



AGENDA

General Committee Meeting

Date: Monday, 13 October 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 8 September 2025



MINUTES

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Monday, 8 September 2025**

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**MINUTES OF COWRA COUNCIL
GENERAL COMMITTEE MEETING
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 8 SEPTEMBER 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 Erin Watt, 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 Cheryl Downing

That apologies from Cr Ruth Fagan be received and accepted.

CARRIED

1.4 Disclosures of Interest

Cr Nikki Kiss OAM declared a non-pecuniary interest in relation to Item 3.1, Business Assistance to Cowra Early Childhood Services as her daughter is an employee of Cowra Early Childhood Services and will leave the room.

Cr Erin Watt declared a non-pecuniary interest in relation to Item 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, due to a family member's involvement in the submission, and will leave the room. The property owner is S M & J T Butler.

Cr Cheryl Speechley declared a non-pecuniary interest in relation to Item 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, as she is a member of Cowra Tourism Corporation Board, and will leave the room. The property owner is the Department of Planning, Housing and Infrastructure - Crown Lands.

At 5:34 pm, Cr Nikki Kiss OAM left the meeting.

1.5 Presentations

Ms Libby Ewing-Jarvie General Manager of Cowra Early Childhood Services, addressed the Committee in support of her organisation's request for a partial refund of development application fees.

At 5:43 pm, Cr Nikki Kiss OAM returned to the meeting.

1.6 Public Forum

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Nikki Kiss OAM

Seconded: Cr Tony Horton

That the minutes of General Committee Meeting held on 11 August 2025 be confirmed.

CARRIED

At 5:44 pm, Cr Nikki Kiss OAM left the meeting.

3 GENERAL MANAGERS REPORT

3.1 Business Assistance to Cowra Early Childhood Services

COMMITTEE RESOLUTION

Moved: Cr Erin Watt

Seconded: Cr Cheryl Downing

- 1. That the item be deferred to the Council meeting scheduled for 22 September 2025**
- 2. That further information be provided regarding funding source options; refund of s.7.12 of the Environmental Planning and Assessment Act 1999 contributions, donation, business assistance; as well as any requirements to readvertise.**

CARRIED

At 6:29 pm, Cr Nikki Kiss OAM returned to the meeting.

4 DIRECTOR-CORPORATE SERVICES REPORT**4.1 Policy Review - Payment of Expenses and the Provision of Facilities to the Mayor and Councillors****COMMITTEE RESOLUTION**

Moved: Cr Tony Horton

Seconded: Cr Nikki Kiss OAM

That Council defer consideration of the draft revised Policy - Payment of Expenses and the Provision of Facilities to the Mayor and Councillors, to the Council meeting scheduled for 22 September 2025, to enable advice to be provided on:

- **the adequacy of the budget for ‘Councillor Carer Expenses’;**
- **the degree of need to introduce a specific budget allocation for ‘Interstate, Overseas and Long Distance Intrastate Travel Expenses’;**
- **and**
- **any need to further exhibit the policy should any recommendations for alternative provisions be made.**

CARRIED

4.2 Donation - Mulyan Public School - 2025 Schools Spectacular**COMMITTEE RESOLUTION**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Cheryl Downing

That Council approve a donation of \$2,000 to Mulyan Public School to assist the Schools Spectacular Team attending the Schools Spectacular in November 2025.

CARRIED

4.3 Donation - Woodstock Panthers Football Club - 2025 Community Cup Challenge**COMMITTEE RESOLUTION**

Moved: Cr Peter Wright

Seconded: Cr Erin Watt

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.

CARRIED

4.4 Investments and Financial Report**COMMITTEE RESOLUTION**

Moved: Cr Nikki Kiss OAM

Seconded: Cr Erin Watt

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

CARRIED

At 6:55 pm, Cr Erin Watt left the meeting.

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.

COMMITTEE RESOLUTION

Moved: Cr Tony Horton

Seconded: Cr Nikki Kiss OAM

- 1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The 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

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.

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

At 6:59 pm, Cr Erin Watt returned to the meeting.

- 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.

COMMITTEE RESOLUTION

Moved: Cr Nikki Kiss OAM

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 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

- I. 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.

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 COMMENCEMENT OF WORKS

3. 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 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.

CARRIED

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

Against: Nil

CARRIED 8/0

- 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.

COMMITTEE RESOLUTION

Moved: Cr Nikki Kiss OAM

Seconded: Cr Tony Horton

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The variation to Section 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.

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 COMMENCEMENT OF WORKS

3. 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**.

CARRIED

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

Against: Nil

CARRIED 8/0

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

COMMITTEE RESOLUTION

Moved: Cr Nikki Kiss OAM

Seconded: Cr Erin Watt

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**

CARRIED

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

Against: Nil

CARRIED 8/0

At 7:10 pm, Cr Cheryl Speechley left the meeting.

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

COMMITTEE RESOLUTION

Moved: Cr Nikki Kiss OAM

Seconded: Cr Erin Watt

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 Drawing 004	Hector Abrahams Architects Job 0935	Received 4 July 2025 Stamped

	29/11/2024	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	Received 17 July 2025

	17 July 2025 Version 1.1	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.

CARRIED

In Favour: Crs Paul Smith, Nikki Kiss OAM, Karren Cave, Cheryl Downing, Tony Horton, Erin Watt and Peter Wright

Against: Nil

CARRIED 7/0

At 7:13 pm, Cr Cheryl Speechley returned to the meeting.

6 LATE REPORTS**6.1 Business Assistance to Cowra Early Childhood Services**

Considered in conjunction with Item 3.1 in the Agenda

7 NOTICES OF MOTIONS

Nil

8 CONFIDENTIAL MATTERS**COMMITTEE RESOLUTION**

Moved: Cr Cheryl Downing

Seconded: Cr Peter Wright

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.

CARRIED

3 DIRECTOR-CORPORATE SERVICES REPORT

3.1 Investments and Financial Report

File Number: D25/1865

Author: Ken Apps, Acting Director - Corporate Services

RECOMMENDATION

That Council note the Investments and Financial Report for September 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

1. Investments & Financial Report - September 2025 [↓](#)

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

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Investments

I. Investments Portfolio

Council's investments are as listed below in lodgement date order as at 30 September 2025.

Funding Institution	S&P Rating	Date Lodged	Term (Days)	%	Date Due	Principal \$
COMMONWEALTH BANK OF AUSTRALIA	AA-	4/02/2025	245	4.75%	7/10/2025	500,000.00
ING BANK	A-3	18/03/2025	210	4.59%	14/10/2025	500,000.00
ING BANK	A-3	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
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
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
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
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
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
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-	28/08/2025	187	4.10%	3/03/2026	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	2/09/2025	189	4.10%	10/03/2026	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	2/09/2025	210	4.10%	31/03/2026	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	9/09/2025	91	4.09%	9/12/2025	500,000.00
ST GEORGE BANK	AA-	9/09/2025	91	3.90%	9/12/2025	500,000.00
SUNCORP-METWAY LTD	A+	15/09/2025	211	4.20%	14/04/2026	500,000.00
IMB LTD	BBB+	16/09/2025	91	4.05%	16/12/2025	500,000.00
IMB LTD	BBB+	16/09/2025	98	4.05%	23/12/2025	600,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	17/09/2025	125	4.05%	20/01/2026	500,000.00
BANK OF QUEENSLAND	A-	23/09/2025	189	4.15%	31/03/2026	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	23/09/2025	189	4.20%	31/03/2026	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	25/09/2025	152	4.11%	24/02/2026	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	25/09/2025	180	4.11%	24/03/2026	500,000.00
IMB LTD	BBB+	25/09/2025	131	4.10%	3/02/2026	500,000.00
IMB LTD	BBB+	25/09/2025	138	4.10%	10/02/2026	500,000.00
BANK OF QUEENSLAND	A-	30/09/2025	182	4.25%	31/03/2026	500,000.00
COMMONWEALTH BANK OF AUSTRALIA	AA-	30/09/2025	127	4.12%	4/02/2026	500,000.00
NATIONAL AUSTRALIA BANK LTD	AA-	30/09/2025	301	4.25%	28/07/2026	500,000.00
Total						34,270,914.23

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**
 30/9/2025

2. Interest Rate

The average interest rate for Council's investments held is 4.22%. At the time of preparing this report, average (market rates) interest rates were as follows as at 30 September 2025.

30 Days	60 Days	90 Days	120 Days	150 Days	180 Days	270 Days	1 YR
3.59%	3.81%	3.94%	4.06%	4.11%	4.14%	4.13%	4.14%

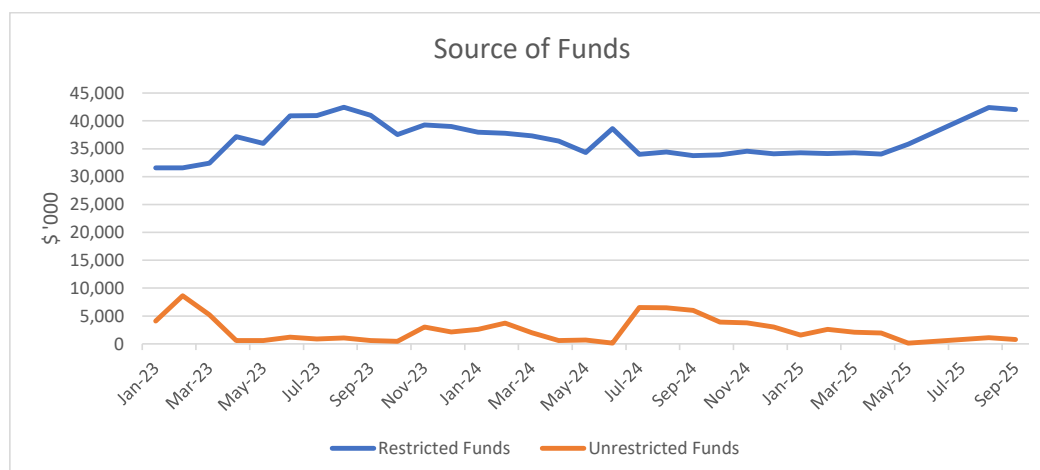
3. General Fund Balance

As at 30 September 2025 balances for Cowra Shire Council for Transaction Accounts and Cash in hand were as follows:

CBA General Account	\$	'000
General Fund bank account	\$	3,283
On-Call account balance	\$	5,250
Cash in hand	\$	4
TOTAL	\$	8,537

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	\$	34,271
Cash and Cash Equivalents - General Ledger	\$	8,537
TOTAL	\$	42,808
	\$	
Represented By:	\$	
Restricted Funds	\$	42,046
Unrestricted Funds	\$	762
TOTAL	\$	42,808



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

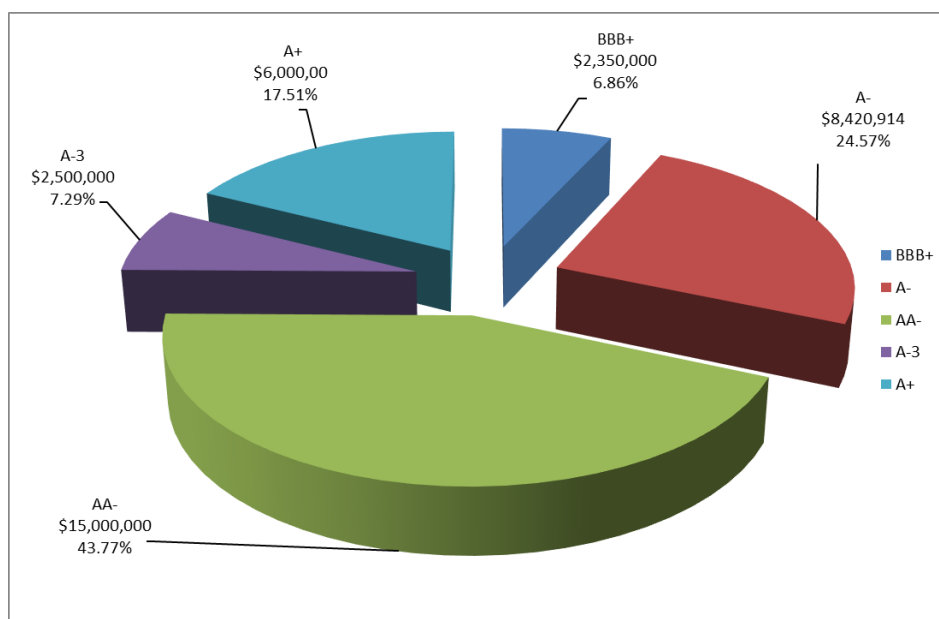
Investments are limited to those allowed by the most current Ministerial Investment Order that has been issued by the NSW Minister for Local Government.

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

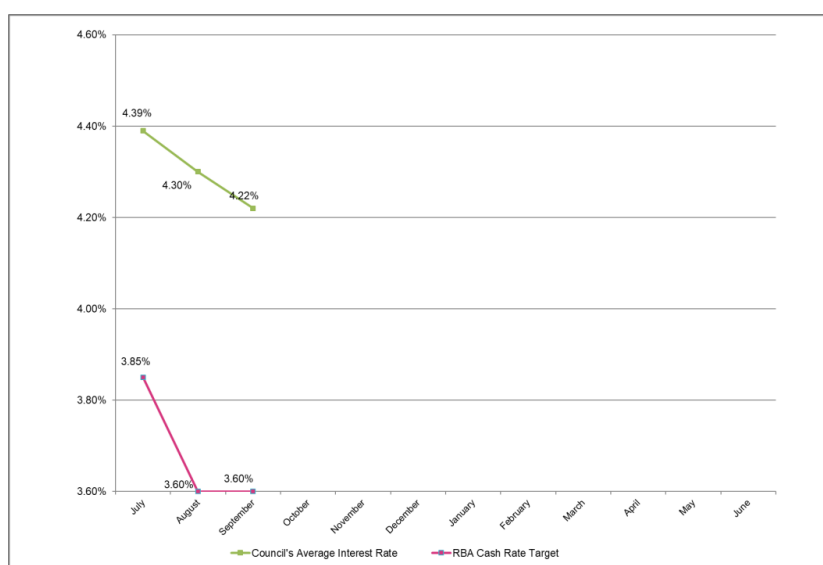
Any securities which are issued by a body or company (or controlled parent entity either immediate or ultimate) with a Standard & Poor's Investors Service, Inc credit rating of "AAA", "AA+", "AA", "AA-"; "A+", "A", "BBB+"; or "BBB"

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.

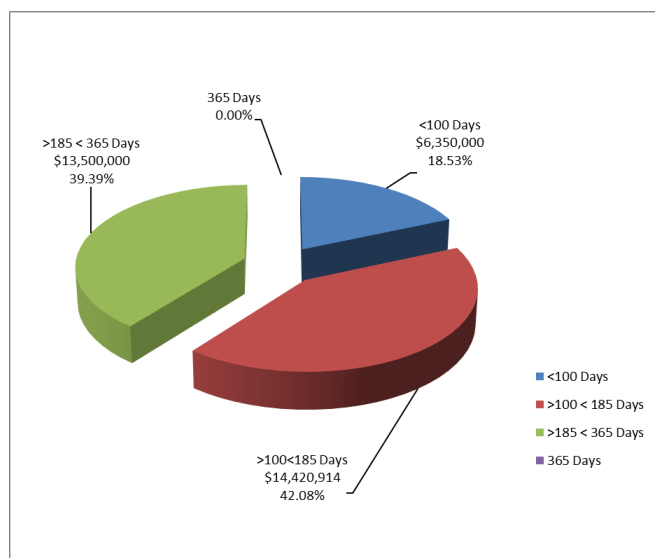
6. Term Deposit Average Monthly Interest Rate Compared to the RBA Cash Rate Target

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

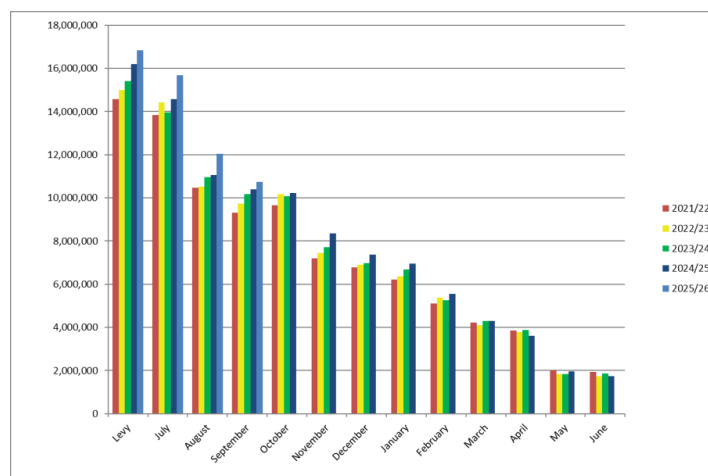
The following pie-chart shows the mix of Council investments for the month by maturity type.



Rates

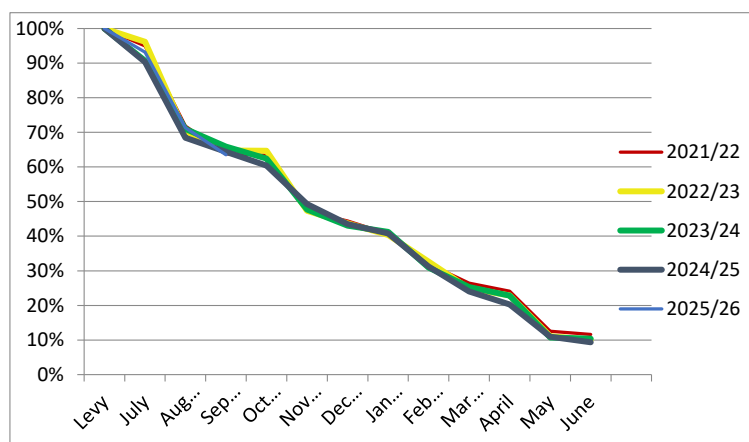
8. Comparison of Rate Collection Progress for 2025-2026 to prior years

The following graph shows the total rate levy and arrears collectable as at 30 September 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	\$ 312,837	
Collected in September 2025	\$ 158,009	\$ -470,847
Balance as at 30 September 2025	\$ 470,847	\$ 642,428

11. Indicative Position of General Fund for the Current Year to 30 September 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							Budget Cash at End of Year - 2025/2026				
Operating Result - Before Capital Grants & Contributions											
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)			
213/25	Payment of Expenses to Mayor & Councillors	(3)	(3)				(3)	(3)			
148/25	Cowra Early Childhood Financial Assistance	36	36				36	36			
	End of 1st Quarter - Prior to Review	(1,033)	(1,283)	(168)	111	307	36,504	17,184	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 30 September 2025.

Loan No	Lender	Date Obtained	Due date	Principal \$	Interest Rate %	Principal \$ O/S 30/9/25
	GENERAL					
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	779,118
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	65,119
253A	NSW TREASURY (DEPOT REDEVELOPMENT - STAGE 1)	27/06/2016	27/06/2026	400,000	2.63	33,782
253B	NSW TREASURY (AIRPORT SUBDIVISION)	27/06/2016	27/06/2026	1,478,993	2.63	124,898
253C	NSW TREASURY (CEMETERY EXPANSION)	27/06/2016	27/06/2026	250,000	2.63	21,107
254A	NSW TREASURY (DEPOT REDEVELOPMENT - STAGE 2)	11/05/2020	11/05/2040	764,073	2.41	597,570
254B	NSW TREASURY (CBD FOOTPATH REFURBISHMENT/STREET CONSTRUCTION)	11/05/2020	11/05/2040	1,501,955	2.41	1,174,656
254C	NSW TREASURY (LOW LEVEL BRIDGE REPAIRS)	11/05/2020	11/05/2040	183,880	2.41	143,810
						3,180,921
	WASTE					
255	NSW TREASURY (MRF AMENITIES/ADMINISTRATION BUILDING)	28/06/2024	28/06/2044	450,000	5.76	434,407
						434,407
	WATER					
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	645,588
						2,589,401
	SEWERAGE					
244	NATIONAL AUST. BANK (SEWER TREATMENT PLANT)	6/05/2010	04/05/2040	7,213,230	8.13	5,539,689

						5,539,689
	GRAND TOTAL					11,744,419

3.2 Donation - Yalbilliga Boori Day Care Centre - Development Contribution Fees

File Number: D25/1837

Author: Alan Dalton, Director - Corporate Services

RECOMMENDATION

That Council approve a donation of \$3,250 to Yalbilliga Boori Day Care Centre to offset Development Contribution costs associated with the establishment of a new preschool building.

INTRODUCTION

Ms Caroline Bamblett – Coordinator Yalbilliga Boori Day Care Centre, has written to Council seeking financial assistance regarding Development Contribution costs associated with the establishment of a new preschool building. Although the development does not qualify for an exemption from such costs under Council's Development Contributions Policy, it is eligible for support under Council's Donation Policy, with \$3,250 being requested.

BACKGROUND

Yalbilliga Boori Day Care Centre provides essential pre-school services to the community and want to expand its facilities to increase its enrolment capacity. A development application has been submitted for the proposed extension and is the subject of a separate paper on this General Committee Meeting agenda.

Development Contributions of \$3,250 are applicable under section 7.12 of the *Environmental Planning and Assessment Act 1979*, which the applicant seeks to be waived. Yalbilliga Boori Day Care Centre has not previously submitted a donation application to Council during 2025-26.

In this instance, the project does not meet development contributions exemption criteria under Council's Development Contributions Policy. However, the request does meet the eligibility requirements of Clause 9 of Council's Donations Policy in the following area:

- 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.

BUDGETARY IMPLICATIONS

The request for \$3,250 is within the remaining 2025-26 unallocated s.356 budget of \$4,574.

An approval of this request will reduce the available budget for future requests, to \$1,324. With another eight months remaining of the financial year, staff foreshadow an intention to bring forward a proposal to supplement the remaining budget so as to increase capacity to support further requests for donations over the remainder of the financial year.

ATTACHMENTS

- I. Application - Financial Assistance Donation Request - Yalbilliga Boori Day Care Centre [↓](#)



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

Contact Name/ Sporting Applicant: Yalbillunga Boori Day Care Centre
Mailing address: PO Box 497 Cowra NSW 2794
Phone: (Home) _____ (Business) 02-63421300
Email: ybdcc@bigpond.net.au
Signature: _____ Date: 29 / 9 / 25

Organisation Details

Organisation responsible for the event/activity: Yalbillunga Boori Day Care centre
President/Secretary Contact Details: caroline Bamblett co-ordinator
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
Waiver of DA Fees new Preschool building
Venue where will the event/project take place? Yalbillunga

Financial Details

Amount of assistance being sought: \$3250
Total Estimated cost of the total event/project _____
How are funds to be raised? _____
Funds available at present to go towards event NA
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 _____

cannot remember

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 that may be conducted outside the shire, but provide a meaningful benefit to the shire's residents
- ☐ To assist an individual's, group's or team's sporting, cultural or academic participation 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 **NA**

- ☐ 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 assist local service, cultural, sporting, charitable or not-for-profit organisations and comparable organisations from beyond the shire providing services that benefit shire residents.

Provide extra pre-school places for community

Objective 2: To assist organisations 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]**

Not for profit community organisation

Objective 3: To contribute towards the achievement of Cowra Shire Council objectives under Council's Delivery Program and Operational Plan, including ensuring inclusive access to community resources, services and facilities, and promoting equitable opportunities for people with disabilities.

extra pre-school places available to community

Objective 4: To encourage and facilitate broad community participation in cultural, sporting and community service programs and events.

Education and care service

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 DIRECTOR-ENVIRONMENTAL SERVICES REPORT

- 4.1 Development Application No. 10.2025.70.1, Lot 10 Section 9B DP 1287, 3 Railway Street Cowra, demolition of an existing dwelling & outbuildings, construction of 3 attached dwellings & 4 lot community title subdivision, lodged by M B Kilzi. The property owner is M B Kilzi.

File Number: D25/1841

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 variations to Sections E.2.7 and E.2.8 of Part E and Section M.2.1 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 Sections E.2.7 and E.2.8 of Part E and Section M.2.1 of Part M of Council's Development Control Plan 2021 for this development to allow a minimum average site area per dwelling of 270m², two dwellings without major habitable room windows overlooking the street and a driveway setback to the side boundary of 1.2m; and
3. That Development Application No. 10.2025.70.1 for the demolition of an existing dwelling & outbuildings, construction of 3 attached dwellings & 4 lot community title subdivision on Lot 10 Sec: 9B DP 1287, 3 Railway 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
Cover Page Job FBSD049 A01 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Construction Notes Job FBSD049 A02	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped

Rev 4		DA 10.2025.70.1(B)
Demolition Plan Job FBSD049 A03 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Subdivision Plan Job FBSD049 A04 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Site Plan Job FBSD049 A05 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Ground Floor Plan Job FBSD049 A06 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Elevations & Section Job FBSD049 A07 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Elevations Job FBSD049 A08 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Roof Plan Job FBSD049 A09 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Roof Plan on Site Job FBSD049 A10 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Concept Stormwater Plan Job FBSD049	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped

A11 Rev 4		DA 10.2025.70.1(B)
Concept Sewer & water Meter Location Job FBSD049 A12 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Landscape Plan Job FBSD049 A13 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Sedimentation Control Plan Job FBSD049 A14 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Material Finishes Job FBSD049 A15 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Shadow Diagrams Job FBSD049 A16 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped DA 10.2025.70.1(B)
Statement of Environmental effects Issue B	Wilco Consulting -	Received 23 August 2025 Stamped DA 10.2025.70.1(A)
Basix Certificate No. 1782333M_02 (or as revised)	Ecomaxhomes Issued: 9 July 2025	Received 17 July 2025 Stamped DA 10.2025.70.1

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).

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

3. All utility service connections, including sewer and water, shall be properly disconnected as part of the demolition works. In this regard the Applicant must consult with relevant service authorities regarding their requirements for the disconnection of services prior to any demolition works commencing at the site.
4. Prior to the commencement of demolition works, 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.
5. A Waste Management Plan shall be submitted for the approval of Principal Certifier, prior to the commencement of demolition works. The Plan shall address, but not be limited to, the following matters:
 - (a) details of demolition works and the presence of any asbestos or other hazardous waste;
 - (b) details of waste to be generated by the work;
 - (c) arrangements for removal of waste material from site;
 - (d) destination of waste materials being removed from the site.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION WORKS

6. The demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the *Work Health and Safety Act 2011*.
7. Demolition works are to be carried out so as not to cause damage to adjacent and adjoining properties. All damage arising from the removal of the building is

to be made good and any necessary repairs and renovations are carried out within six months. Existing site to be left in a clear, clean condition with all existing plumbing and drainage lines terminated to the satisfaction of Council.

- 8. All works involving the removal and disposal of asbestos cement and other products containing asbestos must only be undertaken by contractors who hold a current WorkCover licence appropriate to the work being undertaken.**
- 9. All removal, transport and disposal of asbestos or other contaminated waste materials shall be controlled in accordance with the Work Health and Safety Act 2011 and the Safe Work Australia Code of Practice – How to Manage and Control Asbestos in the Workplace. Any delivery of asbestos waste to Cowra Shire Council's Materials Recycling Facility (MRF) must be pre-booked by phoning the MRF on (02) 6340 2140.**
- 10. In the event of any damage being caused to the existing kerb, guttering, footpath, water mains, sewer mains or public roadway during demolition works, the applicant shall reimburse the Council for the full costs of repairing and making good. Any temporary cross-over material must not remain in the street gutter.**
- 11. 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.**
- 12. Construction and demolition work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.**
- 13. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the development site prior to work commencing and shall be maintained for the term of the demolition to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the demolition site.**
- 14. On the completion of all asbestos removal works, a Clearance Certificate is to be obtained in accordance with the *Work Health and Safety Regulations 2011* and provided to Council.**

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

- 15. 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	\$690,000.00	1%	\$6,900.00	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

16. 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.
17. 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. This is to include a comparison of existing and design flows, and also show location of control measures for erosion and sedimentation.
18. Prior to the issue of a Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of suitably sized metered water services to the development.
19. Prior to issue of the Construction Certificate, the applicant shall provide detailed designs of sewer connection of all new lots/dwellings to Council's Reticulated Sewer Supply System to the satisfaction of Cowra Shire Council.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

20. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifying Authority, 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.

- 21. 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.**
- 22. 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 Certifying Authority'.**
- 23. 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.**
- 24. The Applicant is to obtain all relevant approvals under Section 68 of the Local Government Act 1993 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 and comply with any conditions of that permit. All work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:**
 - (a) Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.**
 - (b) External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.**
 - (c) Water Supply: Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.**
 - (d) Stormwater: When the stormwater and roof water drainage system has been completed.**

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

- 25. 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.**
- 26. 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.**
- 27. 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.

28. 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 in accordance with the approved Stormwater Management Plan.
29. 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.
30. 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.
31. 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 CERTIFICATE

32. The Applicant must not commence occupation or use of any dwelling until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
33. Prior to the issue of any Occupation Certificate the applicant must construct the driveways to the property from Railway Street in accordance with consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. The driveways are to be constructed in

accordance with Council's engineering standards. The Applicant shall reinstate the kerb where necessary and match the level of the existing footpath with the new driveways to be constructed. All costs associated with the construction of the access driveways or repair of any damages caused by the driveway construction shall be borne by the Applicant and at no cost to Council.

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 sewerage and 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.

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

35. Prior to the issue of a Whole Occupation Certificate, all landscape works shall be completed in accordance with the approved Landscape Plan and maintained in good order at all times.
36. Prior to the issue of a Whole Occupation Certificate, exterior boundaries to be fenced where necessary to comply with Section E.5.6. Fencing Controls of Cowra Council Development Plan 2021. This includes the rear property boundary (which is currently unfenced) where a 1.8m high Colorbond (or similar brand) rear boundary fence is to be installed.

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

37. The person acting on the consent is to lodge with Cowra Shire Council a Subdivision Certificate Application together with the final subdivision plan and a minimum of four copies for signature. All necessary information to support the certificate release and the necessary fee is required to be included with the Subdivision Certificate Application.
38. Prior to issue of the Subdivision Certificate, a copy of the Management Statement for the Community Scheme is to be submitted for the approval of Council.
39. Prior to the issue of a Subdivision Certificate, the applicant must provide to Council a certificate from Essential Energy, or another energy provider, to the effect that:
- a) suitable power supply is available to all lots in the subdivision, or

- b) arrangements have been made for suitable power supply to be made to all lots in the subdivision.
40. Prior to the issue of the Subdivision Certificate, the applicant is to provide evidence to Council that arrangements have been made for:
- a) the installation of fibre-ready facilities (or equivalent) to all lots so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose, and
 - b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all lots demonstrated through an agreement with a carrier.
41. The person acting on the consent shall include on the final plan of subdivision any and all necessary easements required over access, water, sewer, stormwater, electricity and telecommunications mains.

ADVICE

1. If, during work, an Aboriginal object is uncovered then **WORK IS TO CEASE IMMEDIATELY** and the Office of Environment & Heritage is to be contacted urgently on (02) 6883 5300. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 80C of the NPW Regulation.
2. If excavating, it is recommended you go to Before You Dig Australia at www.byda.com.au and lodge a free enquiry that helps keep people safe and protect underground infrastructure.

INTRODUCTION

Development Application No. 10.2025.70.1 proposes the demolition of an existing dwelling & outbuildings, construction of 3 attached dwellings & 4 lot community title subdivision on Lot 10 Section 9B DP 1287, 3 Railway Street Cowra. The application was lodged by M B Kilzi on 17 July 2025. The property owner is M B Kilzi.

The application is being reported to Council because it includes variations requested to some development standards contained in Cowra Council Development Control Plan 2021 as discussed in this report.

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

Description of Site

Lot 10 Section 9B DP 1287, 3 Railway Street Cowra is a rectangular allotment of approximately 809.42m². The lot is located in the R1 General Residential zone under Cowra Local Environmental Plan (LEP) 2012. The site contains an existing brick and fibro clad dwelling and some old sheds and lean-to structures.



3 Railway Street - existing street view.



Rear view of existing dwelling.

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 demolish the existing structures on site, construct 3 attached dwellings and undertake a 4 lot community title subdivision. The dwellings are each 3 bedroom single level design with brick exteriors and Colorbond roofing. Each dwelling has a single attached garage facing Railway Street. The Community Title Subdivision consists of the following lot sizes:

Lot No.	Area
1	2.488m ² (common property garden)
2	267.294m ²
3	267.716m ²
4	271.695m ²

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 10.2025.70.1:

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 attached dwellings under the LEP.

1.6 Consent authority

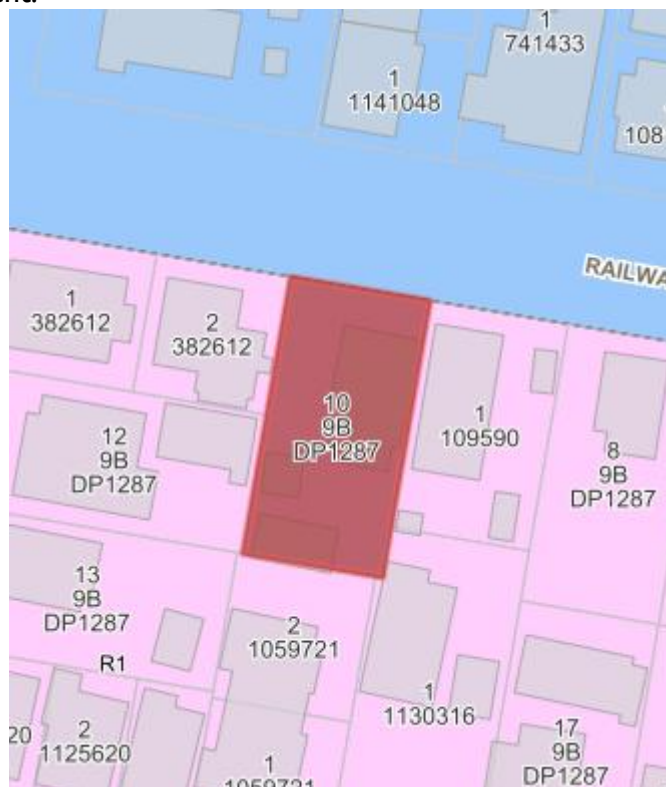
The consent authority for the purposes of this Plan is (subject to the Act) the Council.

