

MINUTES OF THE ORDINARY MEETING OF THE WEDDIN SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, GRENFELL THURSDAY, 15 NOVEMBER 2007 AT 9.00 AM

PRESENT: The Mayor Clr M A Simpson in the Chair, Clrs D W Hughes, N W Hughes, G B Halls, D R Taylor, G A Grimm, J C Niven, R Atchison and G McClelland.
General Manager (T Lobb), Director Corporate Services (G Carroll), Director Engineering (W Twohill) and Director Environmental Services (C Slade).

LEAVE: Clr B Hinde (Res. 252)

APOLOGY: Nil

CONFIRMATION OF MINUTES:

253 **RESOLVED:** Clr D Hughes and Clr N Hughes that the Minutes of the Ordinary Meeting, held on 18 October 2007 be taken as read and **CONFIRMED**

QUESTIONS FROM THE PUBLIC:

Nil

CORRESPONDENCE

SECTION A - Matters Noted.

2. Civil Aviation Safety Authority, E2.1:

254 **RESOLVED:** Clr Taylor and Clr Halls that an inspection be held with the A Wards Councillors and the Director Engineering.

255 **RESOLVED:** Clr Atchison and Clr Grimm that the letters 1-10, in Section A be noted except where otherwise resolved.

SECTION B - Matters referred to Committees

256 **RESOLVED:** Clr Taylor and Clr Niven that the letters 11-17, in Section B be noted except where otherwise resolved.

SECTION C - Matters with Recommendations.

257 **RESOLVED:** Clr N Hughes and Clr Atchison that the recommendations be adopted for letters 18-21, in Section C.

SECTION D - Matters for determination or consideration

22. Department of Local Government, A3.9.3:

Noted

23. Staysafe Committee, T3.7.1:

Noted

MINUTES OF THE ORDINARY MEETING CONT.

24. Grenfell Pre-School and Long Day Care Centre Inc, C1.8.5:

Noted

25. Holy Trinity Retirement Village, Grenfell, C1.1.3/T2.2.93/07:

Clr Simpson declared a conflict of interest as the Chairman of the Grenfell Senior Citizens Welfare Committee and stayed in the room as the matter was not discussed.

Noted

26. Les Hocking, T3.3:

258 RESOLVED: Clr McClelland and Clr Taylor that the matter be referred to the next Traffic Committee meeting and the requirements for a Development Application continue to be investigated.

27. Grenfell Soccer Club, C1.1.3:

259 RESOLVED: Clr McClelland and Clr Atchison that a \$250 discount be granted.

28. The Hon John Cobb on behalf of Senator The Hon Helen Coonan, C1.4.1:

Note: The matter has been referred to the Henry Lawson Festival Committee for their consideration.

29. FEG Entertainment Pty Ltd, T4.5.9:

Noted

30. Greater Western Area Health Service, H1.7.5:

Noted

31. East Trigalana Water Users Group, U1.7.5:

260 RESOLVED: Clr Halls and Clr Taylor that action be confirmed.

32. LGSA, U1.6.1:

261 RESOLVED: Clr McClelland and Clr Atchison that Council contact Central Tablelands Water and endeavour to have Council's name added to their submission.

33. Lachlan Catchment Management Authority, E3.9.2:

262 RESOLVED: Clr Halls and Clr N Hughes that Council accept the offer from the Local Catchment Authority and contact the local bushfire brigades to ascertain their interest in participating in possible events throughout the Shire.

34. Grenfell Junior Cricket Association, P2.1.6:

263 RESOLVED: Clr N Hughes and Clr McClelland that a 50% discount of their annual fee be granted.

MINUTES OF THE ORDINARY MEETING CONT.

35. New South Wales Fire Brigades, E1.4:

264 RESOLVED: Clr N Hughes and Clr Atchison that Council write to the New South Wales Fire Brigade and advise the increase in Councils contribution is above the rate pegging limit.

265 RESOLVED: Clr Atchison and Clr Niven that Section D be noted except where otherwise resolved.

THE GENERAL MANAGER'S REPORT: Was here submitted

1. **Council Salary System, P1.1.3**

Noted

2. **Lake Rowlands Anniversary, U1.6.7**

Noted

3. **Australia Day Ceremonies, C1.4.2**

266 RESOLVED: Clr Taylor and Clr Grimm that Council donate \$250 to the Greenethorpe and Caragabal Hall Committees as well as Quandialla if applicable as a contribution towards their Australia Day celebrations.

4. **December Council Meeting, C2.8.1**

267 RESOLVED: Clr McClelland and Clr N Hughes that the December Council meeting be held on Thursday 13 December 2007, and that other committee meetings be re-scheduled accordingly.

