



WEDDIN SHIRE COUNCIL

To Avoid Delay when
Replying or Telephoning

Please Quote:

Your Ref:

All Correspondence to be addressed to:
The General Manager
Camp Street or P.O. Box 125
GRENFELL NSW 2810

Tel: (02) 6343 1212
Fax: (02) 6343 1203
Email: mail@weddin.nsw.gov.au
website: weddin.local-e.nsw.gov.au
A.B.N. 73 819 323 291

MINUTES OF THE WEDDIN SHIRE COUNCIL ORDINARY MEETING HELD THURSDAY, 18 FEBRUARY 2010 COMMENCING AT 5.00 PM.

11 February 2010

«Name»

«Title»

Dear «Intro»

NOTICE is hereby given that an **ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF WEDDIN** will be held in the Council Chambers, Grenfell on **THURSDAY NEXT, 18 FEBRUARY 2010**, commencing at **5.00 PM*** and your attendance is requested.

* **Note:** 4.30 pm – presentation by Kath Perry (Cancer Council)

Yours faithfully

T V LOBB
GENERAL MANAGER

BUSINESS

1. APOLOGIES (Note: Clr D Hughes has leave of absence Res. 350)
2. CONFIRMATION OF MINUTES- Ordinary Mtg 21 January 2010
3. QUESTIONS FROM THE PUBLIC
4. DECLARATIONS OF INTEREST
5. CORRESPONDENCE (As per Precipis attached)
6. MOTIONS WITH NOTICE
7. MAYORAL MINUTES
8. REPORTS: (a) General Manager
(b) Director Corporate Services
(c) Director Engineering
(d) Director Environmental Services
(e) Delegates
9. MINUTES - Tourism Ctee Mtg, 9/02/10
- Heritage Ctee Mtg, 9/02/10
- Consultative Ctee Mtg, 10/02/10
- Occupational Health and Safety Ctee Mtg, 10/02/10
- Noxious Weeds Ctee Mtg, 15/02/10
- Manex Ctee Mtg, 15/02/10
- Town Works Ctee Mtg, 15/02/10
10. INSPECTIONS, MEETINGS AND DEFERRED ACTIVITIES
11. TENDERS AND QUOTATIONS
12. QUESTIONS
13. CLOSED COUNCIL
14. REPORT ON CLOSED COUNCIL
15. CLOSURE

This is Page No. 1 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

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

The Mayor on behalf of Council expressed his condolences to Clr Lobb on the recent passing of her mother.

APOLOGY: Nil

(Note: Clr D Hughes has leave of absence Resolution 350)

CONFIRMATION OF MINUTES:

376 RESOLVED: Clr Halls and Clr N Hughes that the Minutes of the Ordinary Meeting, held on 21 January 2010 be taken as read and **CONFIRMED.**

QUESTIONS FROM THE PUBLIC

Council has resolved that a ten minute "question time" be allowed at the beginning of each meeting, where members of the public can put their concerns before Council for discussion on the following basis:

- Requests to speak to be submitted in writing at least ten (10) days prior to the meeting.
- Requests to be accompanied by a copy of any questions.
- Each speaker to be allowed three minutes.

The following requests have been received:-

Nil

This is Page No. 1 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

DECLARATIONS OF INTEREST

A Declaration of Interest form has been forwarded with the Business Paper, for completion prior to the meeting.

Completed forms may be declared and handed in at this point.

Declaration forms were submitted as follows:-

Councillor	Item No.	Nature of Interest	Type	Left the Room
Clr M Simpson	General Manager's Report - Item 5	Rotary Member , PDG	Non Pecuniary Not significant	No Reason: Ordinary member only 20 yrs since PDG
	Correspondence C2	Member of Festival Committee	Non Pecuniary Not significant	No Reason: Ordinary member only
	Correspondence C7	Past Secretary, Life Member of Club	Non Pecuniary Not significant	No Reason: No association for 20 yrs
Clr B Hinde	Correspondence C7	Go Kart Club Life Member	Non Pecuniary Not significant	No Reason: No official position
Clr G Halls	Director Corporate Services Report – Item 7	Close association with running of Caragabal Country Club	Pecuniary	Yes
Clr N Hughes	General Manager's Ordinary Report – Item 5	PDG, Member	Non Pecuniary Not significant	Yes
Clr G McClelland	General Manager's Report – Item 1	Real Estate Agent	Pecuniary	Yes
	Notice of Motion	Real Estate Agent	Pecuniary	Yes
	Director Environmental Services Report – DA 53/2009	Neighbouring Landowner	Non Pecuniary Not significant	No Reason: Adjoining landowner only
Clr C Lobb	Director Environmental Services Report – DA 24/2009	Real Estate Agent	Pecuniary	Yes
	Mayoral Minute - Item 1	Wife of General Manager	Pecuniary	Yes
	The General Manager's Report – Item 5	Wife of General Manager	Pecuniary	Yes

This is Page No. 2 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010**.

..... General Manager Mayor

SUMMARY OF CORRESPONDENCE TO BE PRESENTED TO THE ORDINARY MEETING OF THE WEDDIN SHIRE COUNCIL HELD, 18 FEBRUARY 2010.

CORRESPONDENCE

1. Local Government and Shires Association, A3.8.2: Advising that Murray Shire Council has approached the Associations for assistance with legal costs in litigation in which it has been involved.

Murray Shire Council (the Council) approved a development application by KSK Development Pty Ltd for a tourist development at Moama on the 6 February 2001 subject to conditions. The Land and Environment Court found in favour of the third party objector and deemed that the development consent was invalid.

The applicant filed Class One proceedings in the Land and Environment Court to challenge the condition requiring the 60 metre setback from the high bank of the river.

A judgement was handed down on 6 April 2009 in relation to the preliminary question of law in the Class 1 proceedings. The Court reasoned that the "bank" must therefore be identified as a single point.

Council state that this was a "test case" whereby the outcome has been of benefit to all councils. The Joint Committee of the Associations have considered the significance of this decision and it was decided that it was sufficiently important to all Councils to warrant the giving of support.

The Council incurred the sum of \$34,657.83 in defending its position. Your Council's proportion of this amount, calculated in accordance with the formula used to determine your Association fees, is \$114.51.

Note: this case has little relevance to this shire but Council has generally supported similar requests.

RECOMMENDATION: that the request for assistance be approved.

377 RESOLVED: Clr Atchison and Clr Niven that the request for assistance be approved.

2. The Henry Lawson Festival of Arts, C1.4.1: Thanking you for the Council's generous sponsorship of the Festival Art Competition in 2009. It is through such support that our festival has been held successfully for fifty two years.

The Festival would like to once again request Council's support in 2010 by sponsoring the Acquisitive Prize of \$1,000.

Note: Council's sponsorship has continued unchanged since 2003 and it is now quite common for the price of some entries to exceed \$1,000.

RECOMMENDATION: that the requested sponsorship be approved in the amount of (say) \$1,500.

This is Page No. 3 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

Clr M Simpson previously submitted a written declaration of interest and stayed in the room.

378 RESOLVED: Clr McClelland and Clr Atchison that sponsorship be approved in the amount of \$1,500.

3. Country Energy, C2.8.1: Concerning the May meeting to be held on 20 May 2010 and requesting 30 minutes (including question time) to provide an update on all Country Energy activities in the local shire.

RECOMMENDATION: that the request be approved.

379 RESOLVED: Clr N Hughes and Clr Atchison that the request be approved.

4. Cabonne Council, T3.6.1: Thanking you for your Council's support in relation to the RTA proposal to reduce the speed limit on the Cargo Road back to 80 km/h. I advise that a public meeting was held in Cargo on Thursday 28 January.

We would be pleased if you could bring the outcome of the meeting to the attention of your Council and seek your Council's endorsement and/or comments in relation to the resolution which was carried at the meeting.

Copy forwarded to Councillors

380 RESOLVED: Clr Atchison and Clr Crutcher that Council endorse the resolution as requested.

5. Central Tablelands Water, S1.4.7/U1.6.7: Concerning the Grenfell Sewer Contributions Plan.

Copy forwarded to Councillors

Noted

6. Annabel Nowlan and Margaret Nowlan – Jones, H2.5.2.7: Advising we are withdrawing our application for funding from the Weddin Shire Council for repair work to the Bimbi Post Office.

Copy forwarded to Councillors

Referred to Heritage Committee

Noted

7. Grenfell Kart Club, C1.2.5: Writing to enquire whether the Weddin Shire Council might be able to assist the Grenfell Kart Club with an interest free loan.

Copy forwarded to Councillors

Clr Simpson and Clr Hinde previously submitted written declarations of interest and stayed in the room.

This is Page No. 4 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

- 381 RESOLVED:** Clr N Hughes and Clr Atchison that the request be agreed to “in principle” subject to adequate security, 12 months interest free and interest repayments being negotiated.
- 382 RESOLVED:** Clr Atchison and Clr Niven that the Correspondence be noted except where otherwise resolved.

This is Page No. 5 of the Minutes of the Ordinary Meeting of
Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

SUMMARY OF LATE CORRESPONDENCE TO BE PRESENTED TO THE ORDINARY MEETING OF THE WEDDIN SHIRE COUNCIL HELD 18 FEBRUARY 2010

RECOMMENDATION:

It is recommended that the late correspondence be received and dealt with because of the urgency of the matters.

383 RESOLVED: Clr Halls and Clr Niven that the late correspondence be received and dealt with because of the urgency of the matters.

8. Andrew Pritchard-Langham, P2.5.4: Advising I would like to purchase Lot 12 (1358 m²) as well as Lot 11 (2000 m²) if available as I feel I could use extra land.

Note: Mr Pritchard-Langham was an applicant for industrial land at Councils 2009 Open Day.

Recommendation: that the request be approved under the same terms as previously agreed.