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 and Land Use Table – R1 General Residential

I Objectives of the Zone

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

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

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

4 Prohibited

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

Comment:

The proposed the development is permitted with consent.

2.6 Subdivision – consent requirements

The proposed subdivision is permitted with consent.

2.7 Demolition requires development consent

The proposed demolition requires development 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 site is relatively level. 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	The proposed development would connect to Councils reticulated water supply in Railway Street.
Electricity	The proposed development will be connected to electricity supply to the requirements of the relevant energy provider.
Sewage	The proposed development will extend and connect to Council's reticulated sewer service in Railway Street.
Stormwater	Concept plans indicate rainwater detention tanks on each dwelling, with overflow directed to Council's stormwater system in Railway Street.
Access	The proposed development will require the construction of individual access crossings to each dwelling from Railway Street.

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 valid BASIX certificate for the 3 dwellings has been provided.
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. The site has been previously subject to long term residential use. Site inspection carried out did not reveal any evidence of contamination of the site. The proposal includes demolition works. It is considered the works are unlikely 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 would not require removal of vegetation. No further assessment required relating to Biodiversity.

PART D – SUBDIVISION DEVELOPMENT**Part D.3 – Infill Residential Development**

Section	Comments
D.3.1 Application of this part	The proposed development includes community title subdivision on land zoned R1 General Residential.
D.3.2 Objectives	The proposed development meets these objectives.
D.3.3 Lot size, layout and dimensions	The proposed development allows for usable dwellings, private open space, carparking and access areas. There is no minimum lot size for community title subdivision. The development is consistent with this section
D.3.4. Street Design	N/A as no new streets proposed. The proposed development includes an internal driveway.
D.3.5. Access provision	Access provisions are considered suitable
D.3.6. Utility provision	The proposed dwellings would be connected to sewer, water, and stormwater in accordance with Councils engineering standards.
D.3.7. Stormwater, drainage and waterways	Stormwater would be drained to Councils stormwater system in the street.

Part D.8 – Strata + Community Title Subdivision

Section	Comments
D.8.1 Strata and Community Title Subdivision	The proposed development includes community title subdivision with separate and distinct connections to Councils water and sewer systems. A suitable draft Management Statement was provided with the

	application.
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PART E – URBAN & VILLAGE DEVELOPMENT

Part E.2 Medium Density Housing

Section	Comments
E.2.1 Application of Section	The subject land is zoned R1 General Residential and attached dwellings are proposed. Attached dwellings represent a form of medium density housing under Part E.2.
E.2.2 Objectives	The proposed development meets these objectives.
E.2.3 Site Analysis	There are no significant environmental constraints.
E.2.4. Soil Erosion and Sedimentation Control	Appropriate controls to be put in place.
E.2.5 Landscaping	Complies. Landscaping plan provided as part of the Site plan.
E.2.6. Cut and Fill Controls	Complies. The site is generally level and the development will consist of slab-on-ground with minimal earthworks.
E.2.7. Site Area and Frontage Controls	Variation requested. The application consists of a variation to the minimum average site area per dwelling. The variation is discussed below.
E.2.8. Streetscape Controls	Variation requested. Two of the dwellings do not have a major habitable room window overlooking the street which represents a variation to this section. The variation is discussed below.
E.2.9 Height Controls	Complies. The proposed dwellings would be single storey and would not exceed 9 metres in height.
E.2.10 Solar Access Controls	Complies. Solar access (shadowing) diagrams have been provided demonstrating that at least 75% of the dwellings within the lot achieve a minimum of 3 hours of solar access to the private open spaces and living areas. Skylights have been added to the central dwelling to assist compliance. The proposed development would not unsatisfactorily overshadow adjacent dwellings.
E.2.11. Front Setback Controls	Complies. The front setback of the proposed development is consistent with the adjoining development.
E.2.12. Side Setbacks	Complies. The dwellings on proposed Lots 2 & 4 exceed 900mm from each side boundary.
E.2.13 Rear Setbacks	Complies. The rear setbacks for all dwellings are well in excess of the minimum 3m.

E.2.14. Visual & Acoustic Privacy Controls	Complies. Visual and acoustic privacy impacts on adjoining properties are considered minor. The dwellings are single level and no decks or balconies are included. No significant privacy impacts to neighbouring properties have been identified.
E.2.15. Private Open Space Controls	Complies. Each dwelling provides in excess of the open space requirements.
E.2.16. Sustainable Building Design Controls	Complies. BASIX Certificate provided for the proposed dwellings.
E.2.17. Liveable Housing Design	The proposed design is considered acceptable.

Variations:

E.2.7 Site Area & Frontage Controls

Section E.2.7a. requires a minimum average site area per dwelling of 300m². The minimum average site area is calculated by dividing the total area of the site by the number of proposed dwelling units which results in the following calculation:

Site area = 810m² divided by 3 dwellings which equals an average site area per dwelling of 270m². This represents a variation of 30m². The applicant provides the following comments:

The design provides for 32.77% landscaping, adequate private open space, vehicle access, parking and maintains amenity and streetscape.

Assessment comment:

It is agreed that the variation does not contribute unsatisfactorily to any adverse impacts in relation to residential amenity for either the future residents of the development or the existing residents in the locality. The variation also does not influence compliance with any other development standards and it is assessed that it can be supported.

E.2.8 Streetscape Controls

Section E.2.8.c. requires that each dwelling should provide a minimum of one major window to a habitable room directly overlooking the street or public open space area. The design should avoid kitchen, bathroom or laundry windows dominating the street elevation.

The dwellings on proposed Lots 2 and 4 (the outer dwellings) do not have major windows overlooking the street which represents a variation to the above section. The applicant provides the following comments:

Streetscape rhythm is achieved via consistent materials, porches, articulation, staggered wall lengths, compatible garage treatments, retained street trees and additional landscaping.

Assessment comment:

The preamble in the DCP to section E.2.8 states that “streetscape design is about ensuring that there is consistency in built and landscape form along streets on private sites”. The proposed development achieves this consistency through the use of appropriate materials and consistent

building setbacks. The proposed development does not have kitchen, bathroom or laundry windows dominating the street elevation.

The proposed development also has sufficient front façade articulation and entry treatments to ensure it addresses the street and has a satisfactory streetscape presentation. It is assessed that non-compliance with section E.2.8.c. does not adversely impact on the intent of this development standard and the variation can be supported.

E3.6 Railway Street Character Area

Section	Comments
E.3.6.1 Application of this part	The proposed development is within the character area.
D.3.2 Objectives	The proposed development is considered to meet these objectives. The existing building is in poor condition and the proposed development will not have an adverse impact on the streetscape.
E.3.6.3 Character Statement	Acknowledged.
E.3.6.4. Retention of Key Characteristics	The dwellings are single storey with an appropriate front setback. Whilst not galvanised steel or zincalume, the proposed lead colour (or similar) Colorbond roof and gutters/downpipes complies with the general colour schedule and is considered acceptable. Other materials and colours are in accordance with the clause.

Part E.5 Ancillary Development

The development application as conditioned complies with the relevant sections.

PART K – LAND USE BUFFERS

Cowra Airport Obstacle Limitation Surface

The subject land is located outside of the OLS.

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 N – LANDSCAPING

Suitable landscaping is proposed which complies with part N. A condition has been imposed to install landscaping prior to the issue of a Whole Occupation Certificate.

PART M – PARKING, ACCESS & MOBILITY

Section	Comments
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M.1.5	The proposed development provides one car parking space per dwelling behind the building line in accordance with this section.
M.2.1 Site access design and location	Variation requested. Driveway encroaches within 1.5m of the eastern lot boundary. The variation is considered at the end of this section.
M.2.2 Driveway widths	Complies.
M.2.3 Car parking design	Complies.
M.2.4. Internal road design	Not applicable.
M.2.5. Car parking surfaces	Complies. The proposed car parking surfaces would be sealed.

M.2.1. Site Access design and location

Section M.2.1.a. of Part M of the DCP states that site access should be located no closer than 1.5 metres from the boundary of the site. The edge of the proposed driveway of the eastern dwelling is approximately 1.2m from the side boundary.

The applicant states that the design layout provides perpendicular footpath crossings, clear street sightlines, not within 12m of signage, avoids high-speed roads, limits one entry per frontage, and demonstrates adequate sight distance and manoeuvrability.

Assessment comment:

There are no anticipated adverse impacts associated with the variation, including to the adjoining property. It is assessed that the variation can be supported.

PART P – CPTED PRINCIPLES

The proposed development is not a type is not considered likely to generate a risk of crime. CPTED Assessment is not considered necessary.

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

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 single storey residential dwellings. 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 Railway Street and new access crossings will be constructed as conditioned. Parking spaces are within the attached garages. There are no identified traffic issues.

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 water, sewer and stormwater services. Recommended conditions include the provision of a stormwater management plan and sewer connection details.

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 any significant 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 has been provided for the dwellings.

Noise and Vibration

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

Natural Hazards

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

Technological Hazards

Council's records and inspection of the site did not reveal any technological hazards affecting the site. Council is not aware of and the SEE submitted with the application did not 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 ReceivedPublic Consultation

The subject Development Application was notified to adjoining owners in writing from 22 July 2025 to 12 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 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. 10.2025.70.1 proposes the demolition of an existing dwelling & outbuildings, construction of 3 attached dwellings & 4 lot community title subdivision on Lot 10 Section 9B DP 1287, 3 Railway Street Cowra. The application was lodged by M B Kilzi on 17 July 2025. The property owner is M B Kilzi.

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

The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the R1 zone and is consistent with the existing land-use activities of the locality. The variations to Sections E.2.7, E.2.8, and M.2.1 of Cowra Development Control Plan 2021 are generally minor and are sufficiently justified.

The development application was notified in accordance with Cowra Community Participation Plan 2024 and no submissions were received.

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 10.2025.70.1 - 3 Railway Street Cowra - Development Plans [↓](#)
2. DA 10.2025.70.1 - 3 Railway Street Cowra - Statement of Environmental Effects [↓](#)
3. DA 10.2025.70.1 - 3 Railway Street Cowra - Location map [↓](#)
4. DA 10.2025.70.1 - 3 Railway Street Cowra - Aerial view [↓](#)

Calculations:
LOT: 10/SEC 9B
DP: 1287
SITE AREA: 809.19m²
ZONE: R1 - General Residential

PROPOSED LOTS:
LOT 1: 268.53m²
LOT 2: 268.96m²
LOT 3: 271.69m²

FLOOR AREAS:
HOUSE 1: 97.53 m²
HOUSE 2: 110.44 m²
HOUSE 2: 97.90 m²

(MEASUREMENTS TAKEN INTERNAL OF WALLS)
(EXCLUDING: VOIDS, PATIOS, ALFRESCO, BALCONIES AND THE LIKE)

Porch House 1: 2.6 m²
Porch House 2: 1.6 m²
Porch House 3: 2.6 m²

Garage House 1: 18.35 m²
Garage House 2: 18.11 m²
Garage House 3: 18.29 m²

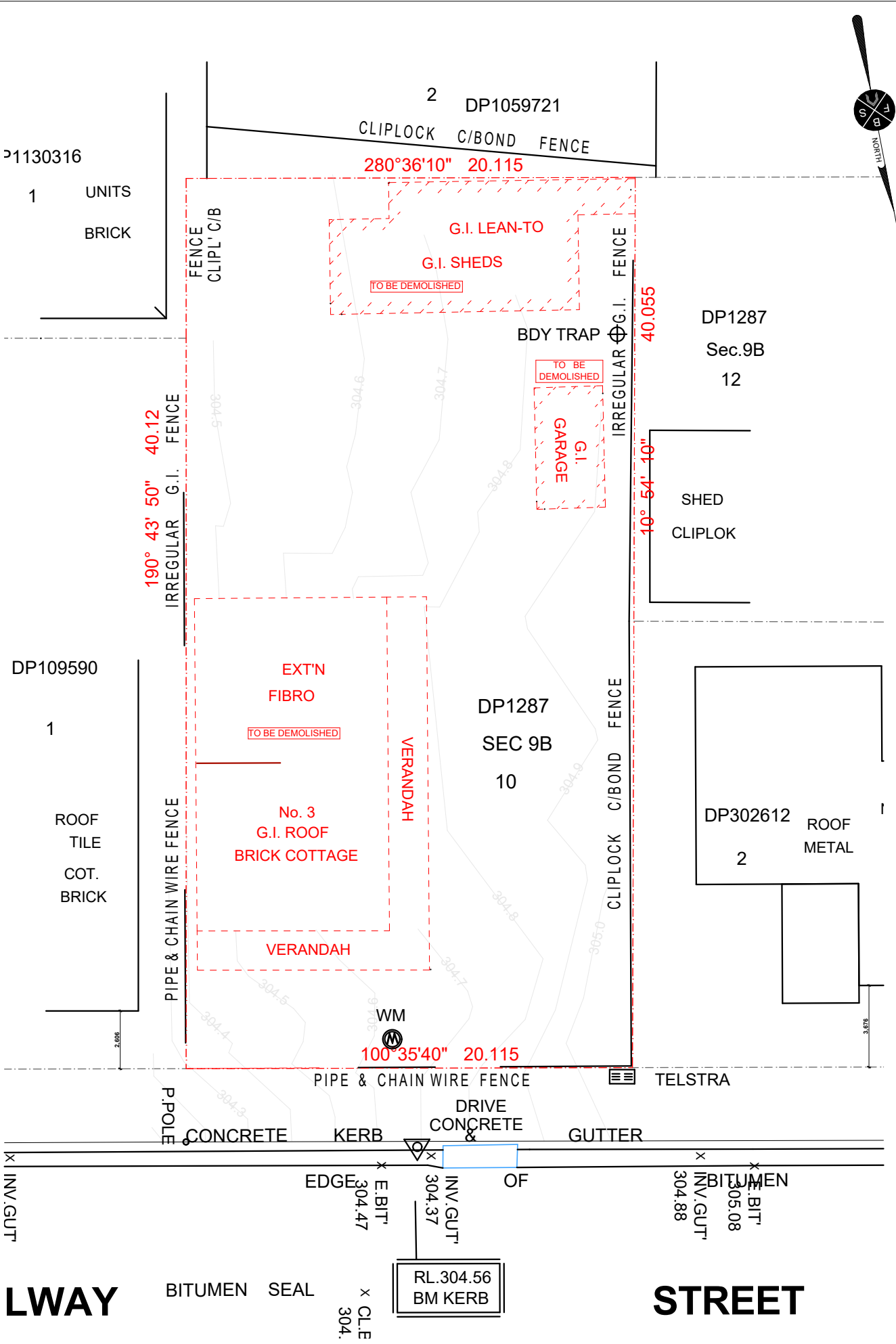
TOTAL AREAS INCLUDING EXTERNAL WALLS:
HOUSE 1: 129.94 m²
HOUSE 2: 143.54 m²
HOUSE 2: 131.94 m²

(MEASUREMENTS TAKEN INTERNAL OF WALLS)
(EXCLUDING: VOIDS, PATIOS, ALFRESCO, BALCONIES AND THE LIKE)

LANDSCAPE AREA :
Landscape Area provided 265.22m² (32.77%)

PRIVATE OPEN SPACE AREA
PROPOSED POS = 220.4 m²

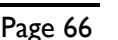
RECEIVED
Cowra Shire Council
19/9/2025
Plan No: DA 10.2025.70.1 (B)



Note:
All dimensions are measured to framing excluding wall finishes, i.e. Plaster, Cladding, Render, Tiles and other related finishes unless otherwise noted.

Demolition Plan

GENERAL NOTES			REVISIONS			DRAWING DETAILS			PROJECT DETAILS			ACCREDITATIONS		
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			01	12/12/2024	FOR CLIENT REVIEW	DATE	18-Sep-25		PROJECT	Proposed Demolition of Existing, Community Title Subdivision and Construction of Three Terrace Dwellings		ABN 18 630 290 827		
			02	22/03/2025	FOR AUTHORITY APPROVAL	DRAWN BY	F. SAMI		ADDRESS	LOT10, DP1287, 3 Railway Street Cowra		a 10 Greiville Cres, Prestons NSW 2170		
			03	01/08/2025	FOR AUTHORITY APPROVAL	CHECKED BY	F. SAMI			2794		p (02) 9826 9964		
			04	18/09/2025	FOR AUTHORITY APPROVAL	JOB REF	FBSD049		CLIENT	MR M.Kilzi		m 0412 389 348		
						REVISION	04		COUNCIL	Cowra City Council		e admin@fbscon.com.au		
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Calculations:
LOT: 10/SEC 9B
DP: 1287
SITE AREA: 809.19m²
ZONE: R1 - General Residential

PROPOSED LOTS:
LOT 1: 268.53m²
LOT 2: 268.96m²
LOT 3: 271.69m²

FLOOR AREAS:
HOUSE 1: 97.53 m²
HOUSE 2: 110.44 m²
HOUSE 2: 97.90 m²

(MEASUREMENTS TAKEN INTERNAL OF WALLS)
(EXCLUDING: VOIDS, PATIOS, ALFRESCO, BALCONIES AND THE LIKE)

Porch House 1: 2.6 m²
Porch House 2: 1.6 m²
Porch House 3: 2.6 m²

Garage House 1: 18.35 m²
Garage House 2: 18.11 m²
Garage House 3: 18.29 m²

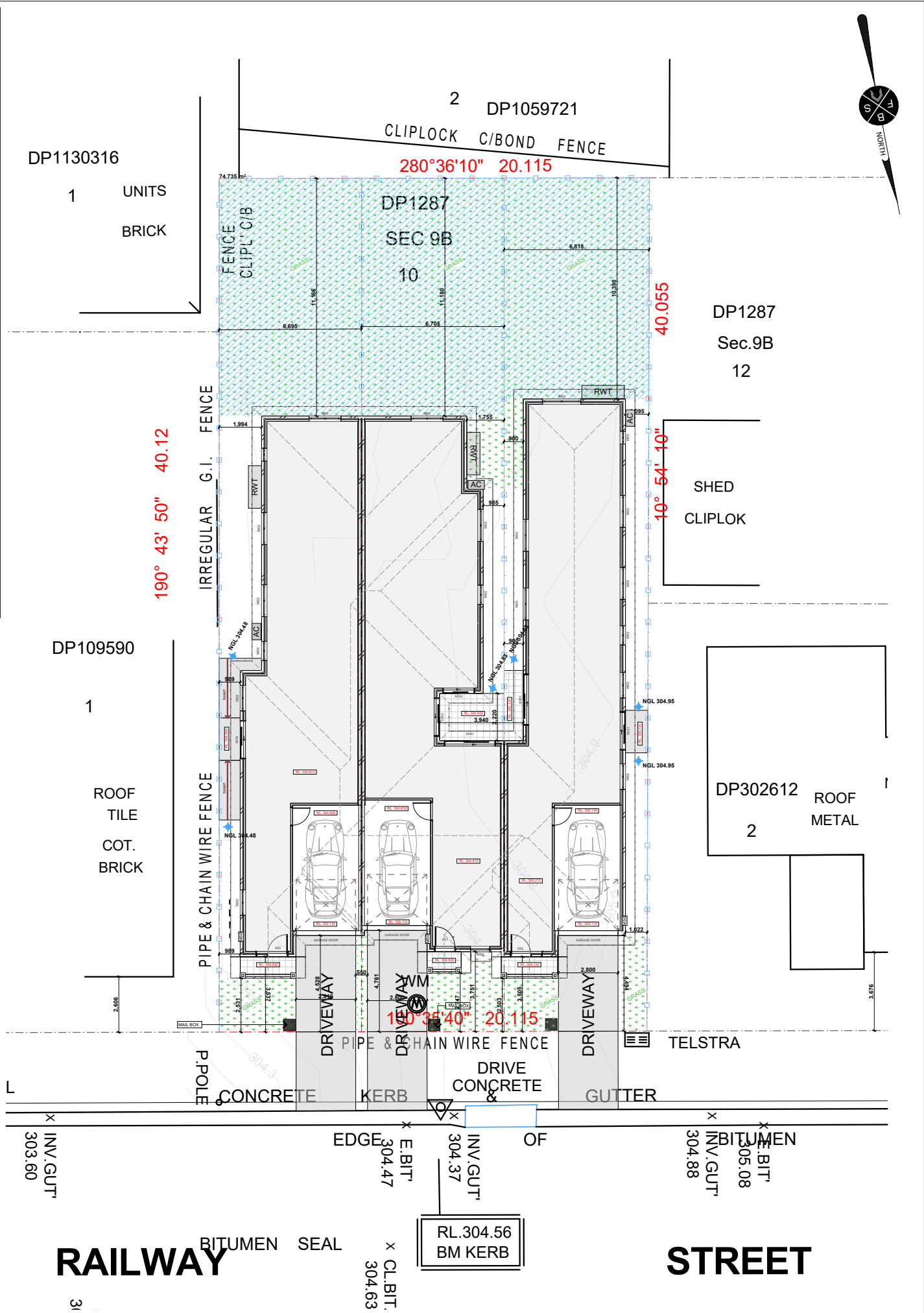
TOTAL AREAS INCLUDING EXTERNAL WALLS:
HOUSE 1: 129.94 m²
HOUSE 2: 143.54 m²
HOUSE 2: 131.94 m²

(MEASUREMENTS TAKEN INTERNAL OF WALLS)
(EXCLUDING: VOIDS, PATIOS, ALFRESCO, BALCONIES AND THE LIKE)

LANDSCAPE AREA:
Landscape Area provided 265.22m² (32.77%)

PRIVATE OPEN SPACE AREA
PROPOSED POS = 220.4 m²

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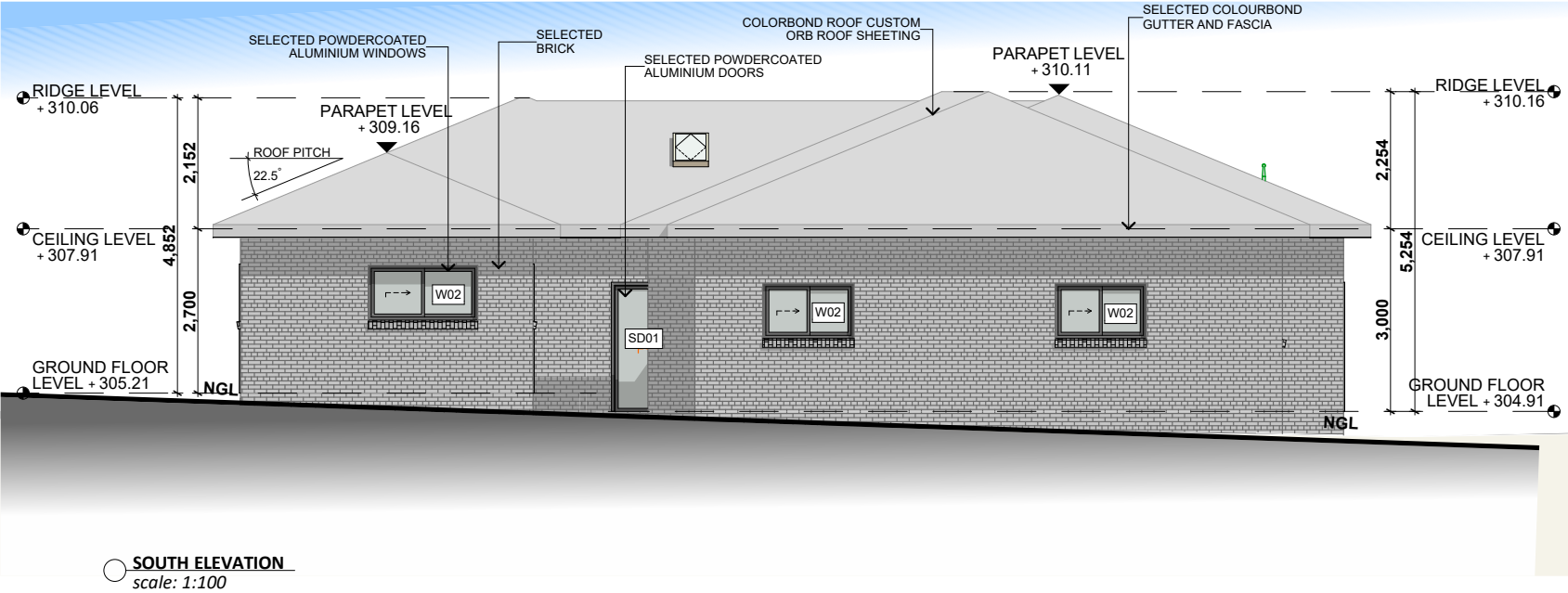
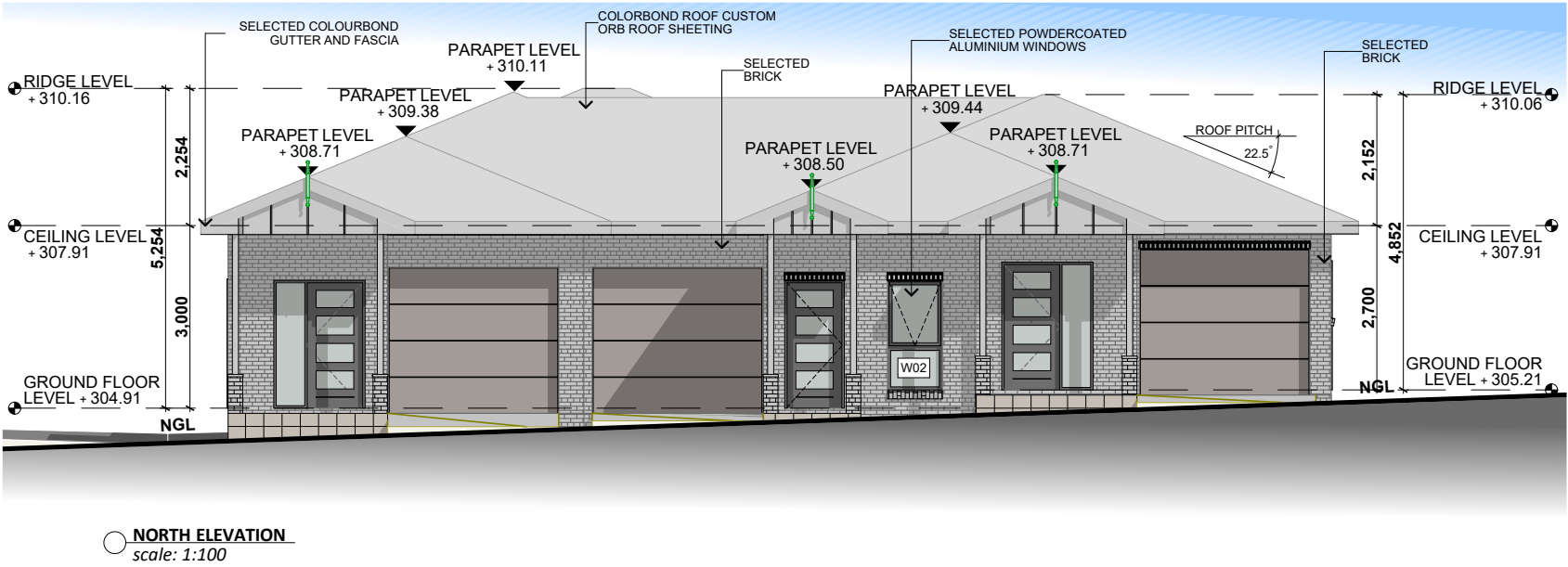
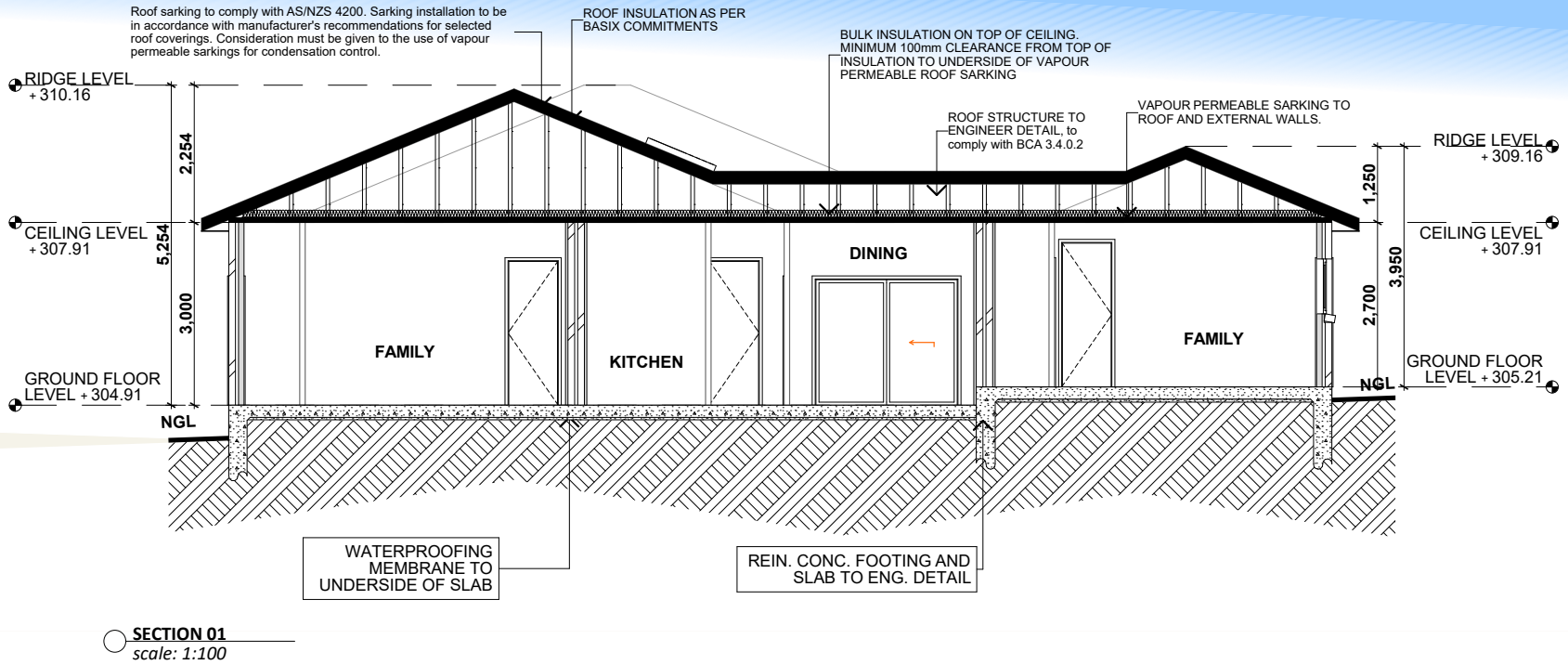


Note:
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Site Plan

GENERAL NOTES			REVISIONS			DRAWING DETAILS			PROJECT DETAILS			ACCREDITATIONS																	
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Elevations and Section

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DRAWING DETAILS

SCALE 1:100 @ A3
DATE 18-Sep-25
DRAWN BY F. SAMI
CHECKED BY F. SAMI
JOB REF FBSD049
REVISION 04

PROJECT DETAILS

TITLE Elevations and Section
PROJECT Proposed Demolition of Existing, Community Title Subdivision and Construction of Three Terrace Dwellings
ADDRESS LOT10, DP1287, 3 Railway Street Cowra
2794
CLIENT MR M.Kilzi
COUNCIL Cowra City Council

ACCREDITATIONS

bdaa
ACCREDITED
BUILDING DESIGNER



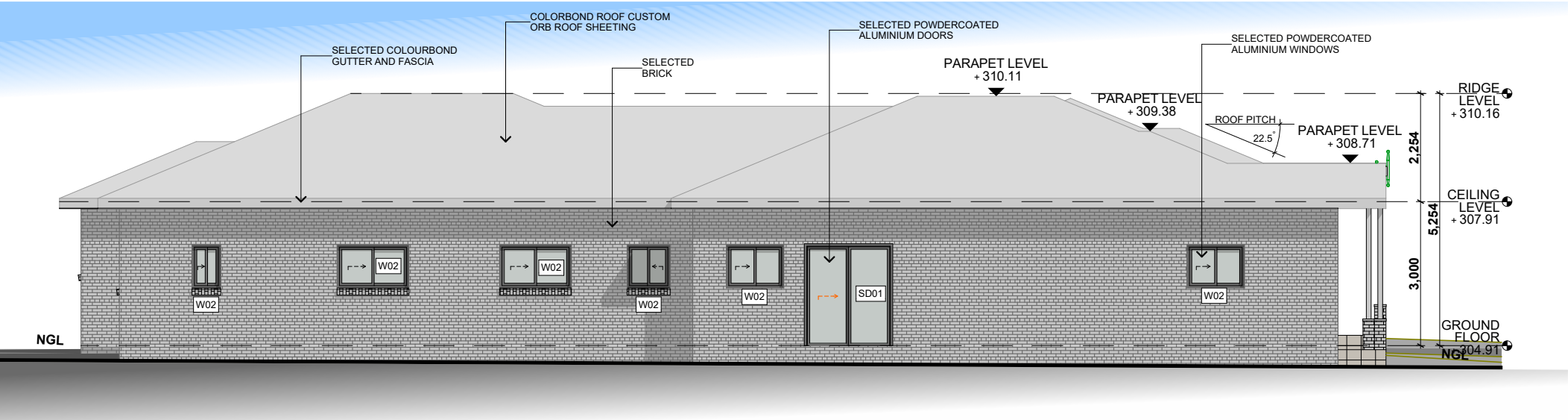
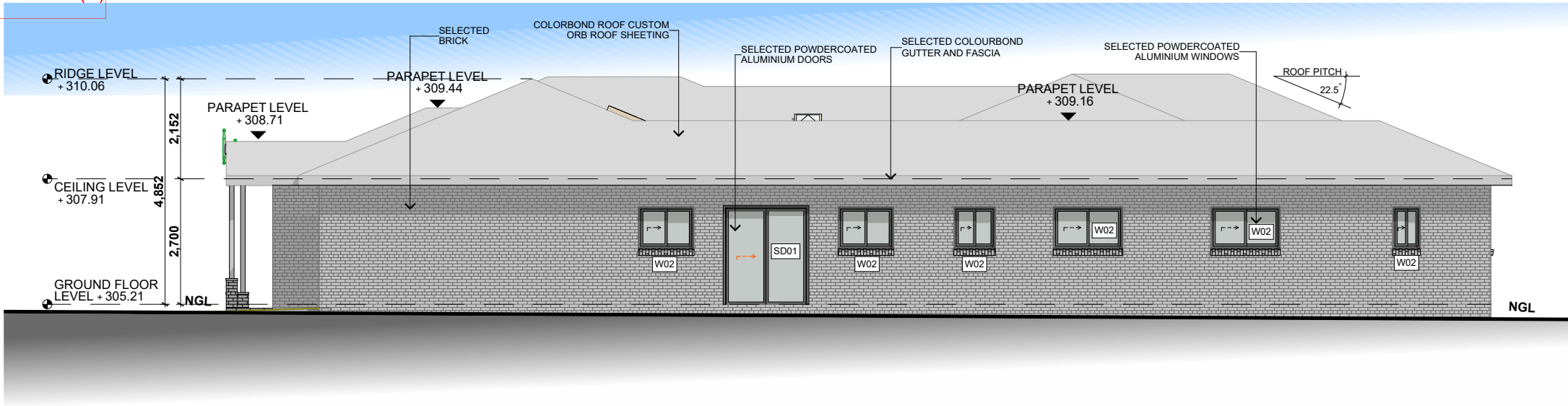
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Elevations