5. **Mid Lachlan Alliance Drought Committee, E3.8.1**

Noted

6. **New Ward Boundaries, C2.1.4**

268 RESOLVED: Clr N Hughes and Clr McClelland that the ward boundaries marked "Mark 3B" be adopted for public exhibition.

7. **Membership of Council Committees, C2.6.1**

269 RESOLVED: Clr Niven and Clr Atchison that Council adopt the distinction of roles as reported and that the report be the basis for a review of Council committees.

8. **Retention of Wards, C2.1.4**

270 RESOLVED: Clr Niven and Clr Grimm that Council explore the possibility of holding a constitutional referendum to abolish the wards with the local government elections in September 2008, and that a decision be made by June 2008.

9. **Annual Report, 2006/2007, C2.3.1**

271 RESOLVED: Clr Halls and Clr Atchison that the Annual Report for 2006/2007 be adopted.

MINUTES OF THE ORDINARY MEETING CONT.

10. Promoting Better Practice Review, C2.3.3, C2.10.8

Noted

272 **RESOLVED:** Clr Atchison and Clr Grimm that Council adjourn for morning tea.

Council adjourned for morning tea: 10.16 am

Council resumed at: 10.37 am

273 **RESOLVED:** Clr Niven and Clr Atchison that Council resume.

274 **RESOLVED:** Clr Grimm and Clr Niven that Standing Orders be suspended and the Auditors presentation be now delivered.

Council's Auditor Mr John O'Malley delivered a power-point presentation in regards to Council's 2006/2007 Financial Statements and answered questions from Councillors.

The Mayor thanked and congratulated Mr O'Malley for his informative presentation.

275 **RESOLVED:** Clr Grimm and Clr Niven that Standing Orders be resumed.

11. Request for Assistance – FEG Entertainment, T4.5.9

276 **RESOLVED:** Clr N Hughes and Clr Halls that Council contribute \$2,875 towards the cost of the water main connection.

Clr Simpson requested that his name be recorded as being against the motion.

12. Christmas Lights Competition, T4.3.1

277 **RESOLVED:** Clr D Hughes and Clr Taylor that \$100 prizemoney to be funded from ward votes be made available for the Christmas lights competitions to be held in the four villages.

13. Making of Rates and Charges – General Rate, R1.4

Noted

278 **RESOLVED:** Clr Atchison and Clr McClelland that except where otherwise dealt with the General Manager's Report be adopted.

THE DIRECTOR OF CORPORATE SERVICES REPORT: - Was here submitted:-

1. Statement of Bank Balances as at 31 October 2007:

Noted

2. Summary of Income for the month of October follows

Noted

3. Roads and Other Expenditure 2007/2008:

Noted

4. Library Development Project, P2.3.5

Noted

5. Debt Recovery – Rates and Debtors, A1.7

Noted

MINUTES OF THE ORDINARY MEETING CONT.

6. **2006/2007 Financial Statements, A1.6**
- 279 **RESOLVED:** Clr Atchison and Clr Grimm that Council formally adopt the Auditors Report and present the 2006/2007 Financial Statements to the public.
7. **Budget Review, 30 September 2007, A1.6**
- 280 **RESOLVED:** Clr N Hughes and Clr Taylor that the budget review for the period ending 30 September 2007 be adopted as presented including the variations therein.
8. **Budget Review Variances - Administration - A1.6** **Noted**
9. **Council's Internal Reserves Review, A1.6**
- 281 **RESOLVED:** Clr Niven and Clr Grimm that:
- i) Council's strategic direction in regard to its financial resources be endorsed.
 - ii) the Director Corporate Services report back to the December 2007 Council meeting outlining a draft reallocation of Councils internal reserves to facilitate the funding of future capital projects and other works.
10. **The Henry Lawson Festival Committee, C2.6.32** **Noted**
- 282 **RESOLVED:** Clr Halls and Clr Taylor that except where otherwise dealt with the Director Corporate Services' Report be adopted.

THE DIRECTOR ENGINEERING'S REPORT: Was here submitted:-

1. **Works Report (4 November 2007)** **Noted**
2. **Parks and Ovals Report** **Noted**
3. **Future Works** **Noted**
4. **Other Works** **Noted**
5. **CENTROC Weight of Loads Group, C2.7.16** **Noted**
6. **Plant Report** **Noted**
7. **Engineers Alliance – Weddin, Forbes, Parkes and Lachlan, C2.9.9** **Noted**
8. **RTA SIM Contract, R2.54.1** **Noted**
9. **New Depot, P2.6.4** **Noted**
10. **Bushfire Management Committee Meeting, E1.3.8** **Noted**

MINUTES OF THE ORDINARY MEETING CONT.

