthers' home game in 2025. This is an annual event that brings together remote communities around the region through the social benefits of country sport.

The request meets the eligibility requirements of Clause 9 of Council's Donations Policy in the following areas:

- Festivals and special events which enhance community spirit.
- Community, charity and not for profit organisations' use of Council owned and controlled facilities including halls, sporting grounds and other venues.

It is noted that although the application for support declares that the club has sufficient funds available for the expected event costs, an agreement by Council to provide the requested services would be a supportive gesture for the community.

No other donation requests have been received from the applicant this financial year.

BUDGETARY IMPLICATIONS

The request the provision and collection of bin services equates to \$423, which is within the 2025-26 unallocated s.356 budget of \$6,997.

ATTACHMENTS

- I. Application - Woodstock Panthers Football Club - Community Cup Challenge 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

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

Contact Name/ Sporting Applicant: Woodstock Panthers Football Club
Mailing address: WOODSTOCK NSW 2793
Phone: (Home) [REDACTED] (Business) [REDACTED]
Email: woodstockpanthers@hotmail.com
Signature: [REDACTED] Date: 17 / 08 / 2025

Organisation Details

Organisation responsible for the event/activity: Woodstock Panthers Football Club
President/Secretary Contact Details: Jack Ryan / Emma Stevenson
Organisation Type (please circle): Non Profit / Charity / **Incorporated** / Business / other:

Do membership fees apply? YES NO
If yes, annual membership/fees ☒ \$130 per player

Event Details

Description of the event/project/request/person for which assistance is sought 2025 Community Cup Challenge

Date/s of the proposed event/project 27th September 2025
Venue where will the event/project take place? Woodstock Showground

Financial Details

Amount of assistance being sought: \$ Garbage bin provision and collection
Total Estimated cost of the total event/project \$4000.00
How are funds to be raised? Sponsorship, Donations, Gate Takings, Fund Raising

Funds available at present to go towards event \$5000.00
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 \$

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:

- 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.

This event will foster community pride and identity. It will bring people together helping reduce social isolation. It encourages participation in sport and promotes healthy lifestyles.

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]**

This event relies heavily on sponsorship and support from Woodstock, Cowra, and surrounds. Gate entry, and fundraising assist in overhead costs associated with the club.

Objective 3: To provide access and usage of community resources, services and facilities, and equity of access for special needs groups

Woodstock showground is located on Crown Land and is managed by a land manager Cowra Council, the football club utilises this community resource and highlights an asset of the shire to a large audience.

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;

- 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: 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

4.4 Investments and Financial Report

File Number: D25/1710

Author: Alan Dalton, Director - Corporate Services

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

INTRODUCTION

The purpose of this report is to provide Councillors with useful and timely information on Council's investments, rate collections, loans and estimated financial position.

BACKGROUND

The Local Government (General) Regulation 2021 requires that Council receive a monthly report detailing all money that has been invested under Section 625 of the *Local Government Act 1993* (the Act). The report must include a certificate as to whether the investment has been made in accordance with the Act, the Regulation and Council's Investment Policies. This certificate appears below the table of investments.

BUDGETARY IMPLICATIONS

Nil.

ATTACHMENTS

- I. Investments & Financial Report – August 2025 [↓](#)

ATTACHMENT**2025-2026 Investments and Financial Report
August 2025**

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Investments

I. Investments Portfolio

Council's investments are as listed below in lodgement date order as at 31 August 2025.

Funding Institution	S&P Rating	Date Lodged	Term (Days)	%	Date Due	Principal \$
ST GEORGE BANK	AA-	7/01/2025	245	4.70%	9/09/2025	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	4/02/2025	245	4.75%	7/10/2025	500,000.00
SUNCORP-METWAY LTD	A+	11/02/2025	216	4.75%	15/09/2025	500,000.00
SUNCORP-METWAY LTD	A+	11/03/2025	182	4.65%	9/09/2025	500,000.00
BANK OF QUEENSLAND	A-	18/03/2025	189	4.70%	23/09/2025	500,000.00
ING BANK	A-3	18/03/2025	210	4.59%	14/10/2025	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	18/03/2025	168	4.75%	2/09/2025	500,000.00
BANK OF QUEENSLAND	A-	1/04/2025	182	4.78%	30/09/2025	500,000.00
ING BANK	A-2	8/04/2025	182	4.47%	7/10/2025	500,000.00
SUNCORP-METWAY LTD (BARP)	A+	8/04/2025	210	4.73%	4/11/2025	2,000,000.00
BANK OF QUEENSLAND	A-	24/04/2025	180	4.60%	21/10/2025	500,000.00
BANK OF QUEENSLAND	A-	24/04/2025	187	4.60%	28/10/2025	500,000.00
BANK OF QUEENSLAND (Wyangala Sewer Handover)	A-	29/04/2025	182	4.40%	28/10/2025	1,000,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	29/04/2025	126	4.45%	2/09/2025	500,000.00
SUNCORP-METWAY LTD	A+	6/05/2025	210	4.46%	2/12/2025	500,000.00
SUNCORP-METWAY LTD	A+	13/05/2025	182	4.42%	11/11/2025	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	20/05/2025	126	4.35%	23/09/2025	500,000.00
SUNCORP-METWAY LTD	A+	20/05/2025	210	4.32%	16/12/2025	500,000.00
SUNCORP-METWAY LTD	A+	27/05/2025	210	4.16%	23/12/2025	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	3/06/2025	119	4.30%	30/09/2025	500,000.00
BENDIGO & ADELAIDE BANK LTD	A-	5/06/2025	180	4.25%	2/12/2025	500,000.00
BENDIGO & ADELAIDE BANK LTD	A-	10/06/2025	154	4.25%	11/11/2025	500,000.00
IMB LTD	BBB+	10/06/2025	98	4.25%	16/09/2025	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	10/06/2025	126	4.30%	14/10/2025	500,000.00
BENDIGO & ADELAIDE BANK LTD	A-	17/06/2025	154	4.25%	18/11/2025	1,000,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	17/06/2025	91	4.15%	16/09/2025	500,000.00
IMB LTD	BBB+	17/06/2025	91	4.20%	16/09/2025	600,000.00
SUNCORP-METWAY LTD	A+	17/06/2025	245	4.42%	17/02/2026	500,000.00
BANK OF QUEENSLAND	A-	24/06/2025	210	4.35%	20/01/2026	500,000.00
SUNCORP-METWAY LTD	A+	24/06/2025	210	4.37%	20/01/2026	500,000.00
BANK OF QUEENSLAND	A-	1/07/2025	210	4.30%	27/01/2026	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	1/07/2025	91	4.03%	30/09/2025	500,000.00
ST GEORGE BANK	AA-	1/07/2025	154	4.00%	2/12/2025	500,000.00
SUNCORP-METWAY LTD	A+	1/07/2025	210	4.30%	27/01/2026	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	8/07/2025	91	4.08%	7/10/2025	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	8/07/2025	91	4.08%	7/10/2025	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	8/07/2025	126	4.15%	11/11/2025	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	15/07/2025	91	4.22%	14/10/2025	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	15/07/2025	126	4.21%	18/11/2025	500,000.00
IMB LTD	BBB+	15/07/2025	91	4.20%	14/10/2025	500,000.00
ING BANK	A-3	22/07/2025	301	4.12%	19/05/2026	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	22/07/2025	91	4.20%	21/10/2025	500,000.00
BANK OF QUEENSLAND	A-	29/07/2025	182	4.15%	27/01/2026	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	29/07/2025	91	4.21%	28/10/2025	500,000.00
ING BANK	A-3	29/07/2025	301	4.13%	26/05/2026	500,000.00
BANK OF QUEENSLAND	A-	30/07/2025	188	4.15%	3/02/2026	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	30/07/2025	97	4.21%	4/11/2025	500,000.00
IMB LTD	BBB+	5/08/2025	91	4.20%	4/11/2025	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	5/08/2025	126	4.20%	9/12/2025	500,000.00
ST GEORGE BANK	AA-	5/08/2025	155	3.90%	7/01/2026	500,000.00
BANK OF QUEENSLAND	A-	12/08/2025	182	4.10%	10/02/2026	500,000.00
IMB LTD	BBB+	12/08/2025	91	4.15%	11/11/2025	250,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	12/08/2025	126	4.15%	16/12/2025	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	12/08/2025	155	4.15%	14/01/2026	500,000.00
BANK OF QUEENSLAND (Wyangala Sewer Handover)	A-	19/08/2025	183	4.05%	18/02/2026	920,914.23
NATIONAL AUSTRALIA BANK LTD	AA-	19/08/2025	210	4.10%	17/03/2026	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	26/08/2025	182	4.10%	24/02/2026	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	26/08/2025	189	4.10%	3/03/2026	500,000.00
BENDIGO & ADELAIDE BANK LTD	A-3	28/08/2025	187	4.10%	3/03/2026	500,000.00
Total						\$32,270,914.23

I hereby certify that all of the above investments have been placed in accordance with the Act, the Regulations and Council's Investment Policy.
 Scott Ellison, **Manager – Finance**
 31/8/2025

2. Interest Rate

The average interest rate for Council's investments held is 4.30%. At the time of preparing this report, average (market rates) interest rates were as follows as at 31 August 2025.

30 Days	60 Days	90 Days	120 Days	150 Days	180 Days	270 Days	1 YR
3.78%	3.98%	4.05%	4.08%	4.03%	4.10%	4.06%	4.03%

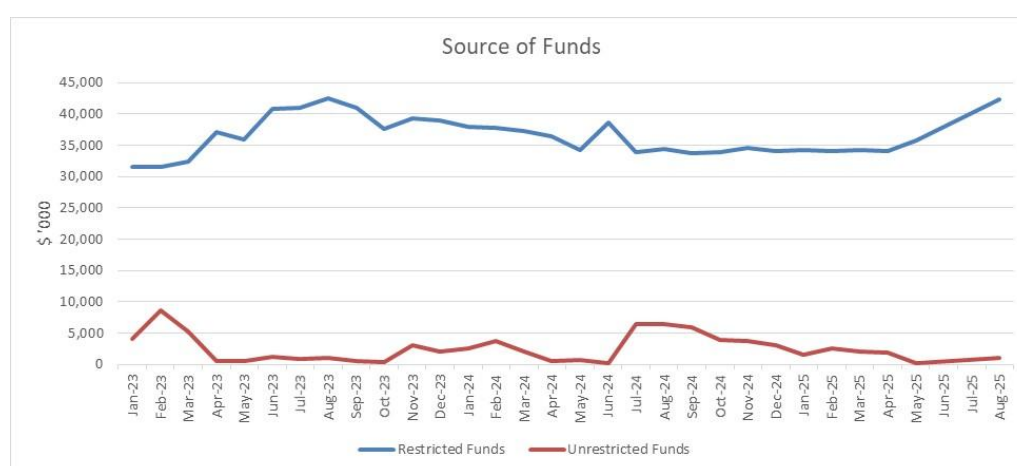
3. General Fund Balance

As at 31 August 2025 balances for Cowra Shire Council for Transaction Accounts and Cash in hand were as follows:

CBA General Account	\$	'000
General Fund bank account	\$	5,988
On-Call account balance	\$	5,250
Cash in hand	\$	4
TOTAL	\$	11,242

The table and graph below show Council's source of funds with the split between Restricted and Unrestricted. The unrestricted funds representing the operating capital available to Council at any given time.

Source of Funds	\$	'000
Investment Portfolio	\$	32,271
Cash and Cash Equivalents - General Ledger	\$	11,242
TOTAL	\$	43,513
	\$	
Represented By:	\$	
Restricted Funds	\$	42,410
Unrestricted Funds	\$	1,103
TOTAL	\$	43,513



4. Council's Investments – Mix of Investment Ratings

Council's investments are made in accordance with its investment policy and in particular are subject to Section 6 of that policy as follows:

"6. Approved Investments

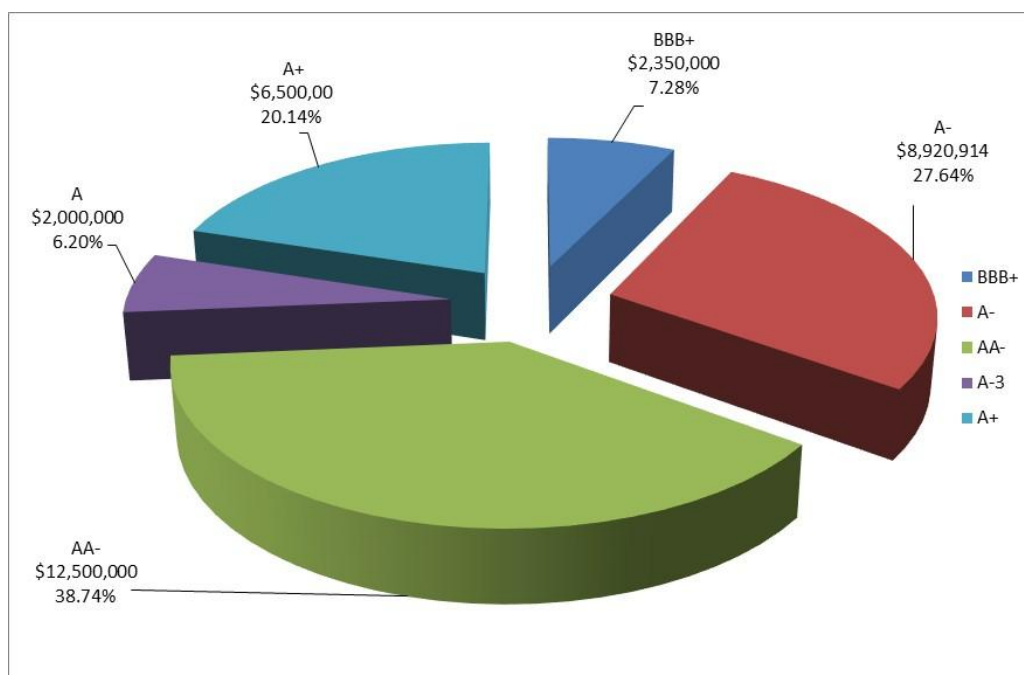
Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.

All investments must be denominated in Australian Dollars. Authorised new investments as from 12 January 2011 are limited to the following, as per the attached Ministerial Investment Order.

- Any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory.*
- Any debentures or securities issued by a Council (within the meaning of the Local Government Act 1993 (NSW)).*
- Interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit - taking institution (as defined in the Banking Act 1959(Cwth)), but excluding subordinated debt obligations.*
- Any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority.*
- A deposit with the New South Wales Treasury Corporation or investments in an Hour - Glass Investment Facility of the New South Wales Treasury Corporation."*

It should be noted that 100% of Council's investments are as per (c) above.

The following pie-chart shows Council's mix of investments for the period detailing the various classes of investments as per the Standard and Poor's classifications.



Rating Types as per Council's Investment Policy and the Department of Local Government Guidelines

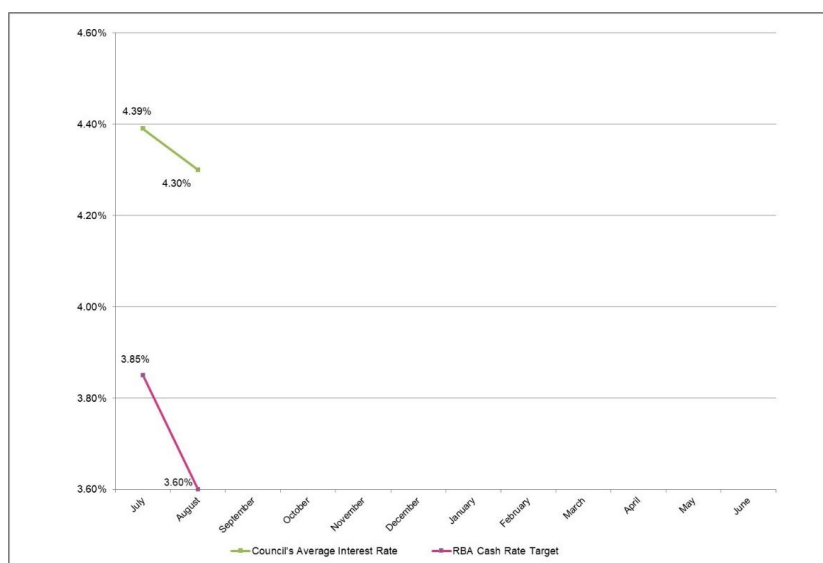
Any securities which are issued by a body or company (or controlled parent entity either immediate or ultimate) with a Standard & Poor's Investors Service, Inc credit rating of "AAA", "AA+", "AA", "AA-"; "A+", "A", "BBB+", or "BBB"

5. Interest on Investment Income

2025-2026 estimated interest on investments amount is \$1,433,560 and has been included in the Budget. Performance of investments is monitored monthly.

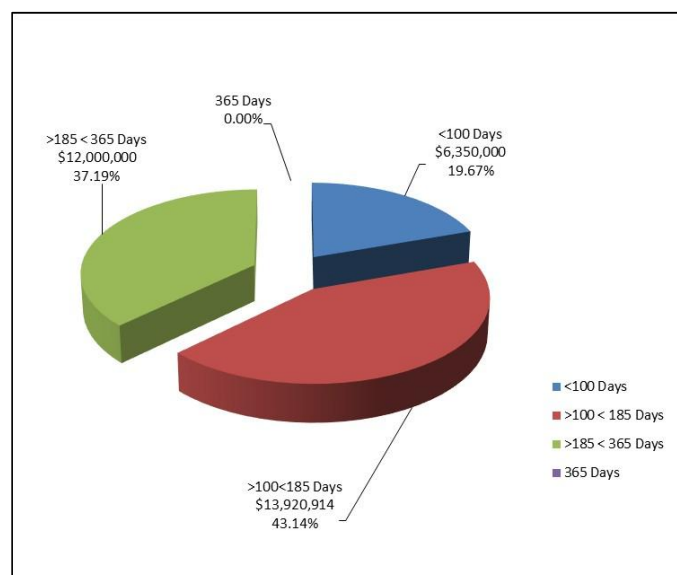
6. Term Deposit Average Monthly Interest Rate Compared to the RBA Cash Rate Target

The following graph compares the average monthly interest rate secured by Council to the RBA Cash Rate Target. Monetary policy decisions by the RBA are expressed in terms of a target for the cash rate, which is the overnight money market interest rate.



7. Maturity Profile of Council's Investments

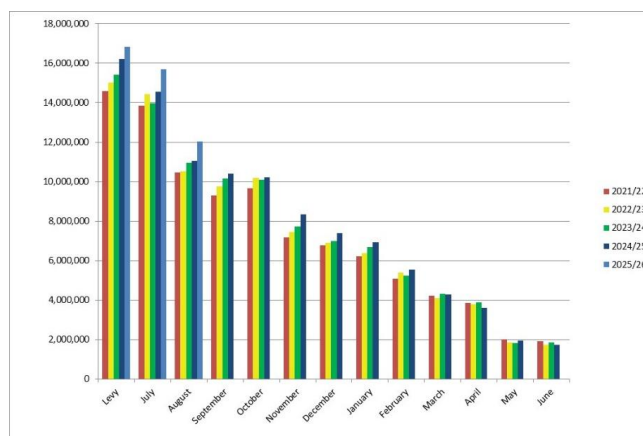
The following pie-chart shows the mix of Council investments for the month by maturity type.



Rates

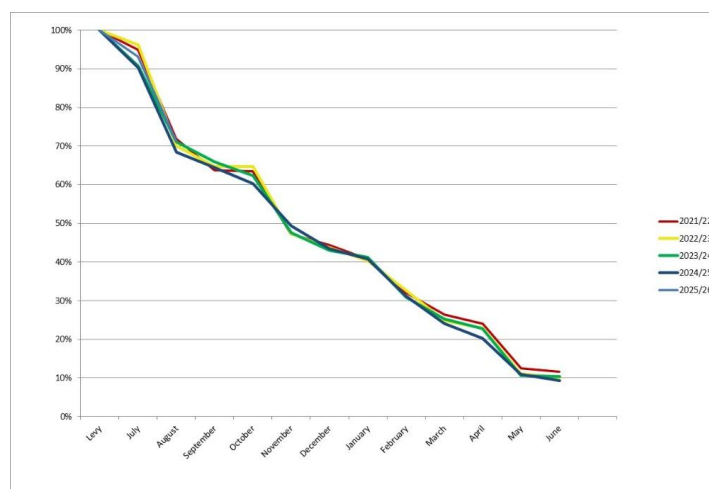
8. Comparison of Rate Collection Progress for 2025-2026 to prior years

The following graph shows the total rate levy and arrears collectable as at 31 August 2025.



9. Council Rate Levy - % Comparison

As the levy varies each year, the following graph shows the total percentage of rates and arrears outstanding each month based on 100% being total levy plus total arrears in each year.



10. Council Rate Levy – Arrears and Recovery Action

At the 30 June each year, the total rate arrears figure consists of the unpaid rates from the year just ended together with outstanding balances from previous years.

Arrears at 30 June 2025		\$ 1,113,275
Collected year to date	\$ 171,908	
Collected in August 2025	\$ 140,929	\$ -312,837
Balance as at 31 August 2025	\$ 312,837	\$ 800,438

11. Indicative Position of General Fund for the Current Year to 31 August 2025

The following table shows Council's current budget result based on the budget set as per Council's Operational Plan for 2025-2026.

		Budget Income Statement - 2025/2026 Operating Result - Before Capital Grants & Contributions					Budget Cash at End of Year - 2025/2026				
Resolution		Consolidated	General	Water	Sewer	Waste	Consolidated	General	Water	Sewer	Waste
		'000	'000	'000	'000	'000	'000	'000	'000	'000	'000
	Adopted Budget	(1,030)	(1,280)	(168)	111	307	36,507	17,187	6,518	10,019	2,783
148/25	Cowra Early Childhood Financial Assistance	(36)	(36)				(36)	(36)			
	End of 1st Quarter - Prior to Review	(1,066)	(1,316)	(168)	111	307	36,471	17,151	6,518	10,019	2,783

Loans

12. Interest Rate

The average interest rate for Council's current loans is 5.34%. Weighted Average Interest Rate (based on principal outstanding) is 6.61%.

13. Loan Summary

Summary of Current Loans and Purpose as at 31 August 2025.

Loan No	Lender	Date Obtained	Due date	Principal \$	Interest Rate %	Principal \$ O/S 31/8/25
	<u>GENERAL</u>					
241B	COMMONWEALTH BANK (VAUX ST DRAINAGE WEST)	18/12/2006	18/12/2036	166,000	6.35	100,508
242B	COMMONWEALTH BANK (MULYAN OVAL AMENITIES)	22/08/2007	24/08/2037	95,000	6.80	60,786
249	NATIONAL AUST. BANK (CIVIC CENTRE REFURBISHMENT)	22/12/2008	22/12/2033	1,395,390	8.15	795,438
245	NATIONAL AUST. BANK (CIVIC CENTRE REFURBISHMENT)	29/06/2009	29/06/2029	234,000	8.33	79,568
250	NATIONAL AUST. BANK (DRAINAGE IMPROVEMENTS)	28/06/2013	28/06/2028	250,000	6.36	70,499
253A	NSW TREASURY (DEPOT REDEVELOPMENT - STAGE 1)	27/06/2016	27/06/2026	400,000	2.63	44,896
253B	NSW TREASURY (AIRPORT SUBDIVISION)	27/06/2016	27/06/2026	1,478,993	2.63	165,987
253C	NSW TREASURY (CEMETERY EXPANSION)	27/06/2016	27/06/2026	250,000	2.63	28,051
254A	NSW TREASURY (DEPOT REDEVELOPMENT - STAGE 2)	11/05/2020	11/05/2040	764,073	2.41	605,984
254B	NSW TREASURY (CBD FOOTPATH REFURBISHMENT/STREET CONSTRUCTION)	11/05/2020	11/05/2040	1,501,955	2.41	1,191,196
254C	NSW TREASURY (LOW LEVEL BRIDGE REPAIRS)	11/05/2020	11/05/2040	183,880	2.41	145,835
						3,288,748
	<u>WASTE</u>					
255	NSW TREASURY (MRF AMENITIES/ADMINISTRATION BUILDING)	28/06/2024	28/06/2044	450,000	5.76	437,616
						437,616
	<u>WATER</u>					
238	COMMONWEALTH (CBD MAINS REPLACEMENT)	22/02/2006	23/02/2031	1,000,000	6.03	360,341
241A	COMMONWEALTH BANK (WATER MAIN REPLACEMENT)	18/12/2006	18/12/2036	1,256,000	6.35	760,746
242A	COMMONWEALTH BANK (1C1 ZONE)	22/08/2007	24/08/2037	1,286,500	6.80	822,726
251	WESTPAC (EMERGENCY WATER SUPPLY CONSTRUCTION)	28/06/2013	27/06/2033	1,186,124	6.566	661,469
						2,605,282
	<u>SEWERAGE</u>					
244	NATIONAL AUST. BANK (SEWER TREATMENT PLANT)	6/05/2010	04/05/2040	7,213,230	8.13	5,587,255
						5,587,255
	GRAND TOTAL					\$11,918,900

5 DIRECTOR-ENVIRONMENTAL SERVICES REPORT

- 5.1 Development Application No. 10.2025.80.1, Lot 1 DP 111413, 19 Berowra Street Cowra, shed and fencing, lodged by J T Butler. The property owner is S M & J T Butler.**

File Number: D25/1663

Author: Larissa Hackett, Director - Environmental Services

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 variation to Section E.5.4.1.e of Part E of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and no submissions were received; and
2. That Council approves a variation to Section E.5.4.1.e of Part E of Council's Development Control Plan 2021 for this development to allow a nil street boundary setback; and
3. That Development Application No. 10.2025.80.1, for the construction of a shed and fencing on Lot 1 DP 111413, 19 Berowra Street Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Site Plan Drawing A01 Job Number 83/25	Vision Property Development Hub 13/06/25	Received 1 August 2025 Stamped No. DA 10.2025.80.1
Building Layout Plan Ref # BENO2504169-2	Wide Span Sheds 29/04/25	Received 1 August 2025 Stamped No. DA 10.2025.80.1
Statement of Environmental Effects Version 1	Vision Property Development Hub 13/06/25	Received 1 August 2025 Stamped

		No. DA 10.2025.80.1
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In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

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

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

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

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. 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.

9. Prior to the construction of the footings a 'peg-out' survey plan is to be submitted to the Principal Certifier which establishes the position of the property boundary and demonstrates that the development will be constructed entirely within the boundaries of the property.
10. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the *Local Government Act 1993*.
11. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
12. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
13. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and discharged to Council's street stormwater management system.
14. Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:
 - (i) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised;
 - (ii) The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted;
 - (iii) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and
 - (iv) The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used.

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

15. The Applicant must not commence occupation or use of the shed and fencing
-

until a **Whole or Partial Occupation Certificate** has been issued from the **Principal Certifier** appointed for the subject development.

16. Prior to the issue of a **Whole Occupation Certificate**, the **Applicant** shall construct an access crossing to the development site from **Comerford Street** in accordance with consent from the road's authority pursuant to **Section 138 of the Roads Act 1993** for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the **Section 138 Permit**. All costs associated with the construction of the access driveway(s) shall be borne by the **Applicant**.

ADVICE

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

INTRODUCTION

Development Application No. 10.2025.80.1 proposes a shed and fencing on Lot 1 DP 111413, 19 Berowra Street Cowra. The application was lodged by J T Butler on 1 August 2025. The property owner is S M & J T Butler.

The application is being reported to Council because it contains a variation to Council's Development Control Plan 2021 as discussed in this report.

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

Description of Site

Lot 1 DP 111413, 19 Berowra Street Cowra is an irregularly shaped allotment of approximately 885.2m². The lot is located in the R1 General Residential zone under Cowra Local Environmental Plan (LEP) 2012. The site contains an existing dwelling and garage. The surrounding land use is predominantly residential, with residential dwellings to the south and east, and to the west on the opposite side of Berowra Street and to the north on the opposite side of Comerford Street. A nearby centre-based child care facility operates on Comerford Street, and there is a large public reserve used for stormwater detention on the opposite side of Comerford Street to the north east.



View of the dwelling from the opposite side of Berowra Street.

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

Description of Proposal

The applicant proposes to construct a shed up to the Comerford Street property boundary. The shed is metal clad, 10m long by 8m wide and has a maximum height to the ridge of 3.58m. One roller door will face Comerford Street and a new access crossing is proposed.

The proposed fencing is 1.8m high Colorbond and will be located inside the Berowra Street property boundary to the north of the dwelling in the vicinity of the shed. It will replace the existing fencing that can be seen in the image above.

The application consists of a variation to Council's DCP 2021 which requires ancillary buildings to have a minimum secondary street setback of 4.5m. The shed is proposed to be built to the boundary on Comerford Street.

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 10.2025.80.1:

Section 4.15(1) Evaluation Matters

S 4.15(1)(a)(i) provisions of any environmental planning instrument(s)

Local Environmental Plan (LEP)

The applicable LEP is the Cowra LEP 2012 (CLEP) and the relevant provisions of the LEP are discussed as follows.

1.2 Aims of Plan

The development is consistent with the aims of the LEP.

1.4 Definitions

The proposed development is defined as ancillary to a dwelling-house under the LEP.

1.6 Consent authority

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

1.9A Suspension of covenants, agreements and instruments

Any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. There are no covenants imposed by Council or that Council require to be imposed affecting the subject lot.

2.1 Land use zones

The site is zoned R1 General Residential, and the proposed development is permitted in the zone with consent.



2.3 Zone objectives

Objective	Comment
• To provide for the housing needs of the community.	Not inconsistent
• To provide for a variety of housing types and densities.	No

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

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

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

4 Prohibited

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

Comment:

The proposed development is permitted with consent.

5.10 Heritage conservation

There are no heritage items identified on either the State Heritage Register or in the LEP located on the site, and the site is not located in a Heritage Conservation Area.

5.11 Bushfire

Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out without development consent.

5.21 Flood planning

The land is not in the flood planning area.

Part 6 Urban release areas

This Part applies to land that is identified as Urban Release Area on the Urban Release Area Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.1 Earthworks

Minimal earthworks are required. It is considered that there will be no adverse impact or environmental risk from the earthworks required.

7.3 Terrestrial biodiversity

This clause applies to land that is identified as biodiversity land on the Terrestrial Biodiversity Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.4 Riparian land and watercourses

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

7.5 Wetlands

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

7.6 Groundwater vulnerability

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

7.7 Airspace operations

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

7.8 Essential Services

Water	N/A
Electricity	N/A. Available if required.
Sewage	N/A
Stormwater	To Council's street system as conditioned.
Access	

7.11 Development on land in karst areas

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

State Environmental Planning Policies

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Housing) 2021	Not applicable
SEPP (Industry and Employment) 2021	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	See comment below.
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	Not applicable
SEPP (Transport and Infrastructure) 2021	Not applicable

SEPP (RESILIENCE AND HAZARDS) 2021

Under Clause 4.6 a consent authority must not consent to the carrying out of any development on land unless:

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

There are no known prior land-uses on the site that are likely to have resulted in the contamination of the land. Site inspection carried out did not reveal any evidence of contamination of the site. The proposal does not involve any demolition or works likely to result in contamination of the site. The SEE submitted with the application does not mention any previous land use that likely to have resulted in contamination of the site. No further investigation is warranted in this instance.