384 RESOLVED: Clr Halls and Clr Lobb that the request be approved under the same terms as previously agreed.

9. Telstra, U1.2.2: Concerning the payphone review that I have recently completed in the Weddin Shire Council.

The results of the review have been finalised with the following outcomes:-

<u>Cabinet Id</u>	<u>Street Name</u>	<u>Locality</u>	<u>ReviewOutcome</u>
02634711X2	CALDWELL ST	BIMBI	Sticker for public consultation/removal
02634314X	SOUTH ST	GRENFELL	Sticker for public consultation/removal
02634750X2	WYALONG ST	CARAGABAL	Upgrade cabinet

Telstra invites submissions from council and your LGA community on any proposed payphone removals by 14 April.

In recent times, Telstra has upgraded the payphones in both small villages of Quandialla and Greenethorpe.

385 RESOLVED: Clr Lobb and Clr Atchison that Council write a letter to Telstra supporting the retention of the payphone at Bimbi on the grounds of security.

10. ERM Power, U1.5.1: Advising it is not yet able to meet with Weddin Shire to discuss the proposed Young to Wellington gas pipeline.

It is expected that the final environmental application response will be submitted in April 2010 after which it should be available for public consultation.

This is Page No. 6 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

Therefore, I suggest that the earliest period at which ERM can meet representatives of the Weddin Shire would be in May/June 2010.

386 RESOLVED: Clr McClelland and Clr Hinde that staff arrange to meet with ERM Power and Central Tablelands Water be invited to attend.

11. Grenfell Picnic Race Club, C1.2.3: Advising it will be holding a race meeting on April 10, 2010 at the Grenfell Race Course.

We are hoping that the council will be able to assist our club by placing rubbish bins on the day prior to our meeting and collecting rubbish bins the day after the meeting at the Grenfell Race Course.

I recently attended the Bedgerabong Picnic Race meeting and noted in the race book that the Forbes Council paid for the hire of the Jumping Castle. We currently hire this equipment and the merry-go-round from the Grenfell Lions Club for a fee of \$250.00. We would appreciate any financial assistance in the hire of this equipment as we offer this service free of charge to the children of the Grenfell Community.

387 RESOLVED: Clr Crutcher and Clr Hinde that Council assist with the rubbish bins as requested and donate \$250 towards the race meeting.

388 RESOLVED: Clr Atchison and Clr Niven that the Late Correspondence be noted except where otherwise resolved.

NOTICE OF MOTIONS

1. Grenfell Sewer Contribution Plan, C2.8.1

We the undersigned hereby give notice of our intention to move the following motions at the January Council Meeting:-

i) Notice of Motion

“that resolution 333 be rescinded”.

Clr McClelland previously submitted a written declaration of interest and left the room.

Clr Crutcher declared a non-pecuniary interest as he is related to Clr McClelland and left the room.

During discussion Clr Niven was requested by the Mayor to withdraw remarks about the General Manager but refused. The Mayor then called for a motion of expulsion.

389 RESOLVED: Clr N Hughes and Clr Atchison that Clr Niven be expelled for the duration of this item.

390 RESOLVED: Clr N Hughes and Clr Atchison that resolution 333 be rescinded.

ii) New Motion (if the motion above is passed):

“that the Grenfell Sewer Contributions Plan be maintained unchanged”.

Signed: _____ Clr Nevin Hughes

_____ Clr Bill Atchison

_____ Clr Chris Lobb

Note: Resolution 333 is as follows:-

“that the current Sewerage Contribution Plan be amended to allow three developments per application fee.”

Comments by General Manager:

1. My report Item 1 to Council’s January Meeting refers.
2. The Mayoral Minute to Council’s January Meeting also refers.

This is Page No. 8 of the Minutes of the Ordinary Meeting of
Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

391 RESOLVED: Clr N Hughes and Clr Atchison that the Grenfell Sewer Contributions Plan be maintained unchanged.

Clr N Hughes and Clr Atchison requested a division, as follows:

For:Clr Simpson, Clr N Hughes, Clr Atchison and Clr Lobb.

Against: Clr Halls and Clr Hinde.

Clr McClelland, Clr Crutcher and Clr Niven returned to the room.

This is Page No. 9 of the Minutes of the Ordinary Meeting of
Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

11 February 2010

Councillors
Weddin Shire Council
GRENFELL NSW 2810

Dear Councillors

I wish to report as follows: -

1. Contract for General Manager, P4.10041

Council resolved at its November Meeting to offer reappointment to the General Manager. The remuneration package was approved at Council's December meeting.

The offer has been conveyed to the General Manager together with a draft contract based on the Standard Contract of Employment for General Managers of Local Councils in NSW, as required by the Division of Local Government.

The General Manager has signed the contract which now needs to be formally approved by Council.

RECOMMENDATION:

It is recommended that the General Manager's contract be signed under seal of Council.

Clr Lobb previously submitted a written declaration of interest and left the room.

392 RESOLVED: Clr Atchison and Clr N Hughes that the General Manager's contract be signed under the seal of Council.

Clr Lobb returned to the room.

This is Page No. 10 of the Minutes of the Ordinary Meeting of
Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

11 February 2010

The Mayor and Councillors
Weddin Shire Council
GRENFELL NSW 2810

Dear Councillors

I wish to report as follows: -

1. Grenfell Sewer Contributions Plan, S1.4.7

My report to Council's January Meeting refers.

In my comments under "Other Considerations" I stated:-

"the General Manager of Central Tablelands Water advises that all new subdivisions are required to pay the water contribution of \$8,085 per lot without exception,"

Clr Hinde stated that this statement was untrue and that the development in Grafton Street had not been charged this amount.

In response to my request to clarify this matter, the General Manager of Central Tablelands Water has forwarded a letter dated 8 February and a copy of this letter has been forwarded to Councillors (correspondence item 5).

Comments on the letter are as follows:-

- a) clause 1 refers to the statement in my previous report,
- b) the full charge has not been applied as Central Tablelands Water has accepted Mr Mawhinney's statement that he was not subdividing the land,
- c) the alternate subdivision contribution in the penultimate paragraph has apparently been calculated on the basis that the lot sizes are less than 450m²: the actual sizes range between 468m² and 525m².

For Information

Clr McClelland previously submitted a written declaration of interest and left the room.

Clr Crutcher declared a non-pecuniary interest as a relative of Clr McClelland and left the room.

Noted

Clr McClelland and Clr Crutcher returned to the room.

2. Code of Conduct Training, C2.2.4

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..... General Manager Mayor

THE GENERAL MANAGER'S ORDINARY REPORT

Council resolved to defer this training until early 2010. Council also resolved to include the members of the Conduct Review Committee pool.

In view of recent events, it is considered preferable that it be conducted by an external person and enquiries are in hand for a suitable presenter.

At this stage Clr D Hughes will be absent until mid March and a date will be arranged when all Councillors can attend.

For Information

Noted

3. Review of Code of Meeting Practice, C2.4.2

After consideration of the Division of Local Government's updated Meeting Practice Note, Council resolved at its December meeting as follows:-

“that:-

- i) Council adopt the draft amendments of the Code of Meeting Practice as listed in the Summary of Changes, and;*
- ii) the amended Code be placed on public exhibition, and;*
- iii) the amended Code be considered for adoption at a future meeting after consideration of any submissions from the public.”*

The draft amended Code has been exhibited as required and no submissions were received.

Some Councillors have queried whether mobile telephones are permissible within a meeting. Section 71 of the Code prohibits the use of a tape recorder unless approved by Council, and defines it as including “a video camera or any electronic device capable of recording speech”. This would include most modern mobile telephones and derivatives.

Council may wish to consider also prohibiting the use of these types of devices for any purpose by Councillors, staff or the public, unless authorised by Council.

This could be done by an additional sub-clause as follows:-

- “(5) The use of mobile telephones and other similar devices for any purpose is not permissible at a meeting of Council or a Council committee, unless otherwise authorised by the meeting”.*

RECOMMENDATION:

It is recommended that:-

- a) Council consider any further amendments to the draft Code,
- b) the draft Code (as amended) be adopted by Council.

393 RESOLVED: Clr N Hughes and W Atchison that the draft Code be adopted by Council.

4. Rail Branch Lines, T3.8.5

This is Page No. 12 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

Previous reports refer.

With the active assistance of Mick Veitch MLC and Gerard Martin MLA, the five councils have been granted a meeting the Minister for Transport on Wednesday 24 February 2010, to present the consultant's final report on the reopening of the lines.

The report identifies the need for further investigation in some areas and these issues will continue to be addressed by the five councils in consultation with the Minister and the Department.

Presentation of the report to the Federal Minister for Transport is also under consideration.

Noted

5. Community Building Partnerships Grants, G2.11.4

Council resolved at its July 2009 meeting to apply for a \$10,000 grant for playground equipment at Rotary Park. However this application was unsuccessful as was an application by the Dramatic Society for an upgraded toilet block at the Rose Street rooms.

Applications which were successful were:-

Grenfell Junior Soccer Association	\$30,000
Grenfell Rugby Club	\$15,000

Katrina Hodgkinson's office advises that only one other council in her electorate received a larger total grant.

The non-approval of the playground equipment grant will mean a change to the joint project with the Rotary Club, and a further report will be submitted in this regard.

Note: The General Manager declares a pecuniary interest in the item as an office bearer of the Grenfell Rotary Club.

For Information

Clr N Hughes and Clr Lobb previously submitted written declarations of interest and left the room.

Clr Simpson previously submitted a written declaration of interest and stayed in the room.

Noted

Clr N Hughes and Clr Lobb returned to the room.

This is Page No. 13 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

6. 2010/2011 Management Plan, A3.4

The annual draft Management Plan is normally presented to Council's May Meeting (20/05/10) and submitted for adoption at Council's June Meeting (17/06/10). There is a four week gap between the May and June meetings and an Extra-ordinary meeting in June may be necessary if the statutory four weeks public exhibition period cannot be complied with.