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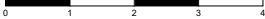
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OTHER NOTES:

DRAWING DETAILS

SCALE 1:100 @ A3
DATE 18-Sep-25
DRAWN BY F. SAMI
CHECKED BY F. SAMI
JOB REF FBSD049
REVISION 04

PROJECT DETAILS

TITLE Elevations
PROJECT Proposed Demolition of Existing, Community Title Subdivision and Construction of Three Terrace Dwellings
ADDRESS LOT10, DP1287, 3 Railway Street Cowra
2794
CLIENT MR M. Kilzi
COUNCIL Cowra City Council

ACCREDITATIONS

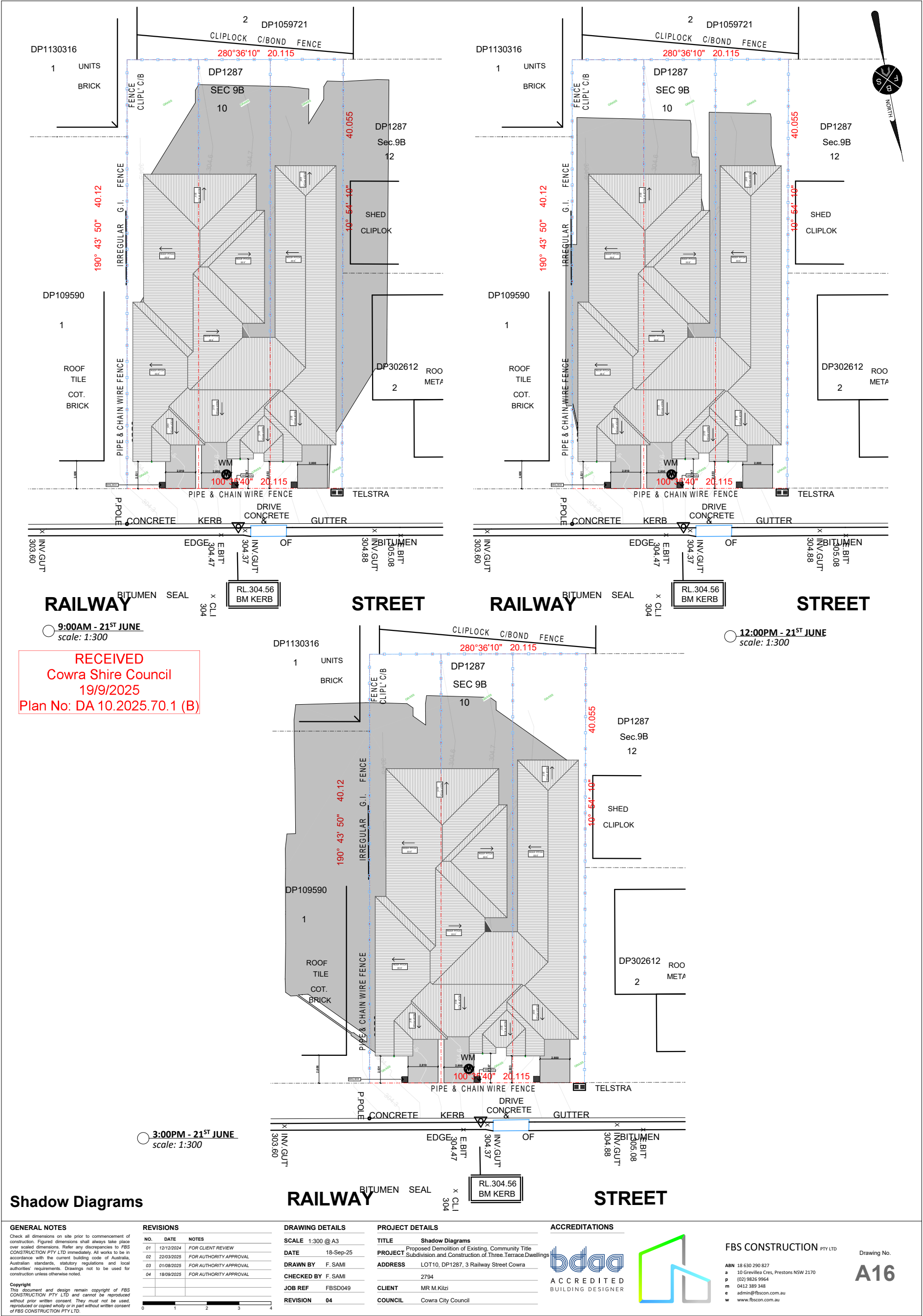


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Drawing No.

A08



Shadow Diagrams

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			03 01/08/2025 FOR AUTHORITY APPROVAL			REVISION 04			COUNCIL Cowra City Council			 Drawing No. A16 ABN 18 630 290 827 a 10 Greiville Cres, Prestons NSW 2170 p (02) 9826 9964 m 0412 389 348 e admin@fbscon.com.au w www.fbscon.com.au		
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STATEMENT OF ENVIRONMENTAL EFFECTS

FOR PROPOSED CONSTRUCTION OF THREE SINGLE-STOREY TERRACE DWELLINGS

AT 3 RAILWAY STREET COWRA

WILLCO CONSULTING - ABN: 71 501 935 290 - 18 Parkes Crescent Faulconbridge NSW 2776
Email: info@willco.net.au - Ph: 0433 710 662 – Web: www.willco.net.au

1

Introduction

This Statement of Environmental Effects (SoEE) has been prepared to accompany a Development Application for the demolition of existing outbuildings and a brick cottage and the construction of three single-storey terrace dwellings arranged in a row, each with an attached single garage, at LOT 10 DP 1287, 3 Railway Street, Cowra NSW 2794.

In particular, this SoEE includes:

- a review of the site and the surrounding context;
- a comprehensive description of the proposed development;
- an assessment of the proposal against the provisions of the Cowra Local Environmental Plan 2012, Cowra Development Control Plan 2021, applicable State Environmental Planning Policies (including but not limited to SEPP (Housing) 2021 and SEPP (Transport and Infrastructure) 2021), and other applicable statutory controls;
- a summary and conclusion.

This SoEE has been prepared in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979, which requires an assessment of environmental impacts, the suitability of the site for the proposed development and broader public interest considerations. This statement addresses the following key considerations as outlined in the Act:

- adherence to relevant environmental planning instruments, draft instruments under public consultation, development control plans, and any applicable planning agreements or proposed agreements under section 7.4;
- assessment of the potential impacts of the development, including effects on the natural and built environments, as well as social and economic implications within the locality;
- consideration of the site's appropriateness for the proposed development;
- review of any public submissions received in accordance with the Act or regulations;
- confirmation that the development is consistent with the broader public interest.

This SoEE determines that the proposal aligns with the objectives and provisions of the Cowra Local Environmental Plan 2012 and the Cowra Development Control Plan 2021. We are pleased to submit this SoEE for the proposed demolition, community title subdivision and construction of three terrace dwellings, which, once approved, will provide increased housing diversity within the Railway Street precinct, deliver well-designed medium density dwellings that respond to the local heritage character area, provide landscaped private open space and on-site parking, and contribute positively to the local housing supply and economic activity in Cowra.

The Subject Site and Locality

Local Character

The site is located within the Railway Street heritage character area of Cowra and sits in a predominately residential precinct governed by the R1 General Residential zoning under Cowra Local Environmental Plan 2012. The immediate locality exhibits a mix of single-storey residential forms and older cottages with modest front setbacks to Railway Street, concrete kerb and guttering and regular road frontage treatments. The proposed development responds to this established residential character by delivering single-storey brick terrace dwellings with pitched Colourbond roofs and modest porch elements. Materials and finishes nominated on the plans—selected face brick (PGH Highlands Blackheath or similar), Colourbond Custom Orb roofing in a lead/neutral tone, aluminium powdercoated windows and Portland Stone garage doors—are consistent with the subdued, durable palette found in the surrounding area and will present a cohesive, low-key frontage appropriate to the heritage character area. The development's single-storey scale, maximum ridge height of approximately 5.25 m and roof pitch (22.5°) maintain a domestic scale and roof form that read sympathetically with neighbouring single-storey dwellings and cottage forms along Railway Street.

The proposal also retains the street's established rhythm by providing three dwellings with individual porch entries and garage bays that align with the existing kerb and crossovers. Landscaping proposals, including turf and modest shrub and tree planting (Lilly Pilly, Gardenia, Viburnum and Heliotrope), and brick garden edging will contribute to a softer streetscape interface and help integrate the development into the local character area. Rainwater tanks and considered stormwater arrangements further reflect contemporary, low-impact residential practice while supporting the precinct's amenity and environmental performance.

Neighbourhood Scale & Streetscape

Railway Street is characterised by relatively narrow residential frontages and a consistent street edge defined by low front setbacks and on-street kerb infrastructure. The subdivision layout creates three narrow-deep lots with frontage widths of approximately 6.42 m, 6.43 m and 6.71 m respectively. The proposed front setback to the dwellings is approximately 3.53 m (porches setback to about 2.53 m), which aligns with the modest building-to-street relationship common in the immediate neighbourhood and maintains an active public interface. Garages are integrated into the street frontage but are softened by small porches and entry elements that provide pedestrian amenity and visual variation across the façade.

Vehicle access and driveway placement directly from Railway Street mirrors existing access arrangements in the locality. Noting the Council control recommending driveways be located at least 1.5 m from side boundaries, the design proposes driveways within 1.5 m of the eastern boundary and the internal lot boundary between Lots 1 and 2; this arrangement reflects the narrow lot pattern and is consistent with typical infill, medium-density responses where efficient use of the frontage is required. Visitor parking is not required by the plans and the provision of single garages for each dwelling, together with on-site manoeuvring to the street, responds to local parking expectations for similar residential development.

The overall built form presents a low-scale, continuous terrace that will sit comfortably in the streetscape. The roof form, brickwork, and porch articulation provide modest vertical and horizontal modulation to

break down massing and avoid a monolithic appearance. The landscaping to the front and rear of the site will further moderate the development's visual impact and contribute positively to the streetscape setting.

Site Scale

The site is generally level with natural ground levels between approximately RL 304.3 and RL 305.77 and a front kerb level shown at RL 304.56. The consolidated site area is 809.19 m² and is proposed to be subdivided into three community title lots of roughly 267.29 m², 267.72 m² and 271.70 m², resulting in narrow, deep allotments typical of terrace development. Each dwelling is single storey with internal floor areas reported as House 1: 97.53 m², House 2: 110.44 m² and House 3: 97.90 m², and single garages of around 18.1–18.4 m². The terrace layout provides landscaped private open space to the rear of each lot and a combined landscape area of approximately 265.22 m² (32.77% of the site), which achieves a proportion of soft landscaping and private open space appropriate to medium-density residential development and consistent with the site's constraints.

The layout retains a clear public-private interface to Railway Street while positioning functional private yards to the rear. Roofwater capture via BASIX-sized rainwater tanks and concept stormwater measures including pits and minimum grades to kerb are shown on the drawings; however final hydraulic design, pit sizing and invert levels will require certification by a hydraulic engineer. Existing on-site structures including a brick cottage and G.I. sheds will be demolished to facilitate the development; demolition documentation includes asbestos checks given the age of the existing buildings. Services are indicated at the front of each proposed lot with water meters and sewer provision shown, but exact service locations, potential underground power and overhead lines should be confirmed via Dial Before You Dig prior to construction.

The terrace form, single-storey scale and selection of durable, traditional materials seek to respect the local context while achieving efficient residential intensification on a level, centrally located lot. The design acknowledges planning controls relevant to the site, including the Railway Street character area provisions of the Cowra DCP 2021, and identifies several controls requiring further assessment (for example, requirements for major windows to the street, minimum site frontages and driveway separation from boundaries), ensuring those matters are addressed through the SoEE and any required variation requests.

Planning History

[] No planning history provided; details of any previous approvals, refusals or Section 10.7 certificates are not available in the supplied documentation and should be inserted here if required.

Proposed Works

The proposal involves demolition of the existing brick cottage, G.I. sheds and lean-to structures and the creation of a community title subdivision with the construction of three single-storey terrace dwellings arranged in a row, each with an attached single garage and private rear yard.

The three dwellings are each three-bedroom, two-bathroom residences (main bedroom with ensuite), configured to provide separate living/family and dining/kitchen areas, a study, laundry and storage. Building materials, finishes and construction methods are documented on the architectural drawings and construction notes and reference compliance with the National Construction Code 2022 and relevant Australian Standards.

- Demolition and subdivision: demolition of existing dwelling and outbuildings, preparation of a community title subdivision to create three lots. Lot areas are: Lot 1 – 267.294 m²; Lot 2 – 267.716 m²; Lot 3 – 271.695 m² (total site area 809.19 m²).
- Built form and layout: three single-storey terrace dwellings in a linear arrangement facing the street. Front setback to main dwelling walls is approximately 3.53 m with porches projecting to approximately 2.53 m. Each dwelling includes a front porch, single garage and landscaped rear yard. Individual internal floor areas measured to internal walls are: House 1 – 97.53 m²; House 2 – 110.44 m²; House 3 – 97.90 m². Porch areas are: House 1 – 2.6 m²; House 2 – 1.6 m²; House 3 – 2.6 m². Single garages measure approximately 18.35 m², 18.11 m² and 18.29 m² respectively with garage doors nominally 2.8 m x 2.4 m.
- Architectural design, materials and finishes: external walls are brick with selected face brick (PGH Highlands Blackheath or similar). Roof sheeting is Colourbond Custom Orb at a 22.5° pitch. Garage doors are Colourbond (Portland Stone or similar), gutters and downpipes are specified in a lead colour, and windows and external doors are powder-coated aluminium. Internal and external finishes are shown on the materials schedule.
- Heights and roof form: single-storey construction with a proposed maximum ridge height of 5.25 m (as annotated on the drawings). Roof insulation and vapour-permeable sarking are specified.
- Construction methodology: slab-on-ground construction with waterproofing membrane to the underside of the slab and reinforced concrete footings. Structural, earthworks and foundation details are to be undertaken in accordance with the engineering documentation and relevant NCC provisions.
- Internal layout: each dwelling provides three bedrooms, two bathrooms (including ensuite to main bedroom), separate family/living and dining/kitchen spaces, a study, laundry and storage areas, with living areas arranged to serve private open space to the rear.
- Access and parking: each dwelling has an attached single garage providing on-site parking and direct driveway access to the street. Driveway alignments and vehicle manoeuvring are shown on the site plan.
- Services and stormwater/sewer: proposed water meters and sewer connections are located at the front of each lot as shown on the concept services plan. Rainwater tanks sized in accordance with BASIX commitments are indicated for each dwelling with charged 1000 mm PVC lines to tanks and overflow directed to the kerb. Concept stormwater design shows grated pits (450 x 450 mm) and minimum grades to kerb; the drawings note stormwater and sewer information is conceptual and that detailed hydraulic design will be prepared for final invert levels, pit sizing and connections.
- Landscape and open space: landscaped areas are provided across the subdivision with a combined landscape area of 265.22 m² (32.77% of the site) and proposed private open space of approximately 220.4 m². The landscape plan identifies turf areas, planting species (including Lilly Pilly, Gardenia, Viburnum and Heliotrope), brick garden edging, tree pit details, and letterbox piers.
- Site works, sediment and erosion control: the drawings include demolition, sedimentation and erosion control measures and a sedimentation control plan. Existing small trees/shrubs and outbuildings indicated for removal are shown on the demolition and site plans. Demolition notes identify the need for asbestos inspection for pre-1990 structures and the drawings identify existing services and the potential for underground and overhead utilities (Dial Before You Dig notation on the plans).
- Regulatory and construction notes: the documentation references compliance with the National Construction Code 2022 and a range of Australian Standards for construction, waterproofing, termite management, glazing, sealed paving, drainage and parking. The drawings include general construction notes, structural and NCC requirements, and notes on ventilation, wet area waterproofing and smoke alarms.

Zoning

The site is zoned as **R1 General Residential** under the Cowra Local Environmental Plan 2012. The zoning outlines the permissible uses of the land as follows:

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.

Permitted without consent

Nil

Permitted with consent

Attached dwellings; Boarding houses; Respite day care centres; Secondary dwellings; Seniors housing; Shop top housing; Subdivision; Tiny houses; Dual occupancies, subject to Part 2.7 of the State Environmental Planning Policy (Housing) 2021; Dwelling houses; Residential flat buildings; Group homes; Hostels; Multi dwelling housing; Residential accommodation (other than boarding houses, hostels, group homes, lodges, seniors housing or respite day care centres)

Prohibited

Any development not specified in this table

The objectives of the R1 General Residential zone focus on accommodating diverse housing needs and densities while enabling complementary land uses that serve the local community. This aligns with the proposed redevelopment involving the demolition of existing structures and the construction of three single-storey terrace dwellings. These terraces fall under the category of **multi dwelling housing**, which is explicitly listed as permitted with development consent in the R1 zone.

Accordingly, the proposed development is permissible with consent under the Cowra Local Environmental Plan 2012 as it directly conforms to one of the residential land uses envisaged for the R1 General Residential zone. The terraces contribute to housing diversity and density objectives of the zone while providing accommodation that suits the character and needs of the community.

Additional provisions under the LEP, such as Clause 4.1(4)(b), specify that there is no minimum lot size for community title subdivision in this area, which supports the subdivision approach for the proposed development. Furthermore, the development is located within the Railway Street heritage character area, requiring consideration of heritage character controls under the Cowra Development Control Plan 2021, which is consistent with the planning framework for this zone.

Overall, the proposed terrace dwellings represent a compatible and consentable form of development within the R1 General Residential zoning, satisfying both the zone's objectives and the specified land use table under the Cowra Local Environmental Plan 2012.

Environmental Assessment

Cowra Local Environmental Plan 2012 Compliance Table

Clause & Provisions	Comment	Compliance
1.2 Aims of Plan Sets Plan aims: promote arts/culture, sustainable social/economic/environmental outcomes, protect agricultural and sensitive lands, provide varied housing, support employment and CBD, retain heritage, and provide quality open space.	Three single-storey terrace dwellings in R1 provide housing choice and BASIX-compliant measures (rainwater tanks sized per BASIX, roof insulation, vapour-permeable sarking, waterproofing). Landscaping provides 265.22m ² (32.77%) deep soil; max ridge height 5.25m; garages and rear private open space minimise land use conflict; demolition includes asbestos checks; stormwater/sewer servicing designed to avoid downstream impacts.	Compliant
1.3 Land to which Plan applies Plan applies to land shown on the Land Application Map, defining the LEP's geographic extent and operative provisions within that mapped area.	Subject land is identified on the LEP Land Application Map; all relevant Plan provisions apply. No exclusions identified; assessment has used LEP maps and planning instruments to confirm applicability.	Compliant
1.4 Definitions Dictionary defines terms used in the Plan and applies to interpretation of mapped provisions on the Land Application Map.	Plan definitions applied to assessment: site area 809.19 m ² ; Lot 1 267.294 m ² , Lot 2 267.716 m ² , Lot 3 271.695 m ² ; maximum ridge height 5.25 m. Mapped provisions checked; no additional mapped constraints identified.	Compliant
1.6 Consent authority Council is identified as the consent authority under the Plan, responsible for determining development applications in accordance with the Act.	Council is the consent authority for this development; application, impact assessment and conditions are determined by Council under the Act and applicable planning instruments. Statutory referrals, notifications and concurrences under other legislation and SEPPs have been addressed in submitted documentation.	Compliant
1.7 Maps	Assessment used adopted mapping	Compliant

References to named maps are to adopted and amended maps approved by the plan-making authority; maps may be combined, held in electronic or paper form and made publicly available per Ministerial and NSW Planning Portal technical requirements.	layers; no mapped flood, bushfire or specific heritage overlays identified in provided records. Planning layers and overlays reviewed against available datasets; final applicable maps and any adopted amendments are for the consent authority.	
1.9 Application of SEPPs Plan is subject to State environmental planning policies (SEPPs) which, under section 3.28, prevail over the LEP; subclause (2) lists SEPPs or provisions excluded from the Plan where applicable.	Assessment has regard to applicable SEPPs (including Transport & Infrastructure 2021, Housing 2021, Resilience and Hazards 2021, Sustainable Buildings 2022). Applicable higher-order SEPP controls are referenced in impact, built form and services assessments and complied with.	Compliant
1.9A Suspension of covenants, agreements and instruments Agreements, covenants and similar instruments are suspended to the extent necessary to permit development under the LEP or a consent, excluding council-imposed covenants, Crown Land instruments, conservation/Trust agreements, property vegetation plans, biobanking and planning agreements.	Development can proceed under statutory suspension of private covenants; excluded instruments and public authority registered interests remain effective. Title records and registered instruments were reviewed and no council-imposed covenants, biobanking agreements, property vegetation plans or planning agreements were identified.	Compliant
2.1 Land use zones Defines land use zones, associated objectives and permissible/prohibited uses, operating with the Land Zoning Map and Land Use Table to identify applicable controls.	Zoned R1 General Residential; three terrace dwellings are permissible. Single-storey dwellings max ridge 5.25m, private open space and landscaping 265.22 m ² (32.77%), lots: 267.294 m ² , 267.716 m ² , 271.695 m ² . Conforms with R1 objectives and LEP provisions.	Compliant
2.2 Zoning of land to which Plan applies Land zoned per Land Zoning Map, identifying applicable zone, land use table and Plan development controls (e.g. R1 General Residential, mapped zones such as W2 Recreational	Land is within R1 General Residential. Three terrace dwellings constitute a residential use consistent with R1 objectives and permissible uses. Zoning cross-checked with planning extracts; development wholly within the mapped R1 zone and no waterway or conflicting zone applies.	Compliant

Waterways).		
2.6 Subdivision—consent requirements Subdivision requires development consent; subdivision separating principal and secondary dwellings onto different lots is prohibited unless minimum Lot Size Map values are met.	Community title subdivision creates three lots (267.294 m ² , 267.716 m ² , 271.695 m ²). No secondary dwelling exists; clause 4.1(4)(b) removes minimum lot size for community title subdivision, so subdivision is consistent with clause.	Compliant
2.7 Demolition requires development consent Demolition requires development consent unless exempt under an environmental planning instrument; demolition associated with the proposal proceeds under the lodged development application.	Demolition removes brick cottage, G.I. sheds and lean-tos under this DA. Works comply with legislative and Australian Standards, including asbestos testing/removal for pre-1990 structures, sediment/erosion and traffic controls, Dial Before You Dig, licensed contractors and safe work methods.	Compliant
2.8 Temporary use of land Allows temporary land uses up to 52 days per 12 months if they do not compromise future development, adjoining amenity, environmental values or increase natural hazard risk; sales offices in release areas are exempt from the 52-day limit.	Proposal is permanent: demolition, community title subdivision and construction of three terrace dwellings. No temporary uses, events, pop-ups or sales office proposed. Temporary-use criteria not triggered; standard demolition, restoration, construction management and environmental protection conditions apply as relevant.	Non-Applicable
3.3 Environmentally sensitive areas excluded Prohibits exempt or complying development on identified environmentally sensitive areas, including coastal waters/lakes/wetlands, littoral rainforest, aquatic reserves, marine parks, Ramsar and World Heritage sites, land within 100m, areas of high Aboriginal or biodiversity significance, reserved conservation lands, and declared critical habitat.	Development is outside coastal, Ramsar, World Heritage, aquatic reserve and marine park areas and not within 100m of such features. Not identified as high Aboriginal or biodiversity significance, not reserved under NPW Act or CLM Act, nor declared critical habitat; clause	Non-Applicable
4.1 Minimum subdivision lot size Sets minimum lot sizes per Lot Size	Community title subdivision creates three lots of 267.294 m ² , 267.716 m ² and 271.695 m ² ; clause 4.1 exclusions	Compliant

Map, with specified reduced minima where reticulated water/sewage apply; excludes strata and community title subdivisions under specified Acts.	apply so Lot Size Map minima do not apply. Combined landscape area 265.22 m ² (32.77%), practical narrow-deep layouts provided.	
4.1A Minimum subdivision lot size for strata plan schemes in certain rural and residential zones Ensures strata plan subdivision lots in RU1, RU4, R5 and C3 used for residential or tourist accommodation meet Lot Size Map minima; overrides clause 4.1. SEPP Codes Part 6 may allow strata subdivision as complying development.	Proposal is community title subdivision creating three lots in a General Residential zone, not a strata plan scheme; clause 4.1A does not apply. Community title subdivision has no minimum lot size per clause 4.1(4)(b); future strata subdivision in RU1/RU4/R5/C3 must meet Lot Size Map minima.	Non-Applicable
4.1AA Minimum subdivision lot size for community title schemes Sets minimum lot sizes for community title subdivisions under the Community Land Development Act 2021 in RU1, RU4, R5 and C3 zones; excludes strata plan registration and operates despite clause 4.1.	Clause 4.1AA does not apply because land is zoned R1 General Residential. Subdivision designed to comply with applicable LEP and DCP community title and residential subdivision controls.	Non-Applicable
4.1B Minimum subdivision lot size for certain split zones Allows subdivision of split-zoned lots containing residential/employment and primary production/environment zones where clause 4.1 would otherwise prohibit subdivision, subject to minimum lot sizes on the Lot Size Map.	Land is solely within a residential zone; clause 4.1B does not apply. Proposed community title subdivision creates three lots (267.294 m ² ; 267.716 m ² ; 271.695 m ²) and is subject to LEP provision removing minimum lot size for community title subdivision.	Non-Applicable
4.1C Exceptions to minimum subdivision lot sizes for certain residential development Allows combined subdivision and erection of dwellings in R1 where each lot is ≥ 300 m ² to encourage housing diversity without harming amenity.	Application proposes three lots as Community Title: Lot 1 267.294 m ² , Lot 2 267.716 m ² , Lot 3 271.695 m ² . Lots are below 300 m ² but Community Title Subdivision exempts LEP minimum lot sizes, satisfying clause intent.	Compliant
4.1D Boundary changes between lots in certain rural, residential and	Proposal is a community title subdivision and three terraces in a	Non-Applicable

conservation zones Allows boundary changes between adjoining lots in RU1, RU3, RU4, R5, C1, C2 and C3 zones, provided subdivision does not increase lot numbers or dwelling entitlements and excludes strata/community title parcels.	General Residential zone; clause applies only to RU1/RU3/RU4/R5/C1/C2/C3 and is therefore not applicable. No boundary changes governed by this clause are proposed.	
4.2 Rural subdivision Allows creation of lots smaller than Lot Size Map minima in RU1, RU2, RU3, RU4, RU6 for primary production, but prohibits placing existing dwellings on such lots and erecting new dwellings on resulting undersized lots.	Proposal is a community title subdivision and three terraces in a General Residential zone; site is not in RU1/2/3/4/6 and subdivision is not for primary production, so clause 4.2 does not apply.	Non-Applicable
4.6 Exceptions to development standards Allows consent to contravene development standards where strict compliance is unreasonable or unnecessary and sufficient environmental planning grounds justify the variation; certain standards and subdivisions are excluded under the clause.	Community title subdivision and three terraces propose lot sizes 267.294 m ² , 267.716 m ² , 271.695 m ² (from 809.19 m ²) with combined landscape area 265.22 m ² (32.77%). Submission addresses reasonableness, planning grounds and excluded standards. The proposed FSR of 0.48:1 complies with the maximum allowable FSR. The building height of 5.25 m complies with the maximum allowable building height	Compliant
5.3 Development near zone boundaries Allows development within 100 metres of a zone boundary to follow permitted uses of the adjoining zone if consistent with objectives and not located in excluded environmental, recreation or coastal zones, nor for sex services or restricted premises.	Development lies within 100m of a zone boundary but remains an R1-permitted residential terrace use, consistent with R1 objectives, compatible with surrounding uses and infrastructure, not in an excluded zone and not for sex services; clause not relied upon.	Compliant
5.4 Controls relating to miscellaneous permissible uses Sets numerical limits for miscellaneous uses: B&B and farm stay ≤5 guest bedrooms; home business/industry ≤100 m ² ; industrial retail ≤30% GFA or	Proposal comprises three residential terrace dwellings and does not include any listed miscellaneous uses; none of the clause numerical limits or controls are applicable.	Non-Applicable

400 m ² ; kiosks ≤100 m ² ; neighbourhood shops ≤150 m ² ; supermarkets ≤1,000 m ² ; roadside stalls ≤25 m ² ; secondary dwellings ≤60 m ² or 80% of principal; artisan retail ≤30% GFA or 400 m ² .		
5.10 Heritage conservation Objectives conserve environmental, Aboriginal and archaeological heritage, including significance, fabric, settings and views; consent required for demolition, alterations, works in conservation areas, archaeological disturbance and specified exemptions.	Site not mapped as heritage item or conservation area; no identified Aboriginal objects or archaeological sites. Design responds to Railway Street character with single-storey form, face brick and 22.5° roof pitch. Asbestos checks and demolition management undertaken per standards.	Compliant
5.11 Bush fire hazard reduction Permits bush fire hazard reduction work authorised by the Rural Fires Act 1997 without development consent; Act also regulates development on bush fire prone land.	Bush fire hazard reduction permitted under the Rural Fires Act 1997 and not a constraint. No bush fire prone mapping identified in searches or drawings. Construction, landscaping and asset protection measures comply with relevant bush fire safety requirements and Planning for Bush Fire Protection guidance.	Compliant
5.12 Infrastructure development and use of existing buildings of the Crown Clause confirms Plan does not restrict development by public authorities under SEPP (Transport and Infrastructure) 2021 Chapter 2 or Crown use of existing Crown buildings.	Demolition and construction of three terrace dwellings by a private proponent; not carried out by or for a public authority under SEPP Chapter 2 and does not involve Crown buildings, so clause is non-applicable.	Non-Applicable
5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones Clause requires consideration of nearby existing and approved rural, residential and conservation uses (RU1, RU2, RU3, RU4, RU6, R5, C2, C3, C4) and measures to avoid or minimise land use conflict for subdivision or dwellings.	Zoned R1 General Residential so clause is not applicable. No subclause (4) assessment required for the proposed subdivision and three terrace dwellings. Land use compatibility addressed under other applicable planning controls and the DCP.	Non-Applicable
5.21 Flood planning	Site levels RL 304.3–305.77 within	Non-