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

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

S 4.15(1)(a)(iii) provisions of any Development Control Plan(s)**Cowra Shire Council Development Control Plan 2021**

PART A – PLAN INTRODUCTION

Consent is required for the proposed development.

PART B – LAND MANAGEMENT

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

PART C – BIODIVERSITY MANAGEMENT

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

PART E – URBAN & VILLAGE DEVELOPMENT**Section E.5.4. Ancillary development – detached**

Section	Comments
E.5.1 Application of Section	The proposed development represents ancillary development, therefore E.5.1 applies.
E.5.2. Objectives	The proposed development is considered consistent with these objectives.
E.5.4.1 Detached ancillary buildings – setback controls	E.5.4.1.e.ii. requires the setback to the secondary street on a corner lot in this case to be 4.5m. A variation is requested, see below.
E.5.4.2 Building appearance	The design and scale of the shed is considered to be consistent with the existing dwelling and nearby development. Complies.

Variation - Section E.5.4.1.e.ii

The above section requires the setback for this development to be a minimum of 4.5m from Comerford Street. The applicant proposes to construct the shed up to the Comerford Street property boundary. The applicant requests the variation on the following basis:

The proposed variation to Part E.4.3.3 Setback Controls for detached ancillary buildings achieves the objective of the standard which is to ensure a consistent streetscape that is not unreasonably impacted by a detached ancillary building. As detailed below, neighbouring land uses, including the use directly opposite the site on Berowra Street and properties opposite the site on Comerford street, already creates a character/streetscape contributed to by ancillary shed style buildings being placed on property boundaries of secondary road frontages. Given the neighbouring development in the immediate vicinity, visible from the site and within the adjacent streets, the proposed development, which varies the minimum setback control, achieves the objective of the control without any negative impact on the streetscape.

Assessment comment:

It is agreed that similar ancillary development constructed to the boundary exists in the locality. This is evident directly opposite the site with sheds on Comerford Street and also in relation to fencing on the property on the opposite side of Berowra street.



View of the site from Comerford Street. The garage and new fencing will replace the existing fencing.



Shed on boundary on opposite side of Comerford street.



Fencing on opposite side of Berowra Street.

The proposed shed is consistent with existing development in the locality. The proposed shed is of a reasonable size and height and it is assessed that its scale and design will not impact unsatisfactorily on the streetscape or on the existing character of the neighbourhood. Accordingly, the requested variation can be supported.

Section E.5.6. Fencing controls

Section	Comments
E.5.1 Application of Section	The proposed development represents ancillary development, therefore E.5.1 applies.
E.5.2. Objectives	The proposed development is considered consistent with these objectives.
E.5.6.1 Front fences	Complies. There is no fencing proposed forward of the front building line to Berowra St.
E.5.4.2 Side and rear fencing	Complies. As above.

PART K – LAND USE BUFFERS

Cowra Airport Obstacle Limitation Surface

The subject land is located outside of the OLS.

PART M – PARKING, ACCESS & MOBILITY

A new access crossing is proposed. Recommended conditions of consent apply. No other traffic or parking concerns.

PART N – LANDSCAPING

Not required for ancillary development

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

PART P – CPTED PRINCIPLES

Not applicable to ancillary development.

The development, as conditioned, will comply with the remaining relevant DCP controls.

S 4.15(1)(a)(iiia) provisions of any Planning Agreement(s)

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

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

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

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

S 4.15(1)(b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality

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

Context and Setting

The area is characterised primarily by residential development and ancillary buildings. There are examples of similar ancillary development constructed on front property boundaries in the locality. The proposal would not change the existing character of the land, and is therefore considered consistent with the existing character of the locality.

Access, Parking, traffic

The site is accessible via Comerford Street and Berowra Street which are sealed local roads. The proposed shed would be accessed via a new driveway and crossover to Comerford Street. No other traffic or parking concerns are identified.

Public Domain

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

Utilities

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

Heritage

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

Other Land Resources

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

Water, Sewerage and Stormwater

The proposed development would connect to Council's stormwater services.

Soils

No adverse impacts on soil is anticipated. A recommended condition will apply to require compliance with Council's DCP 2021.

Air and Microclimate

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

Flora and Fauna

The development would not require the removal of vegetation. It is assessed there will be no significant impact on native flora & fauna.

Waste

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

Energy

A BASIX Certificate is not required.

Noise and Vibration

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding construction hours is recommended. The constructed development will not result in any ongoing noise or vibration.

Natural Hazards

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

Technological Hazards

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

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic activity to the site will occur during the construction phase. This will be limited by a condition of consent and will not continue once construction is completed.

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

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

S 4.15(1)(d) any submissions made in accordance with the Regulation(s)

Public Notification:

Notified to neighbours: Yes

Start Date: 6 August 2025

End Date: 27 August 2025

Public Submissions:

Public submissions received

(refer to S 4.15(1)(d) 'Any Submissions' for consideration of submissions received by Council):

Submissions received: No

Are the issues raised relevant to the development application: N/A

Are all relevant issues raised in the submission being considered: N/A

Submissions from Public Authorities:

Is the proposed development 'State Significant Development': No

Is the proposed development 'Designated Development': No

Is the proposed development 'Integrated Development': No

Was the proposed development referred to any Public Authorities: No

Were any submissions made by Public Authorities: No

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

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

S7.12 Fixed development consent levies

The development is of insufficient estimated cost to trigger the requirement for development contributions under Cowra Council S94A Contributions Plan 2016.

Conclusion

Development Application No. 10.2025.80.1 proposes a shed and fencing on Lot 1 DP 111413, 19 Berowra Street Cowra. The application was lodged by J T Butler on 1 August 2025. The property owner is S M & J T Butler.

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

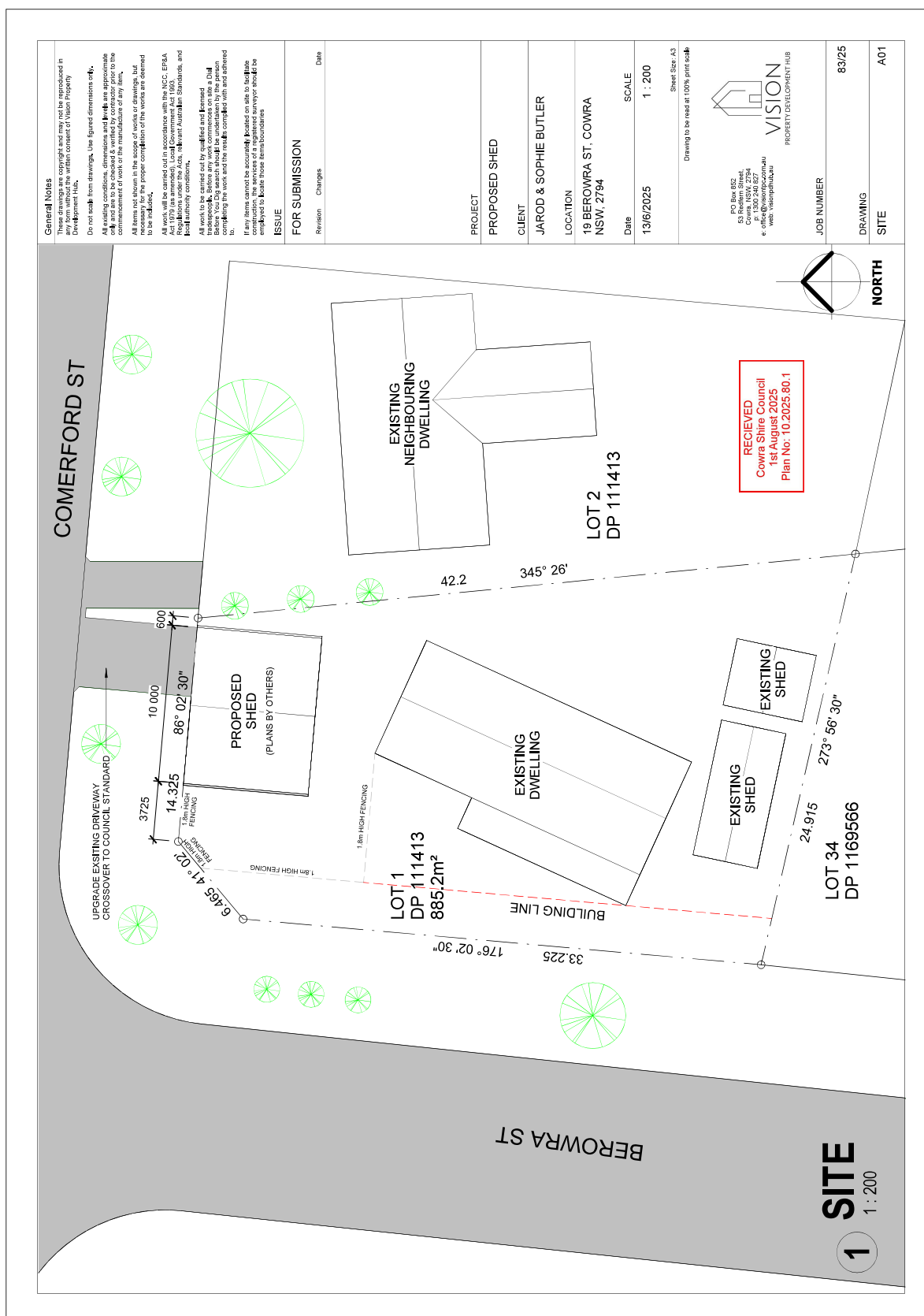
The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the R1 General Residential zone and is consistent with existing land-use activities of the locality. The variation to Section E.5.4.1.e of Part E of Council's Development Control Plan 2021 is sufficiently justified.

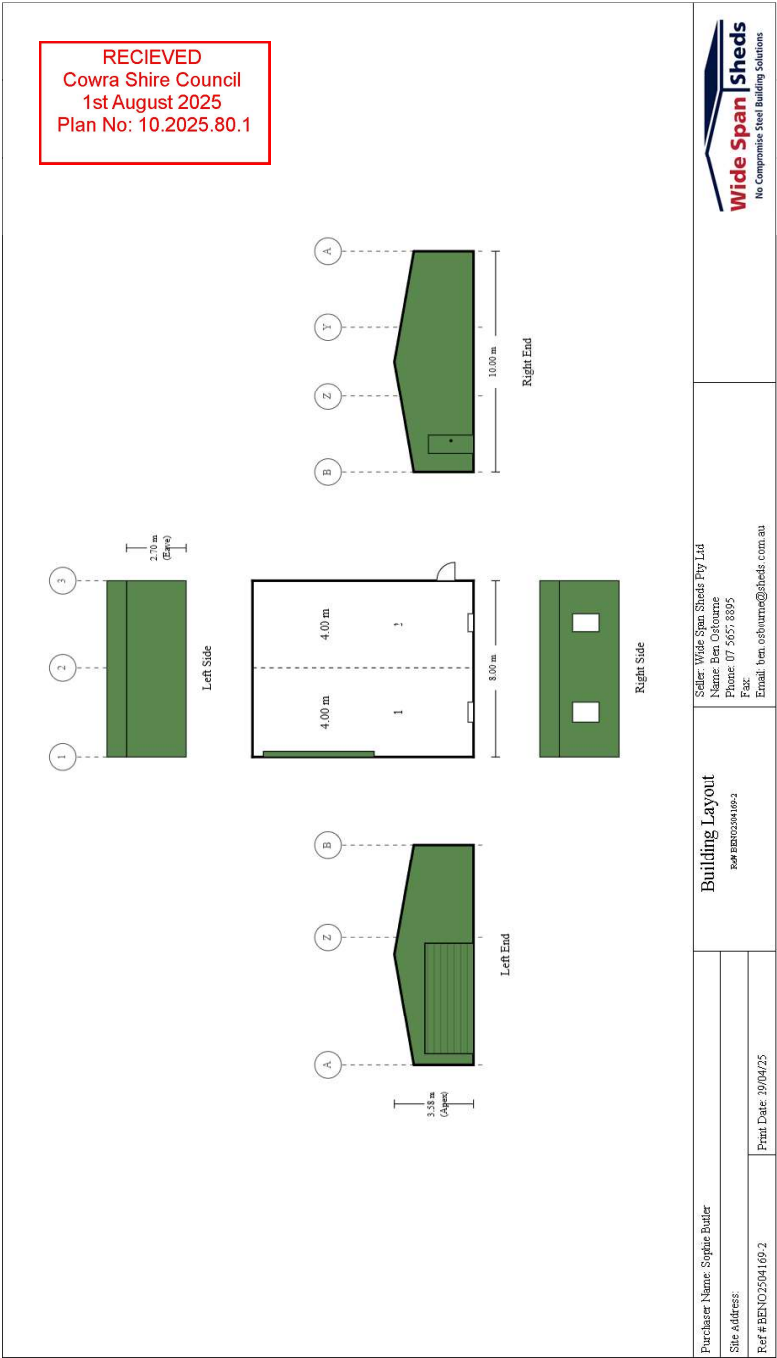
The development application was notified in accordance with Cowra Community Participation Plan 2024. No submissions were received following the consultation process.

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

ATTACHMENTS

1. DA 10.2025.80.1 - 19 Berowra Street Cowra - Development Plans [↓](#)
2. DA 10.2025.80.1 - 19 Berowra Street Cowra - Statement of Environmental Effects [↓](#)
3. DA 10.2025.80.1 - 19 Berowra Street Cowra - Location map [↓](#)
4. DA 10.2025.80.1 - 19 Berowra Street Cowra - Aerial view [↓](#)



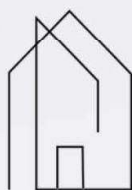


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Cowra Shire Council
1st August 2025
Plan No: 10.2025.80.1

VISION PROPERTY DEVELOPMENT HUB



STATEMENT OF ENVIRONMENTAL EFFECTS



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Statement of Environmental Effects

Proposed Development: New residential shed and removal and replacement of existing fencing

Subject Land: Lot 1 DP 111413 - 19 Berowra Street, Cowra

Client: Jarrod & Sophie Butler

Version	Date	Changes
Version 1	13/06/2025	Issued for submission

This Statement of Environmental Effects (SEE) was prepared based on the following plan and document versions:

Author	Plan	Page	Date	Job
Vision Property Development Hub	Site Plan	A01	13/06/25	83/25
Wide Span Sheds	Building Layout	1	29/04/25	#BEN02504169-2

Prepared by:



Patrick Fitzsimmons
Town Planner, Managing Director
VISION Property Development Hub Pty Ltd

Statement of Environmental Effects

Abbreviations

The Act – Environmental Planning and Assessment Act 1979

BCA – Building Code of Australia

EPI – Environmental Planning Instrument

SEE - Statement of Environmental Effects

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1. Executive Summary

The land owners have commissioned Vision Property Development Hub to prepare this Statement of Environmental Effects (SEE) to consider the design of the proposed freestanding detached shed against the applicable planning controls and environmental context.

The proposed development is consistent with all applicable planning controls without variation to the Cowra Local Environmental Plan 2012 and the majority of the controls contained in the Cowra Shire Council Development Control Plan 2021. The variation to the setback to the side boundary is considered appropriate given the existing development within the vicinity of the site that incorporates 1.8 metre high Colorbond fencing on secondary road frontage and sheds that present on the boundary to the secondary or parallel road. The development is not inconsistent with the character of the area, given these existing developments and the variation to the secondary road setback for ancillary detached development is considered appropriate and without negative impact.

It is considered the proposed development can be approved by Council without alteration to the proposed design.

2. Proposed Development

The land owners are seeking Council approval to construct a residential shed on their land. The shed is to be located on the northern side of the allotment, fronting Comerford Street. The shed walls and roof will be finished in Colorbond steel sheeting. The land owner is also seeking Council approval to remove an existing side fence, reconfigure and replace this with a new 1.8m high Colorbond fence as shown on the development plans.

3. Site Description and Surrounding Land Use

The site is located on the corner of Berowra and Comerford Streets in the general residential area to the north of the Cowra CBD. The site contains a single storey residential dwelling of brick veneer and tile roof construction, as well as a small single car garage that fronts Berowra Street. The land has a gentle slope from east to west, with Berowra Street being the lowest point and the south eastern corner being the highest point.

The surrounding land use is predominantly residential, with residential dwellings to the south and east, and to the west on the opposite side of Berowra Street and to the north on the opposite side of Comerford Street. In the vicinity a centre based child care facility operates on Comerford Street, and there is a large public reserve used for stormwater detention on the opposite side of Comerford Street to the north east.

4. Section 1.7 of the Act - Part 7 of the Biodiversity Conservation Act 2016

The Act gives effect to the consideration of part 7 of the NSW Biodiversity Conservation Act 2016. Accordingly, consideration of part 7 of the NSW Biodiversity Conservation Act 2016 and associated regulation is required and is provided below:

The land is not mapped as containing any sensitive native environments. The development does not involve the removal of native vegetation that would exceed the thresholds defined under Section 7 of the NSW Biodiversity Conservation Act 2016 and associated Regulation. Preparation of a biodiversity Development Assessment Report is not required.

5. Consideration of Environmental Planning Instruments & Environment

Section 4.15 of the Environmental Planning and Assessment Act 1979 (NSW) includes matters that a consent authority must take into consideration when determining a Development Application. Accordingly, Vision has considered the proposed development against the controls and provisions referred to in Section 4.15 below.

5.1 Section 4.15 Evaluation

(1) Matters for consideration—general

(a) the provisions of:

(i) any environmental planning instrument

The provisions of any Environmental Planning Instrument (EPI) which includes State Environmental Planning Policies and the Cowra Local Environmental Plan 2012.

5.2 Cowra Local Environmental Plan 2012 (LEP)

Section 2.3(2) <i>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</i>

The land is zoned R1 General Residential. Construction of a residential shed is permissible with consent on the land.

Objectives of the plan

Zone R1 General Residential

1 Objectives of zone

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

Comments:

The development improves the amenity of the residents without negatively affecting the neighbouring use of the land for residential purposes. Detailed consideration of surrounding

land-uses immediately adjacent residences that include sheds and fencing in the secondary roadway frontage is included in consideration of the controls contained in the Cowra Shire Council Comprehensive Development Control Plan 2012 later in this SEE. It is concluded that the area is characterised by residential development with ancillary detached sheds that are constructed with abutting fencing at at least a height of 1.8 metres orientated towards Comerford Street and Berowra Street, some of which are built on property boundaries, creates an existing character that is consistent with the design of the proposal. Accordingly, the detached residential shed is consistent with the land use objectives.

Clause 7.8 Essential services

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

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

Comments:

The existing dwelling on the land has existing connections to Council's reticulated water and sewer management systems, and is connected to the electricity supply. Stormwater from the proposed shed will be drained to Council's kerb and gutter stormwater management system in Comerford Street without impacting neighbouring allotments. There is an existing vehicle crossover from Comerford to service the new shed; a new sealed driveway connecting the development to the existing driveway layback on Comerford Street will be required. The development is consistent with clause 7.8.

There are no other special clauses that apply to the development, which is consistent with the requirements of the LEP without variation.

5.3 State Environmental Planning Policies

The following State Environmental Planning Policies are considered relevant to the development:

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Housing) 2021	Not applicable
SEPP (Industry and Employment) 2021	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	See below.
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	Not applicable
SEPP (Transport and Infrastructure) 2021	Not applicable

5.3.1 State Environmental Planning Policy (Resilience and Hazards) 2021**Chapter 4 Remediation of land****Section 4.6 Contamination and remediation to be considered in determining development application**

(1) A consent authority must not consent to the carrying out of any development on land unless—

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

(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

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

(4) The land concerned is—

- (a) land that is within an investigation area,
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

Comments:

The author is not aware of any other prior land-uses on the site that are likely to have resulted in the contamination of the land. The site is used for residential purposes which remains unchanged as a result of the development. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines.

(ii) any proposed instrument that is or has been the subject of public consultation under this Act.

There are no Draft Environmental Planning Instruments on public exhibition at the date the Development application is lodged.

(iii) any Development Control Plan (DCP)

5.4 Cowra Shire Council Development Control Plan 2021

Part A Plan Introduction

Section A 1.3 states:

'Where the DCP contains provisions or sets standards with respect to an aspect of a development, and the Development Application does not comply with those provisions or standards, Council will be flexible in applying those provisions or standards and allow reasonable alternative design responses that achieve the objectives of those provisions or standards for dealing with that aspect of the development.'

Where an aspect of a development does not comply with a provision or standard in this plan, Council may consent to the Development Application but only where a written statement has been provided which seeks to justify the non compliance and evaluate how any proposed alternative solution achieves the objectives of those provisions or standards for dealing with that aspect of the development.'

Comments:

The proposed variation to Part E.4.3.3 *Setback Controls* for detached ancillary buildings achieves the objective of the standard which is to ensure a consistent streetscape that is not unreasonably impacted by a detached ancillary building. As detailed below, neighbouring land uses, including the use directly opposite the site on Berowra Street and properties opposite the site on Comerford street, already creates a character/streetscape contributed to by ancillary shed style buildings being placed on property boundaries of secondary road frontages. Given the neighbouring development in the immediate vicinity, visible from the site and within the adjacent streets, the proposed development, which varies the minimum setback control, achieves the objective of the control without any negative impact on the streetscape.

Part E Urban and Village Development

<i>Part E.4 Ancillary Development</i>	Applies	Consistent	Variation Proposed
<i>E.4.1. Application of this Section</i>	Y	Y	N
<i>E.4.2. Objectives</i>	Y	Y	N

E.4.3. Ancillary buildings - attached	N	-	-
E.4.4. Ancillary buildings - detached	Y	Y	Y
E.4.5. Private Swimming Pool Controls	N	-	-
E.4.6. Fencing Controls	Y	Y	N
E.4.7. Waste Management Controls	N	-	-
E.4.8. Rainwater Tanks	N	-	-
E.4.9. Site Facility Controls	N	-	-
E.4.10. Servicing Controls	N	-	-

E.4. Ancillary Development

E.4.1. Application of this Section

The development involves the construction of a detached shed in the R1 General Residential zone.

E.4.2. Objectives

The proposed shed provides a shed facility for use by the residents without compromising the amenity of residents on adjoining allotments. The proposed location of the shed is downhill from the neighbouring residential dwelling to the east reducing any potential for impact.

Existing character of surrounding development

28 Berowra Street

Positioned directly opposite the site is a residential property addressed 28 Berowra Street that has a front fence that appears to be 1.8 metres high and a shed building in a similar location on a secondary road frontage in a similar layout to the proposed development. This existing development located at 28 Berowra Street sets a character for residential development positioned on corner allotments. An image of this development and an aerial image are included in Images 1, 2, 3 and 4 below. The front fencing is constructed at a height of at least 1.8 metres for the majority of the secondary road frontage of that property on Berowra Street, depicted in Image 2 and 3, in the same building alignment as the residence which fronts the primary frontage of Comerford Street. The fencing abuts a detached shed that is positioned in alignment with the house on that site of the same height and colour as the fencing and represents a similar layout of development with a shed being used as a boundary fence as that which is proposed.

Other properties orientating sheds to Comerford Street

Located on the opposite side of Comerford Street, directly and diagonally across from the site, is a number of properties that utilise Comerford Street as a secondary parallel road frontage with a number of sheds built to boundary with abutting rear fencing orientated toward Comerford Street. These sheds and rear boundary fencing are all readily visible from the site and Comerford Street. As such these properties already contribute to the character of Comerford Street and the site, resulting in an appearance of sheds and fencing in Comerford Street. Images of this are included in Image 1, 5, 6 and 7 below.

The proposed shed and fence will be constructed with Colorbond steel, consistent with material and position of the surrounding ancillary structures and fences. The shed design incorporates a garage door facing Comerford Street and the public open space incorporating a stormwater detention dam opposite the site. The area can be utilised as a public open space.

49 Comerford Street

The neighbouring dwelling to the east is positioned higher than the development site, setback further than the shed from Comerford Street and orientated in such a way that any noise associated with the proposed shed will not impact the amenity of residents, with no openings of the proposed shed facing the neighbouring residence. The orientation and design of the house at 49 Comerford Street is such that it optimises views to the north towards the public reserve on the opposite side of Comerford Street, with any views to the west already obscured by existing landscaping both on that allotment as well as existing established street trees in the Comerford Street road reserve. Accordingly the position of the proposed shed will not interrupt views from the neighbouring residence.

The development is consistent with the objectives of Part E.4.

E.4.3. Ancillary buildings - attached

The development does not involve any attached ancillary buildings.

*E.4.4. Ancillary buildings - detached**E.4.3.3. Setback Controls*

The location of the proposed shed is 600mm from the eastern boundary, which is not less than what is required by the National Construction Code (NCC). The proposed shed is located behind the building line, which fronts Berowra Street to the west. The proposed shed is to be accessed from an existing driveway layback located on Comerford Street, with the driveway to be constructed between the existing layback and the property boundary as shown on the development plans.

The proposal is to construct the shed on the northern boundary immediately adjacent to the sites' secondary road frontage on Comerford Street. The reason for the proposal to construct the shed in this location is to maximise the amount of space available as private open space immediately adjacent to the existing home on the subject site. Likewise, as

detailed above and included in images 1 to 7 below, there is already development within the immediate vicinity of the site including directly opposite the site where residential sheds have been constructed immediately adjacent to or on the boundary of secondary or parallel roads. Given the shed is not inconsistent with the character set by existing development on the opposite side of the corner of Berowra and Comerford Street, the development's location adjacent to a retention basin in a public reserve on the opposite side of Comerford Street which is not residential, and the shed's position below the nearest residential dwelling to the east, it is considered appropriate that the development be constructed as proposed as it will not result in any negative impact on the streetscape or any neighbouring residential land use. Variation to the control that requires a minimum 4.5 metres from the setback to any secondary road on a corner allotment can be supported by Council in accordance with the provisions of Part A of the DCP on the above basis.

3.4. Building Appearance

The building and fence are to be constructed of Colorbond steel, consistent with the surrounding fencing and ancillary structures in the immediate vicinity.

E.4.5. Private Swimming Pool Controls

The development does not involve any private swimming pools.

E.4.6. Fencing Controls

As shown on the development plans, the land owner plans to replace and reconfigure the existing solid panel fence with new 1.8 metre high Colorbond fencing along the secondary road frontage, behind the front building line. The fence is not located in front of the building line. The fence will be constructed with new materials and be consistent with surrounding fences as shown in the images below.

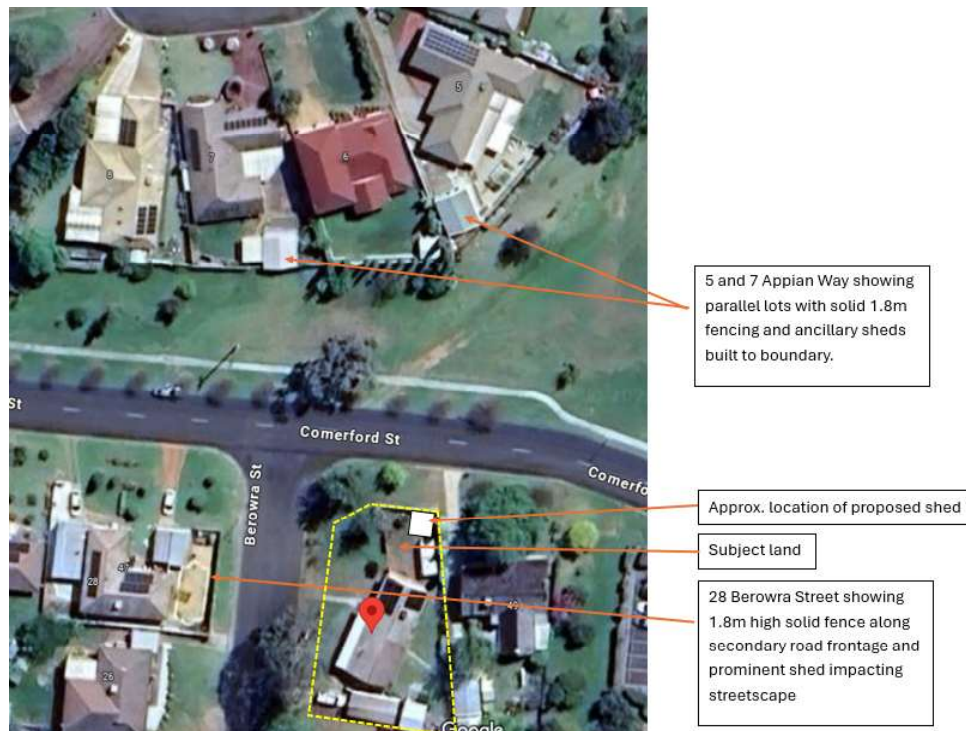


Image 1: Aerial view showing surrounding character of residential sheds and fencing along secondary boundaries. Source: Google, accessed 13/06/2025.



Image 2 and 3: 28 Berowra Street showing solid panel fencing 1.8m high along the secondary road frontage of Berowra Street. Source: Vision Property Development Hub, 13/06/2025.



Image 4: View of 28 Berowra Street from the subject land. Source: Vision Property Development Hub, 13/06/2025.

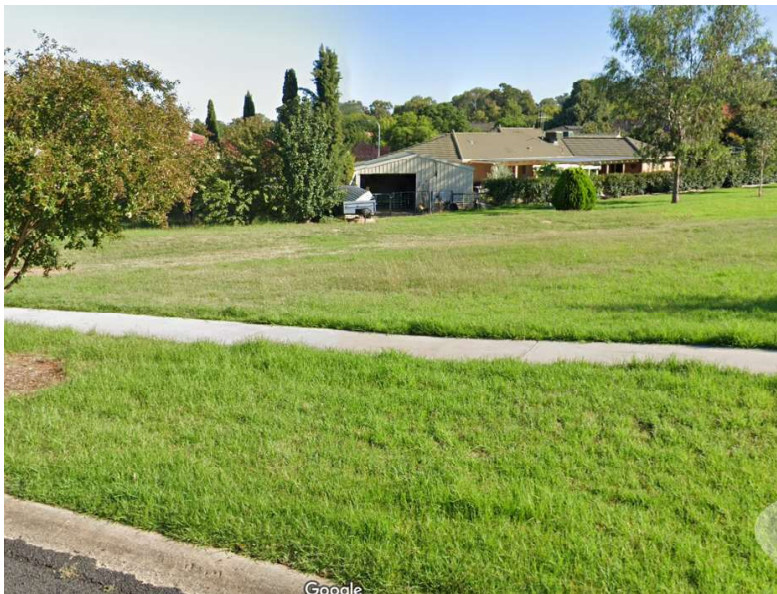


Image 5: The rear of a dwelling on Appian Way that features a shed and solid panel fence built to boundary on the secondary road frontage of Comerford Street. Source: Google, accessed 13/06/2025.



