



AGENDA

General Committee Meeting

Date: Monday, 10 November 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.5.1 Cowra Business Chamber**

File Number: D25/2015

Author: Paul Devery, General Manager

Presenters

External: Mr Zachary Jones, President of Cowra Business Chamber

Verbal Presentation (10min/Max 20mins)

ATTACHMENTS

Nil

1.6 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 13 October 2025



MINUTES

General Committee Meeting Monday, 13 October 2025

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**MINUTES OF COWRA COUNCIL
GENERAL COMMITTEE MEETING
HELD AT THE COWRA COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 13 OCTOBER 2025 AT 5.30 PM**

PRESENT: 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), Glenn Oakley (Manager – Planning Services), Ian Thomas (Acting Director – Infrastructure & Operations)

I INTRODUCTION

In the absence of the Mayor the Deputy Mayor, Cr Nikki Kiss, chaired the meeting.

1.1 Recording & Publishing

The Chair advised that the meeting was being recorded.

1.2 Acknowledgement of Country

The Chair delivered the Acknowledgment of Country.

1.3 Apologies and Applications for Leave of Absence by Councillors

Apologies

COMMITTEE RESOLUTION

Moved: Cr Cheryl Downing

Seconded: Cr Cheryl Speechley

That apologies from Cr Paul Smith, Cr Ruth Fagan, Mr Dirk Wymer and Mrs Larissa Hackett be received and accepted.

CARRIED

1.4 Disclosures of Interest

Cr Erin Watt declared a non-pecuniary interest in relation to item 4.2 Development Application No. 10.2025.69.1, Lot 243 DP 752948, Legh Street Cowra due to a family member's involvement in the development of the submission.

1.5 Presentations

Nil

1.6 Public Forum

Nil

2 CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

Moved: Cr Erin Watt

Seconded: Cr Karren Cave

That the minutes of General Committee Meeting held on 8 September 2025 be confirmed with the amendment to the declaration of interest for the 'Japanese Garden and Cultural Centre Board' in lieu of 'Cowra Tourism Corporation Board' declared by Cr Cheryl Speechley.

CARRIED

3 DIRECTOR-CORPORATE SERVICES REPORT**3.1 Investments and Financial Report****COMMITTEE RESOLUTION**

Moved: Cr Erin Watt

Seconded: Cr Cheryl Downing

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

CARRIED

3.2 Donation - Yalbillunga Boori Day Care Centre - Development Contribution Fees**COMMITTEE RESOLUTION**

Moved: Cr Erin Watt

Seconded: Cr Tony Horton

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

CARRIED

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.****COMMITTEE RESOLUTION**

Moved: Cr Peter Wright

Seconded: Cr Karren Cave

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

- 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
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 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped 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	FBS Construction Pty Ltd	Received 19 September 2025

A08 Rev 4	18 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 A11 Rev 4	FBS Construction Pty Ltd 18 September 2025	Received 19 September 2025 Stamped 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.

- 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.

LOST

In Favour: Cr Karren Cave

Against: Crs Nikki Kiss, Cheryl Downing, Tony Horton, Cheryl Speechley, Erin Watt, Peter Wright

At 5:57 pm, Cr Erin Watt left the meeting.

- 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.

COMMITTEE RESOLUTION

Moved: Cr Cheryl Speechley

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 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 Drawing DA-103 Issue C	NTARCH Architects 23/09/2025	Received 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 Contribution ²	\$325,000.00	1%	\$3,250.00	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

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

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.

CARRIED

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

Against: Nil

CARRIED 9/0

At 6:02 pm, Cr Erin Watt returned to the meeting.

5 LATE REPORTS

Nil

6 NOTICES OF MOTIONS

Nil

The Meeting closed at 6:02 pm.

The Minutes of this meeting are confirmed at the General Committee Meeting held on 10 November 2025.

.....
CHAIRPERSON

3 GENERAL MANAGERS REPORT

3.1 Cowra Business Chamber - Request for Financial Assistance

File Number: D25/2039

Author: Paul Devery, General Manager

RECOMMENDATION

1. That council provide a <insert amount> contribution to the Cowra Business Chamber to assist them in resourcing a part-time secretarial/event co-ordinator role.
2. That the funds be allocated from the Business Assistance budget allocation.

INTRODUCTION

As councillors are aware the Cowra Business Chamber has reformed and is seeking to re-establish itself as a voice for business in Cowra shire.

Council has received a letter from the chamber seeking financial assistance. A copy of the letter is included at Attachment I.

The request is to provide financial assistance towards a part-time secretarial and event co-ordinator role in the amount of \$15,000.

BACKGROUND

Council has previously provided financial support to the chamber with the most recent amounts being included in the 2022/2023 budget as detailed below:

Secretarial support	\$11,529
Business Hub	\$31,188

It was during the 2022/2023 that the chamber ceased operating.

Consideration of Request

A strong business chamber is a sign of strength for a town and the local economy and council's strategic plans articulate supporting the chamber in its endeavours.

Delivery Program objective – B2.1 Support Cowra Business Chamber.

The chamber has been invited to present to the Council on the progress of the reformed chamber and the demonstrated need for the position for which funding is sought.

President Zach Jones is expected to attend the General Committee meeting for that purpose. If council decides to provide funding to the chamber, I recommend that it be for one year only and reviewed at the expiration of that time.

Council had previously signed a Memorandum of Understanding with the chamber, similar to that in place with Cowra Tourism Corporation. If the chamber continues to grow over the course of the next 12 months it would be appropriate to revisit entering into such an agreement going forward.

Funding

In framing the 2023/2024 budget council increased the allocation for Business Assistance by approximately \$20,000 and that level has been indexed in the ensuing years. The discussion at the time was around retaining some funding in the budget in case the chamber reformed and was perhaps looking for support.

In adopting the 2025/2026 budget an amount of \$38,040 has been allocated to the Business Assistance number. Approximately \$5,000 of this amount is normally spent for operating expenses with the remaining unallocated.

I would note in reporting on the adoption of the Cowra CBD Place, Vision and Activation plan the comment was made that “funding earmarked specifically for the business chamber and business hub is proposed to be re-directed to provide financial resources for the work of the committee and other business assistance initiatives of council.” To date the CBD committee has not made a call on any funding however as reported previously, a number of the actions from the CBD plan are likely to require funding to be implemented eg lights in Kendal Street.

In summary the potential funding sources for a contribution to the chamber are:

Business Assistance annual budget	\$33,000
Business Assistance reserve	\$50,000

BUDGETARY IMPLICATIONS

Business Assistance annual budget \$33,000

Business Assistance reserve \$50,000

ATTACHMENTS

- I. Correspondence - Cowra Business Chamber [↓](#)



Paul Devery,
General Manager
Cowra Shire Council
Box 342
Cowra NSW

Dear Paul,

As you are aware the Cowra Business Chamber re-formed in April this year.

Since then, an Executive has been elected, the bank accounts have been accessed, the Facebook Account reactivated and the website is being updated. A regular monthly newsletter has been established and we are now seeking more members. All of these media activities will be connected to the Cowra Council and the Cowra Tourism Websites.

There have been regular monthly meetings and two events, an After 5 Business Networking event which attracted 40 people and a Communication Network Forum with sponsorship from the Regional Tech Hub which was part of the NSW October Small Business Month.

The Cowra Cash Card will be relaunched by the end of the year and we are supporting Cowra Tourism and Council at the Christmas Night Markets.

We have also re-connected with Business NSW.

The Committee has been concentrating on getting the organisation established and now believes there is a need for a part-time secretarial and event co-ordinator role.

The Chamber is asking Council for financial support for this role which we believe will be a four-hours a week contract position. We understand Council has supported the Chamber in this way in the past.

The Chamber has 18 fully paid members, an email list of 158 former members and 1600 Facebook followers.

There is genuine interest in and from Cowra Business and we believe the Chamber is the ideal organisation to provide the networking and support for them.

Plans for the next 12 months include

- Two more Regional Tech hub events
- A Cash Card relaunch to encourage businesses to be involved
- A Business Masterclass with Regional Development Australia Central West
- A Central West Inspired Women Networking event with RDA
- A Business After 5 networking Event to showcase a local business
- Other educational sessions which may become available.

We have prepared a draft budget for 2026 (attached)



Draft Budget 2025

Income

Cash-	\$6,021.99
Membership x 50	\$5000
Council	\$15,000
Sponsorship	\$3,000 Regional Tech Hub
TOTAL	\$29,021.99

Expenses

Xero Accountant package	\$399
Mailchimp email software	\$330
Microsoft software	\$300
PO Box	\$170
Secretary/Events	\$15,360 192 hours x \$80
Advertising	\$500
Events	\$3,000 Regional Tech Hub

Total **\$20,059**

The Chamber would be very happy to meet with you and Council to discuss.

Regards

President
Cowra Chamber of Commerce
M:

4 DIRECTOR-CORPORATE SERVICES REPORT

4.1 Section 355 Committee Minutes - Cowra Youth Council

File Number: D25/I992

Author: Alan Dalton, Director - Corporate Services

RECOMMENDATION

That the draft minutes of the Cowra Youth Council meeting held on 4 August 2025 be noted.

INTRODUCTION

The Cowra Youth Council meets monthly as a Section 355 Committee of Council. Attached for the information of Councillors are the draft Minutes from the recent Committee meeting.

BACKGROUND

A summary of key points from the minutes includes:

Event Participation and Community Engagement

CYC members will support local events including the Morongla Show (children's games), Cowra Breakout commemorations, and New Year's Eve Beach Party. CYC are also preparing for the World Peace Day Youth Forum.

Youth Hub Project and External Initiatives

Following a visit to the Orange Youth Hub, CYC is progressing with its own Youth Hub project, potentially submitting to the Macquarie University Ideas Challenge (a six-week online program for high school students to develop business and problem-solving skills by creating, prototyping and pitching a startup idea).

Planning Ahead: Recruitment and Recognition

Recruitment for 2026 will begin earlier and be promoted at the Peace Forum. An overlap period is planned to ease transition. Additionally, CYC has been nominated for the NSW Volunteer of the Year Award.

BUDGETARY IMPLICATIONS

Nil

ATTACHMENTS

1. Draft Minutes for the Cowra Youth Council Meeting – 4 August 2025 [↓](#)



MINUTES

Cowra Youth Council Meeting Monday, 4 August 2025

COWRA YOUTH COUNCIL MEETING MINUTES**4 AUGUST 2025**

**MINUTES OF COWRA COUNCIL
COWRA YOUTH COUNCIL MEETING HELD AT THE MEALSROOM, COWRA
COUNCIL CHAMBERS, 116 KENDAL STREET, COWRA
ON MONDAY, 4 AUGUST 2025 AT 3.30-5.00PM**

PRESENT: Ms Taylia Penyu (Chairperson), Ms Laura Bennett Mr Cohan Howden, Ms Georgie Anning, Ms Zipporah Austin, Mr Aiden Gundersen, Ms Isabella Lette, Ms Isabella Pepper, Ms Laura Price, Ms Jolene D'Anastasi, Cr Tony Horton

IN ATTENDANCE: Mrs Linda Barron (Community Projects Officer), Saya Mizumo (Seikei Exchange student)

1 APOLOGIES

Ms Mia Brown, Mr Brayden Curtis, Ms Callie Bridges, Ms Lily Bridges, Cr Erin Watt,

2 CONFIRMATION OF MINUTES**RECOMMENDATION**

That the minutes of Cowra Youth Council Meeting held on 14 July 2025 be confirmed.

Moved: Zipporah Seconded: Cohan CARRIED

3 BUSINESS ARISING FROM PREVIOUS MINUTES**3.1 Half-yearly Report to Council**

Thank you to Taylia, Cohan and Aiden for presenting the CYC Half-yearly report to Council on Monday 28 July. The report was well-received.

3.2 CYC Introduction to Section 355 Committees

Linda to check on Friends of the Art Gallery Committee meetings. Taylia and Aiden will attend the New Year's Eve Beach Party on 13/8/25.

4 GENERAL BUSINESS**4.1 Morongla Show**

The Morongla Show Society has asked if the Youth Council would be able to assist with running children's games at the Show on Monday 6 October. It was agreed to support the event. Linda will coordinate members to assist.

4.2 Cowra Breakout Commemorations

The 81st Anniversary commemorations for the Cowra POW Breakout will take place tomorrow morning. Youth Council members will attend the Peace Bell Ceremony and wreath-laying ceremonies at the War Cemeteries.

COWRA YOUTH COUNCIL MEETING MINUTES**4 AUGUST 2025****4.3 Cowra Youth Hub Project**

CYC members visited the Orange Youth Hub on 16 July during the school holidays. We received a warm welcome from the Orange Youth Action Committee and were impressed with the range of facilities they offer at the Hub. The next meeting of the project team is scheduled for 18 August.

4.4 World Peace Day Youth Forum

Several schools have already booked in for the Youth Forum to be held on Thursday 19 September. UN Youth have confirmed they will facilitate workshops and the Advocate for Children & Young People will be the guest speaker.

Suggestions for student bags included pens, origami on tables and paper to draw on. The CYC will enter a team in the skit competition to role model good participation.

4.5 Mental Health Month - October

We were unsuccessful with our application for grant funding from Way-Ahead, the coordinating organisation for Mental Health Month. We will now seek funding under the Spring Holiday Grant Program.

4.6 Macquarie University Ideas Challenge

It was agreed to consider submitting an expression of interest for the Macquarie University Ideas Challenge for the Youth Hub project.

4.7 2026 Recruitment

The recruitment process will be brought forward 6 weeks and promoted at the Youth Peace Forum. The online form and promotional card will be ready for our next meeting and applications will be open for one month. There will be an overlap period during Nov-Dec with new members commencing in November. Members are requested to advise Linda of intentions for 2026 before interviews are conducted in October.

4.8 NSW Volunteer of the Year Awards

Laura has received advice that the CYC has been nominated for the Award and invited to attend the Award presentation. She will forward the email to Linda for further action.

5 NEXT MEETING DATE

The next meeting will be held on Monday, 1 September 2025 at 3.30-5.00pm in the Meals Room, Cowra Council Chambers, 116 Kendal Street, Cowra.

6 MEETING CLOSE

The Meeting closed at 4.56pm.

.....
CHAIRPERSON

Page 4

5 DIRECTOR-ENVIRONMENTAL SERVICES REPORT

- 5.1 Development Application No. 10.2025.93.1, Lot 2 DP 152751, 158 Kendal Street Cowra, indoor recreational facility (gymnasium) and office premises, lodged by PJ Fitness Holdings Pty Ltd. The property owner is PJ Fitness Holdings Pty Ltd.**

File Number: D25/2016

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.1.5 of Part M of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified and one submission was received; and
2. That Council approves a variation to Section M.1.5 of Part M of Council's Development Control Plan 2021 for this development to allow the provision of 15 car parking spaces; and
3. That Development Application No. 10.2025.93.1, for the construction of an indoor recreational facility (gymnasium) and office premises on Lot 2 DP 152751, 158 Kendal Street Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

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

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

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Cover Page Drawing No. CC01 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Site Plan - Existing Drawing No. CC02 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Site Plan - Proposed	Brett Moulds Design &	Received

Drawing No. CC03 Issue N	Drafting 28/10/2025	28 October 2025 Stamped DA 10.2025.93.1(C)
Floor Plans - Proposed Drawing No. CC04 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Reflected Ceiling Plans - Proposed Drawing No. CC05 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Exit Travel Distances Drawing No. CC06 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Hose Reel Coverage Drawing No. CC07 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Streetscape Elevation Drawing No. CC08 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Elevations Drawing No. CC09 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Proposed Finishes & Signage Drawing No. CC10 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Sections Drawing No. CC11 Issue N	Brett Moulds Design & Drafting 28/10/2025	Received 28 October 2025 Stamped DA 10.2025.93.1(C)
Vehicle Turning	Brett Moulds Design &	Received

Movements Drawing No. CC12 Issue N	Drafting 28/10/2025	28 October 2025 Stamped DA 10.2025.93.1(C)
Traffic and Parking Impact Assessment N255039a (Version 1a)	Motion Traffic Engineers March 2025	Received 29 September 2025 Stamped DA 10.2025.93.1(A)
Carpark and Driveway Certification of a Proposed Gym A255015N (Version 1a)	Motion Traffic Engineers September 2025	Received 29 September 2025 Stamped DA 10.2025.93.1(A)
Plan of Management	Brett Moulds Design & Drafting 24 August 2025	Received 3 September 2025 Stamped DA 10.2025.93.1
Statement of Environmental effects Issue C	Brett Moulds Design & Drafting 23 October 2025	Received 24 October 2025 Stamped DA 10.2025.93.1(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. Liquid trade waste material is not to be discharged into the sewerage system without first obtaining the approval of Cowra Shire Council. An approval is needed if liquid trade waste is being discharged into the sewer. A liquid trade waste notification is required if it is produced, but not discharged into Council's sewer system.
5. 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.
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 ISSUE OF THE CONSTRUCTION CERTIFICATE

7. Pursuant to Section 7.12 (formerly Section 94A) of the Environmental Planning & Assessment Act 1979, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a 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	\$1,705,000.00	1%	\$17,050.00	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

8. Prior to the issue of a Construction Certificate, the Applicant must obtain consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of the following works in a road reserve:
- (i) For the construction of a driveway crossing to the development site and reinstatement of the footpath from Fitzroy Street in accordance with Cowra Shire Council's Engineering Standards.
 - (ii) For the reinstatement of the kerb & gutter and footpath in Kendal Street.

The Applicant shall match the level of the existing footpath with the new driveway to be constructed. All costs associated with the above works and the repair of any damages shall be borne by the Applicant and at no cost to Council.

9. Prior to the issue of a Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of a suitably sized metered water service to the development.
10. Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan is to be submitted to the Principal Certifier for approval. The Plan is to comply with Part B of Cowra Council Development Control Plan 2021.
11. Prior to the issue of a Construction Certificate, the Applicant must demonstrate that the development complies with the installation of Fire Hose Reels in accordance with AS 2441 – 2005. All costs associated with the installation of hose reels relating to the development shall be borne by the Applicant and at no cost to Council.
12. All impervious surfaces shall be properly drained to the front of the premises and directed to Cowra Shire Council's drainage system on Kendal Street. 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.
13. Prior to the issue of a Construction Certificate, a plan for fencing the boundary with Lot 3 DP 152134 is to be submitted for the approval of the Principal Certifier which details the following:
 - A concrete slab wall or alternative acoustic material with a suitable finish and appropriate drainage incorporated on the upslope side.
 - The acoustic wall/fence is to be 2.1m high from the rear (eastern) boundary through to approx. 6.5m from the front (western) boundary where it tapers down to a 1.2m high fence which extends the remaining 4.5m in front of the adjoining residence. The 4.5m long front setback section is not required to be constructed of a specialised acoustic material.
14. All outdoor lighting shall comply with, where relevant, AS/NZ1158.3.1:2020 Pedestrian Area (Category P) Lighting and AS4282:2023 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Principal Certifier prior to the issue of a Construction Certificate.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

15. 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.

16. 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.
17. 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'.
18. 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.
19. 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

20. 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.
21. 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.

22. **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.**
23. **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.**
24. **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.**
25. **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.**
26. **Car parking facilities, including all internal parking and manoeuvring areas are to be constructed and sealed in accordance with Australian Standard 2890.1-2004 "Off Street Parking" & 2890.6: "Off-Street Parking for People With Disabilities", and are to include a speed limit of no greater than 10km/h, all necessary line marking, directional arrows and signage to delineate parking spaces, traffic flow and traffic priority.**
27. **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

28. 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.
29. Prior to the issue of an Occupation Certificate, the Applicant shall remove the existing gutter crossing in Kendal Street and replicate the existing kerb and gutter in front of the development 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 kerb and gutter shall be constructed in accordance with Cowra Infrastructure and Operations Engineering Standards. Full engineering plans and details of the kerb and gutter works are to be provided to Cowra Shire Council's Infrastructure and Operations Department for approval prior to the commencement of the work. All costs associated with the replacement of kerb and gutter shall be borne by the Applicant.
30. Prior to the issue of an Occupation Certificate the applicant must construct the driveway to the property and reinstate the footpath from Fitzroy 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. 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.
31. 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.

32. 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

33. Prior to the issue of an Occupation Certificate, the boundary with Lot 3 DP 152134 is to be fenced in accordance with the approved boundary fencing plan.

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.
- 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. 10.2025.93.1 proposes an indoor recreational facility (gymnasium) and office premises on Lot 2 DP 152751, 158 Kendal Street Cowra. The application was lodged by PJ Fitness Holdings Pty Ltd on 3 September 2025. The property owner is PJ Fitness Holdings Pty Ltd.

The application is being reported to Council because it contains a variation to Cowra Council Development Control Plan 2021 with regard to the number of car parking spaces provided.

A copy of the site and elevation plans of the proposed indoor recreational facility (gymnasium) and office premises are included in Attachment '1' to this report and a copy of the Statement of Environmental Effects is included in Attachment '2'.

Description of Site

Lot 2 DP 152751, 158 Kendal Street Cowra is a battle-axe allotment of approximately 973m². The lot is located in the EI Local Centre zone under Cowra Local Environmental Plan (LEP) 2012. The site slopes down in a southerly direction towards Kendal Street. The main site frontage is on Kendal Street and the battle-axe handle fronts Fitzroy Street. DA 2025/36 for the demolition of two sheds on the site was approved by Council on 29 May 2025. The demolition works are complete and the site is now vacant. A location map is included in Attachment '3' and an aerial photograph is included in Attachment '4' to this report.

Description of Proposal

The applicant proposes to construct a two-storey building to house an indoor recreational facility (gymnasium) and office premises. The gymnasium (Anytime Fitness) will occupy the lower floor and most of the upper floor with an approximate total floor area of 652m². Approximately 80m² of the upper floor is partitioned to provide a separate tenancy with the potential for an office-based business.

Other key design aspects:

- The building will be located on the Kendal Street frontage with a 15-space car parking area at the rear.
- The proposed building has the opportunity for two entry points given its location and topography. The lower floor can be accessed directly from Kendal Street, or the upper floor via the car park accessed by Fitzroy Street.
- A lift is proposed within the two-storey development to ensure accessibility throughout all areas.
- A roof mounted screened plant deck and photovoltaic system is included in the development. The plant deck will contain 4 air conditioning condensers and a hot water system.
- The external finishes and signage proposed are in keeping with the 'Anytime Fitness' branding and provides a positive addition to the streetscape.



Render: Kendal Street frontage

Key operational aspects:

- Open 24hrs a day, 7 days a week, including all bank and public holidays.
- Expected maximum of 4 staff on site (gym manager, personal trainers and assistants depending on market demand) during staffed hours of 9:00am – 6:00pm Monday to Friday; 9:00am – 2:00pm Saturday and Sunday.
- Expected maximum usage of thirty (30) persons at any one time during absolute highest peak hours and maximum average hourly usage of approx. 10 – 15, based on usage statistics for numerous existing Anytime Fitness facilities around NSW.
- It is envisaged that the 'Anytime Fitness' development will offer job opportunities for several residents.

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 10.2025.93.1:

Section 4.15(I) Evaluation Matters

S 4.15(I)(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 not inconsistent the aims of the LEP.

1.4 Definitions

The proposed development is mixed use, being defined as a recreational facility (indoor) and commercial premises 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 E1 Local Centre, and the proposed development is permitted in the zone with consent.



2.3 Zone objectives

Objective	Comment
• To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.	Consistent
• To encourage investment in local commercial development that generates employment opportunities and economic growth.	Consistent
• To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.	Not applicable
• To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	Consistent
• To ensure the development of the local centre in West Cowra is consistent with the commercial hierarchy of the Cowra township and does not involve major retailing activities or detract from the core commercial functions of the Cowra central business district.	Not applicable
• To maximise public transport patronage and encourage walking and cycling.	Not inconsistent

2 Permitted without consent

Environmental protection works; Home occupations; Recreation areas; Roads

3 Permitted with consent

Amusement centres; Boarding houses; Centre-based child care facilities; **Commercial premises**; Community facilities; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; **Recreation facilities (indoor)**; Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Recreation facilities (major); Resource recovery facilities; Rural industries; Rural workers' dwellings; Sewage treatment plants; Vehicle body repair workshops; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities

Comment:

The proposed mixed-use development is permitted with consent.

2.7 Demolition requires development consent

The existing building was demolished under separate application.

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

Earthworks are required. Excavation undertaken at the rear of the building will be a maximum of approximately 2m below existing ground level. The majority of excavation works will be contained within the footprint of the building. Some fill (max depth approx. 1.5m) will facilitate the creation of a level carpark behind the building. 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	Available for connection. A meter is required as conditioned.
Electricity	Available for connection.
Sewage	Available for connection.
Stormwater	Available for connection. A stormwater management plan is required as conditioned.
Access	Available from Fitzroy Street. To be upgraded. Existing access from Kendal Street to be decommissioned.

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	Basix not applicable for commercial buildings.
SEPP (Transport and	Not applicable

Infrastructure) 2021	
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SEPP (RESILIENCE AND HAZARDS) 2021

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

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

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

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

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

S 4.15(1)(a)(iii) provisions of any Development Control Plan(s)**Cowra Shire Council Development Control Plan 2021****PART A – PLAN INTRODUCTION**

Consent is required for the proposed development. A variation has been requested in accordance with this part as discussed in this report.

PART B – LAND MANAGEMENT

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

PART C – BIODIVERSITY MANAGEMENT

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

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

The subject land is located outside of the OLS.

PART H – COMMERCIAL DEVELOPMENT

Part H.1 Central Business District

Section	Comments
H.1.1 Application of this part	The proposed development is located within the EI (previously B2) Local Centre zone, therefore this part applies.
H.1.2 Objectives	The proposed development is not inconsistent with the objectives.
H.1.3 Setback Controls	Complies.
H.1.4 Building Design Controls	Complies. The frontage of the development addresses the street and provides passive surveillance. External infrastructure is screened from view. The side walls incorporate darkened recesses to provide visual articulation. The colour scheme has low reflectivity and a suitable streetscape appearance.
H.1.5 Awning Controls	Complies.
H.1.6 Building Height Controls	Complies.
H.1.7 External Lighting Controls	Complies as proposed and conditioned.
H.1.8 Solar Access Controls	Complies. There are no adjoining residential zones.
H.1.9 Open storage areas and waste management	Complies.
H.1.10 Fencing & Security Controls	Complies.
H.1.11 Servicing Controls	Complies.
H.1.12 Signage	Complies with Part L as required as discussed elsewhere in this report.
H.1.13 Landscaping	Complies with Part N as required as discussed elsewhere in this report.
H.1.14 Soil Erosion & Sediment Control	Complies as conditioned.
H.1.15 Parking, Access & Mobility	Complies with Part M as required as discussed elsewhere in this report except with regard to number of parking spaces where a variation is requested. See Part M assessment.

PART L – ADVERTISING & SIGNAGE

Complies. The application includes window graphics and above and below awning wall signage on the front and rear elevations as depicted on the submitted plans.

PART M – PARKING, ACCESS & MOBILITY

Section	Comments
M.1.5	Section M.1.5 specifies a requirement for one car parking space per 40m ² of Gross Floor Area for business/office premises and one car parking space per 35m ² for indoor recreation facilities. This results in a requirement for a total of 20.3 (21) on-site car parking spaces for this

	development (2 for office and 19 for gym). The development provides 15 on-site car parking spaces including one disabled space. A variation is requested. The variation is considered at the end of this section.
M.2.1 Site access design and location	Complies.
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.

Variation to Section M.1.5

As referenced above, the proposed development creates a demand for 20.3 (rounded up to 21) car parking spaces in accordance with the DCP criteria. The proposal provides 15 on-site car parking spaces and therefore represents a variation of 6 car parking spaces. The DCP recognises that it may not be possible in all situations for new development to comply with the car parking requirements of the Plan. It states the following:

All proposed variations will be assessed on the merits of each particular case and will be judged on the findings of a Traffic and Parking Report. Development Applications involving a variation of 5 or more car parking spaces will be reported to Council's monthly committee meetings for determination.

The applicant has submitted a Traffic and Parking Impact Assessment prepared by Motion Traffic Engineers which is included in Attachment '5' to this report. The Assessment includes an estimate of traffic generation including a traffic and parking survey in the vicinity of the site. The report makes the following conclusions with regard to traffic generation impacts:

- *The proposed gym is located has access to a bus transport network.*
- *The adjacent intersection currently operates at good condition with acceptable level of services and delays for all surveyed network peaks*
- *The proposed gym relies on public parking within the Cowra Town Centre like many of the other business within the Cowra Town Centre*
- *The use of the gym as a gym facility is expected to generate low number of additional trips in the weekday AM and PM peak hour*
- *According to the intersection assessment, the additional car trips can be accommodated in the nearby intersections without significantly affecting the performance of any turn movement, approach arm or the overall intersection.*
- *The traffic impacts of the proposed Gym facility are therefore considered acceptable.*

The report also presents a parking survey and the results indicate a high number of vacant on-street car parking spaces in the vicinity of the gym during peak hours. The report makes the following comment:

- *Time unrestricted on-street public parking is available on Fitzroy Street and Kendal Street. On-street parking on Fitzroy Street extends from Bartlett Avenue to Railway Street. Regarding Kendal Street, on-street parking is available from Hong Kong Chinese Restaurant to Countryman Motor Inn. These on-street parking spaces can accommodate gym members in the event of increased visitor parking demand.*

Assessment comment:

The DCP states that the variation will be judged on the findings of the Traffic and Parking Report. In accordance with the findings summarised above, the variation can be approved.

PART N – LANDSCAPING

The proposed development provides minimal opportunities or requirements for landscaping given that the proposed building extends to the front and side boundaries as is permissible under the DCP setback controls. In addition, the proposed rear car parking area is accessible via a battle-axe handle and any landscaping within this area would have limited visibility from the public domain whilst taking up valuable space for car parking and manoeuvring.

It is assessed that the proposed development meets the performance criteria of Part N.3.3 Commercial Landscape Controls notwithstanding the limited potential for landscape treatments.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

PART P – CPTED PRINCIPLES

It is assessed that the CPTED principles have been satisfactorily incorporated into the design of the development. The gym will provide sufficient and continuous passive surveillance of the Kendal street frontage and the site car park. Both street frontages have existing lighting and additional external lighting will be incorporated at the building entries and car park. Access to the building is controlled by personal access keys. There are no pedestrian area blind corners.

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

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

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

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

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

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

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

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

Context and Setting

The area is characterised by zone E1 Local Centre commercial development. This proposal would not adversely impact on the existing character of the locality.

Access, Parking, traffic

The site is accessible via Fitzroy Street which is a sealed local road. No traffic or parking concerns are identified as discussed previously in this report.

Public Domain

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

Utilities

All necessary utilities are available for connection.

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

Council's water and sewer infrastructure is available for connection. Stormwater can be discharged to Council's stormwater management system.

Soils

The development will not have a negative impact on soils. A recommended condition will apply to require compliance with Council's DCP 2021 with regard to sedimentation and erosion controls.

Air and Microclimate

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

Flora and Fauna

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

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. A screened bin storage area is provided at the rear of the building.

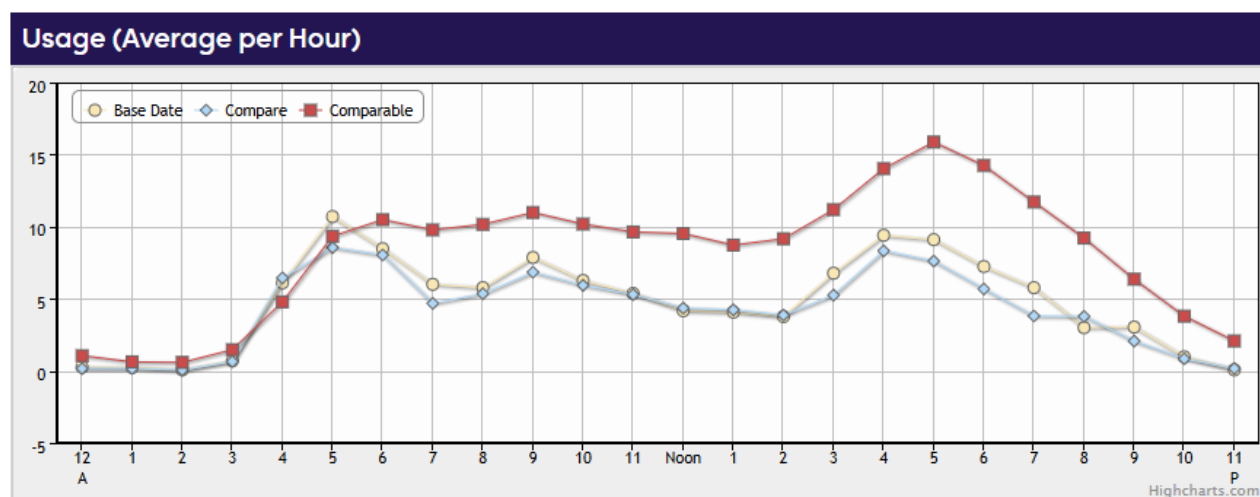
Energy

A BASIX Certificate is not required for commercial development. Compliance with the National Construction Code in relation to energy efficiency requirements will be carried out at Construction Certificate stage.

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. Some noise, primarily due to vehicle movements, will result from the ongoing use of the development and the following comments are made.

The graph below was supplied by the applicant and represents usage information for the Anytime Gym located in Forbes. The most relevant lines are the yellow and blue lines which represent the number of members that swiped into the gym each hour in September 2025 and August 2025 respectively. The vertical Y axis of the graph is the number of members that swiped in and the horizontal X axis represents the time of day. For example, in both months, the number of members that swiped in at 8pm is about 3 people. This means that 3 people entered the gym in the hour after 8pm.



The peak visitation is from 5am to 6pm, with 8 to 11 visitors. The afternoon peak is between 4pm and 5pm with around 8 to 10 visits. The applicant states that visitation to the proposed Cowra gym is expected to be the same or possibly less than the above given that Cowra has two other established gyms, unlike Forbes where Anytime Fitness is the only gym apart from a specialist CrossFit gym. The two towns otherwise have similar demographics.

According to the data, usage at night between the hours of 10pm and 3am is likely to average 0 to 1 visit per hour. It is also likely that most users during these hours will park on Kendal Street at the gym frontage for quick and easy access to the gym. I note also that there are comments elsewhere in this report regarding the installation of acoustic fencing along the only residential use property boundary adjoining the carpark. Accordingly, it is considered that noise and vibration impact to the amenity of the area due to the use of the gym will be acceptable.

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.

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

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

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

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

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

Public Consultation

The subject Development Application was notified to adjoining owners in writing from 9 September 2025 to 30 September 2025, in accordance with Cowra Community Participation Plan 2024. One submission from the northern adjoining property owner was received in relation to the proposed development. The submission objected to the proposal on the grounds of potential vehicle noise impacts and potential impacts from vehicle headlights within the car park.

In response to the objection, the applicant provided options for fencing to address the objector's concerns. This information was provided to the objector who has agreed to the installation of a 2.1m high concrete slab or other acoustic fence material along the property boundary adjoining the proposed development. A consent condition has been recommended which requires the submission of acoustic fence details for the approval of Council prior to the issue of a Construction Certificate. An additional recommended condition requires the fence to be constructed prior to the issue of an Occupation Certificate.

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

There is no record of any prior Section 7.11 Development Contributions being levied on the allotment. Therefore, the recommended conditions include S7.12 (formerly S94A) development contributions to be levied in accordance with Cowra Council S94A Contributions Plan 2016.

Water and sewer headworks contributions will also be applicable under Section 64 of the Local Government Act 1993 in accordance with Council's Developer Servicing Plans for Water and Sewer.

Conclusion

Development Application No. 10.2025.93.1 proposes the construction of an indoor recreational facility (gymnasium) and office premises on Lot 2 DP 152751, 158 Kendal Street Cowra. The application was lodged by PJ Fitness Holdings Pty Ltd on 3 September 2025. The property owner is PJ Fitness Holdings Pty Ltd.

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 EI Local Centre zone and is consistent with existing land-use activities of the locality. The variation to Section M.1.5 of Part M of Cowra Development Control Plan 2021 is sufficiently justified.

The development application was notified in accordance with Cowra Community Participation Plan 2024. One submission was received following the consultation process as addressed in this report.