It has been customary to hold a special meeting in early April to determine priorities for various works and programmes, and to give staff time to prepare the estimates and the draft Management Plan. Last year this meeting was held on 6 April 2009.

This year however, Easter occurs early in April and the most suitable date may be Monday 29th March.

RECOMMENDATION:

It is recommended that:

- i) Councillors advise the General Manager as soon as possible of any new projects for consideration,
- ii) a date be determined for an Extra-ordinary Meeting commencing at 6.00 pm to consider priorities for 2010/2011 Management Plan.

394 RESOLVED: Clr Atchison and Clr Crutcher that:

- i) Councillors advise the General Manager as soon as possible of any new projects for consideration.
- ii) the Extra-ordinary meeting to consider priorities for the 2010/2011 Management Plan be held on Monday 29th March 2010 at 6.00pm.

7. Meeting with Greater Western Area Health Service, H1.7.10

My report item 7 to Council's January Meeting refers.

A further meeting was held on 10 February and was attended by Katrina Hodgkinson MLA, Council's executive and representatives of Greater Western Area Health Service and the Division of General Practice.

Discussion took place on the following matters:-

- Greater Western Area Health Service are still prepared to negotiate with Dr AlBadran to facilitate his return to work,
- Greater Western Area Health Service would not approach Dr AlBadran until he had completed his current study programme,
- Grenfell was considered big enough to be a three doctor town,
- accredited accommodation would be required for a third doctor,
- Greater Western Area Health Service could provide initial accommodation at the hospital but a longer term option would be required,
- an intensive advertising campaign would commence by Greater Western Area Health Service,
- Grenfell was not a declared "area of need" or a "district of workforce shortage" which are advantageous in placing prospects,

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..... General Manager Mayor

THE GENERAL MANAGER'S ORDINARY REPORT

- it was more likely that any prospect would require on – site supervisor and separate premises would be a problem,
- Council may be requested to assist with advertising,
- recruitment agencies can be effective, cost approximately \$30,000, payable on appointment,
- the ability of non-VMO doctors to attend the aged care section of the MPS was still to be determined.

It was agreed that Greater Western Area Health Service would liaise with the General Manager on the draft advertisement and would inspect local premises for suitability.

The next meeting will be held on 25 March 2010.

For Information

Noted

8. Integrated Planning and Reporting A3.4.10

The Division Local Government has now released the guidelines and the reference manual for the new Integrated Planning and Reporting system which will see the integration of the Management Plan, Social Plan, the LEP, the Asset Management Plan and the Annual Report as well as other documents.

Training courses are being arranged by the Division of Local Government, the LGSA and other bodies. Whilst the assistance of consultants will be helpful for certain parts of the work, much of it will fall to staff to do as time permits.

Further reports will be submitted to initiate the process, and workshops may be beneficial on occasions to address certain aspects of the program. Public consultation will play a large part.

A copy of the guidelines is being forwarded to all Councillors. The manual is a large document but may be perused if desired.

For Information

Noted

395 RESOLVED: Cllr Atchison and Cllr Halls that except where otherwise dealt with the General Manager's Report be adopted.

T V LOBB
GENERAL MANAGER

This is Page No. 15 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

The General Manager
Weddin Shire Council
GRENFELL NSW 2810

Dear Sir

I wish to report as follows: -

1. Statement of Bank Balances as at 31 January 2010:

Bank Account	
Westpac	<u>\$285,435.99</u>
Investments	
LGIS	
Total Investments	<u>\$3,500,000.00</u>

CERTIFICATE OF RECONCILIATION

I certify that the Cashbook for each Bank Account has been reconciled with the appropriate Bank Statement as at 31 January 2010.

The investments shown above are made with the Local Government Investment Service. I certify that these investments have been made in accordance with the Local Government Act, 1993, the Regulations and Council's investment policies.

For Information
Noted

2. A Summary of Income For The Month of January follows:

Rates Receipts	15,319.43
Accounts Receivable	83,521.35
Government Grants	23,918.00
Agency Collections	4,297.63
Caravan Park Fees	5,256.00
Grenfell Baths Entry Fees	4,230.70
Interest on Investments	18,458.91
Other Income	7,754.34
Total	<u>\$162,756.36</u>

For Information
Noted

3. Roads and Other Expenditure 2009/2010:

Following are the up to date maintenance figures as at 31 January 2010.

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..... General Manager Mayor

THE DIRECTOR CORPORATE SERVICES' ORDINARY REPORT

ITEM	VOTE	EXPENDITURE
Rural Roads Maintenance	541,565	327,633
Grenfell Town Streets Maintenance	161,993	91,172
Village Maintenance - Caragabal	6,000	4,286
Village Maintenance - Greenethorpe	6,000	2,284
Village Maintenance - Quandialla	6,000	6,313
Garbage/Recycling Collection	92,400	40,764
Greenethorpe Collections	8,500	4,045
Trade Waste Collection	23,000	6,980
Grenfell Waste Depot Manning/Plant Hire	84,000	46,080
Tips Working Expenses	29,000	22,608
Noxious Plants	74,000	23,804
Parks & Gardens	178,028	120,944
Library Expenditure	110,755	61,882
Baths Income	-22,000	22,188
Baths Expenditure	106,514	61,328
Caravan Park Income	-32,000	37,318
Caravan Park Expenditure	64,691	37,602

RTA GRANT WORKS

DESCRIPTION	VOTE	EXPENDITURE
2009/10 State Roads (SH 6) Maintenance	200,000	81,038
2009/10 National Roads (SH 17) Maintenance	200,000	30,865
2009/10 State Road (SH6) Ordered Work	210,000	178,691
2009/10 National Road (SH17) Ordered Work	210,000	102,786
2009/10 Regional Roads Block Grant	425,000	196,572
2009/2010 REPAIR Program MR398	300,000	245,834
3 x 3 Program - MR 398	68,000	8,088

2009/2010 Rural Local Roads	VOTE	EXPENDITURE
Maintenance general	22,000	22,891
Reseals	99,000	33,119
Caragabal - Quandialla	33,000	2,970
Gerrybang Road	64,000	5,760
Pinnacle Road	67,000	105,972
Driftway Road	90,000	114,071

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..... General Manager Mayor

THE DIRECTOR CORPORATE SERVICES' ORDINARY REPORT

Grenfell Streets Construction	39,000	36,851
Grenfell Kerb and Gutter	29,000	12,521
Grenfell Streets - Footpaving	33,000	24,923
Warraderry Street Drainage	111,000	9,990
Reconstruct Village Streets	5,864	527
Taylor Park Playground Equipment	9,000	9,988
Manganese Road Drainage	27,000	32,389
Burrett/Vaughn Streets	5,000	450
Gravel Resheeting	110,000	57,597
Overexpenditure 2008/2009	53,096	53,096
Total	796,960	523,115

2009/2010 Roads to Recovery	VOTE	EXPENDITURE
Grenfell Reseals	80,000	10,561
Gerrybang Road	122,000	93,211
Rural Roads Reseals	120,000	19,972
Old Young Road	128,876	123,150
Total	450,876	246,894

For Information

Noted

This is Page No. 18 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010**.

..... General Manager Mayor

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

Reference is made to the report to the January 2010 Council meeting advising of the status of debt recovery in regard to rates and debtors.

As reported to the January meeting the debt recovery process is ongoing and a new round of debt recovery for both debtors and rates has commenced which is following the same debt recovery process as has previously occurred.

Twenty five (25) Statement of Liquidated claims or summonses have been served for outstanding rates. There has subsequently been twenty (20) responses from these debtors who have made arrangements to pay the rates off over an agreed period of time. Judgement on the debtors who have not responded will now be obtained before proceeding with further legal action.

The sale of land for overdue rates will be conducted in 2010.

For Information

Noted

5. Open Day/Market Day/Country Week Review, T4.3.7

Reference is made to my report to the January 2010 Council meeting advising that it is planned to conduct a debriefing session at the Council Chambers to review the above events.

At this stage a tentative date for the session to be held is Friday, 5th March 2010 at 7.30 am.

This date will need to be confirmed to allow an agenda to be developed and invitations issued.

RECOMMENDATION:

For Council's Consideration

396 **RESOLVED:** Clr Niven and Clr Halls that the debriefing session be held on Friday 5 March 2010 at 7.30am.

6. Taxi Service, T3.6.3

Mr Jack Grogan's lease of the taxi service expires on the 17 March 2010.

Mr Grogan has formally advised he does not wish to renew the lease when it expires and in this regard it is proposed that it be advertised.

Mr Grogan has provided a very good service to the residents of the Shire during the term of his lease. In this regard it is proposed to forward a letter of thanks to Mr Grogan for the service he has provided.

RECOMMENDATION: that Council:-

- a) advertise the taxi lease,
- b) forward a letter of thanks to Mr Grogan for the very good service he has provided to the residents of the shire as taxi operator.

397 RESOLVED: Clr Lobb and Clr N Hughes that Council:

- a) advertise the taxi lease,
- b) forward a letter of thanks to Mr Grogan for the very good service he has provided to the residents of the shire as taxi operator.

7. Caragabal Country Golf Club Loan, C1.2.9

As Councillors may be aware Council previously loaned the Caragabal Country Golf Club \$20,000 to assist them in the installation of a synthetic bowling green.

The Caragabal Club have accelerated their repayments and have subsequently repaid the \$20,000 principal amount. The Club has now written to Council requesting that the interest be waived or the amount be recalculated as they have paid the interest off ahead of schedule. The amount remaining on the deferred debtor account is \$1,843.93 which is the amount of interest to date.

While it is certainly commendable and appreciated the Club has repaid the money ahead of schedule the amount remaining on the deferred debtor account of \$1,843.93 should be paid for the following reasons:-

- the Club was granted the first repayment amount interest free which is equivalent to \$1,300.00
- the interest rate of 6.5% charged in subsequent years was very generous
- the Club will save \$837.25 in interest repayments by having repaid the loan ahead of schedule.