Images 6 and 7: View of the rear of a residential house fronting Appian Way that features a solid Colorbond fence and shed built to the secondary road frontage boundary. Source: Vision Property Development Hub, 13/06/2025.

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

The applicant has not entered into any planning agreement or draft planning agreement.

5.5 Environmental Planning and Assessment Regulation 2021

Section 4.15 (1)(a)(iv) requires consideration to be given to the regulations. Consideration has been included in the regulations detailed in Appendix B of this SEE.

Consideration of the development against the regulations confirms it can fully comply with the regulations without alterations to the proposal.

5.6 Likely impacts of the development

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

Context and Setting

The site is located on the corner of Berowra and Comerford Streets in the general residential area to the north of the Cowra CBD. The site contains a single storey residential dwelling of brick veneer and tile roof construction, as well as a small single car garage that fronts Berowra Street. The land has a gentle slope from west to east, with Berowra Street being the lowest point and the south eastern corner being the highest point.

The surrounding land use is predominantly residential, with residential dwellings to the south and east, and to the west on the opposite side of Berowra Street and to the north on the opposite side of Comerford Street. In the vicinity a centre based child care facility operates on Comerford Street, and there is a large public reserve used for stormwater detention on the opposite side of Comerford Street to the north east.

Access, Transport and Traffic

Vehicle access to the development will be gained by an existing driveway layback from Comerford Street, with the driveway to be sealed between the layback and the property boundary.

Public Domain

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

Utilities

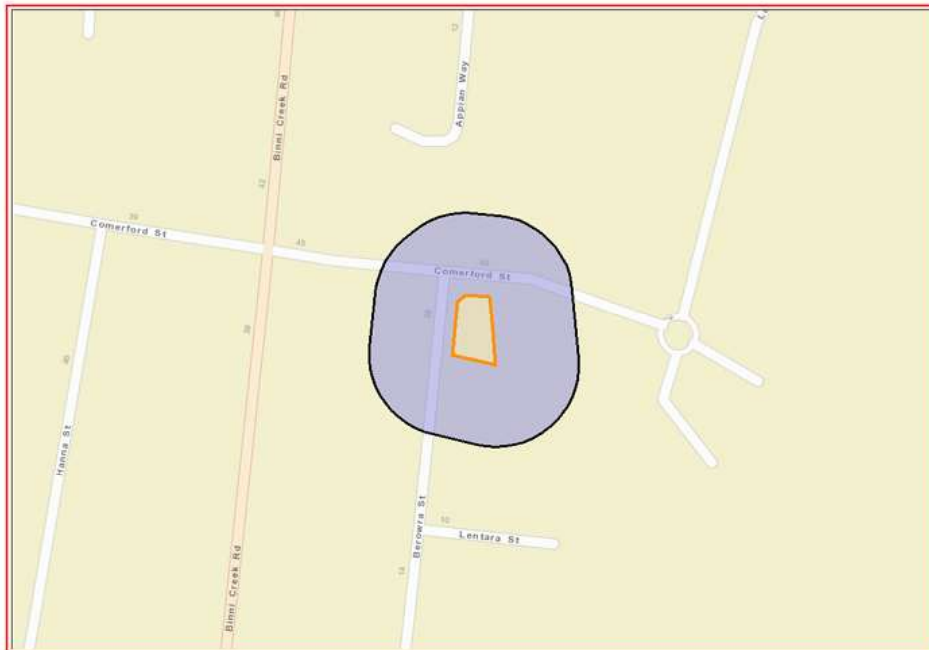
The site is serviced by adequate utilities to cater for the development.

Heritage

There are no items listed in Schedule 5 of the LEP as present on the land. An AHIMS search did not reveal any recorded items of Aboriginal Heritage Significance on the land or adjacent road reserve.

AHIMS Web Service search for the following area at Lot : 1, DP:DP111413, Section : - with a Buffer of 50 meters, conducted by Beth Johnstone on 30 April 2025.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Water

The site is connected to reticulated water. Stormwater can be drained to the Council Stormwater management System in Comerford Street.

Soils

The development will not have a negative impact on soils.

Air and Microclimate

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

ongoing use of the development will not negatively impact air quality.

Flora and Fauna

The proposal does not require the removal of any trees.

Waste

The site is connected to reticulated sewerage. Any construction waste and ongoing domestic waste will be removed from the site and appropriately recycled or catered for at a licensed waste management facility.

Energy

The development is required to comply with the associated energy efficiency requirements.

Noise and Vibration

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses.

Natural Hazards

Inspection of the site and mapping associated with the LEP did not identify the subject land as being subject to flooding or bushfire or any other potential hazards.

Technological Hazards

No impacts as previously discussed in this report.

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the Locality

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

Site Design and Internal Design

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

Construction

The proposed development is constructed in accordance with the Building Code of Australia.

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic and activity at the site will occur during the construction phase.

5.7 Site suitability

(c) the suitability of the site for the development

The site has appropriate area, dimensions and topography to facilitate construction of the proposed development.

5.8 Submissions

(d) any submissions made in accordance with this Act or the regulations,

Council will exhibit the development in accordance with the Community Consultation Policy.

5.9 Public interest

(e) the public interest

No aspect of the proposed development will overburden any facility operating in the public interest.

6. Conclusion

The proposed development is consistent with all applicable planning controls without variation to the Cowra Local Environmental Plan 2012 and the majority of the controls contained in the Cowra Shire Council Development Control Plan 2021. The variation to the setback to the side boundary is considered appropriate given the existing development within the vicinity of the site that incorporates 1.8 metre high Colorbond fencing on secondary road frontage and sheds that present on the boundary to the secondary or parallel road. The development is not inconsistent with the character of the area, given these existing developments and the variation to the secondary road setback for ancillary detached development is considered appropriate and without negative impact.

It is considered the proposed development can be approved by Council without alteration to the proposed design.

Appendix A - Requirements of the Approved Form Guide

a. The environmental impacts of the development

The development is being completed on a residential site and no negative environmental impact will be incurred.

b. How the environmental impacts of the development have been identified

The site was inspected as part of the preparation of the development application and confirmed that no environmental impacts that could be avoided have been identified.

c. The steps to be taken to protect the environment or to lessen the expected harm to the environment

As per a. and b., no specific measures are required other than to construct the development as proposed.

d. Any matters required to be indicated by any guidelines issued by the Planning Secretary

No specific guidelines relevant to the application have been issued by the planning secretary.

e. Drawings of the proposed development in the context of surrounding development, including the streetscape

The proposed development is consistent with the character of the residential area in the surrounding context. The documents submitted are adequate to allow for comprehensive assessment of the proposal.

f. Development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations

The plans submitted with the application are sufficient to allow for comprehensive assessment of the proposal.

g. Drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context

The plans submitted with the application are sufficient to allow for comprehensive assessment of the proposal which is of a design and scale appropriate to the residential area.

h. If the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts

The area is characterised by residential land use and the proposed development is consistent with the existing character and the proposed surrounding character which is also residential.

i. Photomontages of the proposed development in the context of surrounding development

Photomontages are not necessary in this instance.

j. A sample board of the proposed materials and colours of the facade

Sample boards are not necessary in this instance.

k. Detailed sections of proposed facades

The plans submitted are adequate for comprehensive assessment of the development without submitting section plans for a development application.

l. If appropriate, a model that includes the context.

A model is not necessary in this instance.

Appendix B - Consideration of the Regulations

Section 4.15 (1)(a)(iv) requires consideration to be given to the provisions of the regulations (referring to the Environmental Planning and Assessment Regulation 2021 (NSW)). Consideration has been included below.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

Part 4 Determination of development applications

Division 1 Determination of development applications—the Act, s 4.15(1)(a)(iv)

Clause 61 Additional matters that consent authority must consider

(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures.

(2) In determining a development application for the carrying out of development on land that is subject to a subdivision order under the Act, Schedule 7, the consent authority must consider—

(a) the subdivision order, and

(b) any development plan prepared for the land by a relevant authority under that Schedule.

(3) In determining a development application for development on the following land, the consent authority must consider the Dark Sky Planning Guideline—

(a) land in the local government area of Coonamble, Gilgandra, Warrumbungle Shire or Dubbo Regional,

(b) land less than 200 kilometres from the Siding Spring Observatory, if the development is—

(i) State significant development, or

(ii) designated development, or

(iii) development specified in State Environmental Planning Policy (Planning Systems) 2021, Schedule 6.

(4) In determining a development application for development for the purposes of a manor house or multi dwelling housing (terraces), the consent authority must consider the Low Rise Housing Diversity Design Guide for Development Applications published by the Department in July 2020.

(5) Subsection (4) applies only if the consent authority is satisfied there is not a development control plan that adequately addresses the development.

(6) In determining a development application for development for the erection of a building for residential purposes on land in Penrith City Centre, within the meaning of Penrith Local Environmental Plan 2010, the consent authority must consider the Development Assessment Guideline: An Adaptive Response to Flood Risk Management for Residential Development in

the Penrith City Centre published by the Department on 28 June 2019.

(7)–(8) (Repealed)

Comments:

The proposal does not involve demolition of a building and therefore the requirements of AS 2601 do not need to be considered in accordance with Clause 61(1).

The subject land is not subject to a subdivision order under the Act, Schedule 7, therefore Clause 61(2) is not applicable.

The Dark Sky Planning Guideline does not apply to Cowra Shire and therefore Clause 61(3)(a) and (b) are not applicable.

The development does not include a manor house or multi dwelling housing (terraces), therefore Clause 61(4) is not applicable (subject to subclause (5)).

The development is not located within the Penrith City Centre.

Clause 62 Consideration of fire safety

(1) This section applies to the determination of a development application for a change of building use for an existing building if the applicant does not seek the rebuilding or alteration of the building.

(2) The consent authority must—

(a) consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use, and

(b) not grant consent to the change of building use unless the consent authority is satisfied that the building complies, or will, when the development is completed, comply, with the Category 1 fire safety provisions that are applicable to the building's proposed use.

(3) Subsection (2)(b) does not apply to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Comments:

The proposal does not involve the change of a building use for an existing building and therefore the requirement to consider fire safety and structural adequacy of buildings in accordance with Clause 62 is unnecessary.

Clause 63 Considerations for erection of temporary structures

In determining a development application for the erection of a temporary structure, the consent authority must consider whether—

- (a) the fire protection and structural capacity of the structure will be appropriate to the proposed use of the structure, and*
- (b) the ground or other surface on which the structure will be erected will be sufficiently firm and level to sustain the structure while in use.*

Comments:

The proposal does not involve the erection of a temporary structure and therefore the requirements to consider fire safety and structural adequacy is unnecessary.

Clause 64 Consent authority may require upgrade of buildings

(1) This section applies to the determination of a development application that involves the rebuilding or alteration of an existing building if—

- (a) the proposed building work and previous building work together represent more than half of the total volume of the building, or*
- (b) the measures contained in the building are inadequate—*
 - (i) to protect persons using the building, if there is a fire, or*
 - (ii) to facilitate the safe egress of persons using the building from the building, if there is a fire, or*
 - (iii) to restrict the spread of fire from the building to other buildings nearby.*

(2) The consent authority must consider whether it is appropriate to require the existing building to be brought into total or partial conformity with the Building Code of Australia.

(3) In this section—

previous building work means building work completed or authorised within the previous 3 years.

total volume of a building means the volume of the building before the previous building work commenced and measured over the building's roof and external walls.

Comments:

The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building that represents more than half the total volume of the building and therefore the requirement to consider the upgrading of buildings into total or partial conformity with the Building Code of Australia.

Clause 67 *Modification or surrender of development consent or existing use right—the Act, s 4.17(5)*

Not applicable.

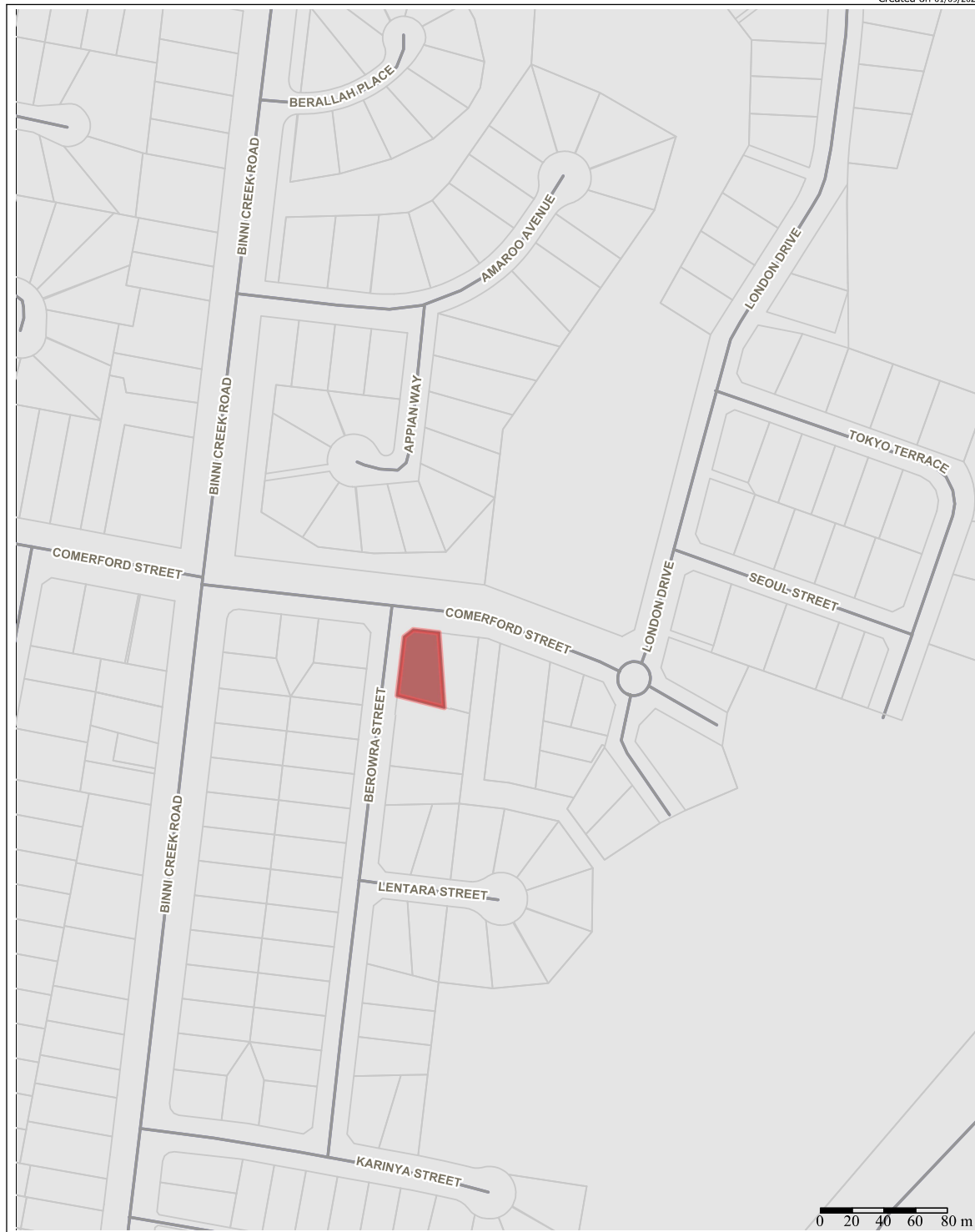
Clause 75 *Fulfilment of BASIX commitments*

Not applicable.

Clause 76 *Deferred commencement consent*

Not applicable.

Created on 01/09/2025



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Drawn By: Cassandra Galley

Projection: # GDA2020 / MGA zone 55

Date: 01/09/2025 12:44 PM

DA 10.2025.80.1 - 19 Berowra Street Cowra

Map Scale: 1:2919 at A4

Created on 01/09/2025



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Date: 01/09/2025 12:47 PM

DA 10.2025.80.1 - 19 Berowra Street Cowra

Map Scale: 1:612 at A4

- 5.2 Development Application No. 10.2025.75.1, Lot 5 DP 1239980, 62 Killara Road Cowra, shed, lodged by A P Crich. The property owner is M J & A P Crich.**

File Number: D25/1671

Author: Larissa Hackett, Director - Environmental Services

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 variation to Section G.4.4.2.b of Part G 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 approve a variation to Section G.4.4.2.b of Part G of Council's Development Control Plan 2021 for this development to allow a maximum building height of 6.058 metres; and
3. That Development Application No. 10.2025.75.1, for the construction of a shed on Lot: 5 DP 1239980, 62 Killara 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
Floor Plan & Elevations (South/North)	Ultra-Steel	Received 21 July 2025 Stamped DA 10.2025.75.1
Elevations (East & West)	Ultra - Steel	Received 21 July 2025 Stamped DA 10.2025.75.1
Amended Site Plan	Adam Crich	Received 21 July 2025 Stamped DA 10.2025.75.1(A)

Statement of Environmental Effects (Pro forma)	Adam Crich	Received 21 July 2025 Stamped DA 10.2025.75.1
------------------------------------------------------	------------	--------------------------------------------------------

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

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

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

- The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.
- It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work.
- The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.
- 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

- 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.
- 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.

9. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.
10. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
11. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.
12. 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.

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

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

ADVICE

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

INTRODUCTION

Development Application No. 10.2025.75.1 proposes a shed on Lot 5 DP 1239980, 62 Killara Road Cowra. The application was lodged by A P Crich on 21 July 2025. The property owner is M J & A P Crich.

The application is being reported to Council because it contains a variation to Section E.4.4.2.b. of Part G of Cowra Councils Development Control Plan 2021 in relation to building height which is discussed in the relevant section of this report.

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

Description of Site

Lot 5 DP 1239980, 62 Killara Road Cowra is a rectangular allotment of approximately 4,052m². The lot is located in the R5 Large Lot Residential zone under Cowra Local Environmental Plan (LEP) 2012. The site contains an existing dwelling (CDC 15/2019) and shed.

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

Description of Proposal

The applicant proposes to construct a new metal clad shed. The proposed shed would be 6.058 metres in height, 30 metres long and 12 metres in width. The proposed shed will be located behind the building line of the existing dwelling.

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 10.2025.75.1:

Section 4.15(1) Evaluation Matters

S 4.15(1)(a)(i) provisions of any environmental planning instrument(s)

Local Environmental Plan (LEP)

The applicable LEP is the Cowra LEP 2012 (CLEP) and the relevant provisions of the LEP are discussed as follows.

1.2 Aims of Plan

The development is the aims of the LEP.

1.4 Definitions

The proposed development is defined as ancillary to the use of the dwelling house under the LEP.

1.6 Consent authority

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

1.9A Suspension of covenants, agreements and instruments

Any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. There are no covenants imposed by Council or that Council require to be imposed affecting the subject lot.

2.1 Land use zones

The site is zoned R5 Large Lot Residential, and the proposed development is permitted in the zone with consent.

**2.3 Zone objectives**

Objective	Comment
• To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality	Not inconsistent
• To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.	Not inconsistent
• To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.	Not inconsistent
• To minimise conflict between land uses within this zone and land uses within adjoining zones.	Consistent

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; **Dwelling houses**; Home industries; Kiosks; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Roads; Roadside stalls; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Biosolids treatment facilities; Boarding houses; Boat building and repair facilities; Boat launching ramps; Boat sheds; Car parks; Charter and

tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Dual occupancies; Eco-tourist facilities; Entertainment facilities; Extractive industries; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Hostels; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Multi dwelling housing; Open cut mining; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Seniors housing; Service stations; Sewage treatment plants; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

Comment:

The proposed Development is permitted with consent ancillary to the dwelling.

5.10 Heritage conservation

There are no heritage items identified on either the State Heritage Register or in the LEP located on the site, and the site is not located in a Heritage Conservation Area.

5.11 Bushfire

Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out without development consent.

5.21 Flood planning

The land is not in the flood planning area.

Part 6 Urban release areas

This Part applies to land that is identified as Urban Release Area on the Urban Release Area Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.1 Earthworks

Minimal earthworks are required. It is considered that there will be no adverse impact or environmental risk from the earthworks required.

7.3 Terrestrial biodiversity

This clause applies to land that is identified as biodiversity land on the Terrestrial Biodiversity Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.4 Riparian land and watercourses

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

7.5 Wetlands

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

7.6 Groundwater vulnerability

This clause applies to land that is identified as groundwater vulnerable on the Groundwater Vulnerability Map. The land is mapped as being affected; however, the development is not considered likely to impact on groundwater or groundwater dependent ecosystems.

7.7 Airspace operations

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

7.8 Essential Services

Water	Water connection available if required.
Electricity	Connection available if required
Sewage	N/A
Stormwater	Will be discharged into rainwater tanks. Overflow will be directed 3m clear of all structures. Conditioned accordingly.
Access	Access will remain from existing crossover on Killara Road.

7.11 Development on land in karst areas

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

State Environmental Planning Policies

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable.
SEPP (Exempt and Complying Development Codes) 2008	Not applicable.
SEPP (Housing) 2021	Not applicable.
SEPP (Industry and Employment) 2021	Not applicable.
SEPP (Planning Systems) 2021	Not applicable.
SEPP (Precincts – Central River City) 2021	Not applicable.
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable.
SEPP (Precincts - Regional) 2021	Not applicable.
SEPP (Precincts – Western Parkland City) 2021	Not applicable.
SEPP (Primary Production) 2021	Not applicable.
SEPP (Resilience and Hazards) 2021	See comment below.

SEPP (Resources and Energy) 2021	Not applicable.
SEPP (Sustainable Buildings) 2022	Not applicable.
SEPP (Transport and Infrastructure) 2021	Not applicable.

SEPP (RESILIENCE AND HAZARDS) 2021

Under Clause 4.6 a consent authority must not consent to the carrying out of any development on land unless:

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

There are no known prior land-uses on the site that are likely to have resulted in the contamination of the land. Site inspection carried out did not reveal any evidence of contamination of the site. The proposal does not involve any demolition or works likely to result in contamination of the site. The SEE submitted with the application does not mention any previous land use that likely to have resulted in contamination of the site. No further investigation is warranted in this instance.

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

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

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

Cowra Shire Council Development Control Plan 2021

PART A – PLAN INTRODUCTION

Consent is required for the proposed development.

PART B – LAND MANAGEMENT

Appropriate erosion and sediment controls to be implemented prior to the commencement of works.

PART C – BIODIVERSITY MANAGEMENT

The development site is not identified as Terrestrial Biodiversity in the LEP or identified on the Biodiversity Values Map. The development area is generally clear of vegetation. No further assessment required relating to Biodiversity.

PART G – LARGE LOT DEVELOPMENT

Part G.3 Ancillary Development

Section	Comments
G.3.1 Application of Section	The subject land is zoned R5 Large Lot Residential and ancillary development is proposed.
G.3.2 Objectives	The proposed development meets these objectives.
G.3.3 Ancillary buildings – attached	N/A
G.3.4. Ancillary buildings – detached	<p>The proposed garage would be located behind the building line of the dwelling. The proposed garage would be consistent with the appearance of the existing shed and subservient to the dwelling.</p> <p>The proposed garage would be 6.058 metres in height and does not comply with Section E.4.4.2. See comments below table.</p>
G.3.5. Private Swimming Pools	N/A
G.3.6. Rainwater Tanks	N/A

Variation:

G.3.4. Building Appearance

Section G.4.4.2 of Part G of the Cowra Council DCP 2021 states that “ancillary buildings should be consistent with the dwelling and should not be more than 4.5 metres high, measured from natural ground level to the peak of the structure”.

The proposed development would include a ridge height of 6.058 metres from natural ground level.

The applicant provides the following response to the variation:

“I have numerous race and rally cars that will be stored in the shed, as well as my transport truck for these cars. A 4.5-meter-high shed will not allow for the storage of my truck.”

“I am currently looking at installing 2 x 2 & 3 x 4 post hoists, a smaller height shed will not allow me to fit these as they have a 2.120 lift height.”

“I have plans to install a mezzanine in the shed later, which would not be possible without the 6.058 m shed height”

“My property currently backs onto farmland with currently only a neighbour on the block to my south, the block to the north has not yet been built on but with the large easement through the property and the building envelope at the northern end of the block I cannot see how my shed height would be a burden to my neighbours”.

Comment

It is considered the proposed variation is adequately justified as the proposed garage would be located behind the building line of the existing dwelling. Additionally, the proposed garage is located at a sufficient distance to nearby residential uses to not adversely impact on amenity. The proposed garage is not inconsistent with the objectives of the R5 zone and it is recommended that the variation be approved.

PART K – LAND USE BUFFERS

Cowra Airport Obstacle Limitation Surface

The subject land is located outside of the OLS.

PART N – LANDSCAPING

Landscaping assessment not considered necessary for ancillary development.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

PART P – CPTED PRINCIPLES

CPTED assessment is not considered necessary for residential ancillary development.

The development, as conditioned, will comply with the remaining relevant DCP controls.

S 4.15(1)(a)(iiia) provisions of any Planning Agreement(s)

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

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

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

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

S 4.15(1)(b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality

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

Context and Setting

The area is characterised by dwelling houses and ancillary structures. The proposal would not change the existing character of the land, and is therefore considered consistent with the existing character of the locality.

Access, Parking, traffic

The site is accessible via Killara Road which is a sealed local road. No other traffic or parking concerns are identified.

Public Domain

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

Utilities

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

Heritage

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

Other Land Resources

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

Water, Sewerage and Stormwater

Stormwater will be directed 3m clear of all existing structures. Conditioned accordingly.

Soils

No adverse impacts on soil is anticipated. A recommended condition will apply to require compliance with Council's DCP 2021.

Air and Microclimate

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

Flora and Fauna

The development would not require the removal of vegetation. It is assessed there will be no significant impact on native flora & fauna.

Waste

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

Energy

A BASIX Certificate is not required.

Noise and Vibration

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding construction hours is recommended. The constructed development will not result in any ongoing noise or vibration.

Natural Hazards

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

Technological Hazards

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

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic activity to the site will occur during the construction phase. This will be limited by a condition of consent and will not continue once construction is completed.

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

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

development will not create adverse impacts within its local setting. It is assessed that the development will not impact upon any existing services. The development site is not identified as bushfire or flood prone or otherwise unsatisfactorily constrained by natural features. The site is considered suitable for the development subject to the imposition of appropriate conditions of consent.

S 4.15(1)(d) any submissions made in accordance with the Regulation(s)Public Notification:

Notified to neighbours: Yes

Start Date: 23rd July 2025

End Date: 13th August 2025

Public Submissions:

Public submissions received

(refer to S 4.15(1)(d) 'Any Submissions' for consideration of submissions received by Council):

Submissions received: No

Submissions from Public Authorities:

Is the proposed development 'State Significant Development': No

Is the proposed development 'Designated Development': No

Is the proposed development 'Integrated Development': No

Was the proposed development referred to any Public Authorities: No

Were any submissions made by Public Authorities: No

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

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

S7.12 Fixed development consent levies

The development is of insufficient estimated cost to trigger the requirement for development contributions under Cowra Council S94A Contributions Plan 2016.

Conclusion

Development Application No. 10.2025.75.1 proposes a shed on Lot 5 DP 1239980, 62 Killara Road Cowra. The application was lodged by A P Crich on 21 July 2025. The property owner is M J & A P Crich.

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

The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the R5 Large Lot Residential zone and is consistent with existing land-use activities of the locality. The variation to Section No. G.4.4.2 of Cowra Development Control Plan 2021 is sufficiently justified.

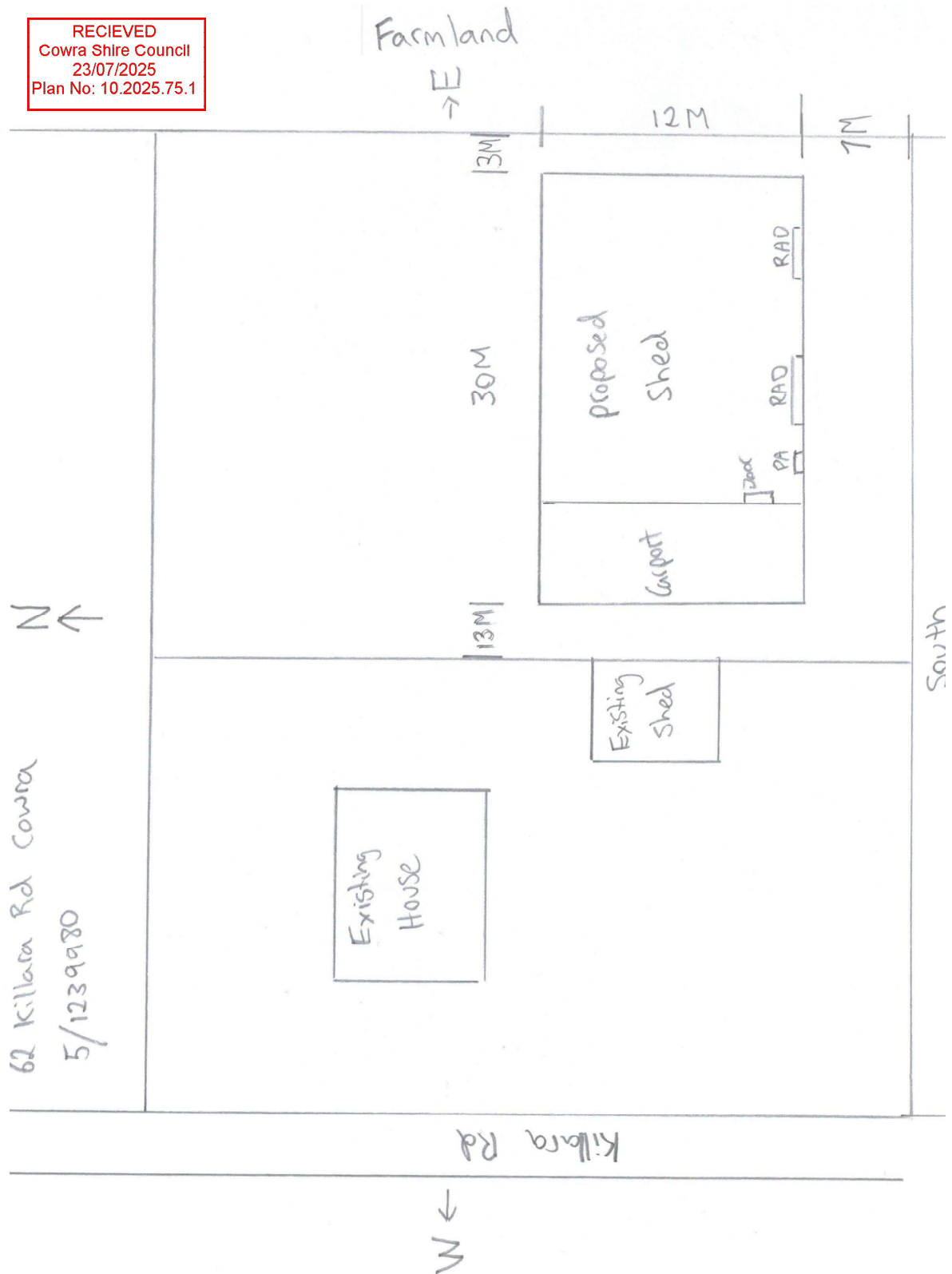
The development application was notified in accordance with Cowra Community Participation Plan 2024. No submissions were received following the consultation process.