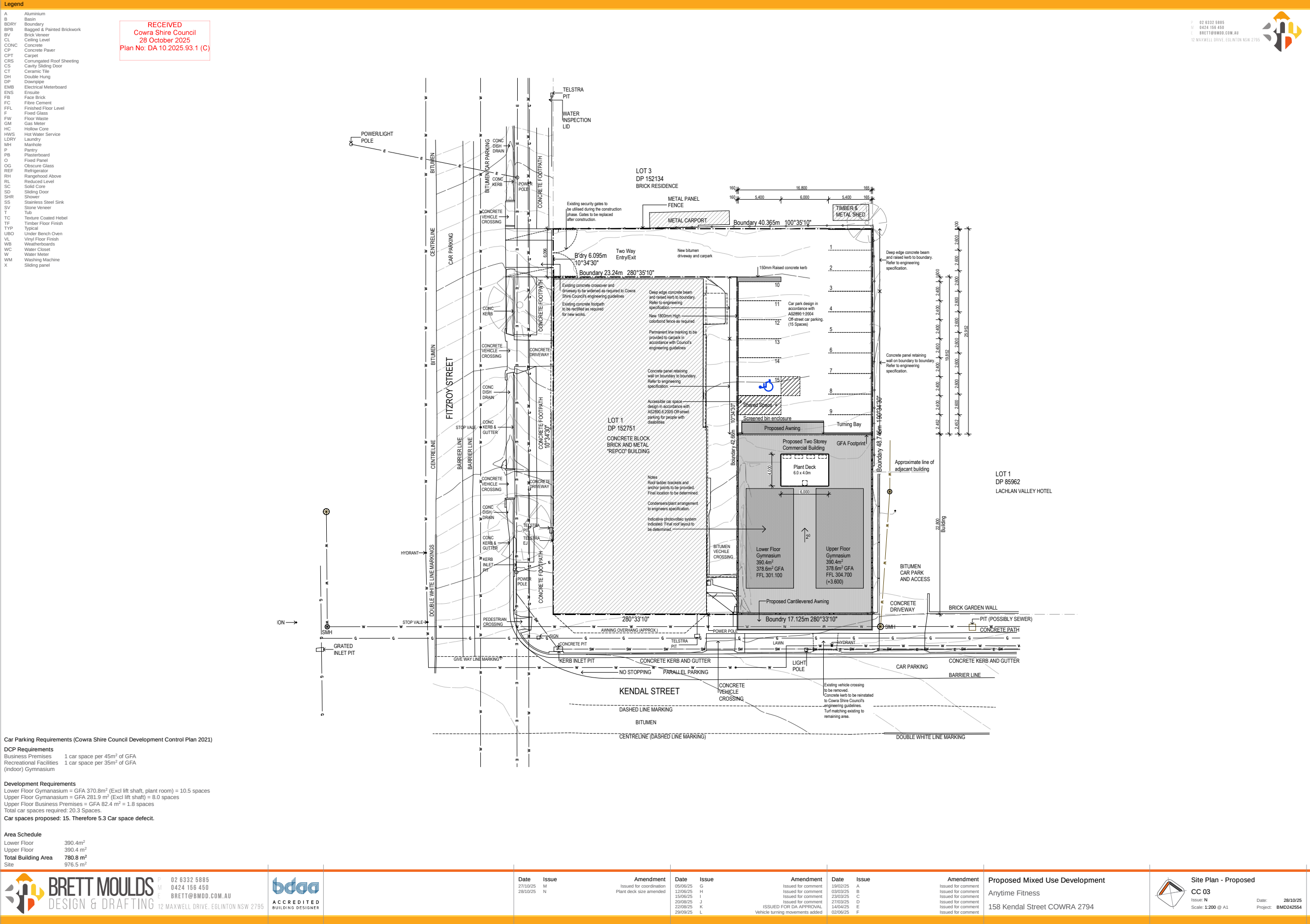
Having considered the documentation supplied by the applicant, the findings of site inspection(s) and the comments made from consultation, it is assessed that the impacts of the proposal and the likely environmental interactions between the proposed development and the environment are such that Council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

ATTACHMENTS

1. DA 10.2025.93.1 - 158 Kendal Street Cowra - Development Plans [↓](#)
2. DA 10.2025.93.1 - 158 Kendal Street Cowra - Statement of Environmental Effects [↓](#)
3. DA 10.2025.93.1 - 158 Kendal Street Cowra - Location map [↓](#)
4. DA 10.2025.93.1 - 158 Kendal Street Cowra - Aerial view [↓](#)
5. DA 10.2025.93.1 - 158 Kendal Street Cowra - Traffic & Parking Impact Assessment [↓](#)



 BRETT MOULDS DESIGN & DRAFTING P02 6332 5885 M0424 156 450 EBRETT@BMD.COM.AU 12 MAXWELL DRIVE, EGLINTON NSW 2795  ACCREDITED BUILDING DESIGNER			<table><tr><th>Date</th><th>Issue</th><th>Amendment</th></tr><tr><td>27/10/25</td><td>M</td><td>Issued for coordination</td></tr><tr><td>28/10/25</td><td>N</td><td>Plant deck size amended</td></tr></table>	Date	Issue	Amendment	27/10/25	M	Issued for coordination	28/10/25	N	Plant deck size amended	<table><tr><th>Date</th><th>Issue</th><th>Amendment</th></tr><tr><td>05/06/25</td><td>G</td><td>Issued for comment</td></tr><tr><td>12/06/25</td><td>H</td><td>Issued for comment</td></tr><tr><td>15/06/25</td><td>I</td><td>Issued for comment</td></tr><tr><td>20/06/25</td><td>J</td><td>Issued for comment</td></tr><tr><td>22/06/25</td><td>K</td><td>ISSUED FOR DA APPROVAL</td></tr><tr><td>29/09/25</td><td>L</td><td>Vehicle turning movements added</td></tr></table>	Date	Issue	Amendment	05/06/25	G	Issued for comment	12/06/25	H	Issued for comment	15/06/25	I	Issued for comment	20/06/25	J	Issued for comment	22/06/25	K	ISSUED FOR DA APPROVAL	29/09/25	L	Vehicle turning movements added	<table><tr><th>Date</th><th>Issue</th><th>Amendment</th></tr><tr><td>19/02/25</td><td>A</td><td>Issued for comment</td></tr><tr><td>03/03/25</td><td>B</td><td>Issued for comment</td></tr><tr><td>23/03/25</td><td>C</td><td>Issued for comment</td></tr><tr><td>27/03/25</td><td>D</td><td>Issued for comment</td></tr><tr><td>14/04/25</td><td>E</td><td>Issued for comment</td></tr><tr><td>02/06/25</td><td>F</td><td>Issued for comment</td></tr></table>	Date	Issue	Amendment	19/02/25	A	Issued for comment	03/03/25	B	Issued for comment	23/03/25	C	Issued for comment	27/03/25	D	Issued for comment	14/04/25	E	Issued for comment	02/06/25	F	Issued for comment	Proposed Mixed Use Development Anytime Fitness 158 Kendal Street COWRA 2794	 Site Plan - Existing CC 02 Issue: N Scale: 1:200 @ A1 Date: 28/10/25 Project: BMD242554
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Legend

- SPB Set Plasterboard Ceiling
SGT Suspended Grid Ceiling
MRC Moisture Resistant Ceiling
Directional exit light
Exit light
EXC Exposed Ceiling
FCL Finished Ceiling Level
3300 Ceiling Level Above Floor Level

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NCC BCA Section J 2022

Lighting Calculations

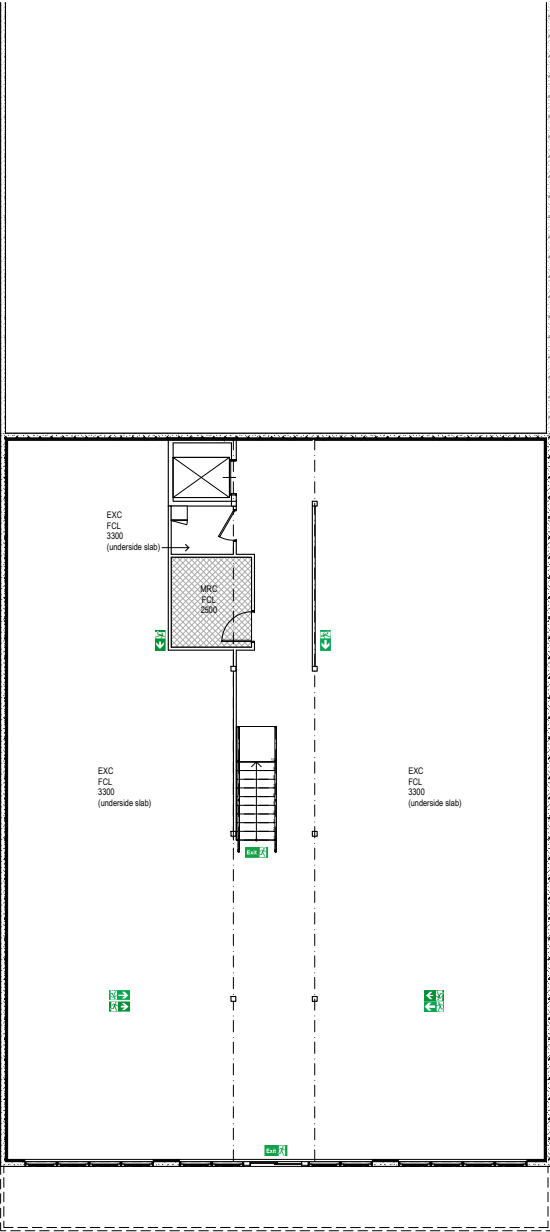
	QTY	Total (W)
L1 - 20w CFL downlight complete with electronic ballast & lamp	121	2420
L2 - 9W CFL Recessed downlight complete with electronic ballast & lamp	41	369
40W surface mounted LED batten	7	280

Development Total (W) 2568

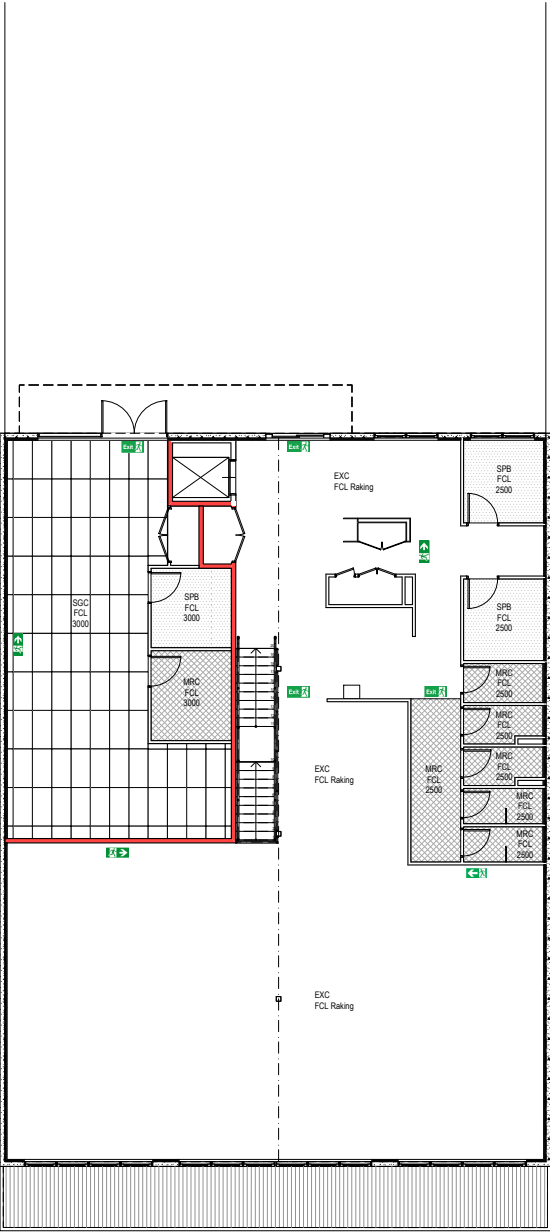
The maximum allowable illumination for the proposed development is 4059W.
Refer to NCC Part J lighting calculator.
A total of 3069W is being proposed for this development.

Notes:

- All bathroom exhaust fans to be discharged to the exterior of the building.
- All bathroom exhaust fans to be provided with a self-closing damper in accordance with Clause J5D6 Exhaust Fans of NCC 2022



Ground Floor Plan - Reflected Ceiling Plan
Scale 1:100



First Floor Plan - Reflected Ceiling Plan
Scale 1:100

Area Schedule

Lower Floor	390.4m²
Upper Floor	390.4 m²
Total Building Area	780.8 m²
Site	976.5 m²

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Reflected Ceiling Plans - Proposed
CC 05
Issue: N
Scale: 1:100 @ A1
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Proposed Mixed Use Development
Anytime Fitness
158 Kendal Street COWRA 2794



Streetscape Elevation
CC 08
Issue: N
Scale: 1:100 @ A1
Date: 28/10/25
Project: BMD242554

Legend

- A Aluminium
- B BDRY
- BPS Bagged & Painted Brickwork
- BV Brick Veneer
- CL Ceiling Level
- CONC Concrete
- CP Concrete Paver
- CPT Carpet
- CRS Corrugated Roof Sheeting
- CS Cavity Sliding Door
- CT Ceramic Tile
- DH Double Hung
- DP Downpipe
- EMB Electrical Meterboard
- ENS Ensuite
- FB Face Brick
- FC Fibre Cement
- FFL Finished Floor Level
- F Fixed Glass
- FW Floor Waste
- GM Gait Meter
- HC Hollow Core
- HWS Hot Water Service
- LDRY Laundry
- MH Manhole
- P Partry
- PB Plasterboard
- O Fixed Panel
- OG Obscure Glass
- REF Refrigerator
- RH Rangehood Above
- RL Reduced Level
- SC Solid Core
- SD Sliding Door
- SHR Shower
- SS Stainless Steel Sink
- SV Stone Veneer
- T Tub
- TC Texture Coated Hebel
- TF Timber Floor Finish
- TYP Typical
- UBO Under Bench Oven
- VL Vinyl Floor Finish
- WB Weatherboards
- WC Water Closet
- W Water Meter
- WM Washing Machine
- X Sliding panel

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Elevation 1
Scale 1:100

Elevation 3
Scale 1:100

Elevation 2
Scale 1:100

Elevation 4
Scale 1:100

Proposed Mixed Use Development
Anytime Fitness
158 Kendal Street COWRA 2794

Elevations
CC 09
Issue: N
Scale: 1:100 @ A1

Date Issue
27/10/25 M
28/10/25 N

Amendment
05/06/25 G
12/06/25 H
15/06/25 I
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Date Issue
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Proposed Mixed Use Development
Anytime Fitness
158 Kendal Street COWRA 2794

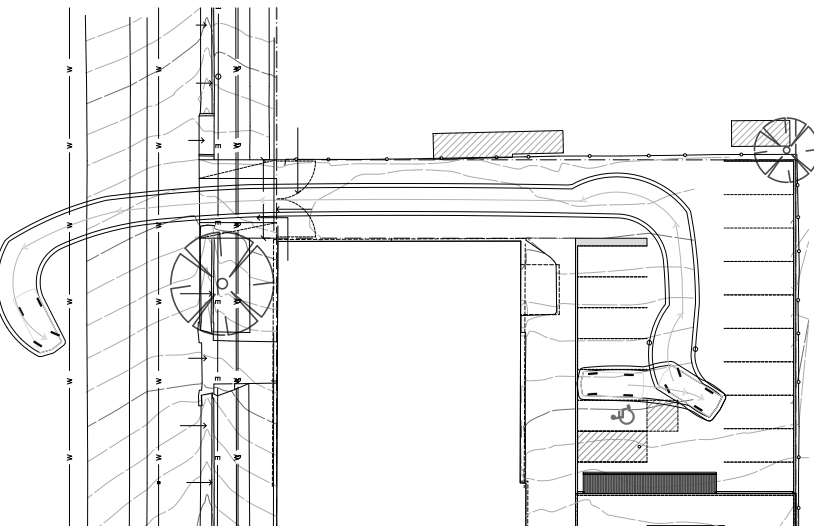
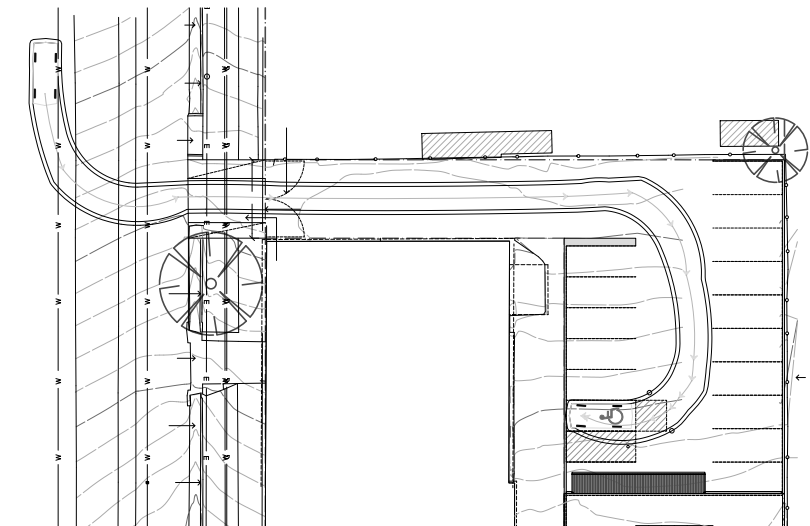
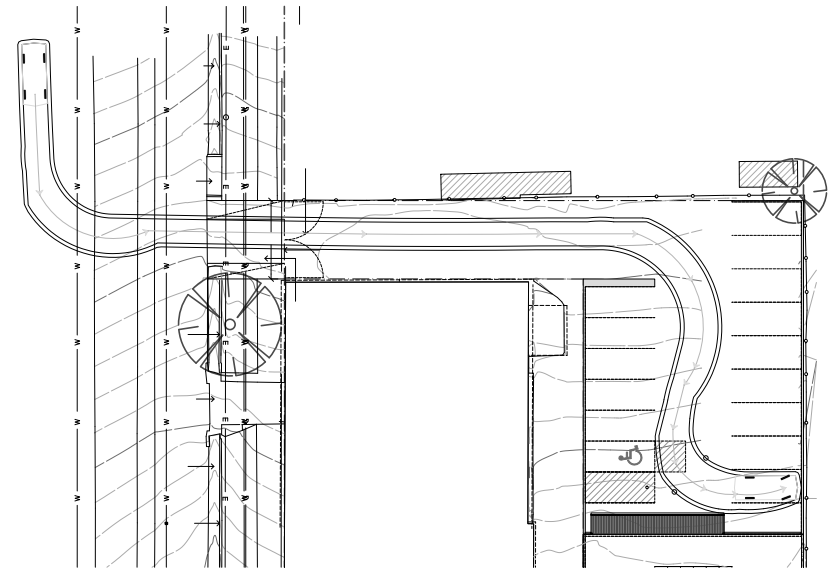
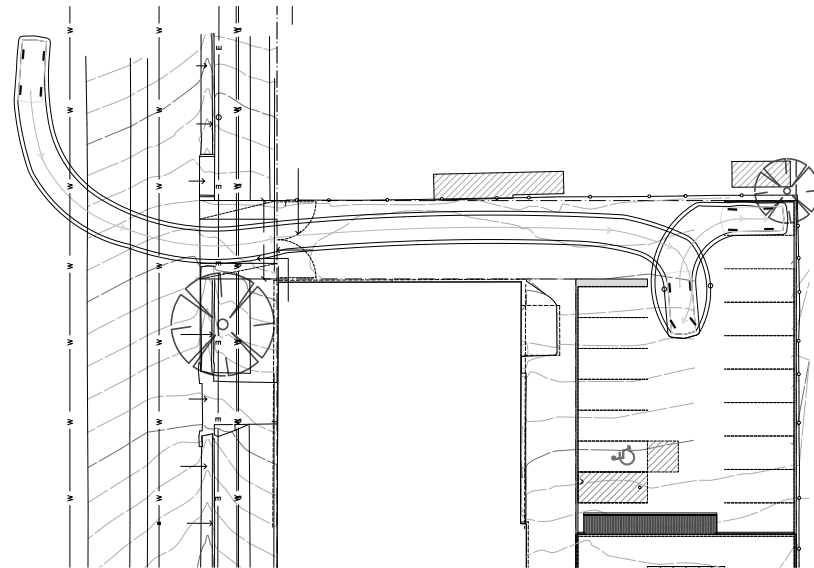
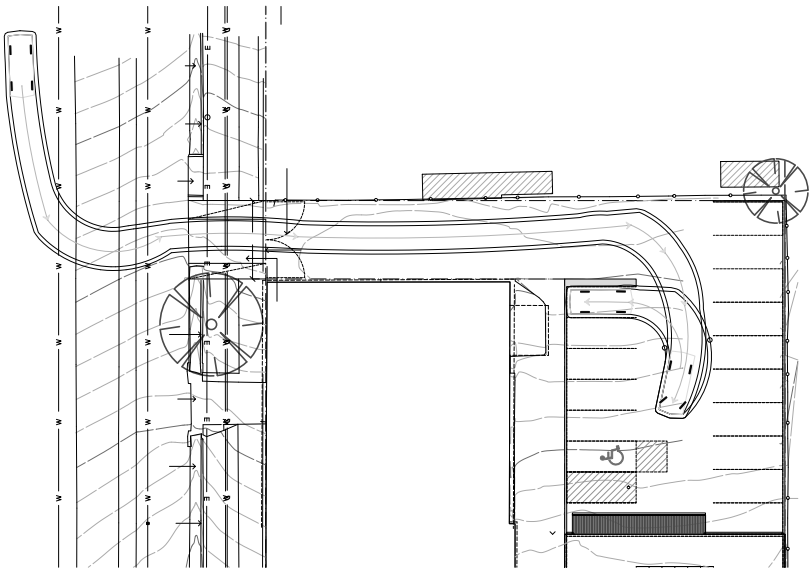
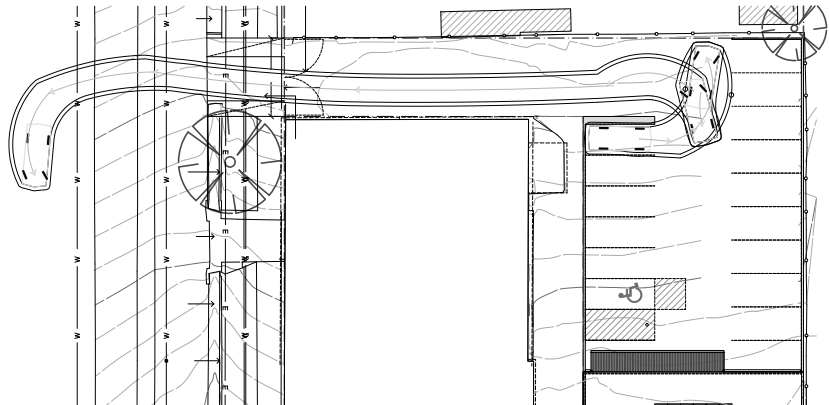
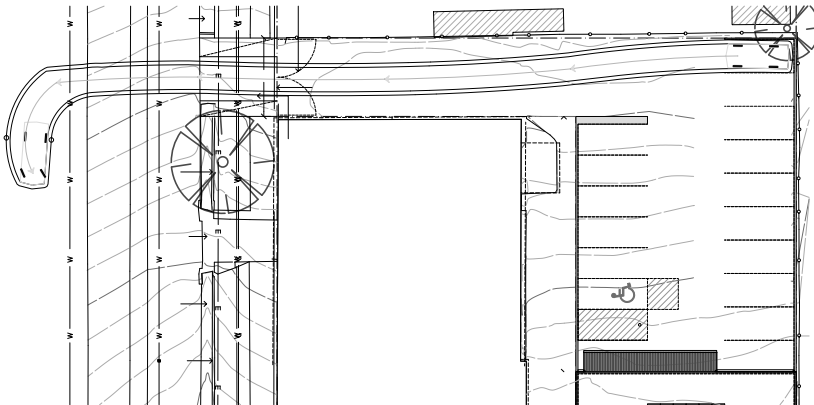
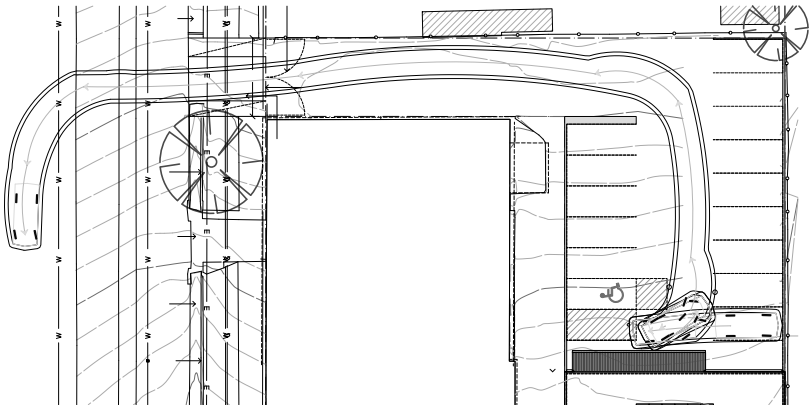
Elevations
CC 09
Issue: N
Scale: 1:100 @ A1

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02/06/25	F	Issued for comment

Proposed Mixed Use Development
Anytime Fitness
158 Kendal Street COWRA 2794

Vehicle Turning Movements
CC 12
Issue: N
Scale: 1:250 @ A1
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Statement of Environmental Effects

Issue C

23rd October 2025

Proposed Commercial Development

158 Kendal Street COWRA 2794

Prepared for

Anytime Fitness

Authored by

Brett Moulds Design & Drafting Pty Ltd

ABN 36 150 012 203

Qualifications: Building Designer

License/Accreditation: BDA Accreditation No 6248

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4. Proposed Development	8
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B. Environmental Planning and Assessment Act 1979 – SECT 4.15	17
C. Cowra Shire Council Development Control Plan (DCP) 2021	19
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1. Applicant

The applicant for the development proposal is PJ Fitness Holdings Pty Ltd. All correspondence arising out of the application should be directed to Mr. Brett Moulds. Email: brett@bmdd.com.au, or Ph: 0424 156 450.

2. Owners of the land

The owner of the subject land is PJ Fitness Holdings Pty Ltd, and owners' consent has been granted to lodge this application.

3. Property Details

The subject development site is identified as 158 Kendal Street, Cowra NSW 2794. Lot 2 of DP 152751. The site area is 976.5m², calculated by survey.

The site boundaries consist of the following-

North: Lot 3 / DP 152134. 137 Fitzroy Street COWRA. Single Storey dwelling with detached sheds.

East: Lot 1 / DP 85962 and Lot 3 / DP 833850. 162 Kendal Street COWRA. Single storey commercial premises. 'Lachlan Calley Hotel'.

South: Kendal Street Frontage. Lot 1 / DP 152751. Single storey commercial premises. 'Repco'.

West: Fitzroy Street frontage. Lot 1 / DP 152751. Single storey commercial premises. 'Repco'.

Refer to figure 1 - 8 below.

The whole parcel of land is zoned E1 Local Centre pursuant to Cowra Local Environmental Plan (LEP) 2012.



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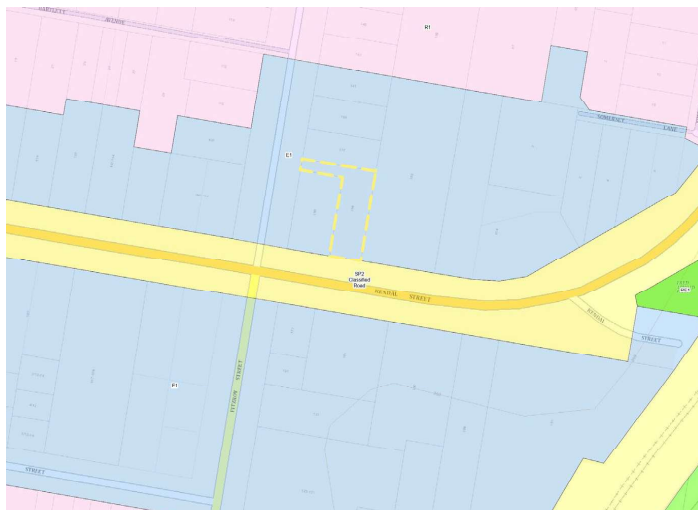


Figure 1. NSW Planning Portal Spatial Viewer Image

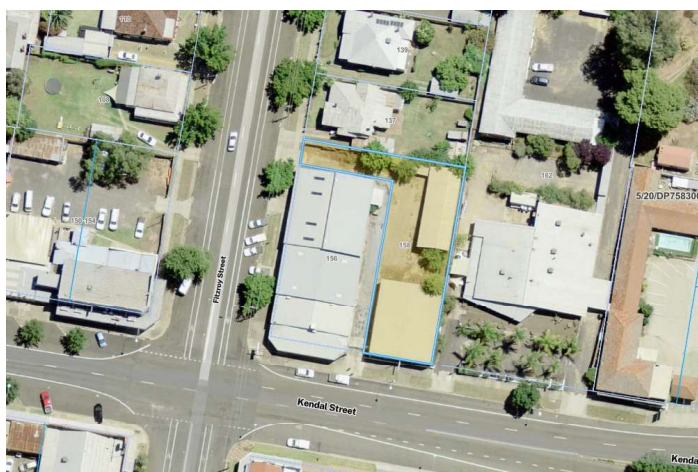


Figure 2. Aerial image of Subject Site



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Figure 3. Kendal Street Frontage



Figure 4. Fitzroy Street Frontage



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Figure 5. Partial Demolition of Existing Shed
(Approved DA no 10.2025.36.1)



Figure 6. 154 Kendal Street, Railway Hotel



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Figure 7. 164 Kendal Street. Country Comfort Hotel.



Figure 8. 181-183 Kendal Street. Breakout Motor Inn.



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4. Proposed Development

The application seeks approval for the construction of a two-storey commercial building and associated car park. Anytime Fitness will occupy the lower floor and much of the upper floor as a Class 9b Recreational facility or (indoor) gymnasium. Approximately 80m² is partitioned to provide a separate tenancy with the potential for an office-based Class 5 business.

Refer to Appendix A Architectural Documentation for additional details.

Some key points relating to the application.

- A total of 15 on-site car parking spaces will be provided on site. The car park access and parking spaces are designed in accordance with AS2890.1-2004 Off-street car parking and Cowra Council's engineering guidelines.
- The proposed building has the opportunity for two entry points given its location and topography. The lower floor can be accessed directly from Kendal Street, or the upper floor via the car park accessed by Fitzroy Street.
- A lift is proposed within the two-storey development to ensure accessibility throughout all areas.
- A roof mounted plant deck and photovoltaic system is included in the development.
- The external finishes and signage proposed are in keeping with the 'Anytime Fitness' branding and provides a positive addition to the streetscape.

Proposed Land use factors.

- Open 24hrs a day, 7 days a week, including all bank and public holidays.
- Expected maximum of 4 staff on site (gym manager, personal trainers and assistants depending on market demand) during staffed hours of 9:00am – 6:00pm Monday to Friday; 9:00am – 2:00pm Saturday and Sunday.
- Expected maximum usage of thirty (30) persons at any one time during absolute highest peak hours and maximum average hourly usage of approx. 10 – 15, based on usage statistics for numerous existing Anytime Fitness facilities around NSW
- It is envisaged that the 'Anytime Fitness' development will offer job opportunities for several residents.



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5. Planning Matters

The planning instruments applicable to the proposal are;

- A. Cowra Local Environmental Plan (LEP) 2012
- B. Environmental Planning and Assessment ACT 1979 – SECT 4.15
- C. Cowra Regional Development Control Plan (DCP) 2021.

A. Cowra Local Environmental Plan (LEP) 2012

The following provisions of the LEP apply to the proposal.

Part 2 - Permitted or prohibited development

2.1 Land use zones

- The subject sites zone E1: Local Centre is included within the Cowra Local Environmental Plan 2012.

2.2 Zoning of land to which Plan applies

- With reference to Land Zoning Map – Sheet LZN_002G, the land is zoned E1: Local Centre.

2.3 Zone objectives and Land Use Table

- The proposed land use is consistent with the land use Table in this Part and is permitted with consent.

2.4 Unzoned land

- The subject site is zoned E1: Local Centre.

2.5 Additional permitted uses for particular land

- The subject site is not identified within Schedule 1 Additional permitted uses.

2.6 Subdivision—consent requirements

- Subdivision is not proposed in this development application.

2.7 Demolition requires development consent

- The site is clear of any structures. Demolition is not proposed in this application.

2.8 Temporary use of land

- Temporary use of land is not proposed in this development application.

2.9 Canal estate development prohibited

- Canal estate development is not proposed in this development application.



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Land Use Table

The Land Use Table below sets out the objectives of the E1 Local Centre zone, permitted use without consent, permitted use with consent, and any prohibited use of the land.

Zone E1 Local Centre

1 Objectives of zone

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To ensure the development of the local centre in West Cowra is consistent with the commercial hierarchy of the Cowra township and does not involve major retailing activities or detract from the core commercial functions of the Cowra central business district.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Environmental protection works; Home occupations; Recreation areas; Roads

3 Permitted with consent

Amusement centres; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation facilities (indoor); Respite day care centres; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Any other development not specified in item 2 or 4



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4 **Prohibited**

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Recreation facilities (major); Resource recovery facilities; Rural industries; Rural workers' dwellings; Sewage treatment plants; Vehicle body repair workshops; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities

- *The proposed land use includes a recreation facility (indoor) and potential commercial or professional premises. The land uses are consistent with the objectives of the zone.*



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Part 3 – Exempt and complying development

3.1 Exempt development

- *The proposed development is not Exempt Development.*

3.2 Complying development

- *The proposed development is not a Complying Development.*

3.3 Environmentally sensitive areas excluded

- *Not applicable as development is not an Exempt Development or a Complying Development.*

Part 4 – Principal development standards

4.1 Minimum subdivision lot size

- *Not applicable as subdivision is not proposed in this development application.*

4.1AA Minimum subdivision lot size for community title schemes

- *Not applicable as subdivision is not proposed in this development application.*

4.1A Minimum subdivision lot size for strata plan schemes in certain rural and residential zones

- *Not applicable as subdivision is not proposed in this development application.*

4.1B Minimum lot size for certain split zone lots

- *Not applicable as the subject site does not contain multiple zones.*

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

- *Not applicable as subdivision is not proposed in this development application.*

4.1D Boundary changes between lots in certain rural, residential and conservation zones

- *Not applicable as boundary changes are not proposed in this development application.*

4.2 Rural subdivision

- *Not applicable as the land use is not relevant to this application.*



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4.2A Subdivision for the purposes of intensive livestock agriculture or intensive plant agriculture

- *Not applicable as subdivision is not proposed in this development application.*

4.2B Erection of dwelling houses on land in certain rural and conservation zones

- *Not applicable as the building type is not relevant to this application.*

4.2C Erection of rural workers' dwellings in Zone RU1

- *Not applicable as the building type is not relevant to this application.*

4.3 Height of buildings

- *(Not adopted)*

4.4 Floor Space Ratio

- *(Not adopted)*

4.5 Calculation of floor space ratios and site area

- *(Not adopted)*

4.6 Exemptions to development standards

- *No exemptions are required as the proposed development is compliant relevant planning controls.*

Part 5 – Miscellaneous provisions

5.1 Relevant acquisition authority

- *Not applicable.*

5.2 Classification and reclassification of public land

- *Not applicable as the subject site is not required to be classified as 'operational land' or 'community land'.*

5.3 Development near zone boundaries

- *Not applicable.*

5.4 Controls relating to miscellaneous permissible uses

- *Not applicable as the proposed uses are not nominated as a miscellaneous permissible use.*

5.5 Controls relating to secondary dwellings on land in a rural zone

- *(Not adopted)*



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5.6 Architectural roof features

- *(Not adopted)*

5.7 Development below mean high water mark

- *(Not adopted)*

5.8 Conversion of fire alarms

- *Not applicable.*

5.9 Dwelling house or secondary dwelling affected by natural disaster

- *Not applicable as the building type is not relevant to this application.*

5.9AA (Repealed)

- *Not applicable.*

5.10 Heritage conservation

- *With reference to Heritage Map – Sheet HER_002G, the land is not identified as being within a heritage conservation area or to contain a heritage item.*

5.11 Bush fire hazard reduction

- *Bush fire hazard reduction work is not proposed in this development application.*

5.12 Infrastructure development and use of existing buildings of the Crown

- *Infrastructure development and use of existing buildings of the Crown are not proposed in this development application.*

5.13 Eco-tourist facilities

- *Not applicable as the land use is not relevant to this application.*

5.14 Siding Spring Observatory—maintaining dark sky

- *Not applicable.*

5.15 Defense communications facility

- *Not applicable as the land use is not relevant to this application.*

5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones.

- *Not applicable as subdivisions are not proposed in this development application.*

5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations

- *Not applicable.*



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5.18 Intensive livestock agriculture

- *Not applicable as the land use is not relevant to this application.*

5.19 Pond-based, tank-based and oyster aquaculture

- *Not applicable as the land use is not relevant to this application.*

5.20 Standards that cannot be used to refuse consent — playing and performing music

- *Not applicable as the use is not included in this application.*

5.21 Flood planning

- *Not applicable as the land use is not considered to be flood prone land.*

5.22 Special flood considerations

- *(Not adopted)*

5.23 Public bushland

- *(Not adopted)*

5.24 Farm stay accommodation

- *Not applicable as the land use is not relevant to this application.*

5.25 Farm gate premises

- *Not applicable as the land use is not relevant to this application.*

Part 6 – Urban release areas

- *Not applicable.*

Part 7 – Additional local provisions

7.1 Earthworks

- *All earthworks associated with the proposed development will be included in this application and subject to assessment. Refer to Appendix A Architectural Documentation for details.*

7.2 (Repealed)

- *(Repealed)*

7.3 Terrestrial biodiversity

- *Not applicable as the land is not identified as Terrestrial biodiversity land.*



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7.4 Riparian lands and watercourses

- *Not applicable as the land is not identified as Riparian land or containing watercourses.*

7.5 Wetlands

- *Not applicable as the land is not identified as containing Wetlands.*

7.6 Groundwater vulnerability

- *Not applicable as the land is not identified as containing Groundwater vulnerability.*

7.7 Airspace operations

- *Not applicable.*

7.8 Essential Services

Part 7.8 provides that: -

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.

- *The existing commercial property currently meets all the criteria required by Part 7.8.*

7.9 Location of sex services premises

- *Not applicable as the land use is not relevant to this application.*

7.10 Industrial development on land in Zone RU1

- *Not applicable as the land zone is not relevant to this application.*

7.11 Development on land in karst areas

- *Not applicable as the land zone is not identified as containing Karst Environment.*



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B. Environmental Planning and Assessment Act 1979 – SECT 4.15

Evaluation

4.15 Evaluation (cf previous 79C)

(1) Matters for consideration - *In determining a development application, a consent authority is to take into account consideration of such of the following matters as are of relevance to the development subject of the development application"*

(1) (a)(i) Any environmental planning instrument, and

- *Cowra Local Environmental Plan (LEP) 2012 applies to the Land.*
- *The applicable provisions of the planning instrument have been addressed in detail in this Statement of Environmental Effects.*

(1)(a)(ii) Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

- *There is no proposed planning instrument applying to the Land.*

(1)(a)(iii) Any development control plan, and

- *Cowra Shire Council Development Control Plan 2021 applies to the Land.*
- *The applicable provisions of the planning instrument have been addressed in detail in this Statement of Environmental Effects.*

(1)(a)(iiia) Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

- *There are no regulations which apply to the Land.*

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

- *Not applicable.*



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(1)(a)(v) (Repealed)

(1)(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,

- The proposed development is detailed in Part H of this report. The new commercial building will be located within a commercial precinct and will be a positive addition to the streetscape.
- There will be negligible impact on the surrounding natural and built environment.
- The development is not within an area designated for biodiversity.
- The development will have no adverse impacts on the terrestrial biodiversity of the area.
- The proposed facility could potentially impact land use amenity by means of noise and is discussed in Appendix D Plan of Management. It is considered that Anytime Fitness noise emissions are controlled in a manner that would result in no undue or negative impact on the surrounding land uses and is entirely capable of operating harmoniously with surrounding commercial land uses within its current location, without any disturbance to the local amenity.