- 11. **Funding for Water Projects, G2.13** Noted
- 12. **East Trigalana Water Users Group, U1.7.5** Noted
- 13. **Budget Review Variances - Engineering - A1.6** Noted
- 14. **Sewerage Treatment Works, S1.1.1** Noted

283 **RESOLVED:** Clr Niven and Clr D Hughes that except where otherwise dealt with the Director Engineering's Report be adopted.

THE DIRECTOR ENVIRONMENTAL SERVICES' REPORT: Was here submitted:-

- A. **Public Health and Environmental Matters.**
 - 1. **Sewerage Treatment Works, S1.1.1:** Noted
 - 2. **Caravan Park Operations, P2.3.3:** Noted
 - 3. **Animal Control, A4.4** Noted
 - 4. **Swimming Pool, P2.3.1** Noted
- B. **Development Applications – Building Matters:**
 - B1. **Development Applications under Delegated Authority** Noted
 - B. **Development Applications for the Consideration of Council**
 - B2. **DA 70/2007 – Mr G McClelland - Conversion of Shed to 1A Dwelling**

Clr McClelland declared a pecuniary interest as the co-owner of the property and left the room.

284 **RESOLVED:** Clr Atchison and Clr Niven that the Development be approved subject to the following conditions:

1. BUILDING

- (1) The development shall be carried out in accordance with the plans as submitted with the Development Application and any supporting documentation, as stamped and approved by Council, except as otherwise provided by conditions of this consent.

Reason: to ensure the development is carried out in accordance with the submitted application as assessed by Council.

2. PRINCIPAL CERTIFYING AUTHORITY

- (1) Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate shall:

MINUTES OF THE ORDINARY MEETING CONT.

- a) appoint a **Principal Certifying Authority** and notify Council of the appointment (if Council is not appointed), and
- b) notify Council of their intention to commence the erection of the building (at least 2 days notice is required).

The Principal Certifying Authority shall determine when **inspections and compliance certificates** are required.

Reason: to ensure compliance with the Environmental Planning and Assessment Act 1979

- (2) A final **Occupation Certificate** must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an occupation certificate, the Principle Certifying Authority must be satisfied that that the requirements of section 109H of the Environmental Planning and Assessment Act 1997 have been satisfied.

Reason: to ensure compliance with the Environmental Planning and Assessment Act 1979

3. CONSTRUCTION

- (1) The builder or person who does the residential building work must comply with the applicable requirements of Part 6 of the Home Building Act 1989.

Reason: to ensure compliance with the Home Building Act 1989

- (2) Before commencement of any work, a sign is required to be erected in a prominent, visible position:
 - stating that unauthorised entry to the work site is not permitted,
 - showing the name of the person in charge of the work site and a telephone number at which that person can be contacted outside working hours, and
 - the house and lot number of the property.

This sign must be removed when the building work has been completed.

Reason: to ensure compliance with the Environmental Planning and Assessment Act 1979.

- (3) In accordance with Clause 3.1.3.2(b) of the Building Code of Australia a durable notice must be permanently fixed to the building in a prominent location, such as a meterbox or the like, indicating:-
 - The method of protection;
 - The date of installation of the system; and
 - Where a chemical is used, its life expectancy, as listed on the National Registration Authority label; and
 - The installer's or manufacturer's recommendations for the scope and frequency of future inspections for termite activity.

Reason: to ensure compliance with the Building Code of Australia

- (4) The dwelling is to be built according to the information supplied in the BASIX Certificate.

MINUTES OF THE ORDINARY MEETING CONT.

Reason: to ensure compliance with the relevant legislation.

4. STORMWATER

- (1) The stormwater is to be discharged at a point not nearer than 3m to any structure.

Reason: to prevent damage to structures and to comply the requirements of the Building Code of Australia.

5. FIRE SAFETY

- (1) An automatic fire detection and alarm system must be installed in a Class 1 building or dwelling under 3.7.2 , Volume 2 of the BCA. This requirement is satisfied by:-

smoke alarms:

- a complying with Australian Standard 3786-1993, and
- b where the building is provided with consumer mains power, connected to the mains and have a stand-by power supply; and
- c installed in suitable locations on or near the ceiling in -
 - i. any storey containing bedrooms -
 - between each part of the building containing bedrooms and the remainder of the dwelling, and
 - where bedrooms are served by a hallway, in that hallway; and
 - ii. any storey not containing bedrooms.

Reason: to ensure compliance with the Building Code of Australia

Clr McClelland returned to the room.