Objectives minimise flood risk, ensure development compatibility with flood behaviour and climate change, avoid adverse/cumulative flood impacts, and enable safe occupation and evacuation; references Considering Flooding in Land Use Planning Guideline and Flood Risk Management Manual.	existing urban area; no flood planning overlay or flood-prone mapping identified in available spatial data and drawings. Clause not engaged for current works; if identified as within flood planning area, compliance requires demonstration of compatibility, no increased flood affectation, evacuation/life-safety measures and environmental protection per Guideline and Manual. [INSERT site-specific flood impact assessment details if Further Information Required]	Applicable
6.3 Development control plan Requires a Development Control Plan for urban release areas detailing staging, transport hierarchy, landscaping, recreation networks, stormwater/water quality, hazard amelioration, urban design, density measures, neighbourhood centres, public facilities and parking.	Not in a designated urban release area; DCP requirements do not apply. Design includes landscaping, stormwater concept, on-site rainwater tanks sized for BASIX, traffic access and parking consistent with relevant DCP parts. Hazard investigations (flood, bushfire, contamination) identify no constraints.	Non-Applicable
7.1 Earthworks Earthworks requiring consent must not harm environmental functions, neighbouring amenity, cultural heritage or waterways; consent authority considers drainage, soil stability, fill quality, source/destination of material and relic disturbance.	Demolition and subsoil excavation for three single-storey terraces; Finished levels maintain existing kerb drainage (front kerb RL 304.56). Clean fill, sediment controls, asbestos checks, service locates and Aboriginal unexpected finds protocol applied; final hydraulic design confirms no detrimental downstream impacts.	Complaint
7.3 Terrestrial biodiversity Clause protects native fauna, flora and ecological processes on land mapped 'Biodiversity' and requires assessment of impacts, connectivity and mitigation; consent only if significant adverse impacts are avoided or minimised.	Site is not mapped as 'Biodiversity' and contains no native/remnant vegetation, habitat trees or threatened communities. Proposal demolishes existing structures and constructs three terraces with landscaping using local native species; erosion and sediment controls and measures to protect neighbouring vegetation are implemented.	Non-Applicable
7.4 Riparian lands and watercourses Protects water quality, bed/bank	No mapped watercourse or 40m riparian buffer identified; site level with no flood/watercourse constraints.	Non-Applicable

stability, aquatic and riparian habitats and processes for land mapped as Watercourse and any land within 40m of top of bank.	Stormwater to existing town drainage with on-site detention and rainwater tanks (BASIX). Sediment/erosion controls and final hydraulic design ensure protection of downstream waters.	
7.5 Wetlands Clause protects mapped wetlands from development impacts on native flora/fauna, habitat and surface/groundwater quality, requiring design and management to avoid, minimise or mitigate significant adverse effects.	No wetlands, hydric soils, native aquatic habitat or flood constraints are mapped; site is level and connected to urban stormwater. Stormwater concept includes pits, grades, rainwater tanks, erosion controls and on-site detention; wetlands provisions are not triggered.	Non-Applicable
7.6 Groundwater vulnerability Protect groundwater functions and vulnerable resources from depletion and contamination for land identified on the Groundwater Vulnerability Map; consider contamination risk, impacts on groundwater-dependent ecosystems, cumulative extraction and mitigation measures.	Site not mapped as groundwater-vulnerable; no groundwater-dependent ecosystems identified. Development includes demolition and three single-storey terraces with BASIX rainwater tanks, reticulated sewer/water connection, no on-site effluent or bore extraction. Stormwater/hydraulics designed to prevent subsoil discharge; sediment, erosion, asbestos and chemical controls applied to avoid groundwater contamination.	Compliant
7.7 Airspace operations Protects Cowra Airport operations by preventing development that penetrates the Obstacle Limitation Surface or Procedures for Air Navigation Services Operations Surface unless the Commonwealth body advises no objection.	Site lies outside Cowra Airport OLS/ONS extents. Three single-storey terraces have maximum ridge height 5.25 m and do not penetrate airspace surfaces; no roof stacks or tanks penetrate. Aviation safety and obstacle concerns are not raised.	Compliant
7.8 Essential services Consent requires availability or adequate arrangements for essential services: water, electricity, sewer disposal, stormwater management and suitable vehicular access.	Connected to reticulated water (individual meters shown) and electricity (existing underground/overhead noted). Sewer via existing 1500 connection. Stormwater uses BASIX-sized rainwater tanks with overflow to kerb; concept pits and grades shown. Individual driveways	Conditionally Compliant

	comply with AS 2890.1; hydraulic and engineering details confirm final levels and pit sizes.	
7.10 Industrial development on land in Zone RU1 Ensures general or heavy industries on RU1 Primary Production within 5 km of E4 or residential zones avoid land use conflict and minimise adverse impacts on adjoining amenity and nearby townships.	Development comprises three residential terrace dwellings; no general or heavy industry proposed on RU1 land within 5 km of E4/residential zones. Clause 7.10 is not triggered and no further assessment against its industrial criteria is required.	Non-Applicable
7.11 Development on land in karst areas Protects geodiversity, water quality/flow, ecological, scenic and cultural values of Identified Karst Environment mapped on Natural Resources - Sensitivity - Land Map; requires assessment of impacts on karst features, biodiversity, hydrology and mitigation.	Site is not mapped as Identified Karst Environment; no karst features or soluble rock evident. Works confined to demolition, minor excavation, slab-on-ground, stormwater to kerb, BASIX-sized tanks. Modest earthworks, max ridge 5.25m, RL 304.3–305.77; erosion controls and sediment fencing shown. Negligible risk to subterranean karst systems; no karst-dependent species or caves affected and clause objectives are met.	Compliant

Cowra Shire Council Development Control Plan 2021 Compliance Table

Clause & Provisions	Comment	Compliance
B.1 Soil Erosion and Sediment Control Requires sediment and erosion controls during demolition, subdivision and construction to prevent soil loss,	Documentation includes perimeter sediment fences, stabilised construction entry, temporary sediment traps/pits (shown on control plan), progressive stabilisation and revegetation; demolition notes address	Compliant

protect waterways and public areas, including perimeter controls, sediment fences, stabilised entry/exit, sediment traps/basins, progressive stabilisation and revegetation.	asbestos and safe removal; stormwater concept shows 450x450 pits, 1% grades to kerb and rainwater tank overflows to kerb. Controls maintained to relevant Australian standards and best-practice guidelines.	
B.1.4 Plan requirements Erosion and sediment control required by disturbed area thresholds: up to 250 m ² minor controls; 250–2,500 m ² ESCP at ≥ 1:200; >2,500 m ² SWMP per Landcom 'Blue Book'.	Works disturb 809.19 m ² , requiring an ESCP at 1:200. Graphic plan identifies silt fences, sediment basins/settling, stabilized access, vehicle washdown, stockpile controls, diversion drains, staged revegetation, sequencing and maintenance; prepared consistent with 'Managing Urban Stormwater: Soils and Construction'.	Compliant
B.1.5 Erosion and Sediment Control Plan (ESCP) ESCPs must show locality, north point (magnetic/true), scale, property boundaries, adjoining roads, existing contours, vegetation retained/removed, watercourses/drains, proposed works, earthworks extents, stockpiles, drainage and erosion controls, re-vegetation areas, inspection/maintenance notes.	Prepared ESCP provided with DA: includes locality, north point, scale, boundaries, contours, vegetation retention/removal, no mapped watercourses, existing drainage, concept stormwater, proposed buildings, vehicular access, earthworks extents, stockpile locations, temporary/permanent drainage and erosion controls, re-vegetation and inspection/maintenance procedures consistent with Managing Urban Stormwater Volume 1.	Compliant
C.1 Biodiversity Protect and conserve native vegetation, habitat and biodiversity; minimise habitat loss and fragmentation; avoid impacts to threatened species; require assessment and mitigation (retention, indigenous planting, erosion controls, fauna measures) where vegetation/habitat affected.	Only ornamental garden plants and small non-native trees are to be removed; no mapped remnant native vegetation, significant habitat or threatened species identified. Sediment/erosion controls and landscape plan include native-derived plantings (Lilly Pilly, Viburnum) prioritising indigenous provenance; standard construction management mitigates biodiversity risk and meets clause objectives.	Compliant
C.1.5 Development Applications Sets lodgement and assessment requirements for development	Application includes architectural, demolition, subdivision, site and landscape plans, BASIX, construction/demolition notes, concept	Compliant

applications, including plans, BASIX, demolition/construction management, heritage/character matters, supporting reports and adherence to relevant DCP clauses.	stormwater/services plan, CEMP, sediment/erosion and traffic measures, heritage considerations and a draft community-title Management Statement; documentation meets lodgement requirements.	
D.8.1 General controls for strata and community title subdivisions Strata and community title subdivisions for medium-density development; require separate reticulated water and sewer connections per lot, physical and legal access to a public road, and a draft Strata Scheme/Management Statement with DA.	Each lot has separate reticulated water and sewer connections; service plan shows meter and sewer locations constructed to Council standards. Individual driveways provide legal physical access. A draft Management Statement is prepared. Existing buildings are demolished; new construction complies with the NCC and referenced Australian Standards.	Conditionally Compliant
D.8.1.a Separate services and access Each strata or community title lot must have separate water, sewer and essential service connections and physical and legal access to the public road; community/neighbourhood lots may be excepted.	Individual water meters and sewer connections shown on the service plan for each lot. Essential services available and connected separately. Legal access established by community title plan with driveways to the public road; common-property exceptions documented in the Management Statement.	Compliant
D.8.1.b Draft Strata Scheme or Management Statement Draft Strata Scheme or Management Statement to establish management of common property, services and maintenance responsibilities for the subdivision.	Draft Management Statement outlines allocation of common property, maintenance responsibilities for driveways, stormwater, landscaping and services, and arrangements for waste collection and vehicle access; to be finalised reflecting consent conditions and final lot boundaries.	Further Information Required
D.8.1.c Building Code compliance Council refuses strata or community title subdivision that leaves an existing building contravening the Building Code of Australia.	Existing buildings will be demolished and replaced by new dwellings documented to comply with the National Construction Code 2022 and relevant Australian Standards, ensuring no building remains in breach of the BCA.	Compliant
D.8.2 Objectives Objectives for strata and community	Three terrace dwellings in community title provide similar lot sizes/configurations. Private open	Compliant

title subdivisions covering equitable lot sizes/design, communal open space and landscaping, amenity and privacy protection, functional access/parking, management arrangements and neighbourhood integration.	space retained; communal landscaping 265.22 m ² (32.77%). Single garages for each dwelling; visitor parking not required. Draft Management Statement prepared for common property, landscaping and waste. Design, privacy and materials integrate with Railway Street character.	
E.1 DWELLINGS Controls for single dwellings require streetscape-responsive design, privacy, solar access, natural ventilation, major habitable room windows facing the street, setbacks, private open space and deep soil landscaping; excludes medium density and certain character provisions.	Three single-storey terrace dwellings on community title vary the major street-facing window requirement: central dwelling complies; two flank dwellings have porches/garages limiting major windows. Single-storey form provides solar access, rear private yards and 32.77% landscaped area; passive surveillance achieved via entries, porches and landscaping.	Variation Required
E.1 Dwelling window outlook requirement Each dwelling must have major habitable room windows overlooking the street for passive surveillance and streetscape amenity.	Central dwelling provides a major street-facing habitable room window. Western and eastern dwellings have limited street windows due to on-grade garages and porches on 6.42–6.71m frontages. Entry porches, small windows, front landscaping and low boundary treatments maintain visibility and activation.	Variation Required
E.1 Setbacks and building form Dwellings to maintain appropriate front, side and rear setbacks, respond to streetscape rhythm, provide adequate private open space and retain single-storey forms where local character controls require.	Front setback 3.53m (porches 2.53m); side and rear setbacks provide private yards. Landscaped/deep soil area 32.77%. Single-storey with maximum ridge height 5.25m, consistent with dwelling controls and surrounding context.	Compliant
E.1 Solar access and natural ventilation Dwellings oriented to maximise solar access to living areas and private open space and to provide natural cross-ventilation for internal amenity.	Single-storey layout with north-facing rear private open spaces provides adequate solar exposure typical of single-storey terraces. Operable windows and inter-dwelling separation enable natural cross-ventilation. Solar access to primary living rooms and POS is supported by submitted plans and shadow analysis.	Conditionally Compliant

E.1 Private open space and landscaping Dwellings must provide adequate private open space and sufficient deep soil landscaping and canopy planting to soften development and deliver environmental and amenity benefits.	Each dwelling has rear private open space; combined landscaped area 265.22 m ² (32.77%). Planting includes canopy and screening species (Lilly Pilly, Gardenia, Viburnum, Heliotrope) with tree pit details and deep soil zones along boundaries and rear yards.	Compliant
E.1.1 Application of Part Part E.1 applies to new dwellings and alterations/additions in R1, RU5, E1, E3 and R2 zones; includes alterations/additions and applies to single dwellings but not medium-density development.	Proposal is three single-storey terrace dwellings assessed as individual single dwellings under DA pathway, designed to satisfy DCP dwelling controls; where controls assume detached form, justification is provided in the SEE and procedural/report requirements addressed.	Compliant
E.1.2 Objectives Objectives ensure dwellings respect streetscape, limit bulk/height, provide setbacks, privacy, landscaping, integrated garages, passive solar, private outdoor areas, vehicle access and appropriate sewer or on-site sewage management.	Three single-storey terraces, max ridge 5.25m, front setback 3.53m, porches 2.53m. Combined landscaping 265.22m ² (32.77%). Garages integrated with face brick. North-south orientation, glazing and insulation for passive solar. Vehicle access, water and sewer connections and rainwater tanks for BASIX compliance are provided.	Compliant
E.1.3 Site Analysis Planning Site analysis identifies natural and built constraints and opportunities, including orientation, levels, services, easements, access, views, movement corridors, and vegetation, with example plan in the DCP.	Site analysis documents orientation (N-S, Railway Street south), levels RL304.3-RL305.77, services, easements, access, vegetation proposed for removal, no flood/bushfire/heritage constraints, overshadowing impacts assessed, and informed dwelling siting, setbacks, private open space, tree retention and drainage coordination.	Compliant
E.1.4 Soil Erosion + Sedimentation Control Sediment and erosion controls required for demolition, subdivision and construction to minimise soil loss, limit stormwater discharge, protect waterways and prevent nuisance,	Construction documentation includes a sedimentation control plan showing stabilised entry/exit, silt fencing, sediment traps at discharge points, temporary drainage and 1% grades to kerb. Asbestos handling, maintenance until stabilisation and compliance with Australian Standards are detailed.	Compliant

complying with Australian Standards and Council requirements.		
E.1.5 Cut and Fill Controls Scaled cut and fill plan required for sloping sites; encourage split-level/pier foundations. Cut setbacks 0.9m, fill setbacks 1.5m. Batters max 1:2 (v:h) unless geotechnical certification. Stabilisation, drainage and non-nuisance stormwater required; cuts generally $\leq 1.0\text{m}$.	Scaled cut and fill plan included showing excavation/fill for three terrace dwellings and garages. Natural ground RLs $\sim 304.3\text{--}305.77$; earthworks limited to $\leq 1.0\text{m}$. Fill setback $\geq 1.5\text{m}$, cut setback $\geq 0.9\text{m}$; batters $\leq 1:2$. Retaining, erosion controls, stabilisation and drainage detailed on engineering, sediment and landscape plans.	Compliant
E.1.6 Streetscape Controls Streetscape controls require dwellings to match scale and character of adjoining buildings, address all frontages, provide at least one major habitable-room window overlooking the street or public space, respect topography and include landscaping.	Design uses single-storey pitched brick forms, consistent with Railway Street heritage character; porches, articulated entries, street-facing garages, proposed window placement and landscaping deliver visual interest and passive surveillance. Only central dwelling clearly meets the major habitable-room window requirement; variation sought given low ridge height (5.25m), consistent materials and active frontage.	Variation Required
E.1.7 Height Controls Limits maximum ridge height of residential buildings to 9.0 m above natural ground; requires stepping on slopes to avoid protrusion from the landscape.	Terraces are single-storey, maximum ridge 5.25 m (RL310.16) above surveyed natural ground (approx. RL304.3–305.77), complying with 9.0 m limit; building does not require stepping. Reduced levels shown on plans.	Compliant
E.1.8 Solar Access Controls Living areas of adjoining dwellings and at least 50% of usable private open space must receive a minimum of 3 hours sunlight between 9am–3pm on 21 June; existing sunlight below 3 hours must not be further reduced.	Design features north-facing living areas and single-storey form with 5.25m max ridge height suggesting limited overshadowing. 3-hour compliance for affected living areas and 50% of private open space.	Complaint
E.1.9 Front setback controls Front setbacks locate buildings relative to neighbours and the street, measured	Dwellings set back 3.53 m to main walls and 2.53 m to porches. Setbacks allow front landscaping, pedestrian amenity and active entries; porches are	Compliant

from the front boundary to the outer edge of the building wall and providing space for landscaping.	subordinate and maintain coherent streetscape rhythm.	
E.1.10 Side Setbacks Side setbacks specify minimum distances from side boundaries to building articulations (external living areas excluded). Single-storey minimum 0.9 m (eaves 0.45 m); two-storey minimum 1.5 m (eaves 0.45 m).	Single-storey dwellings on narrow lots. Side setbacks 0.98m (east) and 1.0m (west), complying with 0.9 m;	Compliant
E.1.11 Rear Setbacks Rear setbacks provide private rear space, visual and acoustic separation; measured from rear boundary to outside edge of building articulation. Lots $\leq 700\text{m}^2$ require 5m; lots $> 700\text{m}^2$ require 8m minimum.	Parent site area 809.19m^2 so $> 700\text{m}^2$ standard applies. Terrace dwellings provide landscaped rear yards with rear setbacks of 8.0m to the building edge as shown on submitted plans, achieving required privacy and separation.	Compliant
E.1.12 Visual & Acoustic Privacy Controls Controls require dwelling design to avoid direct overlooking of neighbouring primary living windows and to locate noise sources away from sensitive rooms, using screening, high-level or obscured glazing and siting of service areas.	Terrace dwellings minimise overlooking and acoustic impact: living windows and courtyards orient away from neighbouring primary living windows; side glazing is high-level or obscure and limited in size; no balconies directly overlook neighbours; mechanical plant sited adjacent to garages/screened roof areas; non-sensitive spaces placed to side boundaries, providing compliant visual and acoustic privacy.	Compliant
E.1.13 Landscaped Area Controls Landscaped area includes permeable surfaces (grassed/vegetated) and excludes impermeable areas; new single dwellings require minimum 40% landscaped area of total site area.	Landscaped area 265.22 m^2 (32.77% of 809.19 m^2), short by 7.23% ($\sim 58.29\text{ m}^2$). Landscaping concentrated in private rear courtyards and front treatments; includes turf, planting schedule and rainwater tanks to maximise permeability and stormwater management.	Variation required
E.1.14 Sustainable building design controls	Includes BASIX-sized rainwater tanks with charged overflow, roof insulation and vapour-permeable sarking, durable	Compliant

Requires energy-efficient, water-conserving sustainable design (passive design, solar access, shading, materials selection, waste reduction, rainwater reuse, stormwater management) and compliance with BASIX, NCC and relevant State SEPPs.	materials (face brick, Colorbond), natural cross-ventilation, NCC 2022 thermal/ventilation references, conceptual stormwater pits/grades and construction waste controls; roof accommodates PV and BASIX commitments met.	
E.1.15 Livable Housing Design New dwellings to incorporate Livable Housing Silver level features: step-free paths and entrances, accessible internal doors/corridors, entry-level toilet, hobless shower recess, reinforced walls for grab rails, and stair handrail where rise > 1m.	Dwellings achieve Silver level: continuous step-free path from street/parking to level entry, at least one level entrance, accessible door/corridor widths, entry-level toilets, hobless showers, reinforced sanitary walls for future grab rails; stair handrails provided where rise exceeds 1m.	Compliant
E.2.1 Application of Section Part applies to medium density housing in R1, RU5, B2 and B5 zones and defines types: secondary dwelling, dual occupancy, semi-detached, attached dwelling, multi-dwelling housing and residential flat building; secondary dwellings limited to 60m ² or 80% of principal dwelling.	Proposal comprises three terrace dwellings (multi-dwelling housing) within R1 on a single Torrens Title. No secondary dwellings or dual occupancy proposed, so 60m ² /80% restriction is not applicable; typology and land use comply with the Part and R1 zoning.	Compliant
E.2.2 Objectives Objectives include diverse dwelling types, accessible housing, responsive design to site and streetscape, landscaping, appropriate bulk and scale, privacy, vehicle access/parking, passive solar design and provision of essential services.	Design provides three single-storey terrace dwellings with universal design (single-level access), 32.77% landscaped area, max ridge height 5.25m, single garages for each dwelling, considered solar orientation, private open space, acoustic/privacy measures and concept services plan.	Compliant
E.2.3 Site Analysis Requires site analysis of constraints and opportunities including streetscape, orientation, overshadowing, flood, services, easements, views, movement corridors and vegetation to inform design.	Site analysis prepared identifying lot orientation, existing services, no flood or bushfire constraints, and Railway Street heritage character. Design responds with narrow deep lot layout, private open spaces and retention of mature vegetation; submitted plans include site levels and context.	Compliant

E.2.4 Soil Erosion and Sedimentation Control Requires a Soil Erosion & Sediment Control Plan prepared per Part Q and implementation of controls prior to and during construction.	A sedimentation control plan is included. Construction-stage measures per Part Q and the submitted plan are implemented: sediment fencing, controlled access points and secured stockpiles maintained throughout construction.	Compliant
E.2.5 Landscaping Medium density housing must comply with Part N landscaping provisions and submit a Landscape Plan where required.	Landscape plan submitted showing planting schedules, turf, tree pit details and 32.77% landscaped area; uses canopy and screening species suited to streetscape and private open space and satisfies Part N requirements.	Compliant
E.2.6 Cut and Fill Controls DA on sloping sites requires a cut and fill plan, encourages split-level or pier foundations; minimum setbacks: cut 0.9m, fill 1.5m; batters $\leq 1:2$ without geotechnical report; cut/fill generally ≤ 1.0 m.	Site is generally level; slab-on-ground construction with minimal earthworks. Scaled cut and fill plan shows works within setbacks and limits; no batters $> 1:2$. Excavation > 1.0 m will include drainage and retention details and geotechnical/engineering design.	Compliant
E.2.7 Site Area and Frontage Controls Minimum average site area 300m ² per dwelling; minimum site frontage 18m (17m for curvilinear frontages) for dual occupancies, semi-detached, attached and multi-dwelling housing.	Subdivision creates three lots averaging 268.9m ² (267.294m ² ; 267.716m ² ; 271.695m ²) with individual frontages ~6.42–6.71m (combined ~19.56m). Variation sought to average site area; design provides 32.77% landscaping, adequate private open space, vehicle access, parking and maintains amenity and streetscape.	Variation Required
E.2.8 Streetscape Controls Controls require consistency with adjoining scale and character, address multiple frontages, provide at least one major habitable-room window overlooking the street, break long walls, ensure compatible garage/carport treatments visible from public domain, and retain street trees.	Central dwelling provides a major street-facing habitable-room window; flanking dwellings have limited street windows due to terrace layout. Variation sought for E.2.8.c; streetscape rhythm achieved via consistent materials, porches, articulation, staggered wall lengths, compatible garage treatments, retained street trees and additional landscaping.	Variation Required
E.2.8 Streetscape Controls a	Three single-storey terraces use single-storey massing, face brick,	Conditionally Compliant

Developments must match scale and character of adjoining dwellings and surrounding streetscape.	22.5° pitched Colourbond roof and aluminium windows. Maximum ridge height 5.25 m maintains low profile and visual compatibility with Railway Street character area.	
E.2.8 Streetscape Controls b Sites with two or more street frontages must address all frontages in the streetscape design.	Development addresses a single public frontage to Railway Street and does not have multiple street frontages; streetscape control E.2.8(b) is	Non-Applicable
E.2.8 Streetscape Controls c Each dwelling must provide at least one major habitable-room window overlooking the street or public open space; avoid kitchens, bathrooms or laundries dominating the street elevation.	Central dwelling provides a major street-facing habitable room window; outer dwellings orient living areas to internal courtyards and present porches, entries and secondary glazing for passive surveillance. Variation sought due to consistent street character and safety outcomes without changes to building form.	Variation Required
E.2.8 Streetscape Controls d Design must consider existing topography and the characteristics of established buildings along the street, particularly older dwellings.	Design maintains single-storey form, finished floor levels aligned close to existing ground, front setback ~3.53 m to dwellings (2.53 m to porches), preserving street rhythm and the scale of older buildings.	Compliant
E.2.8 Streetscape Controls e Landscaping should enhance development appearance and the surrounding streetscape.	Landscape plan provides 265.22 m ² (32.77% of site) including Lilly Pilly, Gardenia, Viburnum, Heliotrope, turf, tree pits, brick garden edging, street frontage planting and letterbox piers to soften and enhance the streetscape.	Compliant
E.2.8 Streetscape Controls f Side and rear boundary walls should be broken or staggered to avoid unduly massive or long wall appearances.	Elevations show articulated side and rear walls via staggered setbacks, porches, varying roof forms, material changes and plane modulation, effectively breaking long wall expanses and preventing a monolithic appearance.	Compliant
E.2.8 Streetscape Controls g Carports or garages visible from the public domain must be compatible with	Garage and carport integrated with dwelling using face brick, Colourbond doors (Portland Stone) and matching roofing/gutter profiles; scale and	Compliant

the residential building design.	finishes subordinate to overall architecture and do not dominate the streetscape.	
E.2.8 Streetscape Controls h Removal of street trees not permitted without Council approval; existing street trees and other natural features retained wherever practical.	No street tree removal proposed. Landscape plan retains existing public realm vegetation and specifies construction methodologies to protect street trees during works.	Compliant
E.2.9 Height Controls Maximum ridge height 9.0 metres above natural ground level; buildings on slopes should be stepped; Council may require reduced levels for confirmation.	Maximum ridge height on plans is 5.25m above natural ground, well below the 9.0m limit. Single-storey design follows topography without protruding; reduced levels are shown on submitted plans confirming compliance.	Compliant
E.2.10 Solar Access Controls Ensure living areas and at least 50% of adjoining dwellings' usable private open space receive minimum three hours sunlight between 9am–3pm on 21 June; within development at least 75% of dwellings should receive three hours.	Shadow modelling shows some dwellings do not achieve three hours solar access to living areas and private open space on 21 June, so a variation to E.2.10.b is sought. Majority of dwellings achieve reasonable solar access; prepared shadow diagrams quantify shortfalls. Northern glazing, light wells and landscaping improve constrained amenity.	Variation Required
E.2.11 Front setback controls Front setback determined by scenarios: Scenario 1 minimum 6.0m (unless two existing dwellings within 40m facing same street); alternative scenarios compare nearest two dwellings. Setback measured from front boundary to outer edge of wall.	Primary building line setback 3.53m (porches 2.53m), non-compliant with 6.0m Scenario 1. Reduced setback reflects Railway Street terrace typology, provides active frontage with porches, entries and landscaping, and is supported by SEE justification referencing adjoining dwelling setbacks and streetscape consistency.	Variation Required
E.2.12 Side Setbacks Side setbacks measured from side boundary to outer edge of building articulation, excluding external living areas. Single-storey minimum 0.9 m (eaves 0.45 m); two-storey minimum 1.5 m (eaves 0.45 m).	Single-storey terrace dwellings have minimum 0.9 m wall setbacks and eaves ≥ 0.45 m. Garages and external living areas excluded from articulation measurements. Wall-to-boundary and eaves dimensions on plans satisfy the side setback requirements and orientation intent.	Compliant

E.2.13 Rear Setbacks Rear setbacks provide private open space and privacy; measured from rear boundary to outer building articulation. Minimums: single-storey 3.0 m, two-storey 6.0 m.	Three single-storey terrace dwellings provide rear yards exceeding the 3.0 m minimum. No two-storey elements. Landscaped rear yards total 265.22 m ² (32.77% of site). Articulation and eaves are within setback dimensions.	Compliant
E.2.14 Visual & Acoustic Privacy Controls Controls protect visual and acoustic privacy for medium-density housing, requiring screening, layout and separation distances: 12 m between habitable rooms/balconies, 9 m to non-habitable walls, 3 m between non-habitable walls; locate/screen noise sources.	Design provides modest, oriented balconies and window locations to minimise overlooking; screening and narrower windows used where needed. Separation distances meet or are mitigated by screening and orientation. Noise sources are located, screened or acoustically treated away from bedroom windows and comply with relevant standards.	Compliant
E.2.15 Private Open Space Controls Private open space required per dwelling for recreation, gardening and relaxation; recommended minima: 40m ² (min 3m width) for medium density housing, 10m ² (min 2.5m) for flats, 80m ² for secondary dwellings.	Each dwelling provides private open space exceeding 40m ² with minimum 3.0m widths; living areas open to covered porches/patios and rear yards. Rear yards exclude parking/bin areas; total landscaped area 265.22m ² (32.77%). Fencing and landscaping define privacy and amenity.	Compliant
E.2.16 Sustainable Building Design Controls Sustainable design requirements for medium-density housing covering renewable energy, water conservation, material selection and indoor environmental quality; mandatory BASIX certificate and northern orientation, daylight and ventilation principles.	BASIX certificate and commitments are shown on plans. Living areas orient north where practicable; service areas to south/west. Rainwater tanks sized per BASIX, roof insulation and sarking specified, external shading provided, skylights and opposing operable windows enable daylighting and cross-ventilation.	Compliant
E.2.17 Livable Housing Design Guidelines require minimum Silver Livable Housing features (step-free path and entrance, widened doors/corridors, entry-level toilet, hobless shower, reinforced walls for	Single-storey design provides step-free entrance and internal layouts, widened door/corridor clearances, entry toilets, hobless showers waterproofed to AS 3740, reinforced walls adjacent to sanitary fixtures, and no stairs >1m; meets Silver standard. Site is outside	Conditionally Compliant

grab rails, continuous handrail where stairs exceed 1m).	Cowra CBD so Gold not mandated.	
E.3 General Materials and Colour Schedules Preferred materials: face brick walls, corrugated galvanised steel or Zinalume roofs, timber-proportioned windows, galvanised steel for ancillary buildings, and a traditional heritage colour palette.	Materials align with palette: PGH Highlands Blackheath (or similar) face brick for visible facades; Colorbond Custom Orb in Portland Stone or Zinalume roofs; powdercoated aluminium windows; galvanised-metal ancillary finishes. A full colour schedule accompanies the application.	Compliant
E.3.1.3 Character Statement Vaux Street character: single-detached brick dwellings with galvanised iron roofs, predominantly single-storey Edwardian (1900–1915); close spacing, minimal side setbacks, consistent front setbacks, hipped roofs, timber verandahs, brick chimneys, low open fencing.	Proposal: three single-storey terrace dwellings in face brick with pitched metal roofs, modest verandahs, vertically proportioned windows and low front fencing, responding to single-storey form and traditional materials consistent with the character outcomes.	Non-Applicable
E.3.1.4 Retention of Key Characteristics Controls for Vaux Street precinct: streetscape consistency, ancillary buildings at rear, bulk limit single-storey (two-storey only in limited rear cases), setbacks averaged $\pm 0.25\text{m}$, 0.5m small projections, preferred materials and traditional colours.	Single-storey with face brick walls and pitched metal roof matching precinct materials. Front setback 3.53m reflects neighbouring rhythm; porch projection 0.5m at 2.53m from boundary. Front windows vertically proportioned, low front fence and landscape consistent with preferred character.	Non-Applicable
E.3.2.3 Character Statement (Keswick Street) Keswick Street features single-storey dwellings (Victorian–1960s), wide verges, substantial street trees, generous gardens, well-separated houses, face brickwork, hipped roofs (35–45°), vertically proportioned windows, large setbacks (~13m) and low masonry fences.	Development is outside Keswick Street precinct but uses face brick and pitched roofs to reflect heritage character. Roof pitch is 22.5° (lower than Keswick's 35–45°) consistent with Railway Street terrace forms; single-storey dwellings and street tree planting reinforce a vegetated streetscape.	Non-Applicable
E.3.2.4 Retention of Key	Proposal is single-storey with face	Non-Applicable

Characteristics (Keswick Street Controls) Controls require single-storey form (limited rear two-storey if non-dominant), roof matching predominant roofscape, tree planting for screening, no undue overshadowing/privacy impacts, minimum 13m front setback, face brick and corrugated galvanised roofs, timber windows, sympathetic fencing, traditional colours.	brick and metal roofing matching preferred palette. Front setback is 3.53m and does not follow 13m Keswick Street setback, but Keswick controls are non-applicable to the Railway Street character area. Landscaping and tree planting provided for screening.	
E.3.3.3 Character Statement (Liverpool Street) Liverpool Street character: single-storey detached brick dwellings with galvanised iron pitched roofs, timber verandahs, brick chimneys, unobtrusive rear garages, low front fences and consistent setbacks averaging 5.5–6m.	Site lies in Railway Street character area. Proposal presents single-storey brick construction, pitched metal roof, low front fence and rear garage consistent with Liverpool Street character; proposed front setback 3.53m is less than Liverpool Street average but that control is precinct-specific and not applicable here.	Non-Applicable
E.3.3.4 Retention of Key Characteristics (Liverpool Street Controls) Controls require single-storey form, 5.5–6m average front setbacks (minimum 5.5m), rear ancillary buildings, face brick walls, corrugated galvanised or Zincalume roofs, timber windows, low sympathetic fencing and expressed additions.	Adopts face brick facades, pitched metal roofing and low fencing. Front setback does not meet 5.5m Liverpool Street minimum but that setback control does not apply to the Railway Street precinct. Rear garages are subordinate to primary elevations.	Non-Applicable
E.3.6 Railway Street Character Area (application and controls) Railway Street character controls require sympathetic traditional streetscape: single-storey form, face brick, corrugated metal roofs, timber windows, consistent setbacks, low fencing, landscaping and traditional colour schedules.	Proposal lies in Railway Street character area: all dwellings single-storey with face brick and pitched metal roofs; garages attached but recessive; garage doors in Portland Stone; front setback 3.53m matching adjacent rhythm; vertically proportioned windows, modest porches, canopy and screening plantings; colour schedule consistent with DCP heritage palette.	Compliant

E.3.6.1 Application of this section Applies to Railway Street precinct to ensure new development bulk and scale do not unacceptably impact streetscape and locality character.	Located in Railway Street precinct; single-storey form, face brick finishes and corrugated roofs match precinct character. Maximum ridge height 5.25m maintains low scale. Terraces sited and articulated with porches and vertical window proportions to avoid unacceptable bulk to the street.	Compliant
E.3.6.2 Objectives Objectives require retention/conservation of original intact buildings, compatibility with traditional streetscape, reinforced bulk/scale and well-proportioned elevations to street and public domain.	Proposal retains single-storey scale and uses sympathetic materials (face brickwork, traditional roof form, corrugated roofing) with 22.5° roof pitch, verandah/porch elements and vertically proportioned windows to reinforce precinct character despite demolition of existing intact buildings.	Conditionally Compliant
E.3.6.3 Character Statement Character: Federation single-storey brick dwellings with steep hipped roofs, front gables, timber verandahs with bull-nose roofs, vertically proportioned timber windows, minimal side/front setbacks; garages historically absent and forward carports discouraged.	Terraces use face brick and corrugated roofs with pitched gables and porch treatments to reflect character. Attached single garages and driveways introduce visible doors; garages use face-colour doors, modest proportions and setbacks to reduce visual dominance. Variation justified for required on-site parking.	Variation Required
E.3.6.4 Retention of Key Characteristics - Streetscape New buildings to reflect character statement; ancillary buildings located behind the building line or designed to avoid dominance of the public domain.	Primary dwellings present face-brick street elevations with porches behind the building line. Garages/carports are modest, articulated and do not dominate the streetscape. Water tanks and bins located to rear or screened by landscaping; external finishes and landscaping sympathetic to streetscape.	Conditionally Compliant
E.3.6.4 Retention of Key Characteristics - Bulk, Scale and Height Dwellings or alterations limited to one storey; front fences forward of the building line must not exceed the average height of front fences on the southern side of Railway Street.	Development is single-storey with maximum ridge height 5.25m, complying with the one-storey limit. Front fence heights are low and match the calculated average of existing southern Railway Street front fences.	Compliant