(1)(c) Suitability of Site for Development:

- The subject property is located within a commercial zone and is central to Cowra.
- The proposed land use is consistent with the objectives of the E1 Local Centre.
- The land has access to all services and utilities required to support the proposed use.
- The two storey development will provide a positive contribution to streetscape.

(1)(e) The public interest:

- The land will be used/developed for the objectives consistent with the Cowra Local Environmental Plan 2012 E1 Local Centre zoning.
- The development will be carried out in accordance with the provisions of the Cowra Shire Council Development Control Plan 2021.
- It is considered that the introduction of the proposed Anytime Fitness Cowra gymnasium to the proposed location would provide residents, local workers and visitors with an enhanced variety of choice in recreational services, while encouraging a healthy lifestyle and social interaction at an affordable price with convenient usage times. It also adds to the overall tenancy mix of the centre making this area of Cowra a more attractive experience for the local community and all who visits.



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C. Cowra Shire Council Development Control Plan (DCP) 2021.

The following specific provisions of the Cowra Shire Council Development Control Plan apply to the proposal: -

Part A – Plan Introduction

- *The subject site is located within the Cowra Shire Local Government Area (LGA). The Cowra Shire Council (DCP) 2021 is therefore applicable.*

Part B – Land Management

- *The proposed site has an area of 976.5m², it is envisaged that throughout construction all the site will be disturbed at some stage. In accordance with this part, an Erosion and Sediment Control Plan (ESCP) will be provided at the Construction Certificate stage of the development.*

Part C – Biodiversity Management

- *Not applicable as the subject site is located within an existing built-up area of Cowra and has contained various industrial/commercial use structures that have been removed under previous applications. There is no potential impact on biodiversity.*

Part D – Subdivision Development

- *Not applicable as the site is zoned with the land zone E1 Local Centre, not R1 General Residential.*

Part E – Urban and Village Development

- *Not applicable as the development type is commercial in nature, not residential.*

Part F – Rural Development

- *Not applicable as the development type is commercial in nature, not residential.*

Part G – Large Lot Development

- *Not applicable as the site is zoned with the land zone E1 Local Centre, not R5 Large Lot Residential.*

Part H – Commercial Development

H.1.1. Application of this part

- *The subject site is identified within the E1 Local Centre zone; therefore, this part is applicable.*



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H.1.2. Objectives

- *Noted and incorporated into this application.*

H.1.3. Setback Controls

- *The proposed Kendal Street setback is 'zero' in accordance with this part and adjacent property.*
- *The proposed side setbacks are 'zero' and comply with all necessary National Construction Code requirements.*
- *The proposed rear setback is 19.8m.*

H.1.4. Building Design Controls

- *The proposed development seeks to maximize the use of the site with two-storey construction. Full height glazing over both floors, along with a continuous cantilevered awning and façade treatment combine to present a positive addition to the streetscape.*
- *Approximately 50% of the total façade is glazed for heightened passive surveillance of the established area.*
- *A plant deck is incorporated into the design which will conceal necessary plant and equipment from Kendal Street.*
- *The proposed colour scheme is to utilize 'Anytime Fitness' requirements with mid tone greys being used for bulk colour. This includes highlighted window surrounds and awning, and corporate signage addressed in later parts.*
- *The Kendal Street façade proposes two storey development in one building plane for cost effectiveness of construction and to maximize use of the site. Large expansive blank walls have been avoided with the addition of full height glazing across 80% of the building width, and 53% of the building height. Together with additional window frame and glass treatments, awning, signage and lighting, a simple but elegant design is proposed.*

H.1.5. Awning Controls

- *The proposed Kendal Street frontage includes a single level cantilevered awning for the total width of the frontage. The design and characteristics meets the criteria identified in Part H.15.*

H.1.6. Building Height Controls

- *The properties surrounding the subject site offer a range of building heights. Including single and two-storey commercial and residential buildings, along with larger industrial buildings.*
- *The proposed Kendal Street frontage building height is 8.1m above finished floor level of the lower floor. Full height glazing over both floors, along with an awning and façade treatment combine to present a positive addition to the streetscape.*



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H.1.7. External Lighting Controls

- *Minimal facade lighting is proposed for the Kendal Street frontage. The large windows with semitransparent signage will allow a controlled glow from the glazing. Under awning lighting is provided.*
- *The internal façade provides adequate building identification and general safety lighting in the car park area. All light fittings are designed to face in a downwards direction and light will not spill over to adjacent properties.*
- *Refer to Appendix A Architectural documentation for details.*

H.1.8. Solar Access Controls

- *The orientation of the building is predetermined with the nature of development. The rear of the building has a northern orientation ensuring reception areas receive good natural light.*

H.1.9. Open Storage Areas and Waste Management

- *A common bin storage area is proposed in the car park. The area is screened with a 1.8m powder coated steel fence with horizontal slats.*
- *It is envisaged that most waste will consist of cardboard and general recyclables and will utilize the Council kerb collection system.*

H.1.10. Fencing & Security Controls

- *Lockable security fencing is currently located at the Fitzroy Street entry. The same gates will be utilized in the proposed development. Given the 24/7 operating nature of the gym, the gates will predominantly remain in an open position, only closing if the business does.*

H.1.11. Servicing Controls

- *The site has access to Council's reticulated water and sewerage systems, electrical, gas, stormwater and NBN infrastructure.*
- *No trade waste activities are proposed.*

H.1.12. Signage

- *Signage is proposed and is consistent with this part. Specific details are addressed in Part L of this report.*

H.1.13. Landscaping

- *Landscaping opportunities are minimal in the proposed development and are addressed in Part N of this report.*



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H.1.14. Soil Erosion and Sediment Control

- *Appropriate soil erosion and sedimentation controls will be incorporated into the construction phase. Documentation will be included in the Construction Certification stage of the project.*

H.1.15. Parking, Access and Mobility

- *Parking, access and mobility have been provided in the proposed development and is addressed both in Part M of this report and Appendixes A - C. All provisions are deemed to be adequate and compliant with relevant standards.*

Part I – Industrial Development

- *Not applicable as the site is zoned with the land zone E1 Local Centre, not IN1 General Industrial and IN2 Light Industrial.*

Part J – Cowra Regional Airport

- *Not applicable as the application does not include proposed works to Cowra Airport.*

Part K – Land-use Buffers

- *Not applicable as the proposed location is not within an existing buffer area defined in this part.*

Part L – Advertising and Signage

PART L.1.

L.1.1. Application of this Section

- *The subject site is within the Cowra Shire Local Government Area; therefore, this part is applicable.*

L.1.2. Objectives

- *Incorporated*

L.1.3. Information requirements

- *Noted and incorporated into this application.*

L.1.4. Guiding Principles

- *Noted and incorporated into this application.*



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L.1.5. General Signage –

- The proposed development includes multiple tenancies. The Kendal Street frontage will include advertising for one tenancy only 'Anytime Fitness' The internal elevation of the building visible only from the internal carpark will provide advertising for both tenancies. The advertising opportunity for the additional tenancy is predetermined with the proposed design.
- The installation of 2 x Purple, Internally LED Illuminated backlit door frames to the main entrances are proposed.
- No flag signage, projection signage or temporary signage is proposed in this application.

L.1.6. Signage involving heritage items

- Not applicable

L.1.7. Window signage controls

- With reference to Appendix A Architectural documentation, window signage is proposed for both Kendal Street and internal car park frontages. The proposed window signage provides a maximum 50% coverage in accordance with this part.

L.1.8. Above awning signage controls

- Kendal Street frontage - The installation of 1 x Internally LED Illuminated "Anytime Fitness" wall sign, to be 4700mm x 400mm in size and to be located centrally above the first-floor glazing (attached to the wall of a building above awning level and not projecting more than 0.3 metres from the wall).

L.1.9. Under awning signage controls

- Signage type not proposed in this application, therefore not applicable.

L.1.10. Top Hamper Signage Controls

- Kendal Street Frontage - The installation of 1 x Internally LED Illuminated "Anytime Fitness" top hamper sign, to be 1600mm x 500mm in size and to be located directly above the main entrance.
- Internal car park frontage contains 1 top hamper sign, with a predetermined location for additional signage. The installation of 1 x Internally LED Illuminated "Anytime Fitness" top hamper sign, to be 1600mm x 500mm in size and to be located directly above the main entrance.

L.1.11. Fascia Signage Controls

- Signage type not proposed in this application, therefore not applicable.

L.1.12. Pylon and pole signage controls

- Signage type not proposed in this application, therefore not applicable.



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Part M – Parking, Access and Mobility

M.1. CAR PARKING CODE

M.1.1. Application of section

- *This application includes a new building and floor space; therefore this part is applicable.*

M.1.2. Objectives

- *Incorporated*

M.1.3 Application of Standards and Guidelines

- *The Standards and Guidelines listed have been incorporated into this application.*

M.1.4. Definitions

- *Incorporated*

M.1.5. Off street parking calculations

- *Refer to Appendix A for Car Parking Calculations. Extract below.*

Car Parking Requirements (Cowra Shire Council Development Control Plan 2021)

DCP Requirements

Business Premises	1 car space per 45m ² of GFA
Recreational Facilities (indoor) Gymnasium	1 car space per 35m ² of GFA

Development Requirements

Lower Floor Gymnasium = GFA 370.8m² (Excl lift shaft, plant room) = 10.5 spaces
 Upper Floor Gymnasium = GFA 281.9 m² (Excl lift shaft) = 8.0 spaces
 Upper Floor Business Premises = GFA 82.4 m² = 1.8 spaces
 Total car spaces required: 20.3 Spaces.

Car spaces proposed: 15. Therefore 5.3 Car space deficit.

- *As identified, the proposed development has an onsite parking provision deficit of 6 car spaces. A traffic and Parking Impact Assessment has been completed which includes a parking survey of the immediate area. Refer to Appendix B Traffic and Parking Impact Assessment.*

M.1.6. Parking Credits

- *No existing parking credits have been used in the Off-street parking calculations.*

M.1.7. Car Parking Exemptions

- *The proposed development type is not listed, therefore not allowable.*



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M.1.8. Variation to parking requirements

- A variation to parking requirements is proposed. The proposed development has an onsite parking provision deficit of 6 car spaces. A traffic and Parking Impact Assessment has been completed which includes a parking survey of the immediate area. Refer to Appendix C Traffic and Parking Impact Assessment.
- The parking survey concludes that there are sufficient vacant parking spaces in the immediate vicinity of the subject site to accommodate the 6 car spaces.

M.2. CAR PARKING & ACCESS DESIGN - RESIDENTIAL USES

- Not applicable

Part M3**M.3.1. Parking area locations**

- Incorporated

M.3.2. Site access design

- The proposed development will utilise the maximum allowable width of an existing driveway location and is compliant with this part.

M.3.3. Parking area design

- The proposed parking area design has been assessed in Appendix C Carpark & Driveway Certification and is compliant with this part.

M.3.4. Disabled parking

- Disabled parking spaces is to be provided at the rate of 1 space for parking areas comprising up to 20 spaces and thereafter at a rate of 2% of designated spaces.
- 15 Car parking spaces provided in total. Therefore 1 Accessible car parking space has been provided in accordance with AS 2890.6:2009 Parking Facilities Off-street Parking for People with Disabilities.
- A continuous path of travel has been provided from the designated car spaces for people with a disability and the building entries.

M.3.5. Internal road design

- 1 – 24 spaces and length not exceeding 40 metres – 6.0m Circulation width requirement.
- A circulation width of 6.0m has been provided.

M.3.6. Loading / unloading facilities



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- *It is envisaged that after the initial gym setup, loading and unloading requirements will be satisfied utilising vacant car parking spaces on site, and directly in front of the development on Kendal Street.*
- *A delivery van is the largest vehicle used to transport goods.*

M.3.7. Signage

- *Appropriate directional and traffic signage will be incorporated into the design.*



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M.3.8. Pedestrian travel

- The Kendal Street frontage provides pedestrian access from an existing/repaired concrete foot path. The footpath continues along Kendal Street in both directions.
- Fitzroy Street has an existing footpath either side of the existing driveway location. Pedestrian access is provided from the footpath, into the site via the proposed car park.

M.3.9. Safety & Security

- The Kendal Street frontage contains existing street lighting.
- The new car park accessed from Fitzroy Street has appropriate lighting incorporated into the design. Refer to Appendix A Architectural Documentation.

M.3.10. Landscaping

- The site offers little landscape opportunity. Landscaped spaces have not been incorporated into the design to maximise parking numbers in the confined area.

M.3.11. Bicycle parking

- No provision for bicycle parking has been provided due to the local Council provided facilities.

M.3.12. Car Park Construction

- Car park construction will be designed in accordance with Cowra Shire Council's engineering guidelines and relevant Australian Standards. Appropriate documentation will be provided in future applications.

M.3.13. Car parking surfaces

- Car park construction will be designed in accordance with Cowra Shire Council's engineering guidelines and relevant Australian Standards. Appropriate documentation will be provided in future applications.

M.4. ACCESS AND MOBILITY CODE**M.4.1. Application of this section**

- This application includes a new building and floor space; therefore this part is applicable.

M.4.2. Objectives

- Incorporated



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M.4.3. Relevant legislation and standards

- *The Standards and Guidelines listed have been incorporated into this application.*

M.4.4. Assessment Criteria

- *Requirement - 1 space per 20 spaces or part thereof, where parking areas have more than 20 spaces but less than 50 spaces.*
- *15 Car parking spaces provided in total. Therefore 1 Accessible car parking space has been provided in accordance with AS 2890.6:2009 Parking Facilities Off-street Parking for People with Disabilities.*

M.4.5. Alternative access solutions and unjustifiable hardship

- *An alternate solution is not proposed in this application.*

Part N – Landscaping**N.1. INTRODUCTION****N1.1 Application of section**

- *The proposed development is commercial in nature; therefore, this part is applicable.*

N.1.2. Objectives

- *Applicable and incorporated where possible.*

N.1.3. Guiding Principles

- *Applicable and incorporated where possible.*

N.2. LANDSCAPE PLAN REQUIREMENTS

- *The landscape plan requirements set out in this part have been incorporated into this application. Refer to Appendix A Architectural Documentation for details.*

N3 Landscape Controls**N.3.1. General Landscape controls**

- *Applicable and incorporated where possible.*

N.3.2. Residential landscape controls

- *Not Applicable*

N.3.3. Commercial landscape controls

- *The proposed development is commercial in nature; therefore, this part is applicable and has been incorporated where possible.*



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N.3.4. Industrial landscape controls

- *Not Applicable*

N.3.5. Residential subdivision landscape controls

- *Not Applicable*

N.3.6. Industrial subdivision controls

- *Not Applicable*

Part N Landscape Summary

- *The subject site is clear of any vegetation.*
- *The existing Kendal Street frontage contains no street trees. The existing Fitzroy Street frontage is limited to a driveway width only. Existing street trees are present in front of adjacent buildings. No additional street trees are proposed.*
- *The proposed building is located on the Kendal Street boundary providing no opportunity for landscaped areas either in front of, or either side of the building.*
- *The proposed car park will be accessed from Fitzroy Street only and does not have street frontage. The available handle width is the minimum dimension allowable for vehicle access.*
- *The proposed car park is surrounded by existing buildings and structures. With the confined nature of the car park, vehicle maneuverability and patron safety has been focused on. For these reasons additional green space and tree planting have not been proposed in the car park area.*

Part O – Environmental Hazard Management

- *Not applicable as the subject site is not identified within Flood Planning Maps or on other land below the flood planning level.*

Part P – CPTED principles**P.1. INTRODUCTION****P.1.1. Application of this Section**

- *The subject site is within the Cowra Shire Local Government Area; therefore, this section is applicable.*
- *The proposed development satisfies the strategic objectives.*

P.1.2. Objectives

- *The proposed development satisfies the objectives.*



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P.1.3. CPTED PRINCIPLES

- The CPTED principles listed have been incorporated into this application and include Surveillance, Access Control, Territorial Reinforcement, Activity and space management.

P.1.4. Council's role

- It is understood Council will assess the proposed development against the CPTED principles.

P.1.5. Application of CPTED principles

- This application is for a commercial development which is not deemed a minor development. Therefore, the CPTED principles are required to be incorporated.

P.2. DESIGN SUGGESTIONS

P.2.1. Objectives

- The objectives described in this part have been incorporated into the development.

P.2.2. Building orientation

- The Kendal Street frontage is proposed to have two storeys of frontage for the entire width of the site. Each storey contains large full height glazing spanning much of the frontage. The intended equipment layout will ensure Kendal Street will have continuous passive surveillance from gym users with a 24-hour, 7 day a week capacity
- The main entrance to the building will be accessed from an existing driveway off Fitzroy Street. Access will be by vehicle or walking. The internal elevation contains large full height glazing spanning much of the frontage allowing clear visibility from inside to outside and vice versa.
- Both street frontages have existing street lighting.

P.2.3. Entrances

- The development includes entries from both street frontages. In both instances the entries are in prominent locations and identified by light and colour. All entries are glazed further promoting passive surveillance by all who attend.

P.2.4. Communal and public areas

- As noted above, the building orientation allows for excellent passive surveillance of the Kendal Street frontage and internal car park. The car park area will be well lit to ensure safety of all attendees.



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P.2.5. Blind corners

- A mirror is located in the car park to allow driveway and car park users to see around the entry corner into the parking area. Refer to Appendix 1 Architectural Documentation.

P.2.6. Building materials

- The predominant building material used are concrete tile panel with a paint finish and shop front glazing. Both are durable and cleanable in the event of vandalism.
- External lighting proposed is a vandal proof fitting.

P.2.7. Security Measures

- The proposed facility would incorporate a state-of-the-art security system to maximise the safety of patrons and the greater community. The security system will be fully integrated with onsite security features, including closed circuit television (CCTV) with 24-hour digital video recording, high resolution cameras positioned by the entrance and several other cameras strategically located in and around the proposed establishment as to ensure that supervision is maximised. The coverage of these cameras will be thorough both internally and externally and will provide excellent surveillance of the premises for the safety of all patrons as well as the local community.
- To enter the proposed facility, a member will be required to swipe a valid access key fob which triggers a release mechanism in the door. If another person enters at the same time an audible beeping alarm is triggered by a tailgate system which alerts members and management. The member will exit the premises through the same doors via a free-exit mechanism. The exit mechanism will not prevent a member from leaving the premises in the event of a fire or other emergency.
- Each user will further have access to a personal emergency button on a lanyard that when utilised will result in the security monitoring company immediately contacting the police (and subsequently the manager) should an incident arise. Fixed emergency buttons will also be located in appropriate locations inside the facility.

P.2.8. Building identification

- The building will be identified on both frontages with an appropriate street number. Refer to Appendix A Architectural Documentation.

P.2.9. Lighting

- The existing street frontages are lit sufficiently with street lighting. The building frontages and car park are sufficiently lit identifying entries and ensuring there are no dark spaces.



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P.2.10. Shopfronts

- Each storey contains large full height glazing spanning much of the frontage. The intended equipment layout will ensure Kendal Street and the internal car park will have continuous passive surveillance from gym users with a 24-hour, 7 day a week capacity

P.2.11. Public facilities (ATM's and toilets etc).

- Not applicable.

P.2.12. Car Parks

- The proposed car park will contain sufficient lighting and surveillance to ensure safety for all attendees. Refer to Appendix A Architectural Documentation.



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Summary and Conclusions

- The application seeks approval for the construction of a two-storey commercial building and associated car park. The occupants will be Anytime Fitness who will provide a 24-hour, 7 day a week indoor gym.
- An additional tenancy with the potential for an office-based Class 5 business is proposed.
- Both proposed uses are consistent with land zone uses described in the Cowra Shire Local Environmental Plan (2012).
- The development as a whole complies with the requirements set out in the Cowra Shire Council Development Control Plan 2021.
- For these reasons and for the reasons outlined above report, the proposed development should strongly be supported for approval by Council.

We look forward to receiving feedback from Council. If conditions are required to be adopted throughout the planning process, we hope to be able to incorporate them to provide the best possible outcome.

Yours Sincerely



Brett Moulds



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Appendix A

Architectural Documentation



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Appendix B

Traffic and Parking Impact Assessment.



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Appendix C

Carpark & Driveway Certification

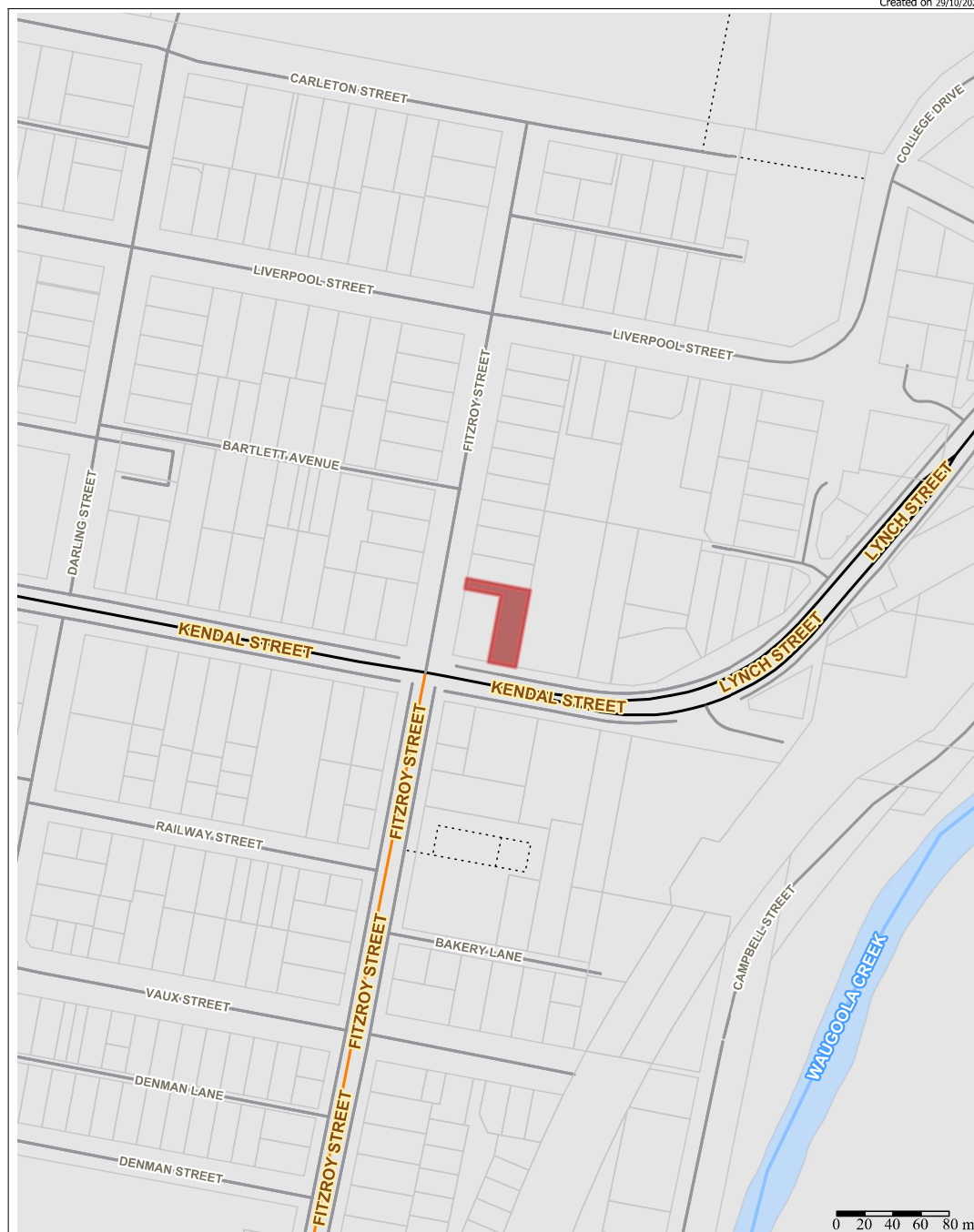


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Appendix D

Plan of Management

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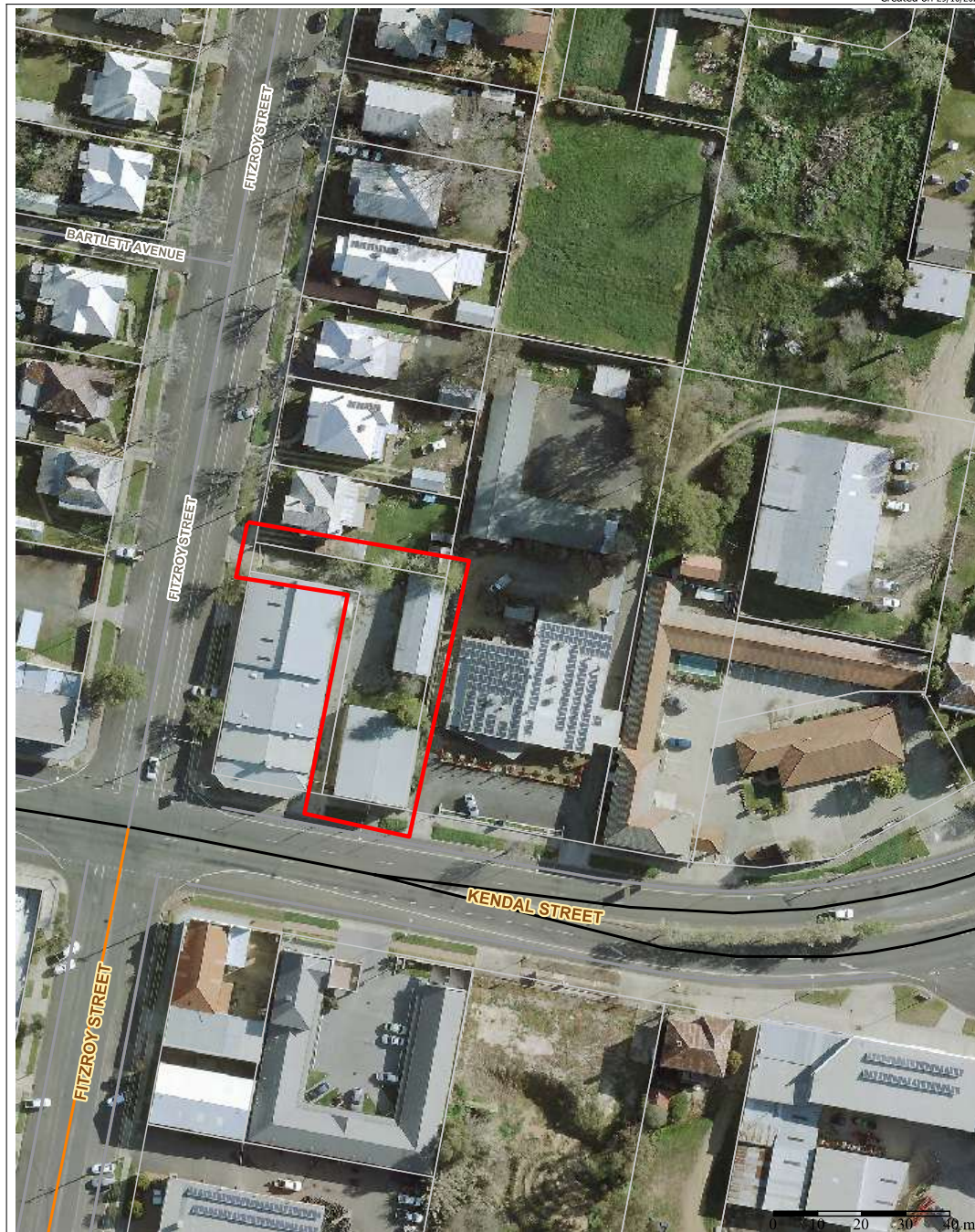
Projection: # GDA2020 / MGA zone 55

Date: 29/10/2025 4:43 PM

DA 10.2025.93.1 - 158 Kendal Street Cowra

Map Scale: 1:3246 at A4

Created on 29/10/2025



 Cowra Council Private Bag 342 116 Kendal 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 SS 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: 29/10/2025 4:47 PM	DA 10.2025.93.1 - 158 Kendal Street Cowra
				Map Scale: 1:1064 at A4

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TRAFFIC AND PARKING IMPACT ASSESSMENT

Proposed Gym

158 Kendal Street, Cowra

Prepared for: Anytime Fitness Cowra

N255039a (Version 1a)

March 2025

Motion Traffic Engineers Pty Ltd
Telephone:
940 33 588
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ACN 600201583



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1. INTRODUCTION

Motion Traffic Engineers was commissioned by to undertake a traffic and parking impact assessment relating to a proposed gym at 158 Kendal Street in Cowra. The proposed gym is located within the Cowra Town Centre and has been assessed under that council's controls which permit a gym.

Currently, the site is unoccupied.

This traffic report presents an assessment of the anticipated transport implications of the proposed gym, with the following considerations:

- Background and existing traffic and parking conditions of the subject proposed gym
- Assessment of the public transport network within the vicinity of the proposed gym
- Adequacy of car parking provision
- The projected traffic generation of the subject gym and;
- The transport impact of the subject gym on the surrounding road network.

In the course of preparing this assessment, the subject gym and its environs have been inspected, plans of the development are examined, all relevant traffic and parking data have been collected and analysed.

2. BACKGROUND AND EXISTING CONDITIONS OF THE PROPOSED SITE

2.1. Location and Land Use

The proposed gym is located at 158 Kendal Street, on the east side of Fitzroy Street and north of Kendal Street in Cowra. The site is at the eastern end of the Cowra Town Centre. The site has frontage to Fitzroy Street and Kendall Street.

The immediate surrounding businesses are retail shops, hotels, and commercial businesses. Residential dwellings are located on the streets that run off Fitzroy Street. Lachlan Valley Hotel Cowra is located nearby. ALDI is located to the south of the proposed gym.

Figures 1 show the location of the proposed gym from aerial perspective. Figure 2 also shows the location of the site from a street map perspective and the location of the surveyed intersections in relation to the site. Figure 3 shows a photography of the site frontage.

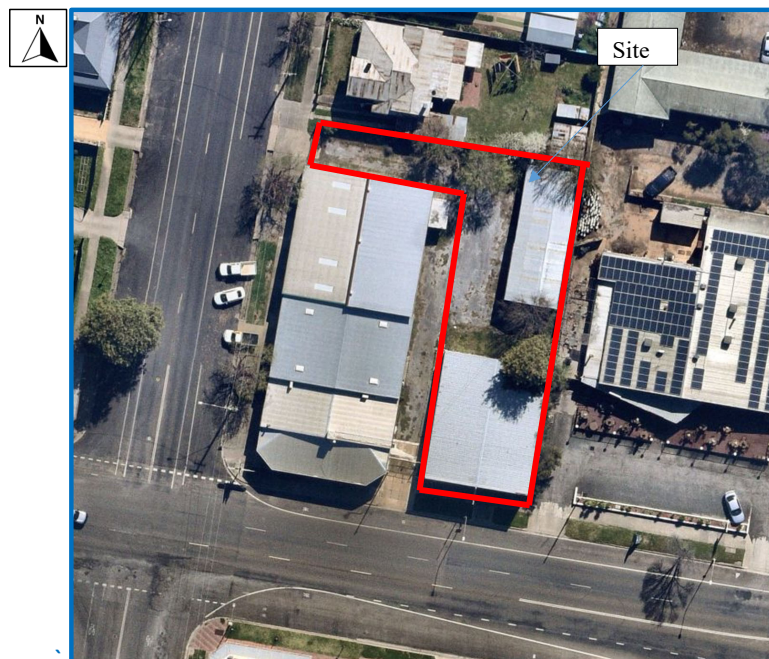


Figure 1: Location of the Proposed Gym on Aerial

Traffic and Parking Impact Assessment for a Proposed Gym
158 Kendal Street, Cowra [N255039A Report 1a]

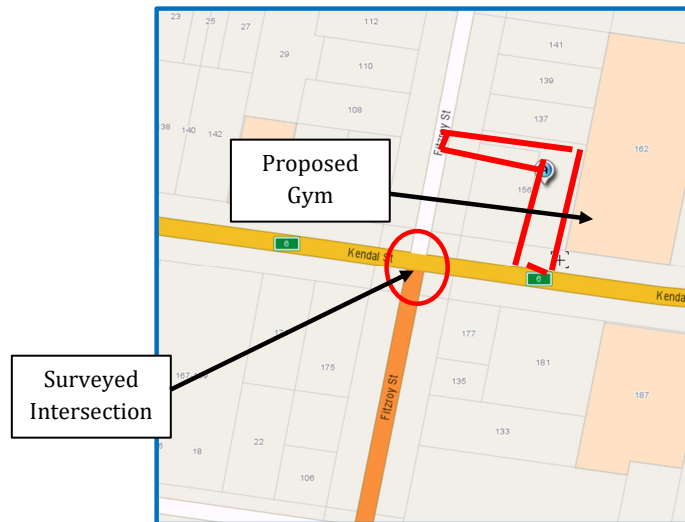


Figure 2: Location of the Proposed Gym on Street View and Surveyed Intersection



Figure 3a: Photograph of the Site Frontage from Kendal Street



Figure 3b Photograph of the Site Frontage from Fitzroy Street (driveway)

2.2. Road Network

Fitzroy Street is a local road adjacent to the gym road with one lane of traffic each way with default speed limit of 50km/hr near the site. There is line marked area for 45 degrees rear in on-street parking manoeuvres. Fitzroy Street begins at Carleton Street to the north and ends at Argoon Street to the south.

Kendal Street (Mid Western Highway) is a town centre road adjacent to the site with one lane of the traffic each way with speed limit of 50 km/hr. There are also line marked area for on-street parking. Kendal Street begins at Grenfell Street to the west and ends at Lynch Street to the northeast. There are frequent parking manoeuvres during business hours with moderate pedestrian volumes walking on the footpath and crossing Kendal Street. Figure 4b presents a photograph of Kendal Street.



Figure 4a: Fitzroy Street: looking North from Kendal Street



Figure 4b: Kendal Street: looking East from the intersection

2.3.Public Transport

The site is located within 120 metres from the bus stops located at Kendal Street. This bus stop is serviced by bus route 541, 543 and 544 and provides bus services for large parts of Cowra.

*Traffic and Parking Impact Assessment for a Proposed Gym
158 Kendal Street, Cowra [N255039A Report 1a]*

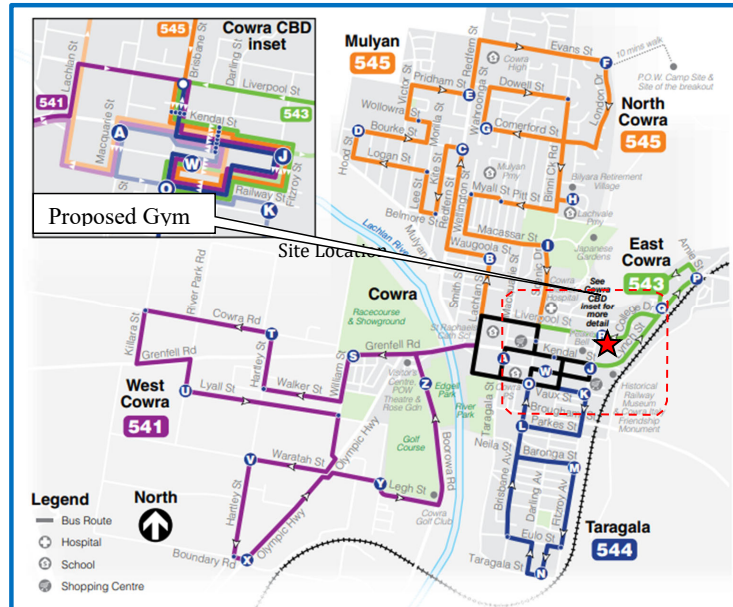


Figure 5: Public Transport and Proposed gym Location

2.4. Public Parking

Time unrestricted on-street public parking is available on Fitzroy Street and Kendal Street. On-street parking on Fitzroy Street extends from Bartlett Avenue to Railway Street. Regarding Kendal Street, on-street parking is available from Hong Kong Chinese Restaurant to Countryman Motor Inn.

These on-street parking spaces can accommodate gym members in the event of increased visitor parking demand.

2.5. Parking Survey

A parking survey was conducted to assess the availability of on-street parking near the proposed gym at 158 Kendal Street. The primary reason for this survey is that the gym does not comply with Council's car parking requirements and additional parking beyond the fifteen car spaces will need to be met in public parking.

A parking survey has been undertaken for on-street car parking on Kendal Street and Fitzroy Street near the proposed gym for the expected gym member attendance.

Traffic and Parking Impact Assessment for a Proposed Gym

158 Kendal Street, Cowra [N255039A Report 1a]



The parking survey map for the survey is presented in Figure 6. The weekday parking survey showed that there are vacant car spaces throughout the day. The site is at the perimeter of Cowra Town Centre. The on-street parking is not subject to time restrictions.

The parking survey results are presented in Table 1 and shows a high number of vacant car spaces.