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

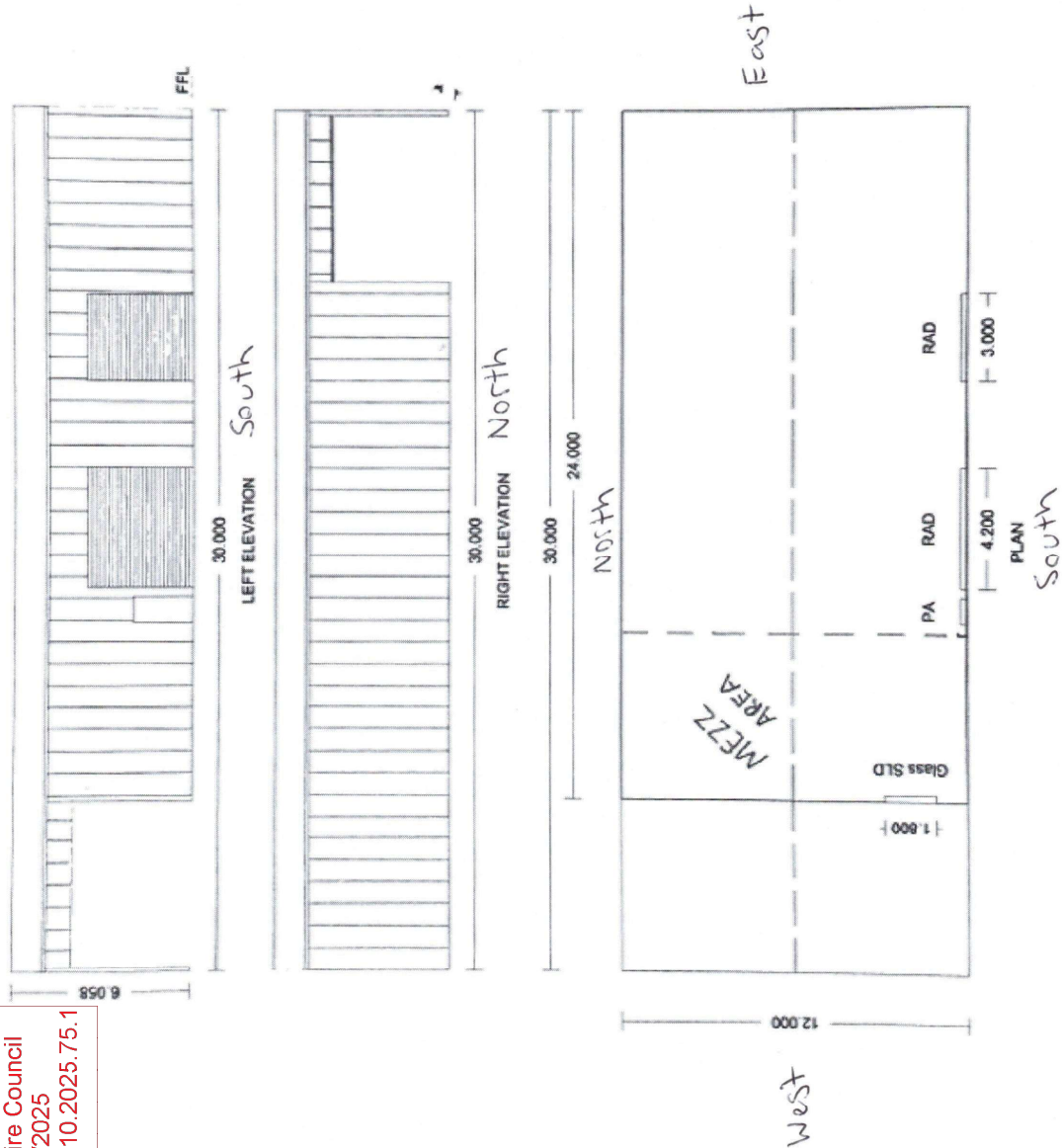
ATTACHMENTS

1. DA 10.2025.75.1 - 62 Killara Road Cowra - Development Plans [↓](#)
2. DA 10.2025.75.1 - 62 Killara Road Cowra - Statement of Environmental Effects [↓](#)
3. DA 10.2025.75.1 - 62 Killara Road Cowra - Location map [↓](#)
4. DA 10.2025.75.1 - 62 Killara Road Cowra - Aerial view [↓](#)

RECIEVED
Cowra Shire Council
23/07/2025
Plan No: 10.2025.75.1



Ultra Steel Sheds & Garages	PROPOSED Industrial 12 000x30 000x5 000 A2
	At x Cowra
	For Adam Critch
	Wall Colour - CB To Be Advised
	Roof colour - CB To Be Advised
	Roller Door Colour - CB To Be Advised
	Barge Colour - CB To Be Advised



RECEIVED
Cowra Shire Council
21/7/2025
Plan No: DA 10.2025.75.1

PROPOSED Industrial 12 000x30 000x5 000 A2	
At x Cowra	
For Adam Cich	
Wall Colour - CB To Be Advised	Roof colour - CB To Be Advised
Barge Colour - CB To Be Advised	Roller Door Colour - CB To Be Advised

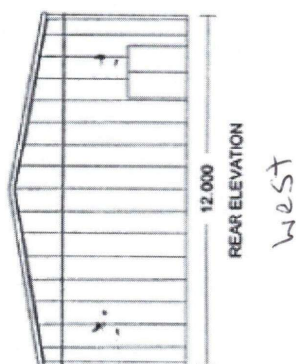
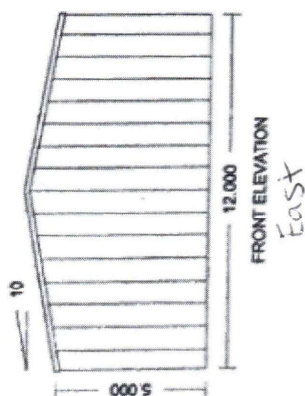
Ultra Steel
Sheds & Garages

RECEIVED

Cowra Shire Council

21/7/2025

Plan No: DA 10.2025.75.1





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21/7/2025
Plan No: DA 10.2025.75.1

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Private Bag 342
Cowra NSW 2794

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

Statement of Environmental Effects (SEE)

Pro-Forma for Minor Development

This pro-forma is suitable for minor development proposals that require a Development Application and Statement of Environmental Effects (SEE). A more comprehensive SEE will be required by Council for larger or more complex development proposals. Please contact Cowra Council for information about development proposals in the Cowra Shire Local Government Area. Include your complete SEE with your Development Application lodgement documents.

Applicant Details

Applicant(s)	Adam Crich
Address	
Telephone No.	
Email	

Property / Site Details

Lot No.	5
Section No.	5/1239980
Deposited Plan No.	1239980
Street / Rural Address No.	62
Street / Road Name	Killara RD
Suburb	Cowra, NSW 2794

Description of the Proposal

Proposal Please tick the box that best describes the proposed development.	<input type="checkbox"/> Residential Dwelling
	<input checked="" type="checkbox"/> Ancillary Residential Development (i.e. Shed)
	<input type="checkbox"/> Rural Dwelling
	<input type="checkbox"/> Ancillary Rural Development (i.e. Farm Building)
	<input type="checkbox"/> Commercial / Retail Development
	<input type="checkbox"/> Advertisement / Advertising Structure
	<input type="checkbox"/> Change of Use Application
	<input type="checkbox"/> Demolition
	<input type="checkbox"/> Subdivision / Boundary Adjustment
	<input type="checkbox"/> Other
Additional Detail	

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Description of the Site

Approximate Site Area		
Current Land-Use	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Industrial
Eg – the site is currently used for agricultural related purposes. The predominant agricultural use is grazing, however, the land is also suited to cultivation	<input type="checkbox"/> Farmland	<input type="checkbox"/> Recreation/Parkland
	<input type="checkbox"/> Commercial	<input type="checkbox"/> Other (described below)
	Additional Detail	
Previous Land-Use	<input type="checkbox"/> Residential	<input type="checkbox"/> Industrial
Eg – the land has historically been used for residential purposes only. There are no other uses known to have occurred on the land.	<input checked="" type="checkbox"/> Farmland	<input type="checkbox"/> Recreation/Parkland
	<input type="checkbox"/> Commercial	<input type="checkbox"/> Other (described below)
	Additional Detail Previous to subdivision the area was farmland which still is at the eastern side of the property	
Adjoining Sites	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Industrial
Eg – the adjoining site to the south is currently used for commercial purposes. The adjoining sites to the east and west are currently used for residential purposes.	<input checked="" type="checkbox"/> Farmland	<input type="checkbox"/> Recreation/Parkland
	<input type="checkbox"/> Commercial	<input type="checkbox"/> Other (described below)
	Additional Detail Site to the south is residential and the site to the north is residential also but has not been built on at this stage, the site to the east is farmland	
Existing Structures	<input type="checkbox"/> There are no existing structures on the land	
Eg – The land is currently vacant, except for an existing shed structure located in the south west portion of the block.	<input checked="" type="checkbox"/> There are existing structures on the land. These are described below	
	Additional Detail There is an existing house and shed on the land on the western 2000sqm, on the eastern 2000sqm is just a paddock where I would like to build a shed	

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Operational Details

This section of the pro-forma needs to be completed only where the proposal involves development that is of a commercial or industrial nature. This section of the pro-forma does not need to be completed for proposals involving new residential development, rural development, subdivision or demolition.

Hours of Operations	Mon		Fri	
	Tues		Sat	
	Wed		Sun	
	Thurs		Public Holidays	
Number of Staff				
Expected Number of Customers				
Method of Timing of Deliveries				
Production Processes				
Type of Waste Products & Disposal				
Details of any Hazardous Materials (Any materials that may pose a risk to health & safety if not managed correctly)				
Car Parking Arrangements				
Loading/Unloading Operations				
Machinery Used				
Additional Detail (where necessary)				

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Assessment of Environmental Impacts

*Are there items of European heritage on the property?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Are there items of Aboriginal Cultural Heritage within 100 metres of the development site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Will the development impact on Critical Habitat or Threatened Species?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Does the site contain any contaminated materials (asbestos or other contaminants)?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Are any trees proposed/required to be removed?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Will the amenity of adjoining land owners be affected (views, solar access, noise, odour etc)?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Is the development out of character with existing development in the locality?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Does the development involve a new access crossing or increase in traffic?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Does the development involve earthworks (cut or fill) of more than 600mm in depth or height?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Is the site connected to Council's reticulated water service?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
Is the site connected to Council's reticulated sewer service?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
*Is there any on-site sewage management system on the site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Will the development increase crime, safety or security risks?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*To be shown on plans		
<p>If you answered Yes to any of the above, describe the steps proposed to be taken to prevent or lessen any environmental impacts:</p> <p>The water is connected to the house from the western side of the block and the sewerage is connected through the north east side of the block. There will be nil environmental impacts due to the new structure no where near these.</p>		

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Stormwater disposal

If your development will generate stormwater runoff i.e. additional roof or other impermeable surface, please identify where and how you will direct it (including overflow from any rainwater tanks):

Will discharge into rainwater tanks and be used to water the grounds and put into seep lines keeping tanks at a minimal level, rainwater is currently in a paddock so overflow will be dispersed as such

Note: The discharge location should also be shown on your Site Plan. Council's stormwater management system should be utilised where available.

Site Constraints

Is the development constrained by:		
Flooding	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Landslip or subsidence	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Bushfire attack	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Land contamination	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Easements	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes

Note – if the proposed development is identified as being affected by one or more of the site constraints listed above, the applicant must provide Council with evidence as to how the site constraint will be addressed.

Assessment of Compliance with Local Planning Policies & Guidelines

This section of the pro-forma can be used as a checklist to ensure that the proposed development complies with all relevant local planning policies and guidelines. Check with Council if you need clarification on any matter.

Cowra Local Environmental Plan 2012

Select the appropriate zoning of the land under Cowra Local Environmental Plan 2012:	<input type="checkbox"/> RU1 Primary Production <input type="checkbox"/> RU4 Primary Production <input type="checkbox"/> RU5 Village <input type="checkbox"/> R1 General Residential <input type="checkbox"/> R2 Low Density Residential <input checked="" type="checkbox"/> R5 Large Lot Residential <input type="checkbox"/> B1 Neighbourhood Centre <input type="checkbox"/> B2 Local Centre	<input type="checkbox"/> B5 Business Development <input type="checkbox"/> IN1 General Industrial <input type="checkbox"/> IN2 Light Industrial <input type="checkbox"/> RE1 Public Recreation <input type="checkbox"/> RE2 Private Recreation <input type="checkbox"/> E2 Environmental Conservation <input type="checkbox"/> E3 Environmental Management
Is the development permissible in the zone	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
Does the development meet the zone objectives	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes

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Cowra Shire Council Development Control Plan 2021

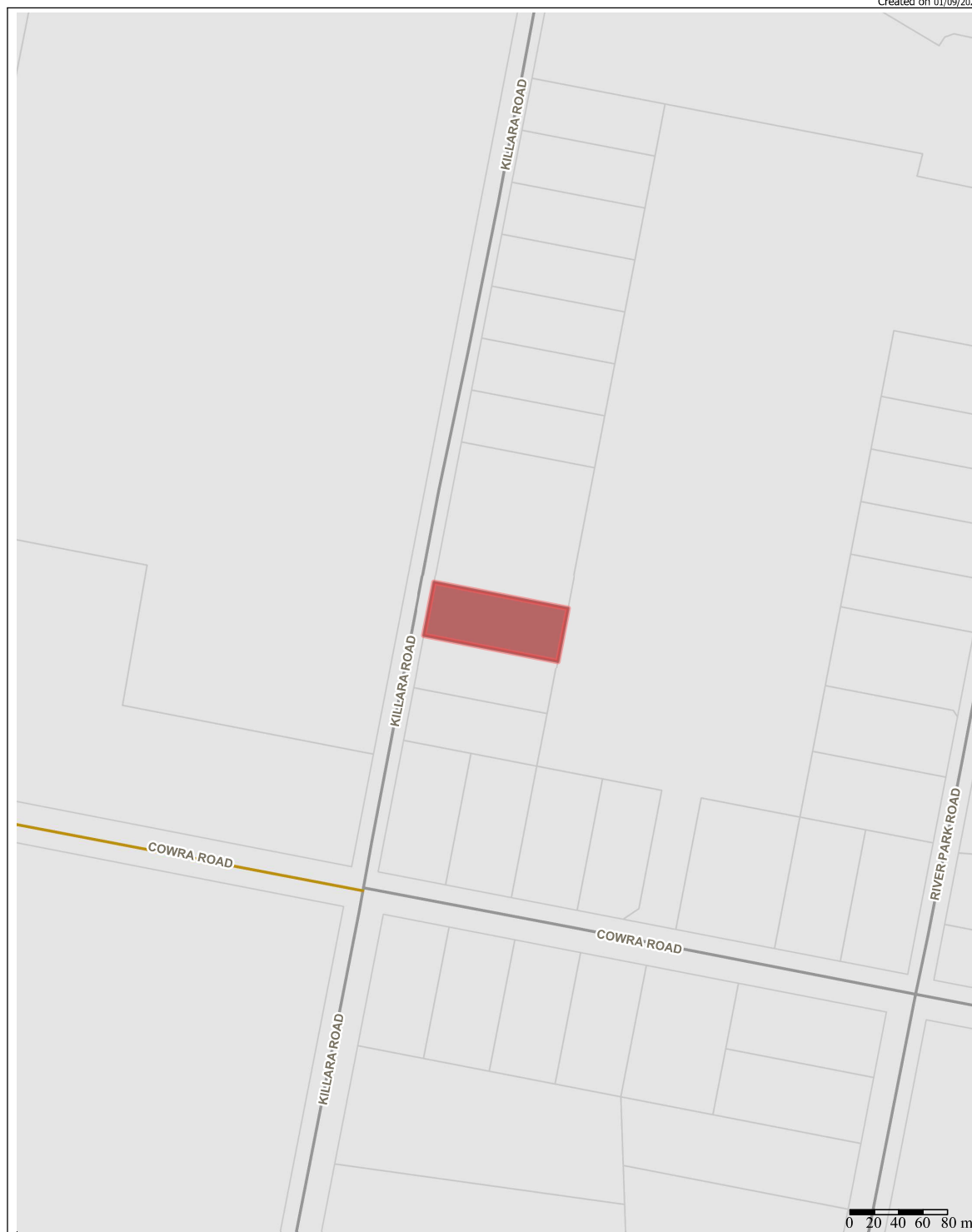
	Applies		Consistent		Variation Proposed	
Part B – Land Management	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part C – Biodiversity Management	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part D – Subdivision Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part E – Urban & Village Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part F – Rural Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part G – Large Lot Development	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Part H – Commercial Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part I – Industrial Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part J – Cowra Regional Airport	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part K – Land-use Buffers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part L – Advertising and Signage	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part M – Parking, Access & Mobility	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part N – Landscaping	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part O – Hazard Management	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part P – Crime Prevention	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Where the proposed development involves a variation to a control or guideline contained in one or more Parts of the Cowra Shire Council Development Control Plan 2021 – the Development Application must be supported by a statement justifying the variation to the control or guideline. This Statement can be attached to the Statement of Environmental Effects or included below:

See attached in regards to requesting a written variation to maximum height control for my shed

Reviewed 19 November 2021 Page 6

Created on 01/09/2025



Cowra Council
Private Bag 342
136 Kendal Street
COWRA NSW 2794
Ph: (02) 6340 2000
Web: www.cowracouncil.com.au

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Drawn By: Cassandra Galley

Projection: # GDA2020 / MGA zone 55

Date: 01/09/2025 3:30 PM

**DA 10.2025.75.1 - 62
Killara Road Cowra**

Map Scale: 1:3823 at A4

Created on 01/09/2025



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Drawn By: Cassandra Galley

Projection: # GDA2020 / MGA zone 55

Date: 01/09/2025 3:52 PM

DA 10.2025.75.1 - 62
Killara Road Cowra

Map Scale: 1:1002 at A4

- 5.3 Development Application No. 10.2025.68.1, Lot 14 DP 1099490, 359 Elouera Road Cowra, garage and retaining wall, lodged by A L Millen. The property owner is A L Millen.**

File Number: D25/1684

Author: Larissa Hackett, Director - Environmental Services

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 variation to Section G.4.4.2.b of Part G 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 G.4.4.2.b of Part G of Council's Development Control Plan 2021 for this development to allow a maximum building height of 5.75m; and
3. That Development Application No. 10.2025.68.1, for the construction of a garage and retaining wall on Lot 14 DP 1099490, 359 Elouera 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
Site Plan Sheet 01	M A Steel 20/06/2025	Received 7 July 2025 Stamped DA 10.2025.68.1
Floor plan Shed/ Retaining wall Sheet 1 of 7	Fair Dinkum Builds 3/7/2025	Received 7 July 2025 Stamped DA 10.2025.68.1
Elevations Shed/ Retaining wall Sheet 2 of 7	Fair Dinkum Builds 3/7/2025	Received 7 July 2025 Stamped

		DA 10.2025.68.1
Exterior Elevations Shed/ retaining wall Sheet 7 of 7	Fair Dinkum Builds 1/7/2025	Received 18 July 2025 Stamped DA 10.2025.68.1
Bolt plan layout Job no. FDYO140957	Fair Dinkum Builds 3/7/2025	Received 7 July 2025 Stamped DA 10.2025.68.1
Retaining wall site plan Sheet 03	M A Steel 19/06/2025	Received 7 July 2025 Stamped DA 10.2025.68.1
Statement of Environmental Effects	M A Steel 21/07/2025	Received 22 July 2025 Stamped DA 10.2025.68.1(B)
Shade Map Diagram	M A Steel 21/07/2025	Received 22 July 2025 Stamped DA 10.2025.68.1
Roof Levels	M A Steel 21/07/2025	Received 22 July 2025 Stamped DA 10.2025.68.1

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

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

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

- The Applicant is to obtain a Construction Certificate from either Council or an

Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

- 4. 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.**
- 5. 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'.**
- 6. 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

- 7. 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.**
- 8. 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.**
- 9. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.**
- 10. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.**
- 11. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste**

Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

12. 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.

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

13. The Applicant must not commence occupation or use of the garage and retaining wall until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.

ADVICE

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

INTRODUCTION

Development Application No. 10.2025.68.1 proposes a garage and retaining wall on Lot 14 DP 1099490, 359 Elouera Road Cowra. The application was lodged by A L Millen on 7 July 2025. The property owner is A L Millen.

The application is being reported to Council because it contains a variation to Section G.4.4.2.b. of Part G of Cowra Councils Development Control Plan 2021 in relation to building height which is discussed in the relevant section of this report.

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

Description of Site

Lot 14 DP 1099490, 359 Elouera Road Cowra is a battle axe allotment of approximately 2,025m². The lot is located in the R5 Large Lot Residential zone under Cowra Local Environmental Plan (LEP) 2012. The site contains an existing dwelling (DA 34/2023) and water tank.

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

Description of Proposal

The applicant proposes to construct a garage and associated retaining wall. The proposed metal clad garage would be situated behind the building line of the dwelling and has a floor area of 10m by 8m. It has a maximum height of 5.75 metres from natural ground level. The retaining wall is 1.2 metres at the highest point. It will be located behind the building line of the existing dwelling.

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 10.2025.68.1:

Section 4.15(1) Evaluation Matters**S 4.15(1)(a)(i) provisions of any environmental planning instrument(s)****Local Environmental Plan (LEP)**

The applicable LEP is the Cowra LEP 2012 (CLEP) and the relevant provisions of the LEP are discussed as follows.

1.2 Aims of Plan

The development is consistent the aims of the LEP.

1.4 Definitions

The proposed development is defined as ancillary to a dwelling house under the LEP.

1.6 Consent authority

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

1.9A Suspension of covenants, agreements and instruments

Any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. There are no covenants imposed by Council or that Council require to be imposed affecting the subject lot.

2.1 Land use zones

The site is zoned R5 Large Lot Residential, and the proposed development is permitted in the zone with consent.



2.3 Zone objectives

Objective	Comment
To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.	Not inconsistent
To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.	Not inconsistent
To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.	Consistent
To minimise conflict between land uses within this zone and land uses within adjoining zones.	Consistent

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; **Dwelling houses**; Home industries; Kiosks; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Roads; Roadside stalls; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Biosolids treatment facilities; Boarding houses; Boat building and repair facilities; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Dual occupancies; Eco-tourist facilities; Entertainment facilities; Extractive industries; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Hostels; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Multi dwelling housing; Open cut mining; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs;

Research stations; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Semi-detached dwellings; Seniors housing; Service stations; Sewage treatment plants; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

Comment:

The proposed Development is permitted with consent.

5.10 Heritage conservation

There are no heritage items identified on either the State Heritage Register or in the LEP located on the site, and the site is not located in a Heritage Conservation Area.

5.11 Bushfire

Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out without development consent.

5.21 Flood planning

The land is not in the flood planning area.

Part 6 Urban release areas

This Part applies to land that is identified as Urban Release Area on the Urban Release Area Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.1 Earthworks

The land has a moderate slope and earthworks are required. A retaining wall of up to 1.2m height is proposed to retain the earthworks. A Construction Certificate is required and it is considered that there will be no adverse impact or environmental risk from the earthworks required.

7.3 Terrestrial biodiversity

This clause applies to land that is identified as biodiversity land on the Terrestrial Biodiversity Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.4 Riparian land and watercourses

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

7.5 Wetlands

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

7.6 Groundwater vulnerability

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

7.7 Airspace operations

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

7.8 Essential Services

Water	N/A for garage
Electricity	Electricity is available if required
Sewage	N/A for garage
Stormwater	There is sufficient area to allow for disposal within the lot.
Access	The proposed development would utilise the dwelling's existing access point from Elouera Road.

7.11 Development on land in karst areas

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

State Environmental Planning Policies

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable.
SEPP (Exempt and Complying Development Codes) 2008	Not applicable.
SEPP (Housing) 2021	Not applicable.
SEPP (Industry and Employment) 2021	Not applicable.
SEPP (Planning Systems) 2021	Not applicable.
SEPP (Precincts – Central River City) 2021	Not applicable.
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable.
SEPP (Precincts - Regional) 2021	Not applicable.
SEPP (Precincts – Western Parkland City) 2021	Not applicable.
SEPP (Primary Production) 2021	Not applicable.
SEPP (Resilience and Hazards) 2021	See comment below.
SEPP (Resources and Energy) 2021	Not applicable.
SEPP (Sustainable Buildings) 2022	Not applicable.
SEPP (Transport and Infrastructure) 2021	Not applicable.

SEPP (RESILIENCE AND HAZARDS) 2021

Under Clause 4.6 a consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and

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

There are no known prior land-uses on the site that are likely to have resulted in the contamination of the land. Site inspection carried out did not reveal any evidence of contamination of the site. The proposal does not involve any demolition or works likely to result in contamination of the site. The SEE submitted with the application does not mention any previous land use that likely to have resulted in contamination of the site. No further investigation is warranted in this instance.

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

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

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

Cowra Shire Council Development Control Plan 2021

PART A – PLAN INTRODUCTION

Consent is required for the proposed development.

PART B – LAND MANAGEMENT

Appropriate erosion and sediment controls to be implemented prior to the commencement of works.

PART C – BIODIVERSITY MANAGEMENT

The development site is not identified as Terrestrial Biodiversity in the LEP or identified on the Biodiversity Values Map. The development area is generally clear of vegetation. No further assessment required relating to Biodiversity.

PART G – LARGE LOT DEVELOPMENT

Part G.3 Ancillary Development

Section	Comments
G.3.1 Application of Section	The subject land is zoned R5 Large Lot Residential and ancillary development is proposed.
G.3.2 Objectives	The proposed development meets these objectives.
G.3.3 Ancillary buildings – attached	N/A
G.3.4. Ancillary buildings – detached	The proposed garage would be located behind the building line of the dwelling. The proposed garage would be consistent with the appearance of the existing shed and subservient to the dwelling. The proposed garage would be 5.75 metres in height and does not

	comply with Section G.4.4.2. See comments below table.
G.3.5. Private Swimming Pools	N/A
G.3.6. Rainwater Tanks	N/A

Variation:G.3.4. Building Appearance

Section G4.4.2 of Part G of the Cowra Council DCP 2021 states that “ancillary buildings should be consistent with the dwelling and should not be more than 4.5 metres high, measured from natural ground level to the peak of the structure”.

The proposed development would include a ridge height of 5.75 metres from natural ground level.

The applicant provides the following response to the variation:

- *Setbacks are 20m to the western boundary 26m to the Southern*
- *Shadow diagram shows very limited overshadowing at Winter Solstice (21 June)*
- *Client requested retaining wall construction to put the shed on a fill pad to:*
 - . *Minimise surface water flows into the shed (doors are on the high side)*
 - . *Avoid extensive excavation due to requirement for any pad to include vehicle turnaround*
 - . *Retaining wall construction minimises the disturbed area for the shed Pad*
 - . *Because of the large setbacks, overshadowing is negligible beyond the owner’s boundaries*

Comment

It is considered the proposed variation is adequately justified as the proposed garage would be located behind the building line of the existing dwelling and will not be highly visible from the public domain given the lot’s setback from the public road and area. Additionally, the proposed garage is located at a sufficient distance to nearby residential uses to not adversely impact on amenity. The proposed garage is not inconsistent with the objectives of the R5 zone and it is recommended that the variation be approved.

PART K – LAND USE BUFFERS**Cowra Airport Obstacle Limitation Surface**

The subject land is located outside of the OLS.

PART N – LANDSCAPING

Landscaping assessment is not considered necessary for residential ancillary development.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

PART P – CPTED PRINCIPLES

CPTED assessment is not considered necessary for residential ancillary development.

The development, as conditioned, will comply with the remaining relevant DCP controls.

S 4.15(1)(a) (ilia) provisions of any Planning Agreement(s)

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

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

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

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

S 4.15(1)(b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality

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

Context and Setting

The area is characterised by large lot dwelling houses. The proposal would not change the existing character of the land, and is therefore considered consistent with the existing character of the locality.

Access, Parking, traffic

The site is accessible via Elouera road which is a sealed local road. No other traffic or parking concerns are identified.

Public Domain

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

Utilities

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

Heritage

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

Other Land Resources

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

Water, Sewerage and Stormwater

The application will not impact on water or sewer services. Stormwater from the garage can be discharged on site without impacting on the environment or on neighbouring properties in accordance with the recommended condition of consent.

Soils

No adverse impacts on soil is anticipated. A recommended condition will apply to require compliance with Council's DCP 2021.

Air and Microclimate

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

Flora and Fauna

The development would not require the removal of vegetation. It is assessed there will be no significant impact on native flora & fauna.

Waste

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

Energy

A BASIX Certificate is not required for this application.

Noise and Vibration

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding construction hours is recommended. The constructed development will not result in any ongoing noise or vibration.

Natural Hazards

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

Technological Hazards

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

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic activity to the site will occur during the construction phase. This will be limited by a condition of consent and will not continue once construction is completed.

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

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

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

Public Consultation

The subject Development Application was notified to adjoining owners in writing from 23rd July 2025 to 14th August 2025, in accordance with Cowra Community Participation Plan 2024. No submissions were received in relation to the proposed development.

Public Authority Consultation:

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

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

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

S7.12 Fixed development consent levies

The development is of insufficient estimated cost to trigger the requirement for development contributions under Cowra Council S94A Contributions Plan 2016.

Conclusion

Development Application No. 10.2025.68.1 proposes a garage and retaining wall on Lot 14 DP 1099490, 359 Elouera Road Cowra. The application was lodged by A L Millen on 7 July 2025. The property owner is A L Millen.

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

The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the R5 Large Lot Residential zone and is consistent with existing land-use activities of the locality. The variation to Section G.4.4.2 of Cowra Development Control Plan 2021 is sufficiently justified.