C. Other Matters

1. Caragabal, Quandialla and Grenfell Landfills E3.2.3

Noted

2. Holy Trinity Retirement Village – C1.1.3

Clr Simpson declared a conflict of interest as the Chairman of the Grenfell District Senior Citizens Welfare Committee and left the room.

Clr N Hughes took the chair.

285 RESOLVED: Clr McClelland and Clr Atchison that:-

| | |
|---|-----------------|
| i) Council waive the Development Application Fee | \$428.10 |
| ii) Council waive 50% of the Construction Certificate Fee | \$245.20 |
| iii) Council waive Occupation Certificate Fee of | <u>\$250.00</u> |
| Total | <u>\$873.30</u> |

- iv) statutory levies are to be paid by the Developer/Applicant.

Clr Simpson returned to the room and resumed the chair.

MINUTES OF THE ORDINARY MEETING CONT.

3. **Drummaster Results for Grenfell and Caragabal – May 2007, E3.3.13** **Noted**
4. **Food Premises Inspection Report Update, H1.6.7** **Noted**
5. **State of Environment Report, C2.3.2** **Noted**
6. **Budget Review Variances - Environmental - A1.6** **Noted**
7. **Landscaping at Davies Place – P2.5.3** **Noted**
- 286 **RESOLVED:** Clr Atchison and Clr Niven that except where otherwise dealt with the Director Environmental Services Report be adopted.
- THE LIBRARIAN'S REPORT:** Was here submitted:-
- 287 **RESOLVED:** Clr N Hughes and Clr Atchison that the Librarian's Report be noted.
- THE NOXIOUS WEEDS OFFICER'S REPORT:** - Was here submitted:-
- 288 **RESOLVED:** Clr Halls and Clr Taylor the Noxious Weeds Officer's Report be noted.
- THE CTC CO-ORDINATOR'S REPORT:** - Was here submitted:
- 289 **RESOLVED:** Clr Atchison and Clr Niven that the CTC Co-ordinator's Report be noted.
- THE ECONOMIC DEVELOPMENT OFFICER'S REPORT:-** Was here submitted:
- 290 **RESOLVED:** Clr N Hughes and Clr Niven that the Economic Development Officer's Report be noted.
- THE TOURISM OFFICER'S REPORT:** - Was here submitted:-
- 291 **RESOLVED:** Clr McClelland and Clr N Hughes that the Tourism Officer's Report be noted.
- THE DELEGATES REPORT – CENTRAL TABLELANDS WATER:** - Was here submitted:
- 292 **RESOLVED:** Clr McClelland and Clr Atchison that the Delegates Report be noted.
- MINUTES OF THE HENRY LAWSON FESTIVAL COMMITTEE MEETING:** -were here submitted:-
- 293 **RESOLVED:** Clr D Hughes and Clr Niven that the Minutes of the Henry Lawson Festival Committee Meeting be noted.

MINUTES OF THE ORDINARY MEETING CONT.

MINUTES OF THE ANNUAL GENERAL MEETING OF THE HENRY LAWSON FESTIVAL COMMITTEE MEETING: -were here submitted:-

- 294 **RESOLVED:** Clr D Hughes and Clr Niven that the Minutes of the Annual General Meeting of the Henry Lawson Festival Committee Meeting be noted.

MINUTES OF THE GRENFELL PUBLIC LIBRARY COMMITTEE MEETING: were here submitted:-

- 295 **RESOLVED:** Clr Atchison and Clr N Hughes that the Minutes of the Grenfell Public Library Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

REPORT OF THE WEDDIN SHIRE TOURISM COMMITTEE MEMBERS MEETING: were here submitted:-

- 296 **RESOLVED:** Clr McClelland and Clr N Hughes that the report of the Weddin Shire Tourism Committee members meeting be noted.

MINUTES OF THE HERITAGE COMMITTEE MEETING: were here submitted:-

- 297 **RESOLVED:** Clr N Hughes and Clr Atchison that the Minutes of the Heritage Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

MINUTES OF THE AWARD CONSULTATIVE COMMITTEE MEETING: were here submitted:-

- 298 **RESOLVED:** Clr Grimm and Clr Taylor that the Minutes of the Award Consultative Committee Meeting be noted.