E.3.6.4 Retention of Key Characteristics - Setbacks New buildings must adopt the average neighbouring setbacks on either side, not less than 3 metres.	Front setback is 3.53m, exceeding the 3.0m minimum and reflecting neighbouring setbacks. Porch projects to 2.53m forward of the main line but is subordinate in scale, consistent with DCP porch provision; complies with setback control.	Compliant
E.3.6.4 Retention of Key Characteristics - Building Materials Preferred materials: face brick walls, corrugated galvanised steel roofs (Zincalume acceptable), timber-style vertical windows to front elevations, sympathetic fencing and plain galvanised steel ancillary buildings.	Materials specified: PGH Highlands Blackheath face brick, Colorbond Custom Orb roof sheeting, powder-coated aluminium windows with vertical proportions to reflect timber appearance. Garage doors and ancillary elements in Colourbond Portland Stone and zinc-like finishes consistent with DCP alternatives.	Compliant
E.3.6.4 Retention of Key Characteristics - Colour Schedules Traditional heritage-related colour schemes preferred; colours to accompany DA, including primary wall, roof and trim selections.	Garage doors Colourbond Portland Stone, lead-colour gutters/downpipes and face brick indicated. Heritage-related palette: complies with retention of key characteristics.	Compliant
E.3.6.4 Retention of Key Characteristics New development must reflect original building and streetscape character through scale, form, materials and details; Railway Street controls: single-storey bulk, face brick, corrugated roofs, vertical timber windows, setbacks averaging neighbours (min 3m), subordinate ancillary buildings, sympathetic fencing and heritage colours.	Three single-storey terraces in face brick with Colourbond corrugated roofs, vertical-proportioned windows, 3.53m front setback (min 3m) and 2.53m porch projection. Garages/sheds set behind building line; fences and ancillary materials match streetscape. Front fence height and final window material confirmed in documentation.	Conditionally Compliant
E.3.6.4 Streetscape - ancillary buildings Ancillary buildings (garages, sheds, carports) should be consistent with streetscape character, located behind the building line, not immediately visible from the public domain, and not	Garages attached and set behind primary façade; garage doors Colourbond Portland Stone with face brick masonry. Sheds/ancillaries located in rear yards in plain galvanised steel or subdued Colourbond finishes, satisfying ancillary building controls.	Compliant

dominate the streetscape.		
E.3.6.4 Bulk Scale and Height - single storey Dwellings limited to single storey; front fence heights forward of the building line must not exceed the average of front fences on the southern side of Railway Street.	All dwellings are single storey with maximum ridge height 5.25m, satisfying bulk and scale. Front fence height set to the measured average of existing southern-side front fences and reflected in landscaping/fencing documentation.	Compliant
E.3.6.4 Setbacks New buildings must setback the average of neighbouring front setbacks, not less than 3.0m.	Dwelling setback 3.53m from front boundary, exceeding 3.0m minimum and matching average neighbouring setbacks; porch projects to 2.53m but primary building line remains at 3.53m.	Compliant
E.3.6.4 Building Materials Preferred materials: face brick walls (not rendered/painted), corrugated plain galvanised steel or Zincalume roofs, vertically proportioned timber windows to front, sympathetic timber or galvanised steel fencing, ancillary buildings in plain galvanised steel.	Proposal uses face brick (PGH Highlands Blackheath or similar) and Colourbond Custom Orb roof at 22.5° pitch; vertically proportioned windows shown with timber or timber-look framing; side/ancillary fencing and sheds use subdued finishes and do not mimic dwellings. Roof profile/finish aligns with DCP intent.	Conditionally Compliant
E.3.6.4 Colour Schedules A traditional heritage colour scheme is preferred, reflecting building period and suitable for materials; colours submitted with the DA.	Heritage palette nominated in finishes schedule: Colorbond Portland Stone garage doors and lead-colour gutters/downpipes specified. Final colour samples submitted with DA materials schedule and endorsed for consistency with the traditional palette.	Compliant
E.4.2 Context Valley View Estate is a staged residential subdivision adjacent to Cowra Peace Precinct; Part E.4 implements Council Building and Site Design Guidelines as additional controls, prevailing over Parts E.1–E.3 and E.5 where inconsistent.	Three terrace dwellings implement the Estate Guidelines via high-quality materials, articulated facades and landscaping, complementing staged subdivision, road frontage and public realm; design complies with the additional controls in Part E.4.	Compliant
E.4.4 Streetscape Controls - Objectives	Design provides articulation, consistent primary building line, side setbacks and landscaping for separation. Front	Compliant

Objectives promote creative design, visual interest, consistent primary building line setbacks, adequate separation between buildings, attractive facades to public spaces and appropriate presentation to Cowra Peace Precinct.	facades include porches and varied materials to create visual interest and address the public realm and Cowra Peace Precinct.	
E.4.4 Streetscape Controls - Setback Controls Setback controls: primary road 8m, secondary road 4.5m; side 2m (single storey) / 3m (two storey+); rear 8m (single) / 5m (medium); greater side setback where private open space controls apply.	Front setback is 3.53m (porches 2.53m), non-compliant with 8m primary road requirement. Variation justified by façade articulation, 25% soft landscaping forward of building line, retention of sightlines and alignment with existing subdivision and lot widths; variation assessment included.	Variation Required
E.4.4 Streetscape Controls - Facade articulation Facades facing a street or Cowra Peace Precinct must be articulated; maximum unbroken wall length 5m on primary frontage and 10m on secondary frontage. Architectural features include stepped facades, material changes, verandahs and porches.	Elevations include porches, stepped elements and material changes so no primary frontage has an unbroken wall over 5m. Material schedule shows face brick with timber/textured cement sheet as secondary material to satisfy articulation and visual interest.	Compliant
E.4.4 Streetscape Controls - Corner lots and Cowra Peace Precinct frontages Corner lots or lots fronting the precinct must have attractive, articulated facades addressing both street frontages.	The subject lots are mid-block and do not present as corner lots nor have direct frontage to the precinct; this control is not applicable to the proposal.	Non-Applicable
E.4.4 Streetscape Controls - Services and ancillary screening Air conditioning and ancillary equipment must be located behind the front elevation and screened where visible from public spaces or the precinct.	Service items are sited at rear or behind primary elevations; externally mounted equipment visible from the street is screened by fencing or minor enclosures in accordance with the control.	Compliant

E.4.5 Building Design - Objectives Objectives require varied street presentation, high-quality finishes reflecting the estate's premium character, and minimised impacts on the adjoining Peace Precinct's natural setting.	Proposal uses face brick, Colorbond roofing and complementary finishes with landscaped frontages, sympathetic colours and low building heights to achieve variation, premium appearance and reduced impact on the Peace Precinct.	Compliant
E.4.5 Building Design - Materials on front facade Front façade must incorporate at least two different external materials; examples include face/rendered brick, timber, textured cement sheet, weatherboard or stone.	Front façade uses face brick as primary material and textured cement sheet/painted elements as secondary per finishes schedule, meeting the two-material minimum and delivering a high-quality finish.	Compliant
E.4.5 Building Design - Roof design and pitch DCP specifies roof forms and pitches: traditional/gable 22.5°, skillion minimum pitches (e.g. 5°/15°), flat options as noted.	Roofs are Colourbond Custom Orb set at 22.5° pitch, matching the Traditional/Gable control and acceptable roof form and pitch requirements.	Compliant
E.4.5 Building Design - Colour palette A neutral colour palette is preferred; colours must be shown on DA plans.	Material Finishes schedule nominates neutral palette: Colourbond Portland Stone, lead-colour gutters and matching face brick tones; colours are noted on submitted plans, meeting the requirement.	Compliant
E.4.6 Ancillary Development - Objectives Objectives require ancillary development to be properly sited and designed, minimise visual impacts and use landscaping that enhances the streetscape and respects the precinct.	Garages, sheds and driveways are sited behind the building line where practicable; landscaping treatments provided to soften visual impacts, consistent with objectives.	Compliant
E.4.6 Ancillary Development - Landscaping forward of building line At least 25% of the area forward of the main building line must be landscaped; 75% of landscaped areas (or BASIX-	Landscape plan provides 25% forward-of-line landscaping; total landscaped area 32.77%. Planting schedule predominantly indigenous species, with BASIX proportions applied where higher.	Compliant

specified proportion) must be indigenous.		
E.4.6 Ancillary Development - Driveway setbacks Driveways to be set back minimum 1m from side boundaries to allow landscaping and separation between dwellings.	Driveways encroach within 1.5m of eastern and internal Lot 1/2 boundaries, not meeting 1m offset in places. Planting strips, boundary vegetation, edge treatments and complementary paving are provided to maintain visual separation and driveway function.	Variation Required
E.4.6 Ancillary Development - Garages and forward of building line Garages, sheds and carports must not be constructed forward of the building line and must not exceed 4m in height.	Garages positioned behind the main building line; single-storey ridge height 5.25m. Attached garages remain below the 4m ancillary height limit and are set behind the primary elevation.	Compliant
E.5.1 Ancillary Development - Introduction Ancillary development comprises low-impact structures and uses associated with a dwelling (workshops, sheds, pools, fences, etc.); non-exempt items require DA and must comply with this section's controls.	Proposal includes single garages, rainwater tanks, fencing, letterboxes, landscaping and bin storage. Items sited to minimise public visibility, use face brick and Colorbond roofing, and incorporate acoustic and drainage measures; relevant controls addressed in plans.	Compliant
E.5.2 Objectives Objectives require ancillary development to enhance resident amenity, avoid adverse impacts on neighbours, use compatible materials and colours, minimise public visibility and reduce acoustic impacts.	Ancillary elements designed to enhance amenity and avoid neighbour impacts. Face brick, Colourbond roofing and powdercoated aluminium windows match context. Garages and rainwater tanks sited behind building line where practicable; tank overflows to kerb and pumps located to minimise noise. Landscaping and boundary treatments reduce public visibility.	Compliant
E.5.3 Ancillary buildings - attached Setback Controls Attached ancillary buildings (carports, pergolas, patios, verandahs, garages) must meet BCA setback requirements, not be between front boundary and	Garages set equal or behind primary elevation; garage doors face street but primary elevation remains dominant. Garage door widths ~2.8m; garages ≤50% of dwelling frontage. Porches non-enclosed and modest. No ancillary buildings infringe 4.5m secondary	Compliant

front building line except where non-enclosed, no boundary encroachment, acceptable streetscape impact and width limits apply.	frontage setback on corner lots.	
E.5.3 Ancillary buildings - attached Building Appearance Attached ancillary buildings should complement the dwelling in appearance and scale; factory pre-coloured materials are preferred.	Materials and finishes match the dwellings: face brick, Colorbond roofing and powder-coated aluminium joinery. Garages and porches are modest in scale and proportionate to each dwelling, visually integrating with the primary buildings.	Compliant
E.5.3.1 Setback Controls Setback controls for balconies, decks, verandahs, garages and new buildings; no new building between front boundary and existing/approved front building line; specific provisions for carports, garage width and corner lots.	Dwellings set back 3.53m primary, porches 2.53m; porches open and non-enclosed. Single garage doors, garage widths $\leq 50\%$ of frontage and set behind primary elevation. No boundary encroachments; secondary street setback $\geq 4.5\text{m}$ where applicable.	Compliant
E.5.3.1 Setback Controls ancillary structures within front setback Attached ancillary buildings allowed within front setback if non-enclosed, do not encroach boundaries, do not significantly impact streetscape or neighbours; carports limited to 6m or 50% of dwelling frontage and avoid new driveways.	No enclosed ancillary structures or carports in front setback. Porches are open and non-encroaching. Single garages recessed behind primary elevations, use existing driveway alignment, and are less than 50% of each dwelling frontage.	Compliant
E.5.3.1 Setback Controls corner lot secondary street setback Corner lots require a secondary street setback of 4.5m or behind the existing building line, whichever is lesser.	Subdivision creates three lots with primary frontage to Railway Street and no secondary street corner frontages; the 4.5m secondary street setback does not apply.	Non-Applicable
E.5.3.2 Building Appearance New buildings should complement the existing dwelling using factory pre-coloured materials or alternative finishes that positively contribute to the streetscape; ancillary building scale must be consistent with the primary	Terrace dwellings use masonry face brick (PGH Highlands Blackheath or similar), Colourbond Custom Orb roofing at 22.5° pitch, lead-colour gutters/downpipes and powder-coated aluminium windows/doors. Single-storey scale, proportioned garages and porches complement	Compliant

dwelling.	nearby historic cottages and the Railway Street streetscape.	
E.5.4 Ancillary buildings - detached Setback Controls Detached ancillary buildings must meet BCA setbacks, not be between front boundary and building line except limited non-enclosed or low-height cases; carports limited to 6m or 50% width; corner secondary frontage setback 4.5m or behind building line.	Ancillary structures are attached garages; no detached outbuildings subject to these detached setback controls, therefore the clause is	Non-Applicable
E.5.4 Ancillary buildings - detached Building Appearance Detached ancillary buildings should complement the dwelling, use factory pre-coloured materials, and not exceed 4.5m from natural ground to peak.	No detached outbuildings proposed; clause not applicable. Proposed rainwater tanks are low profile and finished to integrate with the dwellings.	Non-Applicable
E.5.4.1 Setback Controls Setback controls for detached ancillary buildings, BCA compliance; generally prohibit new buildings between front boundary and front building line, with limited exceptions for unenclosed ancillary structures max height 2.7m and carport width limits; corner-lot special setbacks.	Garages are attached and located behind established front building line; porches project 2.53–2.62m, open and unenclosed, with eaves/gutter below dwelling gutter line. Ridge 5.25m; garage doors set behind porch; access via existing driveway. Corner-lot controls not applicable; complies.	Compliant
E.5.4.1 Setback Controls - general setback requirement New buildings must not be located between the front boundary and front building line; ancillary detached structures may be permitted within front setback subject to criteria; access preferably from existing driveway.	Three single-storey terrace dwellings have main building line behind front setback; front setback to facades 3.53 m (behind porch). Garage entries and driveways consolidated to street frontage; Building Code of Australia setback requirements met.	Compliant
E.5.4.1 Setback Controls - ancillary structures within front setback Council allows detached ancillary structures within front setback if open,	Porches project ~2.53 m, are open and non-enclosed, do not encroach boundaries, and are <6 m wide and <50% of each frontage. Porch soffit/gutter height is 3.0m for	Variation Required

non-enclosed, do not encroach boundaries, ≤ 2.7 m or existing dwelling gutter level (whichever lesser), ≤ 6 m wide or $\leq 50\%$ frontage, and do not significantly impact streetscape.	comparison with the 2.7 m/existing gutter limit.	
E.5.4.1 Setback Controls - corner lot secondary frontage On corner lots, primary frontage follows standard front setback; secondary frontage must be 4.5 m or behind existing building line, whichever is lesser.	Site is not a corner lot; corner-lot secondary frontage setback control (4.5 m or behind existing building line) is	Non-Applicable
E.5.4.2 Building Appearance Ancillary buildings to complement existing dwelling, using factory pre-coloured materials preferred; consistent scale not exceeding 4.5m to peak from natural ground level.	Materials: face brick and Colourbond roof sheeting; garage doors Colourbond Portland Stone; lead-colour gutters/downpipes. Ancillary elements single-storey with peak heights ≤ 4.5 m, achieving visual consistency and positive streetscape contribution.	Compliant
E.5.5 Private Swimming Pool Controls Pools and spas located behind front building line; lighting not to affect neighbours; kerbed/drained to prevent stormwater ingress; minimum 3m from trunk of retained trees > 5 m; noise control and pump/filter siting required; Swimming Pools Act 1992 and AS 1926 prevail.	No private swimming pool or spa is proposed; private swimming pool controls are	Non-Applicable
E.5.6 Fencing Controls - Front Fences Front/side return fences max 1.2m; solid sections max 0.9m; front boundary fences not Colourbond; fence design to reflect dwelling and streetscape. Fences above 1.2m may match streetscape average, include mix of solid/open with minimum 0.25m apertures and not impede sightlines.	No front fencing forms part of this proposal	Compliant

E.5.6 Fencing Controls - Side and Rear Fences Side and rear fences behind the building line maximum 1.8m above ground; stepped on slopes up to 2.1m at each step. Colorbond prohibited forward of the building line on corner allotments; public-facing fencing to be new and uniform in colour.	Proposed side/rear fence height of 1.8m. Height to comply with 1.8m (or 2.1m stepped) and visible fencing must be new, same colour; Colorbond not permitted forward of building line on corner lots.	Complaint
E.5.6 Fencing Controls Fencing controls address safety, security and streetscape amenity, covering design, materials, heights and visual permeability. Dividing Fences Act 1991 provisions apply to dividing fence apportionment.	Front boundary fencing is low and visually permeable to maintain passive surveillance and streetscape character; side and rear fences use timber or colourbond for privacy and security. Materials and finishes match the approved palette; heights and profiles comply with DCP objectives and pedestrian visibility.	Compliant
E.5.6.1 Front Fences Front and side-return fences: max 1.2m, solid designs max 0.9m; colourbond prohibited; higher fences may match prevailing streetscape height with combined solid/open elements (min 0.25m apertures) and not impede sightlines.	No front fencing forms part of this proposal	Complaint
E.5.7 Waste Management Controls - Single Dwellings Each dwelling must have on-site space for Council garbage and recycling bins; storage should not impact visual amenity, preferably in rear yard, and allow kerbside collection while minimising odour/vermin.	Each dwelling has dedicated bin storage in private rear yards; storage is screened by landscaping and fencing to minimise visual and odour impacts and provides kerbside collection access at driveway crossover points.	Compliant
E.5.7 Waste Management Controls - Medium Density Housing Where individual bin storage in private open space is not possible, communal bin areas must provide 2 x 240L bins per dwelling and consider visual	Three dwellings each have individual on-lot bin storage within private open space. Communal storage (if used) sized for 2 x 240L bins per dwelling, located for access and visual screening in accordance with the DCP.	Compliant

amenity, neighbour impacts, cleaning/draining, accessibility and waste vehicle access.		
E.5.7 Waste Management Controls Design and siting of garbage storage for residential developments ensuring resident and vehicle access, minimised odour, and reduced visual impacts.	Each dwelling has internal storage and adjacent adaptable external bin storage by garage/driveway enabling kerbside collection without obstructing pedestrians or vehicles. Bin areas are landscaped and screened; sealed surfaces, drainage and short waste handling distances minimise odour and stormwater contamination. Collection from frontage kerb maintained.	Compliant
E.5.7.1 Single Dwellings Each dwelling must have on-site bin storage that minimises visual, odour and vermin impacts, preferably in the rear yard, and allow easy kerbside collection.	Dedicated bin stores provided in rear yards/private side courtyards, screened by fencing and landscaping. Paths with gentle gradients connect stores to kerbside collection points on Railway Street, allowing unobstructed manoeuvre and compliance with Council collection requirements.	Compliant
E.5.7.2 Medium Density Housing Each dwelling should have on-site private bin storage or communal/individual storage accommodating 2 x 240L mobile bins per dwelling, with consideration of visual amenity, neighbour impacts, cleaning/drainage and collection access.	Bin storage provided adjacent to rear yards or dedicated areas for two 240L bins per dwelling. Areas screened and landscaped, graded with impervious surfacing and stormwater connection. Driveway geometry and pavement meet Council access so kerbside collection is accessible.	Compliant
E.5.8 Rainwater Tanks Rainwater tanks required for new dwellings to meet BASIX; include gutter flush bypass or first-flush diverter, overflow to stormwater (not to adjoining property or sewer), certified base/support, structural certification if wall-fixed, backflow prevention for reticulated connection and minimised pump noise.	Tanks sized to meet BASIX with overflow directed to kerb/stormwater and installed on manufacturer-certified bases. Structural certification provided where wall-fixed. Backflow prevention fitted for reticulated connections. Pumps located/acoustically treated to minimise noise to neighbouring habitable rooms.	Compliant
E.5.9 Site Facility Controls -	Letterbox piers provided adjacent to	Compliant

Letterboxes Each dwelling to have an Australia Post compliant letterbox: minimum internal dimensions and full-width slot, face height 0.9–1.2m, clear street number, located adjacent to driveway, solid stable construction and sympathetic finishes.	each driveway, constructed to Australia Post minimum dimensions with full-width slot, face height 0.9–1.2m, clearly displayed street numbers and finishes matching landscape and material schedules.	
E.5.9 Site Facility Controls - Clothes Drying Facilities External clothes drying areas minimum 4.5m ² per dwelling, located in rear services areas with adequate sunlight and screened from the public domain.	Landscape plan provides 4.5m ² external clothes drying areas within rear private open spaces for each dwelling, receiving adequate sunlight and screened from the public domain, consistent with DCP requirements.	Compliant
E.5.9.1 Letterboxes Each dwelling must have an Australia Post-compliant letterbox: 230mm x 330mm x 160mm, slot height 0.9–1.2m, not large enough for a hand, clearly displayed street address, accessible and adjacent to driveway.	Each dwelling has a masonry letterbox pier adjacent to the driveway, matching face brick and stable at ground level. Letterboxes meet Australia Post dimensions and slot height 0.9–1.2m, with clearly displayed street numbers and shown on landscape plans.	Compliant
E.5.10 Servicing Controls - Energy and Telecommunications Dwellings must have adequate energy and telecommunications supply meeting BASIX and service provider requirements; services to be installed underground where practicable.	Dwellings connected to energy and telecommunications per BASIX and relevant providers. Services installed underground where practicable and shown on construction documentation; complies with E.5.10 servicing controls.	Compliant
E.5.10 Servicing Controls - Stormwater Hard surfaces drained to Council or approved drainage; gravity-fed systems preferred; pump-out systems not sole method for medium density; post-development peak flows must match pre-development and no stormwater to adjoining land.	Concept stormwater plan shows pits and kerb grades. Detailed engineering design demonstrates pipe sizing, pit locations and hydraulic modelling achieving pre-development peak flows and preventing stormwater discharge to adjoining land.	Conditionally Compliant
E.5.10 Servicing Controls - Water and	Each dwelling has separate water and	Compliant

Sewer Dwellings require separate reticulated water connections; reticulated sewer connection required where mandated with headworks contributions payable; RU5 on-site systems must comply with AS/NZS 1547 and EHP buffer/geotechnical requirements.	sewer connections with meters at the frontage as shown on the services plan. Reticulated sewer is available to lots; headworks contributions are payable. On-site wastewater design would comply with AS/NZS 1547 and EHP guidelines where applicable.	
E.5.10.1 Energy + Telecommunication Services Dwellings must have adequate energy and telecommunications supplies meeting BASIX and service provider requirements; underground services to be used where practicable.	Dwellings connected to reticulated electricity and telecommunications per BASIX and service provider requirements. Drawings show meter locations; underground routing noted where practicable and final connections coordinated with authorities.	Compliant
E.5.10.2 Stormwater All roofed, paved and hardstand areas must drain to Council street/piped or approved systems; gravity-fed stormwater to a legal point of discharge is required. Pump-out systems not permitted as sole method for medium-density housing.	Concept plan shows pits, kerb overflows, minimum pipe grades and BASIX-sized rainwater tanks with overflow to kerb. Detailed hydraulic design demonstrates gravity drainage, pit/pipe sizing and post-development peak flows not exceeding pre-development, with no discharge to adjoining land.	Conditionally Compliant
E.5.10.3 Water and Sewer a Each dwelling must have a separate connection to Council's reticulated water supply; applicable headworks contributions apply and must be paid prior to Construction Certificate.	Separate reticulated water connections and frontage water meter locations shown on services plan for each dwelling. Applicable headworks contributions paid in accordance with Council's Developer Servicing Plan prior to issue of Construction Certificate.	Compliant
E.5.10.3 Water and Sewer b All dwellings in R1, B1, B2 and B5 zones require separate connections to Council's reticulated sewer; applicable headworks contributions apply and must be paid prior to Construction Certificate.	Dwellings in R1 zone have separate sewer connections shown on services plan with a 1500mm sewer meter/connection at each lot frontage. Headworks contributions paid in accordance with Council's Developer Servicing Plan prior to Construction Certificate.	Compliant
E.5.10.3 Water and Sewer c	Development is in R1 zone; RU5 on-	Non-Applicable

Dwellings unable to connect to reticulated sewer in RU5 must comply with AS/NZS 1547:2000 and Environmental Health Protection Guidelines; effluent system locations and methods shown on DA plans.	site effluent provisions do not apply.	
F.1.1 Objectives (Rural Dwellings) Objectives require rural dwellings to minimise land degradation, preserve natural drainage, avoid groundwater pollution and spread of noxious species; locate away from prominent areas; conserve environmental features; sit 40m from watercourses and outside flood-prone areas or within designated envelopes.	Proposal comprises three terrace dwellings in a General Residential zone, not rural dwellings; rural-specific objectives and 40m watercourse setback are not applicable. Visual amenity, environmental impacts and flood risk addressed under applicable residential and heritage controls in this SoEE.	Non-Applicable
F.1.4 Setback Controls - F.1.4.1 Dwellings on Rural Land Recommends separation distances between rural dwellings and agricultural activities (setbacks up to 1000m for intensive livestock; 50–150m for grazing/cropping/horticulture; minimum 20m where adjoining land not listed). Reduced setbacks possible with odour/noise studies and 40m min cropping setback with vegetated buffer per Appendix A.	Development is medium-density residential in a town zone, not adjacent to listed agricultural uses. Residential frontage and internal setbacks comply with applicable standards, so rural separation distances are	Non-Applicable
F.1.4.2 Replacement Dwellings Permits reduced setbacks for replacement rural dwellings where Council is satisfied no additional adverse impacts occur to adjoining primary production activities.	Provision applies only to replacement rural dwellings. Proposal is new multi-dwelling urban development, not a replacement rural dwelling; clause is	Non-Applicable
F.1.4.3 Dwellings on small lot subdivision blocks Defines small rural-lot subdivision mapping, alternative building envelopes and minimum setbacks (20m to	Controls apply to rural small-lot subdivisions in Appendix B. Proposal comprises urban community title residential lots not mapped as rural small-lot subdivision, so clause is	Non-Applicable

mapped small-lot neighbour; other setbacks per table).		
F.1.4.4 Secondary Dwellings Secondary dwellings follow the same setback controls as clause F.1.5.1; setbacks may be reduced when within the same curtilage as the primary dwelling and must not adversely impact primary industry activities.	No secondary dwelling is included in the proposal; clause F.1.4.4 is not applicable to this assessment.	Non-Applicable
F.1.5 Building Appearance Controls Controls require naturally textured, muted-colour materials, avoid highly reflective finishes, and limit bulk and scale to prevent adverse visual impacts from neighbouring properties and entry points.	Dwellings finished in face brick (PGH Highlands Blackheath or similar), Colourbond non-reflective roof, powder-coated aluminium windows; single-storey with 5.25m maximum ridge height. Materials and elevations demonstrate compliance with appearance controls.	Compliant
F.1.6 Access Controls Access must be engineered for safe ingress/egress via Council public local roads where possible; entrances to local roads constructed to Council engineering standards and classified road entrances to RMS requirements.	Access to dwellings is via existing local road network. Driveway alignments and front-verge entrances are shown and constructed to Council engineering standards. Works within the public verge designed and constructed to Council requirements; vehicle access provides safe ingress, egress and sight lines.	Compliant
F.1.7 Onsite Sewage Management Controls Effluent disposal must comply with AS/NZS 1547:2000 and Environmental Health Protection Guidelines; DA plans to show disposal method and buffer distances (e.g. 100m to permanent waters, 250m to domestic wells, 500m to drinking bores).	Development connects to reticulated sewer per concept servicing plans; onsite sewage systems are not proposed. DA documentation identifies sewer connections and meter locations; sewer design and certification are documented for construction.	Compliant
F.1.8 Water Supply Controls Requires minimum 45,000 L rainwater storage and 10,000 L dedicated firefighting storage with signage, 65mm Storz fittings, metal	Site is within reticulated water area; water meters shown on service plan. Rural rainwater and firefighting tank requirements do not apply. Fire safety and bushfire measures comply with NSW, Council and BASIX requirements.	Non-Applicable

valves/pipes, tanker access to underground tanks; alternative sources need RFS support.		
G.1 DWELLINGS Controls for dwellings on site compatibility, type, density, design and amenity, requiring response to local character, solar access, natural ventilation, privacy, street-facing habitable windows, setbacks and private open space.	Three single-storey terrace dwellings in a community title arrangement use face brick and Colourbond pitched roofs. Central dwelling achieves a major street-facing habitable window; outer dwellings lack full street-facing habitable windows (variation required). Natural ventilation, privacy and 32.77% landscaped area comply; stormwater, hydraulic design and solar access to living rooms confirmed.	Variation Required
G.1.3 General Controls New dwellings must provide domestic and firefighting water, on-site sewage where no sewer, sit outside flood, bushfire and environmentally sensitive areas, have legal road access, utility availability, minimal excavation and avoid significant land-use conflicts.	Connected to reticulated water and sewer; BASIX-sized rainwater tanks for domestic and firefighting use. Site not flood, bushfire or heritage constrained; ground RLs ~304.3–305.8, away from mapped watercourses. NCC and bushfire construction standards complied with. Road access, electricity and telecommunications available; slab-on-ground design with minimal cut/fill. Asbestos checks, sediment controls and stormwater/sewer design addressed in documentation.	Compliant
G.1.4. Siting Controls a Rural residential dwellings should be sited away from visually prominent locations (eg exposed ridgelines); selective planting around the building envelope is encouraged to reduce visual impact.	Three single-storey terrace dwellings in an urban, generally level setting not on exposed ridgelines. Landscaping includes substantial front and rear planting to reduce visual prominence and minimise visual impact.	Non-Applicable
G.1.4. Siting Controls b Rural residential dwellings must avoid sites with slope gradients over 20% and locations within footslopes or drainage lines.	Surveyed natural ground ranges RL 304.30–305.77 (negligible slope, well below 20%). No footslopes or drainage lines within proposed building envelopes; stormwater connects to standard kerb connections.	Compliant
G.1.4. Siting Controls c	Buildings located in consolidated areas; overland flow retained to kerb	Compliant

Dwellings sited to minimise land degradation, alteration of natural drainage, groundwater pollution and spread of noxious species.	via concept stormwater plan with pits and minimum grades. Sediment/erosion controls, demolition notes, BASIX-sized rainwater tanks with overflow to kerb reduce runoff and groundwater impact.	
G.1.4. Siting Controls d Existing vegetation and mature trees should be retained, protected and/or replaced where possible.	Small trees and shrubs removed for works; landscape plan provides replacement planting (Lilly Pilly, Gardenia, Viburnum, Heliotrope), tree pit details and tree protection measures for retained vegetation; mature tree protection details to be implemented prior to construction.	Conditionally Compliant
G.1.4. Siting Controls e Dwellings must be located at least 40 metres from any creek, intermittent drainage line or other water body.	No creeks, intermittent drainage lines or water bodies are within or adjacent; building envelopes are clear of mapped watercourses and maintain substantial separation from identified water features.	Compliant
G.1.4. Siting Controls f Dwellings to be sited to conserve or enhance significant environmental features (remnant vegetation, wetlands, watercourses, drainage lines).	No identified significant features. Design conserves existing vegetation and provides targeted landscaping with 265.22 m ² deep soil planting (32.77%) to enhance biodiversity.	Compliant
G.1.4. Siting Controls g Dwellings must be sited within any building envelope shown on the land title.	No building envelopes recorded on title. Dwellings located within defined footprints on the subdivision plan, complying with nominated setbacks and site planning requirements on the submitted drawings.	Compliant
G.1.5.1 R5 Zone West Cowra R5 West Cowra setbacks: primary road setback equal to average of nearest two dwellings within 40m or 15m if none; secondary road 10m; rear 10m; side 5m.	Land is zoned R1 General Residential so R5 West Cowra setback controls do not apply. Setbacks designed to comply with R1 zoning and relevant DCP provisions for multi-dwelling/medium-density development.	Non-Applicable
G.1.5.2 R5 Zone North Cowra R5 Large Lot Residential in North	Controls apply to land zoned R5 and are not relevant to the R1-zoned proposal. Setbacks for this proposal	Non-Applicable