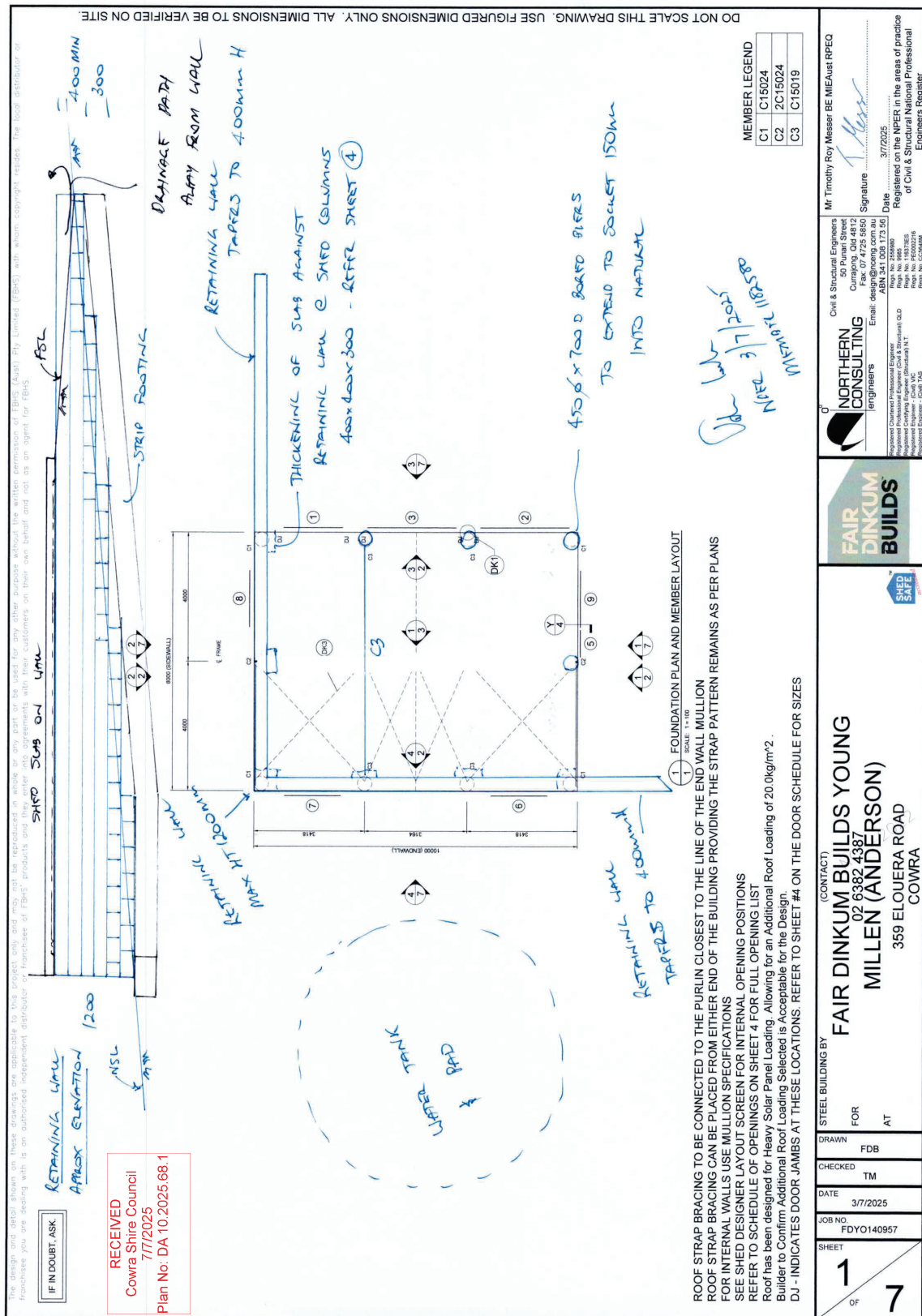
The development application was notified in accordance with Cowra Community Participation Plan 2024. No submissions were received following the consultation process.

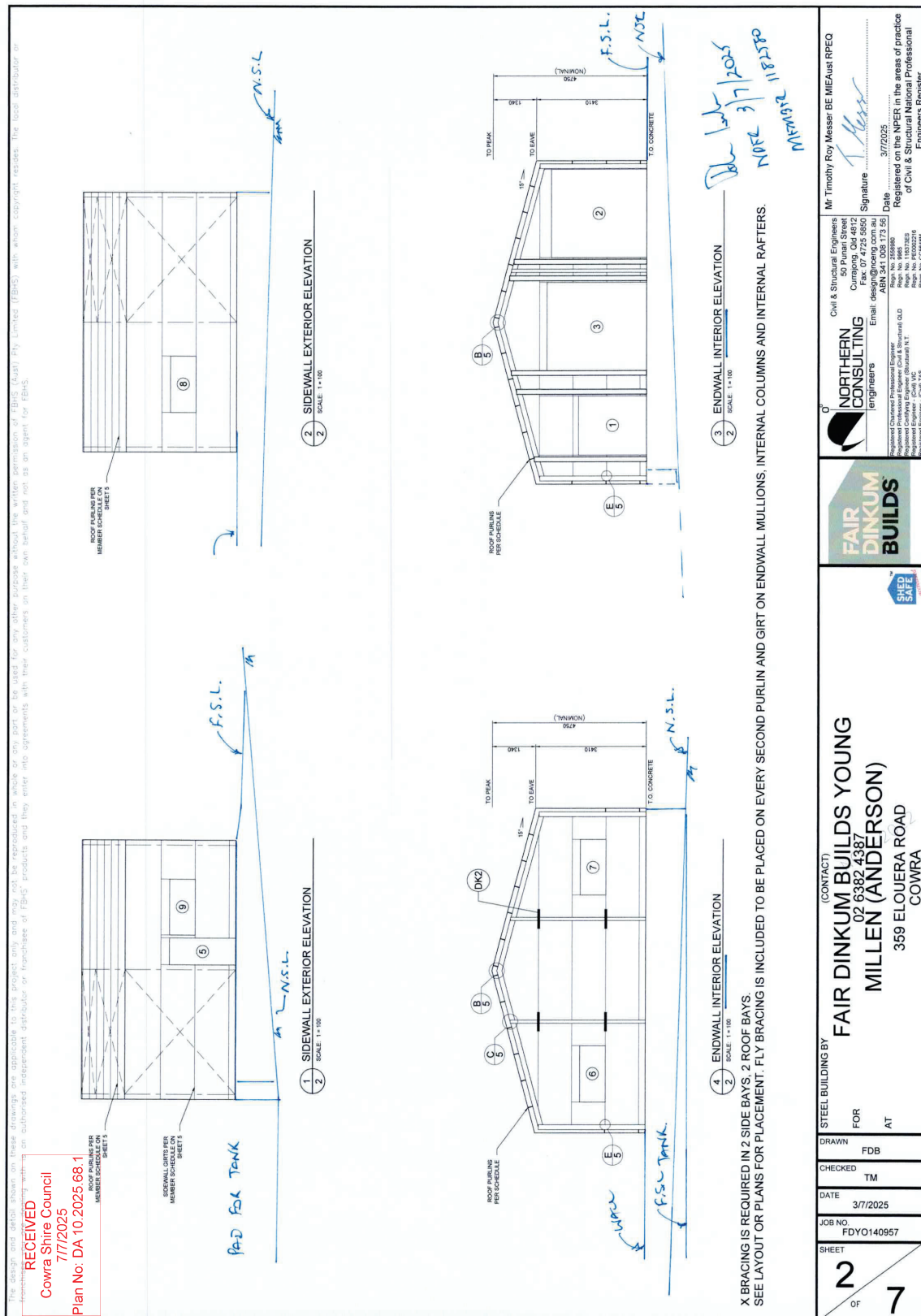
Having considered the documentation supplied by the applicant, the findings of site inspection(s) and the comments made from consultation, it is assessed that the impacts of the proposal and the likely environmental interactions between the proposed development and the environment are such that Council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

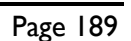
ATTACHMENTS

1. DA 10.2025.68.1 - 359 Elouera Road Cowra - Development Plans [↓](#)
2. DA 10.2025.68.1 - 359 Elouera Road Cowra - Statement of Environmental Effects [↓](#)
3. DA 10.2025.68.1 - 359 Elouera Road Cowra - Location map [↓](#)
4. DA 10.2025.68.1 - 359 Elouera Road Cowra - Aerial view [↓](#)









**MA STEEL**

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RECIEVED
Cowra Shire Council
22/07/2025
Plan No: 10.2025.68.1 (B)

Friday, 22 August 2025

Cowra Shire Council
Building Services
116 Kendall ST
COWRA NSW 2794

**RE: Development Application for Anderson Millen
Lot 14, DP1099490 359 Elouera Rd, Cowra
STATEMENT OF ENVIRONMENTAL EFFECTS and REQUEST OF A
VARIATION TO DCP 2021 PART G.3.4**

To Whom It May Concern:

In accordance with the submitted development application we provide the following information:

Proposal

- To erect an all Colorbond Garage to house vehicles and household equipment and build a 1m high retaining wall to level out the proposed site.
- The proposed garage is 10m wide x 8m long and 3.41m high
- The height of the proposed garage will be no more than 5.75m from the natural ground at the peak.
- Colours: Ironstone Walls and Roof
- The proposed garage alone is a complying development as per the uploaded compliance certificate.

Site Suitability

- The land is part of a rural subdivision in Cowra
- The present land use is residential and the surrounding blocks are rural and rural residential
- There are no known site constraints, the proposed site is gently undulating grassland, and is not bushfire prone
- The surrounding buildings vary in age and the proposed development will be compatible with these and fits in with the local planning objectives.
- A cut and fill will be required to achieve the level site, with the retaining wall being 1.2m at the highest point as per engineered drawings uploaded to the portal.

Additional Information as Requested with Regard to Variation to the Cowra DCP

- Setbacks are 20m to the western Boundary/26th to the Southern
- Shadow diagram shows very limited overshadowing at Winter Solstice (21 June)
- Client requested retaining wall construction to put the shed on a fill pad to:
 - . Minimise surface water flows into the shed (doors are on the high side)
 - . Avoid extensive excavation due to requirement for any pad to include vehicle turnaround
 - . Retaining wall construction minimises the disturbed area for the shed Pad
 - . Because of the large setbacks, overshadowing is negligible beyond the owners boundaries
 - .

Current and previous uses

- The site has been farming land historically
- The adjoining blocks are rural and rural residential
- It is not expected that there is any contamination on the block

Access and traffic

- There are paved roads accessing the block
- Increases to traffic movements are not anticipated

Visual impacts

- There will be minimal impact of the building on views of neighbouring properties due to the distances from those properties.
- There will be no overshadowing of neighbouring properties

Other environmental considerations

- There will be minor earthworks and excavation for the retaining wall and footings – materials will be disposed of on site
- Increased run off from clad building will be initially diverted away from the shed until new water storage tanks are installed
- Construction will be completed during daylight hours only with a staff of a maximum of 5 people
- Construction materials from on site will be recycled where possible
- the development is deemed to comply with the relevant NSW Environment Policies
- No constraints are envisaged and the site has been deemed suitable for the proposed development
- The environmental impacts have been identified.

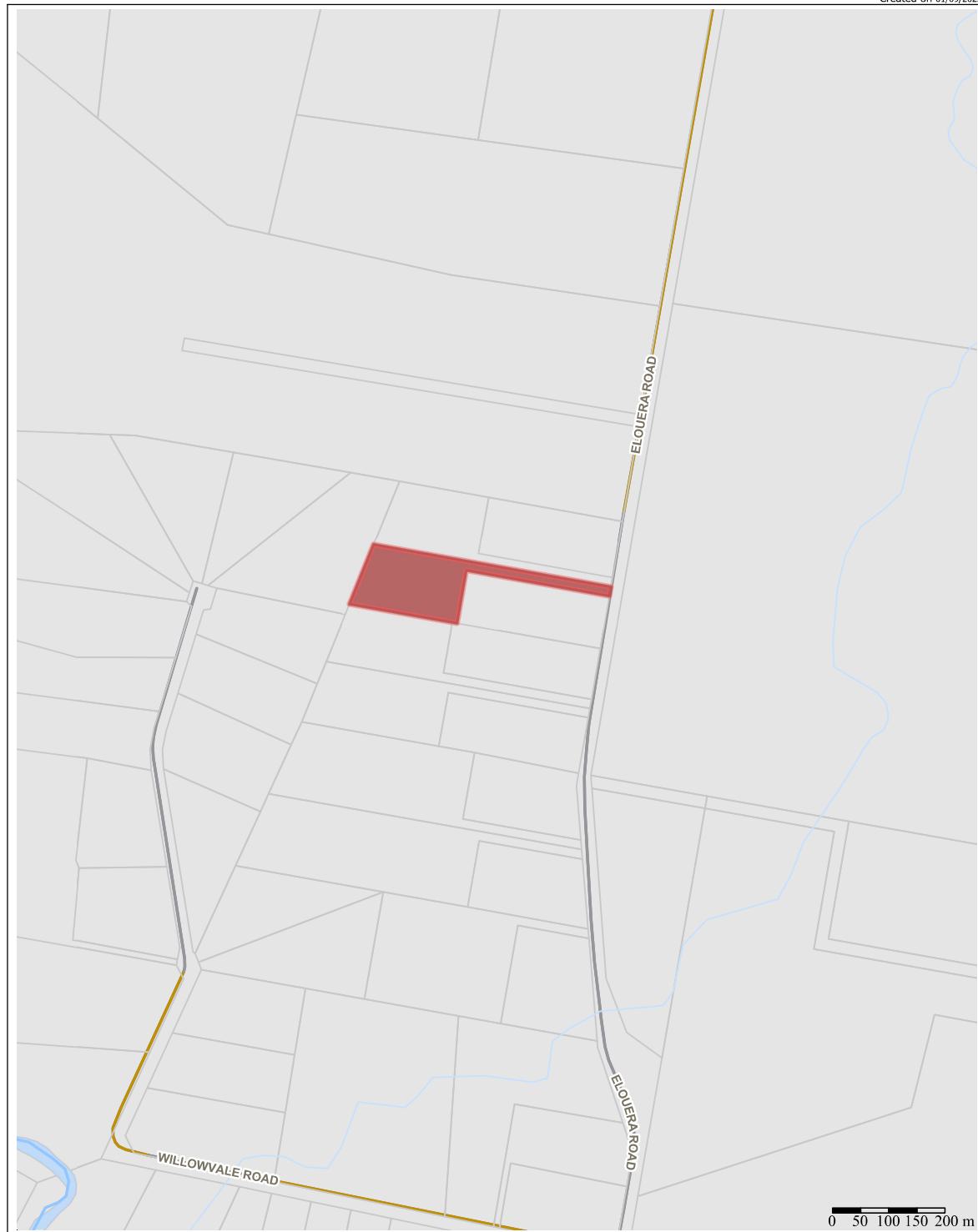
The environmental impact of the proposed development has been minimised due to limiting the working hours during construction.

Should you require any further information please contact either myself or the owner.

Regards,

Lauren Russell
MA Steel Pty Ltd

Created on 01/09/2025



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136 Kendall Street
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Web: www.cowracouncil.com.au

Important Notice!

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Drawn By: Cassandra Galley

Projection: # GDA2020 / MGA zone 55

Date: 01/09/2025 5:07 PM

DA 10.2025.68.1 - 359 Elouera Road Cowra

Map Scale: 1:8240 at A4

Created on 01/09/2025



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Projection: # GDA2020 / MGA zone 55

Date: 01/09/2025 5:08 PM

DA 10.2025.68.1 - 359 Elouera Road Cowra

Map Scale: 1:3375 at A4

5.4 Planning Proposal PP 2023-884, Lot 2 DP 1028751, Lynch Street, Cowra, seeking to amend Cowra LEP 2012 by rezoning Lot 2 DP 1028751 from SP2 Infrastructure to E3 Productivity Support, lodged by John Sarlas

File Number: D25/1690

Author: Larissa Hackett, Director - Environmental Services

RECOMMENDATION

- 1. That Council notes the making of the Planning Proposal 2023-884, which took place on 11 August 2025.**
 - 2. That Council notes Cowra Local Environmental Plan 2012 (Map Amendment No. 2) which rezones Lot 2 DP 1028751 from SP2 Infrastructure to E3 Productivity Support**
-

INTRODUCTION

Since 2023, Environmental Services has been working to progress the assessment of a Planning Proposal (PP 2023-884) to amend Cowra Local Environmental Plan 2012. The Planning Proposal is to rezone Lot 2 DP 1028751, Lynch Street Cowra, from SP2 Infrastructure to E3 Productivity Support. The Planning Proposal has now been finalised and this report provides Council with a summary of relevant information.

BACKGROUND

Two years ago, Cowra Council received a Planning Proposal (PP 2023-884) from applicant Mr. John Sarlas relating to land described as Lot 2 DP 1028751 and addressed as Lynch Street Cowra.

The Planning Proposal sought to amend Cowra Local Environmental Plan 2012 by rezoning the land from SP2 Infrastructure to E3 Productivity Support.

A summary of the key milestones in the assessment of PP 2023-884 is included as follows:

- The Proposal was accepted for assessment by Council via the NSW Planning Portal on 29 June 2023.
- On 18 December 2023, Council resolved to support PP 2023-884 for submission to NSW Department of Planning, Housing and Infrastructure (DPHI) for Gateway Determination.
- On 18 March 2024, a Gateway Determination was issued by DPHI which allowed for the progression of the application, subject to the completion of additional technical studies and consultation with nominated government agencies.
- In May 2025, Council resolved to place PP 2023-884 on public exhibition in accordance with the Cowra Community Participation Plan and the requirements of the Environmental Planning and Assessment Act 1979. Public exhibition occurred from 27 May 2025 to 26 June 2025. No submissions were received as a result of the exhibition.

- At the Ordinary Meeting of Council held 26 May 2025, Council resolved to allow Environmental Services to proceed in finalising PP 2023-884 on the basis that no submissions were received as a result of the public exhibition phase.

FINALISATION

The final steps in processing PP 2023-884 have now been completed by Environmental Services including the following key tasks:

- Preparation of changes to the maps of Cowra Local Environmental Plan 2012 to the requirements of NSW DPHI and Parliamentary Counsel.
- Notification of Cowra Local Environmental Plan 2012 (Map Amendment No. 2) on Monday, 11 August, 2025. Notification represents the final step in the plan making process and is the point at which the change becomes law.
- Administration updates to Council's property maintenance system to ensure the new zoning information is reflected where necessary in future planning / property certificates and planning advisory and development assessment processes are suitably informed.

Environmental Services has also prepared draft development controls for the Lynch Street site, as recommended in the Heritage Impact Assessment report from Edwards Heritage Consultants that was submitted in support of PP 2023-884. These draft controls will be included in the current review of the Cowra Development Control Plan 2021, and presented to Council in the near future.

Conclusion

Planning Proposal PP 2023-884 relates to the rezoning of Lot 2 DP 1028751 from SP2 Infrastructure to E3 Productivity Support.

The proposal was notified on 11 August 2025 as Cowra Local Environmental Plan 2012 (Map Amendment No. 2) and as a result the plan making process has now been completed in accordance with the requirements of the Environmental Planning and Assessment Act 1979. A copy of the notified instrument is included in Attachment 1 for Council's information.

The land at Lot 2 DP 1028751 is now zoned E3 Productivity Support and can be developed for any purpose that is permissible in the zone. A copy of the new zoning map for the land is included in Attachment 2 for Council's information, and a copy of the Land-use table for the E3 Productivity Support zone is included in Attachment 3 for Council's information.

ATTACHMENTS

1. PP 2023-884 - Cowra Local Environmental Plan 2012 (Map Amendment No. 2) [↓](#)
2. PP 2023-884 - Zoning Map [↓](#)
3. PP 2023-884 - Land-use Table for E3 Productivity Support Zone [↓](#)

Cowra Local Environmental Plan 2012 (Map Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.



Paul Devery, General Manager
Cowra Council

As delegate for the local plan-making authority

Date: 1.8.2025

Published LW 8 August 2025 (2025 No 399)

Cowra Local Environmental Plan 2012 (Map Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Cowra Local Environmental Plan 2012 (Map Amendment No 2)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to Lot 2, DP 1028751, Lynch Street, Cowra.

4 Maps

The maps adopted by *Cowra Local Environmental Plan 2012* are amended or replaced as set out in the following Tables:

Table 1—Map sheets to be replaced

Map sheet to be omitted	Replacement map sheet
https://www.planningportal.nsw.gov.au/spatialviewerlite/#/find-a-property/address?ppnumber=SEPP_AM_EZR_HK_CO_W	https://www.planningportal.nsw.gov.au/spatialviewerlite/#/find-a-property/address?ppnumber=PP-2023-884

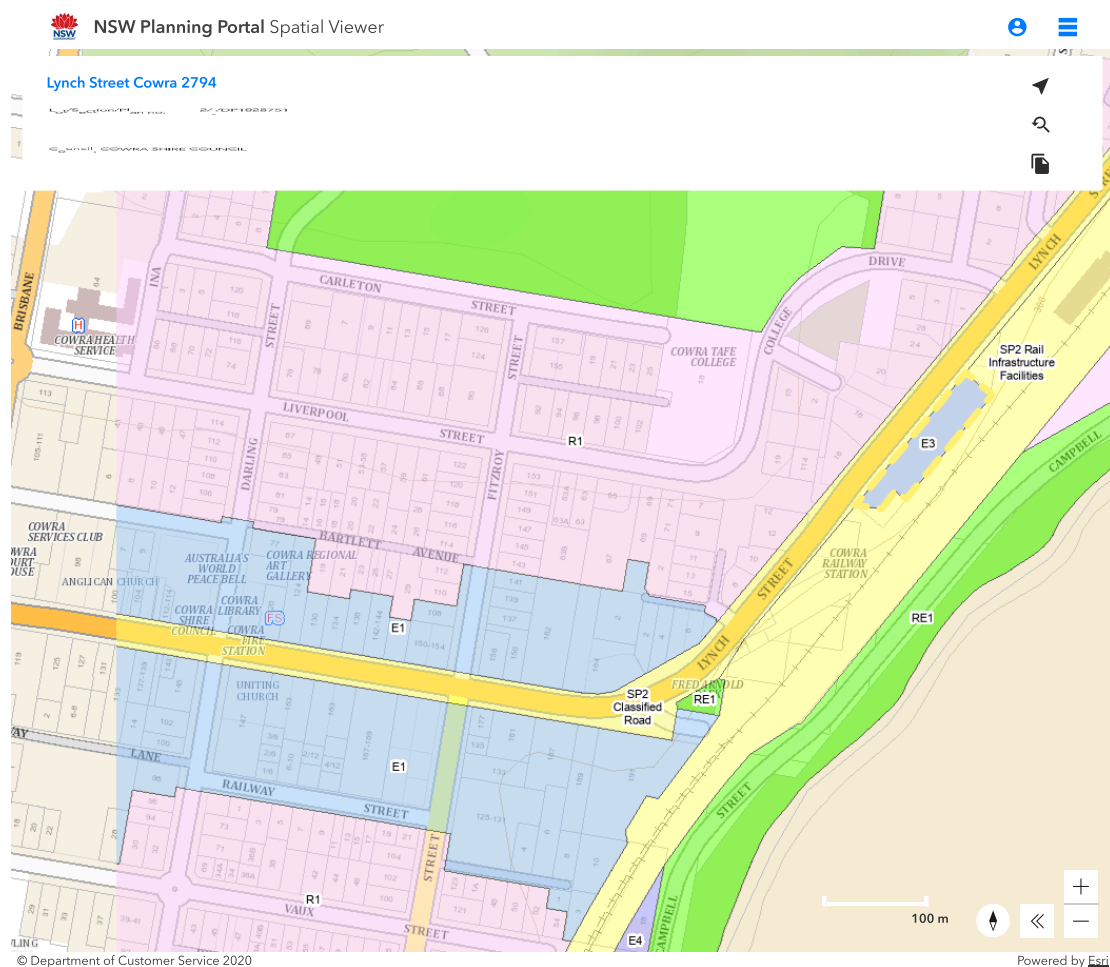
Table 2—Map sheets to be omitted and not replaced

Map sheet to be omitted
Nil

Table 3—New maps sheets to be added to existing maps that are not replacing map sheets

Map sheet to be added
Nil

Published LW 8 August 2025 (2025 No 399)





Property Report

LYNCH STREET COWRA 2794



Property Details

Address: LYNCH STREET COWRA 2794
 Lot/Section 2/-/DP1028751
 /Plan No:
 Council: COWRA SHIRE COUNCIL

Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Cowra Local Environmental Plan 2012 (pub. 25-1-2013)
Land Zoning	E3 - Productivity Support: (pub. 8-8-2025)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	NA
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Groundwater Vulnerability	Groundwater Vulnerable

Detailed planning information

State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

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Property Report

LYNCH STREET COWRA 2794

- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Excluded (pub. 21-10-2022)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)
- State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Sustainable Buildings) 2022: Land Application (pub. 29-8-2022)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)

Other matters affecting the property

Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

1.5 m Buffer around Classified Roads	Classified Road Adjacent
Local Aboriginal Land Council	COWRA
Regional Plan Boundary	Central West and Orana

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

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NSW legislation

Cowra Local Environmental Plan 2012 (2013 EPI 22)

Current version for 23 February 2024 to date (accessed 18 August 2025 at 13:52)

[Part](#) > pt-cg1.Zone_E3

Zone E3 Productivity Support

1 Objectives of zone

- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.
- To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.
- To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.
- To provide opportunities for new and emerging light industries.
- To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.
- To ensure commercial development in the Redfern Street area and at the Cowra Airport is consistent with the commercial hierarchy of the Cowra township and does not involve major retailing activities or detract from the core commercial functions of the Cowra central business district.
- To maximise public transport patronage and encourage walking and cycling.
- To ensure commercial, industrial or other compatible development at the Cowra Airport provides aviation-related services and facilities or services and facilities to support that development.

2 Permitted without consent

Environmental protection works; Home occupations; Roads

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Business premises; Centre-based child care facilities; Community facilities; Depots; Dwelling houses; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises;

Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Rural supplies; Service stations; Shop top housing; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Registered clubs; Residential accommodation; Resource recovery facilities; Restricted premises; Roadside stalls; Rural industries; Sewage treatment plants; Sex services premises; Shops; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Water treatment facilities; Wharf or boating facilities

- 5.5 Development Application No. 10.2025.62.1, Lot 7 DP 1173223, Carleton Street Cowra, alterations and additions to outdoor recreation facility (Cowra Japanese Garden and Cultural Centre) lodged by Hector Abrahams Architects Pty Ltd. The property owner is the Department of Planning, Housing and Infrastructure - Crown Lands**

File Number: D25/1699

Author: Larissa Hackett, Director - Environmental Services

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 application was publicly notified and no submissions were received; and
2. That Development Application No. 10.2025.62.1, for alterations and additions to outdoor recreation facility (Cowra Japanese Garden and Cultural Centre) on Lot 7 DP 1173223, Carleton Street Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Existing Site Plan Drawing 001	Hector Abrahams Architects Job 0935 29/11/2024	Received 4 July 2025 Stamped DA 10.2025.62.1
Existing GR Floor Plan of Entry Compound Drawing 002	Hector Abrahams Architects Job 0935 11/11/2024	Received 4 July 2025 Stamped DA 10.2025.62.1
Existing Ground Floor Plan of Centre Drawing 003	Hector Abrahams Architects Job 0935 29/11/2024	Received 4 July 2025 Stamped DA 10.2025.62.1
Existing North Elevation	Hector Abrahams	Received

Drawing 004	Architects Job 0935 29/11/2024	4 July 2025 Stamped DA 10.2025.62.1
Existing South Elevation Drawing 005	Hector Abrahams Architects Job 0935 29/11/2024	Received 4 July 2025 Stamped DA 10.2025.62.1
Proposed Site Plan Drawing 100	Hector Abrahams Architects Job 0935 18/06/2025 Revision 4	Received 4 July 2025 Stamped DA 10.2025.62.1
Proposed GR Floor Plan of Entry Compound Drawing 101	Hector Abrahams Architects Job 0935 18/06/2025 Revision 2	Received 4 July 2025 Stamped DA 10.2025.62.1
Proposed Demolition Plan of Centre Drawing 102	Hector Abrahams Architects Job 0935 29/11/2024 Revision 1	Received 4 July 2025 Stamped DA 10.2025.62.1
Proposed Ground Floor Plan of Centre Drawing 103	Hector Abrahams Architects Job 0935 18/06/2025 Revision 3	Received 4 July 2025 Stamped DA 10.2025.62.1
Proposed North Elevation Drawing 104	Hector Abrahams Architects Job 0935 20/06/2025 Revision 2	Received 4 July 2025 Stamped DA 10.2025.62.1
Proposed South Elevation Drawing 105	Hector Abrahams Architects Job 0935 20/06/2025 Revision 2	Received 4 July 2025 Stamped DA 10.2025.62.1

Statement of Environmental Effects	Hector Abrahams Architects 17 July 2025 Version 1.1	Received 17 July 2025 Stamped DA 10.2025.62.1 (A)
Impact Statement Terrestrial Biodiversity	Hector Abrahams Architects 15 November 2024	Received 4 July 2025 Stamped DA 10.2025.62.1
Statement of Heritage Impact	Hector Abrahams Architects 15 November 2024 Version 1.2	Received 4 July 2025 Stamped DA 10.2025.62.1
Plan of Detail and Feature Survey Sheet 1	Arete Survey Solutions File No 24091 7/08/2024	Received 4 July 2025 Stamped DA 10.2025.62.1
Plan of Detail and Feature Survey Sheet 3	Arete Survey Solutions File No 24091 5/08/2024	Received 4 July 2025 Stamped DA 10.2025.62.1

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. Disabled access and facilities are to comply with the requirements of the Disability (Access to Premises – Buildings) Standards 2010 and Australian Standard 1428.1-2009 Design for access and mobility.
4. No building, engineering or excavation work is to be carried out in relation to this development until the necessary Construction Certificates have been obtained.
5. An Aboriginal Field Officer from the Cowra Local Aboriginal Land Council shall be present during all earthworks undertaken as part of the development.
6. An Annual Fire Safety Statement completed by a competent fire safety practitioner for all the Essential Fire Safety Measures applicable to the building must be given to Council and a copy forwarded to the Fire Commissioner via the dedicated email address afss@fire.nsw.gov.au:

- (i) within 12 months after the date on which an annual fire safety statement was previously given, or
- (ii) if a fire safety certificate has been issued within the previous 12 months, within 12 months after the fire safety certificate was issued, whichever is the later.

An Annual Fire Safety Statement must be issued using the standard template form published by the NSW Government. A copy of the Annual Fire Safety Statement (together with a copy of the current fire safety schedule) must also be prominently displayed in the building.

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

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. The applicant is to contact Cowra Local Aboriginal Land Council to arrange for the appointment of an Aboriginal Field Officer to be present during all earthworks. The identity of the appointed person is to be made known to the Principal Certifier prior to the issue of a Construction Certificate.
9. Prior to the issue of a Construction Certificate, a Stormwater Management Plan shall be submitted to Council for approval. The plan is to demonstrate that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council.
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 ¹	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution ²	\$238,000.00	1%	\$2,380.00	30 June 2026

Notes

¹ As shown on the Development Application/Construction Certificate Application/Complying Development Certificate Application

² 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

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 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. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.**
- 12. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building 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. All construction work shall be carried out within the confines of the property unless separate written permission is obtained from the relevant landowner and/or authority in control of the land. A copy of any written notices authorising off-site construction operations shall be submitted to Council prior to any operations commencing on the affected land.**
 - 16. 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.**
- 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 on Yarrabilly drive or existing stormwater management system before being discharged to Council's stormwater management system.**
- 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 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 premises until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.**
- 23. 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

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.

INTRODUCTION

Development Application No. 10.2025.62.1 proposes alterations and additions to outdoor recreation facility (Cowra Japanese Garden and Cultural Centre) on Lot 7 DP 1173223, Carleton Street Cowra. The application was lodged by Hector Abrahams Architects Pty Ltd on 4 July 2025. The property owner is the Department of Planning, Housing and Infrastructure – Crown Lands.