MINUTES OF THE MANEX COMMITTEE MEETING: was here submitted:-

1A Administration

(xi) Rates and Charges

- 299 **RESOLVED:** Clr N Hughes and Clr Grimm that:-
- i) Resolution 692 be rescinded, and
 - ii) WHEREAS a draft management plan incorporating a statement with respect to each ordinary rate and each special rate and each charge proposed to be levied was adopted by Council and advertised in the Grenfell Record newspaper on 23 May 2007 AND THAT after taking into consideration any submissions that have been made regarding the draft management plan prepared and exhibited the Council adopted the management plan on 21 June 2007 IT IS HEREBY RESOLVED THAT ordinary general purpose rates be now made for the year 1 July 2007 to 30 June 2008 on the land value of all rateable land in the Shire in accordance with the categories of rates named and defined as in the Management Plan with the rate name, rate in the \$, base rate, percentage of total yield and rate yield as in the Table following:-

MINUTES OF THE ORDINARY MEETING CONT.

| Rate Name | Ad Valorem Amount Cents in \$ | Base Charge \$ | Base Charge % of Total per category | Rate Yield \$ |
|--------------------------|--|-------------------------------|--|------------------------------|
| Grenfell Residential | 0.7934 | 217 | 48.45 | 437,539 |
| Ordinary Residential | 0.337 | 168 | 35.81 | 65,676 |
| Main Street Business | 1.9518 | 224 | 30.43 | 57,407 |
| Ordinary Business | 1.9518 | 224 | 22.47 | 60,805 |
| Farmland Rate | 0.2802 | 168 | 16.79 | 1,035,065 |
| Bimbi Residential | 0.769 | 62 | 40.22 | 2,466 |
| Caragabal Residential | 1.0284 | 62 | 46.83 | 7,944 |
| Greenethorpe Residential | 0.531 | 62 | 43.15 | 14,943 |
| Quandialla Residential | 1.5190 | 62 | 38.81 | 11,982 |
| Mining | 5.3872 | 540 | - | - |
| Total | | | | 1,693,827 |

300 RESOLVED: Clr Atchison and Clr Niven that the Minutes of the Manex Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

MINUTES OF THE TOWN WORKS COMMITTEE MEETING: were here submitted:-

301 RESOLVED: Clr Niven and Clr McClelland that the Minutes of the Town Works Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

ORDER OF THE DAY

(a) **List of Inspections and Approved Works.**

1 INSPECTIONS AND MEETINGS:

- | | | |
|-----|--|--------------------|
| 1.1 | <u>Forbes National Campervan and Motorhome Rally</u> | Carried Out |
| 1.2 | <u>Payne's Gravel Pit</u> | In Progress |
| 1.3 | <u>Irrigation Pipeline</u> | In Progress |

MINUTES OF THE ORDINARY MEETING CONT.

2. LIST OF APPROVED WORKS:

| | | |
|------|---------------------------------|--------------------|
| 2.1 | <u>Industrial Estate</u> | Carried Out |
| 2.2 | <u>Railway Land</u> | Carried Out |
| 2.3 | <u>Sewerage Treatment Works</u> | In Progress |
| 2.4 | <u>Dalton Street Depot</u> | In Progress |
| 2.5 | <u>New Depot</u> | In Progress |
| 2.6 | <u>Council Committees</u> | Carried Out |
| 2.7 | <u>Bankstown City Council</u> | In Progress |
| 2.8 | <u>School Bush Route Audit</u> | In Progress |
| 2.9 | <u>Replace Carpet</u> | In Progress |
| 2.10 | <u>Irrigation Scheme</u> | In Progress |
| 2.11 | <u>Graffiti/Vandalism</u> | Carried Out |
| 2.12 | <u>Sewerage Treatment Works</u> | Carried Out |

QUESTIONS

- Clr Taylor - advised the Grenfell Lions Club would like to develop the block behind Ryders into a low maintenance park.
→ Mayor advised that a letter to Council from the Lions Club will be required.
- Clr Grimm - advised additional directional signs are required for Bimbi Bridge.
→ Director Engineering to investigate.
- Clr Atchison - advised the steps into Dr Varejka’s surgery require inspecting.
→ Director Environmental Services to investigate.

302 RESOLVED: Clr Atchison and Clr Grimm that Council form a Closed Council to consider the items listed below AND THAT the Press and the public be excluded from the Meeting of the Closed Council because of the confidential nature of the business to be transacted.

CLOSED COUNCIL

GENERAL MANAGER’S REPORT

1. Promoting Better Practice Review, C2.10.8

Reason for confidentiality: as requested by Department of Local Government

303 RESOLVED: Clr N Hughes and Clr McClelland that the draft response to the Department’s draft report be adopted.

304 RESOLVED: Clr Grimm and Clr Atchison that the meeting return to Open Council.

The Mayor here read out the resolution from the Closed Council.

CLOSURE: There being no further business the meeting closed at 12.24 pm

Taken as read and confirmed as a true record this day 13 December 2007.

.....General Manager.....Mayor