
Memorandum of Understanding

Between

Cowra Shire Council

And

Cowra Pistol Club



**Cowra
Council**



Memorandum of Understanding

This document represents an agreement between

Cowra Shire Council (“the Council”)

and

Cowra Pistol Club (“the Pistol Club”)

(“the parties”)

The Parties subject to this agreement

The Pistol Club is a sporting organisation affiliated with the NSW Amateur Pistol Association and Sporting Shooters Association of Australia. The Pistol Club operates a licensed firearms target shooting facility (Pistol Range) on lands owned by the Crown and leased to the Pistol Club by the Council.

The Council is a Statutory Local Government Authority created and empowered under the provisions of the NSW Local Government Act 1993. The Council has land-use planning powers and is undertaking a review of Cowra Local Environmental Plan, which affects land owned by both parties.

Objectives and scope

The review of Cowra Local Environmental Plan (LEP) proposes to rezone land north of the Pistol Club for future residential and public open space use. This land is currently affected by the Pistol Club Safety Zone, necessitating the upgrade of the Pistol Club to remove possible conflict between shooting activities and public recreation and residential activities.

This memorandum of understanding provides an agreement between the Council and the Pistol Club on the responsibilities and undertakings of each party necessary to ensure the continued operation and sustainability of the Pistol Club and the future development of land at Yarrabilly and the Cowra Peace Precinct for residential and public open space use.

The Council and the Pistol Club are in agreement that the Pistol Club should not be adversely impacted in a financial or operational manner due to the proposed LEP or the development of the lands within the Safety Zone for residential and public open space use.

The Council and the Pistol Club are in agreement that the Pistol Range should be preserved in its current location, and should be upgraded to a Full Safety Range so as not to pose a hazard to any person that might occupy land to the north of the Pistol Club as a result of shooting activities undertaken by the lawful users of the Pistol Range.

The Council and the Pistol Club are in agreement that the LEP should proceed to finalisation as a matter of priority, and that it is appropriate for the Minister for Planning & Infrastructure to ‘make’ the LEP on the understanding that all necessary upgrade works will be carried out to the Pistol Club prior to any Subdivision Certificate being issued for residential subdivision at Yarrabilly.

The Council and the Pistol Club are in agreement that public access within the Cowra Peace Precinct should be restricted from areas between the Cowra Pistol Club and residential development at Yarrabilly.

A map showing the location of the Pistol Club, Yarrabilly and the Cowra Peace Precinct as well as the current footprint of the current Pistol Club Safety Zone is included as Attachment A.

The nature of the collaboration

The Council undertakes to:

- (1) Survey the area of land leased by the Pistol Club and produce a plan that can be used to illustrate the maximum development potential of the area as a Pistol Range.
- (2) Seek written advice from the NSW Police Firearms Registry regarding the safety upgrades that would be required to convert the Pistol Range to a Full Safety Range.
- (3) Require a developer contribution equivalent to the cost of any works necessary to convert the Pistol Range to a Full Safety Range prior to the release of any Subdivision Certificate for residential development OR set aside funds to convert the Pistol Range to a Full Safety Range.
- (4) Assist and support the Pistol Club in any applications for grant funds that may be used to improve range safety and to strengthen sustainability of the Pistol Club.
- (5) Cooperate with the Pistol Club in the spirit of this agreement.

The Pistol Club undertakes to:

- (1) Assist the Council in the production of a plan that can be used to illustrate the maximum development potential of the area as a Pistol Range.
- (2) Provide advice, information and expertise to the Council such that an approximate cost of the conversion of the Pistol Range to a Full Safety Range may be accurately calculated.
- (3) Allow the Council to enter the Pistol Club lands for the purposes of survey and inspection as required.
- (4) Support the Council in working towards the finalisation of the LEP without delay.
- (5) Cooperate with the Council in the spirit of this agreement.

Definitions

Unless otherwise specified all references to “the Pistol Range” shall mean the full extent of lands leased by the Pistol Club.

Unless otherwise specified all references to “the developer” shall mean the entity seeking development consent for lands comprising the Pistol Range Safety Zone lands.

Unless otherwise specified all references to the Safety Zone shall mean the area beyond the fenced area of the Pistol Range that is downrange from the firing points and within the danger area template as prescribed by the NSW Police Firearms Registry.

Unless otherwise specified all references to a Full Safety Range shall mean a Limited Danger Area (LDA) or No Danger Area (NDA) range as defined by the NSW Police Firearms Registry.

The term of the agreement

This agreement shall be valid until all upgrade works at the Pistol Club are completed to the satisfaction of the NSW Police Fire Arms Registry and to an extent that allows the Council to issue a Subdivision Certificate for residential subdivision at Yarrabilly.

Organisation and Management

For purposes of this agreement the primary contacts for Cowra Shire Council shall be:

- The General Manager of Cowra Shire Council or his delegate.
- The Mayor of Cowra Shire Council or his delegate.

For purposes of this agreement the primary contacts for Cowra Pistol Club shall be:

- The President of Cowra Pistol Club or his delegate.
- The Secretary of Cowra Pistol Club or his delegate.


Communication and exchange of information


There shall be free and open dialogue between the parties to ensure transparency of dealings in achieving the stated goals. Nothing shall limit the ability of the parties to deal independently with any other party in confidence or otherwise.

Effective dates and signatures

This agreement shall be effective as of 11 SEPTEMBER 2012

Executed by **Cowra Shire Council** on 11 SEPTEMBER 2012




Mayor

Name [please print]

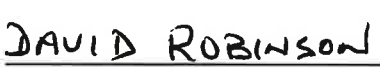



General Manager

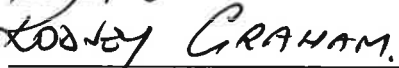
Name [please print]

Executed by **Cowra Pistol Club** on 11 SEPTEMBER 2012



President

Name [please print]



Secretary

Name [please print]