RECOMMENDATION: that Council advise the Caragabal Country Golf Club that the accelerated repayment of the loan is commendable and appreciated however due to the concessions already granted to the Club the outstanding interest amount of \$1,843.93 remains.

Clr Halls previously submitted a written declaration of interest and left the room.

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..... General Manager Mayor

RESOLVED: Clr Niven and Clr N Hughes that Council advise the Caragabal Country Golf Club that the accelerated repayment of the loan is commendable and appreciated however due to the concessions already granted to the Club the outstanding interest amount of \$1,843.93 remains.

Clr Halls returned to the room.

8. Grenfell Library, C2.6.29

Activities by the Librarian over the last month include the following:-

- Twenty-seven children registered for the Summer Reading Club. Twenty-one met the challenge of reading ten books and a further two read six books. Five craft sessions were offered over three Thursdays in January in association with the Summer Reading Club and attracted an average attendance of five children. The Grenfell Record provided very good coverage including photos. Copies of the reports have been sent to the State Library.
- To date approximately forty five people have registered for the Family History Research Seminar to be held on 20th February. It is anticipated the final number will exceed fifty which is a pleasing response. The Friends of Grenfell Library are providing morning and afternoon tea.
- The subscription to Ancestry.com has attracted its first user.
- The Annual Report for 2009 has been compiled and a copy is available to Councillors upon request.

For Information
Noted

9. Economic Development, C2.6.21

Council's Economic Development Manager has been involved in the following activities:-

- Council's Economic Development Strategy review in progress. Ian Mackay from Cre8 Community Growth and Development advised he will conduct a community consultation meeting in Grenfell on 10 March 2010.
- Mr Peter Gordon from the BEC has resigned and other alternate speakers will be sourced for breakfast sessions as well as one on one sessions. The next GBDC breakfast session will be held on 15th April 2010 and the guest speaker will be Mr Bruce Buchanan. The topic will be the '7 habits of highly effective people'.
- The Communities in Transition Community Economic Development Conference will be held in Broken Hill from the 4-6 May 2010.

For Information
Noted

10. Tourism/Promotions, C2.6.2

Council's Tourism Manager has been involved in the following activities:-

- Sending all bird groups in Australia invitations and flyers to encourage them to visit the Weddin Shire. A bird fair will be held at Leeton in September 2010.
- The Weddin Shire Tourism brochures are currently being distributed to surrounding areas. Excellent feedback received.

This is Page No. 21 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

THE DIRECTOR CORPORATE SERVICES' ORDINARY REPORT

- The regional funding application for \$500,000 for the Gold Trail Project was unsuccessful. Meeting held in Yass to discuss future direction. Feedback has been received and application to be resubmitted.
- Awaiting further information on the "Embrace the Lachlan" tourism proposal.
- The Henry Lawson Bust project is progressing with the contractor expected to commence in the near future.
- Quote accepted for "Information Bay" signage from Civic Guide. Signage currently being ordered.
- The "What's On in Grenfell" newsletter for February/March has been forwarded to recipients on the mailing list.
- Australia Day went very well.
- Approach from Forbes and Cabonne Shires to establish a Ben Hall Trail within the region. Submitted to Tourism Committee for consideration.

For Information
Noted

11. Grenfell Internet Centre, C2.6.28

Council's Internet Centre Manager has been involved in the following activities:-

- Currently developing other income streams such as designing and printing funeral service booklets and various cards.
- Tech Talk articles submitted in the Grenfell Record on a regular basis. An article on virus protection published in January and an article on choosing a GPS will be published in February. They are being well received by the public.
- Seniors Week classes planned for 23 – 26 March.
- Window displays addressed and constantly changing.
- A flyer mail out to households promoting the services available conducted. Still resulting in improved daily custom. Further mail out being considered.
- Visiting local businesses to discuss services available at the Internet Centre.

For Information
Noted

GLENN CARROLL
DIRECTOR
CORPORATE SERVICES

399 RESOLVED: Clr Lobb and Clr McClelland that the Director Corporate Services' Report be adopted.

This is Page No. 22 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

11 February 2010

The General Manager
Weddin Shire Council
GRENFELL NSW 2810

Dear Sir

I wish to report as follows:

1. Works Report (7 February 2010)

1.1 Classified Roads Maintenance

Routine maintenance such as slashing and patching has continued on a majority of classified roads during the month

SH6 - general maintenance
- remove fallen trees
- erect "water of road" sign due to heavy rain
- sprayed roadside vegetation

SH17 - general maintenance
- sprayed roadside vegetation

MR398 - general maintenance
- removed fallen trees

MR236 - general maintenance
- removed fallen trees

MR237 - general maintenance
- removed fallen tree

MR239 - general maintenance
- removed fallen tree

1.2 Rural Local Roads Programme

Routine maintenance such as slashing and patching has continued on a majority of classified roads during the month.

- gravel resheeted 1km of Newtons Road
- continued with Gerrybang Road widening

This is Page No. 23 of the Minutes of the Ordinary Meeting of
Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

1.3 Rural Maintenance

Routine maintenance such as slashing, patching and guide posting has continued on a majority of classified roads during the month.

- general maintenance
- spraying of suckers and roadside vegetation
- removed several trees from various roads after strong winds and rain
- maintenance graded Kangaroo Lane and Bald Hills Road

1.4 Urban Maintenance/Construction

- general maintenance
- repair washout in Arboretum
- removed a large dead pine tree struck by lightning in Grenfell Cemetery
- resealed walkway to Lawson Oval
- repaired fence at Lawson Oval
- replaced faded signs in Grenfell Town Area

For Information
Noted

2. Other Works

2.1 Parks and Ovals Report

Routine maintenance has been carried out during the month such as gardening, weeding, mowing and spraying.

- general maintenance
- sprayed for catheads
- replace leaking tap in Memorial Park
- relocated some of Taylor Park irrigation
- slashed Grenfell approaches

2.2 Cemeteries

The following graves have been prepared from 10 January 2010 to 7 February 2010:-

Grenfell Lawn	– 1
Grenfell	– Nil
Bimbi	– Nil
Caragabal	– Nil

2.3 Sewer Mains

Two boundary trap connections have been replaced in West Street (as a result of sewer relining carried out in December).

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..... General Manager Mayor

THE DIRECTOR ENGINEERING'S ORDINARY REPORT

Nine (9) sewer chokes have been attended to during the month.

2.4 Private Works

- hired the sewer machine to a ratepayer

2.5 Vandalism

Graffiti in the toilets at the rest area \$80.00
Vaughn Park broken glass and rubbish in the park area \$180.00
Replace two Chinese Elms stolen from Henry Lawson's Birthplace \$100.00
Repair hand basins Vaughn Park \$60.00

Cost: \$660.00

Progressive Cost (Urban): \$4,550.00

Progressive Cost (Rural): \$100.00

(from 1/7/2009 to date)

For Information
Noted

3. Future Works

3.1 Rural

- general maintenance
- complete widening Gerrybang Road
- repair road damage after heavy rain
- commence MR398/Holy Camp Road intersection
- maintenance grading/general resheeting

3.2 Urban

- general maintenance
- Warraderry Street drainage – finalise design
- commence playground equipment upgrade in Vaughn Park

For Information
Noted

4. CENTROC Weight of Loads Group, C2.7.16

In the last month the CENTROC Weight of Loads Group detected nil breaches.

For Information
Noted

This is Page No. 25 of the Minutes of the Ordinary Meeting of
Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

5. Plant Report

Significant plant and vehicle maintenance, in accordance with the details as listed below, was carried out during the month:-

Plant No	Plant Item	Maintenance
	General plant	General maintenance.
PI No. 3950	Iveco Tipper	General maintenance.
PI No. 3951	Iveco Tipper	General maintenance.
PI No. 4053	Cat 12 M Grader	Repair seat, air conditioner, gear shift fault.
PI No. 3952	Kenworth	Check leaks, lights, brakes, wash for registration check.
PI No. 4102	Cat 120 M Grader	Dismantled air compressor and replaced broken bolts.
PI No. 2068	Noxious Weeds Officer's Hilux	Replace clutch.

For Information
Noted

6. Engineers Alliance – Weddin, Forbes, Parkes and Lachlan, C2.9.9

The Roads Asset Management Plan is still being prepared.

The Fair Value for Roads is still being worked upon.

For Information
Noted

7. RTA RMCC Contract, R2.54.4

Routine maintenance works on SH6 and SH17 continue.

Reseals on SH6 and SH17 have commenced and will be completed when the rain stops.

For Information
Noted

8. Noxious Weed Report – January, C2.6.16

The Noxious Weeds Officer has carried out the following works:-

- commenced property inspections for the month of January. Completed inspections for this month. Most farmers are complying with routine spraying and common upkeep. One property owner to be visited to see how his progress is going with his eradication of Bathurst Burrs.
- contact has been made with ARTC coordinator for the region in relation to the spraying and control of St John Wort and upkeep of the line. The weed spraying work had commenced at the start of the month.

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..... General Manager Mayor

THE DIRECTOR ENGINEERING'S ORDINARY REPORT

- routine spraying of Silver Leaf Night Shade on rural roadsides.
- routine spraying of St Johns Wort on rural roadsides.
- inspected kurrajong trees on Tyagong Hall Road affected by drift from adjacent property
- spraying of Grenfell Cemetery for Spiny Burr Grass.

For Information
Noted

9. NSW Rural Fire Service, E1.3.22

The Director Engineering attended the Senior Management Team meeting at the Railway Hotel on 10 December 2009.

The following matters were discussed:-

- Quandialla Rural Fire Service shed to be upgraded,
- Grenfell to have two troopies or Hiluxs and Bimbi and Greenethorpe to have one each (total four in the Shire),
- Group Captains gave reports on their areas,
- quality review carried out,
- parking headers during high fire danger periods – recommended cease harvesting (if you keep going you are responsible),
- Cat 7 fuel bowls being replaced,
- hazard blocks – contact Ken Neville
- management of asbestos incidents tabled.