Cowra requires primary road setback equal to average of nearest two dwellings within 40m or 15m if those don't exist; secondary road 10m; rear 10m; side 5m.	are addressed under DCP provisions applicable to R1 and medium density controls.	
G.1.5.3 R5 Zone South Cowra R5 Large Lot Residential setbacks: primary road setback average of nearest two dwellings within 40m or minimum 15m; secondary road setback 10m; rear setback 10m (25m where adjoining agricultural land); side setbacks 5m.	Development is in R1 zone; R5 South Cowra setback controls do not apply. Adjoining-agricultural rear setback (25m) is not relevant to this site.	Non-Applicable
G.1.5.4 R5 Zone East Cowra In R5 East Cowra, new dwellings must setback 20m front, 15m side and rear; 50m from boundaries adjoining RU1 Primary Production; minimum 40m from any creek, river or intermittent waterway.	Requirements do not apply to this R1-zoned site. Proposal does not adjoin RU1 land nor any mapped watercourse, so R5 East Cowra setbacks are not engaged.	Non-Applicable
G.1.5.5 R5 Zone Woodstock R5 Woodstock dwellings: 20m front, 15m side/rear setbacks where not adjoining RU1; 50m setback where adjoining RU1. Minimum 40m setback from creeks, rivers or intermittent waterways.	Controls are R5-Woodstock specific and not applicable to this R1 development; no RU1 interface or 40m riparian setbacks from this clause apply.	Non-Applicable
G.1.5.6 R5 Zone Noonbinna For R5 Noonbinna new dwellings where adjoining land is R5 must setback 20m front and 15m side and rear; where adjoining RU1 a 50m setback applies.	These Noonbinna R5 setback controls do not apply to the R1-zoned proposed development. The site does not border RU1 land that would trigger the larger setback.	Non-Applicable
G.1.5.7 R5 Zone Wattamondara R5 Wattamondara setbacks: 20m front, 15m side/rear when adjoining R5, RU5 or E2; 50m where adjoining RU1; minimum 40m from creeks,	Controls not applicable to R1-zoned subject land; no interface with RU1, E2 or RU5 requiring these setbacks.	Non-Applicable

rivers or intermittent waterways.		
H.1 Cowra CBD Controls Controls for Cowra CBD Railway Street area covering building form, street interface, materials, landscaping, pedestrian access, services, noise minimisation and heritage character with emphasis on active frontages and streetscape rhythm.	Three single-storey terraces provide porches and garage entries, face brick and Colorbond roofing, and 265.22 m ² (32.77%) landscaped area. Not all dwellings have major street-facing habitable windows; stormwater concept, BASIX rainwater tanks and service locations noted, acoustic and final service detailing required to demonstrate compliance.	Conditionally Compliant
I.1 General provisions General provisions establish purpose, application and scope of the DCP chapter, requiring context-responsive design, supporting documentation and compliance with Australian Standards and relevant construction codes.	DA includes architectural and demolition drawings, construction/safety notes, NCC 2022 and referenced Australian Standards, concept stormwater, services and landscape plans, asbestos checks, sediment/erosion controls and traffic management. Services plan shows essential utilities; hydraulic/sewer details by qualified engineer and draft Management Statement for community title included.	Compliant
I.1.3 Land-use Conflict & Pollution Management Controls Mitigation measures for land-use conflicts and pollution near sensitive uses, covering siting/timing, erosion and sediment control, dust suppression, noise management, visual mitigation, odour separation and liquid trade waste controls.	Residential terraces avoid industrial noise, dust, odour and trade waste risks. Erosion and sediment controls and demolition asbestos protocols are implemented. Sealed driveways minimise dust. Materials: non-reflective face brick and Colorbond roof. Landscaping, sealed manoeuvring and standard construction hour restrictions applied; no liquid trade waste discharge.	Compliant
I.1.5.1 Building Design Office components at street frontage should be architecturally differentiated, avoid long blank walls and reflective glass; use articulation (projections/recesses, windows, roof variation, material changes, landscaping) and integrate rooftop plant. Corners address both frontages.	Terrace dwellings present differentiated façades with face brickwork, varied openings, porch projections and varied wall planes providing passive surveillance. Windows, porches and material changes (face brick, aluminium windows, Colorbond roofing) avoid long blank walls; no roof-mounted plant proposed.	Compliant

I.1.5.2 Building Height Building height limited to three storeys; must not unreasonably impact visual amenity or solar access to adjoining properties between 9:00am–3:00pm on 22 June.	Single-storey dwellings with maximum ridge height 5.25m, below three-storey limit. Single-storey scale and pitched roofs are consistent with locality and maintain reasonable solar access to neighbours between 9:00am–3:00pm on 22 June.	Compliant
I.1.5.3 Building Materials Encourages masonry, textured concrete/block, render, brick, glass and metal; external materials and roofs should be neutral and non-highly reflective where visible from public roads or residences.	Materials schedule nominates PGH Highlands Blackheath face brick, Colourbond Custom Orb roof in a neutral, non-highly reflective finish, aluminium powdercoated windows and lead-colour gutters/downpipes, aligning with DCP material and colour preferences.	Compliant
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives a Objective concerns timely, efficient release of industrial land within Glenlogan Industrial Release Area.	Non-applicable: development comprises three terrace dwellings in a residential zone and does not involve industrial land release or provision.	Non-Applicable
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives b Prevent residential or other sensitive land uses within separation distance of Glen Logan Road Industrial Estate to avoid noise land-use conflict.	Residential development is outside the industrial release area and separation distances, with standard construction measures, acoustic notes, and compliance with relevant Australian Standards and the NCC to minimise noise impacts.	Compliant
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives c Protect amenity of adjacent land uses from effects of industrial development.	Objective not applicable; proposal comprises residential terraces, no industrial uses. Waste storage, landscaping and stormwater management measures incorporated to protect residential amenity from on-site impacts.	Non-Applicable
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives d Encourage layouts, design and function that minimise impacts on other zones and sensitive uses such as residential areas.	Three single-storey terrace dwellings with landscaped rear yards, suitable setbacks and separated garages provide an orderly residential layout; materials and landscaping soften interfaces and avoid cross-zone impacts on neighbouring sensitive uses.	Compliant

I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives e Ensure stormwater from industrial land is drained effectively without degrading downstream water quality.	Not applicable to non-industrial land. Concept stormwater plan includes pits, grading and BASIX-sized rainwater tanks; best-practice measures applied and final hydraulic design prepared by a qualified engineer.	Non-Applicable
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives f Stormwater must be managed to avoid adverse downstream impacts.	Concept stormwater plan shows pits, 1% minimum kerb grades and rainwater tanks with overflows to kerb. Erosion and sediment controls shown on plans protect downstream environments; hydraulic design and pit sizing confirm downstream protection compliance.	Compliant
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives g Require adequate waste storage facilities sited to minimise visual prominence from the public domain.	Dedicated waste storage areas adjacent to garages and service yards minimise visibility. Capacity meets council requirements and is incorporated into lot design so bins are stored out of public view except on collection days.	Compliant
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives h Ensure new development connects to physical infrastructure and services with adequate capacity.	Proposed sewer and water meter locations shown on plans; existing services available. Services plan nominates connections and utility provision; Dial Before You Dig investigations completed prior to works.	Compliant
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives i Ensure new development prevents discharge of unacceptable environmental pollution.	Measures prevent pollution: stormwater treated via rainwater tanks and kerb drainage, sediment and erosion controls during construction, compliance with Australian Standards for building and services; no industrial processes introduced.	Compliant
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives j Encourage well-designed industrial areas to meet general and light industrial needs across the Shire.	Objective relates to industrial area design and is not applicable to a residential terrace development. Proposal does not prejudice future delivery of industrial areas in the Shire.	Non-Applicable
I.3 GLENLOGAN INDUSTRIAL	Not applicable. Uses existing municipal	Non-Applicable

RELEASE AREA - Objectives k Provide infrastructure and services cost-effectively to meet industrial operational needs.	services and provides efficient on-site infrastructure for residential use, including shared vehicle access and water tanks.	
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives l Encourages high-quality, sustainable and innovative industrial design that enhances streetscape and surrounding environment.	Clause not applicable to residential terrace; design nonetheless uses quality finishes, façade articulation and landscaping that positively respond to the streetscape.	Non-Applicable
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives m Encourage development that enhances safety and security of industrial and adjacent areas through design and management measures.	Objective not directly applicable to this residential development. Design includes clear sightlines, activated public interfaces and external lighting to improve local safety and security.	Non-Applicable
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives n Provide for safe, efficient movement of traffic to and from industrial allotments.	Clause not applicable; development is residential with vehicle access and garage parking consistent with DCP parking and access requirements, and includes a construction traffic management approach.	Non-Applicable
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives o Ensure adequate vehicle parking, circulation, and loading/unloading areas for new development.	Each dwelling has an attached single garage and manoeuvring space designed to AS2890.1. Visitor parking not required by DCP; driveways provide safe access and egress to Railway Street with final grades and crossover certified by an engineer.	Compliant
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives p Preserve and enhance existing natural environmental character and ecology of Cowra Shire.	Landscaping retains 265.22 m ² (32.77%) landscaped area with locally appropriate species; site works avoid significant vegetation and include measures to preserve local character and minimise ecological impact.	Compliant
I.3 GLENLOGAN INDUSTRIAL RELEASE AREA - Objectives q Provision of landscaping for new	Clause non-applicable to industrial lots; comprehensive landscape plan provided for residential lots including deep soil zones, canopy species and	Non-Applicable

industrial allotments within the Glenlogan Industrial Release Area.	turf areas to satisfy amenity and streetscape objectives.	
M.1.1 Application of section Applies to new floor space, building work, alterations or changes of use that increase on-site parking demand; requires retention of existing off-street parking and additional spaces per this Part; combined uses assessed independently.	Proposal adds three terrace dwellings with garages; existing off-street parking removed by demolition. Provides one on-site car space per dwelling in single garages plus separate driveway access, meeting on-site parking, access and mobility requirements.	Compliant
M.1.2 Objectives Objectives require adequate off-street parking, convenient staff/visitor parking, safe access and internal circulation, disabled parking, landscaping, and compliance with Austroads, RTA and relevant Australian Standards.	One garage space per dwelling with on-site driveways providing direct Railway Street access. Driveway grades/layout generally comply with AS 2890.1. Combined landscaped area 32.77%. No dedicated disabled bays (not required for single dwellings).	Conditionally Compliant
M.1.3 Application of Standards and Guidelines Requires compliance with AS 2890 series, Austroads guides and BCA for parking, access and traffic matters.	Design references AS 2890.1 for driveway grades and garage dimensions; documentation lists relevant AS parts and Austroads guidance. Detailed design adopts nominated standards and engineer certification verifies compliance.	Compliant
M.1.4 Definitions Defines Gross Floor Area (GFA) and Gross Leasable Floor Area (GLFA) for parking rate calculations, excluding parking, loading areas and plant rooms.	Parking calculations use internal floor areas excluding garages and loading areas. Dwelling floor areas: House 1 97.53 m ² , House 2 110.44 m ² , House 3 97.90 m ² ; these figures informed applicable parking rates.	Compliant
M.1.5 Off street parking calculations Requires on-site parking at Part M.1 rates; allows separate calculation for combined uses, consideration of alternative zoned land, and variations for staggered peak demand.	Residential dwellings provided one garage per dwelling behind the building line, satisfying 1 space per dwelling. Visitor parking not required for these dwelling types; no alternative parking proposed.	Compliant
M.1.5.1 Residential Land-use Types	Each dwelling has one enclosed garage	Compliant

Sets residential parking rates: one space per dwelling behind the building line with specified visitor parking exemptions for houses and similar dwelling types.	space behind the building line, meeting the DCP rate of 1 space per dwelling. Visitor parking is not required or provided for these dwelling types; layout retains access to parking areas.	
M.1.6 Parking Credits Method for calculating parking credits where existing on-site parking exceeds current requirements; credits reduce new parking requirements. No credits for on-street parking.	Not applicable: new residential development provides required on-site parking and does not rely on existing-use parking credits to reduce on-site requirements.	Non-Applicable
M.1.7 Car Parking Exemptions Lists circumstances exempting additional off-street parking: exempt development, heritage incentives, small additions <25m ² , change of use with GFA <150m ² , or traditional retail area meeting criteria.	None of the exemptions apply. Development is medium density residential, not relying on heritage incentives, not a ≤25m ² addition, and not a change of use with GFA <150m ² in a traditional retail zone.	Non-Applicable
M.1.8 Variation to parking requirements Variations to parking/access assessed where on-site parking or access locations do not meet Part M.1.8/M.2.1.a standards.	Three driveways with some alignments within 1.5m of side boundaries; parking quantum complies. Variation statement addresses functional access, manoeuvring, driveway gradients, sightlines and on-site circulation; detailed engineering demonstrates compliance with turning and safety requirements.	Variation Required
M.2.1 Site access design and location Vehicle accesses located ≥1.5m from side boundaries, ≥6m from corner boundaries, ≥12m from stop/give-way approaches; perpendicular footpath crossings; single ingress/egress per frontage; adequate sight distance and clear pedestrian visibility; avoid high-speed/high-volume roads.	Driveways encroach within 1.5m of eastern and internal lot boundaries requiring variation. Layout provides perpendicular footpath crossings, clear street sightlines, not within 12m of signage, avoids high-speed roads, limits one entry per frontage, and demonstrates adequate sight distance and manoeuvrability.	Variation Required
M.2.2 Driveway widths	Each dwelling has a single garage and driveway complying with <5-space	Compliant

Minimum driveway widths for medium density housing: <5 parking spaces — 3.0m per separate entry/exit or 5.5m combined; >5 spaces — 3.0m per separate entry/exit or 6.0m combined.	minima: 3.0m for separate entry/exit or 5.5m combined. Plans show these dimensions and vehicle swept-path analysis confirms adequate clearance and functionality.	
M.2.3 Car parking design Car parking layout and dimensions must comply with AS 2890.1. Visitor parking must not be in the front setback, obstruct manoeuvring, and must be paved, marked and screened where highly visible; no more than two movements for manoeuvres.	Layouts and garage dimensions comply with AS 2890.1. No visitor parking required. All spaces and manoeuvring areas are paved, directly accessible from internal driveways, outside the front setback, and vehicle swept paths demonstrate two-movement manoeuvrability.	Compliant
M.2.4 Internal road design Internal roads/driveways provide swept paths for forward-entry/exit including emergency vehicles, designed for low speed (10–30 km/h). Minimum widths for medium-density housing: <5 spaces — 3.0m one-way, 5.5m two-way; >5 spaces — 3.0m one-way, 6.0m two-way.	Internal driveway layout provides manoeuvring for forward-facing entry/exit including larger service and emergency vehicles and promotes 10–30 km/h speeds. One-way sections 3.0m; two-way sections 5.5m (<5 spaces) or 6.0m (>5 spaces). Swept-path diagrams by a qualified designer demonstrate compliance.	Compliant
M.2.5 Car parking surfaces Car parking, access, manoeuvring and loading areas require specified hard surfaces: site access to boundary - concrete; manoeuvring and car parking spaces - concrete or bitumen seal; accessible paths - concrete/bitumen.	Plans specify concrete for site access to the boundary and concrete or bitumen seal for manoeuvring areas, car spaces and accessible paths, complying with clause M.2.5; final pavement details shown on engineering drawings and certification.	Compliant

State Environmental Planning Policies

All SEPPs, deemed SEPPs and s117 directions have been assessed for relevance. The following justify comment as they have been deemed relevant to the proposal

State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2: Infrastructure – Part 2.1 Preliminary, Sections 2.1, 2.2, 2.3, 2.7 and 2.10–2.17

2.1 Aim of Chapter

This section establishes that the chapter aims to facilitate delivery of infrastructure by improving regulatory certainty, providing flexibility in location of infrastructure, allowing efficient development/redevelopment of surplus government land, identifying environmental assessment categories (including exempt development), specifying matters for assessment adjacent to infrastructure, and providing for consultation with public authorities. The chapter also provides opportunities for infrastructure to demonstrate good design outcomes.

The application concerns dwellings and associated services on land that is not State land or a public authority infrastructure facility. The proposal does not seek to rely on any exempt infrastructure provisions. The development does not involve State-owned infrastructure and therefore the aim provisions are noted for assessment context only.

2.2 Land to which Chapter applies

This clause confirms the Chapter applies to the State unless specifically excluded. It also notes that other statutory approvals may still be required under other Acts (for example, Heritage Act, Roads Act, POEO Act). The proposal is on private land zoned R1; the proposal does not trigger different land applicability under this chapter. Any required approvals under other Acts (for example Dial Before You Dig for service relocations) will be addressed through conditions and compliance measures.

2.3 Interpretation — general

This clause defines key terms used in the Chapter and confirms that terms in the Standard Instrument are adopted where not defined. Relevant definitions for this proposal include references to public roads, consent, and associated public transport facilities. The development is a residential development and is assessed under the general definitions; no specialised infrastructure definitions (such as freight facilities or electricity works) are directly applicable.

2.7 Relationship to other environmental planning instruments

This clause sets out the precedence where the Chapter prevails unless inconsistent with specified other SEPPs. Where inconsistencies exist, the other instrument may prevail for specific sections. The proposal is required to be assessed primarily against local planning controls (local environmental plan and DCP) and this Chapter is not relied upon to override those instruments. No inconsistency has been identified.

2.10 Consultation with councils — development with impacts on council-related infrastructure or services

This clause requires written notice to council where a public authority proposes development without consent that will substantially affect council infrastructure or services (stormwater, sewer, water, traffic, temporary structures). The proposal is a private development seeking consent and not public-authority carried out development without consent; however the provision is relevant insofar as the consent authority may consult the council about potential impacts on council infrastructure. The submitted application includes concept stormwater, sewer and water service information; final hydraulic designs and any required road/kerb works will be prepared to council requirements. Where the proposal requires connection to, or increased use of, council services (eg sewer, water and stormwater), necessary approvals and infrastructure works will be coordinated with the council and relevant authorities prior to works commencing.

2.11–2.15 Consultation with councils and other authorities

These clauses set out processes where public authorities must notify councils or specified authorities for development without consent likely to impact local heritage, flood liable land, coastal management programs, or other specified matters. The development is subject to standard DA assessment and council determination. The site is not identified as flood or bushfire constrained in the supplied documentation; heritage character area is noted but the site is not a listed State heritage item. Where required, any consultation with council regarding heritage character area treatment and consideration of the local heritage significance will be undertaken as part of the DA assessment process.

How the property addresses Chapter 2

The proposal does not rely on any provisions that permit development without consent by a public authority and therefore the specific consultation preconditions applying to public authority works are not engaged. The proposal will comply with obligations under other Acts and will coordinate with council and service authorities where connections or temporary structure works may affect council-managed infrastructure. Concept stormwater and services arrangements have been provided and final designs will be prepared by a hydraulic engineer and submitted for council approval; a Dial Before You Dig search and service relocation or protection measures will be undertaken prior to works. The Railway Street heritage character area is acknowledged and the design response includes materials and setbacks sympathetic to the character; any minor heritage impacts will be addressed in the heritage character assessment and by responding to council feedback through the DA process.

Chapter 2: Infrastructure – Part 2.2 Consultation and Division 17 Roads and Traffic (Sections 2.10, 2.15, 2.17, 2.43–2.48)**2.15 Consultation with authorities other than councils**

This clause requires notice to specified authorities for certain types of development that may be carried out without consent by a public authority. It lists types of development and relevant authorities (for example Transport for NSW for structures in navigable waters). The proposal is a private residential DA and is not public-authority exempt development; however if council or the consent authority identifies potential impacts to external authorities (eg utility providers or TfNSW) those authorities will be consulted in accordance with the standard DA notification and referral processes.

2.17 Exceptions

This clause lists exceptions where sections 2.10–2.15 do not apply (for example where notice would duplicate required approvals, or where works are emergency works, or where development is exempt or complying). The development is a consenting private development and not a public authority carrying out works without consent; therefore these exceptions are not triggered.

2.43–2.48 Electricity transmission or distribution and related matters

These provisions prescribe requirements where development is near electricity infrastructure and set notification requirements for the electricity supply authority if development penetrates ground near particular transmission corridors, or if development is within specified distances to power lines, substations or easements. The submitted documentation identifies existing services and advises Dial Before You Dig investigation. The proposal does not propose works within identified high risk electricity corridors. Prior to construction the applicant will consult the relevant electricity supply authority and comply with the notification/clearance requirements of sections 2.47–2.48 where ground penetration or proximity to electrical infrastructure triggers the statutory notice requirements. Any certificate or written response from the electricity supply authority will be provided to the consent authority if required.

How the property addresses Division 17 and related clauses

The design locates driveways, garages and services clear of known electricity infrastructure to the extent identified on the submitted drawings. A Dial Before You Dig service location will be obtained and a condition of consent is requested to require compliance with any infrastructure protection or setback requirements identified by the relevant electricity supply authority. There is no discernible need at this stage for formal notice under sections 2.47–2.48; if ground penetration occurs within distances specified in those clauses the consent authority will be provided evidence of consultation and any required mitigation.

Chapter 6: Moorebank Freight Intermodal Precinct (relevance note)**6.1 Definitions (selected)**

This Chapter applies to a specific precinct and defines freight-related terms. It is not relevant to the proposed residential development as the site is outside the Moorebank precinct and not a freight intermodal facility.

How the property addresses Chapter 6

Not applicable. The development does not involve freight intermodal facilities or land within the Moorebank precinct.

Planner's conclusion and recommended actions

The Transport and Infrastructure Policy provides context and specific procedural requirements where development is undertaken by public authorities without consent or where development affects critical infrastructure corridors. The proposed private residential development does not rely on public-authority without-consent provisions of the Policy and is appropriately assessed under the local environmental plan

and DCP controls. Nevertheless, several procedural matters under the Policy are relevant to the DA process and are proposed to be actioned as part of conditions of consent: final hydraulic and sewer designs to council standards; a Dial Before You Dig service location search and compliance with electricity provider requirements where required by sections 2.47–2.48; and liaison with council regarding heritage character area considerations. If the consent authority considers that further consultation with a specified authority is required (for example the electricity supply authority or Transport for NSW), the applicant will undertake that consultation and provide evidence to the consent authority.

Information to be provided or confirmed by the applicant prior to determination

- Provide final hydraulic engineer's designs for stormwater, including pit sizing, invert levels and drainage connection details for council assessment.
- Provide a Dial Before You Dig search and evidence of consultation with the electricity supply authority (and any required written responses) if required by the consent authority.
- Provide a draft Management Statement for the proposed Community Title Subdivision or request a variation to the DCP control if the Management Statement cannot be prepared prior to lodgement.
- Confirm any heritage-related consultation with council in respect of the Railway Street character area, and provide any responses to character requirements.

If further specifics are required by the consent authority the applicant will supply the required documentation.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2: Interpretation; Sections 2.1–2.6

2.1 Aim of Chapter

This Chapter requires an integrated approach to land use planning in the coastal zone consistent with the Coastal Management Act 2016, including management objectives for coastal areas and mapping of the four coastal management areas: coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area (section 2.1).

The subject land is not identified in the material provided as being within the coastal zone or any coastal management area. The SEPP definitions and maps therefore do not apply to the proposed development. No coastal management maps or certified coastal management programs have been identified as relevant to the site. Accordingly, the aims of Chapter 2 are noted but do not impose any operational constraints on this application.

2.2 Interpretation

This section defines terms used in the Chapter and clarifies that expressions carry the same meaning as in the Coastal Management Act 2016 and, where not defined, as in the Standard Instrument (Local Environmental Plans). The Chapter also adopts named maps for identification of coastal areas (section 2.2).

The definitions in section 2.2 are not relevant to assessment of the proposed development because the site is not within the coastal zone. No reference to Coastal Environment Area Map, Coastal Vulnerability Area Map or Coastal Wetlands and Littoral Rainforests Area Map is required for the DA.

2.3 Land to which Chapter applies

This section states the Chapter applies to land within the coastal zone (section 2.3).

The subject land is not shown to be within the coastal zone in the information provided. Therefore, the Chapter does not apply.

2.4 Identification of coastal management areas

This section identifies the coastal management areas by reference to the adopted maps and notes how proximity areas are included (section 2.4).

No coastal wetlands, littoral rainforest, coastal vulnerability, coastal environment or coastal use mapping has been identified for the site. Consequently, no further mapping-based assessment or referral under this clause is required.

2.5 Relationship with other environmental planning instruments

In the event of inconsistency the Chapter prevails to the extent of the inconsistency (section 2.5). The Chapter does not apply to certain lease areas under other SEPPs.

As the Chapter does not apply to the land it does not trigger any overriding of other instruments for this site.

2.6 Maps

This clause confirms the status of the named maps adopted by the Chapter and their availability (section 2.6).

No maps from this SEPP have been identified as applying to the site; no further action is required in respect of map review or map amendment.

Part 2.2: Development controls for coastal management areas — Division 2 Coastal vulnerability area (Section 2.9)

2.9 Development on land within the coastal vulnerability area

This clause requires the consent authority to be satisfied that development within a mapped coastal vulnerability area is engineered to withstand current and projected coastal hazards for the design life of the building or works; will not alter coastal processes to the detriment of the natural environment or other

land; will not reduce public amenity, access to adjacent beach, foreshore, rock platform or headland; incorporates appropriate measures to manage risk to life and public safety from coastal hazards; and that measures are in place for appropriate responses to and management of coastal hazards (section 2.9).

The provided documentation and planning searches indicate no coastal vulnerability mapping or coastal hazard overlay applies to the site. The development is not in a coastal location and no coastal hazard risk assessment or coastal engineering design is required. Therefore, the performance requirements of section 2.9 are not relevant to the assessment of the application.

Part 3: Coastal — Sections 3.1, 3.2, 3.3, 3.6–3.9

3.1 Aims and objectives

This Part addresses definitions and assessment requirements for hazardous and offensive industries, advertising of such applications and ensuring adequate information is provided to assess risks (section 3.1).

The proposed development is residential terrace dwellings and does not constitute a hazardous or offensive industry or storage establishment as described in these clauses. Clauses in this Part are therefore not applicable.

3.2, 3.3 Definitions of potentially hazardous/offensive industry and related terms

These clauses define potentially hazardous and offensive industries and storage establishments (sections 3.2–3.3). They require consideration of measures to reduce impact and guidance from Departmental circulars for assessment (sections 3.7).

The proposed residential development does not meet these definitions and no preliminary hazard analysis or hazardous industry assessment is required.

3.6 New definitions

This clause clarifies how references to hazardous or offensive industries in other instruments are to be interpreted (section 3.6).

Not relevant to this residential development.

3.7 Consideration of Departmental guidelines

Consent authorities must consider current circulars or guidelines in determining whether a development is hazardous or offensive (section 3.7).

Not applicable to the proposed dwellings.

3.8 Storage facilities

Prohibitions on storage facilities being offensive or hazardous do not apply unless the storage facility meets the SEPP definitions (section 3.8).

Not applicable.

3.9 Western Division — development consent required

This clause requires consent for hazardous/offensive development in the Western Division and clarifies that consent does not authorise development not otherwise permitted (section 3.9).

Not relevant to this site or proposal.

Part 4 Remediation — Sections 4.1–4.12

4.1 Object of this Chapter

This Part provides a Statewide planning approach to remediation of contaminated land including when consent is required and standards/notification requirements (section 4.1).

4.3 Definitions and 4.4–4.6 Application

Definitions for category 1 and category 2 remediation works are provided (section 4.3). Consent authorities must consider contamination and remediation when determining development applications; land found to be contaminated must be suitable for the proposed use or remediated prior to use (section 4.6). For certain land uses or where the land is within an investigation area, the consent authority must consider a preliminary investigation report carried out in accordance with contaminated land planning guidelines and the applicant must provide that report (section 4.6(2)–(3)).

The site contains an existing dwelling and outbuildings to be demolished and was constructed prior to 1990. The documentation notes asbestos checks for demolition and standard demolition precautions. There is no record in the information supplied of contamination, of the land being within a declared investigation area, or of historic uses listed in the contaminated land planning guidelines Table 1. In accordance with the SEPP requirements, the consent authority must be satisfied that the land is not contaminated, or that the land is suitable (or will be remediated) for residential use prior to occupation. The applicant will provide a preliminary investigation if requested or if future inquiries identify potential contamination.

4.7–4.11 Remediation works and categories

Category 1 remediation works require consent; category 2 works do not (sections 4.7–4.11). Category 1 works include remediation that is designated development, likely to significantly affect critical habitat or is in certain sensitive zones or where council policy would not be complied with (section 4.8). Consent must not be refused for category 1 remediation work unless the consent authority is satisfied there would be a greater risk of harm from the remediation work than from the continued use of the land (section 4.10).

The proposed works do not include remediation as part of the submission. If remediation is subsequently identified as necessary it will be assessed in accordance with this Part. At present there is no requirement for category 1 remediation and no remediation works are proposed.

Planner commentary on compliance and required actions

The SEPP chapters and clauses extracted have been reviewed for applicability. The coastal-related components of the SEPP apply only to land within the coastal zone; the available planning information and provided drawings do not identify the site as being within any coastal management area. Accordingly, the coastal mapping and performance requirements under Chapter 2 and Part 2.2 (including section 2.9) are not relevant and do not impose additional design or engineering obligations for this DA.

The hazardous/offensive development provisions in Part 3 do not apply to the residential development proposed. No potentially hazardous or offensive industry definitions are triggered and no preliminary hazard analysis under section 3.11 is required.

The remediation provisions in Part 4 are relevant as a general planning consideration. There is no evidence in the supplied information that the land is contaminated, in an investigation area, or subject to remediation orders. The applicant has noted demolition of a pre-1990 cottage and the need for asbestos checks; this is consistent with the SEPP's requirement to consider contamination and hazardous substances. In accordance with section 4.6 the consent authority must be satisfied the land is suitable for residential use. To assist the consent authority, the applicant commits to undertaking and providing a preliminary contamination investigation in accordance with the contaminated land planning guidelines if the consent authority requires it or if further historical investigation reveals potential contamination. If contamination is identified, appropriate remediation proposals and any necessary remediation work consent will be submitted for assessment in accordance with Part 4.

If the consent authority requires further information, the applicant will commission a contaminated land preliminary investigation report prepared in accordance with the contaminated land planning guidelines and will provide any subsequent detailed investigation or remediation plan as required.

Where specifics of coastal mapping, contamination history or declared investigation status are uncertain, the consent authority may request the applicant obtain the relevant map extracts or heritage/contamination searches. The applicant requests that the consent authority advise if it requires a preliminary investigation to be provided with the DA; otherwise the applicant relies on the information supplied indicating no known contamination or coastal hazard mapping affecting the site.

Summary conclusion

The SEPP provisions extracted are either not applicable to the site (coastal management and hazardous industry provisions) or are addressed by standard contamination safeguards and commitments (remediation provisions). The applicant will provide contamination investigation reports if required by the consent authority. No further action under this SEPP is currently necessary to determine the application.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Part 2: Biodiversity — Chapter 2 Vegetation in non-rural areas

2.1 Aims of Chapter

This clause establishes the objectives of protecting biodiversity values of trees and other vegetation in non-rural areas and preserving amenity through vegetation preservation (clause 2.1).

The proposed development is within a general residential zone and outside national park or State forestry land. The project will remove small trees and shrubs and demolition of ancillary structures. The objectives of this Chapter are recognised in the design approach and mitigation: landscape plans retain a significant proportion of deep soil planting and provide for replacement species (Lilly Pilly, Gardenia, Viburnum) and turf to preserve local amenity and visual vegetation values. The development provides a combined landscaped area of 265.22 m² (32.77% of the site) which supports the Chapter aims by maintaining and enhancing on-site vegetation and amenity.

2.2 Definitions

This clause sets key definitions relevant to clearing, such as clear vegetation, native vegetation, approval, permit and the biodiversity offsets scheme threshold (clause 2.2).

The proposed works do involve removal of vegetation as defined by the SEPP. No mapped biodiversity values or offsets triggers were identified in available property searches and the spatial report indicates the property is excluded from the Land Application for the SEPP. Consequently the biodiversity offsets scheme threshold is not exceeded for the proposed clearing. No biodiversity development assessment report is required and Native Vegetation Panel approval is not required. Any clearing is to be considered under the council permit process if applicable.

2.3 Land to which Chapter applies

This clause identifies the non-rural areas and the zones to which the Chapter applies, and excludes national park estate and certain conservation areas (clause 2.3).

The site is located in an R1 General Residential zone, which is one of the zones captured by the Chapter. However, the property is identified in available planning extracts as excluded from the Land Application of the SEPP. On that basis, the strategic mapping does not capture the site for higher-level biodiversity application. The proposed development therefore proceeds subject to council controls for vegetation rather than requiring additional State approvals under this Chapter.

2.6 Clearing that requires permit or approval

This clause prohibits clearing in non-rural areas without a council permit and requires Native Vegetation Panel approval where clearing of native vegetation exceeds the biodiversity offsets scheme threshold (clause 2.6).

The proposed clearing is limited to small shrubs and trees associated with the existing cottage and outbuildings. Based on the site area and the nature of the vegetation, the clearing does not exceed the biodiversity offsets scheme threshold. No Native Vegetation Panel approval is required. If the council requires a permit for clearing under its Local DCP the applicant will apply for a council permit and comply with conditions. The development drawings incorporate mitigation measures including nominated plant species, tree pit details and erosion and sediment controls to be implemented during construction. If council determines that any specific trees are regulated vegetation under the local plan, appropriate permit applications and replacement planting will be provided.

2.7 Clearing that does not require permit or approval

This clause lists circumstances where clearing does not require a permit or approval, for example removal of vegetation that council is satisfied is a risk to life or property or is dying or dead (clause 2.7).

The proposed removals do not consist of vegetation that is dying or an immediate risk. Therefore the proposed removal of vegetation is subject to the permit/consent pathway in clause 2.6. The application includes a planting and landscaping strategy to offset the visual and biodiversity impacts of vegetation loss and will comply with council requirements for replacement planting.

2.8 Clearing permitted without development consent

This clause provides that clearing not ancillary to other development and that does not require a permit or approval may be undertaken without development consent, with exceptions for heritage items or Aboriginal objects (clause 2.8).

The clearing associated with this proposal is ancillary to the carrying out of development and therefore is not authorised by clause 2.8. All clearing associated with the development is being assessed as part of the development application.

Part 2.3 Council permits for clearing of vegetation in non-rural areas**2.9 Vegetation to which Part applies**

This clause applies the Part to vegetation declared by a development control plan and allows DCPs to define species, size or location of vegetation to which the Part applies (clause 2.9).

Cowra Council's DCP contains provisions relevant to the Railway Street character area. The DCP can declare vegetation controls; where local DCP mapping or schedules identify regulated vegetation, the applicant will comply with permit requirements. The landscaping plan submitted with the application provides species lists, tree pit details and a planting schedule consistent with local amenity and DCP objectives.