The application is being reported to Council because the Japanese Garden is listed in Schedule 5 of the Cowra Local Environmental Plan 2012 as an item of local heritage significance.

A copy of the site and elevation plans of the proposed alterations and additions to outdoor recreation facility (Cowra Japanese Garden and Cultural Centre) are included in Attachment '1' to this report and a copy of the Statement of Environmental Effects is included in Attachment '2'.

Description of Site

Lot 7 DP 1173223, Carleton Street Cowra is an irregular shaped allotment of approximately 55.563 hectares. The lot is located in the RE1 Public Recreation zone under Cowra Local Environmental Plan (LEP) 2012. The site contains the Cowra Japanese Garden and Cultural Centre, with ancillary structures and landscaping. The site also contains development not relevant or impacted by the proposed development including Bellevue Hill Lookout and Park, Bellevue Hill Flora and Fauna Reserve, Cowra Pistol Club, and the Cowra Men's Shed.

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

Description of Proposal

The applicant proposes alterations and additions to outdoor recreation facility (Cowra Japanese Garden and Cultural Centre). The proposed exterior landscape works include:

- Partially demolish and amend the existing walkway in the entry compound to a new gradient, and construct a new walkway to the new proposed entry into the building

- New paving in front of the new proposed entry into the building
- Elongate the hedge in front of the new proposed toilet location
- Extend the hedge of the café's terrace
- Alterations to the external surfaces adjoining the café's terrace, such as restoring some the pebbled drainage, replacing covered concrete walkways by pavers to match existing and replacing some of the pebbled drainage in front of the garden exit by pavers to match existing

The proposed exterior works include:

- Enclosing the covered outdoor area adjoining the existing entry into the cultural spaces by inserting a new external wall and glazing
- Constructing a new door opening in the northern elevation
- Amend door and window openings in the northern elevation
- Demolish existing door to café in northern elevation
- Demolish existing door and windows in the southern elevation

The proposed interior works include:

- Removal and addition of non-structural walls in order to convert the existing reception, office and shop into toilets and café space, and to convert the existing cultural space & adjoining toilets into reception, office and storage room

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 10.2025.62.1:

Section 4.15(1) Evaluation Matters

S 4.15(1)(a)(i) provisions of any environmental planning instrument(s)

Local Environmental Plan (LEP)

The applicable LEP is the Cowra LEP 2012 (CLEP) and the relevant provisions of the LEP are discussed as follows.

1.2 Aims of Plan

The development is consistent with the aims of the LEP.

1.4 Definitions

The existing development relevant to this application is defined as a Recreation Facility (Outdoor) under the LEP.

1.6 Consent authority

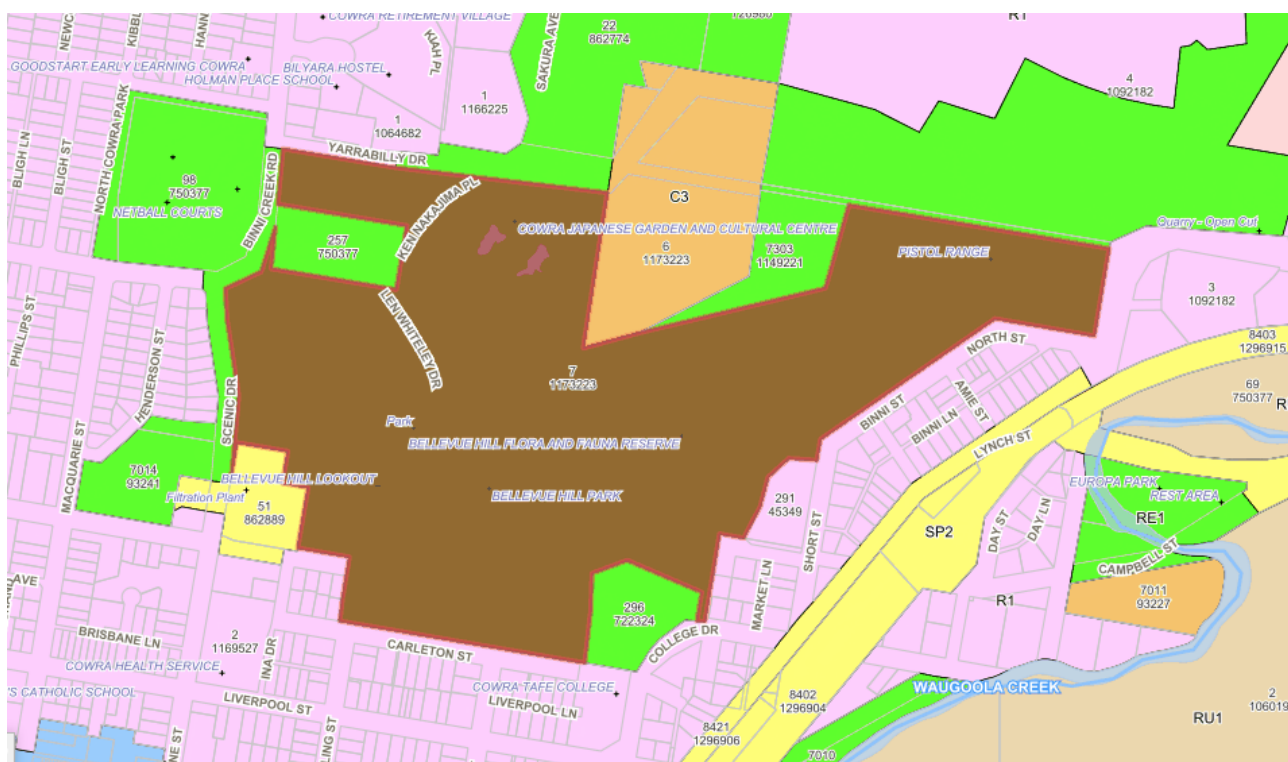
The consent authority for the purposes of this Plan is (subject to the Act) the Council.

1.9A Suspension of covenants, agreements and instruments

Any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. There are no covenants imposed by Council or that Council require to be imposed affecting the subject lot.

2.1 Land use zones

The site is zoned RE1 Public Recreation, and the proposed development is permitted in the zone with consent.



2.3 Zone objectives

Objective	Comment
• To enable land to be used for public open space or recreational purposes.	Consistent
• To provide a range of recreational settings and activities and compatible land uses.	Consistent
• To protect and enhance the natural environment for recreational purposes.	Consistent
• To maximise public transport patronage and encourage walking and cycling.	Not inconsistent

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Charter and tourism boating facilities; Community facilities; Environmental facilities; Information and education facilities; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); **Recreation facilities (outdoor)**; Roads; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Water treatment facilities; Any other development not specified in item 2 or 3

Comment:

The proposed Development is permitted with consent.

5.10 Heritage conservation

The “Cowra Japanese Garden” is listed in Schedule 5 (172) Environmental Heritage of the Cowra LEP 2012 and is therefore a local environmental heritage item. Clause 5.10(4) requires Council to assess the potential impacts of a proposed development on the heritage significance of an item listed in Schedule 5 of the Cowra LEP 2012.

The Statement of Significance prepared for the National Trust Heritage Register is provided below:

“The Cowra Japanese Garden at Binni Creek Road, designed in 1977 and opened in 1979 is an authentic Japanese Garden, the largest in the Southern Hemisphere. It was designed by renowned Japanese Garden Designer Ken Nakajima (1914-2000) who also designed the Montreal Botanical Garden (1988), the Moscow Botanical Garden (1983-1987), the Japanese Garden, Hermann Park, Houston (1992) and the San Diego Japanese Friendship Garden (1985). The Cowra Gardens are the earliest of these five major Japanese Gardens by Nakajima.

The Japanese Garden and Cultural Centre has historic significance as it was established to recognize and develop the relationship between the people of Cowra Shire and the people of Japan, a relationship that has its origins in the Prisoner of War Camp that housed the Japanese P.O.W.'s during World War II and the decision in 1960 by the Japanese Government to bring all their war dead from other parts of Australia to be re-buried at Cowra. The Garden is located on the site of the World War Two Japanese prisoner of war camp and the site of the infamous Cowra break out in 1944 - a story of great courage, spirit and futility.

The Japanese buildings throughout the garden were designed by world renowned Japanese architects Takeo Adachi and Tatsushi Aono.

The Garden has high aesthetic significance displaying what is intended to be the range of Japanese landscapes in miniature and hosting temporary exhibitions of major artworks such as Sutton Stone by eminent sculptor Takehiro Terada.

The Japanese Garden and Cultural Centre has social and spiritual significance for the relatives and descendants of the Japanese prisoner of war camp and for Japanese visitors

generally. The garden was built to commemorate the Japanese prisoners of war who died at the Cowra breakout. Ken Nakajima, the designer of the garden could see the Avenue of Cherry Trees as a symbolic avenue, lighting the way for the spirits of the dead Japanese from the cemetery to live in peace in the garden.”

The proposed development is supported by a Heritage Impact Statement confirming the proposed development is not expected to create significant impact on the heritage item for the following reasons:

“The proposed works to the Cowra Japanese Garden and Cultural Centre will have a positive impact on the significance of the place as they create a more dignified arrival for visitors, with views to the garden, attract more visitors into the Cultural Centre itself through an improved circulation and thereby improved visitor experience.

There is no change to the existing use of the Cultural Centre. Some internal spaces will be reconfigured so that the existing reception, office and shop can be converted into toilets and café space and the existing cultural space and adjoining toilets converted into reception, office, storage room, tea room and shop. Though some internal spaces will be reconfigured the overall form of the Cultural Centre will be retained.

No changes are proposed to the roofs which are highly significant.

Original fabric to be demolished, such as internal walls and paths, do not have a direct role in the place’s significance. Where fabric is part of the significance of the place, such as pebble drainage, demolition is minor. Demolitions will have a negligible impact on the place’s significance and new materials will match existing to minimise impacts on aesthetics. New doors and windows will also be consistent with the Edo style of the building.”

It is assessed that the proposed alterations and additions to the existing outdoor recreation facility (Cowra Japanese Garden and Cultural Centre) would not have any negative impact on the heritage significance of the item and is consistent with the provisions of Clause 5.10. Council may grant consent to the application in accordance with the provisions of Clause 5.10 Heritage Conservation of the Cowra LEP 2012.

5.11 Bushfire

Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out without development consent.

5.21 Flood planning

The land is not in the flood planning area.

Part 6 Urban release areas

This Part applies to land that is identified as Urban Release Area on the Urban Release Area Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.1 Earthworks

Minimal earthworks are required. It is considered that there will be no adverse impact or environmental risk from the earthworks required.

7.3 Terrestrial biodiversity

A small part of the land near the northern boundary is identified as “Biodiversity” on the Terrestrial Biodiversity Map in CLEP 2012.

The proposed alterations and additions will not create significant environmental impacts with regard to ecological diversity or values. No native trees will be required to be removed or disturbed. The development is suitably designed and sited to avoid any significant environmental impacts and complies with the requirements of Clause 7.3.

7.4 Riparian land and watercourses

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

7.5 Wetlands

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

7.6 Groundwater vulnerability

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

7.7 Airspace operations

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

7.8 Essential Services

Water	The proposed development will be connected to Council’s reticulated water supply system.
Electricity	The proposed development will be connected to underground electricity supply to the requirements of the relevant energy provider.
Sewage	The proposed development will be connected to Council’s reticulated sewer system.
Stormwater	Stormwater from the proposed development can be discharged to Council’s stormwater management system on Yarrabilly Drive or connected to the existing stormwater management system. A stormwater Management plan will be required prior to Construction Certificate.
Access	The proposed development is to be accessed via an existing unsealed access driveway on Yarrabilly Drive.

7.11 Development on land in karst areas

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

State Environmental Planning Policies

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Housing) 2021	Not applicable
SEPP (Industry and Employment) 2021	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	See comment below.
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	A BASIX certificate is not required.
SEPP (Transport and Infrastructure) 2021	Not applicable

SEPP (RESILIENCE AND HAZARDS) 2021

Under Clause 4.6 a consent authority must not consent to the carrying out of any development on land unless:

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

There are no known prior land-uses on the site that are likely to have resulted in the contamination of the land. Site inspection carried out did not reveal any evidence of contamination of the site. The proposal does not involve any demolition or works likely to result in contamination of the site. The SEE submitted with the application does not mention any previous land use that likely to have resulted in contamination of the site. No further investigation is warranted in this instance.

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

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

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

Cowra Shire Council Development Control Plan 2021

PART A – PLAN INTRODUCTION

Consent is required for the proposed development.

PART B – LAND MANAGEMENT

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

PART C – BIODIVERSITY MANAGEMENT

The development site is identified as Terrestrial Biodiversity in the LEP, however it is not identified on the Biodiversity Values Map. The development would not require any tree removal. It is considered the proposed development would not have a significant impact on biodiversity.

PART K – LAND USE BUFFERS

Cowra Airport Obstacle Limitation Surface

The subject land is located outside of the OLS.

PART N – LANDSCAPING

Section	Comments
N3 Landscaping Controls	The proposed development would retain most of the existing landscaping, and would only include minor changes complying with the requirements of the DCP.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

PART P – CPTED PRINCIPLES

The proposed alterations and additions would not adversely impact crime prevention. It is considered additional CPTED Assessment is not necessary for the proposed alterations.

The development, as conditioned, will comply with the remaining relevant DCP controls.

S 4.15(1)(a)(iiia) provisions of any Planning Agreement(s)

There is no planning agreement that has been entered into under Section 7.4 of the Environmental Planning and Assessment Act 1979 by the applicant in relation to the development proposal.

Similarly, the applicant has not volunteered to enter into a draft planning agreement for the development proposal.

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

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

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

S 4.15(1)(b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality

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

Context and Setting

The area is characterised by recreational parkland and adjacent residential development. The proposed development is consistent with the type and scale of development in the locality and will be able to be constructed and operate without unsatisfactory adverse impacts on adjoining land uses.

Access, Parking, traffic

The proposed development is to be accessed via an existing unsealed access driveway on Yarrabilly Drive. A new sealed pedestrian access to Yarrabilly Drive is proposed and a S138 Application will be required for works in the road reserve.

Public Domain

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

Utilities

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

Heritage

The “Cowra Japanese Garden” is listed in Schedule 5 (172) Environmental Heritage of the Cowra LEP 2012 and is therefore a local environmental heritage item. A Heritage Impact Statement (included as attachment 5 to this report) confirms that the proposed development would not have any negative impact on the heritage significance of the item.

A search of the AHIMS records reveals several items or places of Aboriginal Cultural Significance identified as present on the subject land. Accordingly, a due diligence assessment has been carried out by the applicant and as part of the assessment of this DA. This assessment identified the items as scarred trees in the vicinity of the development site. The closest item is measured as being approximately 300 metres from the development site and will not be impacted by the development. It is assessed that the proposal will not impact on heritage values including those of Aboriginal significance.

Other Land Resources

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

Water, Sewerage and Stormwater

The site is connected to Council’s reticulated water and sewer services. Stormwater from the proposed development can be discharged to Council’s stormwater management system on Yarrabilly Drive or connected to the existing stormwater management system.

Soils

No adverse impacts on soil is anticipated. A recommended condition will apply to require compliance with Council’s DCP 2021.

Air and Microclimate

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

Flora and Fauna

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

Waste

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

Energy

A BASIX Certificate is not required.

Noise and Vibration

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding construction hours is recommended. The constructed development will not result in any ongoing noise or vibration.

Natural Hazards

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

Technological Hazards

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

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic activity to the site will occur during the construction phase. This will be limited by a condition of consent and will not continue once construction is completed.

S 4.15(1)(c) the suitability of the site for the development

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

S 4.15(1)(d) any submissions made in accordance with the Regulation(s)

Public Notification:

Notified to neighbours: Yes

Start Date: 22 July 2025

End Date: 12 August 2025

Public Submissions:

Public submissions received

(refer to S 4.15(1)(d) 'Any Submissions' for consideration of submissions received by Council):

Submissions received: No

Submissions from Public Authorities:

Is the proposed development 'State Significant Development': No

Is the proposed development 'Designated Development': No

Is the proposed development 'Integrated Development': No

Was the proposed development referred to any Public Authorities: No

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

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

S7.12 Fixed development consent levies

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

Conclusion

Development Application No. 10.2025.62.1 proposes alterations and additions to outdoor recreation facility (Cowra Japanese Garden and Cultural Centre) on Lot 7 DP 1173223, Carleton Street Cowra. The application was lodged by Hector Abrahams Architects Pty Ltd on 4 July 2025. The property owner is the Department of Planning, Housing and Infrastructure – Crown Lands.

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

The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the RE1 Public Recreation zone and is consistent with existing land-use activities of the locality.

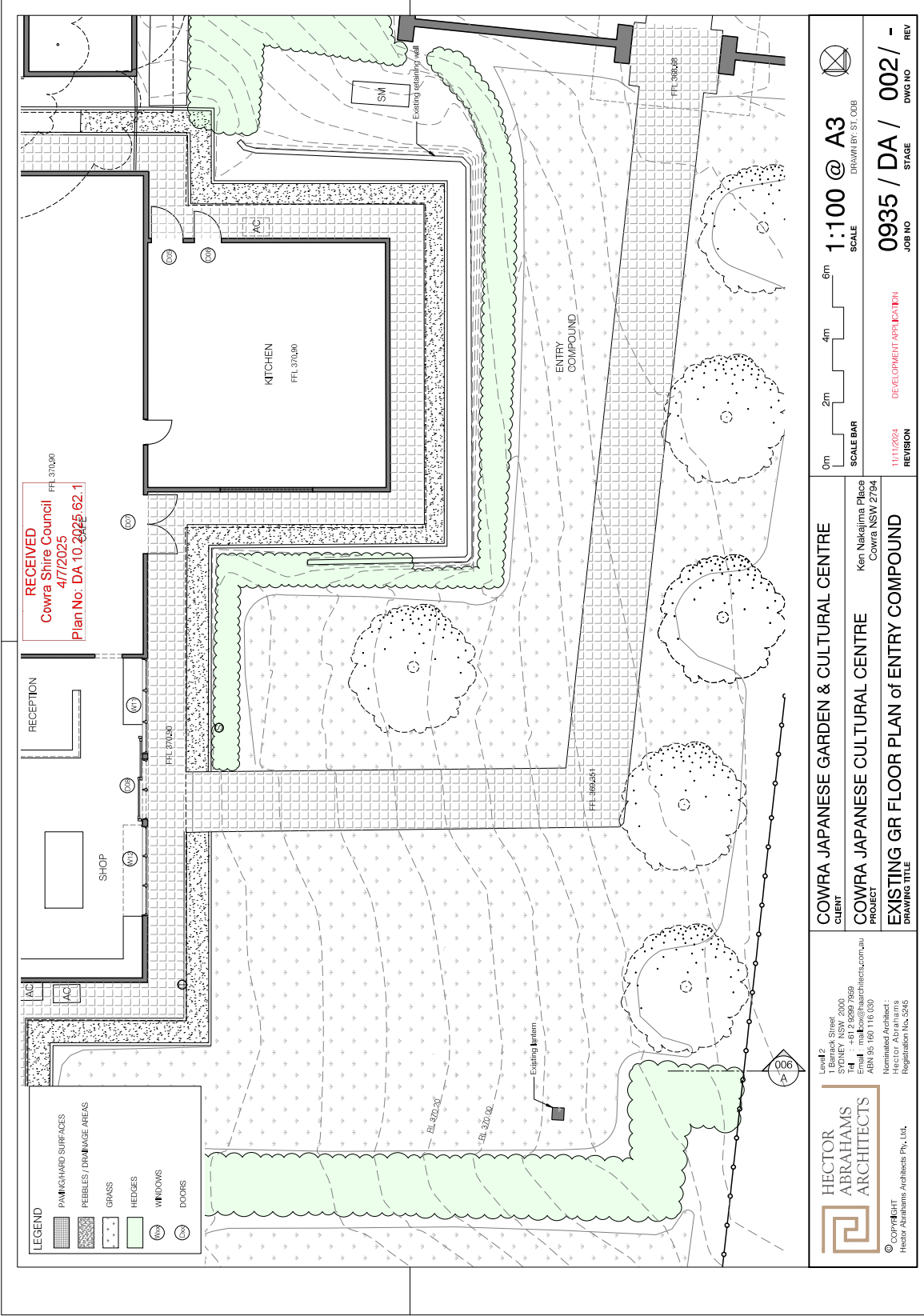
The development application was notified in accordance with Cowra Community Participation Plan 2024. No submissions were received following the consultation process.

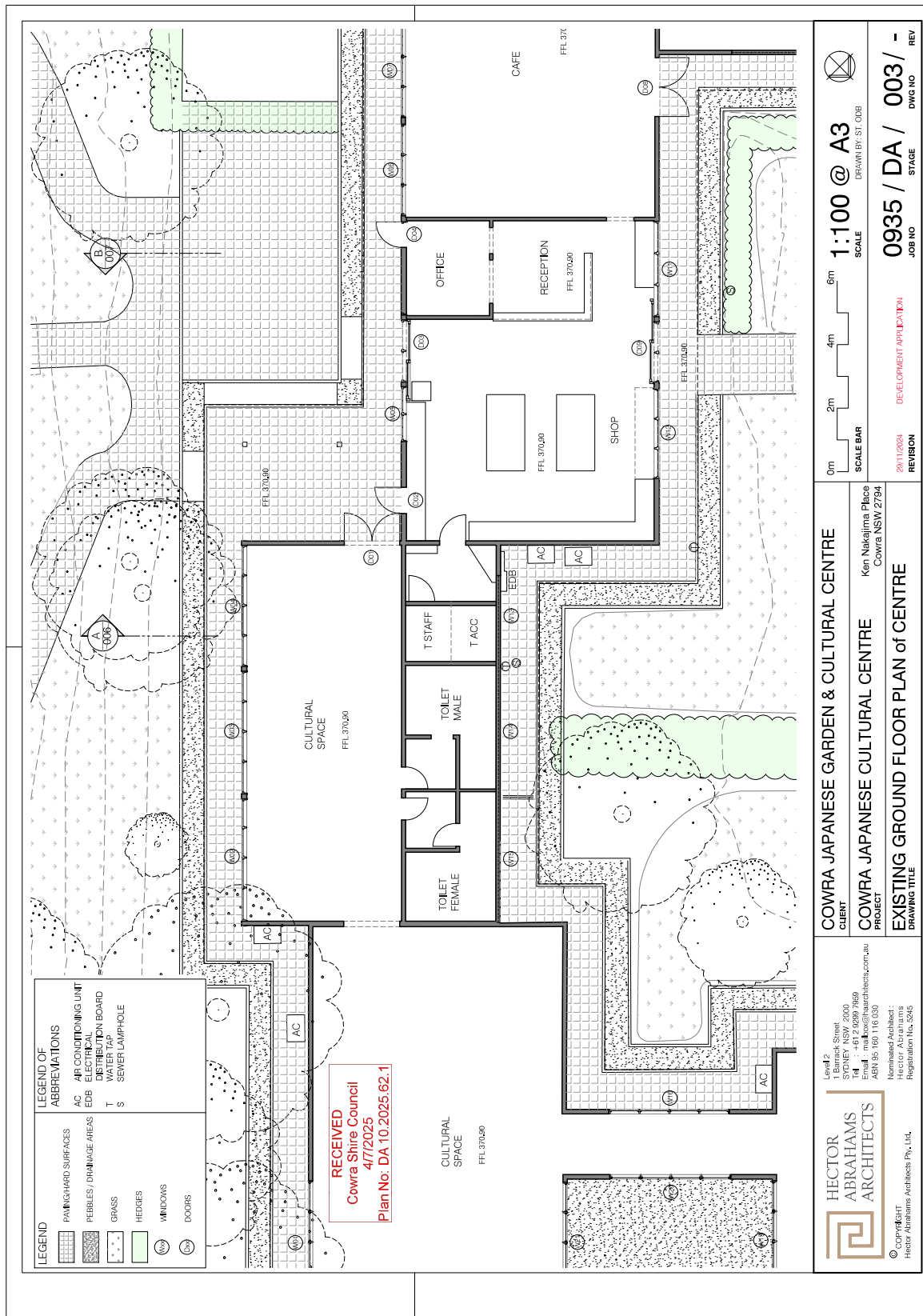
Having considered the documentation supplied by the applicant, the findings of site inspection(s) and the comments made from consultation, it is assessed that the impacts of the proposal and the likely environmental interactions between the proposed development and the environment are such that Council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

ATTACHMENTS

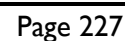
1. DA 10.2025.62.1 - Japanese Gardens & Cultural Centre - Development Plans [↓](#)
2. DA 10.2025.62.1 - Japanese Gardens & Cultural Centre - Statement of Environmental Effects
[↓](#)
3. DA 10.2025.62.1 - Japanese Gardens & Cultural Centre - Location map [↓](#)
4. DA 10.2025.62.1 - Japanese Gardens & Cultural Centre - Aerial view [↓](#)
5. DA 10.2025.62.1 - Japanese Gardens & Cultural Centre - Statement of Heritage Impact [↓](#)

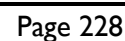


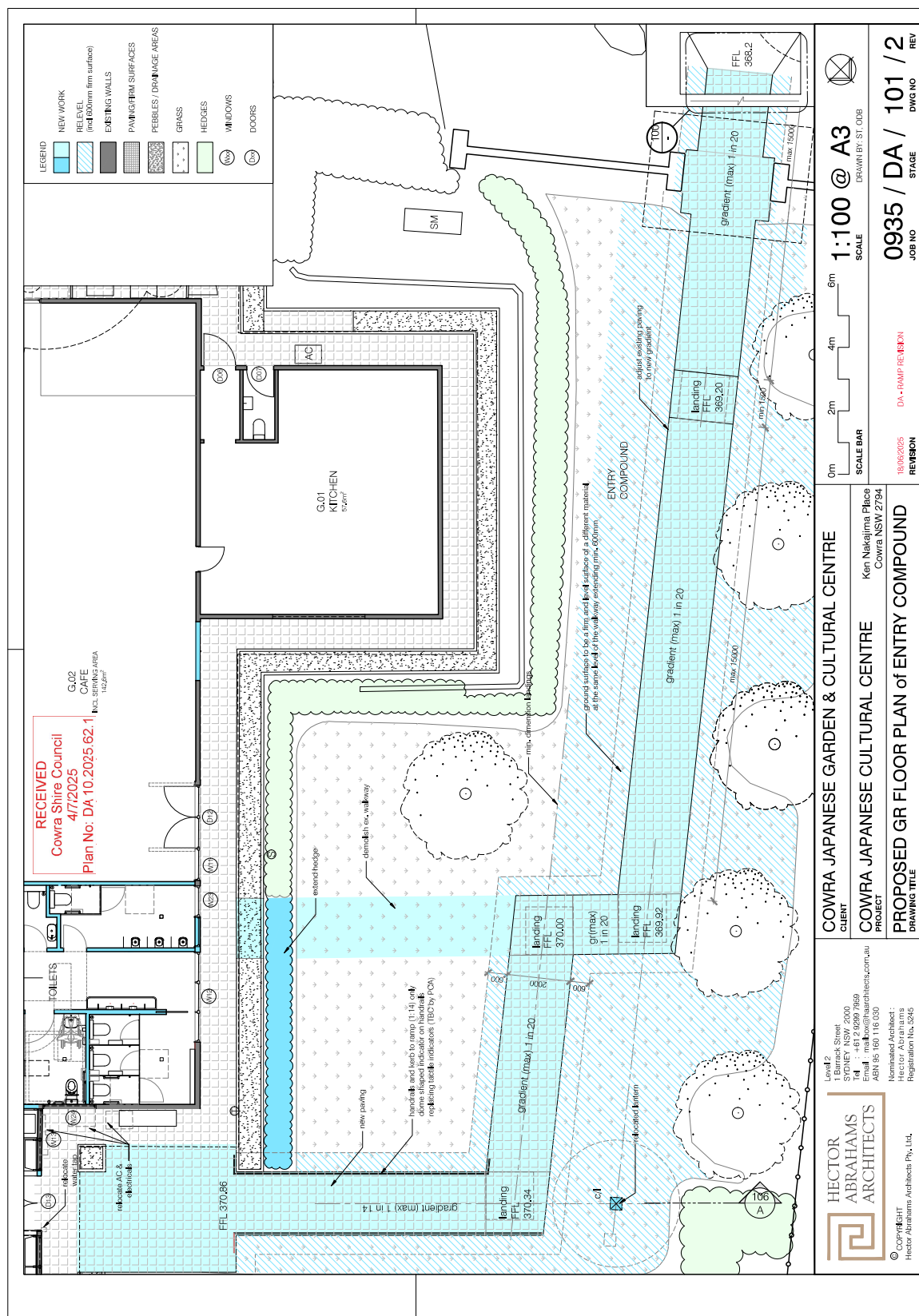


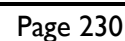


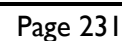
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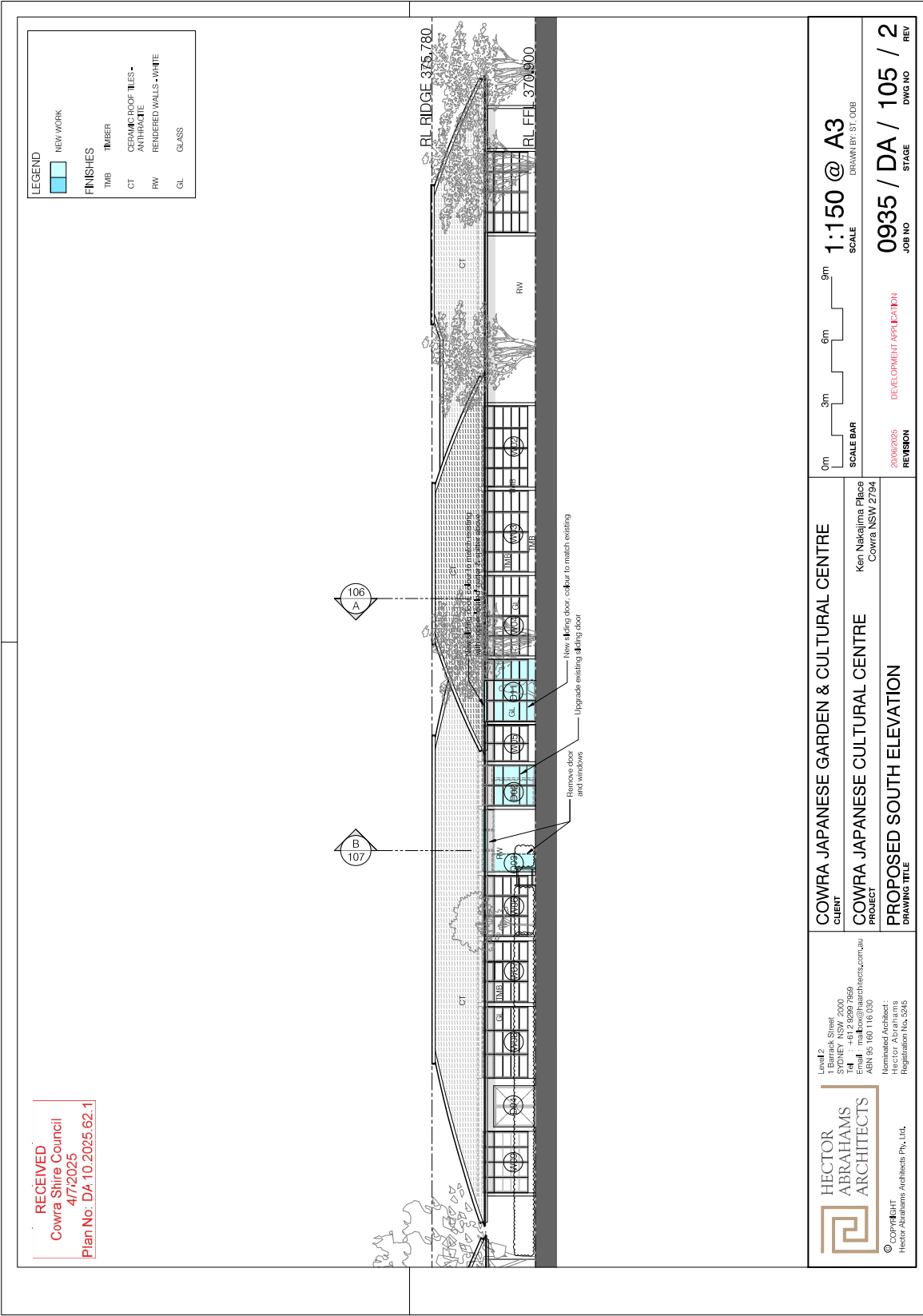