NSW Rural Fire Service will provide official minutes.

For Information
Noted

10. Land and Property Management Authority – Road Closure Application, R2.1.4

The Land and Property Management Authority has recently advised that a Crown Road traversing “Gladys Park” and a portion of Crown Land is proposed to be closed and sold.

The Crown Road in question forms part of Porters Mount Road and the Crown land also includes part of Porters Mount Road. Porters Mount Road extends from the Mid Western Highway to Stuarts Road and is used for fire fighting purposes, farm plant moves and stock moves by local people.

This road is an important north/south link which, if closed, would disadvantage the area.

The Director Engineering and Clr Halls inspected the road some years ago and noted that the road was well used at that time.

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..... General Manager Mayor

Accordingly, it is felt that Council should object to the proposal to close this section of Porters Mount Road.

RECOMMENDATION: that Council:-

- a) object to the closure of the section of Crown Road on the western side of lot 34 in DP 753117 as it is in use for fire fighting and plant and stock move reasons,
- b) offer no objection to the sale of the Crown land on the western side of lot 15 in DP 753117 subject to a road reserve being created over the existing Porters Mount Road formation.
- c) offer no objection to the remainder of the road closures in this application.

400 RESOLVED: Clr Crutcher and Clr Halls that Council:-

- a) object to the closure of the section of Crown Road on the western side of lot 34 in DP 753117 as it is in use for fire fighting and plant and stock move reasons,
- b) offer no objection to the sale of the Crown land on the western side of lot 15 in DP 753117 subject to a road reserve being created over the existing Porters Mount Road formation.
- c) offer no objection to the remainder of the road closures in this application.

11. Grimshaws Lane, R2.1.5

A request has been received for reconsideration of the name of Grimshaws Lane.

Council did advertise the proposed naming and received a number of responses which were considered in several reports to Council.

Subsequently Council resolved in April 2005 (Res No. 619) that the section south of Murrays Lane be named Grimshaws Lane.

This name was gazetted on 29 June 2005.

RECOMMENDATION: that the name Grimshaws Lane not be changed.

401 RESOLVED: Clr Atchison and Clr Hind that the name Grimshaws Lane not be changed.

**W TWOHILL
DIRECTOR ENGINEERING**

402 RESOLVED: Clr McClelland and Clr Lobb that except where otherwise dealt with the Director Engineering's Report be adopted.

11 February 2010

The General Manager
Weddin Shire Council
PO Box 125
GRENFELL NSW 2810

Dear Sir

I wish to report to Council as follows:-

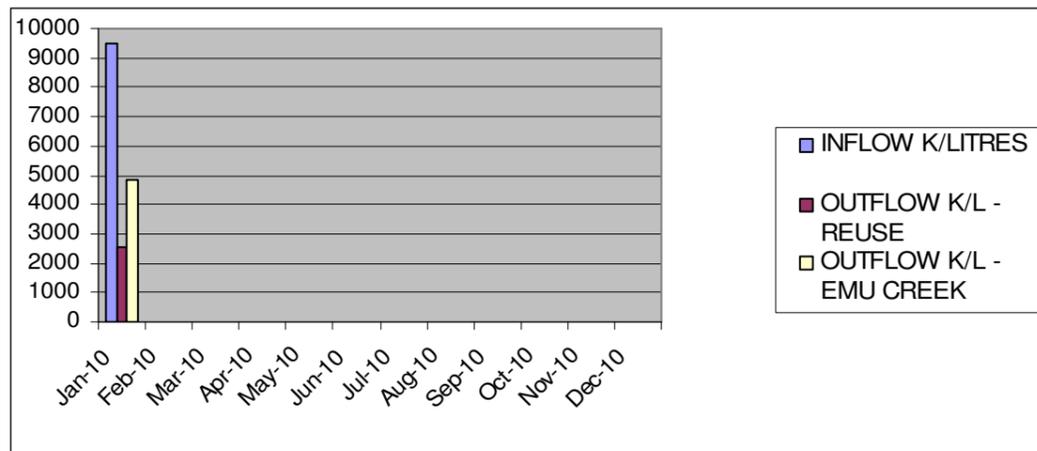
A. Public Health and Environmental Matters.

1. Sewerage Treatment Works, S1.1.1

Total inflow through the Works during January 2010 was 9465 k/litres with the daily average of 305.32 k/litres. With outflow for irrigation for reuse being 2552 k/litres and discharge to Emu Creek being 4815 k/litres.

The highest daily recording of 488 k/litres occurred for the 24 hours ending 6.30 am on 1 January 2010 and the lowest of 215 k/litres for the 24 hours ending 6.30 am on 2 January 2010.

A total rainfall of 6mm was recorded for the month.



For Council's Information
Noted

This is Page No. 29 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

2. Animal Control, A4.4.4

Animal control activities for January 2010 were:

a. Companion Animals

Animals Impounded:	5 (Dogs)	Animals Destroyed:	0
Animals Sold:	1 (Dog)	Animals Released:	2 (Dogs)
Animals Surrendered:	0		

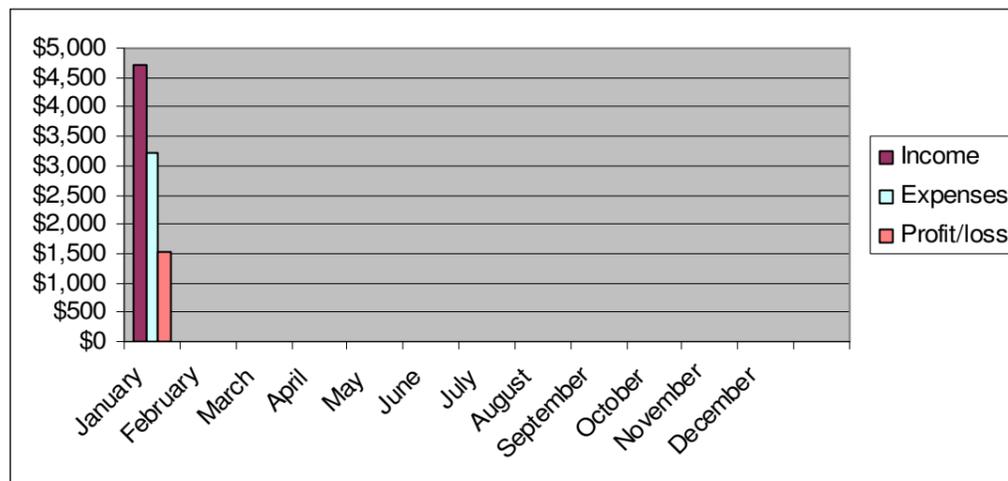
For Council's Information

Noted

3. Caravan Park Operations, P2.3.3

Income for the month of January 2010 was \$4,715.00 with expenditure of \$3,201.83 resulting in an operational profit of \$1,513.17 for the month.

There were 114 sites occupied for the month of January 2010.



For Council's Information

Noted

4. Quandialla Swimming Pool, P2.3.2

Total Attendance: 1492
Daily Average: 48

Season Ticket Sales:
Monthly passes: 5

The Pool was opened each day during the month.

Sport & Recreation held a Swimsafe program from the 11 - 21 January.

Quandialla Swimming Club hosted a Southwest District Carnival on Sunday 24 January. Swimmers travelled from Junee, West Wyalong, Young, Cootamundra and Coolamon.

Australia Day was celebrated with extended opening hours - 3pm till 9pm, with local children enjoying a swim and playing cricket under lights.

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..... General Manager Mayor

Quandialla continues to have:

- Swimming Club was held on Wednesday and Friday nights
- Aqua exercises continued on Friday mornings
- Lap swimming was held on Tuesdays & Thursday mornings

No accidents or incidents occurred.

For Council's Information
Noted

5. Grenfell Swimming Pool, P2.3.1

Total Attendance 3990

Daily Average 128

Gate Entries

Adult 401

Child 558

Season Ticket Attendance

Adult 1080

Child 1701

School Usage 0

Other Usage 250

During this month we had 2 sewage blocks.

The speaker had to be replaced for the PA system.

Sport & Recreation held a 9 day Swimsafe programme.

St George Underwater Centre conducted another Scuba Diving class.

The Department of Health conducted an inspection on the facility with no problems noted.

There were no accidents or incidents within the facility.

For Council's Information
Noted

6. Clean Up Australia Day 2010, E3.3.8

Council has again registered to support the 2010 Clean Up Australia Day event to be held Sunday 7 March 2010.

Pat Soley has generously volunteered to co-ordinate the day as she has done in the past.

Clean-up locations have not yet been determined but will be advertised in the near future.

For Council's Information
Noted

This is Page No. 31 of the Minutes of the Ordinary Meeting of
Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL – LATE REPORT

RECOMMENDATION:

It is recommended that the following reports be received and dealt with because of the urgency of the matters therein.

403 RESOLVED: Clr N Hughes and Clr Atchison that the following reports be received and dealt with because of the urgency of the matters therein

A. Public Health and Environmental Matters.

7. Presentation by Cancer Council – Kath Perry, C2.4.15

As reported to Council's October 2009 meeting, Council resolved to apply for a grant to assist with the implementation of smoke free policy. The application was successful and a presentation of the payment will be conducted just prior to the February Council meeting.

The Cancer Council Regional Programs Co-ordinator Kath Perry, has requested the opportunity to address Council during her visit and will be giving a presentation at 4:30pm.

The presentation is to explain to Council the benefits and requirements of entering into a community partnership with the Cancer Council NSW. It is hoped that following the presentation Council may be in a position to resolve to become a partner, with a subsequent report to be tabled at a future meeting.

For Council's Information

Noted

A. Public Health and Environmental Matters.

8. Netwaste to Art, E3.3.15

Council was approached by Netwaste to be involved in the 2009-2010 community art exhibition and competition called Waste to Art. This initiative of Netwaste is sponsored by Sims Metal.