Figure 6: Parking Survey Map



Section	Car Spaces	Weekday Occupancy			
		9am	10am	5pm	6pm
L1	7	1	1	0	0
L2	7	1	2	2	1
L3	10	0	0	1	0
L4	6	3	2	2	2
L5	9	1	1	0	0
L6	9	3	4	3	0
L7	20	8	8	6	3
L8	20	7	6	6	6
Total	88	24	24	20	12
	Vacant car spaces	64	64	68	76

Table 1: Weekday Parking Survey Results

2.6. Intersection Description

As part of the traffic impact assessment, the performance of the adjacent intersection was surveyed and assessed:

- ➡ Priority Intersection of Kendal Street with Fitzroy Street

The priority intersection of Kendal Street with Fitzroy Street is a four-leg intersection with one lane in each direction overall with all turning movements permitted. Figure 7a presents the layout of this intersection using SIDRA 9.1 – an industry standard intersection assessment software. The number on the island represent the diameter in each direction. Figure 7b represents the aerial view of the interchange.

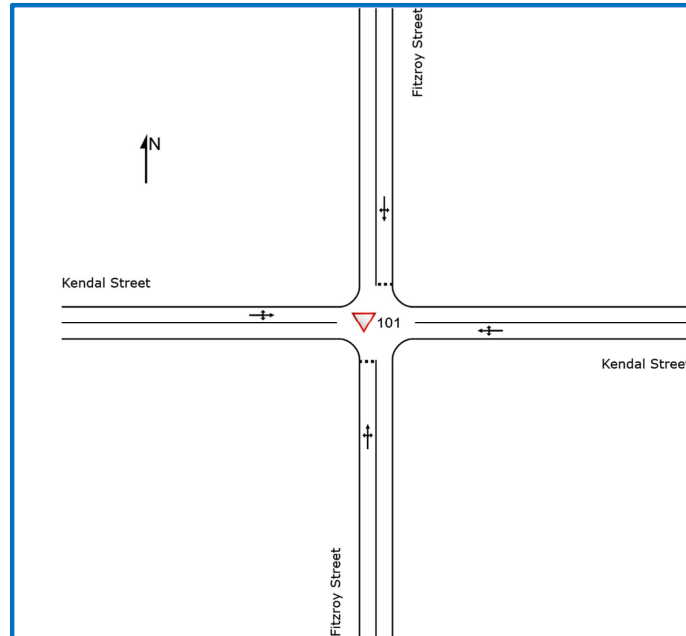
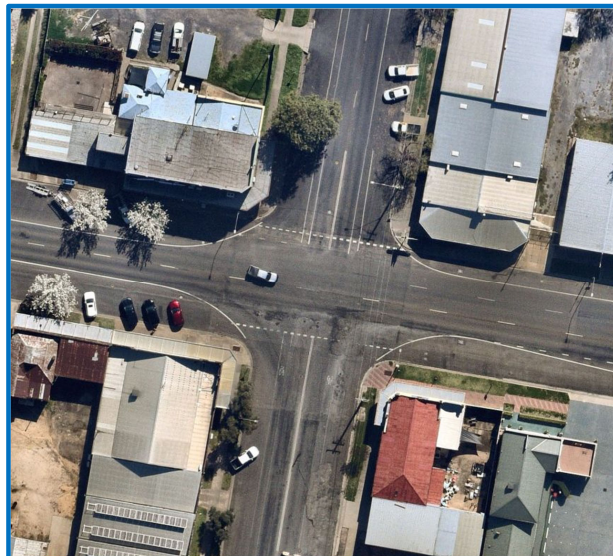


Figure 7a: Roundabout intersection of Kendal Street with Fitzroy Street (SIDRA)



Traffic and Parking Impact Assessment for a Proposed Gym
158 Kendal Street, Cowra [N255039A Report 1a]



Figure 7b: Priority Intersection of Kendal Street with Fitzroy Street Aerial View

2.7.Existing Traffic Volume

A traffic survey was conducted in March 2025 to assess the existing traffic conditions in the vicinity of the proposed gym at 158 Kendal Street, Cowra. The assessment focused on the weekday AM and PM peak hours to determine traffic flow and identify any potential congestion points. The data collection included vehicle counts at key intersections, with a breakdown of different vehicle types, including cars, buses, and trucks. Figures 8a and 8b present the traffic volumes in vehicles for the Saturday AM and Saturday PM peak hours. The bracketed numbers are trucks or buses. The un-bracketed are cars.

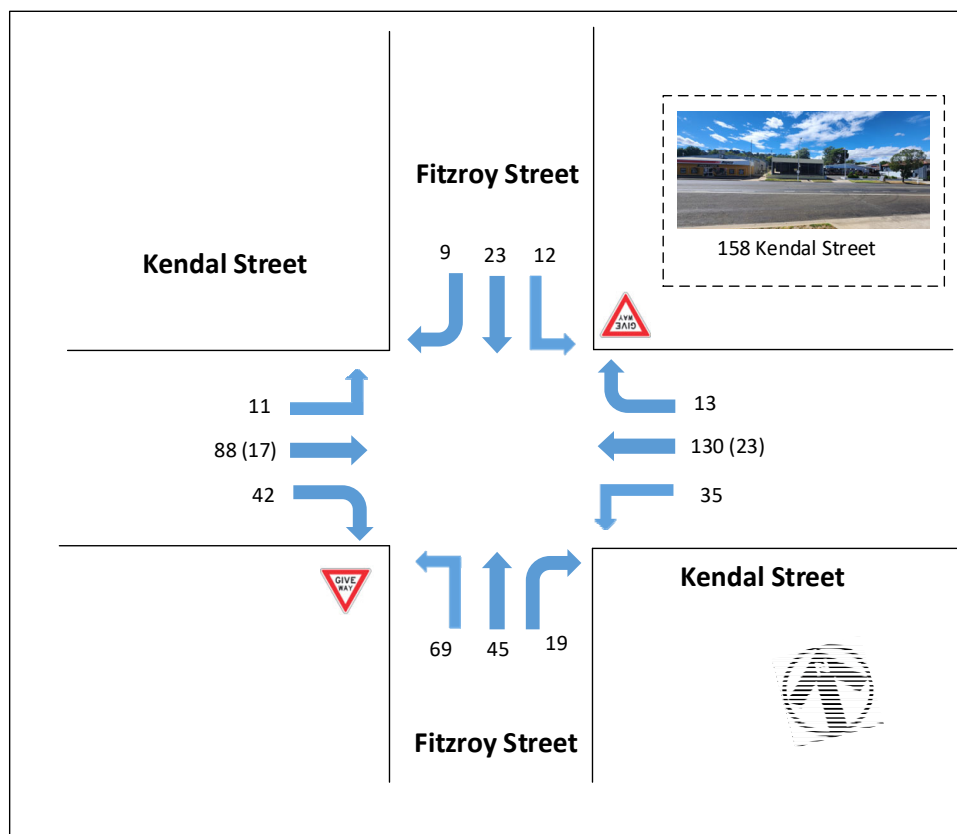


Figure 8a: Existing weekday Traffic Volumes AM Peak Hour

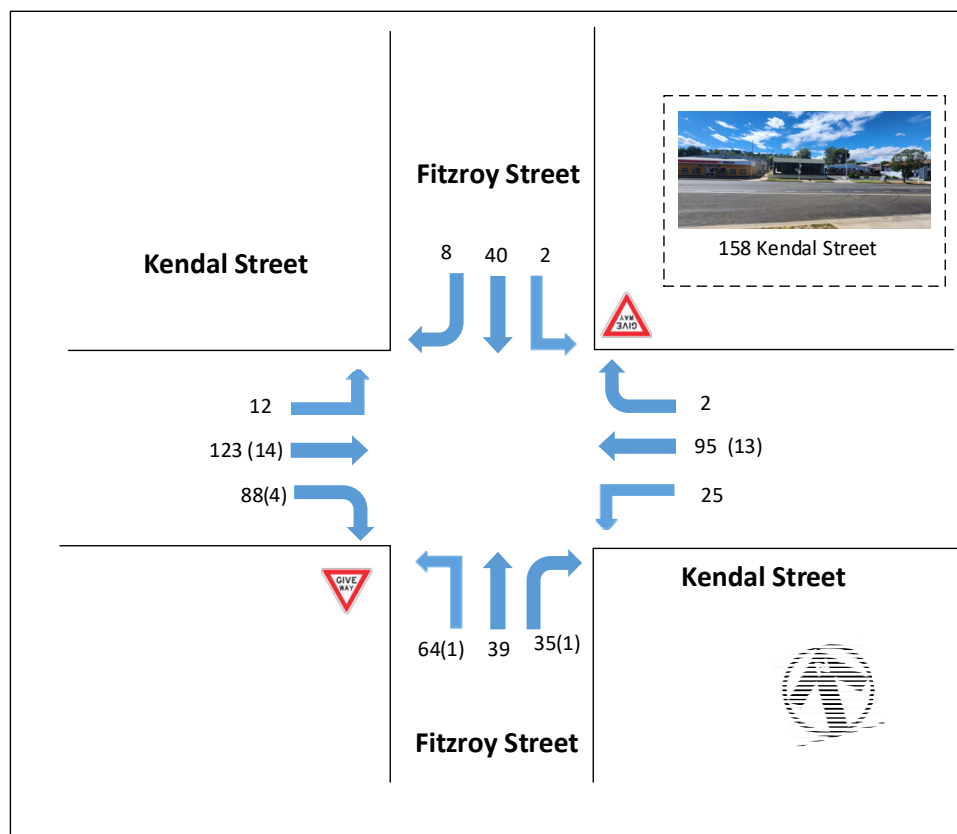


Figure 8b: Existing weekday Traffic Volumes PM Peak Hour

2.8. Intersection Assessment with Existing Traffic

An intersection assessment has been undertaken for:

- Priority Intersection of Kendal Street with Fitzroy Street

The existing intersection operating performance was assessed using the SIDRA software package (version 9.1) to determine the Degree of Saturation (DS), Average Delay (AVD in seconds) and Level of Service (LoS) at each intersection. The SIDRA program provides Level of Service Criteria

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Traffic and Parking Impact Assessment for a Proposed Gym

158 Kendal Street, Cowra [N255039A Report 1a]



Tables for various intersection types. The key indicator of intersection performance is Level of Service, where results are placed on a continuum from 'A' to 'F', as shown in Table 1.

LoS	Traffic Signal / Roundabout	Give Way / Stop Sign / T-Junction control
A	Good operation	Good operation
B	Good with acceptable delays and spare capacity	Acceptable delays and spare capacity
C	Satisfactory	Satisfactory, but accident study required
D	Operating near capacity	Near capacity & accident study required
E	At capacity, at signals incidents will cause excessive delays.	At capacity, requires other control mode
F	Unsatisfactory and requires additional capacity, Roundabouts require other control mode	At capacity, requires other control mode

Table 2: Intersection Level of Service

The Average Vehicle Delay (AVD) provides a measure of the operational performance of an intersection as indicated below, which relates AVD to LOS. The AVD's should be taken as a guide only as longer delays could be tolerated in some locations (i.e., inner city conditions) and on some roads (i.e., minor side street intersecting with a major arterial route). For traffic signals, the average delay over all movements should be taken. For roundabouts and priority control intersections (sign control) the critical movement for level of service assessment should be that movement with the highest average delay.



LoS	Average Delay per Vehicles (seconds/vehicle)
A	Less than 14
B	15 to 28
C	29 to 42
D	43 to 56
E	57 to 70
F	>70

Table 3: Intersection Average Delay (AVD)

The degree of saturation (DS) is another measure of the operational performance of individual intersections. For intersections controlled by traffic signals both queue length and delay increase rapidly as DS approaches 1. It is usual to attempt to keep DS to less than 0.9. Degrees of Saturation in the order of 0.7 generally represent satisfactory intersection operation. When DS exceed 0.9 queues can be anticipated.

The results of the intersection analysis are as follows:

Intersection/ Performance criteria	PM Peak Hour Existing	Weekday Peak Hour Existing
Kendal Street / Fitzroy Street		
LoS	N/A (worst case LoS A)	N/A (worst case LoS A)
AVD	2.9	3.2
DS	0.132	0.149

Table 4: Existing Intersection Performances

As presented in Table 3, the intersection is currently operating at good condition with spare capacity to accommodate additional traffic volumes. The full SIDRA results are presented in Appendix A.

2.9. Conclusions on Existing Conditions

The proposed gym has good access to public transport.

There are vacant car spaces near the proposed gym which is either on-street or nearby streets.

The two nearby intersections perform well with spare capacity.

Traffic and Parking Impact Assessment for a Proposed Gym

158 Kendal Street, Cowra [N255039A Report 1a]



3. PROPOSED GYM

A description of the proposed gym for which approval is now sought features the following elements:

- Construction of a new gym on the upper floor with a floor space of 373.6m² and lower floor with a floor space of 378.6m²
- 15 car spaces are designated for on-site parking with the vehicle driveway on Fitzroy Street
- Pedestrian access is via the car park area and Kendal Street
- The gym operates as a 24 hour gym as part of the Anytime Fitness franchise. Staffed hours are business hours.

A full scaled plan of the proposed gym is provided as a part of the Development Application.

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*Traffic and Parking Impact Assessment for a Proposed Gym
158 Kendal Street, Cowra [N255039A Report 1a]*



4. PARKING REQUIREMENTS

4.1. Car Parking Requirements

The car parking rates for a gym is presented *Cowra Council Development Control Plan 2021* at a rate of 1 car space per 35m². Table 5 presents the car parking requirements as per Council's Development Control Plan.

The proposed gym is six car spaces short of meeting Council's car parking requirements.

Land use	Gross Floor Area (GFA)m ²		Car parking rate	Required car spaces	Provided car spaces
Gym	Lower Floor Gym	373.6	1 car space per 35 m ² of GFA	10.7	15
Gym	Upper Floor Gym	378.6		10.8	
Total		752.2		21	15

Table 5: Summary of Council Car Parking Requirements

As discussed in Section 2.5, there are sufficient vacant car spaces to accommodate the additional six car spaces.



5. TRAFFIC GENERATION AND IMPACT

5.1. Proposed Traffic Generation

The “*Guide to Transport Impact Assessment (2024)*” provides advice on the traffic generating potential of different land uses. According to the RTA Guide, the trip generation rate for a ‘gym’ located in the metropolitan regional centres is:

- ➡ 3.6 trips per 100 m² GFA for the AM and PM peak hour

The trip rate is similar to Council’s car parking rate.

The proposed gym has a floor space of 752.3m² and hence 27 trips will be generated in the weekday peak hours.

5.2. Trip Distribution

The proposed gym is a low trip generator in the Weekday peak period.

The assumed trip distribution for the weekday PM peak hour is 90 percent arrivals and 10 percent departure trips. The trip distribution for the AM peak hour is 10 percent arrivals and 90 percent departures.

	Origin	Destination	Total
AM Peak Hour	25	2	27
PM Peak Hour	2	25	27

Table 6: Trip Distribution Weekday Peak Hours

5.3. Existing with Gym Traffic

The additional development trips are assigned onto the local traffic network. The following figures present the future traffic volume with the development trips (in red for origin trips and blue for destination trips) for the weekday peak hour.

The additional development trips represent a small proportion of the existing traffic volumes.

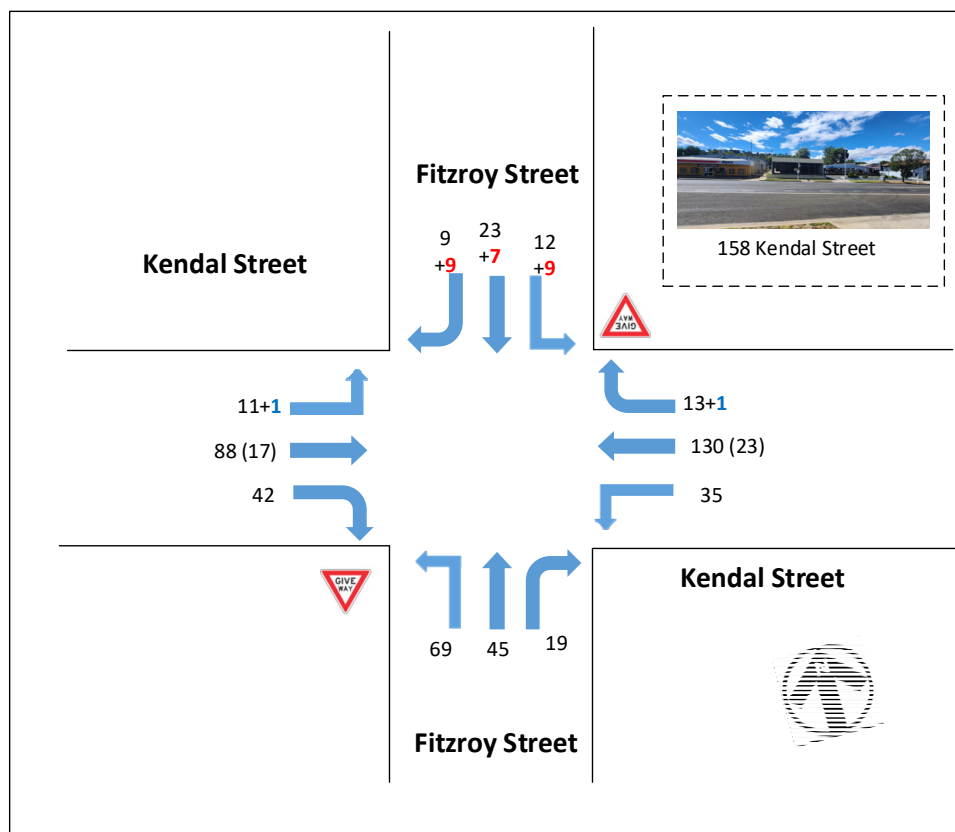


Figure 9: Existing Weekday Traffic Volumes AM Peak Hour with Gym Traffic

Traffic and Parking Impact Assessment for a Proposed Gym
 158 Kendal Street, Cowra [N255039A Report 1a]

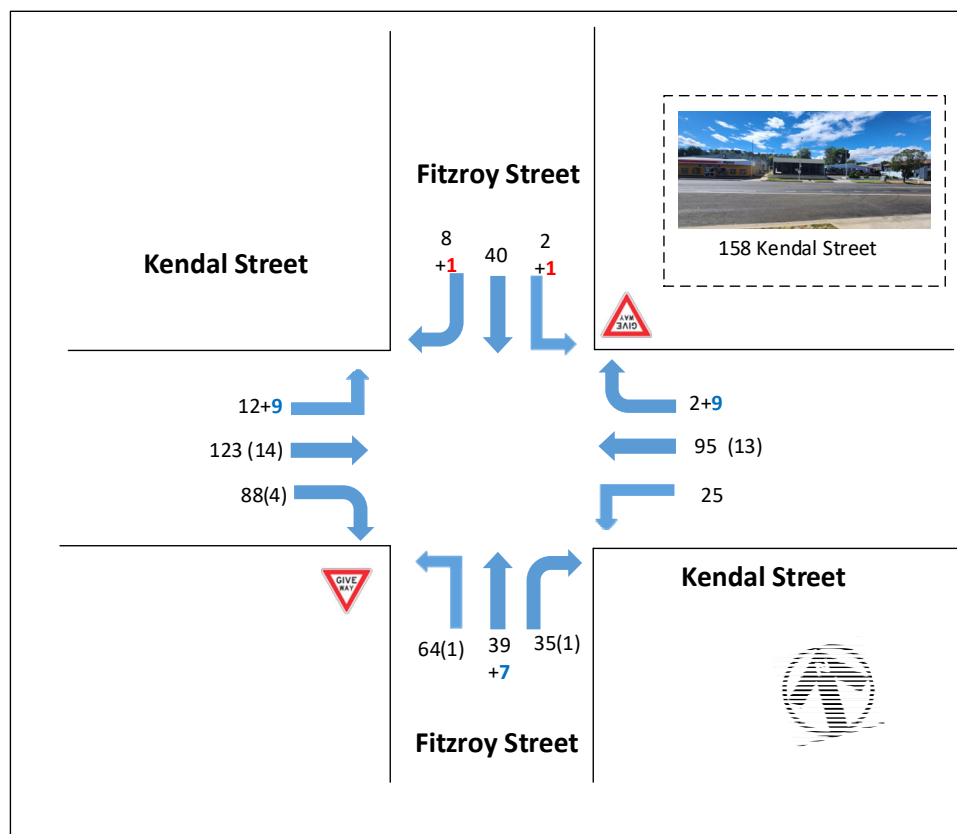


Figure 10: Existing Saturday Traffic Volumes PM Peak Hour with Gym Traffic

5.4. Traffic Impact

This section assesses the following intersections for the existing traffic with the gym traffic. The results of the intersection assessment are as follows:

Traffic and Parking Impact Assessment for a Proposed Gym
 158 Kendal Street, Cowra [N255039A Report 1a]



Intersection/Performance criteria	Existing Performance		Projected Performance	
	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Kendal Street / Fitzroy Street				
LoS	N/A (worst case LoS A)	N/A (worst case LoS A)	N/A (worst case LoS A)	N/A (worst case LoS A)
AVD	2.9	3.2	3	3.3
DS	0.132	0.149	0.132	0.157

Table 4: Projected intersection performance with gym traffic

As presented in Table 4 above, the additional trips generated by the proposed gym have minimum impact on the intersection performances in both weekday PM and Saturday peak hours. The LoS, AVD and DS of each intersection are not significantly affected by the addition of gym traffic.

The traffic impacts of the proposed Gym facility are therefore considered acceptable.

The full SIDRA results are presented in Appendix B for the existing traffic conditions with gym traffic.



6. CONCLUSIONS

This traffic impact assessment report relates to the proposed gym involving the development to a new gym having consent to operate as at 158 Kendal Street in Cowra. Based on the analysis and discussions presented in this report, the following conclusions are made:

- The proposed gym is located has access to bus transport network.
- The adjacent intersection currently operates at good condition with acceptable level of services and delays for all surveyed network peaks
- The proposed gym relies on public parking within the Cowra Town Centre like many of the other business within the Cowra Town Centre
- The use of the gym as a gym facility is expected to generate low number of additional trips in the weekday AM and PM peak hour
- According to the intersection assessment, the additional car trips can be accommodated in the nearby intersections without significantly affecting the performance of any turn movement, approach arm or the overall intersection. The traffic impacts of the proposed Gym facility are therefore considered acceptable.



APPENDIX A

INTERSECTION ASSESSMENT FOR EXISTING TRAFFIC

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows		Arrival Flows		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			[Total	HV]	[Total	HV]				[Veh.	Dist]				
			veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South: Fitzroy Street															
1	L2	All MCs	73	0.0	73	0.0	0.132	5.1	LOS A	0.5	3.6	0.35	0.56	0.35	45.4
2	T1	All MCs	47	0.0	47	0.0	0.132	5.1	LOS A	0.5	3.6	0.35	0.56	0.35	45.7
3	R2	All MCs	20	0.0	20	0.0	0.132	7.2	LOS A	0.5	3.6	0.35	0.56	0.35	45.2
Approach			140	0.0	140	0.0	0.132	5.4	LOS A	0.5	3.6	0.35	0.56	0.35	45.5
East: Kendal Street															
4	L2	All MCs	14	0.0	14	0.0	0.120	4.9	LOS A	0.3	2.0	0.11	0.16	0.11	47.7
5	T1	All MCs	161	15.0	161	15.0	0.120	0.1	LOS A	0.3	2.0	0.11	0.16	0.11	48.9
6	R2	All MCs	37	0.0	37	0.0	0.120	5.0	LOS A	0.3	2.0	0.11	0.16	0.11	47.5
Approach			212	11.4	212	11.4	0.120	1.3	NA	0.3	2.0	0.11	0.16	0.11	48.6
North: Fitzroy Street															
7	L2	All MCs	19	33.3	19	33.3	0.056	5.4	LOS A	0.2	1.6	0.34	0.54	0.34	45.0
8	T1	All MCs	24	0.0	24	0.0	0.056	4.9	LOS A	0.2	1.6	0.34	0.54	0.34	45.8
9	R2	All MCs	9	0.0	9	0.0	0.056	7.5	LOS A	0.2	1.6	0.34	0.54	0.34	45.3
Approach			53	12.0	53	12.0	0.056	5.5	LOS A	0.2	1.6	0.34	0.54	0.34	45.4
West: Kendal Street															
10	L2	All MCs	12	0.0	12	0.0	0.097	5.1	LOS A	0.3	2.3	0.18	0.24	0.18	47.2
11	T1	All MCs	111	16.2	111	16.2	0.097	0.2	LOS A	0.3	2.3	0.18	0.24	0.18	48.4
12	R2	All MCs	44	0.0	44	0.0	0.097	5.2	LOS A	0.3	2.3	0.18	0.24	0.18	47.0
Approach			166	10.8	166	10.8	0.097	1.9	NA	0.3	2.3	0.18	0.24	0.18	47.9
All Vehicles			571	8.5	571	8.5	0.132	2.9	NA	0.5	3.6	0.21	0.32	0.21	47.3

Table A1: Priority Intersection of Kendal Street with Fitzroy Street for the Saturday AM Peak Hour



Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows		Arrival Flows		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			[Total	HV]	[Total	HV]				[Veh.	Dist]				
			veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South: Fitzroy Street															
1	L2	All MCs	68	1.5	68	1.5	0.148	5.0	LOS A	0.6	4.1	0.34	0.55	0.34	45.3
2	T1	All MCs	41	0.0	41	0.0	0.148	5.2	LOS A	0.6	4.1	0.34	0.55	0.34	45.6
3	R2	All MCs	38	2.8	38	2.8	0.148	7.5	LOS A	0.6	4.1	0.34	0.55	0.34	45.1
Approach			147	1.4	147	1.4	0.148	5.7	LOS A	0.6	4.1	0.34	0.55	0.34	45.3
East: Kendal Street															
4	L2	All MCs	26	0.0	26	0.0	0.078	4.6	LOS A	0.0	0.1	0.01	0.11	0.01	48.1
5	T1	All MCs	114	12.0	114	12.0	0.078	0.0	LOS A	0.0	0.1	0.01	0.11	0.01	49.3
6	R2	All MCs	2	0.0	2	0.0	0.078	4.7	LOS A	0.0	0.1	0.01	0.11	0.01	47.9
Approach			142	9.6	142	9.6	0.078	0.9	NA	0.0	0.1	0.01	0.11	0.01	49.0
North: Fitzroy Street															
7	L2	All MCs	8	75.0	8	75.0	0.068	6.1	LOS A	0.2	1.9	0.41	0.58	0.41	44.5
8	T1	All MCs	42	0.0	42	0.0	0.068	5.0	LOS A	0.2	1.9	0.41	0.58	0.41	45.8
9	R2	All MCs	8	0.0	8	0.0	0.068	7.5	LOS A	0.2	1.9	0.41	0.58	0.41	45.3
Approach			59	10.7	59	10.7	0.068	5.5	LOS A	0.2	1.9	0.41	0.58	0.41	45.5
West: Kendal Street															
10	L2	All MCs	13	0.0	13	0.0	0.149	5.1	LOS A	0.6	4.6	0.21	0.29	0.21	46.9
11	T1	All MCs	144	10.2	144	10.2	0.149	0.3	LOS A	0.6	4.6	0.21	0.29	0.21	48.1
12	R2	All MCs	97	4.3	97	4.3	0.149	5.1	LOS A	0.6	4.6	0.21	0.29	0.21	46.7
Approach			254	7.5	254	7.5	0.149	2.4	NA	0.6	4.6	0.21	0.29	0.21	47.5
All Vehicles			602	6.8	602	6.8	0.149	3.2	NA	0.6	4.6	0.22	0.34	0.22	47.1

Table A2: Priority Intersection of Kendal Street with Fitzroy Street for the Saturday PM Peak Hour

Traffic and Parking Impact Assessment for a Proposed Gym

158 Kendal Street, Cowra [N255039A Report 1a]



APPENDIX B

INTERSECTION ASSESSMENT FOR EXISTING TRAFFIC WITH GYM TRAFFIC

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows		Arrival Flows		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			[Total	HV]	[Total	HV]				[Veh.	Dist]				
			veh/h	%	veh/h	%	v/c	sec		veh	m				km/h
South: Fitzroy Street															
1	L2	All MCs	73	0.0	73	0.0	0.132	5.1	LOS A	0.5	3.6	0.36	0.56	0.36	45.4
2	T1	All MCs	47	0.0	47	0.0	0.132	5.1	LOS A	0.5	3.6	0.36	0.56	0.36	45.7
3	R2	All MCs	20	0.0	20	0.0	0.132	7.3	LOS A	0.5	3.6	0.36	0.56	0.36	45.2
Approach			140	0.0	140	0.0	0.132	5.4	LOS A	0.5	3.6	0.36	0.56	0.36	45.5
East: Kendal Street															
4	L2	All MCs	14	0.0	14	0.0	0.121	4.9	LOS A	0.3	2.1	0.11	0.17	0.11	47.7
5	T1	All MCs	161	15.0	161	15.0	0.121	0.1	LOS A	0.3	2.1	0.11	0.17	0.11	48.9
6	R2	All MCs	38	0.0	38	0.0	0.121	5.0	LOS A	0.3	2.1	0.11	0.17	0.11	47.5
Approach			213	11.4	213	11.4	0.121	1.3	NA	0.3	2.1	0.11	0.17	0.11	48.5
North: Fitzroy Street															
7	L2	All MCs	28	22.2	28	22.2	0.085	5.2	LOS A	0.3	2.3	0.35	0.55	0.35	45.1
8	T1	All MCs	32	0.0	32	0.0	0.085	5.0	LOS A	0.3	2.3	0.35	0.55	0.35	45.7
9	R2	All MCs	19	0.0	19	0.0	0.085	7.6	LOS A	0.3	2.3	0.35	0.55	0.35	45.2
Approach			79	8.0	79	8.0	0.085	5.7	LOS A	0.3	2.3	0.35	0.55	0.35	45.3
West: Kendal Street															
10	L2	All MCs	13	0.0	13	0.0	0.098	5.1	LOS A	0.3	2.3	0.18	0.25	0.18	47.2
11	T1	All MCs	111	16.2	111	16.2	0.098	0.2	LOS A	0.3	2.3	0.18	0.25	0.18	48.4
12	R2	All MCs	44	0.0	44	0.0	0.098	5.2	LOS A	0.3	2.3	0.18	0.25	0.18	47.0
Approach			167	10.7	167	10.7	0.098	1.9	NA	0.3	2.3	0.18	0.25	0.18	47.9
All Vehicles			599	8.1	599	8.1	0.132	3.0	NA	0.5	3.6	0.22	0.33	0.22	47.2

Table B1: Priority Intersection of Kendal Street with Fitzroy Street for the Weekday AM with gym traffic



Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows		Arrival Flows		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed
			[Total	HV]	[Total	HV]				[Veh.	Dist]				
			veh/h	%	veh/h	%				v/c	sec				
South: Fitzroy Street															
1	L2	All MCs	68	1.5	68	1.5	0.157	5.0	LOS A	0.6	4.3	0.35	0.55	0.35	45.3
2	T1	All MCs	48	0.0	48	0.0	0.157	5.3	LOS A	0.6	4.3	0.35	0.55	0.35	45.6
3	R2	All MCs	38	2.8	38	2.8	0.157	7.6	LOS A	0.6	4.3	0.35	0.55	0.35	45.1
Approach			155	1.4	155	1.4	0.157	5.7	LOS A	0.6	4.3	0.35	0.55	0.35	45.3
East: Kendal Street															
4	L2	All MCs	26	0.0	26	0.0	0.084	4.7	LOS A	0.1	0.8	0.06	0.16	0.06	47.8
5	T1	All MCs	114	12.0	114	12.0	0.084	0.1	LOS A	0.1	0.8	0.06	0.16	0.06	49.0
6	R2	All MCs	12	0.0	12	0.0	0.084	5.1	LOS A	0.1	0.8	0.06	0.16	0.06	47.6
Approach			152	9.0	152	9.0	0.084	1.3	NA	0.1	0.8	0.06	0.16	0.06	48.7
North: Fitzroy Street															
7	L2	All MCs	9	66.7	9	66.7	0.071	6.0	LOS A	0.3	1.9	0.41	0.59	0.41	44.5
8	T1	All MCs	42	0.0	42	0.0	0.071	5.1	LOS A	0.3	1.9	0.41	0.59	0.41	45.8
9	R2	All MCs	9	0.0	9	0.0	0.071	7.6	LOS A	0.3	1.9	0.41	0.59	0.41	45.3
Approach			61	10.3	61	10.3	0.071	5.6	LOS A	0.3	1.9	0.41	0.59	0.41	45.5
West: Kendal Street															
10	L2	All MCs	13	0.0	13	0.0	0.149	5.1	LOS A	0.6	4.6	0.21	0.29	0.21	46.9
11	T1	All MCs	144	10.2	144	10.2	0.149	0.3	LOS A	0.6	4.6	0.21	0.29	0.21	48.1
12	R2	All MCs	97	4.3	97	4.3	0.149	5.1	LOS A	0.6	4.6	0.21	0.29	0.21	46.7
Approach			254	7.5	254	7.5	0.149	2.4	NA	0.6	4.6	0.21	0.29	0.21	47.5
All Vehicles			621	6.6	621	6.6	0.157	3.3	NA	0.6	4.6	0.23	0.35	0.23	47.0

Table B2: Priority Intersection of Kendal Street with Fitzroy Street for the Saturday Peak Hour with gym traffic

5.2 Section 355 Committee Draft Minutes - Access Committee Meeting held 20 October 2025

File Number: D25/2024

Author: Larissa Hackett, Director - Environmental Services

RECOMMENDATION

- 1. That Council notes the draft minutes of the Access Committee meeting held on 20 October 2025.**
 - 2. That Council accepts Mr Shane Kruger and Ms Katherine Cucchiaro as members of the Access Committee.**
-

INTRODUCTION

The Minutes and recommendations of Cowra Shire Council's Section 355 Committee – Access Committee are presented for noting and consideration.

A copy of the minutes is included in Attachment 1.

MEMBERSHIP

The Access Committee acknowledged Mr Shane Kruger and Ms Katherine Cucchiaro membership applications. The committee recommends that Council consider approving Shane and Kate as new members.

The total Access Committee membership including the above changes will be 11 members.

A copy of Shane and Katherine's membership applications are included in Attachment 2. A copy of the Access Committee Instrument of Delegation is included in Attachment 3.

ATTACHMENTS

1. Draft Minutes - Access Committee meeting - 20 October 2025 [↓](#)
2. Membership Applications - Mr Shane Kruger & Ms Katherine Cucchiaro [↓](#)
3. Access Committee - Instrument of Delegation [↓](#)



MINUTES

Access Committee Meeting Monday, 20 October 2025

ACCESS COMMITTEE MEETING MINUTES**20 OCTOBER 2025****Order Of Business**

1	Apologies	3
2	Confirmation of Minutes.....	3
3	Reports of Council Officers	3
	3.1 Membership Applications - Shane Kruger and Katherine Cucchiaro.....	3
4	Business Arising from Previous Minutes	4
	4.1 Garry Starr Cabin	4
	4.2 Reducing CBD to 40km Request.....	4
5	Action Items.....	4
	5.1 Access Committee Action Items - Monday 20 October 2025.....	4
6	General Business.....	5
	6.1 Accessible Facilities and Places Mapping.....	5
7	Next Meeting Date	5
8	Meeting Close.....	5

ACCESS COMMITTEE MEETING MINUTES

20 OCTOBER 2025

**MINUTES OF COWRA COUNCIL
ACCESS COMMITTEE MEETING HELD AT THE COMMITTEE ROOM 1,
COUNCIL ADMINISTRATION BUILDING,, 116 KENDAL STREET, COWRA
ON MONDAY, 20 OCTOBER 2025 AT 10.30AM - 12.30PM**

PRESENT: Chairperson Nikki Kiss OAM (Deputy Mayor), Ms Jayne Hook, Mr Paul McCaffery, Ms Julie Stephenson, Mr Michael Aston-Brien, Ms Robyn Ambachtsheer, Mr Peter Dawson

IN ATTENDANCE: Larissa Hackett (Director-Environmental Services), Rodney Stammers (Development & Traffic Engineer), Ian Thomas (Manager-Assets & Technical Services), Cassandra Gailey (Secretariat)

GUEST: Shane Kruger (Ability Network), Kahla Langlands

1 APOLOGIES

COMMITTEE RESOLUTION

The committee notes apologies from Ms Emma Roberts and Cr Karren Cave.

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

That the minutes of the Access Committee Meeting held on 18 August 2025 be confirmed with an amendment to 4.1 Action items to remove the wording 'Added to Operational Plan' at AI# 40.

Moved: R Ambachtsheer

Seconded: M Aston-Brien

3 REPORTS OF COUNCIL OFFICERS

10.35am – Shane Kruger vacated the room for voting

3.1 Membership Applications - Shane Kruger and Katherine Cucchiaro

The committee considered Shane Kruger – Ability Network and Katherine Cucchiaro's membership applications. The committee agreed that they would benefit from the addition and warmly welcome Shane and Kate to the committee.

With the addition of Shane and Kate the Access Committee will have a total of 11 members.

RECOMMENDATION

That Council accept membership applications to join the Access Committee from Shane Kruger and Kate Cucchiaro.

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ACCESS COMMITTEE MEETING MINUTES**20 OCTOBER 2025**

Moved: Chairperson Nikki Kiss OAM**Seconded:** Mr Michael Aston-Brien

CARRIED

10.42am Shane Kruger returned to the room

4 BUSINESS ARISING FROM PREVIOUS MINUTES**4.1 Garry Starr Cabin**

The official opening of the Garry Starr cabin and placement of its plaque occurred on 29 September with the Mayor, Access Committee, Council staff and Mrs Starr and family attending. The committee thanked Julie for attending on their behalf.