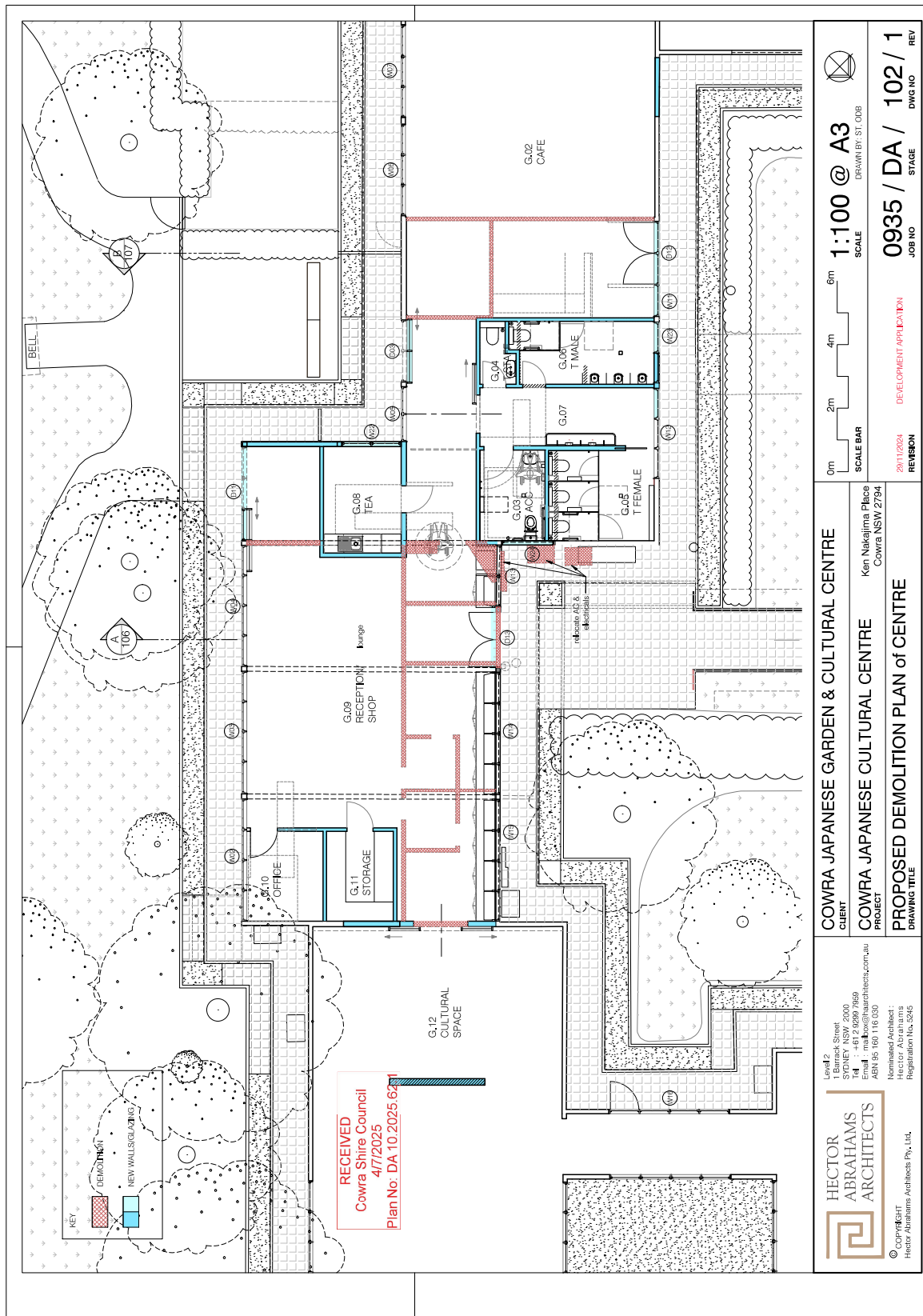














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RECEIVED
Cowra Shire Council
17/7/2025
Plan No: DA 10.2025.62.1 (A)

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Yarrabilly Drive COWRA 2794

STATEMENT OF ENVIRONMENTAL EFFECTS

Prepared for Cowra Japanese Garden and Cultural Centre
Issued: 17 July 2025 V1.1

Introduction

This Statement of Environmental Effects (SOEE) provides an analysis of a proposal to make alterations to the shop and café area within the Cowra Japanese Garden and Cultural Centre including some minor landscaping alterations.

This report was prepared by Olivia De Beus *and Sioned Lavery* and reviewed by Hector Abrahams of Hector Abrahams Architects. The site was inspected by Hector Abrahams and Olivia De Beus on 5 August 2024.

This version of the SOEE has been updated with further details on Aboriginal Cultural Heritage. Additional and updated text is identified by bold and italics.

Description

Location

The property is Yarrabilly Drive – Binni Creek Road COWRA 2794. The real property definition of the land is Lot 7, DP 1173223. The property is located north west of Cowra town centre.



Figure 1 Cowra Japanese Garden and Cultural Centre, indicated in red, in relation to Cowra town centre. Source Nearmap.

Level 2, 1 Barrack Street
Sydney NSW 2000

Hector Abrahams Architects Pty. Ltd.
ADN: 95 160 116 030
Nominated Architect:
Hector Abrahams, Reg No. 5245

Japanese Garden & Cultural Centre Yarrabilly Drive COWRA 2794
Statement of Environmental Effects

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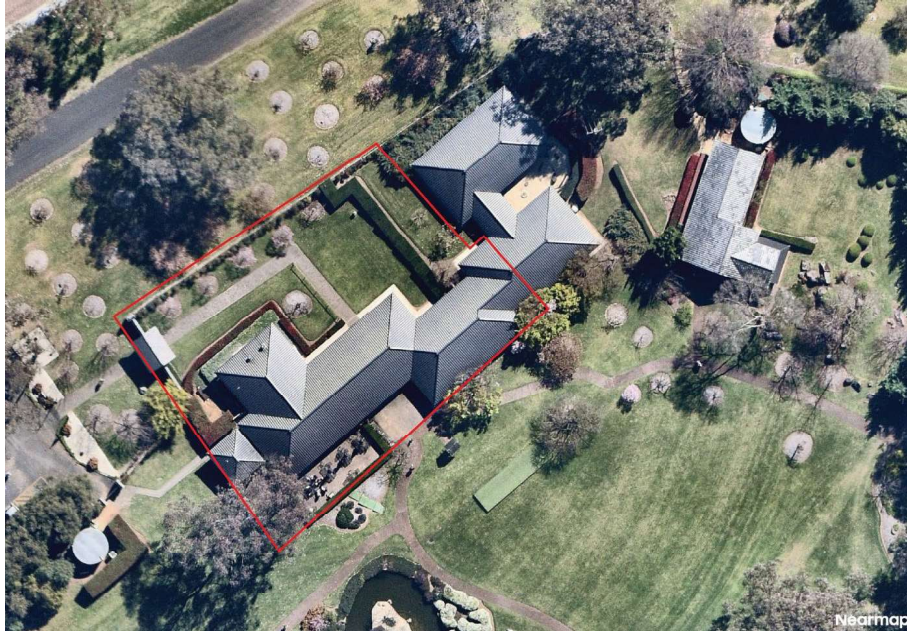


Figure 2 Cowra Japanese Garden and Cultural Centre. Location of works shown in red. Source Nearmap with HAA overlay.



Figure 3 Cowra Cultural Centre. Northern elevation showing the existing entry. Source HAA, May 2024.

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Figure 4 Cowra Cultural Centre, entry pathway. Source HAA, May 2024.



Figure 5 Cowra Cultural Centre. Southern elevation. Source HAA, August 2024.

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Figure 6 Cowra Cultural Centre. Southern elevation, entry into garden and covered exterior space. Source HAA, May 2024.

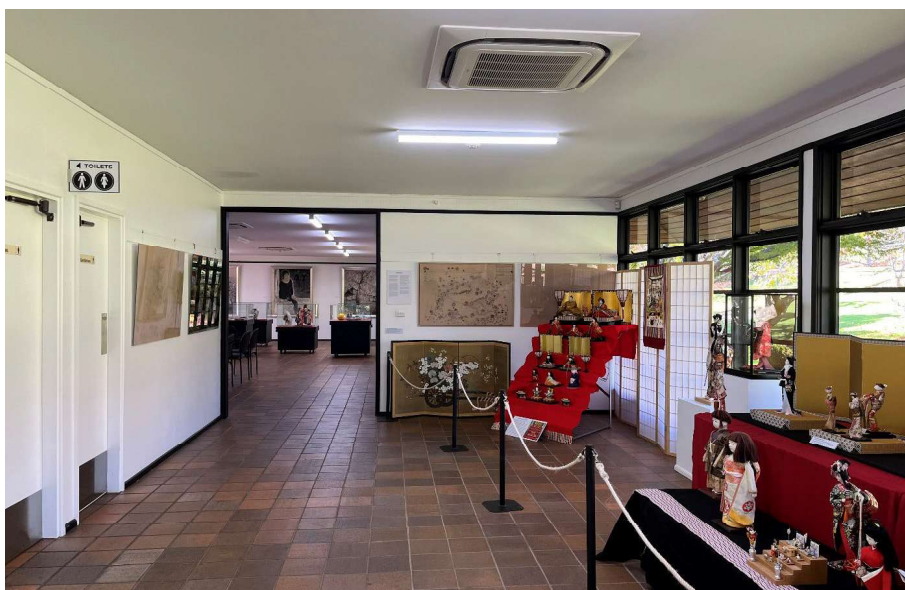


Figure 7 Cowra Cultural Centre. Cultural Space to be converted into reception and shop. Source HAA, May 2024.

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Figure 8 Cowra Cultural Centre. Existing reception and shop to be converted into toilets and cafe. Source HAA, May 2024.



Figure 9 & 10 Cowra Cultural Centre. Existing toilets to be demolished. Source HAA, May 2024.

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Figure 11 Cowra Cultural Centre. Existing cafe. Source HAA, May 2024.

Existing Fabric

The existing fabric of the property is described in the following documents:

- Survey plan 24091_detail-feature sheet 1, 2 and 3 by Arête Survey Solutions
- Drawings 0935/DA/001, 002, 003, 004, 005 and 006 developed by Hector Abrahams Architects

The Cultural Centre has a sober colour palette. The facades consist of white rendered walls, framed by dark brown painted timber members, and windows with horizontal glass panes. The original kiln dried hardwood roof shingles were replaced by carefully selected anthracite ceramic roof tiles. The pavilions are surrounded by red brown pavers and a white pebbled drain below the roof edges.

The following description is extracted from the National Trust Register Listing Report for Cowra Garden and Cultural Centre:

The design of the Cultural Centre reflects the Edo period of Japanese architecture with the roof the most visually impressive component. The slightly curved eaves extend far beyond the walls and cover the verandas. The oversize eaves give the interior a characteristic dimness, which contributes to the building's atmosphere.

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All of the buildings follow the Edo period of Architecture and a significant feature is the rubble drains that surround the circumference of the buildings to control rainwater acting in place of roofing gutters and to prevent the buildup of snow on the roof.

Present and Previous Uses

The current use as cultural centre including exhibition spaces, shop and café is to remain. This complies with the existing zoning.

Zoning

	Cowra Shire Council
Zoning	RE1 - Public Recreation

Development Proposal

Plans

The proposed works are described in the following documents, developed by Hector Abrahams Architects

- 0935/DA/100 Proposed site plan
- 0935/DA/101 Proposed ground floor plan of entry compound
- 0935/DA/102 Proposed demolition plan of centre
- 0935/DA/103 Proposed ground floor plan of centre
- 0935/DA/104 Proposed north elevation
- 0935/DA/105 Proposed south elevation
- 0935/DA/106 Proposed section A

Summary of the Development

Alterations to the Japanese Garden and Cultural Centre to expand the area available for front-of-house, shop, staff, and circulation of visitors and to improve the amenity and access to the Cultural Centre.

The proposed exterior landscape works include:

- Partially demolish and amend the existing walkway in the entry compound to a new gradient, and construct a new walkway to the new proposed entry into the building
- New paving in front of the new proposed entry into the building
- Elongate the hedge in front of the new proposed toilet location
- Extend the hedge of the café's terrace
- Alterations to the external surfaces adjoining the café's terrace, such as restoring some the pebbled drainage, replacing covered concrete walkways by pavers to match existing and replacing some of the pebbled drainage in front of the garden exit by pavers to match existing

The proposed exterior works include:

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*Japanese Garden & Cultural Centre Yarrabilly Drive COWRA 2794
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- Enclosing the covered outdoor area adjoining the existing entry into the cultural spaces by inserting a new external wall and glazing
- Constructing a new door opening in the northern elevation
- Amend door and window openings in the northern elevation
- Demolish existing door to café in northern elevation
- Demolish existing door and windows in the southern elevation

The proposed interior works include:

- Removal and addition of non-structural walls in order to convert the existing reception, office and shop into toilets and café space, and to convert the existing cultural space & adjoining toilets into reception, office and storage room

Operational Details

No change proposed or anticipated in relation to current hours of operations, staff numbers, timing of deliveries and car parking arrangements will remain.

Note the adjoining car parking is on Council grounds and not part of this development application.

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Planning Controls

Cowra Shire Council

The Cowra Shire Council planning controls relating to the Cowra Japanese Garden & Cultural Centre are as follows:

- Cowra Local Environmental Plan 2012
- Cowra Shire Council Development Control Plan 2021

The following table addresses the relevant criteria within the Cowra LEP 2012

Criteria	Controls	Compliance
Heritage	Item 172 Map – Sheet HER_002G	
Zoning	RE1 Public Recreation	COMPLIES
Terrestrial Biodiversity	Map – Sheet BIO_002	COMPLIES

The following table gives an overview of the applicable criteria within the Cowra DCP 2021:

	Applies		Consistent		Variation Proposed	
Part B – Land Management	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Part C – Biodiversity Management	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Part D – Subdivision Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part E – Urban & Village Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part F – Rural Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part G – Large Lot Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part H – Commercial Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part I – Industrial Development	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part J – Cowra Regional Airport	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part K – Land-use Buffers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part L – Advertising and Signage	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Part M – Parking, Access & Mobility	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Part N – Landscaping	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Part O – Hazard Management	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Part P – Crime Prevention	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

The following table addresses the relevant criteria within the Cowra DCP 2021:

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Criteria	Controls / Objectives	Compliance / Discussion
Part B – Land Management		
B.1.3.c	Maximise the amount of vegetation retained on development sites and ensure its protection during construction and operation of the development.	COMPLIES <ul style="list-style-type: none"> No tree removal Hedge relocation Additional hedge proposed
B.1.3.d	Ensure that erosion and sediment controls are considered during the construction phase of developments through the preparation of Erosion and Sediment Control Plan.	COMPLIES No ESCP required; Disturbed area < 250m2
Part C – Biodiversity Management		
C.1.4.	Biodiversity pathways	COMPLIES <ul style="list-style-type: none"> No clearing of native vegetation Area of development is minimal < 250m2, does not exceed the BOS threshold
C.1.5.4.	Development Application requirements Additional information required if proposal has the potential to impact biodiversity.	COMPLIES Area of development is minimal and within boundary of existing buildings and surrounding paved/grassed areas. No impact on biodiversity is expected.
Part L – Advertising and Signage		
	No new signage proposed at entry/street	Not applicable
Part M – Parking, Access & Mobility		
M.1.2. Objectives	a. Ensure that adequate provision is made for off-street parking consistent with the parking demand generated by the development. ... b. Ensure the adequate provision of suitably located parking for disabled persons. ...	Parking is on Council Grounds and not part of this development application.
M.3.4. Disabled Parking	b. Disabled parking spaces is to be provided at the rate of 1 space for parking areas comprising up to 20 spaces and thereafter at a rate of 2% of designated spaces.	Currently 1 accessible car parking space is provided.
	d. A continuous accessible path of travel must be provided between designated car parking spaces	COMPLIES

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	for people with a disability and lift, lobby or access points servicing the development, and this access should not have a gradient that is steeper than 1:14.	
M.4. Access & Mobility	The objectives for access and mobility code are: a. To provide information, awareness and understanding of access and mobility issues. b. To create appropriate levels of access and mobility for new developments, alterations and additions to existing buildings, public buildings and open space. c. To ensure compliance with the Disability Discrimination Act, 1992 (Commonwealth), The Disability Inclusion Act 2014, the Building Code of Australia, Disability (Access to Premise – Buildings) Standards 2010, as well as other relevant Australian Standards.	COMPLIES
Part N – Landscaping	The purpose of this Part is to provide a common set of landscape design, construction and management principles which ensure a high standard of landscape design and implementation for new development within the Cowra Shire Local Government Area where landscaping is required.	COMPLIES Proposed landscaping intervention is minimal; <ul style="list-style-type: none"> • adjust gradient of grassed area and walkway in entry compound • no removal of trees proposed • no new trees proposed • new vegetation is limited to moving and extending existing hedges and replace grassed areas to suit new gradient • existing features such as Japanese 'welcome' lantern being retained
	Part N applies to the following development types that are defined in Cowra Local Environmental Plan 2012. Commercial Premises (Office, retail) / Function Centre (incl exhibition centres)	
Part O – Hazard Management		

Japanese Garden & Cultural Centre Yarrabilly Drive COWRA 2794
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O.3. Contaminated Lands	<ul style="list-style-type: none"> The property is not in a flood zone The parcel of land selected is not identified as bush fire prone Section O.3 Contaminated Land of this Part applies to all land within the Cowra Local Government Area. <p>The objectives for contaminated land are to:</p> <ol style="list-style-type: none"> Provide direction for Council in the gathering and assessment of information in relation to previous land-use activities that may have resulted in contamination. Ensure that any proposed development of an identified contaminated site will not result in any unacceptable levels of risk to human health or the environment. Inform the community, particular those interested or involved in the planning and development process, of Council's procedures relating to existing or potential contaminated land. 	<p>COMPLIES</p> <p>It is assumed there is no contamination at the proposed work areas.</p>
Part P – cpted principles		
P.1.5 Application of CPTED principles	Developments of a minor or domestic nature are not required to specifically address all of the CPTED principles and design suggestions contained in Section P.2. Such developments include: minor alterations or additions to existing buildings.	The proposal consists of minor alterations or additions to existing buildings.

Assessment of Environmental Impacts

*Are there items of European heritage on the property?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Are there items of Aboriginal Cultural Heritage within 100 metres of the development site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Will the development impact on Critical Habitat or Threatened Species?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes

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Japanese Garden & Cultural Centre Yarrabilly Drive COWRA 2794
Statement of Environmental Effects

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*Does the site contain any contaminated materials (asbestos or other contaminants)?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Are any trees proposed/required to be removed?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Will the amenity of adjoining land owners be affected (views, solar access, noise, odour etc)?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Is the development out of character with existing development in the locality?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Does the development involve a new access crossing or increase in traffic?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Does the development involve earthworks (cut or fill) of more than 600mm in depth or height?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Is the site connected to Council's reticulated water service?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Is the site connected to Council's reticulated sewer service?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*Is there any on-site sewage management system on the site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Will the development increase crime, safety or security risks?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
*To be shown on plans		
<p>If you answered Yes to any of the above, describe the steps proposed to be taken to prevent or lessen any environmental impacts:</p> <p><i>The initial SOEE answered 'Yes' to "Are there items of Aboriginal Cultural Heritage within 100 metres of the development site?" This was mistaken as no Aboriginal Cultural Heritage is located within 100 metres of the development site. All Aboriginal Cultural Heritage is within approximately 550m of the development site and the closest items, two scar trees, are located 300m from the site.</i></p> <p><i>The Aboriginal Cultural Heritage items within 550 metres includes six scar trees and one artefact. These items will not be impacted by the proposed works which are located in the cultural centre and landscaping immediately surrounding the cultural centre and no trees are to be impacted.</i></p> <p><i>A diagram has been submitted with this updated SOEE showing the location of the Aboriginal Cultural Heritage in relation to the development site.</i></p>		

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Site Constraints

Is the development constrained by:		
Flooding	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Landslip or subsidence	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Bushfire attack	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Land contamination	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
Easements	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes

Note – if the proposed development is identified as being affected by one or more of the site constraints listed above, the applicant must provide Council with evidence as to how the site constraint will be addressed

Conclusion and Recommendation

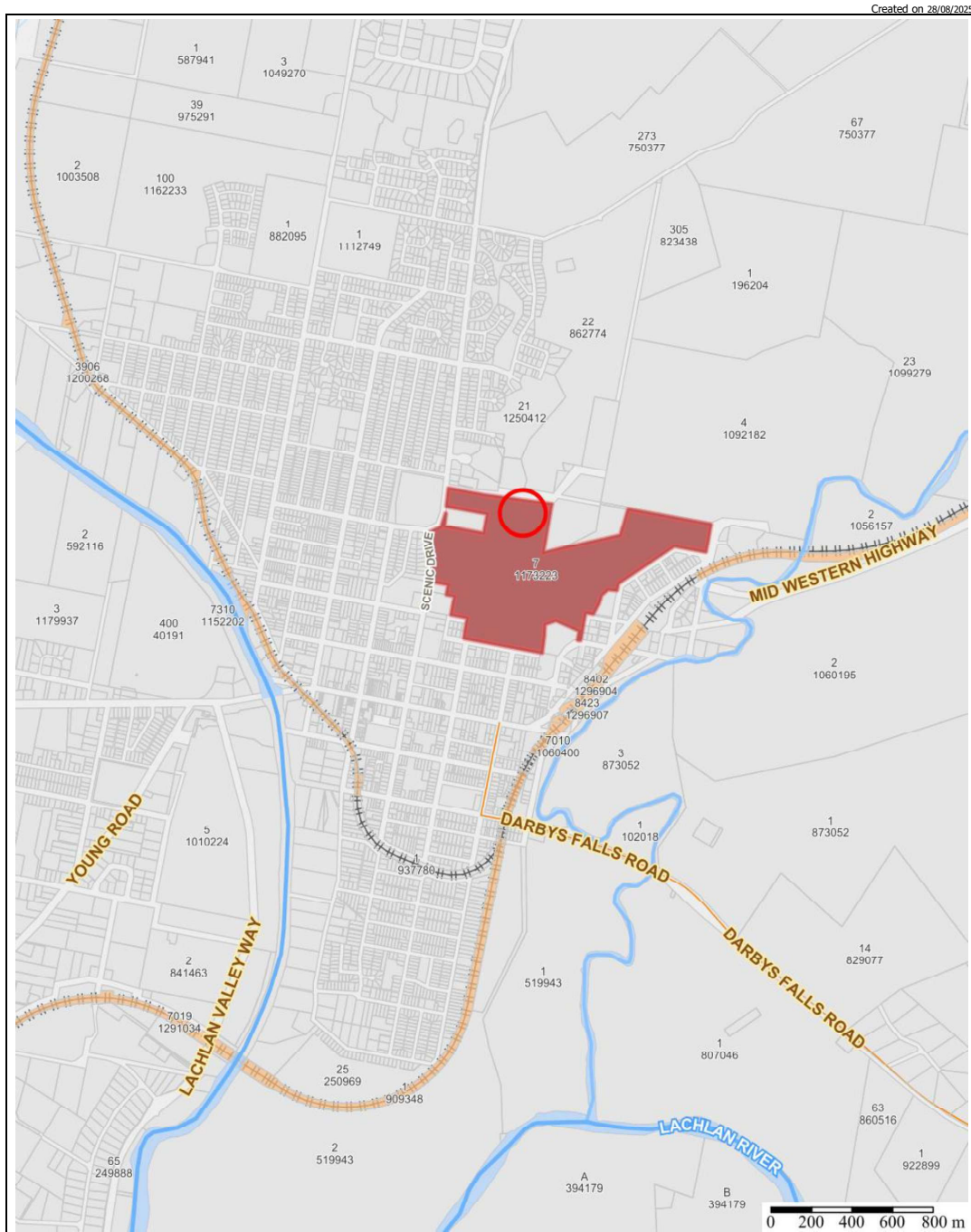
The Application is reasonable and consistent with Council's Planning Controls; Cowra Local Environmental Plan 2012 (2013 EPI 22) and Cowra Shire Council Development Control Plan 2021.

The aim of the project is to expand the area available for the front-of-house, shop, staff, and circulation of visitors and to improve the amenity and access to the Cultural Centre and to the toilets located in the Centre. This involves converting the existing reception, office and shop into toilets and café space and converting the existing cultural space and adjoining toilets into reception, office, storage room, tea room and shop.

Considering the above, the scheme in our view, will greatly enhance the subject property while causing minimal or negligible adverse environmental effects on the properties within its vicinity. We therefore recommend that the development should be approved by the consent authority having jurisdiction over it.

Olivia De Beus *and Sioned Lavery*
Hector Abrahams Architects Pty Ltd

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	<p>Important Notice! This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. The information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Cowra Council nor the SD makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damages) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason. © The State of New South Wales (Spatial Services), © Cowra Council.</p>		<p>Drawn By: Joshua Neurer Projection: # GDA2020 / MGA zone 55 Date: 28/08/2025 11:31 AM</p>	<p>DA 10.2025.62.1 Lot 7 DP 1173223</p>
<p>Cowra Council Private Bag 342 116 Kendal Street COWRA NSW 2794 Ph: (02) 6340 2000 Web: www.cowracouncil.com.au</p>	<p>Map Scale: 1:25000 at A4</p>			



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COWRA NSW 2794
Ph: (02) 6340 2000
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Drawn By: Joshua Nauer

Projection: # GDA2020 / MGA zone 55

Date: 28/08/2025 11:36 AM

DA 10.2025.62.1
Lot 7 DP 1173223

Map Scale: 1:1500 at A4



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Cowra Shire Council
4/7/2025
Plan No: DA 10.2025.62.1

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Statement of Heritage Impact

Name of heritage item:
Cowra Japanese Garden

State Heritage Register / LEP heritage schedule item number and name:
Cowra Japanese Garden are listed on the Cowra LEP (2012) as item I72

Address and location
Ken Nakajima Place (Yarrabilly Drive) Cowra NSW 2794

Statement of heritage impact for:
Alterations to Cowra Japanese Gardens and Cultural Centre

Prepared for:
Cowra Japanese Garden and Cultural Centre Ltd

Date:
15 November 2024

Issue:
V1.2 Development Application

*Cowra Japanese Garden and Cultural Centre
Statement of Heritage Impact V1.2*

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*Cowra Japanese Garden and Cultural Centre
Statement of Heritage Impact V1.2*

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Introduction

This Heritage Impact Statement (HIS) has been prepared for the Cowra Japanese Garden and Cultural Centre. It forms part of the Statement of Environmental Effects which accompanies a development application.

This report was prepared by Sioned Lavery and Olivia De Beus. Olivia De Beus inspected the place on a number of occasions in 2024. The HIS has been prepared in accordance with Heritage NSW *Guidelines for preparing a statement of heritage impact* (2023).

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1. The Heritage Item

1.1 Site Description

Site and its context

Cowra Japanese Garden and Cultural Centre is located to the north east of Cowra town centre where it overlooks the town and landscape beyond. It is surrounded by a rural landscape with suburban housing nearby to the east.



Figure 1 Cowra Japanese Garden and Cultural Centre, indicated in red, in relation to Cowra town centre. Source Nearmap.

Heritage item

The place is a cultural landscape which rises to the north. Both its gardens and buildings are in the Japanese Edo style. It is in a good condition.

*Cowra Japanese Garden and Cultural Centre
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Figure 2 Cowra Cultural Centre. Northern elevation showing the existing entry. Source HAA, May 2024.



Figure 3 Cowra Cultural Centre, entry pathway. Source HAA, May 2024.

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Figure 4 Cowra Cultural Centre. Southern elevation. Source HAA, August 2024.



Figure 5 Cowra Cultural Centre. Southern elevation, entry into garden and covered exterior space. Source HAA, May 2024.

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*Cowra Japanese Garden and Cultural Centre
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Figure 6 Cowra Cultural Centre. Cultural Space to be converted into reception and shop. Source HAA, May 2024.

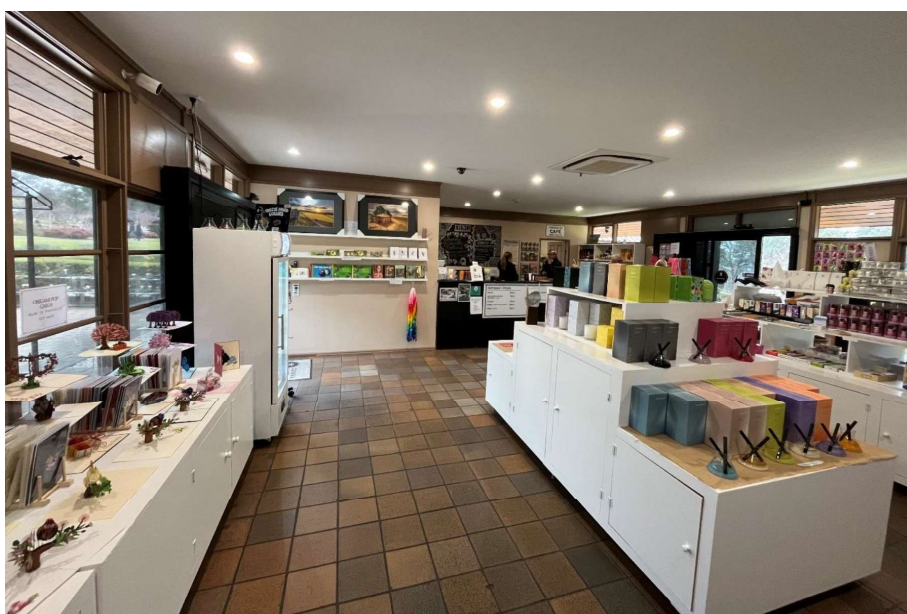


Figure 7 Cowra Cultural Centre. Existing reception and shop to be converted into toilets and cafe. Source HAA, May 2024.