The local Schools have been approached to participate, with a local competition to held which will then lead into a Regional Exhibition on the 5 June 2010 in Menindee. Our local presentation will be on Friday 12 March at 4.00pm.

Competition Categories will be –

➤ **Primary School**

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

2 Dimensional - Poster/Painting/Collage/Drawing
3 Dimensional – Sculpture/Installation/ Video /Soundscape
Functional – furniture, craftworks or wearable items made from recycled materials

➤ **Secondary School**

2 Dimensional - Poster/Painting/Collage/Drawing
3 Dimensional – Sculpture/Installation/ Video /Soundscape
Functional – furniture, craftworks or wearable items made from recycled materials

➤ **Community (Groups or individuals may enter this category but no professional artists)**

2 Dimensional – Poster/Painting/Collage/Drawing
3 Dimensional – Sculpture/Installation/ Video/Soundscape
Functional – furniture, craftworks or wearable items made from recycled materials

➤ **Open (Professional artists may enter this category*)**

2 Dimensional – Poster/Painting/Collage/Drawing
3 Dimensional – Sculpture/Installation/Video/Soundscape
Functional – furniture, craftworks or wearable items made from recycled materials

➤ **Building or Element of Building/Large Sculpture (Photographs only in this category for works that exceed the maximum weight & size limits).**

2 Dimensional
3 Dimensional
Functional – furniture, craftworks or wearable items made from recycled materials

Centroc have given funds to Netwaste which we have received \$400 to use for the project and prize monies.

For Council's Information
Noted

This is Page No. 33 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

B. Development Applications – Building Matters:

1. The undermentioned applications were received and determined subject to specified conditions, by the General Manager under delegated authority issued on 22 January 2009 (Res. No. 367):

DA NO.	Applicant	Construction	Value (\$)	Address
54/2009	Reynders Constructions II Pty Ltd	Commercial refurbishment, additions and new amenity building	\$300,000	Lots: 9/10 Sec: 30 DP: 758473 37-39 Alexander Street GRENFELL NSW 2810
55/2009	Mrs HG Bradley	Garage/Storage Shed with Shower & Toilet	\$40,000	Lot: 4 Sec: 6 DP: 758473 6/8 Weddin Street GRENFELL NSW 2810
1/2010	Weddin Shire Council	Change of Use – Alteration & Additions	\$170,000	Lot: 6 Sec: 7 DP: 758473 3 Weddin Street GRENFELL NSW 2810

For Council's Information
Noted

2. The undermentioned applications were received and determined as Complying Development subject to standard conditions.

CDC NO.	Applicant	Construction	Value (\$)	Address
CD 1/2010	B White	Shed (Animal Shelter)	\$5,500	Lot: 330 DP: 754578 Berrys Road GRENFELL NSW 2810

For Council's Information
Noted

3. Development Applications for the Consideration of Council DA 53/2009 – Alterations to Shop front

Applicant: T & D Galvin
Owner: T & D Galvin
Site: Lot: 1 DP: 931725
93 Main Street, Grenfell
Zone: 2(T) Township

PRECIS

This application was lodged on the 14 December 2009 and required Council's Heritage Advisor to be consulted as the building is located within the centre of the Heritage Conservation area.

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

Once the advice was received it was forwarded to the applicant for consideration, after which they contested the reasonableness for the requirements.

Councils Heritage Advisor provided further advice in which an enduring outcome within the historic Main Street could be achieved. This advice was endorsed by the Heritage committee at its meeting on the 9 February 2010.

The applicant concurs with some parts of the requirements but has not agreed to alter the door ways from the original application.

This application has been referred to Council as it may result in the application being refused.

DESCRIPTION OF THE PROPOSAL

Alter the existing shop front by removing the splayed inset step, timber windows and door and to re-build boundary-to-boundary with no inset. This will see the current door way on the eastern side being retained and the remaining opening to consist of three large glass panels.

The applicant has identified the following reasons for the alterations:

- Increasing the available floor space within the shop,
- Increased availability of natural light.

DESCRIPTION OF THE SITE

The existing building is located within the Heritage Conservation area of the Main Street and the building is believed to be a post 1950s structure in generally original condition.

The existing shop front is original and contains two asymmetrical sections:

West section: splayed plate glass with under hob clad in curved metal, entry door with 3port holes contain obscure glass, outward opening insect screen door and original floor and edging tiles

East section: smaller section flush to the pavement containing 6 square glass unit into proud timber frame and part glass door with highlight above, and along the entire frontage are former transom highlight windows between the top of the plate glass / flush sections and the awning soffit (usually arranged in three even sections and possibly originally with louvers for cross ventilation). These are currently covered with fibro cement.

ZONING

The site is located within the 2T township zoning. The proposed development would be in accordance with the objectives of the Weddin LEP 2002 and is permissible with Council consent. The property is identified as being within the Heritage Conservation area as detailed in the LEP.

PLANNING ASSESSMENT

The proposal is being assessed in accordance with the matters for consideration under section 79C of the Environment Planning and Assessment Act 1979; the key issues of the proposal in this report are for Councils consideration.

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..... General Manager Mayor

Heritage considerations

Tropman, Grenfell Precinct Heritage Study 1992 ref 3.14. and Giovanelli Main Street studies specified the following on this building:

Significance: "... the building is believed to be a post 1950s structure, and in absence of other evidence, it should be maintained in its current form. This is not a historically significant building in the Main Street but demonstrates continuity of construction and the town's economic health into the mid 20th century. Main Street contains buildings from many periods and, in the absence of other significance, more recent buildings should reflect their more recent character. Policy: conserve as a post 1950s structure"

Council's Heritage Advisor made the following referral comments (15 January 2010) in relation to the proposed works as submitted by the applicant.

Aspects such as reinstate transom windows and recycling of the under hob curved metal, are supportable. However too much change is being sought, and which fails to acknowledge the historic setting and context of Grenfell Conservation Area.

Not supported are

- *The loss of a splayd insert of an entry door and asymmetry*
- *Glass sheets butted up against the 'coffee shop' sheet*
- *Natural timber finish or modern aluminium framing:
all plate glass should be surrounded by existing and sourced 'mondel' material*

It is considered that the proposal as put would result in bland generic situation more akin to suburbia, rather than the historic setting of Grenfell, that would be a loss and result in a non-conforming built element detrimental to the street and townscapes generally.

ADVICE

1. *As proposed not supported on heritage grounds*

A further referral was sought to determine what would deliver a satisfactory outcome but still allow an upgrade of the front façade of the shop. With these referral comments (8 February 2010) below:

To achieve an enduring outcome within the historic main street requires:

- *Wherever the entry door is, it must be insert: the inset entry could be ramp to satisfy Access Laws*
- *The under shop glass hob to be no more than 400mm high*
- *Window frame to use thin metal sections, in grey or chrome, preferable over timber frame: traditional framing material is a plain 'mondel' section, also*
- *The entry insert should be splayed : if the insert is along a side boundary the other side to be splayed*

These recommendations were provided to the applicant as an indication of the possible modifications required to ensure a good heritage based outcome for this building and the local area. Initial comments were received from the applicant, that identified they were prepared to comply with the hob and window requirements but there would be no compromise on the inseting of the doorways or splays.

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

Council's Heritage Committee considered this matter and the Heritage Advisors reports at its February meeting. The committee then resolved to endorse these requirements. After much discussion and explanatory comments from the Heritage advisor it was agreed that inset doorways typified the streetscape for flush shop fronted buildings and any change especially in this location would substantially detract from the overall historic appearance of the streetscape. Out of 14 flush shop fronted buildings 11 have inset doorways, the majority of those that don't were previous service stations or alike.

CONCLUSION

Having considered the heritage factors that are detailed above and the fact that a middle ground option has been provided as a way of ensuring that the historic value of the streetscape is retained without stopping development, I have to recommend that the application for the shop front be modified to meet the requirements of Councils heritage advisor or be refused.

RECOMMENDATION: that:

1. Council adopt the Heritage Advisor's advise dated 8 February 2010, as detailed above,
2. the applicant for DA 53/2009 be given 60 days to modify the application to comply with the Heritage Advisor's advise,
3. the General Manager be given delegated authority to determine the application, including refusal.

Clr McClelland previously submitted a declaration of interest and stayed in the room.

404 RESOLVED: Clr Atchison and Clr Crutcher that:

1. Council adopt the Heritage Advisor's advice dated 8 February 2010, as detailed above,
2. the applicant for DA 53/2009 be given 60 days to modify the application to comply with the Heritage Advisor's advise,
3. the General Manager be given delegated authority to determine the application, including refusal.

Division required *Local Government and Planning Legislation Amendment (Political Donations) Act 2008.*

For: Clrs Simpson, Halls, Niven, N Hughes, Atchison, Lobb, Crutcher, Hinde and McClelland.

Against: Nil

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..... General Manager Mayor

4. Modification of Development Application for the Consideration of Council, DA 24/2009 Proposed Staged development – 12 lot Strata Subdivision and Construction of 12 dwellings units

Applicant: Mr P Mawhinney
Owner: S A Mawhinney
Site: Lots: 1&3 Sec: 47 DP: 758473
Lot: 1 DP: 194119
Tyagong Street, Grenfell
Zone: 2(T) - Township

PRECIS

On the 21 August 2009 Council approved a development application for a Staged development – 12 Lot Strata Subdivision and Construction of 12 dwellings units.

An application to modify that consent was submitted on the 16 December 2009, with the main items of modification related to the vehicular entry being transferred from Melyra Street to Grafton Street and minor orientation changes to two units.

The modification to this development was notified to adjoining and adjacent land owners for a period of 21 days and advertised in the Grenfell Record as it had previously had been notified, with no submissions being received at the completion of the required period.

The application is referred for Council consideration, as it was previously determined by Council.

Approval of the modification application is recommended.