2.10 Council may issue permit for clearing of vegetation

A council may issue a permit to clear vegetation to which this Part applies but cannot permit clearing exceeding the biodiversity offsets scheme threshold or allow clearing of vegetation that forms part of a heritage item or Aboriginal object unless minor in nature (clause 2.10).

The site is within a heritage character area but does not contain a listed heritage item. The proposed clearing does not form part of a heritage item or Aboriginal object. Should council determine a permit is required for the declared vegetation, the applicant seeks such permit and will accept reasonable conditions, including replacement planting and site rehabilitation measures. The landscape design retains substantial landscaped area and provides species selection to reinforce the heritage character area plant palette.

2.11 Miscellaneous provisions relating to permits

This clause requires permit applications to be made in the form required by council and allows the council to request further information (clause 2.11).

If council requires further information, including a tree assessment or arborist report, the applicant will supply that information promptly. At present, no regulated or significant native vegetation was identified in the available searches; however if the council or an arborist identifies regulated trees to be removed, an arborist report and replacement planting strategy will be provided.

Part 13 Strategic conservation planning (select provisions)

13.2 Aims of Chapter

This clause sets aims to ensure development is consistent with biodiversity certification and to identify and protect areas with high biodiversity or regional significance (clause 13.2).

The site is not within any identified strategic conservation mapping in the available dataset and is excluded from the Land Application for this SEPP. The proposed development does not trigger strategic conservation planning provisions and will not prejudice identified conservation objectives.

Planner's conclusion regarding SEPP compliance

The proposed development has been assessed against the relevant provisions of the SEPP. The site is within an R1 residential zone captured by the SEPP's non-rural vegetation provisions but is identified in the available planning extracts as excluded from the SEPP Land Application mapping. No terrestrial biodiversity mapping or offsets triggers were identified and the proposed clearing does not exceed the biodiversity offsets scheme threshold. The development does involve removal of small trees and shrubs; these removals are justified as part of demolition and construction and are mitigated by a comprehensive landscaping strategy providing 32.77% landscaped area and replacement planting. Should council identify any regulated or significant vegetation requiring a permit or additional information, the applicant will provide an arborist assessment, apply for a council clearing permit and accept appropriate permit conditions, including replacement planting, erosion control and construction-phase protection measures. If any part of the site is later identified as triggering Native Vegetation Panel approval or biodiversity offsets, the applicant will prepare and lodge the necessary biodiversity development assessment report and offsetting arrangements.

Matters for council to confirm or require

Confirmation from council is requested regarding whether any on-site trees are regulated under local DCP provisions and whether a council clearing permit or arborist report is required. If required, an arborist report and updated landscape plan demonstrating species, sizes and establishment measures will be submitted. If biodiversity mapping or offsets triggers apply contrary to the available extracts, a biodiversity development assessment report and any offsetting obligations will be prepared and submitted as directed by council or the Native Vegetation Panel.

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Planning Systems) 2021

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Chapter 2: State and regional development - Part 2.2 Definitions and 2.6 Declaration of State significant development**2.2(1) Definitions — environmentally sensitive area of State significance; estimated development cost**

This section defines terms used in the Chapter, including what constitutes an environmentally sensitive area of State significance (for example, coastal waters, coastal wetlands, declared Ramsar wetlands, World Heritage properties, State Heritage Register items, reserved conservation lands and areas of high Aboriginal cultural or biodiversity significance) and confirms that estimated development cost has the same meaning as in the Environmental Planning and Assessment Regulation 2021.

The proposal is a residential community title subdivision and construction of three terrace dwellings and does not involve development within the classes of environmentally sensitive areas listed under clause 2.2(1). The estimated development cost of the works is less than thresholds for State significant development listed in the SEPP (see Schedule 1). Accordingly, the development is not within an environmentally sensitive area of State significance as defined by this clause and the estimated development cost is not of a scale to trigger State significant development.

2.6 Declaration of State significant development

Clause 2.6 declares development to be State significant development where the development is not permissible without consent under Part 4 and is specified in Schedule 1 or 2 (for example where estimated development cost or type of development exceed specified thresholds).

The proposed development is residential terrace dwellings on land zoned for general residential use and requires development consent under Part 4 of the Act. The proposal does not meet any of the Schedule 1 or 2 criteria for State significant development (for example thresholds for estimated development cost, mining, major infrastructure and designated development). Therefore the proposal is not State significant development as defined by clause 2.6.

Chapter 2: Part 2.3 Maps and 2.5 Relationship to other environmental planning instruments**2.3 Maps**

This clause explains that references to named maps in the Chapter are references to Minister-approved maps as amended from time to time, and that maps may be kept in electronic or paper form and made publicly available.

The application does not rely on or require interpretation of any Minister-adopted maps under this Chapter. Local planning controls and the Cowra LEP and DCP provide the applicable mapping for zoning and local constraints. Any mapping or maps relevant to State significance are not applicable to the subject development.

2.5 Relationship to other environmental planning instruments

This clause confirms that, subject to section 74(1) of the Act, where there is an inconsistency between this Chapter and another environmental planning instrument, this Chapter prevails to the extent of the inconsistency.

The proposed development aligns with local environmental planning instruments and there are no inconsistencies with State-level provisions that affect the assessment. Local instrumental provisions in the applicable LEP and DCP remain the primary basis for the DA assessment.

Chapter 4: Planning - 4.3 Planning Secretary may act as concurrence authority

4.3 Planning Secretary may act as concurrence authority

This clause permits the Planning Secretary to act in place of a concurrence authority where that person fails to notify the consent authority of a decision within the time allowed. It sets out procedural matters for such an election and the matters the Planning Secretary must take into account.

There are no concurrence authority referrals identified under the relevant State SEPP provisions for this proposal. If any concurrence is required under another instrument and a decision is not provided in time, the Planning Secretary has the statutory power to act. At present no concurrence request has been identified or is necessary for the residential terraces and community title subdivision.

Chapter 3: Building — applicability to land owned by Aboriginal Land Councils

3.3 Land to which Chapter applies and 3.6 Approval of development delivery plans

This Chapter applies to land owned by Aboriginal Land Councils and establishes requirements for Minister-approved development delivery plans where applicable.

The subject land is not owned by an Aboriginal Land Council. These provisions are therefore not applicable to the current assessment.

Schedules and Part 2.2/2.3 procedural matters

Schedule 1 — State significant development (general)

Schedule 1 lists classes of development that would be declared State significant development where certain thresholds apply, including intensive livestock agriculture, aquaculture, mining, large scale private infrastructure and other high-cost development.

The proposed residential development is not of a type or value listed in Schedule 1 and therefore is not State significant development.

How the property addresses the SEPP

The development does not trigger State-level significance under the definitions and thresholds provided in Chapter 2 and Schedule 1 of this SEPP. The works are confined to a residential terrace development and associated community title subdivision on land zoned for general residential purposes. The site is not within an identified environmentally sensitive area of State significance and the estimated development cost does not meet the monetary thresholds for declaration as State significant development or State

significant infrastructure. No Minister-adopted State maps or State-level development delivery plans apply to the site.

Accordingly, the proposal is to be assessed under the standard DA pathway by the local consent authority with reference to the Cowra Local Environmental Plan 2012 and Cowra Development Control Plan 2021 and any relevant State policies invoked by those instruments. If any concurrence authority is later identified (for example under another SEPP), the Planning Secretary may act where a concurrence decision is not timely; however, at lodgement there are no concurrence matters arising from this SEPP that affect the DA. If the consent authority requires an estimate of development cost to confirm non-applicability to Schedule 1 thresholds, the applicant should provide the estimated development cost in accordance with the Environmental Planning and Assessment Regulation 2021. If any part of the works involves land owned by an Aboriginal Land Council, or any part is unexpectedly within an environmentally sensitive area, the applicant will need to provide further information to confirm compliance.

State Environmental Planning Policy (Precincts - Regional) 2021

State Environmental Planning Policy (Precincts - Regional) 2021

Chapter 1: Preliminary

1.3 Definitions

This section identifies that terms used in the Policy adopt the meanings in the Environmental Planning and Assessment Act 1979 and related interpretation provisions. It clarifies that the Act and the Interpretation Act 1987 contain definitions and that transferred provisions are to be construed consistently with their original meaning.

The definitions and interpretation provisions in this Chapter are not directly determinative of the merit of the development proposal. The proposal has been prepared and assessed in accordance with the ordinary meanings of planning terms and the Act. No specialised definitions in the Policy alter the assessment of the proposal. Where specific terms from the Policy are invoked in other chapters of this assessment, they will be applied in the same manner as defined by the Act and associated legislation.

Chapter 2: State significant precincts

2.1 Aims of Chapter

This clause sets out the aims to facilitate development, redevelopment or protection of important urban, coastal and regional sites of State economic, environmental or social significance and to facilitate service delivery outcomes for public services and major site development for public purposes.

The proposal is for residential terrace dwellings in a General Residential zone and does not seek to establish or alter any State significant precinct, nor does it constitute development of strategic State significance as described by this clause. Therefore, the aims of this Chapter are noted but not directly applicable to determining the merit of the development application.

2.2 Application of Policy — transitional Part 3A projects

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This clause addresses transitional arrangements for projects previously declared under Part 3A. It outlines that Schedule 6A of the Act governs transitional Part 3A projects and confirms continuity of certain certificates and declarations.

The proposed development is not a transitional Part 3A project, and no Part 3A certificates or declarations are relevant. Consequently, the transitional provisions do not apply to this application.

2.3 Definitions and key concepts

This clause provides key definitions relevant to Chapter 2, including references to coastal terminology and confirms that words and expressions have the same meaning as in Schedule 6A to the Act.

The specified definitions in this chapter do not affect the assessment of the residential development which is not located in a coastal or State significant precinct context under this Policy.

Chapter 3: Activation Precincts

3.1 Aims of Chapter

This clause establishes the purpose of identifying Activation Precincts to promote economic development, facilitate strategic land and infrastructure development and protect natural and cultural heritage within those precincts.

The site is not located within an Activation Precinct for the purposes of this Policy and the objectives and mechanisms of Chapter 3 are therefore not relevant to the assessment of this application.

3.2 Definitions

This clause provides definitions relevant to Activation Precincts and confirms that terms align with the standard local environmental planning instrument unless otherwise stated.

As the site is not within an Activation Precinct, these definitions are not engaged.

3.3 Land to which Chapter applies

This clause clarifies that Chapter 3 applies only to land within an Activation Precinct and that in the event of inconsistency this Chapter prevails.

The site is not identified as land within an Activation Precinct. No inconsistency arises and the provisions are not applicable.

3.6 Master plans for Activation Precincts

This clause requires the Minister to prepare a master plan for any Activation Precinct, including strategic vision, proposed land uses, performance criteria and limitations on development.

There is no Ministerial master plan relevant to the site. The requirement to conform to a master plan is not engaged by this development.

Part 4 Miscellaneous — Selected Provisions relevant to Parkes Activation Precinct (if applicable)**10 Additional permitted uses for particular land**

This provision permits specialised retail premises with consent on specific mapped land and operates notwithstanding other land use tables.

This provision does not apply to the subject site as it is not identified on the referenced map.

10A Preservation of trees and vegetation

This clause establishes objectives to preserve trees and native vegetation within environmentally sensitive areas of a specified Activation Precinct and prohibits clearing of native vegetation in those areas without consent. Consent must only be granted where the consent authority is satisfied that there is no reasonable alternative, biodiversity impacts are minimised, salinity will not be increased, reinstatement and compensation measures are provided and erosion risk is not increased.

The site is not mapped as an environmentally sensitive area under this Policy. The development involves removal of small trees and shrubs; however, these works are not within an Activation Precinct environmentally sensitive area as defined by the Policy. Accordingly, the strict clearing controls in clause 10A do not apply. Any clearing or tree removal will comply with local controls and council requirements; an arboricultural assessment or tree management plan will be provided if required by the consent authority.

Part 2.2, Part 3.1 and Part 3.2 general relationship and maps clauses

2.4 Maps, 2.5 Land to which Chapter applies, 2.6 Relationship to other environmental planning instruments and 3.4 Relationship with other environmental planning instruments

These clauses set out that the Chapter and relevant maps apply to the State and precinct lands, and that where there is inconsistency between this Policy and other environmental planning instruments the Policy prevails to the extent of inconsistency. They also clarify the mechanics of maps adopted by the Chapter.

The proposed development is governed principally by the local environmental plan and local planning controls. There is no identified mapping or precinct designation under this Policy that affects the site. No inconsistency arises between this Policy and the local environmental plan that would affect the application.

Assessment Conclusion

The provisions of this Policy that establish frameworks for State significant precincts and Activation Precincts are not engaged by the proposed residential terrace development. Definitions and interpretation clauses are noted and will be applied as necessary. Transitional Part 3A provisions, Activation Precinct master plan requirements and Environmentally Sensitive Area clearing controls do not apply to the site because the land is not identified as falling within a State significant precinct or an Activation Precinct under this Policy. Where the Policy sets out mapping or precedence over other instruments, no relevant map or Appendix has been identified for the land and the development therefore proceeds to assessment under the applicable local environmental plan and relevant SEPPs.

Matters for verification

The applicant should confirm whether any ministerial maps or Appendices under the Policy have been amended to include the site. If the consent authority identifies any adopted Appendix, map or master plan applying to the land, the design will be reviewed and amended to demonstrate compliance with any applicable performance criteria or limitations. If tree removal beyond minor shrubs is proposed and council requires it, an arboricultural assessment addressing biodiversity and reinstatement will be provided.

Note on omitted clauses

Specific clauses relating to transitional Part 3A projects and certain mapped precinct-specific measures have been considered and found not to apply. Any clauses not explicitly referenced are likewise not applicable to the extent they only operate where land is within a State significant precinct or Activation Precinct.

Environmental Planning and Assessment Act 1979

Summary of Considerations under Section 4.15(1)(a)

This section summarises the considerations made under Section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979 regarding the proposed development. Each applicable sub-section has been addressed thoroughly earlier in this document; here, we reaffirm the development's compliance:

- **Environmental Planning Instruments:** The proposal has been assessed against the relevant provisions of the Cowra Local Environmental Plan 2012 and is considered generally consistent with the objectives and zoning intent for R1 General Residential land, recognising the site's allocation and the permissibility of multi-dwelling housing forms with consent in appropriate circumstances.
- **Proposed Instruments:** Relevant proposed instruments that have been publicly exhibited and notified to the consent authority have been considered where applicable. No notified changes have been identified that would compromise the proposal's assessment at this time.
- **Development Control Plans:** The proposal has been assessed against the Cowra Shire Council Development Control Plan 2021, including specific Parts relevant to this development, and has been designed to respond to those controls subject to a number of specific matters and variations addressed in this SoEE.
- **Planning Agreements:** There are no existing or proposed planning agreements affecting the proposed development.
- **Regulations:** Relevant statutory regulations and standards, including the National Construction Code 2022 and applicable Australian Standards referenced in the documentation, have been considered and will inform the final construction documentation and conditions of consent.

Assessment of Development Impacts

Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 requires consideration of:

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

The content of this report demonstrates that the likely impacts of the development are acceptable because the proposal responds to the local built context by adopting a modest single-storey terrace form with articulated façades, appropriate materials and landscaping to reduce visual bulk and maintain a residential character. Potential environmental risks such as flood, bushfire and heritage constraints were investigated and not identified in the available information; where uncertainty remains (for example, service locations and detailed hydraulic calculations) the documentation requires detailed specialist input (Dial Before You Dig, hydraulic engineering and asbestos survey) to confirm final designs. Impacts associated with construction (noise, dust, traffic) have been addressed through standard sedimentation, erosion and construction management measures. Variations to certain DCP controls have been identified and justified in this SoEE where necessary, with proposed mitigation measures to minimise amenity impacts on neighbouring properties, ensure adequate solar access where reasonably practicable, and maintain safe and functional access and servicing arrangements.

Suitability of the site

Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 requires consideration of:

(c) the suitability of the site for the development

The content of this report demonstrate the suitability of the site for the proposed usage, particularly in terms of:

- The allotment area of 809.19 m² can be appropriately subdivided into three community title lots with areas of approximately 267.294 m², 267.716 m² and 271.695 m² respectively;
- The single-storey, low-profile terrace dwellings maintain a modest maximum ridge height (approx. 5.25 m) and adopt materials and finishes that reflect the local residential character;
- Provision of private open space, landscaping (combined landscape area of 265.22 m², ~32.77% of the site) and rainwater harvesting measures align with reasonable expectations for residential amenity and site function;
- The site is generally level and provides straightforward access, services and on-site parking (single garages attached to each dwelling), supporting the intended residential use;
- The proposal recognises and responds to the Railway Street heritage character area and the relevant DCP character provisions, while identifying specific DCP provisions that require detailed assessment or variation.

The proposed development is consistent with the existing low-scale residential development pattern within the locality and with the planning controls insofar as they permit residential development, subject to the detailed matters and variations identified in this SoEE. Overall the development is considered an appropriate use of the site.

Public Submissions

Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979 requires consideration of:

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

As part of the assessment process, Cowra Shire Council will take into consideration matters raised in any submissions received in response to the public exhibition period as per standard process. It is not anticipated that this process will raise significant unresolved objections based on the matters addressed in this SoEE. Should submissions be received, the applicant will respond and seek to address reasonable matters raised through discussion or amendment where necessary.

Public Interest

Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 requires consideration of:

(e) the public interest

The proposed development is considered to be in accordance with the public's interest in that:

- It provides an appropriate residential use of the site;
- It is designed to align with the streetscape and local residential character by adopting compatible materials, proportions and landscaping;
- It has been assessed against and responds to the applicable aims and objectives of the Cowra Local Environmental Plan 2012 and the Cowra Shire Council Development Control Plan 2021;
- Where specific variations to DCP controls are required, these have been identified and justified with mitigation measures proposed to protect neighbouring amenity and meet statutory requirements.

Conclusion and Recommendation

We are pleased to submit this Statement of Environmental Effects along with the relevant supporting documentation for the demolition of existing structures, community title subdivision and construction of three single-storey terrace dwellings with attached garages at LOT10, DP1287, 3 Railway Street Cowra NSW 2794.

Specifically, this Statement of Environmental Effects (SoEE) has considered:

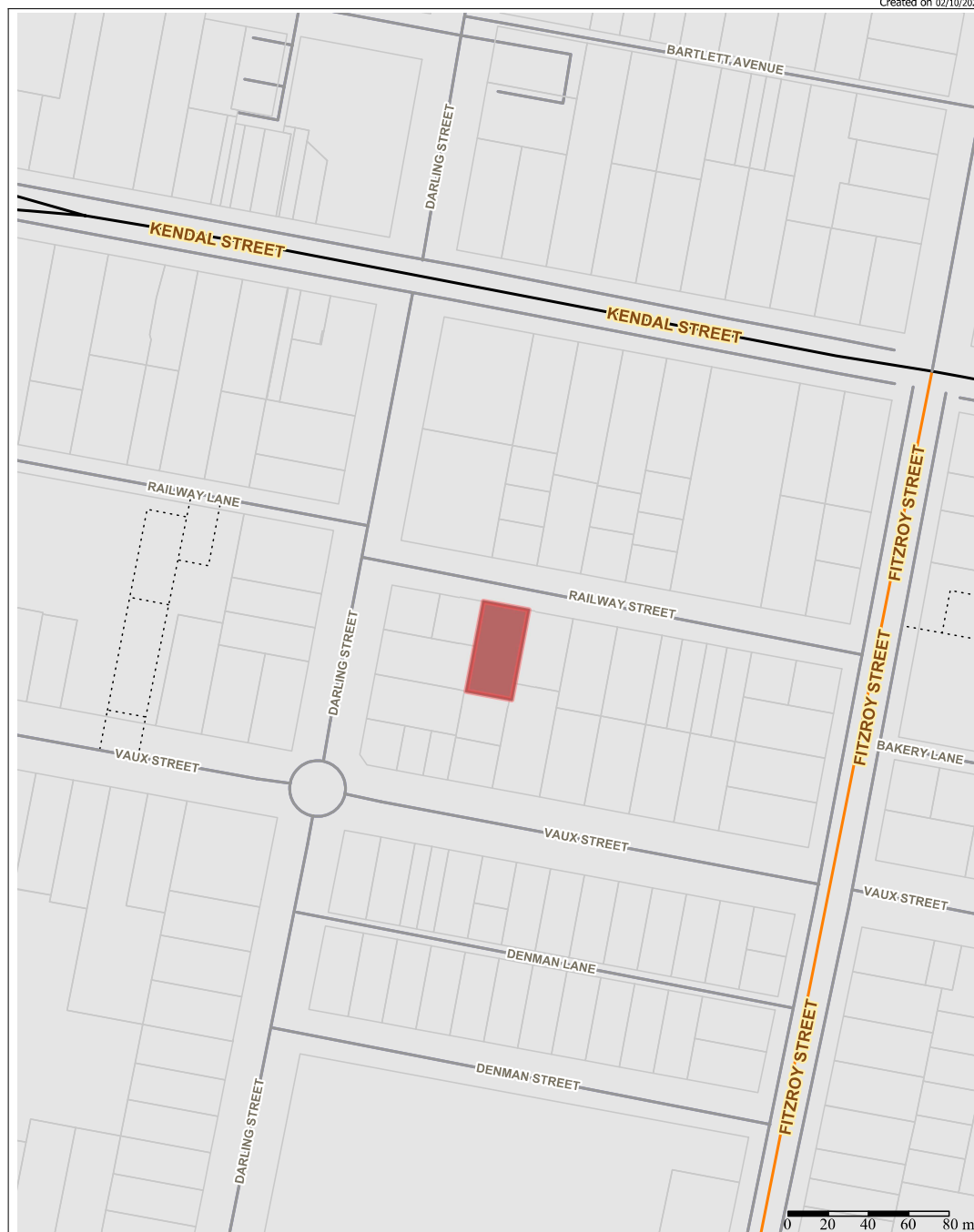
- the specific details and context of the proposed development;
- a review of the site and its surrounding locality;
- an assessment of the proposal against the provisions of the Cowra Local Environmental Plan 2012, the Cowra Shire Council Development Control Plan 2021, relevant State Environmental Planning Policies and other statutory controls; and
- identification of required specialist inputs and the controls/variations that require further justification or documentation (for example, a draft Management Statement for the community title subdivision, hydraulic design, dial before you dig service verification and an asbestos survey for demolition works).

The findings of this SoEE demonstrate that the proposal aligns with the objectives and intent of the Cowra Local Environmental Plan 2012 and the Cowra Shire Council Development Control Plan 2021 in that it provides a low-scale residential development which is sited, modelled and landscaped to respond to the locality. Key aspects that support the project's appropriateness include:

- The development form is single storey with a modest ridge height and articulated façades that reduce bulk and are sympathetic to the Railway Street character area;
- Lot yield and layout provide for private open space, landscaping and on-site garage parking consistent with the site's R1 zoning intent;
- Statutory and technical matters where uncertainty exists (services, stormwater hydraulics, asbestos and required management statements) have been identified and will be resolved through specialist reports and conditions of consent;
- Where variations to specific DCP requirements are proposed, these have been explicitly identified and are supported by the assessment in this SoEE with proposed mitigation to minimise impacts on neighbouring amenity and achieve compliant outcomes where practicable.

We submit this SoEE for assessment on the basis that the proposal is an appropriate and manageable form of residential development for the site subject to the recommended specialist investigations, the submission of the draft community title Management Statement or an agreed variation, and appropriate conditions to address final engineering, service verification and construction management. Based on the assessment contained in this statement, the development is considered suitable for approval, subject to any reasonable conditions of consent.

Created on 02/10/2025



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Drawn By: Cassandra Galky

Projection: # GDA2020 / MGA zone 55

Date: 02/10/2025 11:06 AM

DA 10.2025.70.1 - 3 Railway Street Cowra

Map Scale: 1:2265 at A4



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Cowra Council Private Bag 342 116 Keneil Street COWRA NSW 2794 Ph: (02) 6340 3000 Web: www.cowracouncil.com.au	Map Scale: 1:380 at A4			

- 4.2 Development Application No. 10.2025.69.1, Lot 243 DP 752948, Legh Street Cowra, additions to centre-based child care facility, lodged by BCT Consulting Services Pty Ltd. The property owner is Cowra Local Aboriginal Land Council.**

File Number: D25/1850

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 M.3.3.d of Part M of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and no submissions were received; and
2. That Council approves a variation to Section M.3.3.d of Part M of Council's Development Control Plan 2021 for this development to allow an unmarked car parking area; and
3. That Council refuses a request for exemption from the payment of Section 7.12 Development Contributions; and
4. That Development Application No. 10.2025.69.1, for the construction of additions to a centre-based child care facility on Lot 243 DP 752948, Legh Street Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Cover Page Drawing DA-001 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Sediment & Erosion Control Plan Drawing DA-101 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Site Plan Drawing DA-102 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Roof	NTARCH Architects	Received

Drawing DA-103 Issue C	23/09/2025	27 September 2025 Stamped No. 10.2025.69.1(B)
Ground Floor Drawing DA-004 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Shadows 9 AM Drawing DA-105 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Shadows 12 PM Drawing DA-106 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Shadows 3 PM Drawing DA-107 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Elevations Drawing DA-201 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Overall Elevations Drawing DA-202 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Existing 3ds Drawing DA-203 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
New Building 3ds Drawing DA-204 Issue C	NTARCH Architects 23/09/2025	Received 27 September 2025 Stamped No. 10.2025.69.1(B)
Plan of Detail and Feature survey	Arete Survey Solutions 24/10/2024	Received 24 July 2025 Stamped No. 10.2025.69.1
Statement of Environmental Effects Version 2	Vision Property development Hub 16/09/2025	Received 17 September 2025 Stamped No. 10.2025.69.1(A)

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. All traffic movements in and out of the development are to be in a forward direction.
4. The approved hours of operation are as follows:
 - 9am to 3.30pm Monday to Friday
5. An Annual Fire Safety Statement for all the Essential Fire Safety Measures applicable to the building must be given to Council and a copy forwarded to the Fire Commissioner via the dedicated email address afss@fire.nsw.gov.au:
 - (i) within 12 months after the date on which an annual fire safety statement was previously given, or
 - (ii) if a fire safety certificate has been issued within the previous 12 months, within 12 months after the fire safety certificate was issued, whichever is the later.

A copy of the Annual Fire Safety Statement (together with a copy of the current fire safety schedule) must also be prominently displayed in the building.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SECTION 68 APPROVAL

6. Prior to the issue of a Section 68 approval for the transportable building, 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.
7. Pursuant to Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Section 68 approval. 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	\$325,000.00	1%	\$3,250.00	30 June 2026

Contribution ²				
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

8. The Applicant is to obtain a Construction Certificate for the shade sail structure 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.
9. Prior to the commencement of works associated with the transportable building the Applicant is to obtain all relevant approvals for the installation of a transportable building on the subject land. In this regard the applicant is to apply for an Approval under Section 68 of the Local Government Act 1993 for the transportable building. The application must include all information required by the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021. The application must include a copy of an insurance policy that covers the construction work to satisfy the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.
10. 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.
11. 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'.
12. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. The erosion and sediment control measures are to comply with the approved plans and Part B of Cowra Shire Council Development Control Plan 2021 at all times.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

13. 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.

14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. The primary entrances and pathways to the building are to comply with the requirements of the Disability (Access to Premises – Buildings) Standards 2010 and Australian Standard 1428.1-2021 Design for Access and mobility.
20. 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

21. The Applicant must not commence occupation or use of the transportable building until a Completion Certificate has been issued from the Principal Certifier appointed for the subject development.
22. The Applicant must not commence occupation or use of the shade sail structure until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
23. A Fire Safety Certificate shall be furnished to the Principle Certifying Authority for all the Essential Fire Safety Measures specified in the current fire safety schedule for the building, prior to issue of a Completion Certificate. A copy of the Fire Safety Certificate must be submitted to Council by the PCA with the Completion 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
24. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water and sewer supply to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of any Completion Certificate.

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

ADVICE

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

2. If excavating, it is recommended you go to **Before You Dig Australia** at www.byda.com.au and lodge a free enquiry that helps keep people safe and protect underground infrastructure.
-

INTRODUCTION

Development Application No. 10.2025.69.1 proposes additions to a centre-based child care facility on Lot 243 DP 752948, Legh Street Cowra. The application was lodged by BCT Consulting Services Pty Ltd on 24 July 2025. The property owner is Cowra Local Aboriginal Land Council.

The application is being reported to Council because the Applicant has requested to not line mark the carparking area associated with the addition to the childcare facility. This consists of a variation to Cowra Council Development Control Plan 2021. In addition, the applicant has requested an exemption from the payment of development contributions. In accordance with Cowra Council S94A Contributions Plan, such a request must be determined at a meeting of Council.

A copy of the site and elevation plans of the proposed additions to a centre-based child care facility 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 243 DP 752948, Legh Street Cowra is a rectangular allotment of approximately 3.68 hectares. The lot is located in the R1 General residential zone under Cowra Local Environmental Plan (LEP) 2012. The site is opposite the Cowra Golf Club and contains a child care centre and ancillary buildings. The site is relatively level.

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 additions to a centre-based child care facility described as follows:

- A pre-manufactured building 9.6m long by 9m wide with a 2.4m wide awning. The floor plan illustrates a play room, two offices and toilets.
- A shade sail cover with dimensions of approximately 13m by 12m.

The new building will provide pre-school services for up to 15 children. Existing staff will fill the teaching positions within the new pre-school addition which will operate within the existing hours of operation of the child care centre.

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 10.2025.69.1:

Section 4.15(I) 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 (additions to) a centre-based child care facility under the LEP.

1.6 Consent authority

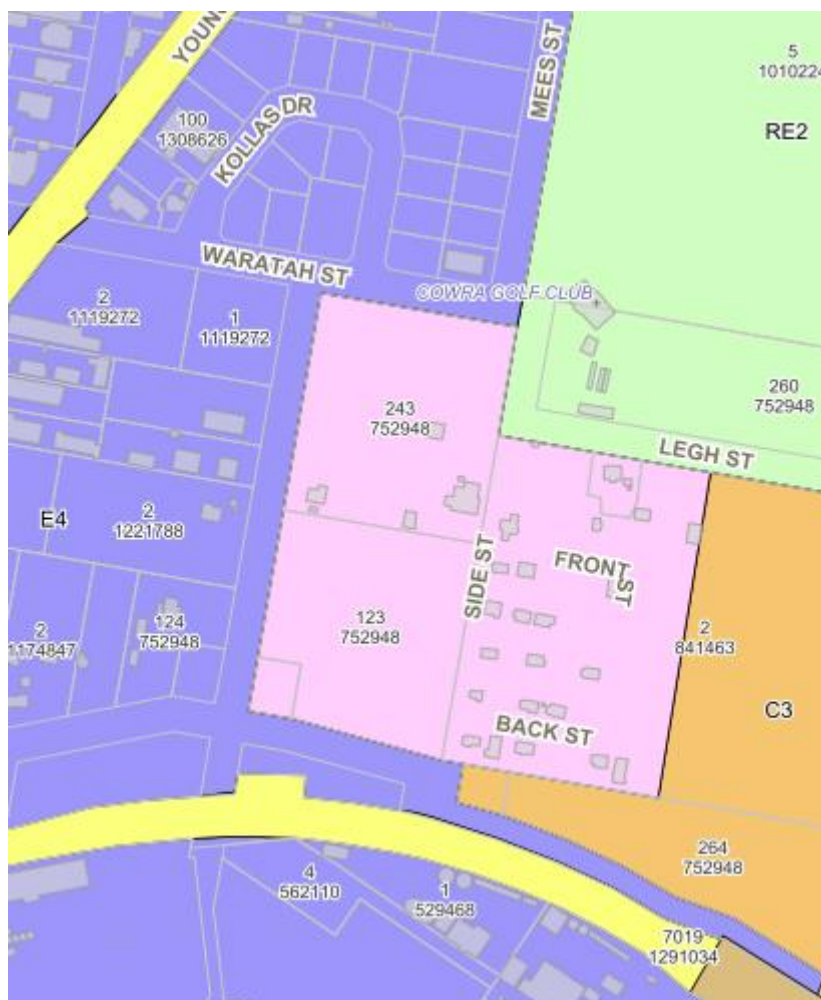
The consent authority for the purposes of this Plan is (subject to the Act) the Council.

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 subject land is zoned R1 General Residential under the provisions of the Cowra Local Environmental Plan (LEP) 2012.



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 of additions to a centre-based child care facility is permitted in the zone with development consent.

2.3 Zone objectives

I Objectives of the Zone

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

5.10 Heritage conservation

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

5.11 Bushfire

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. It is considered the risk from flood to be minimal.

Part 6 Urban release areas

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

7.1 Earthworks

The site is relatively level and the building is relocatable requiring minimal earthworks for its installation. Standard conditions requiring soil and erosion control measures in accordance with Council policy are recommended.

7.3 Terrestrial biodiversity

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

7.4 Riparian land and watercourses

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

7.5 Wetlands

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

7.6 Groundwater vulnerability

This clause applies to land that is identified as groundwater vulnerable on the *Groundwater Vulnerability Map*, and the site is mapped as being affected. However, the proposed development will be connected to Council's reticulated water and sewer services and is not anticipated to impact on groundwater supply or quality.

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	Reticulated water is available for connection.
Electricity	Electricity is available to the site.
Sewage	Reticulated sewer is available for connection.
Stormwater	Stormwater runoff can be accommodated on site.
Access	The development will be accessed via the existing access on Side Street.

7.11 Development on land in karst areas

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

Education and Care Services National Regulations

Clause 107 requires the provision of at least 3.25m² of unencumbered indoor space for each child being educated and cared for by the service. Based on that calculation a total indoor space of 48.75m² is required within the proposed child care premise to accommodate a maximum number of 15 children. The proposed child care building includes a total of 49.5m² of unencumbered indoor space which satisfactorily fulfils that requirement.