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Figure 8 & 9 Cowra Cultural Centre. Existing toilets to be demolished. Source HAA, May 2024.



Figure 10 Cowra Cultural Centre. Existing cafe. Source HAA, May 2024.

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The proposed works area

The proposed works are located in the Cultural Centre. The area impacted by the works is shown in figures 11 and 12.

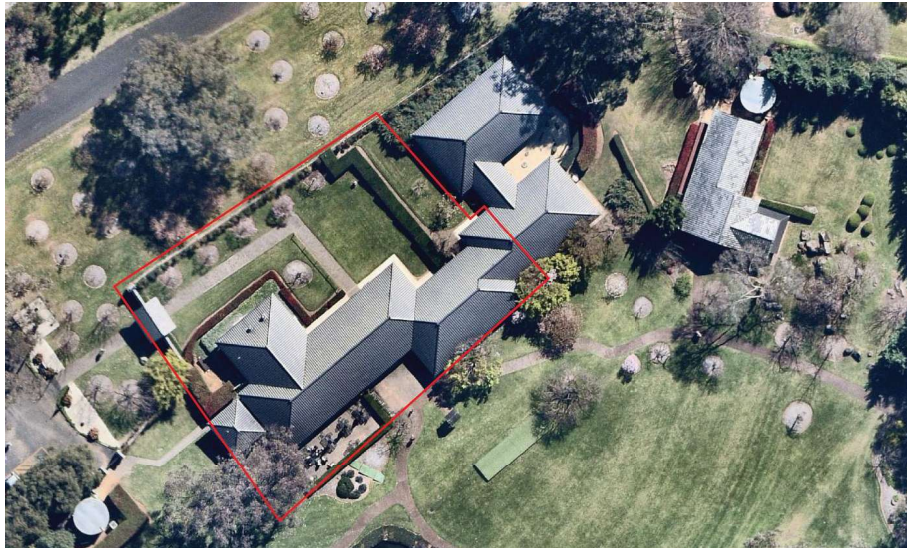


Figure 11 Location of works shown in red. Source Nearmap with HAA overlay.

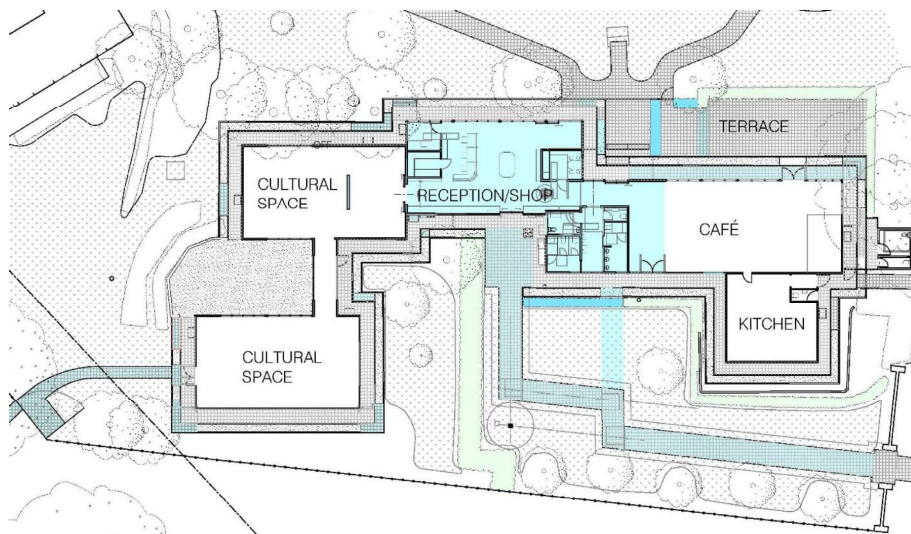


Figure 12 Detailed location of works. Location of works is highlighted in blue. Source: HAA.

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1.2 Site Summary History

Documented History

Unless otherwise stated, the following history is a summary of the history found in the National Trust Register Listing Report for Cowra Japanese Garden and Cultural Centre by Graham Quint.

The Cowra Garden and Cultural Centre commemorates the 1944 Cowra breakout by Japanese soldiers from the Prisoner of War (POW) Camp where 234 Japanese and three Australians soldiers were killed. It also helps foster relations between Japan and Australia and promote Japanese cultural and design.

The Garden and Cultural Centre was suggested by local Cowra resident, Don Kibbler, who was moved by the story. He would go on to become a major figure in the development and management of the Garden and Cultural Centre and in the development of relations between Australia and Japan. Kibbler was awarded, in 1988, the Order of Australia for his contributions to these national relations.

The Garden and Cultural Centre were constructed over two stages, stage one being between 1978 and 1979 and the second stage taking place from 1984-1986. Both stages were funded by donations from governments, organisations and individuals from both Australia and Japan. This includes \$5 million for the first stage from the Japanese and Australian government's, the NSW government and a number of Japanese corporations and \$1 million from the Tokyo Metropolitan Government.

The garden was designed by Ken Nakajima, whose firm, *Consolidated Garden Research*, had designed a number of Japanese gardens in Montreal, San Diego, Moscow, and Houston and was internationally renowned.

The garden is a replica of the first Japanese Landscape Garden (strolling garden) built by the first shogun of the Edo period (1603-1868), Tokugawa Ieyasu. The shogun's garden was made to resemble the landscape of Japan in miniature and was based on the first geographical maps of Japan. These maps were produced by warlords who were instructed to make maps on their return travels to see their families every four years after the Shogun kidnapped them to maintain power. The garden the Shogun made out of these maps, and by extension the Cowra garden, was designed to carry the visitor through the "mountains of Japan, the waterfalls form the mountains that flow into the mountain lakes and from there the flows into the rivers then the ocean..."

When designing the Cowra gardens, everything was considered to the smallest of details. It is Japanese tradition that when a person dies, they be buried in the place where they are born, but this was not the case for the Japanese soldiers killed in Cowra who were also buried there (in a cemetery nearby to the former POW camp). In addition, in the 1960s the Japanese Government had decided to have their war dead, buried elsewhere in Australia, re buried in Cowra. The mountains of the garden are represented by trimmed hedges, Japanese pine trees are found throughout the perimeter of the garden and a grove of gum trees represent the Australian soldiers killed. The colour and shape of the plants was carefully considered, with Nakajima not wanting swathes of outrageous brightness. Most of the plants are gentle quiet hues "to give the garden [an atmosphere of] harmonious serendipity."

The same year the Cowra gardens were built, Nakajima also received the Order of the Rising Sun, Gold and Silver Ray decoration from the Emperor of Japan for his work making gardens and spreading Japanese culture internationally.

The Cultural Centre and other buildings including the Edo Cottage, teahouse, Education centre and Arbor were all designed by Takeo Adachi and Tatsushi Aono in the Edo style of Japanese architecture. John Pierre Favre and Andrew Gidney adapted the designs to Australian standards particularly in relation to conservation of the timber structures. In Japan timber structures are often replaced regular, approximately every 20 years, but this was considered impractical in Australia.¹

In the late 1980s the Cowra Garden and Cultural Centre also acquired a peace bell from the Peace Bell Association in Japan.

The Garden and Cultural Centre also contain many gifts from Japanese dignitaries, notable people, and companies such as the Kyushu Power electric company. Noteworthy artefacts include a 1.4 metre tall Somenishiki vase, with a twin in the Japanese Imperial Palace, and a scroll produced in Japan in 1580. The gardens also conduct traditional ceremonies such as tea ceremonies, cherry blossom festivals, and Kabuki plays, with these events usually being conducted in the Arbor, the Tea House, or the Edo Cottage.

¹ Olga Blacha, "The Heritage Values of the Cowra Japanese Garden," (MLA, University of Canberra, 2015), 158.

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Figure 13 Parliamentary delegation at Cowra Japanese Gardens. Source National archives of Australia, 11706803.

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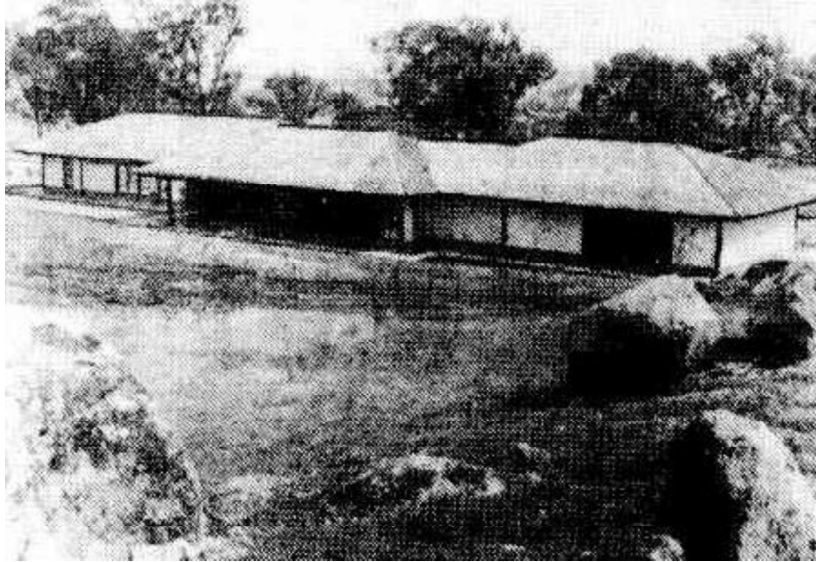


Figure 14 Cultural Centre in 1979. Source Canberra Times May 13, 1979.



Figure 15 Opening of the Pottery House at the Cowra Japanese Garden and Cultural Centre. Source National Archives of Australia, 11414959.

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Previous Physical Changes

There have been several changes to the Garden and Cultural Centre since its construction in the 1970s and 1980s. The changes are as follows:

- 1986 Extension of the Cultural Centre (third cultural space)
- +1996 Extension to the northwest serving as kitchen, plans by Andrew Gidney & Associates
- 2019 Change of roof covering from hardwood roof shingles to anthracite ceramic tiles.
- 2019 Addition of a separate volume to the southwest containing toilets serving the café

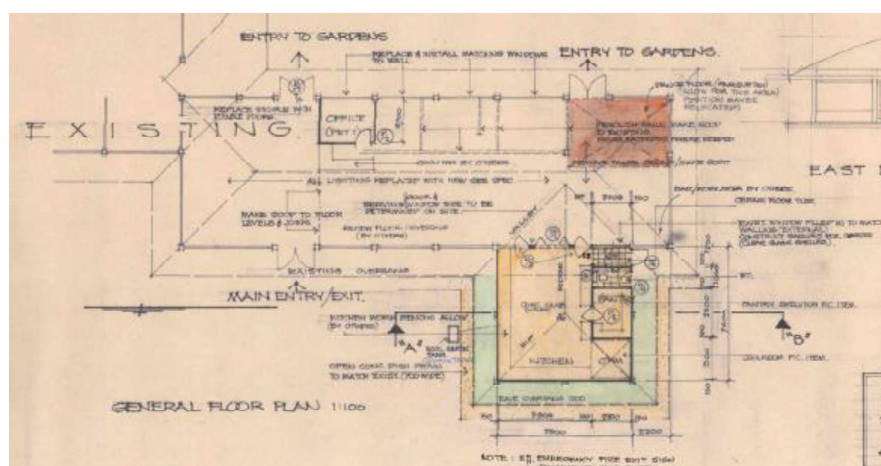


Figure 16 Drawing showing extension to the Cultural Centre in yellow. Source: Archives Cowra Japanese Garden and Cultural Centre



Figure 17 1992 photograph showing the original roof covering. Source National Archives of Australia, Image Number A6135:K14/10/92/30

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1.3 Physical Analysis

The Cultural Centre has a sober colour palette. The facades consist of white rendered walls, framed by dark brown painted timber members, and windows with horizontal glass panes. The original kiln dried hardwood roof shingles were replaced by carefully selected anthracite ceramic roof tiles. The pavilions are surrounded by red brown pavers and a white pebbled drain below the roof edges.

In addition the following description is extracted from the National Trust Register Listing Report for Cowra Garden and Cultural Centre. The order has been changed so that the description of the Cultural Centre comes before the description of the garden. This has been done as the proposed works do not impact the garden.

The Cultural Centre

The design of the Cultural Centre reflects the Edo period of Japanese architecture with the roof the most visually impressive component. The slightly curved eaves extend far beyond the walls and cover the verandas. The oversize eaves give the interior a characteristic dimness, which contributes to the building's atmosphere...

All of the buildings follow the Edo period of Architecture and a significant feature is the rubble drains that surround the circumference of the buildings to control rainwater acting in place of roofing gutters and to prevent the buildup of snow on the roof...

The Garden

The Binni Creek Road site was chosen for the garden as the geographical formation of the terrain and the rocks made it ideal to replicate the landscape of Japan, in particular the existence of two rocks at the top of the hill, these large rocks are called Yogoseike and Shugoseike.

The design of the Cowra Japanese Garden and the landscape incorporates six elements in the design: - mountain, rocks, mountain waterfalls, mountain lakes, rivers turning into oceans and pine trees.

The shape and texture of the plants - more than 120 species - were carefully considered, and while there are vibrant splashes of azaleas and camellias there are no riots of bright colour. Nakajima sought quiet hues - the blue of wisteria, the yellow and white of irises - to give the garden a harmonious serenity.

Visitors experience and gain a greater understanding and appreciation of the Japanese garden and landscape design of the Edo period by walking the three kilometres of pathways designed to carry the visitor through [a Japanese landscape in miniature]...

Hedges are pruned and shaped to represent the rolling hills of Japan. The landscape design includes trimmed hedges and pine trees which are symbolic of the hills, reaching from the mountains to the ocean.

The Australian casualties of the Cowra breakout are also not forgotten within the Cowra Japanese Garden. Ken Nakajima deliberately left gum trees standing in the

design of the garden. The grove of gum trees at the top of the hill in the garden represents the Australian soldiers who were killed, allowing both the spirits of the Australians and the Japanese to live there.

Rocks formed an integral part of the first Japanese Landscape Garden and are featured in the Cowra Japanese Gardens

Incorporated in the garden are examples of Japanese built form design...

The buildings are designed without gutters to prevent the buildup of snow on their roofs.

White raked stones are used in a Japanese rock garden (karesansui) or "dry landscape" garden, often called a Zen garden. This involves the creation of a miniature stylized landscape through carefully composed arrangements of rocks and uses gravel that is raked to represent ripples in water.

These Zen gardens existed in Japan at least since the Heian Period (784-1185).

There are 300 movable cultural heritage items in the Cultural Centre which are maintained by the staff...

The Cowra Japanese Garden was created with imagination and designed to display nature's beauty in all seasons.

Spring is the time for fresh greenery and subtle blossoms. Cherry blossoms appear in late September/Early October, while late spring flowers include azalea, camellia, and wisteria. Summer's sunlit shades of green yield an unbroken, calming visual experience.

The vibrant colors of autumn are a popular visiting time. Autumn is a celebration of nature's gift of life in the past year, and a transition to the peacefulness of winter.

Winter reveals the pure essence of the garden, when all has been stripped away to expose its fundamental structure, spirit, and quiet beauty....

2. Significance Assessment

2.1 Statement of Significance

This Statement of Significance has been extracted from the National Trust Heritage Register Listing Report

The Cowra Japanese Garden at Binni Creek Road, designed in 1977 and opened in 1979 is an authentic Japanese Garden, the largest in the Southern Hemisphere. It was designed by renowned Japanese Garden Designer Ken Nakajima (1914-2000) who also designed the Montreal Botanical Garden (1988), the Moscow Botanical Garden (1983-1987), the Japanese Garden, Hermann Park, Houston (1992) and the San Diego Japanese Friendship Garden (1985). The Cowra Gardens are the earliest of these five major Japanese Gardens by Nakajima.

The Japanese Garden and Cultural Centre has historic significance as it was established to recognize and develop the relationship between the people of Cowra Shire and the people of Japan, a relationship that has its origins in the Prisoner of War Camp that housed the Japanese P.O.W.'s during World War II and the decision in 1960 by the Japanese Government to bring all their war dead from other parts of Australia to be re-buried at Cowra. The Garden is located on the site of the World War Two Japanese prisoner of war camp and the site of the infamous Cowra break out in 1944 - a story of great courage, spirit and futility.

The Japanese buildings throughout the garden were designed by world renowned Japanese architects Takeo Adachi and Tatsushi Aono.

The Garden has high aesthetic significance displaying what is intended to be the range of Japanese landscapes in miniature and hosting temporary exhibitions of major artworks such as Sutton Stone by eminent sculptor Takehiro Terada.

The Japanese Garden and Cultural Centre has social and spiritual significance for the relatives and descendants of the Japanese prisoner of war camp and for Japanese visitors generally. The garden was built to commemorate the Japanese prisoners of war who died at the Cowra breakout. Ken Nakajima, the designer of the garden could see the Avenue of Cherry Trees as a symbolic avenue, lighting the way for the spirits of the dead Japanese from the cemetery to live in peace in the garden.

In conserving the Cowra Japanese Garden and Cultural it is important to understand their cultural context as described by Olga Blacha in her 2015 thesis "The Heritage Values of the Cowra Japanese Garden," (p. 124 and 128).

"The concept of authenticity is a creation of cultural identity that consists of comprehensive cultures and communities in societies. Authenticity is often defined as something being genuine and exactly claimed to be...

"The definition of authenticity from the Nara Document on Authenticity, (1994) depends on the nature of the cultural heritage and context"

A garden built in Australia designed and based on the Japanese culture is legitimized as an authentic Japanese landscape if the architect was Japanese... From [The Nara Document on Authenticity] , interpretations of authenticity and their application should be attempted within the specific cultural context...; further, considering that intangible cultural heritage is constantly recreated, the term 'authenticity' as applied to tangible cultural heritage is not relevant when identifying and safeguarding intangible cultural heritage; there are interdependent communities; and... all stakeholders can promote economically rewarding heritage-related activities without compromising the integrity of communities and the viability of their heritage

2.2 Significance of the proposed work area

Works will impact the Cultural Centre only. The Cultural Centre is a significant part of the site, its Edo style architecture makes an important contribution to the place and its function is a central part of the purpose of the Cowra Japanese Garden and Cultural Centre, to promote Japanese design and culture.

3. Proposed Works

3.1 The Proposal

The proposed works are based on the following drawings by Hector Abraham Architects.

Job no.	Stage	Drawing no.	Revision	Drawing Title
0935	DD	001	-	Existing site plan
0935	DD	002	-	Existing Ground Floor Plan of Entry Compound
0935	DD	003	-	Existing Ground Floor plan of Centre
0935	DD	004	-	Existing North Elevation
0935	DD	005	-	Existing South Elevation
0935	DD	006	-	Existing Section A
0935	DD	100	-	Proposed site plan
0935	DD	101	-	Proposed Ground Floor plan of Entry Compound
0935	DD	102	-	Proposed demolition plan of Centre
0935	DD	103	-	Proposed Ground Floor Plan of Centre
0935	DD	104	-	Proposed North Elevation
0935	DD	105	-	Proposed South Elevation
0935	DD	106	-	Proposed Section A

The aim of the project is to expand the area available for the front-of-house, shop, staff, and circulation of visitors and to improve the amenity and access to the Cultural Centre and to the toilets located in the Centre. This involves converting the existing reception, office and shop into toilets and café space and converting the existing cultural space and adjoining toilets into reception, office, storage room, tea room and shop.

The proposed exterior works include:

- Enclosing the covered outdoor area adjoining the existing entry into the cultural spaces by inserting a new external wall and glazing
- Removal and infill of existing door and window openings to the centre and the café within the northern and southern elevation,
- New door and window openings (new entry door openings to centre and cafe within the northern and southern elevation, new window opening to the proposed accessible toilet),
- Replace the existing southern sliding door, glass panes to match the existing windows
- Remove and relocate existing AC units, electricals and water tap,
- Amendment of existing entry path gradient and partial demolition and extension of existing entry path to the proposed new entrance,
- Extend hedge in front of the proposed new toilets
- Extend the hedge of the café's terrace
- Replacing concrete paths around existing café with pavers to match existing

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- Adjustment of the pebbled drainage following reconfiguration of paths: replace with pavers at proposed new entrance to the Cultural Centre and reinstate pebbles where feasible

The proposed interior works include:

- Removal of non-structural walls
- New non-structural walls similar to existing
- Integration of a custom designed reception desk and display cabinets
- Integration of a purpose made lounge at the entry
- New wayfinding and interpretation signage and artwork

3.2 Background

Pre-lodgement consultation

Hector Abrahams Architects has had some communication with Cowra Council in relation to planning rules.

Considerations of alternatives

Alternative entry points into the centre and garden were explored as shown in the following sketches. These options were not pursued as they were considered to have a greater and unnecessary intervention in the garden.

The following sketch shows alternative entry points into the garden from the new reception/shop. These options would have required greater landscape changes, such as new paving and stairs and potentially the removal of the existing tree branches or tree.

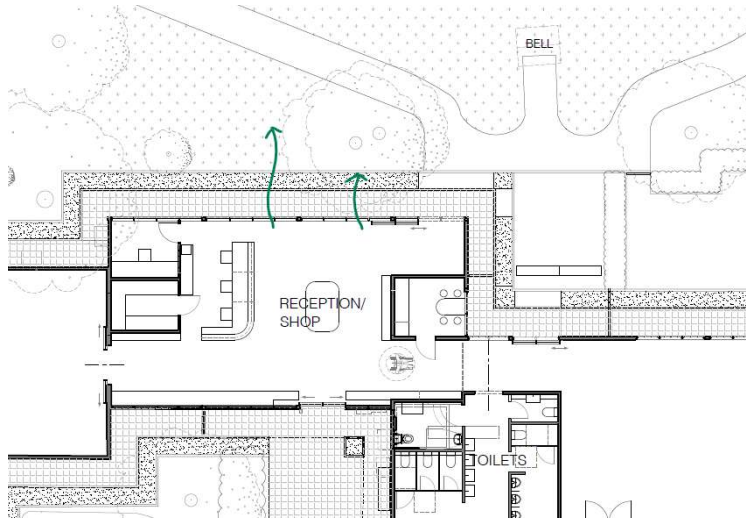


Figure 18 Sketching showing alternative entries to the garden. Source HAA.

The following sketch shows an alternative entry point to the Cultural Centre but this option would have required cutting and reshaping the existing hedge as designed by Nakajima.

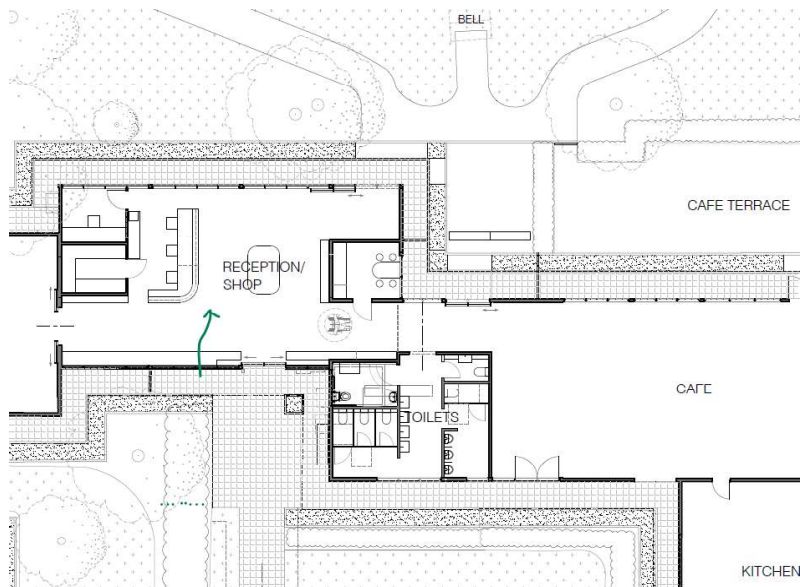


Figure 19 Sketch showing an alternative entry pointing to the Cultural Centre. Source HAA.

4. Heritage Impact Assessment

This heritage impact assessment will first assess the proposal against the questions and considerations in Heritage NSW's *Guidelines for Preparing a Statement of Heritage Significance*, followed by an assessment against the relevant heritage controls of the Cowra DCP 2012. There is no Conservation Management Plan for the place.

4.1 Matters for consideration

Assessment of the proposed works against the questions and considerations outlined Heritage NSW's *Guidelines for Preparing a Statement of Heritage Significance*.

Fabric and spatial arrangements

The proposed works are to convert the existing reception, office and shop into toilets and café space, and to convert the existing cultural space and adjoining toilets into the reception, office, storage room, tea room and shop. The intent is to create a more dignified and uncluttered entry to the centre. The focus lays on seeing the garden and cultural space upon entering the building. Then when re-entering the Cultural Centre from the garden, all the shop displays will be revealed.

The proposed entry/shop layout also allows for bigger groups to wait inside without disturbing use of the shop too much.

The changes will improve circulation as the new entry will become the core of the Cultural Centre where visitors will be directed in to the garden, cultural spaces and café. The proposed changes to the spatial arrangement will have a positive impact as they improve how visitors experience the Cultural Centre. There are no structural changes so the proposed changes to the spatial arrangement do not change the overall form and configuration of the place.

New external walls will match existing to harmonise with the existing space. New doors and windows will be consistent with existing Edo architectural style.

New services for the new bathroom do not impact any significant fabric.

AC units, electricals and water tap to be relocated from the proposed new Cultural Centre entry are non-significant fabric. Their relocation is necessary to achieve an uncluttered arrival point consistent with the significance of the place. They will be relocated to a similar location under the eaves out of sight for the public.

Placement of new signage for wayfinding and interpretation will not impact the places significance.

No changes are proposed to the roofs which are highly significant.

The proposed works have been developed by Hector Abrahams Architects who are experts in heritage conservation.

Setting, views and vistas

There are no changes to the setting of Cowra Japanese Gardens and Cultural Centre.

Views from the Cultural Centre to the garden will be improved as the new entry will direct visitors gaze towards the gardens through large areas of existing glazing.

There are no negative impacts to views to the Cultural Centre by the proposed works. The view to the relocated bathroom is non-significant and will be obscured by additional internal misu blinds and the extension of the existing low hedge for privacy. It will also reinforce the new arrival point.

Landscape

The partial demolition of the existing entry path, its extension and re-grading contribute to improved circulation and facilitates accessibility. New paving will match existing. These works do not negatively impact the significant landscape.

The existing pebble drainage system is significant. Proposed changes, including extension of pebble drains, where paths have been reconfigured, and partial demolition to accommodate extension of the entry path, are negligible and do not impact its significance.

Replacement of concrete paths adjacent the café will have a positive impact, as they will be replaced with pavers that match other existing paths to improve consistency and aesthetic quality of the place.

Extension of existing hedges at the northern and southern elevations are for privacy and to facilitate directing visitors to the entry and garden.

Use

There is no change of use to the Cultural Centre. Proposed works are to convert the use of existing spaces by relocating the shop, reception and toilets. The existing location of these uses is not significant. The conversion of these spaces improves the use of the Cultural Centre by facilitating circulation and enhancing the arrival experience.

Demolition

Internal walls and bathrooms are original fabric but have a minimal role in the overall significance of the place. The partial demolition of internal walls will not impact the places significance and although they alter the original configuration of the space, the new configuration will improve the arrival experience and circulation and therefore has an overall positive impact.

Shop and reception joinery/furniture and existing services to be demolished are non-significant.

The concrete path adjacent the café is non-significant and detracting from the aesthetic significance of the place. Its demolition and replacement with pavers to match existing will have a positive impact by creating a continuous paved path.

The existing entry path will be partially demolished and reconfigured by extending it to the proposed new entrance. The pathway is original but its use as an entry pathway will be retained and therefore the impact on its significance is negligible. The proposed layout of the entry pathway was discussed with the Japanese gardening team, trained under Nakajima, in May 2024. The extension of the pathway will be centred onto the already present stone lantern, which is a welcoming sign in Japanese culture.

The pebble drainage system is significant but a partial demolition is appropriate to allow the new extended path to join with the proposed entrance. The partial demolition is minimal and its impact negligible.

Curtilage

Not applicable.

Moveable heritage

There is no negative impact to moveable heritage. The Cultural Space proposed for conversion is only housing temporary displays. They will be carefully removed and relocated or stored elsewhere in the Cultural Centre.

Aboriginal cultural heritage

An AHIMS report has been generated. The works will not impact Aboriginal objects located near to the Japanese Garden and Cultural Centre.

Historical archaeology

No known archaeology is impacted by the proposed works.

Natural heritage

Not applicable.

Conservation areas

Not applicable.

Cumulative impacts

Not applicable.

Relevant DCP provisions

Assessment of the proposed work against relevant policies of the Cowra DCP 2012.

DCP Provision	Consistency assessment	Compliance (Yes/No)
N.3.3 Commercial Landscape Controls		
The landscape design: r) Is sympathetic to and retains any natural, cultural or architectural features of identified heritage items and place.	The proposed landscaping works are consistent with the significance of the place. New works will match existing.	Yes

The conservation management plan

Not applicable.

Other heritage items in the vicinity

*Cowra Japanese Garden and Cultural Centre
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Not applicable.

Commonwealth/National heritage significance

Not applicable.

World Heritage significance

Not applicable.

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HECTOR ABRAHAMS ARCHITECTS

5. Summary and Recommendations

The proposed works to the Cowra Japanese Garden and Cultural Centre will have a positive impact on the significance of the place as they create a more dignified arrival for visitors, with views to the garden, attract more visitors into the Cultural Centre itself through an improved circulation and thereby improved visitor experience.

There is no change to the existing use of the Cultural Centre. Some internal spaces will be reconfigured so that the existing reception, office and shop can be converted into toilets and café space and the existing cultural space and adjoining toilets converted into reception, office, storage room, tea room and shop. Though some internal spaces will be reconfigured the overall form of the Cultural Centre will be retained.

No changes are proposed to the roofs which are highly significant.

Original fabric to be demolished, such as internal walls and paths, do not have a direct role in the place's significance. Where fabric is part of the significance of the place, such as pebble drainage, demolition is minor. Demolitions will have a negligible impact on the place's significance and new materials will match existing to minimise impacts on aesthetics. New doors and windows will also be consistent with the Edo style of the building.

Prepared by:
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6 LATE REPORTS**7 NOTICES OF MOTIONS**

Nil

8 CONFIDENTIAL MATTERS**RECOMMENDATION**

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

9 CONFIDENTIAL DIRECTOR-INFRASTRUCTURE & OPERATIONS**9.1 Wyangala Water Treatment Plant Acquisition of Land and Easements**

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.