4.2 Reducing CBD to 40km Request

TFNSW has returned the request and advised Council to prepare an assessment report and lodge the request through the Portal for consideration. Costs include the procurement and installation of signs/pavement markings at approximately 22 sites from Fitzroy to Lachlan Streets along Kendal Street and all side streets

5 ACTION ITEMS**5.1 Access Committee Action Items - Monday 20 October 2025**

The Action List as presented was received and updated, as follows;

- AI# 51 – MLAK Facility – Council reapplying for funding when grant opens in 2026.
- AI# 63 – Vaux Street Footpath – committee would like an update on inspection outcome.
- AI# 69 – DIAP – plan adopted 25 August and will be reviewed annually, action closed.
- AI# 70 - Equitable Parking – Request awareness program be include as part of Seniors Festival in March
- AI# 75 – 40KM CBD – Council prepare and lodge an assessment report with TFNSW through the Portal for consideration.
- AI# 78 – Garry Starr Plaque – the plaque reveal was conducted in September 2025. Action closed
- AI# 82 – Disabled Parking, Salvation Army – further investigations required as to impact on current parking and vehicle movements.
- AI# 83 – Disabled Parking, Club Cowra – The Club is aware that one space will be disabled and one space a 15min drop-off. Works will be completed when street painters engaged to paint multiple areas.
- AI# 85 – Pelican Crossings – further investigations required, Council contacting other Councils with these crossings already in place.
- AI# 88 – Japanese Gardens Tree Trimming – tree trimming has been completed, action closed

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ACCESS COMMITTEE MEETING MINUTES**20 OCTOBER 2025**

- AI# 89 – Lights at Council near lifts – Additional lighting will be installed as the areas are too dark.

New Actions

- AI# 90 – Mobility mapping – Committee to provide feedback on accessible mapping list to Council, including details on accessibility and/or suggestions for additional locations to be added.
- AI# 91 – Sign on Rose Gardens Accessible Toilet - Investigate placing signage on the accessible toilets at the Rose Gardens directing people to the nearest location with more suitable facilities if these amenities are not adequate.

6 GENERAL BUSINESS**6.1 Accessible Facilities and Places Mapping**

Council staff presented a preview of an interactive mobility map currently being developed on Council's website (currently not live) to enable the public to identify accessible facilities and locations across Cowra.

Stage 1 will include all public and Council-owned spaces and is scheduled for completion by June 2026. A preliminary overview of all public places has already been identified and an audit will be undertaken to assess the accessibility features of each location.

Stage 2 will invite local businesses and organisations to be included on the map. There is currently no set timeframe for this stage; however, it is anticipated that businesses may request to be added at any time after an inspection of their facilities. Further discussions are required on how this stage will progress.

Committee members were provided with a list of the preliminary facilities identified and are encouraged to provide feedback, including details on accessibility and/or suggestions for additional locations to be added.

During discussions it was noted that the accessible toilets at the Rose Gardens are too small to accommodate larger wheelchairs, particularly motorised ones. It was suggested that signage be installed to direct people to the nearest location with more suitable facilities.

7 NEXT MEETING DATE

The next meeting will be held on Monday, 15 December 2025 at 10.30am -12.30pm in the Committee Room 1, Council Administration Building, 116 Kendal Street, Cowra.

8 MEETING CLOSE

The Meeting closed at 11.23am.

.....
CHAIRPERSON



Cowra Shire Council
Private Bag 342
Cowra NSW 2794

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

Nomination Form

Access Committee

Name: Shane Kruger (or Delegate)

Address: ABILITY NETWORK, 66 Lyall Street, Cowra NSW 2794

Organisation Representing: ABILITY NETWORK

Phone - Day:

Mobile:

Email:

☒ Yes ☐ No I would like to receive all relevant paperwork (Agendas, Minutes etc) via email

Reason for Expression of Interest: _____

As Cowra's largest disability services provider, with over 170 clients, Ability Network plays a large role in the disability community in the area. As such, we are key stakeholders and should have access to council to deliver input on accessibility issues and standards to better meet the needs of our community into the future.



Cowra Shire Council
Private Bag 342
Cowra NSW 2794

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

Nomination Form

Access Committee

Name: Katherine Goshen Cucchiaro

Address: [REDACTED]

Organisation Representing: (If applicable)

Phone - Day: Evening:

[REDACTED]

☒ Yes ☐ No I would like to receive all relevant paperwork (Agendas, Minutes etc) via email

Reason for Expression of Interest:

I believe I can make a difference to the committee, as I am currently managing my condition due to having a stroke.

Instrument of Delegation**Cowra Access Committee**

To act as an advisory body to Council in relation to matters that affects the accessibility of the Shire for all residents and visitors. This will be accomplished through:-

- Foster and advocate for the community to support people with disability so that they can be included in social and economic life to the extent of their ability; to be able to contribute as a valued member of their community; and to achieve good life outcomes;
- Provide advice to Council in relation to the actions contained within the Disability Inclusion Action Plan;
- Assist in providing a community where people can feel welcome and included with dignified and equal access to places, events, information and opportunities;
- Seek to ensure that all public facilities are available to all users regardless of their disability;
- Provide advice to Council in relation to the accessibility of road and footpath infrastructure where required; including signage, safety, parking and usability for all users;
- Supporting and promoting schemes and programs to encourage people to enjoy all Council facilities and activities;
- Providing advice and support to Council in relation to grant funding for infrastructure projects for improved access and facilities throughout the Shire.
- Make recommendations to Council on applications received under the Access Incentive Scheme.

5.3 Section 355 Committee Draft Minutes - Environmental Sustainability Committee meeting held 13 October 2025

File Number: D25/2025

Author: Larissa Hackett, Director - Environmental Services

RECOMMENDATION

- I. That Council notes the draft minutes of the Environmental Sustainability Committee meeting held on 13 October 2025.**
-

INTRODUCTION

The Minutes and recommendations of Cowra Shire Council's Section 355 Committee – Environmental Sustainability Committee meeting are presented for noting and consideration.

A copy of the minutes is included in Attachment I.

ATTACHMENTS

- I. Draft Minutes - Environmental Sustainability Committee meeting - Monday 13 October 2025
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MINUTES

Environmental Sustainability Committee Meeting Monday, 13 October 2025

**ENVIRONMENTAL SUSTAINABILITY COMMITTEE
MEETING MINUTES**

13 OCTOBER 2025

Order Of Business

1	Apologies and Applications for Leave of absence	3
2	Disclosures of Interest.....	3
3	Confirmation of Minutes.....	3
4	Business Arising from Previous Minutes	3
4.1	Waste 2 Art	3
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4.3	C.L.E.A.N Cowra	3
5	Reports of Council Officers	4
4.1	Environmental Sustainability Workshop - 25/8/2025.....	4
5.2	Environmental Sustainability Workshop 25/8/2025 - Bird Hides.....	4
4.2	Mid Lachlan Landcare - Small Environmental Projects Request	4
6	General Business.....	5
6.1	Review of Councils Renewable Energy Plans.....	5
7	Action Items.....	5
5.1	Environmental Sustainability Committee Action Items - 13 October 2025	5
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10	Meeting Close.....	6

**ENVIRONMENTAL SUSTAINABILITY COMMITTEE
MEETING MINUTES****13 OCTOBER 2025**

**MINUTES OF COWRA COUNCIL
ENVIRONMENTAL SUSTAINABILITY COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM 1, COUNCIL ADMINISTRATION BUILDING,
116 KENDAL STREET, COWRA
ON MONDAY, 13 OCTOBER 2025 AT 10.00AM - 12.00PM**

PRESENT: Chairperson Ruth Fagan, Ms Tracee Burke, Mr Rob Davidson, Mr Dylan Gower, Mr Ian Packer, Mr Casey Proctor, Mr Sean Brindle

IN ATTENDANCE: Nicole Coghlan (Secretariat)

1 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Apology

The committee notes apologies from Jayden Gunn, Ken Hutchinson, Ian McColl, John Rankin, Cr Peter Wright, Larissa Hackett, Belinda O'Reilly and Cassandra Gailey.

Leave of Absence

Nil

2 DISCLOSURES OF INTEREST

Nil

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

That the minutes of the Environmental Sustainability Committee Meeting held on 21 July 2025 be confirmed.

Moved R Davidson

Seconded T Burke

4 BUSINESS ARISING FROM PREVIOUS MINUTES

4.1 Waste 2 Art

Committee awaiting response

4.2 Archibird

It was noted that the Archibird competition will not be held in 2025 and that further discussion is needed around the viability of the Archibird competition for 2026. To be revisited at a later date.

4.3 C.L.E.A.N Cowra

Dylan Gower advised that Charles Sturt University as part of their current strategic position review have withdrawn from the funding agreement provided through Agripark. CLEAN was announced in October 2024 as one of the Innovation Challengers at CSU

Page 3

**ENVIRONMENTAL SUSTAINABILITY COMMITTEE
MEETING MINUTES****13 OCTOBER 2025**

Digital Agrifood Summit. CLEAN are currently liaising with other universities regarding the proposal hoping to obtain an alternate funding source.

5 REPORTS OF COUNCIL OFFICERS**5.1 Environmental Sustainability Workshop 25/8/2025 – Bellevue Hill Woodland Restoration Habitat Project**

It was agreed that the Committee recommend to Council that Bellevue Hill be prioritised for grant funding for weed management. However, further groundwork is required to identify what weed management and funding is required.

The Committee requested that Council's Biosecurity Officer advise at the next Environmental Sustainability Committee meeting on the effectiveness of the use of drones for weed spraying.

Further investigations are required regarding the Cultural Significance of the project site.

Mid Lachlan Landcare is holding a Bio Blitz on Monday 27 October meeting at the Adventure Playground. The Environmental Sustainability Committee will attend the Bio Blitz and meet with Local Land Services and the Cowra Local Aboriginal Land Council representatives to discuss the project.

A Bio Blitz is a snapshot study of a specific location, where scientists and the community work together to survey and record as many species within a nominated timeframe – generally 24-48 hours.

5.2 Environmental Sustainability Workshop 25/8/2025 - Bird Hides

The Sewerage Treatment Plant has been suggested as an ideal site for a Bird Hide. Cowra has a fantastic number of birds and the sewerage plant is the ideal location for watching. Other regions have had success in providing safe bird watching sites for tourists.

This has great tourism potential and could be done with a voluntary committee. An on-site workshop is required to identify potential sites.

A workshop for Bird Hides is to be arranged at a later date. A Wetlands proposal, at this site, was provided to Council approximately 10 years ago which discussed the potential for Bird Hides at the STP. Casey Proctor to distribute the document.

The Bird Woodlands Survey is on the weekend, 18-19 October 2025.

5.3 Mid Lachlan Landcare - Small Environmental Projects Request

The Committee discussed Amanda Foxon-Hill's request for a \$500 donation towards a "Bat Night". The Committee determined that a priority list of environmental projects is

**ENVIRONMENTAL SUSTAINABILITY COMMITTEE
MEETING MINUTES****13 OCTOBER 2025**

required against which any grant applications would be assessed.

The Committee resolved that they were not supportive of the funding request and Ms Foxon-Hill has since withdrawn the application.

6 GENERAL BUSINESS**6.1 Review of Councils Renewable Energy Plans**

The Committee raised the obligations of Council under the LGA contributions to lowering emissions, specifically upcoming targets established for 2030 and subsequently in 2050.

Noted in 2020 Cowra Council adopted its Energy Efficiency and Renewable Energy Plan. As part of a CENTROC initiative, projections would see Cowra Council move towards 100% renewables for its operations over the next decade.

In July 2021 a Net Zero Emissions Strategy for Cowra with support from the NSW DPIE Sustainability Advantage program was reviewed. This identified the existing position and focus areas in relation to emissions as well as opportunities for Council and community to adopt measures to meet the objectives.

LGA snapshot (Ironbark/ Beyond Zero) for 2018-2019 emissions were estimated at 376,800 tonne CO2 Eq. (NSW Dashboard shows a significantly lower value.)

Agriculture accounted for 46% of total emissions, followed by stationary energy (31%) and transport (22%).

A number of pathway scenarios were identified and the next steps need to be established to identify appropriate strategies and resources for the Cowra community and Council.

As these obligations may require Council to off-set or purchase off-sets to meet these targets, the Environmental Sustainability Committee would like to understand what potential strategies were being established or considered for adoption.

7 ACTION ITEMS**7.1 Environmental Sustainability Committee Action Items - 13 October 2025**

The Action List as presented was received and updated, as follows:

- AI# 4 – Science in the Pub/Citizen Science Events - Committee consider participation in Clean-up Australia 2026.
- AI# 20 – Workshops - Committee review Small Environmental Projects. Screens for Streams is working well and tour to be arranged with the committee.
- AI# 40 – Renewables Ag - Conference being held in Orange in 2026
- AI# 56 – Instrument of Delegation – IOD updated and adopted by Council, action closed.
- AI# 60 – Highlighted Guideposts – Casey from LLS confirmed funding is available with the Roadside Environment Committee.
- AI# 64 – Circular Futures Forum – linked, shared and action closed

**ENVIRONMENTAL SUSTAINABILITY COMMITTEE
MEETING MINUTES****13 OCTOBER 2025**

New Actions

- AI# 65 – Renewable Energy Plan – Environmental Sustainability Committee would like an update on the strategies established to meet targets.
- AI# 67 – Bellevue Hill Project - Council advise if there are any culturally significant sites within the Bellevue Hill area where remediation works are planned.
- AI# 68 – Bird Hides - Dylan circulate a copy of the wetlands plan that included Bird Hides for the STP to the ESC.

8 NEXT MEETING DATE

The next meeting will be held on Monday, 17 November 2025 at 10.00am - 12.00pm in the Committee Room 1, Council Administration Building, 116 Kendal Street, Cowra.

9 NEXT WORKSHOP DATE

The next workshop will be held on Monday, 27 October 2025 at 10am - 12pm at Bellevue Hill.

10 MEETING CLOSE

The Meeting closed at 11.15am.

.....
CHAIRPERSON

- 5.4** **Development Application No. 10.2025.102.1, Lot 11 DP 35472, 5 Bligh Street Cowra, Demolition of shed, construction of a secondary dwelling and alterations to existing dwelling, lodged by D L Butcher. The property owner is D L Butcher**

File Number: D25/2077

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 Section E.2.13 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 a variation to Section E.2.13 of Part E and Section M.2.1 of Part M of Council's Development Control Plan for this development to allow a rear setback of 2.416m and a driveway 900mm from a boundary; and
3. That Development Application No. 10.2025.102.1, for the demolition of a shed, construction of a secondary dwelling, and alterations to existing dwelling on Lot 11 DP35472, 5 Bligh 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 A02	Vision Property Development Hub 27 July 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Stage 1 Site Plan Drawing A03	Vision Property Development Hub 10 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1

Landscaping Plan Drawing A04	Vision Property Development Hub 17 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Schedules (BASIX Compliance) Drawing A05	Vision Property Development Hub 7 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Secondary Dwelling Site Drawing A06	Vision Property Development Hub 25 July 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Secondary Dwelling Floor Plan Drawing A07	Vision Property Development Hub 25 July 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Secondary Dwelling Elevations (North and South) Drawing A08	Vision Property Development Hub 25 July 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Secondary Dwelling Elevations (East and West) Drawing A09	Vision Property Development Hub 25 July 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Secondary Dwelling Dimensioned Floor Plan Drawing A10	Vision Property Development Hub 25 July 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Schedules (BASIX Compliance) Drawing A14	Vision Property Development Hub 10 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1

Stage 2 Site Plan Drawing A15	Vision Property Development Hub 10 September 2025	Received 30 October 2025 Stamped No. 10.2025.102.1 (A)
Stage 2 Demolition Plan Drawing A16	Vision Property Development Hub 10 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Floor Plan (Existing + Demolition) Drawing A17	Vision Property Development Hub 10 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Proposed Renovation Drawing A18	Vision Property Development Hub 10 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Elevations (North and South) Drawing A19	Vision Property Development Hub 10 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Elevations (East and West) Drawing A20	Vision Property Development Hub 10 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Dimensioned Floor Plan Drawing A21	Vision Property Development Hub 10 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
Stage 1 Site Turn Path Drawing A23	Vision Property Development Hub 29 October 2025	Received 30 October 2025 Stamped No. 10.2025.102.1 (A)

Stage 2 Cut and Fill Drawing A24	Vision Property Development Hub 29 October 2025	Received 30 October 2025 Stamped No. 10.2025.102.1 (A)
Statement of Environmental Effects	Vision Property Development Hub 28 October 2025	Received 30 October 2025 Stamped No. 10.2025.102.1 (A)
BASIX Certificate No. 1814189S (or as revised)	Vision Town Planning Consultants PTY LTD Issued 23 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1
BASIX Certificate No. A1814190 (or as revised)	Vision Town Planning Consultants PTY LTD Issued 23 September 2025	Received 29 September 2025 Stamped No. 10.2025.102.1

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION WORKS

5. The demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the Work Health and Safety Act 2011.
6. Demolition works are to be carried out so as not to cause damage to adjacent and adjoining properties. All damage arising from the removal of the building is to be made good and any necessary repairs and renovations are carried out within six months. Existing site to be left in a clear, clean condition with all existing plumbing and drainage lines terminated to the satisfaction of Council.
7. 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.
8. Any 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.
9. 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.
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. 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.
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 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.
13. On the completion of any 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 THE ISSUE OF A CONSTRUCTION CERTIFICATE

14. 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 Development¹	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution²	\$638.639.75	1%	\$6,386.40	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

15. 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.
16. Prior to the issue of a Construction Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of a 25mm metered water service to the development.
17. 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 for a sealed driveway crossing to the development site from the unnamed lane east of the development in accordance with Cowra Shire Council's Engineering Standards.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

18. 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.

19. 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.
20. 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'.
21. 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

22. 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.
23. 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.
24. 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.
25. 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.
26. 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.

27. All roofed and paved areas are to be properly drained in accordance with the Plumbing Code of Australia and discharged to Council's stormwater management system on Bligh Street.
28. As soon as is practical, and within a maximum of 7 days following the placement of any roofing material, all guttering and downpipes must be installed and connected to Council's drainage system. If no Council drainage system is available, the guttering and downpipes must be discharged away from the building site onto a stable vegetated area in a manner that does not discharge concentrated storm water flow and cause nuisance or erosion to adjoining properties.
29. 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

30. The Applicant must not commence occupation or use of the secondary dwelling or alterations to existing dwelling until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.
31. Prior to the issue of a Whole Occupation Certificate, the Applicant shall construct an access crossing to the development site from the unnamed lane to the east 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.
32. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 of the Local Government Act 1993 certifying that all works, fees and

charges required in connection with the provision of water supply and sewerage to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of the Occupation Certificate.

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

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.
- 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. 10.2025.102.1 proposes a Demolition of shed, construction of a secondary dwelling and alterations to existing dwelling on Lot 11 DP35472, 5 Bligh Street Cowra. The application was lodged by D L Butcher on 29 September 2025. The property owner is D L Butcher.

The application is being reported to Council because of variations to Section E.2.13 of Part E and Section M.2.1 of Part M of the DCP.

A copy of the site and elevation plans of the proposed demolition of a shed, construction of a secondary dwelling, and alterations to existing dwelling 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 11 DP35472, 5 Bligh Street Cowra is a rectangular allotment of approximately 810.92m². The lot is located in the R1 General Residential zone under Cowra Local Environmental Plan (LEP) 2012. The site contains an 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 the demolition of an existing shed, the construction of a two-bedroom secondary dwelling in the rear yard, and alterations to existing dwelling by way of internal layout reconfiguration, a new covered outdoor dining area, and an attached garage and new external cladding and roofing.

The proposed secondary dwelling is single storey with two bedrooms and a single car garage. Vehicle access is provided via the lane to the east and pedestrian access to Bligh Street to the west.

The proposed alterations and additions would result in a 4-bedroom dwelling with attached single car garage. Vehicle and pedestrian access is provided to Bligh Street to the west.

The development is proposed to be staged as follows:

- Stage 1: Demolition of shed and construction of a secondary dwelling
- Stage 2: Alterations and additions to existing principal dwelling

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 10.2025.102.1:

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 demolition, dwelling house, and secondary dwelling a under the LEP.

1.6 Consent authority

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

1.9A Suspension of covenants, agreements and instruments

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

2.1 Land use zones

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



2.3 Zone objectives

Objective	Comment
• To provide for the housing needs of the community.	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.	Consistent
• To maximise public transport patronage and encourage walking and cycling.	Not inconsistent

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

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

4 Prohibited

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

Comment:

The proposed development is permitted with consent.

2.7 Demolition requires development consent

The proposed demolition requires development consent.

5.4 Controls relating to miscellaneous permissible uses

The proposed development includes a secondary dwelling in a non-rural zone. The total floor area of the secondary dwelling does not exceed 80% of the primary dwelling consistent with this clause.

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

Stage 2 would require earthworks in the form of cut, and a retaining wall to a maximum of 1.15m. 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 secondary dwelling would connect to Council's reticulated water service via a new separate service. The existing dwelling can continue to use the existing service.
Electricity	The proposed development can connect to electricity
Sewage	The proposed secondary dwelling would connect to Council's reticulated sewer service via a new separate service. The existing dwelling can continue to use the existing service.
Stormwater	Stormwater from the proposed development would be directed to Council's stormwater management system in Bligh Street.
Access	The proposed secondary dwelling would require a new crossover to the rear lane and a S138 application has been conditioned.

	The existing dwelling can utilise the existing vehicle access to Bligh Street
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7.11 Development on land in karst areas

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

State Environmental Planning Policies

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Housing) 2021	Not applicable
SEPP (Industry and Employment) 2021	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	See comment below.
SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	A BASIX certificate 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. Site inspection carried out did not reveal any evidence of contamination of the site. The proposal does not involve any demolition or works likely to result in contamination of the site. The SEE submitted with the application does not mention any previous

land use that likely to have resulted in contamination of the site. No further investigation is warranted in this instance.

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

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

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

Cowra Shire Council Development Control Plan 2021

PART A – PLAN INTRODUCTION

Consent is required for the proposed development.

PART B – LAND MANAGEMENT

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

PART C – BIODIVERSITY MANAGEMENT

The development site is not identified as Terrestrial Biodiversity in the LEP or identified on the Biodiversity Values Map. The development would not require the removal of trees. No further assessment required relating to Biodiversity.

PART E – URBAN & VILLAGE DEVELOPMENT

As residential development including a dwelling and secondary dwelling, the proposed development has been assessed under Part E.2.

Part E.2 Medium Density Housing

Section	Comments
E.2.1. Application of Section	The subject land is zoned R1 General Residential. Both a secondary dwelling and alterations to the principal dwelling are proposed, therefore part E.2 applies.
E.2.2. Objectives	The proposed development meets these objectives.
E.2.3. Site Analysis	A site analysis has been provided on the submitted plans.
E.2.4. Soil Erosion and Sedimentation Control	Erosion and Sediment Control Plan provided with appropriate controls to be put in place.
E.2.5. Landscaping	Part N has been considered below.
E.2.6. Cut and Fill Controls	The proposal is supported by a cut and fill plan showing no cut within 900mm of a boundary.
E.2.7. Site Area and Frontage Controls	The proposed development has appropriate frontages and site areas.
E.2.8. Streetscape Controls	The proposed dwellings are consistent with the scale and character of adjoining dwellings and the surrounding environment. Each dwelling would address a different frontage. The proposal includes a habitable room window overlooking each street allowing passive surveillance to

	each street frontage. The proposed development would present as single storey dwellings consistent with the streetscape.
E.2.9. Height Controls	The proposed secondary dwelling would be single storey with a maximum height above NGL of approximately 6m. The alterations to the existing dwelling would be consistent with the existing height.
E.2.10. Solar Access Controls	Complies. The proposed development would not overshadow neighbouring dwellings or more than 50% of their private open space. Living areas and open space areas would receive a minimum of 3 hours sunlight between 9am and 3pm on the 21st June.
E.2.11. Front setback controls	The proposed development would not modify the compliant front setback to Bligh Street.
E.2.12. Side Setbacks	The proposed secondary dwelling would have a minimum side setback of 900mm consistent with E.2.12. The proposed alterations to the principal dwelling would have a minimum setback to the north of 935mm consistent with E.2.12.
E.2.13. Rear Setbacks	Variation requested. The proposed development would have a rear setback to the east of 2.416m contrary to the 3 metres required under E.2.13. The variation is considered at the end of this section.
E.2.14. Visual & Acoustic Privacy Controls	Complies. No visual or acoustic impacts identified.
E.2.15. Private Open Space	The proposed development would include at least 40sqm of Private Open Space for each dwelling E.2.15, with a total of 94.69sqm shared between the two dwellings.
E.2.16. Sustainable Building Design Controls	A compliant BASIX Certificate has been provided for both the secondary dwelling and the alterations and additions to the principal dwelling.
E.2.17. Liveable Housing Design	The dwellings would have step-free access from the parking areas to the entrance. Internal doors and corridors have been designed to facilitate comfortable and unimpeded movement between spaces. The proposed bathrooms can provide a hobless shower. The proposed dwellings have been designed to meet the requirements of Part E.2.17.

Variation:E.2.13. Rear Setback Controls

Section E.2.13 of Part E of the DCP requires that single storey buildings should be setback a minimum 3 metres from the boundary. The proposed development would have a setback to the east of 2.416m which represents a variation of 584mm.

The applicant provides the following response to the variation:

“The development is designed to be orientated towards both the rear lane and the primary dwelling. Vehicle access is gained from the rear lane, with all remaining utility connections and pedestrian access from Bligh Street. The proposed setback of 2.4m from this laneway represents a variation to this section which requires a minimum 3.0m rear setback. However, given the minor road status of the laneway and the existing built environment, a 2.4 metre setback is appropriate in this circumstance as it allows for an increase in the density of housing without impacting adjacent residential land uses in any way. Therefore, the variation can be approved as proposed in accordance with Section A.1.3 of the DCP.”

Comment

It is noted proposed development can provide compliant private open space area for the proposed dwelling, and would not adversely overshadow the neighbouring private open space. The reduced setback would not adversely impact on the amenity of the public domain. No objections were received following the neighbour notification period.

PART K – LAND USE BUFFERS

Cowra Airport Obstacle Limitation Surface

The subject land is located outside of the OLS.

PART M – PARKING, ACCESS AND MOBILITY

As residential development, the proposal is assessed under Part M.2.

Part M.2 car parking & access design - residential uses

Section	Comments
M.2.1. Site access design and location	Variation requested. The proposed access for the secondary dwelling would be located 900mm from the southern boundary contrary to the 1.5m required under M.2.1. The variation is considered at the end of this section.
M.2.2. Driveway widths	N/A Proposed driveway services a single dwelling only.
M.2.3. Car parking design	N/A No proposed car parking areas besides single garage.
M.2.4. Internal road design	N/A no new roads proposed.
M.2.5. Car parking surfaces	The proposed carpark would be concrete sealed in accordance with the DCP controls.

Variation proposed.

M.2.1. Car parking design

Section M.2.1.a requires that accesses are not located closer than 1.m from the boundary of the site. The proposed development includes a 900mm side setback to the proposed driveway.

The applicant provides the following response to the variation:

“The development proposes a variation to the requirement that access be located no closer than 1.5m from the boundary of the site. The access is located 0.9m from the property boundary. Given the minor road status of the laneway and the fact that the proposed secondary dwelling is at the end of the formed laneway that does not continue any further south, it is considered the variation is appropriate in this instance.”

The variation to Part M.2.1 of the DCP is considered acceptable in this instance as the proposed driveway services a single dwelling towards the end of a laneway with little traffic movement, and is considered unlikely to impact on traffic safety or on amenity from the public domain. The variation will have minimal adverse impacts and its approval is recommended.

The proposed development is considered consistent with the remainder of Part M.

PART N – LANDSCAPING

The application includes a landscape plan as part of the site plan that shows native tree plantings within the front setback of the proposed secondary dwelling consistent with Part N.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

PART P – CPTED PRINCIPLES

The proposed 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 not involve demolition of a building and therefore the requirements of AS 2601-2001 are not required to be considered in accordance with Clause 61(1).

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

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

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

Context and Setting

The area is characterised by dwelling houses. The proposed development would present as single storey dwellings and 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 Bligh Street to the west which is a sealed local road with kerb and guttering on both sides, as well as an unnamed lane to the east which is sealed with no kerb or guttering. The existing dwelling would utilise the existing driveway and crossover to Bligh Street, and the proposed secondary dwelling would be accessed via a new driveway and crossover to the unnamed lane. No other traffic or parking concerns are identified.

Public Domain

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

Utilities

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

Heritage

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

Other Land Resources

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

Water, Sewerage and Stormwater

The proposed development would connect to Council's water, sewer and stormwater services in Bligh Street.

Soils

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

Air and Microclimate

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

Flora and Fauna

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

Waste

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

Energy

A BASIX Certificate has been provided for both the secondary dwelling and the proposed alterations to the principal dwelling.

Noise and Vibration

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

Natural Hazards

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

Technological Hazards

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

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

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

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

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

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

Notified to neighbours: Yes

Start Date: 1 October 2025

End Date: 23 October 2025

Public Submissions:

Public submissions received

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

Submissions received: No

Submissions from Public Authorities:

Is the proposed development 'State Significant Development': No

Is the proposed development 'Designated Development': No

Is the proposed development 'Integrated Development': No

Was the proposed development referred to any Public Authorities: No

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

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

S7.12 Fixed development consent levies

The proposed development is not within a growth area identified under the Cowra Council s94 Contributions Plan 2016. No evidence of any prior 7.11 Development Contributions being levied has been identified. The applicant did not request staged contributions and did not respond to a request to clarify if this was intended. 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. 10.2025.102.1 proposes the demolition of a shed, construction of a secondary dwelling, and alterations to existing dwelling on Lot 11 DP35472, 5 Bligh Street Cowra. The application was lodged by D L Butcher on 29 September 2025. The property owner is D L Butcher.

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

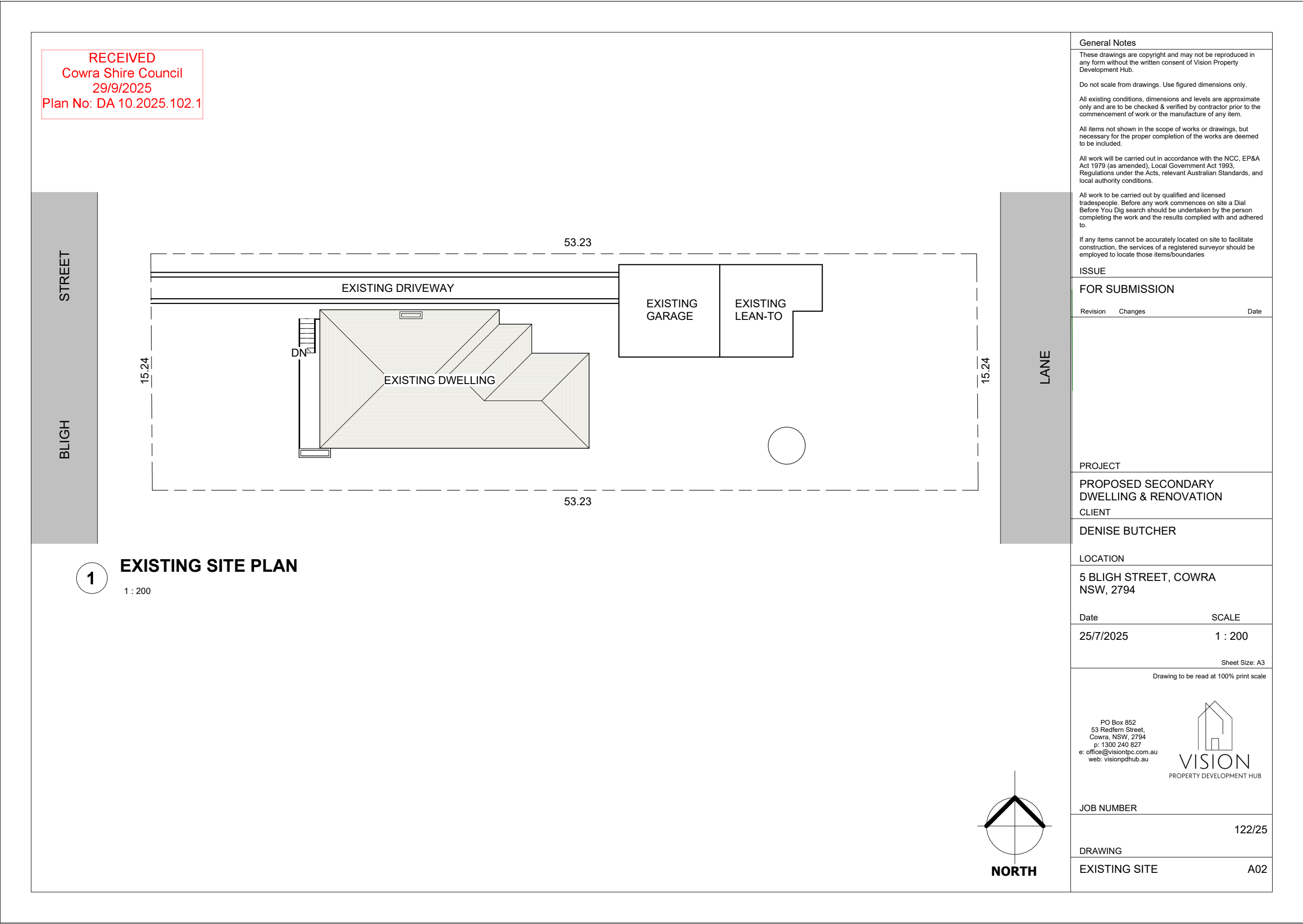
The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the R1 General Residential zone and is consistent with existing land-use activities of the locality. The variations to Section E.2.13 of Part E and Section M.2.1 of Part M of Council's Development Control Plan 2021 are sufficiently justified.

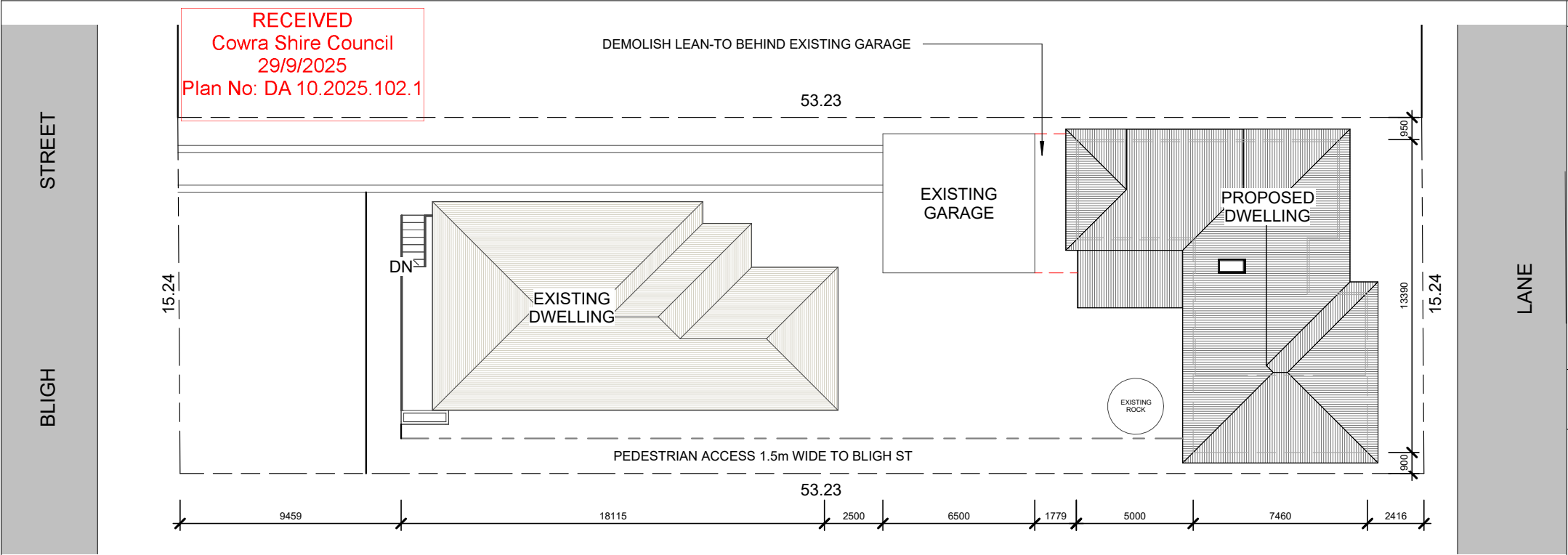
The development application was notified in accordance with Cowra Community Participation Plan 2024. No submissions were received following the consultation process.