This report only considers the items requiring change as detailed in the modification, for full assessment previous reports must be referred.

HISTORY

- Original application submitted 1 July 2009 with conditional development consent issued 21 August 2009.
- Request to review two conditions received 7 October 2009 and determined by Council 19 November 2009.
- Application to modify consent received 16 December 2009.

DESCRIPTION OF THE PROPOSAL - MODIFICATION

The staged development of 12 lot strata Subdivision and construction of 12 dwellings units. The development is to be strata subdivision which is serviced by a single private road that is security gated now is to be accessed off Grafton Street, with pedestrian access only from Melyra Street.

The proposal would involve the creation of a footpath along the entire frontage of Grafton Street at full cost to the applicant.

Refer to attachment B4 for a copy of the proposed site layout.

PLANNING ASSESSMENT

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

The proposal has been assessed in accordance with the matters for consideration under section 79C and 96(1A) of the Environmental Planning and Assessment Act 1979.

WEDDIN LEP 2002

The proposed subdivision has been assessed in accordance with development standards and requirements of the Weddin LEP 2002, with particular attention to Clause 32 – Development along arterial roads.

PERMISSIBLY

The proposed modification to the development is permissible under Weddin Local Environmental Plan 2002 subject to development consent from the Council. As the modified access will be onto a State Highway (HW6 – Grafton Street) the application was required to be referred to the RTA for comment and concurrence.

ROADS AND TRAFFIC AUTHORITY (RTA)

As the modified access will be onto a State Highway (HW6 – Grafton Street) the application was required to be referred to the RTA for comment and concurrence. The referral was made and the RTA raised no objection to the proposed modification subject to the following conditions being placed upon the consent:

- The access is to be a minimum of 3m wide with 0.5m splays at the kerb line.
- All activities including loading and unloading of goods associated with the development must be carried out on site. All traffic movements into and out of the development are to be in a forward direction.
- The proposed landscaping, signage and fencing are not to impede sight lines of traffic/or pedestrians within the development, or when entering and leaving the development. Safe intersection sight distance is to be achieved.
- A Road Occupancy Licence is required prior to any works commencing within 3m of the travel lanes of Grafton Street. This can be obtained by contacting Mr Paul Maloney on (02) 6861 1686. Submission of a traffic control plan is required as part of this licence.
- All works associated with the development are to be at no cost to the RTA.

OTHER CONSIDERATIONS

As this development is a gated style community, the vehicles that enter the property will need to wait for the gates to open prior to entering. As Grafton Street is a state highway with high traffic volumes, to improve the safety of vehicles entering the site it is recommended that the security gates be setback inside the front boundary 6m. This will allow the vehicle to wait on private land with no interference to passing vehicular or pedestrian traffic.

PUBLIC PARTICIPATION

Notification was conducted for this modification to the development in accordance with Council's Notification policy for a period of 21 days as the development was required to be notified in the original application process.

No submissions were received at the completion of the notification period.

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..... General Manager Mayor

INFRASTRUCTURE WORKS

The proposed development requires some infrastructure works to be undertaken by and at the full cost of the applicant, these include:

- Construction of kerb and gutter along the entire Melyra Street frontage and sealing of the road shoulder adjacent to the new kerb.
- Construction of a concrete foot path across the entire Grafton Street frontage.
- Construction of a new layback to the kerb and concrete driveway on the Grafton Street frontage, with the minimum width of 5m.
- Head & wings walls at stormwater discharge point with the existing open drain on Tyagong Street.

Council's Director of Engineering is satisfied with the proposal subject to conditions contained in the draft consent.

CONCLUSION

The proposed Section 96(1A) modification complies with the requirements of the LEP and based on the information provided with the application and having consideration for all relevant matters in pursuant to section 79c of the EPA Act 1979, and the fact that the RTA have given concurrence to the required access, approval of the modification is recommended, subject to the following standard and specific conditions of the consent.

RECOMMENDATION: that application to Modify Development Application 24/2009 for the Staged development – 12 lot strata Subdivision and construction of 12 dwellings units at Lots 1 & 3 Sec. 47, DP 754573 and lot 1 DP 194119 Tyagong Street, Grenfell, be APPROVED, subject to the draft Development Consent conditions presented to the 19 February 2010 Council meeting.

GENERAL

- (1) Staged Development -

Development may be undertaken in stages with the final stage completed within 5 years of enactment of this consent. Prior to occupancy of each stage the following works are to be completed to Council's satisfaction, dwelling construction, associated infrastructure and landscaping within the strata lot boundaries of that stage.

Reason: To allow flexibility with regard to the carrying out of development while ensuring an adequate standard of development at each stage

- (2) Construction Certificate (staged development)

A Construction Certificate is to be obtained for each stage of the development where building works and/or infrastructure construction is required.

Reason: To ensure compliance with the Environmental Planning and Assessment Act and associated legislation.

- (3) The development shall be carried out in accordance with the plans as submitted with the Development Application and any supporting documentation, as stamped

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

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.

- (4) (Basix)
The development is to comply with the Basix Certificate provided. All commitments specified on Certificate numbers 231062S, 231310S, 231317S, 231311S, 2313185S, 231312S, 234106S, 234119S, 234212S, 234204S, 234222S_02, 234225S_02 shall be confirmed upon the final inspection.

Reason: The development meets the NSW Governments requirements for sustainability and to comply with the Basix Certificate.

- (5) Payment to Council pursuant to Section 306 of the Water Management Act 2000 and the Council's "Grenfell Sewer Contributions Plan" for sewer contribution charges. The current contribution rates for the current financial year for this development are as follows:

Sewer - contribution \$33,600 (12 x \$2800)

The sewer charges are those that apply at the date of issue of this consent. Rates are adjusted annually on 1 July. Contributions will only be accepted at the rate applying at the date of payment. Council's Environmental Services should be contacted prior to payment to confirm the contribution amount.

The Council's "Grenfell Sewer Contributions Plan" can be inspected at Council's Offices, Corner Camp and Weddin Streets, Grenfell.
Contributions are required to be paid as follows:

- Development Applications involving subdivision – prior to the release of the plan of subdivision (i.e. issue of Subdivision Certificate)
- Development Applications involving building work – prior to the time of building approval (i.e. issue of Construction Certificate)
- Development Applications where no building approval is required – prior to the issue of an Occupation Certificate.

Reason: This development results in a new or increased demand on existing infrastructure.

- (6) All building work must be carried out in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and the Building Code of Australia.

Reason: to ensure compliance with the legislation and standards.

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

- (7) Flood Level Requirement -
The minimum floor level of any habitable part of the building shall be at or above RL 378.64 m AHD.

Reason: To minimise the effects of flooding.

- (8) Road Opening Permit -
Prior to any works being undertaken in the road reserve, a road opening permit is to be obtained from Council.

Reason: To ensure compliance with the Roads Act which requires the road authority to give permission for an activity within the road reserve.

- (9) Security gates -
The security vehicular gates on the Grafton Street frontage must be setback a minimum of 6m inside the property boundary, to ensure that road and pedestrian traffic passing past the property are not disturbed.

Reason: to ensure the road safety of vehicles and pedestrians

ROADS AND TRAFFIC AUTHORITY (RTA)

The following requirements form part of this consent and directly relate to the access of vehicles and pedestrians onto Grafton Street.

- The access is to be a minimum of 3m wide with 0.5m splays at the kerb line.
- All activities including loading and unloading of goods associated with the development must be carried out on site. All traffic movements into and out of the development are to be in a forward direction.
- The proposed landscaping, signage and fencing are not to impede sight lines of traffic/or pedestrians within the development, or when entering and leaving the development. Safe intersection sight distance is to be achieved.
- A Road Occupancy Licence is required prior to any works commencing within 3m of the travel lanes of Grafton Street. This can be obtained by contacting Mr Paul Maloney on (02) 6861 1686. Submission of a traffic control plan is required as part of this licence.
- All works associated with the development are to be at no cost to the RTA.

Reason: to ensure the road safety of vehicles and pedestrians and compliance with RTA requirements.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

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) Prior to commencement of work, a copy of Home Owners Warranty certificate of insurance (or where applicable an Owner/Builder permit issued by the NSW Department of Fair Trading) is to be submitted to Council.

Reason: to comply with the Home Building Act 1989.

- (3) 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.

- (4) Section 68 Approval required -
Prior to the issue of the construction certificate an application for approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be lodged with Council. The approval under Section 68 of the Local Government Act, 1993 is to be obtained prior to any works commencing on site.

Reason: To ensure compliance with the Local Government Act 1993

DURING CONSTRUCTION

- (1) The building works are to be inspected during construction by the Council or by an "Accredited Certifier" (as applicable) and documentary evidence of compliance with the relevant terms of the approval/standards of construction detailed in the Building Code of Australia and Council's established development standards (as listed under Advisory Conditions which form part of this consent), is to be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:-

Footings and Concrete Slabs: When the footings have been excavated and all steel reinforcement has been placed in position.

- (i) *Sub floor bearers and joists: **Prior to the laying of the floor and when ant caps are in place.***

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..... General Manager Mayor

- (ii) *Structural framework: When complete, all external walls and roof cladding must be in place prior to inspection. Internal plumbing should be in place and under pressure.*
- (iii) *Roof frame: Prior to the installation of the ceiling lining and eaves soffit lining.*
- (iv) *Internal House Drainage: When all internal drainage work is installed and prior to concealment. Drainage should be under water test.*
- (v) *External House Drainage: When all external drainage work is installed and prior to concealment.*
- (vi) *Wet area waterproofing: prior to lining or laying tiles.*
- (vii) *Stormwater Drainage: When the stormwater and roofwater drainage system has been completed.*
- (viii) *Completion: Upon compliance with all conditions of approval and prior to occupation.*

Note: 48 Hours notice is required prior for all inspections

Reason: To comply with the Environmental Planning & Assessment Amendment (Quality of Construction) Act 2003.