The Child care centre premise requires at least 7m² of unencumbered outdoor space for each child as per Clause 108 of this regulation. Based on that calculation a total indoor space of 105m² is required within the proposed child care premise to accommodate a maximum number of 15

children. The proposal contains 838.3m² of unencumbered outdoor space which satisfactorily fulfils that requirement.

The proposal is considered consistent with other clauses of this regulation.

State Environmental Planning Policies

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable. No trees require removal.
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	Includes the former SEPP 55 – Remediation of Land. See comments below.
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	Not applicable
SEPP (Transport and Infrastructure) 2021	This SEPP includes provisions for Child Care Centres. See comments below.

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

The application does not reference any previous or proposed potential land contaminating activities on the site and Council is not aware of any activities that may have or may cause land contamination. The site is presently used for a centre-based child care facility and this use remains

unchanged as a result of this proposal. No further investigation is required in accordance with the NSW Managing Land Contamination Guidelines.

SEPP (TRANSPORT & INFRASTRUCTURE) 2021

Chapter 3 of the SEPP applies to educational establishments and child care facilities. The aims of the chapter are set out below:

3.1 Aims of Chapter

The aim of this Chapter is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by—

- (a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and
- (b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and
- (c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and
- (d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and
- (e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and
- (f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and
- (g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and
- (h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.

The following sections are of particular relevance for Council's consideration:

3.23 Centre-based child care facility—matters for consideration by consent authorities

Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the *Child Care Planning Guideline*, in relation to the proposed development.

Comment: The provisions of the Guideline have been taken into consideration with no issues of non-compliance identified.

3.24 Centre-based child care facility in certain zones—additional matters for consideration by consent authorities

- (1) The object of this section is to minimise land use conflicts with existing developments on surrounding land and to ensure the safety and health of people using or visiting a centre-based child care facility on land in a prescribed zone.
- (2) The consent authority must consider the following matters before determining a development application for development for the purpose of a centre-based child care facility on land in a prescribed zone—
 - (a) whether the proposed development is compatible with neighbouring land uses, including its proximity to restricted premises, sex services premises or hazardous land uses,
 - (b) whether the proposed development has the potential to restrict the operation of existing industrial land uses,
 - (c) whether the location of the proposed development will pose a health or safety risk to children, visitors or staff.

Comment: The proposal is satisfactory with regard to the above considerations, being located within a mixed-use area including residential uses and not in proximity to restricted premises, sex services premises or hazardous land uses. The proposal is unlikely to restrict the operation of nearby industrial land uses. The site already contains a centre-based child care facility and the location will not pose a health or safety risk to children, visitors or staff.

- (3) The matters referred to in subsection (2) are in addition to any other matter that the consent authority must consider before determining a development application for development for the purpose of a centre-based child care facility.

3.26 Centre-based child care facility—non-discretionary development standards

Comment: The proposed development complies with subclauses (1) to (3) which relate to location, indoor or outdoor space, site area and site dimensions, and colour of building materials or shade structures.

The proposed development complies with all relevant remaining sections of Chapter 3.

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 Council Development Control Plan 2021****PART B – LAND MANAGEMENT**

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

PART C – BIODIVERSITY MANAGEMENT

The development area is clear of vegetation.

PART L – ADVERTISING SIGNAGE

The proposal is assessed to comply with the relevant signage controls contained in Part L.

PART M – PARKING, ACCESS AND MOBILITY

Part M requires the provision of 1 car parking space per 4 children and 1 space per two employees. The proposed development, including the proposed addition, will cater for up to 53 children and 12 staff. This requires the provision of 20 car parking spaces to achieve compliance with the DCP.

Car parking variation:

The submitted plans show that there is sufficient existing space on site to accommodate the required car parking spaces (including one existing disabled car parking space), however the applicant does not wish to line-mark the parking area adjacent to the new addition. This represents a variation to Section M.3.3.d of Part M which states:

“Parking areas should be suitably marked by lines or other approved means to indicate the layout and circulation pattern of traffic”.

The applicant provides the following comments in support of the variation:

“The applicants are not proposing to linemark the rear car parking area. It is proposed to leave the existing sealed parking informal. The informal car parking on a sealed area achieves the objectives of car parking by providing a suitable place for parking without resulting in any erosion or negative impact. The rear car parking area is used by staff and so providing line marking will not alter the parking pattern. The car parking area is not shared by any other land uses, and is exclusively for the child care centre.

The variation to the requirement for line marked or delineated car parking is consistent with the objective of the standard which is to ensure an efficient space for on-site car parking”.

The following additional comments on the matter are also included in the Statement of Environmental Effects:

“As can be seen on the development plans submitted with the application, the site is large enough to provide the required parking areas for the proposed development. There is a large area of bitumen immediately opposite the location of the proposed building used to accommodate staff parking. A second parking area is positioned outside the demountable building positioned in the south west corner of the site.

All parents and carers are required to use the existing car park for pick up and drop off at the southern end of the site, accessed from a separate vehicle driveway directly onto Side Street. Additionally, Yalbillinga Boori operates a community bus that collects children attending the child care facility, resulting in reduced impact on parking demand.

The development does not propose any additional formal parking areas, but the existing parking available onsite is sufficient to accommodate the proposed development”.

Assessment comment:

It is not stated in the application why the applicant does not wish to line-mark the rear car parking area. However, it is agreed that there is sufficient existing area at the rear of the site to accommodate informal parking associated with the development whilst allowing adequate manoeuvring areas. Accordingly, it is assessed that the variation can be approved.

PART N – LANDSCAPING

Part N.2 requires the submission of a landscape plan with a development application for a child care centre, however this application is for an addition rather than a new centre. The addition is located well behind the existing building line and will have limited visibility from the street. The development will also be screened by existing vegetation on the site and no trees are proposed to be removed to facilitate the development. It is assessed that further landscaping is not necessary.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

The remediation of contaminated land is discussed previously in this report.

PART P – CPTED PRINCIPLES

The proposed development site is fully fenced and is assessed as consistent with the CPTED controls within the DCP.

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

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

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

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

- Clause 61 – The proposal does 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 mixed use development and the proposed addition would not negatively detract from the existing character of the locality.

Access, Parking, traffic

The proposed development will utilise the existing access crossings to the site and sufficient parking area is available as previously discussed. There are no identified traffic concerns.

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 all required utilities.

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

Water and sewer services are available for connection. Stormwater disposal associated with the development can be accommodated on site.

Soils

A standard condition requires compliance with Council's DCP 2021 with regard to sedimentation and erosion controls.

Air and Microclimate

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

Flora and Fauna

The development does not require removal of any significant vegetation.

Waste

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

Energy

No negative impacts.

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. Noise associated with the operation of the facility is not expected to impact adversely on neighbouring land uses.

Natural Hazards

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

Technological Hazards

No technological hazards or contamination risks are identified.

Safety, Security and Crime Prevention

It is considered this development will not generate any activity likely to promote any safety or security problems to the subject land or surrounding area.

Social and Economic Impacts on the locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts.

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 ReceivedPublic Consultation

The subject Development Application was notified to adjoining owners in writing from 25 July 2025 to 15 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 associated with this development application.

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

The proposed development has been considered in terms of the context and setting of the locality in previous sections to this report and has been notified to adjoining land owners. The proposed development 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

No evidence of any prior Section 7.11 Development Contributions being levied on the land have been identified. Therefore, the recommended conditions include Section 7.12 (formerly S94A) development contributions to be levied in accordance with Cowra Council S94A Contributions Plan 2016. The contributions amount is \$3,250.00.

The applicant has requested an exemption to the payment of contributions. The request letter is included in Attachment '5' to this report.

Assessment comment:

Section 3.13 Exemptions of Cowra Council s94A Contributions Plan 2016 contains a list of development types that meet the criteria for an exemption from contributions, either under the Environmental Planning & Assessment Act 1979 or under the Plan itself. The proposed development does not meet any of these criteria. Section 3.13 does however include the following criteria for exemption:

- Where Council considers an exemption is warranted, and the decision is made by formal resolution of council at an Ordinary Council meeting.

Further, the Plan states:

- To apply for an exemption to the payment of a Section 94A Levy, an application must be submitted to Council at development assessment stage, giving reasons and providing any necessary evidence for the exemption.

The submitted letter requests an exemption on the basis that the proponent of the development is a non-profit organisation. It is assessed that this is insufficient justification for an exemption. All development proponents, whether non-profit or otherwise, are responsible for including development fees in their development budget. Additionally, an exemption will reduce the funds

available for allocation to community services and facilities as per the works schedule in the Contributions Plan. It is therefore recommended that the exemption request be refused.

If Council deems that the exemption should be granted, an additional recommendation should be included to delete recommended consent condition number 6 which requires the payment of contributions in accordance with Council's s94A Contributions Plan 2016.

Conclusion

Development Application No. 10.2025.69.1 proposes additions to a centre-based child care facility on Lot 243 DP 752948, Legh Street Cowra. The application was lodged by BCT Consulting Services Pty Ltd on 24 July 2025. The property owner is Cowra Local Aboriginal Land Council.

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 works in the R1 General Residential zone. It is also consistent with existing land-use activities of the locality. The variation to Section M.3.3.d of Part M of Council's Development Control Plan 2021 is acceptable as discussed.

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

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

ATTACHMENTS

1. DA 10.2025.69.1 - Legh Street Cowra - Development Plans [↓](#)
2. DA 10.2025.69.1 - Legh Street Cowra - Statement of Environmental Effects [↓](#)
3. DA 10.2025.69.1 - Legh Street Cowra - Location map [↓](#)
4. DA 10.2025.69.1 - Legh Street Cowra - Aerial view [↓](#)
5. DA 10.2025.69.1 - Legh Street Cowra - Applicant letter requesting Contributions exemption - 24 September 2025 [↓](#)



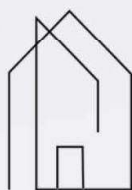




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Plan No: DA 10.2025.69.1 (A)

VISION PROPERTY DEVELOPMENT HUB



STATEMENT OF ENVIRONMENTAL EFFECTS



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Statement of Environmental Effects

Proposed Development: Additions to existing centre-based child care facility

Subject Land: Lot 243 DP 752948 - 30 Fishburn Street, Cowra

Client: Luke Tourish - NGNU

Version	Date	Changes
Version 1	26/06/2025	For submission
Version 2	16/09/2025	Updated car parking M.1.5 & Appendix C

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

Author	Plan	Page	Date	Job
NT Arch	Development Plans	1-7	09/09/2025	24-036

Prepared by:

A handwritten signature in black ink, appearing to read "P. Fitzsimmons".

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

Vision Property Development Hub have been commissioned to prepare this Statement of Environmental Effects (SEE) to consider the design of the proposed detached additions to the existing centre-based child care facility against the applicable planning controls and environmental context.

The proposed development is consistent with all applicable planning controls contained in the Cowra Local Environmental Plan 2012 (LEP) without variation and the majority of the controls contained in the Cowra Shire Council comprehensive Development Control Plan 2021 (DCP) is minor and only proposes not linemarking onsite car parking. The variation is considered minor and justification pointing out the operation of the existing onsite car parking areas demonstrating the objective of the development standard is still met is included in the SEE. Consideration of the surrounding context confirms the development is appropriate in the residential setting without any identified negative impact.

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

2. Proposed Development

The operators of Yalbillunga Boori Day Care Centre are seeking Council approval to place a pre manufactured building and freestanding shade sail on the site of the existing centre-based child care facility. This additional building will be used to provide pre-school services for up to 15 children. Existing staff will fill the teaching positions in the new building. The hours of operation for the new preschool will be 9am to 3:30pm, which is within the existing operating hours of the existing child care centre.

3. Site Description and Surrounding Land Use

The site contains the existing Yalbillunga Boori Day Care Centre which caters for children from birth to six years of age. The overall property has frontage to Fishburn, Waratah and Side Streets and is addressed 30 Fishburn Street. The child care centre facilities and access are all orientated toward Side Street.

The site is flat and contains a number of buildings, associated outdoor play areas, sheds and parking. The day care centre operates on the south eastern corner of the allotment, occupying approximately one quarter of Lot 243. Access is gained to the site using the existing dual vehicle accesses onto Side Street. The remaining land within the lot is vacant, with the exception of a residential dwelling in the south western corner of the allotment that fronts Fishburn Street to the west.

Surrounding land use is varied, with residential dwellings to the east, Cowra Golf Club to the north east and a variety of commercial businesses fronting fishburn street to the west, Waratah street to the north west and Kollas drive to the north west. The size of the subject allotment results in the commercial operations all being a significant distance (exceeding

130 metres) from the childcare facility.

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) *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.*

The land is zoned R1 General Residential. Additions to the existing centre-based child care facility are permitted with consent.

Dictionary

centre-based child care facility means—

(a) a building or place used for the education and care of children that provides any one or more of the following—

- (i) long day care,
- (ii) occasional child care,
- (iii) out-of-school-hours care (including vacation care),
- (iv) preschool care, or

(b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

Note—

An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the Children (Education and Care Services) National Law (NSW)) is provided.

but does not include—

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the Children (Education and

Care Services) National Law (NSW)), or

(e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or

(g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or

(h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

Note—

Centre-based child care facilities are a type of **early education and care facility**—see the definition of that term in this Dictionary.

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 provides child care and education service for the Cowra community. The development is located centrally within and immediately adjacent to/within the existing child care facility complex and will not result in any land use conflict with surrounding land-uses. The development is consistent with the land use zone objectives.

Clause 7.6 Groundwater vulnerability

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

- (a) to maintain the hydrological functions of key groundwater systems,*
- (b) to protect vulnerable groundwater resources from depletion and contamination as a result of development.*

(2) *This clause applies to land identified as “Groundwater vulnerable” on the Groundwater Vulnerability Map.*

(3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider the following—*

- (a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),*
- (b) any adverse impacts the development may have on groundwater dependent ecosystems,*
- (c) the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),*
- (d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

(4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comments:

The development will utilise connection Council's reticulated water and sewer management systems. The facility that forms part of the educational establishment does not involve any construction works or activities that would have any adverse impact on any vulnerable groundwater resources. The development is consistent with clause 7.6.

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 development will utilise connection to reticulated sewerage and water network. The development is connected to the network electricity supply. Stormwater from the development will be collected via a rainwater harvesting tank to be used in toilets and gardens, with overflow to the existing pipes that service the outreach centre. The development features two existing vehicle crossings from Side Street. The development is consistent with clause 7.8.

The development is consistent with the provisions 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	See below.

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 presently used for a centre-based child care facility, which remains unchanged as a result of this proposal. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines.

5.3.2 State Environmental Planning Policy (Transport and Infrastructure) 2021***Chapter 3 Educational establishments and child care facilities*****Comments:**

Appendix C of this document reviews the proposed development against the requirements of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*. The development meets the requirements of this SEPP without variation and is permitted with consent without variation to the proposed design.

(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 applicants are not proposing to linemark the rear car parking area.

It is proposed to leave the existing sealed parking informal. The informal car parking on a sealed area achieves the objectives of car parking by providing a suitable place for parking without resulting in any erosion or negative impact. The rear car parking area is used by staff and so providing line marking will not alter the parking pattern. The car parking area is not shared by any other land uses, and is exclusively for the child care centre.

The variation to the requirement for line marked or delineated car parking is consistent with the objective of the standard which is to ensure an efficient space for on-site car parking.

Part M Parking, Access and Mobility

M.1 Car Parking Code

In accordance with the parking requirements table in M.1.5.5, child care centres are required to accommodate 1 car parking space per 4 children, plus 1 car parking space per 2 employees.

As can be seen on the development plans submitted with the application, the site is large enough to provide the required parking areas for the proposed development. There is a large area of bitumen immediately opposite the location of the proposed building used to

accommodate staff parking. A second parking area is positioned outside the demountable building positioned in the south west corner of the site.

All parents and carers are required to use the existing car park for pick up and drop off at the southern end of the site, accessed from a separate vehicle driveway directly onto Side Street.

Additionally, Yalbillunga Boori operates a community bus that collects children attending the child care facility, resulting in reduced impact on parking demand.

The development does not propose any additional formal parking areas, but the existing parking available onsite is sufficient to accommodate the proposed development.

M.1.5. Off street parking calculations

In accordance with the parking requirements table in M.1.5.5, child care centres are required to accommodate 1 car parking space per 4 children, plus 1 car parking space per 2 employees.

The existing child care centre currently caters for 38 students, with 10 staff. At the completion of the additions, the centre will cater for up to 53 students, with 12 staff, requiring the provision of 20 car parking spaces.

As can be seen from the development plans, the site is able to accommodate 20 car parking spaces, however a variation to line marking these spaces is requested as outlined in M.3.3.d.

M.3.1 Parking area locations

The existing staff parking is located centrally within the site, allowing practical access to the existing daycare buildings. The existing staff parking is accessed directly from Side Street as shown in the image below. The site is relatively flat and is not constrained by slope or drainage issues. As the parking is centrally located within the site, there are no adverse visual impacts for adjoining sites as a result of the proposed building and freestanding shade sail being installed.

M.3.2. Site access design

The development does not propose any new site access. The existing site access for staff parking, as shown in the image below, is adequate for the proposed development.



Image 1: Existing vehicle entrance from Side Street. Source: Vision Property Development Hub June 2025



Image 2: Existing informal staff parking arrangement onsite. Source: Google, accessed 29/05/25.

M.3.3 Parking area design

The existing staff parking adjacent to the site proposed for the new building and shade sail incorporates an informal parking layout and circulation pattern. All existing staff parking has direct access to the driveway connecting the development to Side Street. The front car park immediately adjacent to the school on Side Street is sealed concrete with a barrier kerb. There are markings on the barrier kerb that indicate the location of the car parking spaces. The staff parking located behind the current childcare facilities and centrally within the site will be immediately adjacent to the new building and covered shade area, including bitumen/gravel, is not line marked and is informal. The bitumen gravel area is a large area that can cater for a great number of cars and is certainly an ample space to cater for all of the parking required for staff parking given the relatively small overall size of the child care facility. Whilst the parking in this area is not delineated, it is used regularly by staff who are

in regular attendance at the site so parking on the bitumen/gravel area is uncomplicated and easily achieved. Whilst this may represent a variation to Section M.3.3.d, it is considered very minor and without negative impact that would warrant line marking being required for this particular area of the site. Markings are included on the barrier kerb of the parking area at the front of the site defining the location of individual parking spaces, depicted in Image 3 below. The parking areas design does not need to accommodate the manoeuvring of any/regular rigid or heavy articulated vehicles which do not need to attend the site.

M.3.4. Disabled Parking

A designated disabled car parking space is included in the front parking area, displayed in Image 3 below:



Image 3: Existing parking at the front of the site immediately adjacent to the childcare facility. Source: Vision Property Development Hub June 2025

A continuous path of travel is available from the car parking area to the proposed building via ramps and landings.

M.3.5. Internal road design

The existing internal road design is for low speed environment and has widths that exceed the minimum 6.0 metre circulation width, and minimum parking lengths consistent with the requirements of Table 4 and appropriate to the development. The

M.3.6. Loading/unloading

The day to day operation of the child care facility does not require formal loading/unloading facilities, however there is appropriate space within the site to allow for deliveries. The two car parking areas will not be continuously fully occupied leaving space for load/unloading.

M.3.7. Signage

The existing staff parking is clearly signposted, directing all parents and children to use the front gate. The development does not propose any new signage.

M.3.8. Pedestrian travel

The development provides safe pedestrian access from both the existing staff parking area and the existing parent and carers parking area. The development does not propose any changes to the existing pedestrian travel arrangements.

M.3.9. Safety and security

The development does not operate at night. No large external lighting that would project onto any neighbouring properties is proposed.

M.3.10 Landscaping

The development does not propose any new landscaping as part of the development, and the existing site contains a number of mature trees and open space grassed areas that form part of the play areas of the centre-based child care facility. The development does not require the removal of any trees.

Part N Landscaping

As shown on the development plans submitted with this application, the development does not require the removal of any mature trees from the site. The site contains a number of existing mature trees which are incorporated into the play areas used for the centre-based day care facility on the site. The development does not propose any additional landscaping as part of this application.

The development is consistent with the requirements of Part N of the DCP without variation.

Part P CPTED Principles

As can be seen from the previous image in this document, the site is fully fenced. The use of the site as a centre-based child care facility is not a land use type that alters crime risk.

The development is consistent with the requirements of Part P of the DCP without variation.

(iiiia) 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.

5.6 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.

5.7 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 contains the existing Yalbillunga Boori Day Care Centre which caters for children from birth to six years of age. The centre plays a vital role in the local community providing child care services.

The site is flat and contains a number of buildings, associated outdoor play areas, sheds and parking. The child care centre operates on the south eastern corner of the allotment, occupying approximately one quarter of Lot 243 with existing dual vehicle access onto Side Street. The remaining land within the lot is vacant, with the exception of a residential dwelling in the south western corner of the allotment that fronts Fishburn Street.

Surrounding land use is varied, with residential dwellings to the east, Cowra Golf Club to the north east and a variety of commercial developments to the west of the development. The proposed addition positioned within the curtilage of the existing facility is of a scale and designed and positioned to be consistent with the context and setting that is already contributed to positively by the childcare facility.

Access, Transport and Traffic

Vehicle access to the site will be unchanged, utilising two existing vehicle crossings from Side Street.

Public Domain

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

Utilities

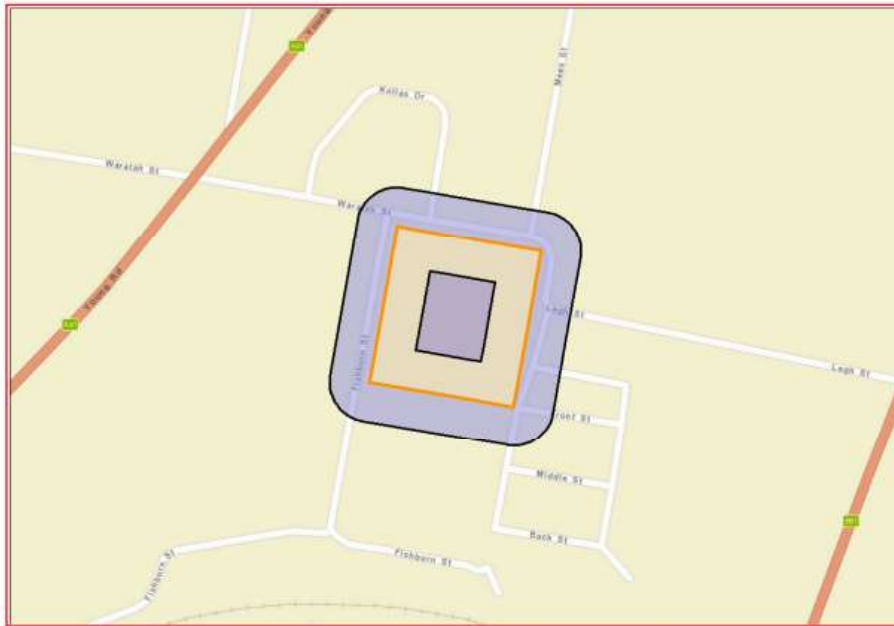
The site is serviced by utilities appropriate to cater for the development including vehicle access, sewer connection, reticulated water connection and ample space within the site to cater for absorption of stormwater run off.

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 registered items of Aboriginal Heritage Significance on the land or adjacent road reserve. See below:

AHIMS Web Service search for the following area at Lot : 243, DP:DP752948, Section : - with a Buffer of 50 meters, conducted by Beth Johnstone on 06 May 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 runoff is to be collected into a rainwater harvesting tank for use in toilets and gardens, with overflow to the existing pipes that service the outreach centre. Overflow can be absorbed within the site without impacting neighbouring allotments.

Soils

The development will not have a negative impact on soils. The area around the proposed building and covered area can be returned fully to grass covered or landscaped to ensure no erosion occurs.

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 waste from the child care facility 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. The proposed building and building use is commensurate with the existing use of the site for a child care centre without negative impact.

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 natural 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 economic impacts and will have positive social outcomes by providing additional child care facilities.

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. The existing utilities connected to the site can be utilised without any negative cumulative impact.

5.8 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. The development is positioned within the curtilage of existing onsite car parking and the other buildings and recreational areas already utilised for the child care facility.

5.9 Submissions

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

Council will complete notification/exhibition of the development in accordance with the Community Consultation Policy.

5.10 Public interest

(e) the public interest

No aspect of the proposed development will overburden any facility operating in the public interest. The development is of appropriate scale and design for the location and utility connections to cater for the development without any identified negative impact.

6. Conclusion

The proposed development is consistent with all applicable planning controls contained in the Cowra Local Environmental Plan 2012 (LEP) without variation and the majority of the controls contained in the Cowra Shire Council comprehensive Development Control Plan 2021 (DCP) is minor and only proposes not linemarking onsite car parking. The variation is considered minor and justification pointing out the operation of the existing onsite car parking areas demonstrating the objective of the development standard is still met is included in the SEE. Consideration of the surrounding context confirms the development is appropriate in the residential setting without any identified 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.

The measures within the building at the completion of the project will be adequate to protect the building and facilitate safe egress from the building and restrict spread of fire.

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.

Appendix C - State Environmental Planning Policy (Transport and Infrastructure) 2021

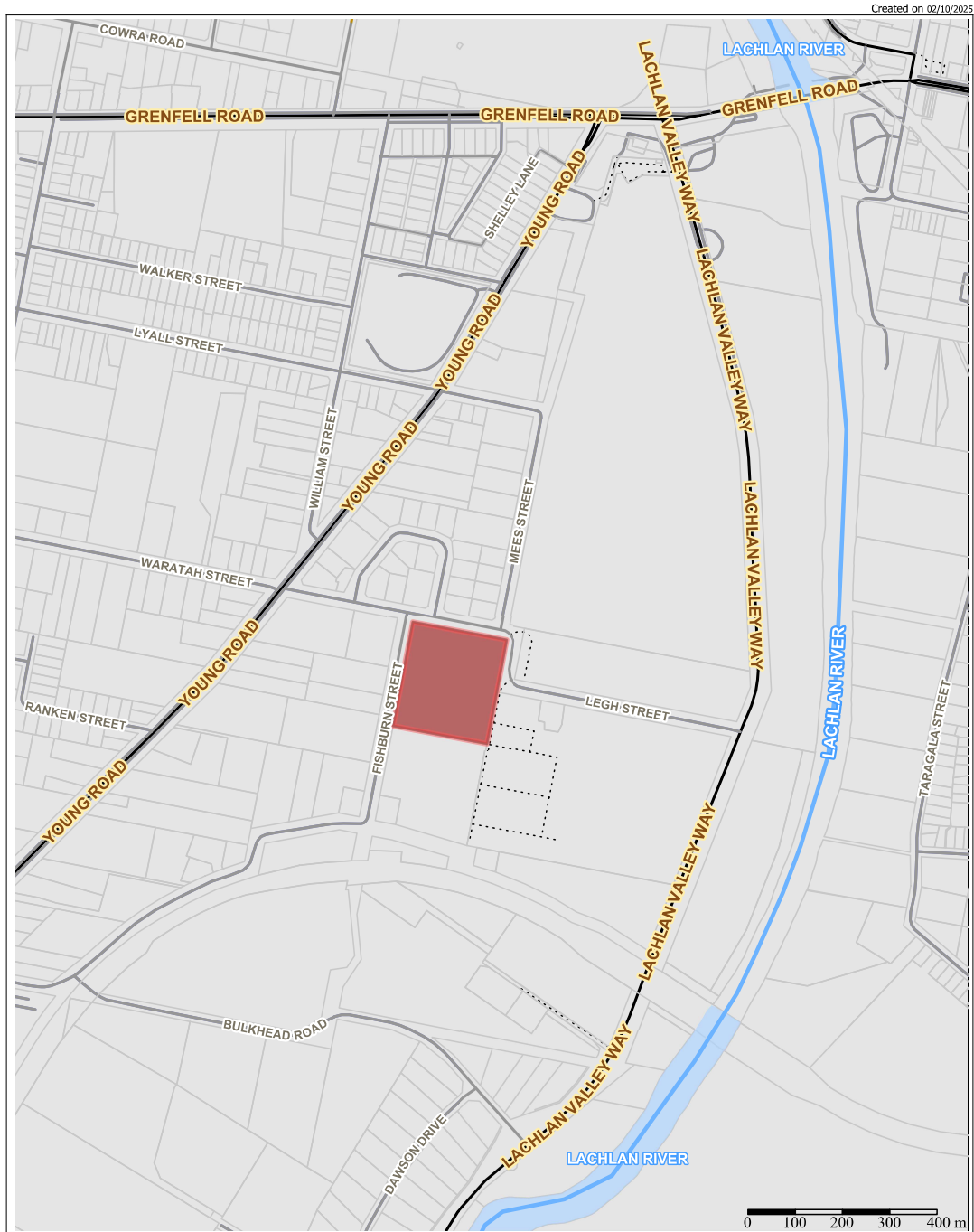
Section	Comments
Part 3.2 General	
3.8 Consultation with councils—development with impacts on council-related infrastructure or services	The proposed development is not proposed as exempt or complying development.
3.9 Consultation with councils—development with impacts on local heritage	The land and surrounding area does not contain any registered items or draft items of heritage significance.
3.10 Notification of councils and State Emergency Service—development on flood liable land	The land is not identified as being flood prone.
3.11 Consideration of Planning for Bush Fire Protection	The land is not identified as being bush fire prone.
3.12 Consultation with public authorities other than councils	The land is not located immediately adjacent to a rail corridor. The land is not located within 90 metres of a classified road. The development does not involve a change in location of an existing vehicular or pedestrian access point.
Part 3.3 Early education and care facilities—specific development controls	
3.22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development	The development can comply with regulations 107 and 108 of the Education and Care Services National Regulations. Section 107 of the Regulations require the provision of 3.25m ² of unencumbered indoor space per child, meaning 48.75m ² is required (15 children). The development provides an additional 49.5m ² of unencumbered indoor

	space as shown on the development plans submitted with the application. Section 108 of the Regulations require the provision of 7m² of unencumbered outdoor space per child, meaning 105m² is required (15 children). The development provides 838.3m² of unencumbered outdoor space as shown as proposed play area 3 on the development plans submitted with the application. The development does not require the concurrence of the Regulatory Authority.
3.23 Centre-based child care facility—matters for consideration by consent authorities	The development has been designed in accordance with the Child Care Planning Guidelines. The proposed development to be constructed within the curtilage of the existing child care facility and can comply with the controls contained in the Guidelines that relate to streetscape, character, public domain interface, building orientation, design and accessibility, landscaping, acoustic privacy, noise, hours of operation, traffic, parking and pedestrian circulation. The floor space ratios from Section 4 are included in the table on the plan set.
3.24 Centre-based child care facility in certain zones—additional matters for consideration by consent authorities	The development, which involves an existing centre-based child care facility, is located within the R1 General Residential zone. R1 General Residential is not a prescribed zone meaning Clause 3.24 does not apply to the development.
3.25 Centre-based child care facility—floor space ratio	The floor space ratio does not exceed 0.5:1.
3.26 Centre-based child care facility—non-discretionary development standards	The development complies with the location, indoor and outdoor space requirements, site area and site dimensions, colour of building materials and shade structures requirements of clause 3.26. clause 28 of the <i>Children (Education and Care Services) Supplementary</i>

	Provisions Regulation 2012 has been repealed.
3.27 Centre-based child care facility—development control plans	No specific development control plan applies to any of the items listed in subclause (1) for a centre-based child care facility.
Part 3.7 General development controls	
3.58 Traffic-generating development	The development does not involve additions that would result in the existing establishment being able to accommodate 50 or more additional students. The proposed additions will cater for an additional 15 students in the proposed building. Clause 3.58 is not applicable to the development.

Comments:

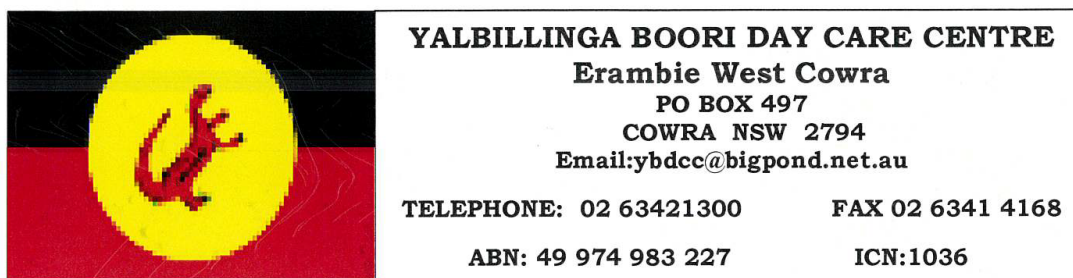
The development complies with the provisions of the State Environmental Planning Policy (Transport and Infrastructure) 2021 without variation.



 Cowra Council Private Bag 342 116 Grenfell Street COWRA NSW 2794 Ph: (02) 6340 3000 Web: www.cowracouncil.com.au	Important Notice! This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This 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 SP 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.		Drawn By: Cassandra Galky Projection: # GDA2020 / MGA zone 55 Date: 02/10/2025 3:15 PM	DA 10.2025.69.1 - Legh Street Cowra Map Scale: 1:9811 at A4
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24th September 2025

Cowra Shire Council
116 Kendal Street
COWRA NSW 2794

Dear Cowra Shire Council

Yalbillunga Boori Day Care Centre is requesting an exemption for the DA fee associated with our new preschool under section 13.3 of the S94A Contributions Plan 2016.

Yalbillunga Boori Day Care Centre is a not for profit Aboriginal organisation and the waiving of this fee will assist the service in the process for the application and build.

Thank you for your consideration.

Kind Regards


Eva Daley
Nominated Supervisor
Yalbillunga Boori Day Care Centre

5 LATE REPORTS

6 NOTICES OF MOTIONS

Nil

7 CONFIDENTIAL MATTERS

Nil