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

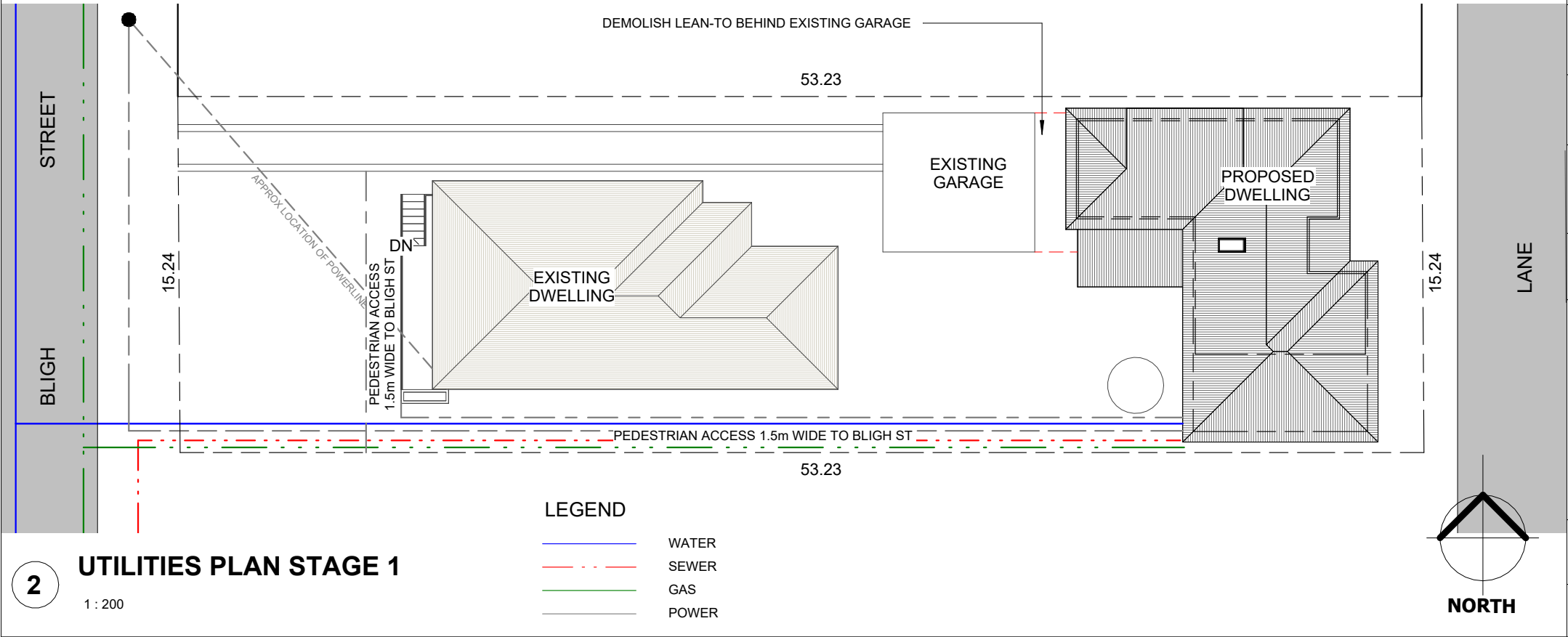
ATTACHMENTS

1. DA 10.2025.102.1 - 5 Bligh Street Cowra - Development Plans [↓](#)
2. DA 10.2025.102.1 - 5 Bligh Street Cowra - Statement of Environmental Effects [↓](#)
3. DA 10.2025.102.1 - 5 Bligh Street Cowra - Location map [↓](#)
4. DA 10.2025.102.1 - 5 Bligh Street Cowra - Aerial view [↓](#)

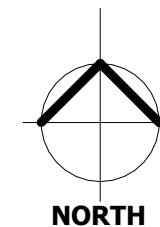




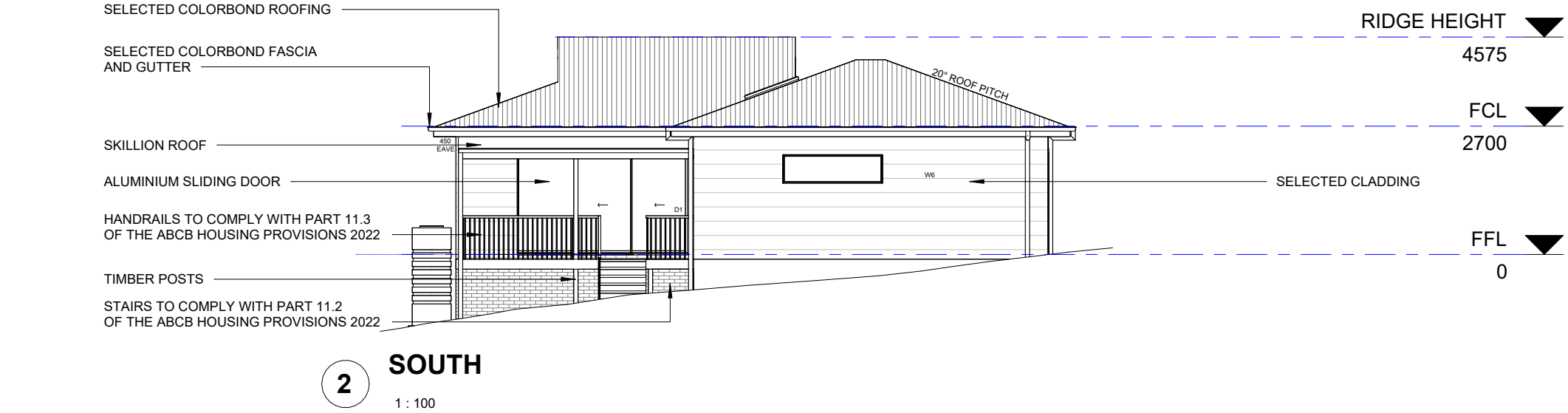
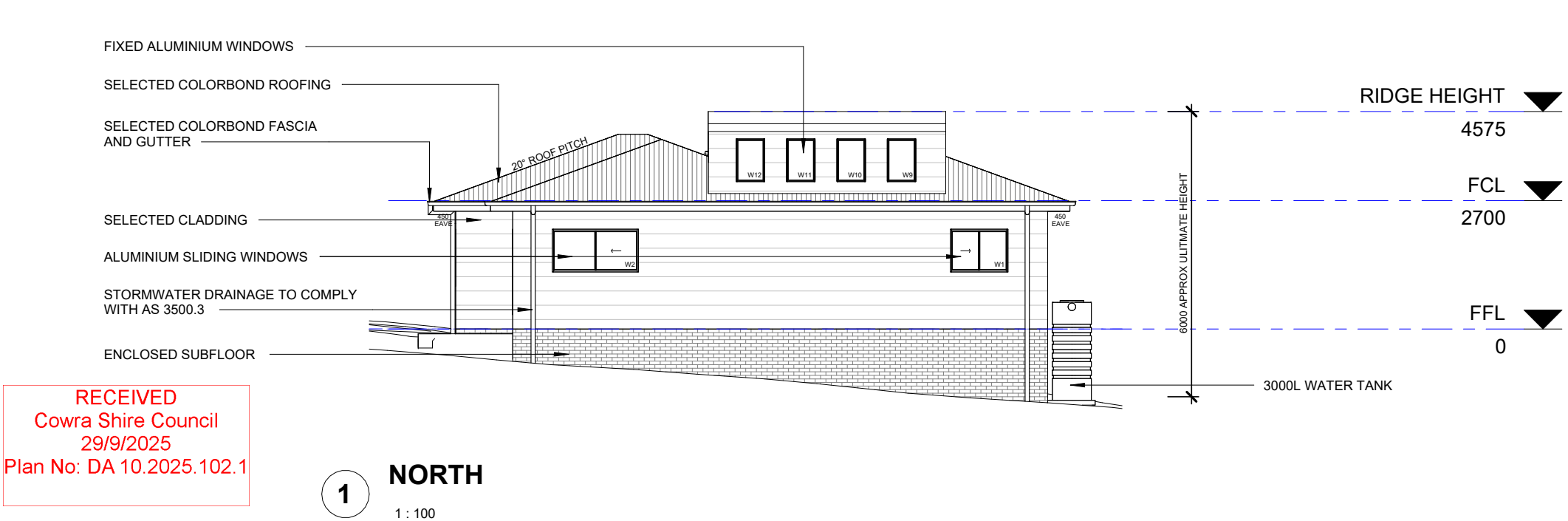
1 SITE PLAN STAGE 1
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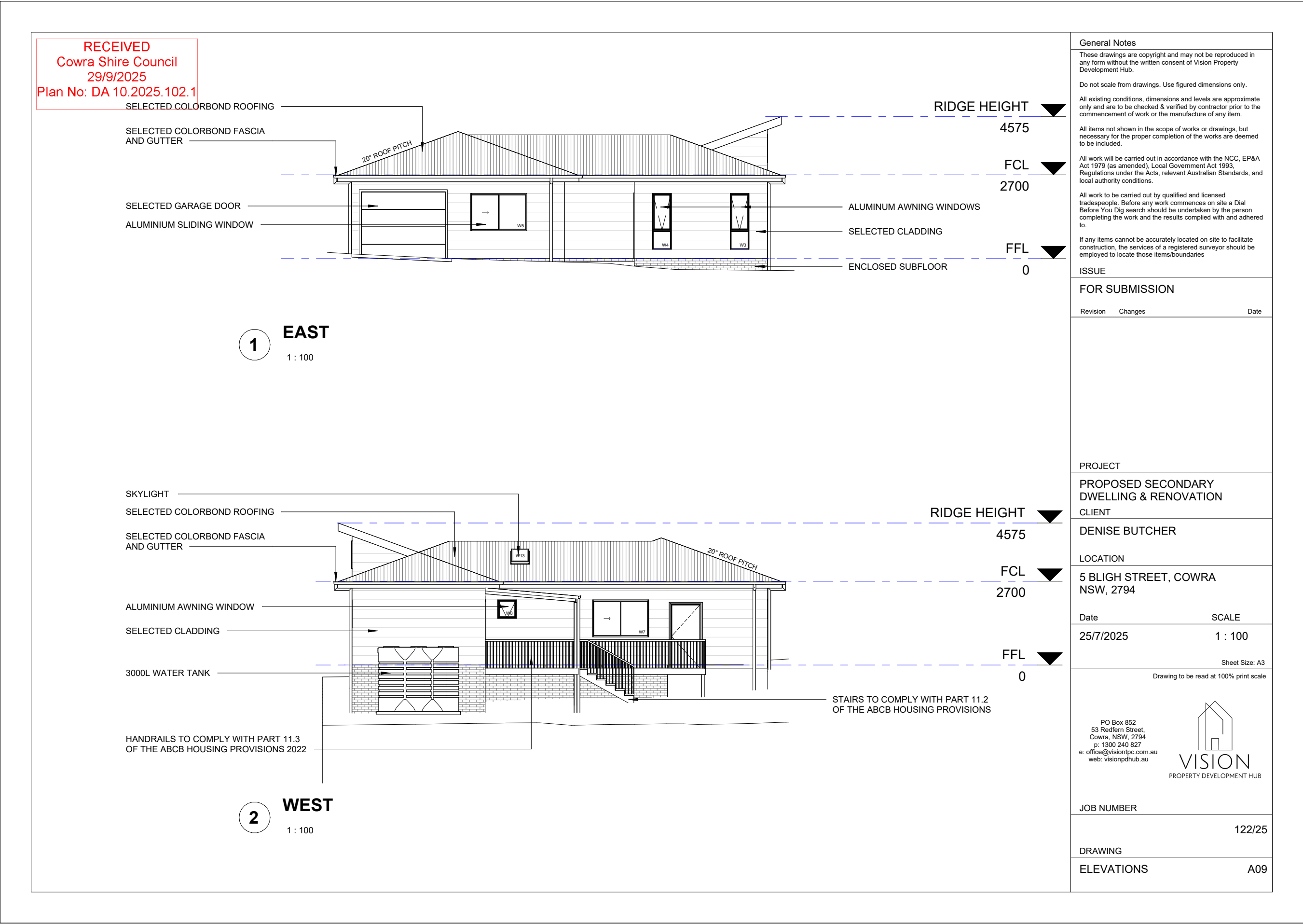
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DENISE BUTCHER	
LOCATION	
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STAGE 1 SITE PLAN A03	

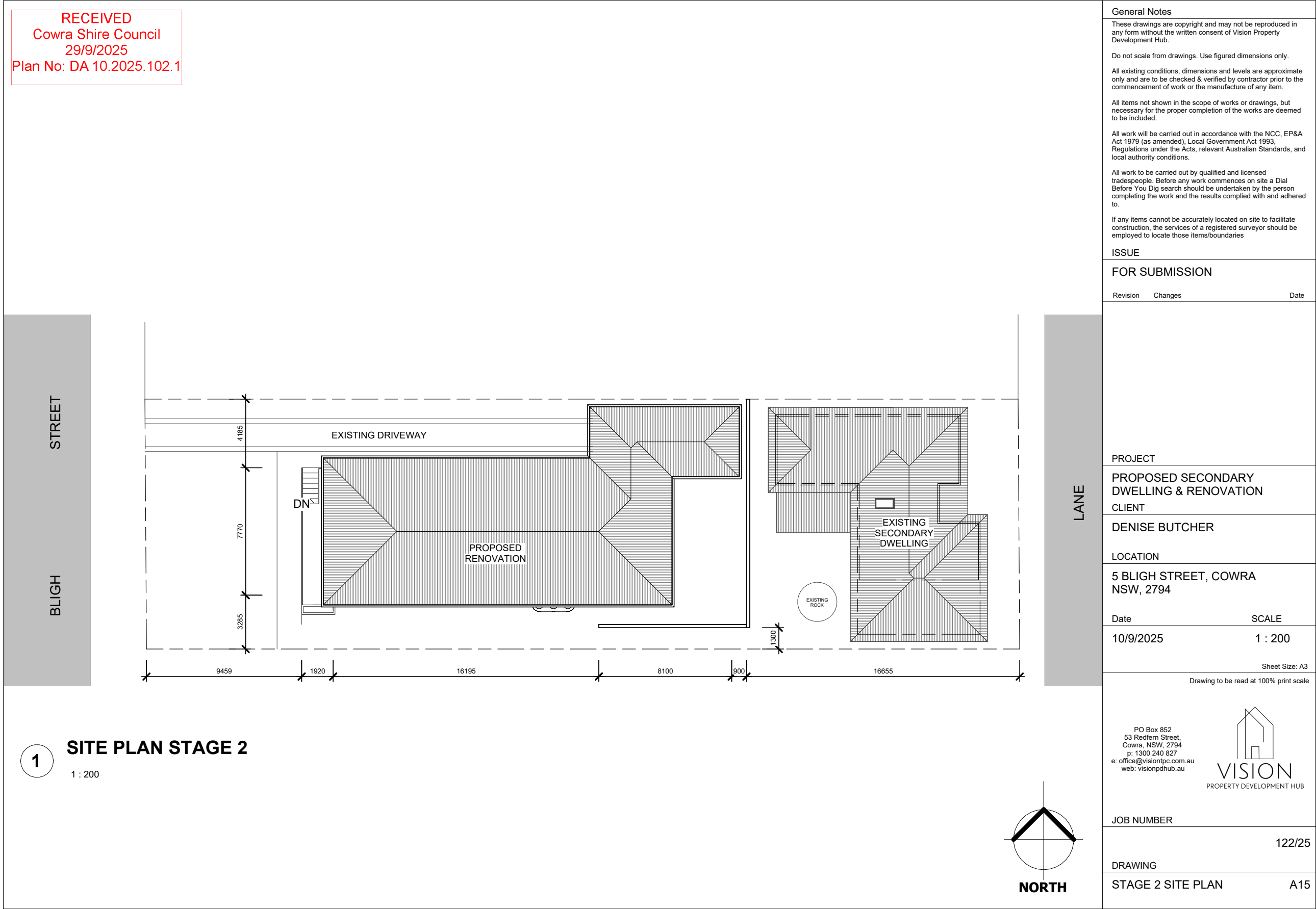


SECONDARY DWELLING SITE A06



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STREET

BLIGH

DEMOLISH EXISTING GARAGE

REMOVE AND REPLACE EXISTING ROOFING

DEMOLISH EXISTING BRICK CHIMNEY

DN

EXISTING ROCK

LANE

1

DEMOLITION SITE PLAN STAGE 2

1 : 200

NORTH

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Revision	Changes	Date

PROJECT

PROPOSED SECONDARY DWELLING & RENOVATION

CLIENT

DENISE BUTCHER

LOCATION

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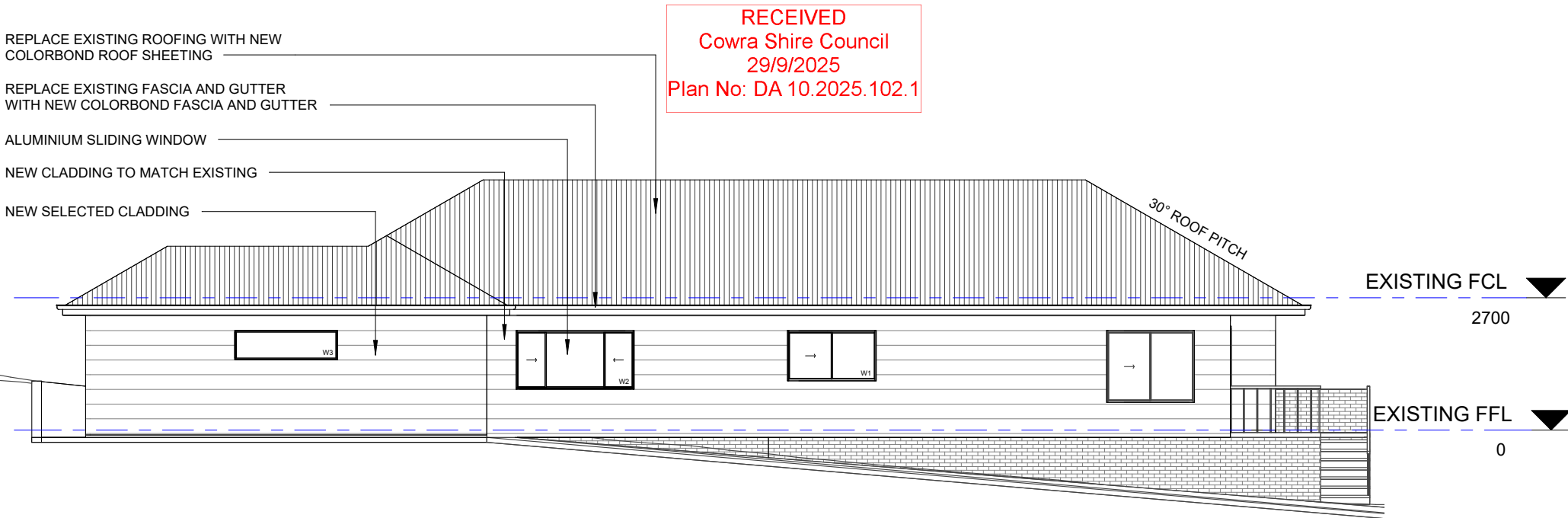
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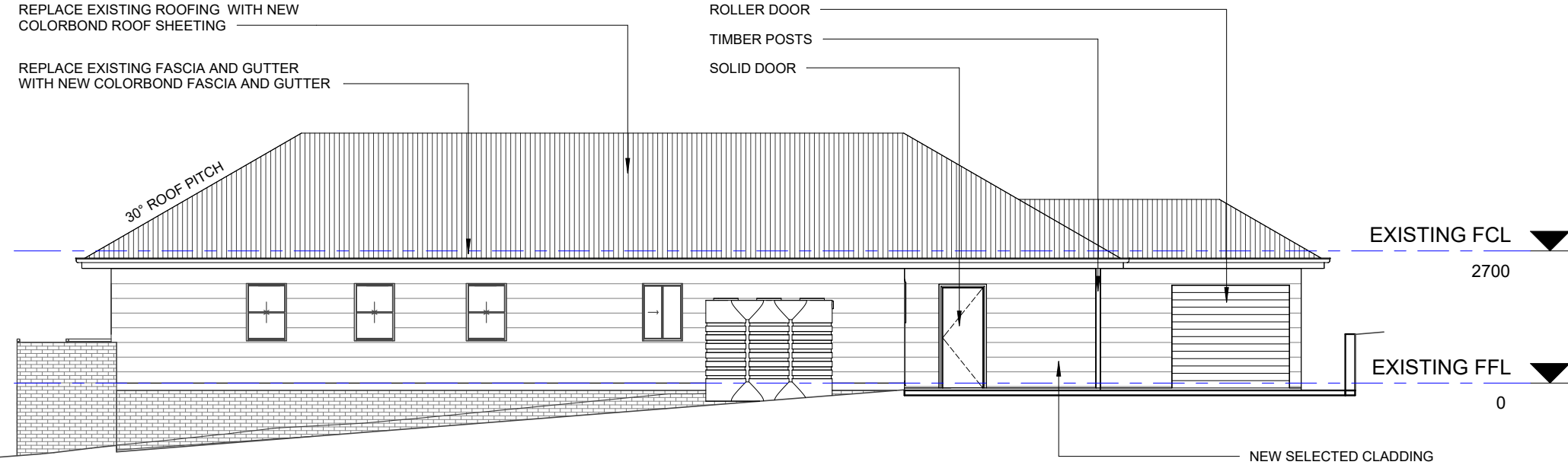
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STAGE 2 DEMOLITION PLAN A16



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PROPOSED NORTH



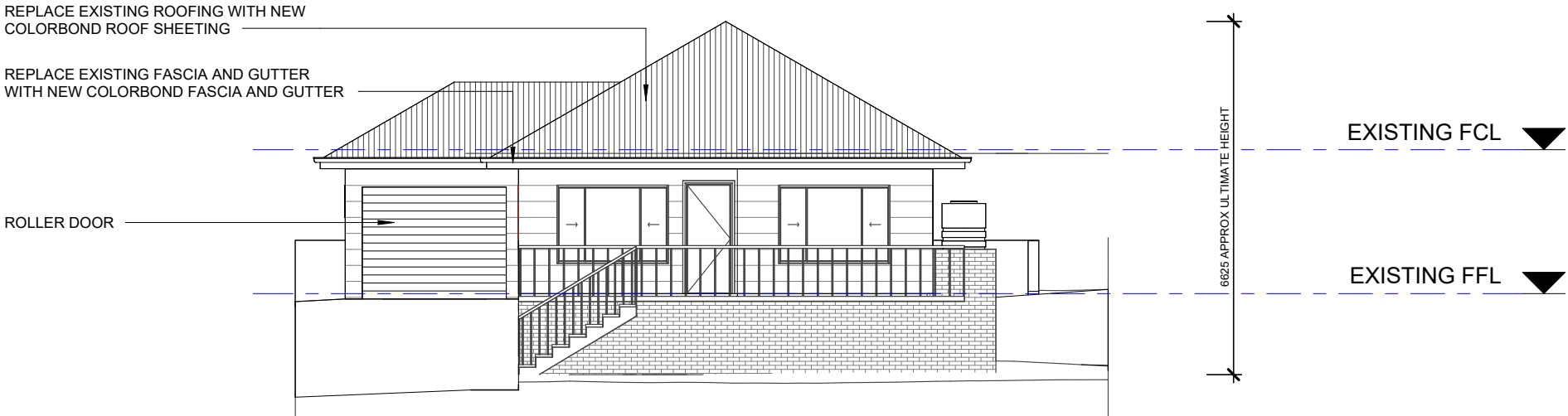
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PROPOSED SOUTH

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PROPOSED EAST

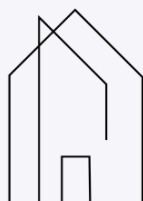


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PROPOSED WEST

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STATEMENT OF ENVIRONMENTAL EFFECTS



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office@visiontpc.com.au

ABN: 95 614 159 698

<https://visionpdhub.au>

Statement of Environmental Effects

Proposed Development: Demolition of existing shed, new secondary dwelling and residential alterations

Subject Land: Lot 11 DP 35472 - 5 Bligh St, Cowra

Client: Denise Butcher

Version	Date	Changes
Version 1	23/09/2025	Issued for DA submission
Version 2	28/10/2025	Updated staging; addressed SEPP (Sustainable Buildings) as per RFAI

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

Author	Plan	Page	Date	Job
Vision Property Development Hub	Existing Site Plan	A02	25/07/25	122/25
Vision Property Development Hub	Stage 1 Site Plan	A03	10/09/25	122/25
Vision Property Development Hub	Landscape Plan	A04	17/09/25	122/25
Vision Property Development Hub	Schedules	A05	07/09/25	122/25
Vision Property Development Hub	Secondary Dwelling Site Plan	A06	25/07/25	122/25
Vision Property Development Hub	Secondary Dwelling Floor Plan	A07	25/07/25	122/25
Vision Property Development Hub	Secondary Dwelling Elevations - NS	A08	25/07/25	122/25
Vision Property Development Hub	Secondary Dwelling Elevations - EW	A09	25/07/25	122/25
Vision Property Development Hub	Dimensioned Floor Plan	A10	25/07/25	122/25
Vision Property Development Hub	Bin Collection	A13	10/09/25	122/25
Vision Property Development Hub	Schedules	A14	10/09/25	122/25
Vision Property Development Hub	Stage 2 Site Plan	A15	10/09/25	122/25
Vision Property Development Hub	Stage 2 Demolition Plan	A16	10/09/25	122/25
Vision Property Development Hub	Existing Floor Plan	A17	10/09/25	122/25
Vision Property Development Hub	Proposed Floor Plan	A18	10/09/25	122/25
Vision Property Development Hub	Proposed Elevations - NS	A19	10/09/25	122/25
Vision Property Development Hub	Proposed Elevations - EW	A20	10/09/25	122/25
Vision Property Development Hub	Dimensioned Floor Plan	A21	10/09/25	122/25
Vision Property Development Hub	Stage 1 Site Plan Turnpath	A23	29/10/25	122/25
Vision Property Development Hub	Stage 2 Cut and Fill	A24	29/10/25	122/25

Prepared by:



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

Statement of Environmental Effects

Abbreviations

The Act – Environmental Planning and Assessment Act 1979
 BCA – Building Code of Australia
 EPI – Environmental Planning Instrument
 SEE - Statement of Environmental Effects

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1. Executive Summary

The land-owners have commissioned Vision Property Development Hub (Vision) to prepare this Statement of Environmental Effects (SEE) to consider the planning controls and environmental context of the development, which involves the demolition of an existing shed, construction of a new secondary dwelling and alterations to the existing primary dwelling on the land.

Through preparation of this SEE, it is confirmed that the development is consistent with all applicable planning controls contained in the Cowra Local Environmental Plan 2012 without variation.

The design is consistent with the majority of the controls contained in the Cowra Shire Council Development Control Plan 2021, with the exception of the rear setback of the secondary dwelling to the parallel street, and the distance of the vehicle access from the side property boundary. The development can be constructed as proposed without negative impacts that would not be avoided by strict adherence to the controls contained in the DCP.

The development is appropriate in scale and design to be constructed 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 land owners are seeking Council approval to demolish an existing garage, construct a new single storey secondary dwelling and carry out alterations and additions to the existing primary dwelling.

The proposed secondary dwelling will be located at the rear of the existing primary dwelling, and be accessed from the unnamed lane as shown on the development plans (parallel road). The single storey dwelling will be finished with weatherboard cladding and a steel roof, complementary to the existing primary dwelling on the land. The secondary dwelling will feature two bedrooms, a rear deck and an attached single car garage.

The residential alterations and additions to the primary dwelling consist of an extension to the north eastern corner of the house, adding a sitting room and outdoor entertaining area, as well as reconfiguration of the internal space.

The demolition of the existing lean-to and construction of the proposed new secondary dwelling will be undertaken as Stage 1 of the development, with demolition of the existing garage and the alterations and additions to the existing primary dwelling undertaken as Stage 2.

3. Site Description and Surrounding Land Use

The site is located approximately 1 kilometre to the north of the Cowra CBD. The site fronts Bligh Street to the west and an unnamed lane to the east that is Crown Land and provides vehicle and pedestrian access to the adjacent Col Stinson Park and Cowra Netball Courts. The block has a moderate slope from east to west, with the eastern boundary being the highest point. The site contains an existing single storey residential dwelling and associated detached garage, as well as a large boulder in the rear yard of the existing dwelling.

Surrounding land use is predominantly residential, with Bligh Street featuring a range of single residential dwellings of various styles and ages, as well as a number of blocks that feature secondary dwellings or dual occupancies. There are a number of properties that utilise the unnamed lane as their primary access, with 11 Bligh Street to the north of the subject land featuring a detached secondary dwelling/dual occupancy that fronts and is accessed from the unnamed lane .

To the east of the site on the opposite side of the unnamed lane is Col Stinson Park, featuring Cowra Skate Park and Cowra Netball Association. To the south east of the site as part of Col Stinson Park is a rocky outcrop featuring large boulders and a walkway that connects the unnamed lane to Macassar Street.



Image 1: 5 Bligh Street Cowra. Source: Google Maps, 06/08/2025.

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. Construction of a secondary dwelling is permitted with consent in the zone.

secondary dwelling means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Note—

See clauses 5.4 and 5.5 for controls relating to the total floor area of secondary dwellings.

Secondary dwellings are a type of **residential accommodation**.

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 construction of a secondary dwelling provides additional housing for the community. The proposed secondary dwelling is in an area that is well located, with recreational, educational, retail facilities and public transport access within walking distance. The development is consistent with the zone objectives.

Clause 5.4 Controls relating to miscellaneous permissible uses

(9) Secondary dwellings on land other than land in a rural zone If development for the purposes of a secondary dwelling is permitted under this Plan on land other than land in a rural zone, the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—

- (a) 60 square metres,
- (b) 80% of the total floor area of the principal dwelling.

Comments:

The total floor area of the existing primary dwelling is 104.5 square metres and the total floor area of the proposed secondary dwelling, excluding the area used for parking, is 82.3 square metres, meaning the secondary dwelling is 78.8% of the total floor area of the principal dwelling. The development is consistent with clause 5.4(9).

Clause 7.1 Earthworks**Comments:**

The development involves a moderate amount of earthworks, including cutting into the existing slope to accommodate the outdoor entertaining area of the primary dwelling, and a small amount of fill to accommodate the concrete slab of the garage of the secondary dwelling. The construction of the remaining portion of the secondary dwelling will be on piers with an enclosed subfloor, consistent with the construction method of the existing dwelling on the land. A cut and fill plan has been prepared and submitted with the application, and an erosion and sediment control plan can be prepared and submitted with any future construction certificate application. The development is consistent with clause 7.1.

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 site is connected to Council's reticulated water and sewer management systems. The site is connected to the network electricity supply from Bligh Street. Stormwater from the development will be drained to Council's kerb and gutter stormwater management system in Bligh Street. Access to the primary dwelling will remain unchanged and be from the existing vehicle access point on Bligh Street. The proposed secondary dwelling will be accessed via the unnamed lane to the east. The laneway already provides vehicular access to a number of residences on Bligh Street, and the secondary dwelling has been designed to be consistent with this existing trend of design. 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	See below.
SEPP (Transport and Infrastructure) 2021	Not applicable

5.3.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

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

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

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

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

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

(4) The land concerned is—

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

Comments:

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

5.3.2 State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 Standards for residential development—BASIX

Clause 2.1 Standards for BASIX development and BASIX optional development

(1) *Schedule 1 sets out the standards that apply to BASIX development referred to in paragraphs (a) and (b) of the definition of BASIX development in the Environmental Planning and Assessment Regulation 2021.*

(2) *Schedule 2 sets out the standards that apply to—*

(a) BASIX development referred to in paragraph (c) or (d) of the definition of BASIX development in the Environmental Planning and Assessment Regulation 2021, and

(b) BASIX optional development if the development application or the application for a complying development certificate was accompanied by a BASIX certificate.

(3) *The standard specified in Schedule 2, section 4 extends to a swimming pool or spa that has a capacity of less than 40,000L if the swimming pool or spa is part of development referred to in paragraph (c) of the definition of BASIX development in the Environmental Planning and Assessment Regulation 2021.*

(4) *A standard specified in Schedule 1 or 2 does not apply to development involving a heritage item or in a heritage conservation area to the extent that the Planning Secretary is satisfied that the development is not capable of achieving a standard because of other development controls that apply.*

(5) *Development consent must not be granted to development to which the standards specified in Schedule 1 or 2 apply unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.*

Comments:

The development is identified as BASIX development in Schedule 7 of the *Environmental Planning and Assessment Regulation 2021*. A BASIX Certificate has been prepared and submitted with the application for the proposed secondary dwelling demonstrating compliance with the standards set out in Schedule 1 of the SEPP. A BASIX Certificate has been prepared and submitted with the application for the proposed residential alterations and additions to the primary residential dwelling on the land demonstrating compliance with the standards set out in Schedule 2 of the SEPP. The development is consistent with the requirements of the State Environmental Planning Policy (Sustainable Buildings) 2022.

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

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

(iii) any Development Control Plan (DCP)

5.4 Cowra Shire Council Development Control Plan 2021

Part A Plan Introduction

Section A 1.3 states:

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

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

Comments:

The proposed setback of 2.4m from the rear laneway represents a variation to the rear setback requirements of the DCP, which requires a minimum 3 metre rear setback. However, given the minor road status of the laneway and the existing built environment that already incorporates other dwellings fronting the laneway that do not incorporate a 3 metre setback, a 2.4 metre setback is appropriate in this circumstance as it allows for an increase in the density of housing without impacting adjacent residential land uses in any way.

The development also seeks a variation to the vehicle access to the proposed secondary dwelling being 0.9 metres from the property boundary. The variation to this standard is considered justified given the minor status of the road and the fact that the laneway does not continue any further south of the subject land and is a no through road. The vehicle access provides unobstructed and lawful access to the rear lane for the proposed secondary dwelling.

Therefore the variations can be approved as proposed in accordance with Section A.1.3 of the DCP.

Part E - Urban & Village Development

Control	Compliance Response
<i>E.2. Medium Density Housing</i>	
<i>E.2.1. Application of Section</i>	The development involves the construction of a secondary dwelling as Stage 1 and residential alterations and additions to the primary dwelling as Stage 2. Part E.2.1 is applicable to the development.
<i>E.2.2. Objectives</i>	The proposed secondary dwelling provides additional housing choices for the community. The proposed secondary dwelling is well designed with a variety of rooflines and architectural features. The bulk and scale of the development is appropriate and consistent with the surrounding land use. The site is of an appropriate size to incorporate landscaping that will complement the design of the development. The proposed secondary dwelling has vehicle access, parking and manoeuvring areas that are separate from the primary dwelling. The design of the secondary dwelling has clerestory windows facing north, allowing light and winter sun into the main living areas without impacting or overshadowing surrounding dwellings. The secondary dwelling is located on a site that is close to community facilities and public transport connections. The secondary dwelling has access to all essential services and facilities. The development is consistent with the objectives of the DCP.
<i>E.2.3. Site Analysis</i>	The site has a number of constraints, including the moderate slope of the land and the location of the existing primary dwelling and existing landscape feature (boulder), access and vehicle parking on the land. However, the site has a number of opportunities for development, being the size of the land, the rear lane access, and the general location of the site in close proximity to community facilities including public transport, and readily available connections to all utilities. The development has been designed with the constraints in mind and to utilise the opportunities

Control	Compliance Response
	present.
<i>E.2.4. Soil Erosion and Sedimentation Control</i>	A Soil Erosion and Sedimentation Control plan can be prepared and submitted with any future construction certificate application.
<i>E.2.5. Landscaping</i>	A landscaping plan has been prepared and submitted with the application in accordance with Part N of the DCP.
<i>E.2.6. Cut and Fill Controls</i>	The proposed secondary dwelling will utilise a combination of fill for a concrete slab on ground foundation for the garage, with the remaining house constructed on piers with an enclosed subfloor, reflecting the construction method of the existing dwelling on the land, and minimising the amount of cut and fill required. The addition of the outdoor entertaining space on the primary dwelling will also require an amount of cut, with a retaining wall approximately 1.15m high as shown on the development plans. This area of excavation is intended to provide a flat area of private open space for the primary residential dwelling on the land. The area of cut will not be within 0.9m of any boundary. This area of cut will be behind the main building line and will not be visible from the street. The development is consistent with the cut and fill controls.
<i>E.2.7. Site Area and Frontage Controls</i>	The site has an area of 809m ² . The number of proposed dwellings on the land is 2, meaning the average site area for the development is 404.5m ² . The site has a frontage of 15.24 metres. Clause E.2.7.b. specifically lists dual occupancies, semi-detached dwellings, attached dwellings and multi-dwelling housing as land-use types that require an allotment to have a minimum frontage of 18 metres. The clause does not list secondary dwellings and state 'or the like'. Accordingly, as secondary dwellings are not listed the development does not require a variation to Section E.2.7.b. The development is consistent with E.2.7.
<i>E.2.8. Streetscape Controls</i>	The development is in an existing urban area that

Control	Compliance Response
	contains a number of medium density housing types in the vicinity, so is appropriate with the scale and character of the surrounding streetscape. The development addresses both the Bligh Street frontage (existing dwelling) as well as the rear lane (secondary dwelling). The proposed secondary dwelling has a lounge room window that overlooks the rear lane. The development will maintain the appearance of a single residential dwelling from Bligh Street, as the secondary dwelling is located behind the existing dwelling and the development does not propose any changes to the street frontage or existing vehicle access. A landscape plan has been submitted with the application that demonstrates compliance with Part N of the DCP and enhances the appearance of the development. The development does not include any blank, unbroken walls. The development does not require the removal of any trees.
<i>E.2.9. Height Controls</i>	As shown on the development plans, the maximum height of the building from natural ground level is approximately 6 metres.
<i>E.2.10. Solar Access Controls</i>	The development will not result in overshadowing any neighbouring dwellings, and will not result in the overshadowing of more than 50% of their usable private open space. The private open space of the neighbouring dwelling to the south, as well as the private open space of the existing dwelling, will still receive at least 3 hours of sunlight between 9am and 3pm at the winter solstice. This is evident from the small scale and position of the secondary dwelling within the land.
<i>E.2.11. Front setback controls</i>	The development does not propose any change to the front setback on Bligh Street. The development is designed to address both the rear lane and towards the primary dwelling to the west. The development proposes a secondary dwelling which

Control	Compliance Response
	is subservient to the principal dwelling on the land, meaning both residences maintain connection with Bligh Street as the principal street frontage. Pedestrian access and all utility connections will be made to both houses from Bligh Street, with the exception of vehicle access to the secondary dwelling from the laneway, which is appropriate.
<i>E.2.12. Side Setbacks</i>	The development is setback at least 0.9 metres from the side boundaries.
<i>E.2.13. Rear Setbacks</i>	The development is designed to be orientated towards both the rear lane and the primary dwelling. Vehicle access is gained from the rear lane, with all remaining utility connections and pedestrian access from Bligh Street. The proposed setback of 2.4m from this laneway represents a variation to this section which requires a minimum 3.0m rear setback. However, given the minor road status of the laneway and the existing built environment, a 2.4 metre setback is appropriate in this circumstance as it allows for an increase in the density of housing without impacting adjacent residential land uses in any way. Therefore the variation can be approved as proposed in accordance with Section A.1.3 of the DCP.
<i>E.2.14. Visual & Acoustic Privacy Controls</i>	The proposed deck of the secondary dwelling faces into the site and does not overlook any living areas or private open space areas of adjoining dwellings. The deck does overlook the private open space of the existing primary dwelling, but this can be mitigated in the future with the construction of fencing, landscaping or privacy screens if desired. However screening is not required between a principal and secondary dwelling. The main windows facing north have been designed as clerestory windows, meaning they will provide light without impacting privacy. The remaining windows to the north will face the boundary fence and are not directly opposite views into the living area windows of the neighbouring dwelling. The dwelling does not contain any windows that

Control	Compliance Response
	overlook the private open space or living areas of the dwelling to the south.
<i>E.2.15. Private Open Space Controls</i>	The development plans submitted with the application demonstrate that the secondary dwelling features 40.23m ² of private open space that can be separated from the private open space of the primary dwelling if required in the future. The combined private open space of the primary and secondary dwelling is greater than 80m ² .
<i>E.2.16. Sustainable Building Design Controls</i>	A BASIX Certificate has been prepared and submitted with the application demonstrating the secondary dwelling complies with the sustainable building requirements.
<i>E.2.17. Livable Housing Design</i>	The design of the secondary dwelling incorporates a safe continuous step free entrance from the rear lane to the dwelling. The dwelling meets the livable housing standards as required under the NCC.
<i>E.4. Ancillary Development</i>	
<i>E.4.1. Application of this Section</i>	The development includes the construction of an attached garage, deck and rainwater tank in the R1 General Residential zone.
<i>E.4.2. Objectives</i>	The development is consistent with the objectives for ancillary development in that the ancillary structures do not compromise the amenity of adjoining dwellings or the area, and they are constructed of materials compatible and complementary with the proposed secondary dwelling, the existing primary dwelling and the streetscape in general. The rainwater tank and deck will not be readily visible from any public space, and the attached garage is appropriate in bulk and scale for the development.
<i>E.4.3. Ancillary buildings - attached</i>	The development includes an attached single car garage and deck as shown on the development plans submitted with the application. The garage is in line with the front building line and does not exceed 50% of the total width of the dwelling. The

Control	Compliance Response
	ancillary structures will be constructed of materials compatible and complementary with the proposed secondary dwelling, the existing primary dwelling and the streetscape in general and are appropriate in bulk and scale.
<i>E.4.6. Fencing Controls</i>	The development does not propose any new fencing as part of the application.
<i>E.4.7. Waste Management Controls</i>	Council garbage and recycling bins can be stored on the southern side of the house behind the front building line. As previously confirmed by Council, bins can be collected from the unnamed lane by Council's waste management service as located on the development plans submitted with the application.
<i>E.4.8. Rainwater Tanks</i>	The development includes the installation of a 3,000L water tank as shown on the development plans. This tank can be installed in accordance with Council's specifications.
<i>E.4.9. Site Facility Controls</i>	The secondary dwelling can accommodate a letterbox either on Bligh Street or the unnamed lane as required. The secondary dwelling can accommodate an external clothes drying facility in the private open space to the west of the secondary dwelling.
<i>E.4.10. Servicing Controls</i>	The proposed secondary dwelling can connect to the electricity supply and NBN via Bligh Street. Stormwater from the proposed secondary dwelling can be drained to Council's kerb and gutter system in Bligh Street. The development can connect to Council's reticulated sewer and water supply via Bligh Street.

The development is consistent with the majority of the controls contained in Part E of the DCP with the exception of the rear setback control.

Part M Parking, Access & Mobility

Control	Compliance Response
<i>M.1. Car Parking Code</i>	The development provides a single car parking space for the proposed secondary dwelling in an attached garage as shown on the development plans. The existing primary dwelling will utilise the existing vehicle access for parking behind the building line in an attached garage as shown on the development plans.
<i>M.2. Parking & Access Residential Uses</i>	The development proposes a variation to the requirement that access be located no closer than 1.5m from the boundary of the site. The access is located 0.9m from the property boundary. Given the minor road status of the laneway and the fact that the proposed secondary dwelling is at the end of the formed laneway that does not continue any further south, it is considered the variation is appropriate in this instance.

The development is consistent with the majority of the controls contained in Part M of the DCP with the exception of the distance of the vehicle access distance from the property boundary.

Part N Landscaping

Control	Compliance Response
<i>N.3 Landscaping Controls</i>	A landscape plan has been prepared and submitted with the application that demonstrates compliance with part N of the DCP.

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

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

5.5 Environmental Planning and Assessment Regulation 2021

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

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

5.6 Likely impacts of the development

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

Context and Setting

The site is located approximately 1 kilometre to the north of the Cowra CBD. The site fronts Bligh Street to the west and the unnamed lane to the east. The block has a moderate slope from east to west, with the eastern boundary being the highest point. The site contains an existing single storey residential dwelling and associated detached garage, as well as a large boulder in the rear yard of the existing dwelling.

Surrounding land use is predominantly residential, with Bligh Street featuring a range of single residential dwellings of various styles and ages, as well as a number of blocks that feature secondary dwellings or dual occupancies. There are a number of properties that utilise the unnamed lane as their primary access, with 11 Bligh Street to the north of the subject land featuring a detached secondary dwelling/dual occupancy that fronts and is accessed from the unnamed lane.

To the east of the site on the opposite side of the unnamed lane is Col Stinson Park, featuring Cowra Skate Park and Cowra Netball Association. To the south east of the site as part of Col Stinson Park is a rocky outcrop featuring large boulders and a walkway that connects the unnamed lane to Macassar Street.

Access, Transport and Traffic

Vehicle access to the development will be gained by a new vehicle access from the unnamed lane.

Public Domain

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

Utilities

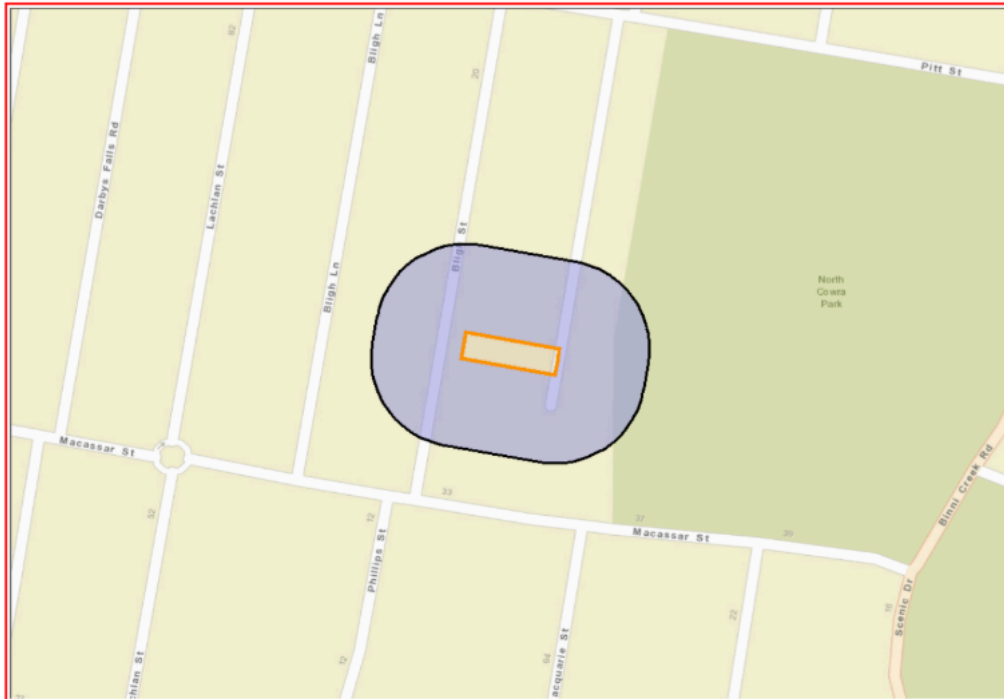
The site is serviced by adequate utilities to cater for the development.

Heritage

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

AHIMS Web Service search for the following area at Lot : 11, DP:DP35472, Section : - with a Buffer of 50 meters, conducted by Beth Johnstone on 30 June 2025.

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



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

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

Water

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

Soils

The development will not have a negative impact on soils.

Air and Microclimate

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

Flora and Fauna

The proposal does not require the removal of any trees.

Waste

The site is connected to reticulated sewerage. Any construction waste and ongoing domestic waste will be removed from the site and appropriately recycled or catered for at a licensed waste management facility. Council has confirmed bin collection is possible from the unnamed lane.

Energy

A BASIX Certificate has been submitted with the application. The development is required to comply with the associated energy efficiency requirements.

Noise and Vibration

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

Natural Hazards

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

Technological Hazards

No impacts as previously discussed in this report.

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the Locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

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

5.7 Site suitability

(c) the suitability of the site for the development

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

5.8 Submissions

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

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

5.9 Public interest

(e) the public interest

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

6. Conclusion

Through preparation of this SEE, it is confirmed that the development is consistent with all applicable planning controls contained in the Cowra Local Environmental Plan 2012 without variation, and the majority of the controls contained in the Cowra Shire Council Development Control Plan 2021, with the exception of the rear setback of the secondary dwelling to the unnamed lane at the rear of the site, and the distance of the vehicle access from the side property boundary. The development can be constructed as proposed without negative impacts that would not be avoided by strict adherence to the controls contained in the DCP. The development is appropriate in scale and design to be constructed 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

It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—

- (a) BASIX development,*
- (b) BASIX optional development, if the development application was accompanied by a BASIX certificate.*

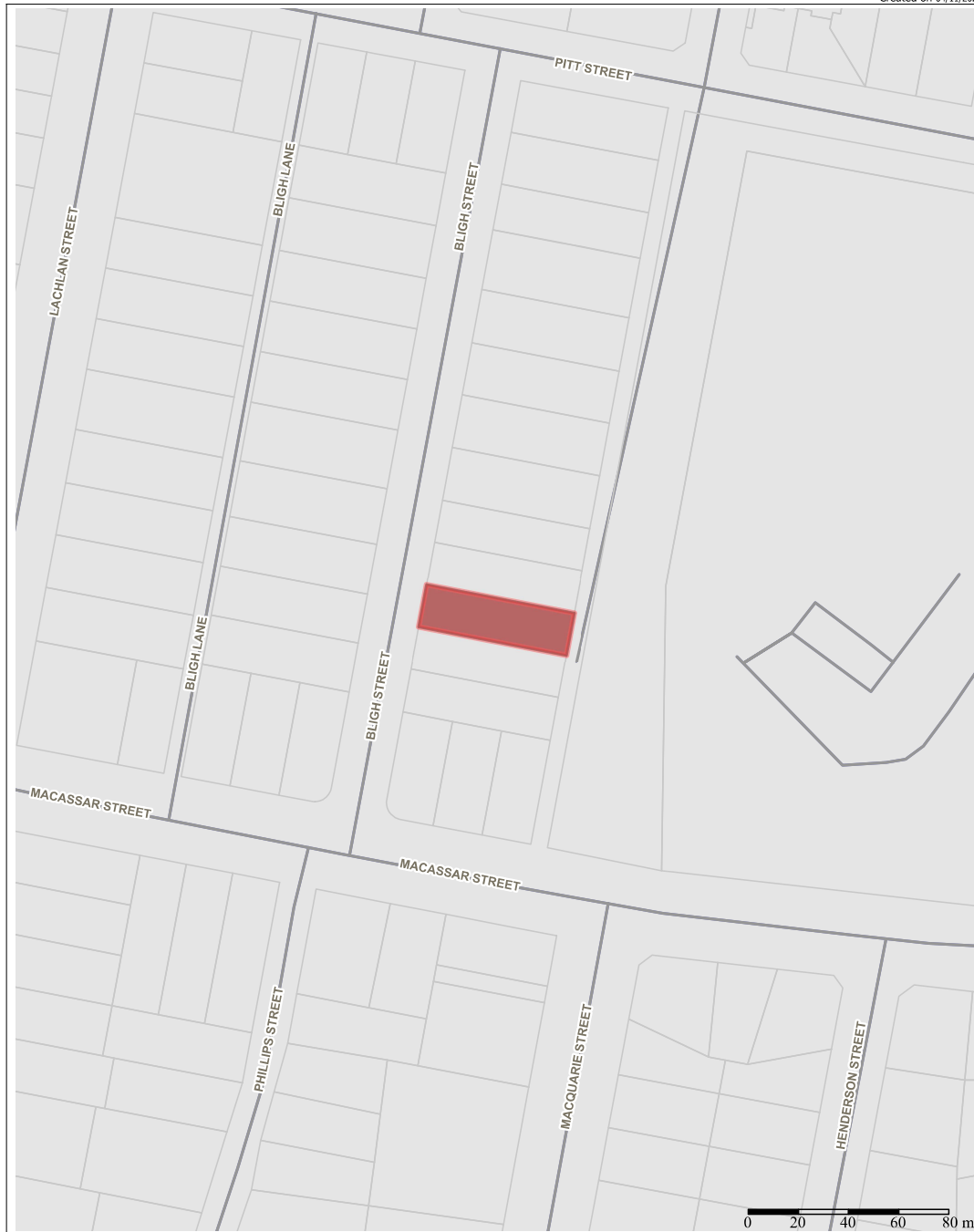
Comments:

A BASIX Certificate is submitted to accompany this document and plans.

Clause 76 Deferred commencement consent

Not applicable.

Created on 04/11/2025



 Cowra Council Private Bag 342 116 Keneil 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 SS 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: 04/11/2025 9:51 AM	DA 10.2025.102.1 - 5 Bligh Street Cowra Map Scale: 1:1823 at A4
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Projection: # GDA2020 / MGA zone 55

Date: 04/11/2025 9:56 AM

DA 10.2025.102.1 - 5
Bligh Street Cowra

Map Scale: 1:597 at A4

- 5.5** Development Application No. 10.2024.75.1, Lot 9 DP 706188, Lot 103 DP 856083, and Lot 22 DP 808617, 32 Waratah Street Cowra, boundary adjustment and subdivision creating 2 Torrens title lots and 7 community title lots, lodged by Vision Town Planning Consultants Pty Ltd. The property owner is RV Enzerink Holdings Pty Ltd.

File Number: D25/2087

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 O.1.7 of Part O 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 O.1.7 of Part O of Council's Development Control Plan 2021 for this development to allow an industrial subdivision within the Flood Planning Area; and
3. That Development Application No. 10.2024.75.1, a boundary adjustment and subdivision creating 2 Torrens title lots and 7 community title lots on Lot 9 DP706188, Lot 103 DP856083, Lot 22 DP808617, 32 Waratah 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 Lot Layout Job 123/24 Drawing SD001	Vision Property Development Hub 1/7/2024	Received 15/5/2025 Stamped DA 10.2024.75.1
Proposed Lot Layout Job 123/24 Drawing SD002B	Vision Property Development Hub 12/5/2025	Received 4/9/2025 Stamped DA 10.2024.75.1 (A)
Utilities Plan	Vision Property Development Hub	Received

Job 123/24 Drawing SD003	2/7/2024	15/5/2025 Stamped DA 10.2024.75.1
Aerial Overlay Job 123/24 Drawing SD004	Vision Property Development Hub 3/7/2024	Received 15/5/2025 Stamped DA 10.2024.75.1
Flood Level Survey File No. 24136 Drawing 24136_FLOOD-0	Arete Survey Solutions 4/11/2025	Received 5/11/2025 Stamped DA 10.2024.75.1(A)
Statement of Environmental Effects	Vision Property Development Hub Version 3 13/5/2025	Received 15/5/2025 Stamped DA 10.2024.75.1
Flood Impact Assessment	Calare Civil Pty Ltd 30 September 2025	Received 9/10/2025 Stamped DA 10.2024.75.1

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).
3. Liquid trade waste material is not to be discharged into the sewerage system without first obtaining the approval of Cowra Shire Council.

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

4. The Applicant is to lodge with Cowra Shire Council a Subdivision Certificate Application together with the original plan. All necessary information to support the certificate release and the necessary fee is required to be included with the Subdivision Certificate Application.
5. Prior to issue of a Subdivision Certificate, the applicant must construct a combined access to Community Title Lots 2-7 from William Street. Provision for drainage, sediment and erosion control measures must be adhered to in accordance with sound engineering practice. The driveway is to be constructed in accordance with Council's engineering standards. All costs associated with the

construction of the access driveway(s) shall be borne by the Applicant.

6. 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.
7. 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.
8. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water and sewer supply to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of any Occupation Certificate.

Water and sewer reticulation mains and metered services must be physically provided to the development in accordance with Cowra Infrastructure and Operations Engineering Standards. Council will not issue any Occupation Certificate until a Compliance Certificate has been issued, verifying that all works have been satisfactorily completed. All monetary contributions in relation to the augmentation of reticulated water and sewer supply must be paid in full to Cowra Shire Council before any Occupation Certificate will be issued. Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on (02) 6340 2070.
9. Prior to the issue of a Subdivision Certificate, a separate application is to be made to Council, with the appropriate fee being paid, for the provision of a suitably sized metered water service to the development.
10. The Applicant shall include on the final plan of subdivision all necessary easements required over access, water, sewer, stormwater, electricity and telecommunications mains.
11. 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.

12. Prior to issue of the Subdivision Certificate, the applicant shall connect all new lots in the plan of subdivision to Council's Reticulated Water and Sewer Supply System and to the satisfaction of the relevant service provider, being Cowra Council.
13. Prior to issue of the Subdivision Certificate, the applicant must prove that the development complies with firefighting capabilities in accordance with AS 2419.1:2021, Fire Hydrant Installations, and Fire and Rescue NSW (FRNSW) guidelines. All costs associated with the augmentation of water reticulation relating to the development shall be borne by the Applicant and at no cost to Council.
14. A Stormwater Management Plan shall be developed for the subdivision, demonstrating that adequate provision will be made for the estimated potential stormwater runoff from the development in accordance with Council's Development Control Plan 2021 and Cowra Infrastructure and Operations Engineering Standards. Any required stormwater drainage facilities necessary to service the subdivision, including inter-allotment drainage, shall be carried out and detailed in the Compliance Certificate for drainage infrastructure.

ADVICE

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

INTRODUCTION

Development Application No. 10.2024.75.1 proposes a boundary adjustment and subdivision creating 2 Torrens title lots and 7 community title lots on Lot 9 DP 706188, Lot 103 DP 856083, and Lot 22 DP 808617, 32 Waratah Street Cowra. The application was lodged by Vision Town Planning Consultants Pty Ltd on 15 May 2025. The property owner is RV Enzerink Holdings Pty Ltd.

The application is being reported to Council because of a variation to O.I.75 of Part O of Cowra Council Development Control Plan 2021 which is discussed in the relevant section of this report.

A copy of the site and elevation plans of the proposed boundary adjustment and subdivision creating 2 Torrens title lots and 7 community title lots 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 9 DP706188, Lot 103 DP856083 (32 Waratah Street) and Lot 22 DP808617 (50 William Street), Cowra are irregular allotments of approximately 1.125 hectares. The lots are located in

the E4 General Industrial zone under Cowra Local Environmental Plan (LEP) 2012. The site contains several existing industrial sheds.

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 a boundary adjustment and subdivision creating 2 Torrens title lots and 7 community title lots from existing 3 Torrens title lots. The two proposed Torrens title lots would have direct access to Waratah Street, Young Road, and William Street while 6 community title lots would have access to William Street via a common lot

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 10.2024.75.1:

Section 4.15(1) Evaluation Matters

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

Local Environmental Plan (LEP)

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

1.2 Aims of Plan

The development is consistent the aims of the LEP.

1.4 Definitions

The proposed development is defined as subdivision 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 E4 General Industrial, and the proposed development is permitted in the zone with consent.



2.3 Zone objectives

Objective	Comment
• To provide a range of industrial, warehouse, logistics and related land uses.	Consistent
• To ensure the efficient and viable use of land for industrial uses.	Consistent
• To minimise any adverse effect of industry on other land uses.	Consistent
• To encourage employment opportunities.	Not inconsistent
• To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.	Not applicable
• To ensure the nature and scale of new industrial development in West Cowra is compatible with existing residential land uses in the surrounding area.	Consistent

2 Permitted without consent

Environmental protection works; Roads

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Car parks; Community facilities; Correctional centres; Crematoria; Depots; Environmental facilities; Extractive industries; Freight transport facilities; Funeral homes; Garden centres; General

industries; Goods repair and reuse premises; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Heliports; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Mortuaries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Research stations; Restricted premises; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wholesale supplies

4 Prohibited

Any development not specified in item 2 or 3

Comment:

The proposed the development is permitted with consent.

2.6 Subdivision – consent requirements

The proposed subdivision is permitted with consent.

4.1 Minimum subdivision lot size

There is no minimum lot size for the subject lots.

The existing and proposed Lot areas are provided below:

Lot / DP	Existing (m ²)	Proposed (approximate m ²)
103 / 856083	8921	
22 / 808617	4011	
9 / 706188	2328.66	
Proposed Torrens Lot 1		3672.64
Proposed Torrens Lot 2		3425.89
Proposed Community Lot 1		1062.02
Proposed Community Lot 2		887.09
Proposed Community Lot 3		955.55
Proposed Community Lot 4		1670.63
Proposed Community Lot 5		1670.68
Proposed Community Lot 6		955.55
Proposed Community Lot 7		963.52

The subject lots are considered appropriate sizes for E4 zoned land with the potential for reticulated sewer connections. An accurate subdivision plan is to be provided prior to subdivision certificate

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 partially mapped as flood planning area. The flood planning level for the site is calculated to be 297.26 AHD + 500mm freeboard = 297.76 AHD. The proposal is supported by a flood survey and indicative shed locations demonstrating each flood affected lot can support a 300sqm shed and unimpeded access outside the flood planning level, and no impact to flood behaviour is considered likely from the proposed development.

It is assessed that the design and scale of the proposed development is suitable given the flood hazard of the land. It is unlikely to impact on flood behaviour and does not increase risks to life from flood. No significant or unsustainable environmental or social impacts and costs are likely to result from the development which is assessed as satisfactory in consideration of the requirements of Clause 5.21(2) & (3).

Part 6 Urban release areas

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

7.1 Earthworks

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

7.3 Terrestrial biodiversity

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

7.4 Riparian land and watercourses

This clause applies to land that is identified as a watercourse on the Watercourses Map, or is within 40 metres of a mapped watercourse. Despite being flood affected, the land is not near a recognised watercourse for the purposes of 7.4. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.5 Wetlands

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

7.6 Groundwater vulnerability

This clause applies to land that is identified as groundwater vulnerable on the Groundwater Vulnerability Map. The land is mapped as being affected.

The proposed development is for subdivision and boundary adjustment only, and no impacts on groundwater are anticipated

7.7 Airspace operations

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

7.8 Essential Services

Water	The proposed development would connect to Council's reticulated water.
Electricity	The proposed development will be connected to electricity supply to the requirements of the relevant energy provider.
Sewage	The proposed development will connect to Council's reticulated sewer.
Stormwater	The proposed development will connect to Council's reticulated stormwater.
Access	The proposed development would utilise existing driveways to William Street, Young Road, and Waratah 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)	Not applicable

2021	
SEPP (Sustainable Buildings) 2022	BASIX certificate not required.
SEPP (Transport and Infrastructure) 2021	Not applicable

SEPP (RESILIENCE AND HAZARDS) 2021

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

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

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

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

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

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

Cowra Shire Council Development Control Plan 2021

PART A – PLAN INTRODUCTION

Consent is required for the proposed development.

PART B – LAND MANAGEMENT

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

PART C – BIODIVERSITY MANAGEMENT

The development site is 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 K – LAND USE BUFFERS

Cowra Airport Obstacle Limitation Surface

The subject land is located outside of the OLS.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

Variation requested. The subject land is partially mapped as Flood Planning Area and proposes an industrial subdivision. Subdivision (to create new lots) contrary to what is permissible in O.1.7. of the DCP. The variation is considered at the end of this section.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

Variation:

O.1.7 Land-use permissibility

Section O.1.7 of Part O of the DCP identifies industrial land uses in a High Hazard Floodway as Category 4. Development Category 4 development is permissible subject to the DCP, however subdivision (to create new lots) is not permissible.

The applicant provides the following response to the variation:

The development is consistent with the objectives for flood risk management contained in Section O.1.2, in that it does not seek to alter the existing use of the land, therefore avoids any impact of development on the flood behaviour on the land. Any future development on the land can be undertaken outside of the flood planning area and will not result in any additional risk to human life or property as safe egress to William Street, which is outside the flood planning area, can be achieved from all allotments.

Section O.1.7 Land-use permissibility identifies industrial development as Category 4 on the flood planning matrix, which states that “Development permissible, subject to this DCP. Subdivision (to create new lots) not permissible”.

The creation of 9 allotments where there were previously 3, includes improved planning outcomes by creating lawful and practical access to the rear allotments and space for future construction of industrial or commercial development outside the flood planning, does not create any change from the current land use, and any future development on the site can be designed to meet all the requirements of the LEP and DCP.

Effectively, a small portion of the rear of an existing allotment is mapped as being affected by flooding. However, the allotment slopes up away from that flood area. The design of the subdivision divides the allotment affected by flooding in a manner that does not have any impact on flooding whatsoever with ample space in the resulting lots to cater for future development outside the flood area so in effect, the creation of 2 allotments from 1 in the proposed design does not result in any change to the area of land that is affected by flooding, or the area of land that is presently available and will be available for future development. The variation is considered to be minor and justified with no need to alter the proposed design.

In addition, the application is supported by a Flood Impact Assessment prepared by Calare Civil, which notes historic changes to the West Cowra Drain and existing development within the 1% flood area. The Flood Impact Assessment concludes:

Given the information provided and researched we do not see that the construction of any building or the filling of the site outside of the 1% AEP event would have any impact on the currently modelled flood behaviour.

Comment

It is considered the proposed variation can be supported as the area identified as floodway and flood fringe is minimal, a map showing the flood mapping is provided below. The proposal is supported by a flood survey and indicative shed locations demonstrating each flood affected lot can support a 300sqm shed outside the flood planning area with unimpeded access to the public road network. No impact to flood behaviour is considered likely from the proposed development or future development.



The proposed development can comply with the remainder of the Development Control Plan without variation. It is considered the proposed variation can be supported in this instance.

PART N – LANDSCAPING

Landscaping assessment is not considered necessary for subdivision. There is sufficient space on site for landscaping assessment with future development applications.

PART P – CPTED PRINCIPLES

The proposed development is not a type 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 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 existing industrial development. The proposed subdivision 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 William Street and Waratah Street which are sealed local road, as well as Young Road, a sealed state road. The proposed subdivision would be accessed via the existing driveway and crossovers. No other traffic or parking concerns are identified.

Public Domain

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

Utilities

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

Heritage

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

Other Land Resources

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

Water, Sewerage and Stormwater

Any future development can connect to Council's water, sewer and stormwater services.

Soils

N/A for subdivision.

Air and Microclimate

N/A for subdivision.

Flora and Fauna

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

Waste

N/A for subdivision.

Energy

N/A for subdivision.

Noise and Vibration

N/A for subdivision.

Natural Hazards

The land is identified as flood prone as discussed earlier in this report. The application is supported by a Flood Impact Assessment prepared by a consulting engineer confirming future development of the lots within the Flood Planning Area would not impact on flood behaviour. It is considered the proposed subdivision or future development would not impact on the flow of floodwaters. It is considered access to the proposed lots is suitable and there would not be impacts on evacuation.

The land is not identified as bushfire 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

N/A for subdivision.

Cumulative impacts

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

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

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

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

Public Consultation

The subject Development Application was notified to adjoining owners in writing from 2 July 2025 to 23 July 2025, in accordance with Cowra Community Participation Plan 2024. No submissions were received in relation to the proposed development.

Public Authority Consultation:

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

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

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

S7.12 Fixed development consent levies

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

Conclusion

Development Application No. 10.2024.75.1 proposes a boundary adjustment and subdivision creating 2 torrens title lots and 7 community title lots on Lot 9 DP 706188, Lot 103 DP 856083, Lot 22 DP 808617, 32 Waratah Street Cowra. The application was lodged by Vision Town Planning Consultants Pty Ltd on 15 May 2025. The property owner is RV Enzerink Holdings Pty Ltd.

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 E4 General Industrial zone and is consistent with existing land-use activities of the locality. The variation to Section O.1.7. of Part O of the Cowra Development Control Plan 2021 is sufficiently justified.

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

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

ATTACHMENTS

1. DA 10.2024.75.1 - 32 Waratah Street Cowra - Development Plans [↓](#)
2. DA 10.2024.75.1 - 32 Waratah Street Cowra - Statement of Environmental Effects [↓](#)
3. DA 10.2024.75.1 - 32 Waratah Street Cowra - Location map [↓](#)
4. DA 10.2024.75.1 - 32 Waratah Street Cowra - Aerial view [↓](#)
5. DA 10.2024.75.1 - 32 Waratah Street Cowra - Flood Impact Assessment [↓](#)



RECEIVED
Cowra Shire Council
15/5/2025
Plan No: DA 10.2024.75.1

GENERAL NOTES
Do not scale from drawings. Use figured dimensions only.

All existing conditions, dimensions and levels are approximate only and are to be checked & verified by contractor prior to the commencement of work or the manufacture of any item.

All items not shown in the scope of works or drawings, but necessary for the proper completion of the works are deemed to be included.

All work will be carried out in accordance with the NCC, EP&A Act 1979 (as amended), Local Government Act 1993, Regulations under the Acts, relevant Australian Standards, and local authority conditions.

All work to be carried out by qualified and licensed tradespeople.

Before any work commences on site a Dial Before You Dig search should be undertaken by the person completing the work and the results complied with and adhered to.

If any items cannot be accurately located on site to facilitate construction, the services of a registered surveyor should be employed to locate those items/boundaries

ISSUE
For Council Issue

Revision	Changes	Date
----------	---------	------

PROJECT
Proposed Boundary Adjustment & Subdivision

CLIENT
Richard Enzerink

LOCATION
32 Waratah St & 50 William St
Cowra, NSW, 2794

DATE	SCALE
1/7/2024	1:1000

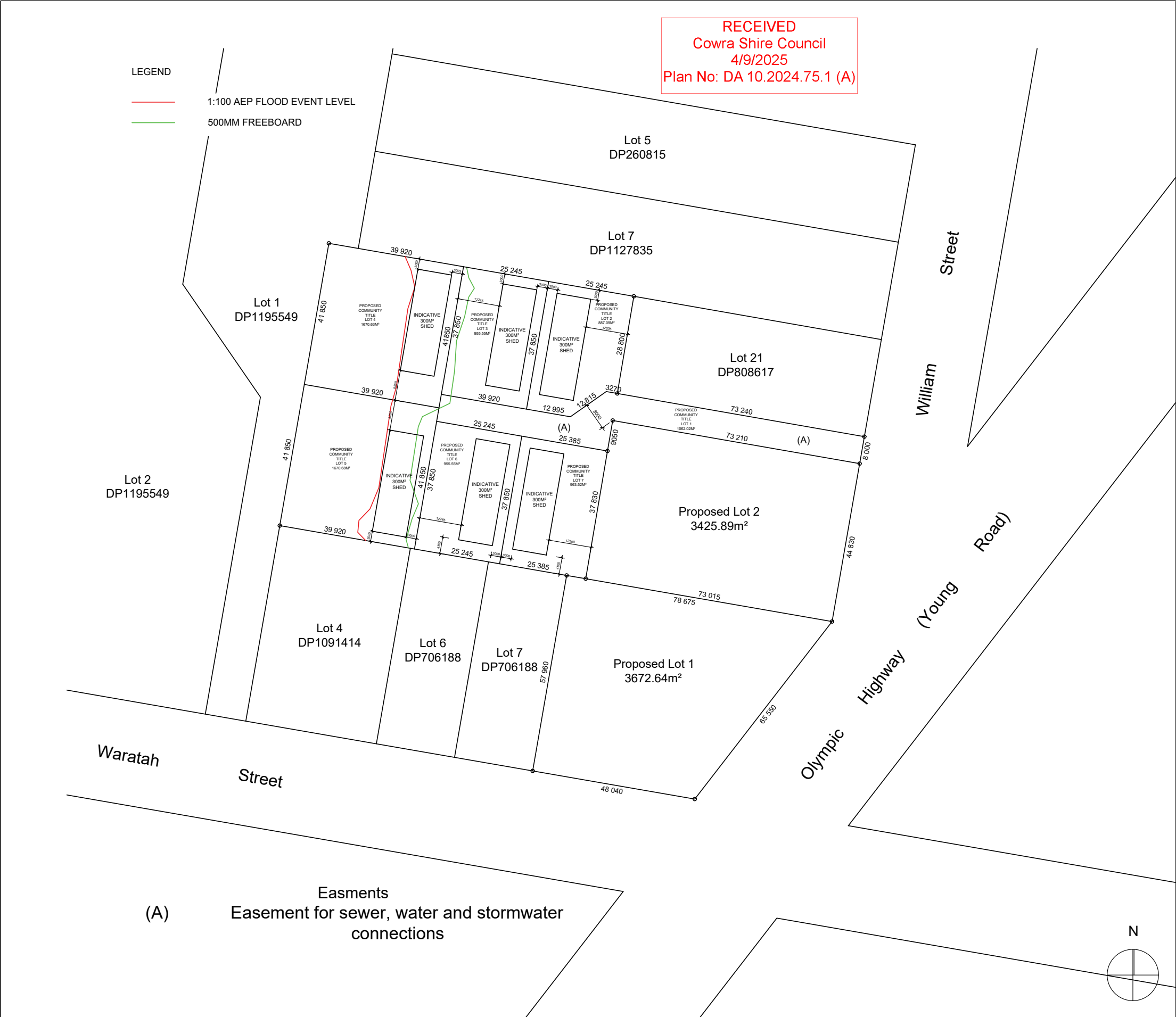
Sheet size: A3
Drawing to be read printed at 100% print scale

PO Box 852
53 Redfern Street,
Cowra NSW 2794
p: 1300 240 872
e: office@visiontpc.com.au
web: visionpdhub.au



JOB NUMBER
123/24

DRAWING
Existing Lot Layout
SD001



GENERAL NOTES

Do not scale from drawings. Use figured dimensions only.

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ISSUE

For Council Issue

Revision	Changes	Date
A	Added in easement for water, sewer and stormwater	9/10/24
B	Added flood planning level and legend	12/5/25

PROJECT

Proposed Boundary Adjustment & Subdivision

CLIENT

Richard Enzerink

LOCATION

32 Waratah St & 50 William St
Cowra, NSW, 2794

DATE

1/7/2024

SCALE

1:1000

Sheet size: A3

Drawing to be read printed at 100% print scale

PO Box 852
53 Redfern Street,
Cowra NSW 2794
p: 1300 240 872
e: office@visiontpc.com.au
web: visionpdhub.au



VISION

PROPERTY DEVELOPMENT HUB

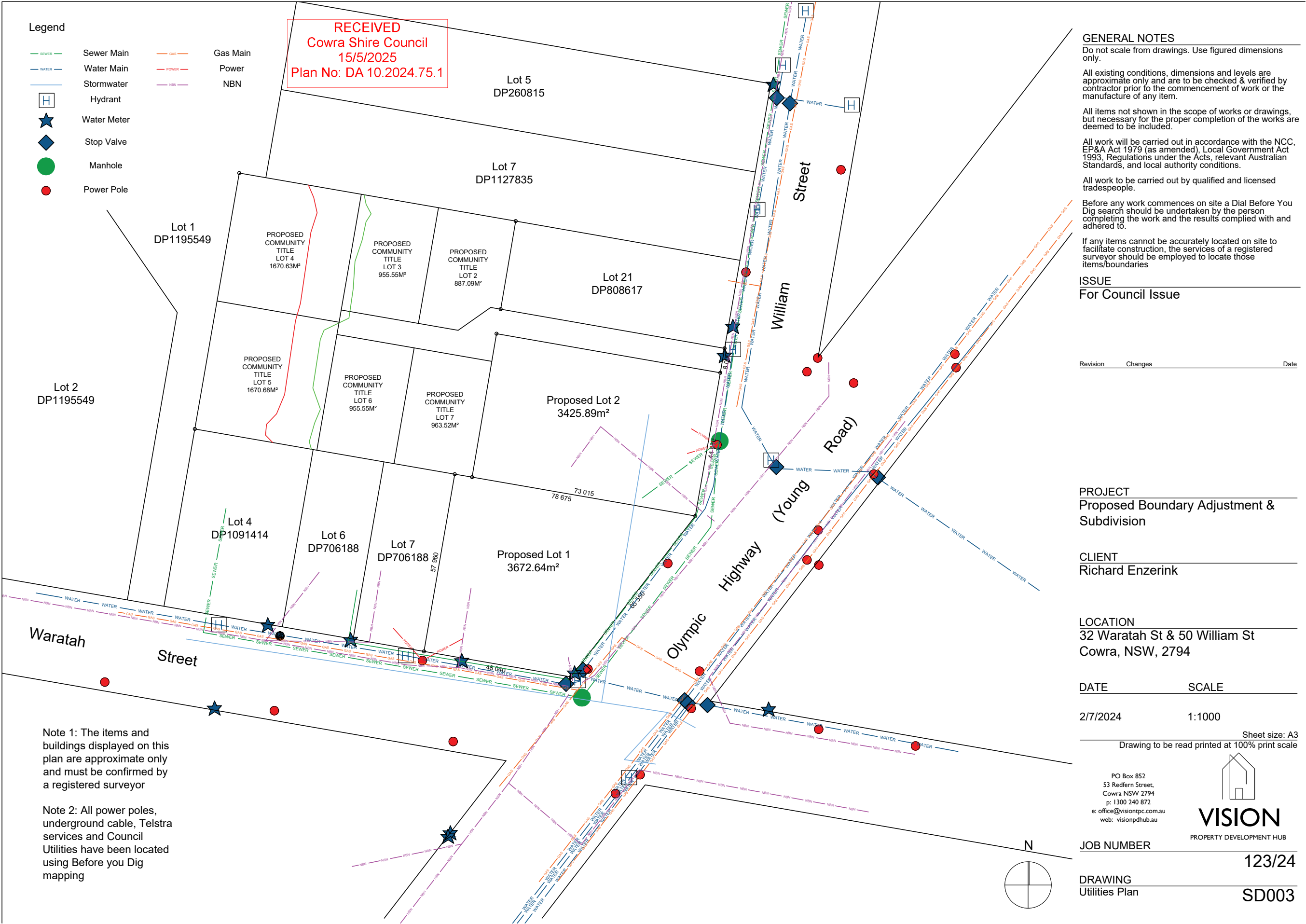
JOB NUMBER

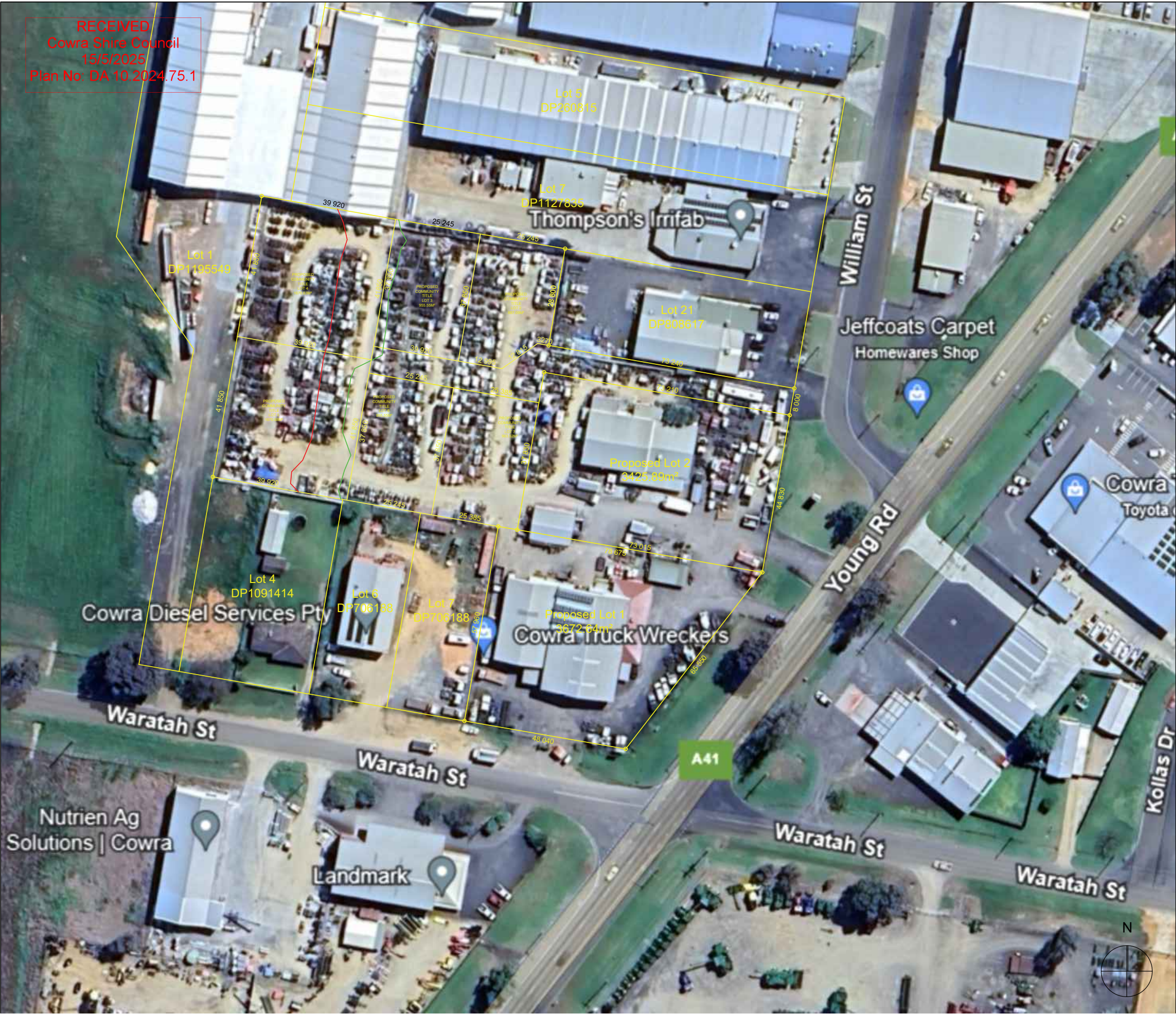
123/24

DRAWING

Proposed Lot Layout

SD002 B





GENERAL NOTES

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ISSUE

For Council Issue

Revision	Changes	Date
----------	---------	------

PROJECT

Proposed Boundary Adjustment & Subdivision

CLIENT

Richard Enzerink

LOCATION

32 Waratah St & 50 William St
Cowra, NSW, 2794

DATE

SCALE

3/7/2024

1:1000

Sheet size: A3
Drawing to be read printed at 100% print scale

PO Box 852
53 Redfern Street,
Cowra NSW 2794
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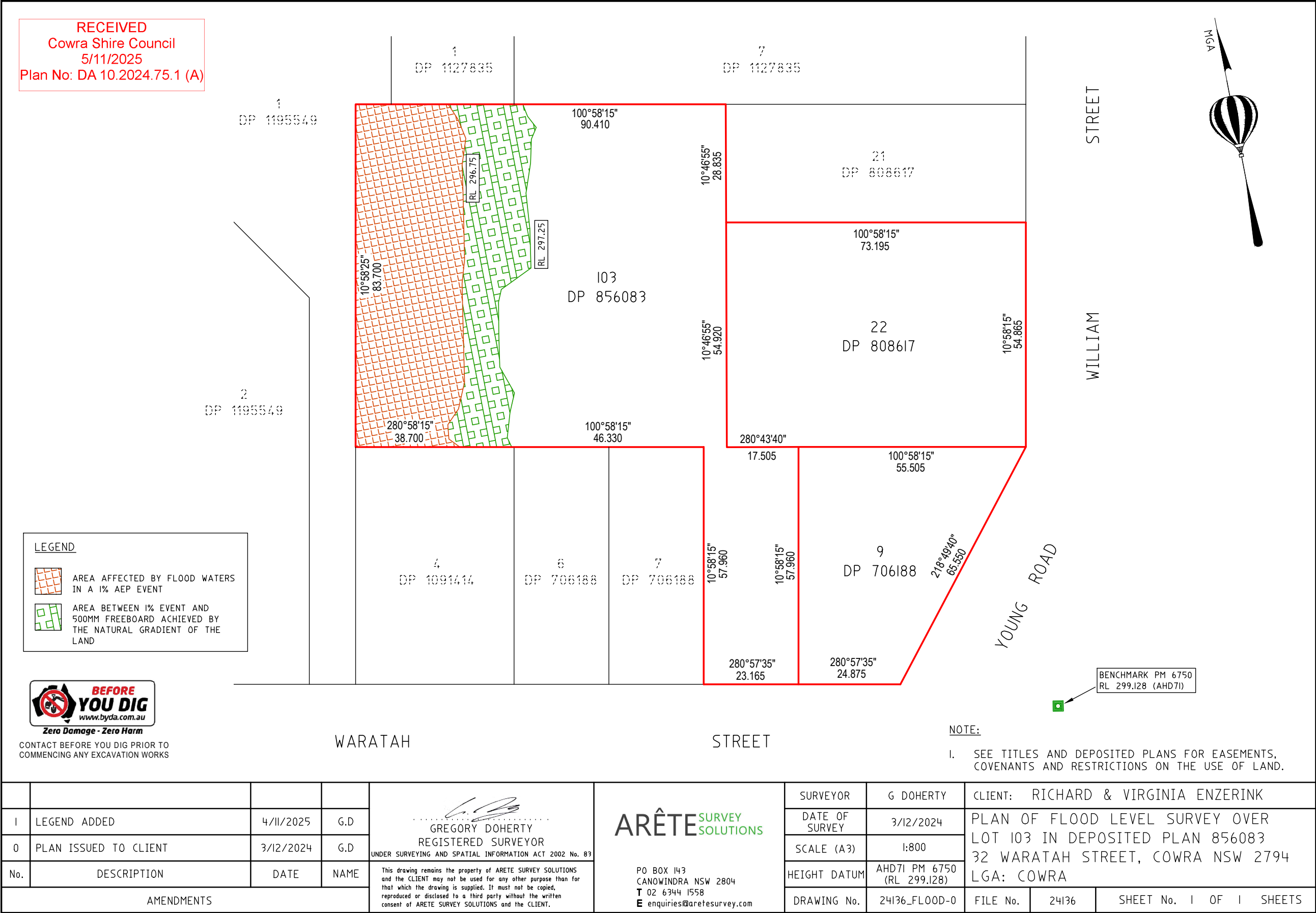
JOB NUMBER

123/24

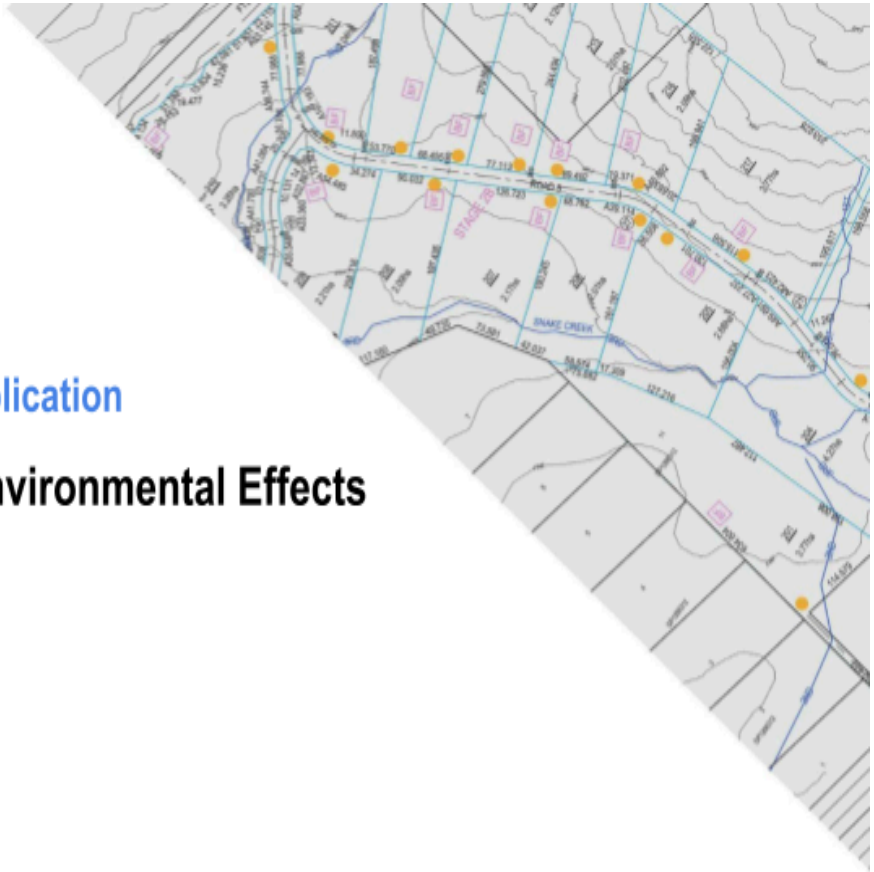
DRAWING

Aerial Overlay

SD004



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Cowra Shire Council
15/5/2025
Plan No: DA 10.2024.75.1



Development Application

Statement of Environmental Effects





53 Redfern Street
COWRA NSW 2794
PO Box 852
1300 240 827
ABN: 95 614 159 698
<https://visionpdhub.au>

Statement of Environmental Effects

Proposed Development: Boundary adjustment and subdivision
Subject Land: Lot 103 DP 856083 and Lot 9 DP 706188 - 32 Waratah
Street, Cowra; and Lot 22 DP 808617 - 50 William Street, Cowra
Client: Richard Enzerink

Version	Date	Changes
Version 1	21/08/2024	Superseded
Version 2	04/10/2024	Superseded
Version 3	13/05/2025	Changed to Community Title Subdivision

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

Author	Plan	Page	Date	Job
Vision Property Development Hub	Existing Lot Layout	SD001	01/07/24	123/24
Vision Property Development Hub	Proposed Lot Layout	SD002 B	12/05/25	123/24
Vision Property Development Hub	Utilities Plan	SD003	02/07/24	123/24
Vision Property Development Hub	Aerial Overlay	SD004	03/07/24	123/24

Prepared by:



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

Statement of Environmental Effects

Abbreviations

The Act – Environmental Planning and Assessment Act 1979
EPI – Environmental Planning Instrument
SEE - Statement of Environmental Effects

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1. Executive Summary

The land-owners have commissioned Vision Property Development Hub to prepare this Statement of Environmental Effects (SEE) to consider the planning controls and environmental context of the proposed boundary adjustment and two lot subdivision.

Through preparation of this SEE, it is confirmed that the development is consistent with all applicable planning controls without variation and is appropriate in scale and design to be carried out 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 land-owners are seeking Council approval to carry out a boundary adjustment and complete a seven lot community title subdivision on their land located on the corner of Waratah Street, Young Road and William Street, Cowra.

The proposal includes:

- Boundary adjustment between Lot 9 DP 706188 and adjoining Lot 103 DP 856083 to create a single allotment that is located at the intersection of Young Road and Waratah Street and an allotment that is at the western end of adjoining Lot 22 DP 808617.
- Boundary adjustment between Lot 103 DP 856083 and adjoining Lot 22 DP 808617 to create an eight metre wide access handle that will form part of Lot 103, providing access using an existing vehicle crossing directly from William Street.
- Subdivision of Lot 103 DP 856083 into 7 allotments, proposed lot 1 of which will be the community lot providing the access handle connecting William Street, providing access to the remaining 6 allotments and provide connection for proposed Lots 2-7 for all utility connections.

The boundary adjustment and subdivision aims to improve the overall layout and planning outcomes for continued use of the land for commercial and industrial purposes.

3. Site Description and Surrounding Land Use

The land is located on the corner of the intersection between Waratah Street, Young Road and William Street in the West Cowra industrial area. The area is characterised by mixed use commercial and industrial land use. The site is currently used as a truck and large vehicle repair workshop and contains 3 large sheds and 2 smaller sheds. The site currently has vehicular access from Waratah Street, Young Road and William Street.



Image 1: View of the site looking north from the corner of Waratah Street and Young Road. Source: Google, February 2024.



Image 2: View of the site looking southwest from William Street. Source: Google, February 2024.

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 Evaluation

Matters for consideration—general

(a) the provisions of:

- (i) any environmental planning instrument, and

5.1 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 E4 General Industrial. A boundary adjustment to allow for the continued use of the land for commercial and industrial purpose is permissible in the zone.

Objectives of the plan

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *To ensure the nature and scale of new industrial development in West Cowra is compatible with existing residential land uses in the surrounding area.*

Comments:

The boundary adjustment and subdivision is consistent with the objectives of the zone as it improves the usability of the land by improving access to all allotments, without impacting surrounding land uses.

Clause 4.1 Minimum subdivision lot size

Comments:

The land is not subject to any minimum lot size. The proposed lot sizes are of an appropriate size to allow future commercial or industrial development, subject to Council approval. Clause 4.1 is not applicable to the development.

Clause 5.21 Flood planning**Comments:**

A small portion of the western side of proposed Lot 2 is identified on the Cowra flood planning map as shown in the image below. The proposed boundary subdivision is consistent with the flood planning guidelines, which will allow for future development on this site outside the flood hazard, above the flood planning level (As depicted by the indicative building footprints displayed on proposed community title lots 2-7 and also allow for the safe egress from the site via the proposed community lot 1 to William Street which is not mapped inside the extent of the flood planning area. The development is consistent with clause 5.21.

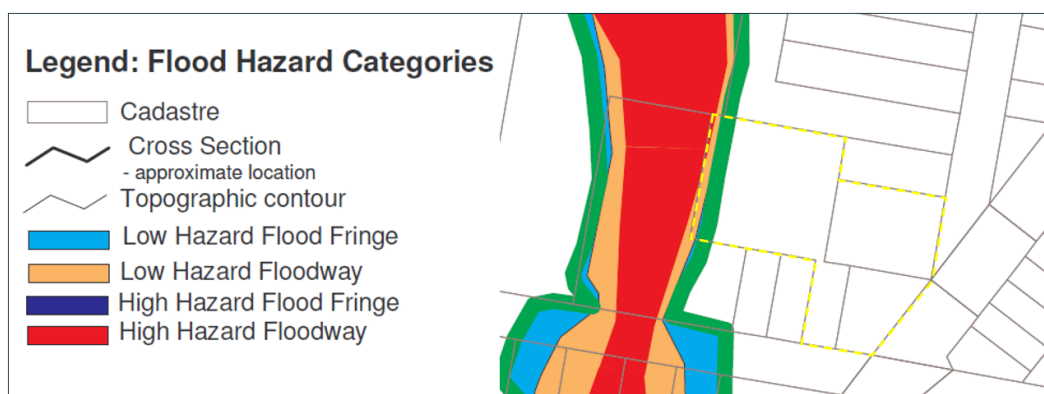


Image 3: Extract of Plan 3, 1% AEP Flood Hazard Map Cowra, Source: Cowra and Gooloogong Floodplain Risk Management Plan.

Clause 7.6 Groundwater vulnerability**Comments:**

The proposed boundary adjustment will not negatively impact groundwater resources or functions. Any future change in the use of the land will be subject to Council approval and connected to reticulated sewer available in William St. 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 is connected and further connections made to Council's reticulated sewer and water network via the community title lot and directly to street frontage. The development can maintain connections and make new connections to the electricity network. Stormwater is and can be drained to Council's stormwater management system in Waratah Street or William Street. Vehicle access to the site will utilise existing vehicle crossings from Waratah Street, Young Road and William Street. The proposed community title lot provides access to proposed community title lots 2-7 utilising an existing vehicle crossing to William Street. No new vehicle crossings are required. The development is consistent with clause 7.8.

There are no other special clauses applicable to the development, which is consistent with the provisions of the LEP without variation.

5.2 State Environmental Planning Policies

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

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

5.2.1 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.

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 that would make it unsuitable for uses permitted in the E4 General Industrial land-use zone. The site is presently used for large vehicle repairs. No change in land use is proposed as part of the boundary adjustment. Therefore no remediation is required. No further investigation is required in accordance with the NSW Managing Land Contamination Planning Guidelines.

5.2.2 State Environmental Planning Policy (Transport and Infrastructure) 2021**Section 2.119 Development with frontage to classified road**

(1) The objectives of this section are—

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and

(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—

(i) the design of the vehicular access to the land, or

(ii) the emission of smoke or dust from the development, or

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

Comments:

Part of the development fronts Young Road which is a classified road. The existing use of the land has existing vehicle access points from Waratah Street, William Street and Young Road. No new vehicle access points are proposed for either the classified road or adjoining local streets. The proposed boundary adjustment and 7 lot community title subdivision will not generate additional traffic movement that would require referral to the roads authority. The development is consistent with the remaining sections of SEPP (Transport and Infrastructure).

(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)

5.3 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.'

Part D Subdivision Development	Applies	Consistent	Variation Proposed
Part D.7 Industrial Subdivision			
<i>D.7.1. Application of this part</i>	Y	Y	N
<i>D.7.2. Objectives</i>	Y	Y	N
<i>D.7.3. Minimum Lot Size Requirement</i>	Y	Y	N
<i>D.7.4. Lot Design</i>	Y	Y	N
<i>D.7.5. Street Design</i>	N	-	-
<i>D.7.6. Access provision</i>	Y	Y	N
<i>D.7.7. Utility provision</i>	Y	Y	N
<i>D.7.8. Stormwater, Drainage and Waterways</i>	Y	Y	N

Part D Subdivision Development	Applies	Consistent	Variation Proposed
<i>D.7.9. Naming of new roads</i>	N	-	-

D.7.1. Application of this part

The development involves subdivision (boundary adjustment) of land in the E4 General Industrial zone. Part D.7 of the DCP is applicable to the development.

D.7.2. Objectives

The boundary adjustment and subdivision will result in 8 separate allotments and one community title lot all of which will be accessed utilising 3 existing lawful vehicle access crossovers. The proposal will result in better planning outcomes for the site and allow for the future development of the site. The development is consistent with the objectives of part D.7 of the DCP.

D.7.3. Minimum Lot Size Requirement

Although not subject to any minimum lot size, the proposed site areas are consistent with the objectives of the zone that allow for the continued and future use of the land. The proposed lot sizes are as follows:

Lot Number	Site Area
Proposed Lot 1	3,672.64 square metres
Proposed Lot 2	3,425.89 square metres
Community Title Lot 1 Common Lot	1062.02 square metres
Community Title Lot 2	887 square metres
Community Title Lot 3	955.55 square metres
Community Title Lot 4	1670 square metres
Community Title Lot 5	1670 square metres
Community Title Lot 6	955.55 square metres
Community Title Lot 7	963.52 square metres

D.7.4. Lot Design

The proposed allotments are generally regular in shape and consistent with the size and shape of the surrounding general industrial allotments. The community title lots are typical of that style of

allotment arrangement.

The large area of vacant land is positioned at the rear of existing allotments. The current access to that area is through what is effectively two other allotments containing existing commercial buildings which is not preferable. The inclusion of a driveway in a community title subdivision is an improved planning outcome. The development on either side of the handle is commercial without any residential component meaning the traffic movements to and from the community title lots will not have a negative impact on neighbouring land uses. The immediately surrounding area comprises of commercial and industrial land uses, making the proposed boundary adjustment and subdivision more appropriate. The proposed allotments are sufficient size to allow manoeuvring of large vehicles within the site to ensure entry and exit of all vehicles occurs in a forward direction. It also allows for a range of future commercial and industrial uses, subject to Council approval. The development is consistent with the lot design requirements.

D.7.6. Access provision

All allotments can utilise existing vehicle crossings from Waratah Street, William Street and Young Road. No new vehicle access points are proposed as part of the proposal.

D.7.7. Utility provision

All allotments can connect/maintain connection to Council's reticulate sewer and water network. All developments can connect/maintain connection to electricity and telecommunications infrastructure. Each allotment can connect to or maintain connection to a water meter.

D.7.8. Stormwater, Drainage and Waterways

Stormwater can be drained to Council's stormwater management system in Waratah Street and William Street.

The development is consistent with the controls contained in Part D of the DCP without variation.

The lot design ensures future development on the site can adhere to the controls contained in the remaining sections of the DCP, particularly as they relate to industrial development and parking.

Part O - Environmental Management

O.1. Flood Risk Management

As previously discussed in this SEE, parts of the western boundary of existing Lot 103 DP 856083 are identified on Cowra's flood planning maps as being located within the area of the west Cowra drain.

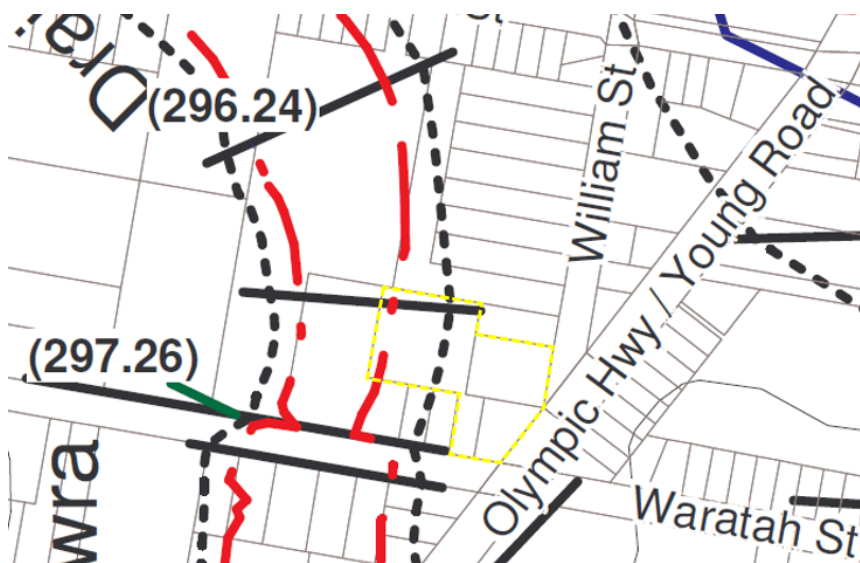


Image 4: Extract from Plan 1 Flood Extents at Cowra showing subject land outlined in yellow. Source: Cowra Floodplain Risk Management Plan.

The development is consistent with the objectives for flood risk management contained in Section O.1.2, in that it does not seek to alter the existing use of the land, therefore avoids any impact of development on the flood behaviour on the land. Any future development on the land can be undertaken outside of the flood planning area and will not result in any additional risk to human life or property as safe egress to William Street, which is outside the flood planning area, can be achieved from all allotments.

Section O.1.7 Land-use permissibility identifies industrial development as Category 4 on the flood planning matrix, which states that “Development permissible, subject to this DCP. Subdivision (to create new lots) not permissible”.

The creation of 9 allotments where there were previously 3, includes improved planning outcomes by creating lawful and practical access to the rear allotments and space for future construction of industrial or commercial development outside the flood planning, does not create any change from the current land use, and any future development on the site can be designed to meet all the requirements of the LEP and DCP.

Effectively, a small portion of the rear of an existing allotment is mapped as being affected by flooding. However, the allotment slopes up away from that flood area. The design of the subdivision divides the allotment affected by flooding in a manner that does not have any impact on flooding whatsoever with ample space in the resulting lots to cater for future development outside the flood area so in effect, the creation of 2 allotments from 1 in the proposed design does not result in any change to the area of land that is affected by flooding, or the area of land that is presently available and will be available for future development. The variation is considered to be minor and justified with no need to alter the proposed design.

The development is consistent with the remaining controls in the DCP without variation.

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

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

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

5.4 Environmental Planning and Assessment Regulation 2021

Part 4 - 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, therefore Clause 61(4) is not applicable (subject to subclause (5)).

The development is not located within the Penrith City Centre.

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.

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.

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.

67 Modification or surrender of development consent or existing use right

Not applicable.

75 Fulfilment of BASIX commitments

Not applicable.

76 Deferred commencement consent

Not applicable.

(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 land is located on the corner of the intersection between Waratah Street, Young Road and William Street in the West Cowra industrial area. The area is characterised by mixed use commercial and industrial land use. The site is currently used as a truck and large vehicle repair station and contains 3 large sheds and 2 smaller sheds. The site currently has vehicular access from Waratah Street, Young Road and William Street.

Access, Transport and Traffic

Vehicle access to the development will be gained by existing vehicle access points from Waratah Street, Young Road and William Street.

Public Domain

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

Utilities

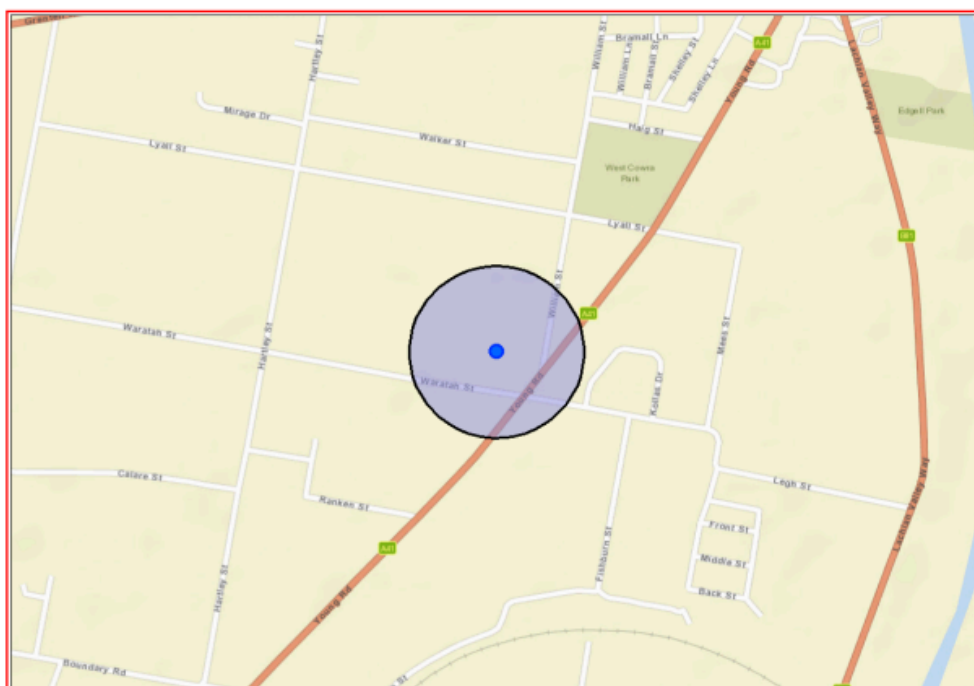
The site is serviced by adequate utilities to cater for the development.

Heritage

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

AHIMS Web Service search for the following area at Address : 32 WARATAH STREET COWRA 2794 with a Buffer of 200 meters, conducted by Beth Johnstone on 01 July 2024.

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



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

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

Water

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

Soils

The development will not have a negative impact on soils.

Air and Microclimate

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

Flora and Fauna

The proposal does not require the removal of any trees.

Waste

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

Energy

Any future development on the site is required to comply with the associated energy efficiency requirements.

Noise and Vibration

No impacts identified.

Natural Hazards

The small portion of the western boundary of proposed community title lots 4 and 5 identified on Council's flood planning maps as previously discussed in this SEE. There is sufficient space on these lots to cater for future development. Inspection of the site and mapping associated with the LEP did not identify the subject land as being subject to bushfire or any other potential hazards.

Technological Hazards

No impacts as previously discussed in this report.

Safety, Security and Crime Prevention

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

Social and Economic Impacts on the Locality

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

Site Design and Internal Design

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

Construction

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

Cumulative impacts

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

(c) the suitability of the site for the development

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

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

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

(e) the public interest

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

6. Conclusion

Through preparation of this SEE, it is confirmed that the development is consistent with all applicable planning controls without variation and is appropriate in scale and design to be carried out 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 general industrial 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 general industrial 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 general industrial 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 mixed commercial and industrial land use and the proposed

development is consistent with the existing character and the proposed surrounding character which is also mixed use.

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

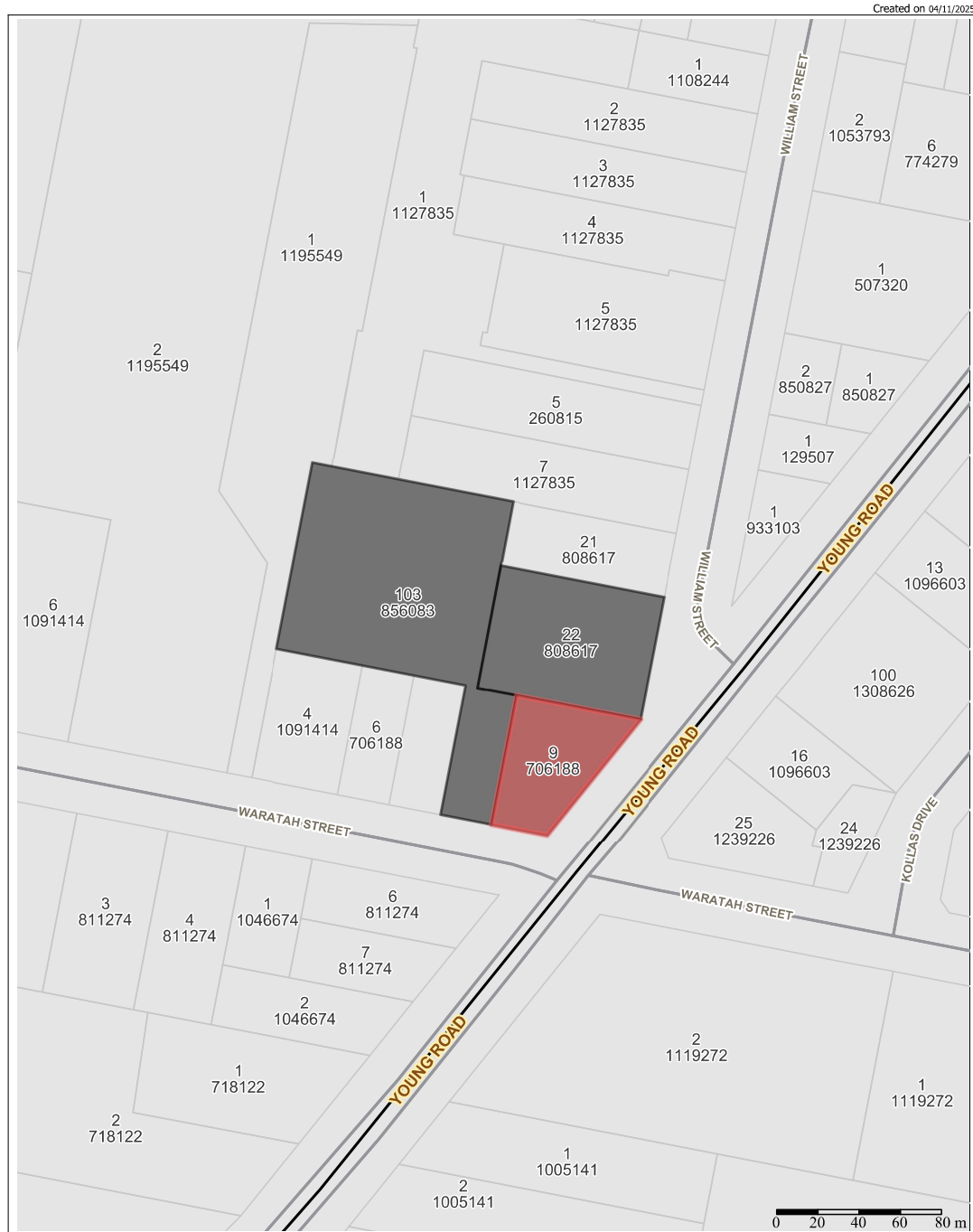
Sample boards are not necessary in this instance.

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.





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Web: www.cowracouncil.com.au

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Drawn By: Cassandra Galky

Projection: # GDA2020 / MGA zone 55

Date: 04/11/2025 11:30 AM

DA 10.2024.75.1 - 32
Waratah Street Cowra

Map Scale: 1:2249 at A4





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Projection: # GDA2020 / MGA zone 55

Date: 04/11/2025 11:32 AM

DA 10.2024.75.1 - 32
Waratah Street Cowra

Map Scale: 1:1799 at A4



20251204
30 September 2025

RECEIVED
Cowra Shire Council
9/10/2025
Plan No: DA 10.2024.75.1

Calare Civil Pty Ltd
ABN 41 050 057 933
170 Rankin Street
Bathurst NSW 2795
58 Main Street
Lithgow NSW 2795

Richard & Virginia Enzerink
c/- Vision Property Development Hub

Attention: Richard & Virginia Enzerink

Dear Richard & Virginia

RE: Flood Impact Assessment - 32 Waratah Street, Cowra

In reference to Council application 10.2024.75.10 and following a review of Councils request letters dated 29/08/2025 & 04/09/2025 we offer the following comments.

It is our understanding from the recommendations set out in the 2006 SMEC report "Cowra And Gooloogong - Floodplain Risk Management Study And Plan - Volume Two - Final Floodplain Risk Management Plan" that Councils Flood Planning Area (FPA) is derived from the designated Flood Planning Level (FPL) for the 1% AEP event for residential & commercial developments plus the horizontal extension of a 500mm freeboard to find the FPA extent.

This has been adopted by Council and is addressed in their DCP under section O 1.5.

For this particular site the 1% AEP flood level as designated by Council is set at RL 296.75m, adding 0.5m freeboard brings it up to RL 297.25m.

It is also our understanding that it is still possible to build within the FPA so long as there is no impact on the flood extents or behaviour of the 1% AEP flood.

From Councils flood maps produced by SMEC we can determine that the 1% AEP event (shown as red dash dot line) only slightly encroaches within the site as per below left-hand image. The right-hand image indicates that the site is within a low hazard flood fringe shown by the light blue in the right-hand image, this indicates that the velocities are low.



1% AEP extents (SMEC Plan 1 2006)



1% AEP Hazard Map (SMEC Plan 3 2006)

Page 1 of 3
Reference 20251204

\\LITHGOWSRV\Projects\2025\20251204 Flood Impact Assessment - 32 Waratah Street, Cowra\Reports & Certificates\20251204-Flood Impact Assessment-GBL-20250930.docx

Tel: (02) 6332 3343

Email: admin@calare-civil.com.au

Web: www.calare-civil.com.au

CIVIL • STRUCTURAL • BUILDING DESIGN

Any earthworks or construction outside of this area will have no detrimental effect on the 1% AEP flood event behaviour regardless of the extent of the FPA as no flood waters will be outside this zone for this specific event.

If this flood event was to be independently modelled it would have to be calibrated to ensure it is consistent with the previous modelling and therefore would produce the same result or would require a first principal review based on the current lay of the land and infrastructure which seems excessive for a development of this nature.

It is noted by this office that current aerial photography shows a major industrial structure on the neighbouring property to the north that appears newer than councils flood mapping and the SMEC Flood Risk Management Plan report.

This structure has been constructed within the adopted 1% AEP flood extent and would have altered the flood behaviour prior to this application, it also indicates a precedence of Councils' acceptance of encroachment within the FPA. This structure appears to have been constructed sometime between 2013 & 2016.



2023

From a review of historic aerial photography, it also appears that the neighbouring land to the west has altered shape since 2006 which may have affected the modelled flowpath.



2006

2013

2016

2021

Given the alterations to the landforms over the 20 years since the report it is the opinion of this office that either Council should consider the proposal with construction outside of the adopted 1% AEP flood extents (low hazard) but within the FPA, or commission an updated flood investigation to include all structures and altered landforms since the previous modelling.

Given the information provided and researched we do not see that the construction of any building or the filling of the site outside of the 1% AEP event would have any impact on the currently modelled flood behaviour.

We trust that this information meets your requirements. Please do not hesitate to contact the undersigned should you require any further information.

Yours Faithfully,
CALARE CIVIL PTY LTD

Grant Lyons

6 LATE REPORTS

7 NOTICES OF MOTIONS

Nil

8 CONFIDENTIAL MATTERS

Nil