(2) Protection of Public Places -

- If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- Any such hoarding, fence or awning is to be removed when the work has been completed.

Reason: to ensure that public safety is maintained during the construction period.

(3) Any proposed filling on the site shall not:

- a) encroach onto the adjoining properties and
- b) adversely affect the adjoining properties with surface run-off.

Reason: to minimise nuisance to adjoining properties.

(4) Work shall be confined to normal working hours, namely 7.00 am to 5.00 pm Monday to Friday, and 7.00 am to 1.00 pm Saturdays. (No work is permitted on Sundays or public holidays).

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..... General Manager Mayor

Reason: to minimise nuisance to adjoining neighbours.

- (5) Prior to commencing work, erosion and sedimentation control measures are to be put in place to prevent soil movement from the site into natural or constructed drains or watercourses. Measures may include the installation of geofabric fencing, staked straw bale walls located on the contour down-slope of the construction, sediment detention basins, earthen contour banks and the like. Control measures must be maintained until revegetation or landscaping is completed.

Note: Failure to implement soil erosion protection may result in the issue of on the spot fines for offences under the Protection of the Environment Operations Act, 1998.

Reason: to ensure that any possible soil erosion and runoff is contained on the site to prevent pollution of drainage lines.

- (6) The applicant must provide an adequate receptacle to store all waste generated by the development pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and reusable materials.

Reason: to ensure that any possible soil erosion and runoff is contained on the site to prevent pollution of drainage lines.

Advice to applicant:

Failure to provide and maintain sediment control measures can result in water pollution. Council officers are authorised to issue on-the-spot fines for offences under the Protection of the Environment Operations Act, 1998.

- (7) **Site Protection**
Prior to the commencement of works, the principal contractor is to ensure that the site has been appropriately protected and secured in accordance with WorkCover requirements.

Reason: To protect the safety of persons on adjoining land.

SUBDIVISION

- (1) The development shall be carried out in accordance with the plans submitted with the Development Application and any supportive 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

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

- (2) A plan of survey and five (5) copies by a registered surveyor substantially in accordance with the application are to be lodged with Council (or an accredited certifier) prior to the issue of the subdivision certificate.

Reason: to provide the required copies of plans for certification and lodgment with the Land Titles Office as required under the regulations of the Environmental Planning & Assessment Act 1979

- (3) A Subdivision Certificate is to be and issued prior to the release of the survey plan

Reason: to authorize the registration of the plan of subdivision under Division 3 or Part 23 of the Conveyancing Act 1919

- (4) Power is to be available to each allotment by payment of the standard fee to Country Energy. A certificate from the authority stating that acceptable arrangements have been made is to be submitted to Council prior to the release of the survey plan.

Connection to telephone mains is to be available to each allotment by payment of the standard fee to the supply authority. A certificate from the authority stating that acceptable arrangements have been made is to be submitted to Council prior to the release of the survey plan.

Connection to town water is to be available to each allotment by payment of the standard fee to the supply authority. A certificate from the authority stating that acceptable arrangements have been made is to be submitted to Council prior to the release of the survey plan.

Reasons: to ensure services are available to each allotment of land.

- (5) The applicant is to submit written confirmation to Council that Telstra and Country Energy have been advised of the approved subdivision.

Reason: to reflect the relevant considerations required under the provisions of Section 79C(1) of the Environmental Planning & Assessment Act 1979 and associated Guidelines and to ensure the health and safety of persons accessing the site and persons using the public roads.

- (6) Footpath Construction -
Footpath construction 1.2m wide at the frontage of the development (Grafton Street) is to be completed at the developers cost to Councils standard. The applicant is to liaise with Council's Engineering staff, to determine the design standard and levels prior to the works commencing. Prior to occupation of the development footpath construction is to be inspected by Council and deemed satisfactory.

Reason: To provide a durable low maintenance safe footpath surface for pedestrian traffic.

- (7) Road Construction -
Prior to the release of the subdivision certificate for stage 1, kerb, gutter and sealing of the shoulder of the existing road along the frontage Melyra Street, to be

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..... General Manager Mayor

DIRECTOR ENVIRONMENTAL SERVICES' REPORT TO COUNCIL

provided in accordance with the standards of Council, with all costs to be paid by applicant. The applicant is to liaise with Council's Engineering staff, to determine the design standard and levels prior to the works commencing.

Reason: To ensure that the road is constructed in accordance with Council's specifications.

- (8) Driveway access -
Prior to the release of the final occupation certificate for nay building, a 5m wide concrete layback and driveway must be provided from the Grafton Street to the property boundary. This is to be provided in accordance with the standards of Council, with all costs to be paid by applicant. The applicant is to liaise with Council's Engineering staff, to determine the design standard and levels prior to the works commencing.

Reason: To ensure that the road is constructed in accordance with Council's specifications.

- (9) Drainage -
Levels of the existing laneway are to be taken, to ensure that adequate provision are made for surface water disposal across the proposed development should levels and drainage pattern deem it necessary.

Reason: To ensure that adequate surface drainage is achieved to reduce any effects to occupants.

PRIOR TO OCCUPATION CERTIFICATE

- (1) 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

- (2) Damage to K&G -
Prior to the issue of a Final Occupation Certificate any damage to kerb and gutter, road surfaces, infrastructure or landscaping outside of the property boundary must be reinstated at total cost to the developer and to the satisfaction of Weddin Shire Council.

Reason: To ensure that all assets located outside the property boundaries are maintained.

- (3) The site is to be **landscaped** as indicated on the plans submitted. The landscaping is to be established within 6 months of the date of this consent. The landscaping is to be maintained to ensure their growth and protected from damage. Dead trees are to be replaced within 3 months of dying.

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..... General Manager Mayor

Reason – to ensure that the rural landscape and scenic quality of the area is not detrimentally affected and to assist in the reduction of odour drift as a consideration required under the provisions of Section 79C of the Environmental Planning and Assessment Act and the associated Guidelines.

Clr McClelland previously submitted a written declaration of interest and left the room.

Clr Crutcher declared a non-pecuniary interest as a relative of Clr McClelland and left the room.

405 RESOLVED: Clr Atchison and Clr N Hughes that application to Modify Development Application 24/2009 for the Staged development – 12 lot strata Subdivision and construction of 12 dwellings units at Lots 1 & 3 Sec. 47, DP 754573 and lot 1 DP 194119 Tyagong Street, Grenfell, be APPROVED, subject to the draft Development Consent conditions presented to the 18 February 2010 Council meeting.

Division required *Local Government and Planning Legislation Amendment (Political Donations) Act 2008.*

For: Clrs Simpson, Halls, Niven, N. Hughes, Atchison, Lobb.

Against: Clr Hinde.

Clr McClelland and Clr Crutcher returned to the room.

**S WILSON
DIRECTOR ENVIRONMENTAL SERVICES**

406 RESOLVED: Clr N Hughes and Clr Atchison that except where otherwise dealt with the Director Environmental Services' Report be adopted.

Report on the P.A.C.T. Meeting held at Cootamundra on Wednesday 10th February 2010 commencing at 11.00am

It was stated by police that their current focus is on:

- Road crash rescue/prevention
- Concentrating on the Lachlan Valley Way – 100 speeding tickets issued over one weekend with no complaints
- They believe that they are slowly winning the battle
- Attempting to reduce the number of fatalities – 15 fatal accidents on this section of road last year

Other points of discussion were:

- Assaults decreased by 100 last year
- Property offences increased
- Break & Enter offences decreased by 54 in the northern sector
- Road accidents increased by 21. The majority of this increase was in the southern sector
- Malicious damage increased by 58

Staffing levels:

- Staffing level across the LAC is at 96% - the best in the state
- Young area has increased by two
- Grenfell is an area of concern with two staff being on long term sick leave. One officer is due to return to duty but will continue on alternative duty. However, the remaining officer continues to be backed up by officers from Caragabal, Greenethorpe & Koorawatha.

Offences in the Grenfell area:

- The main offences being committed at Grenfell continues to be stealing out of unlocked cars.

General:

Discussion was held re domestic violence. There are 10,000 cases of domestic violence in NSW every year. There is only one D.V. Officer in the Cootamundra LAC. However, every police vehicle, except highway patrol vehicles, is equipped with the D.V. Kit. This kit contains video equipment etc so that, even if the victim withdraws their complaint, police can still proceed with the charges.

The Crime Prevention Officer spoke about the assistance that can be given to members of the community and the program that she can conduct. She presented a copy of a brochure she is trying to have produced. The cost of this is \$1500 and an approach may be made to local councils to subsidize it.

There being no further discussion, the meeting closed at 1.20 pm

Clr R W Atchison

Delegate

407 **RESOLVED:** Clr Lobb and Atchison that the Delegates Report – P.A.C.T. Meeting be noted.

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..... General Manager Mayor

MINUTES OF THE WEDDIN SHIRE TOURISM COMMITTEE MEETING HELD ON TUESDAY 9 FEBRUARY 2010 AT 4pm AT THE COUNCIL CHAMBERS.

Present: Clr J Niven, Clr N Hughes, J Hetherington, D. Allen, L. Eastaway, G Carroll.

1. Apologies: T. Silvester, A. Carr, Clr C Lobb.

Resolved: Clr N Hughes / Clr J Niven that the apologies be accepted.

2. Adoption of Minutes:

Resolved: Clr N Hughes / Clr J Niven that the minutes of the 8 December 2009 meeting be adopted.

3. Business Arising: - Nil

4. Correspondence:

In Nil

Out Nil

5. Projects:

- **Grenfell brochure** – completed and being distributed to surrounding areas. Excellent result.

Clr McClelland entered the meeting at this point 4.07 pm.

- **Weddin Mountains Tours** – tours to be arranged by contacting National Parks. Pam Livingstone is available as a tour guide to select areas. The new ranger is able to conduct occasional tours however they would prefer a local tour guide to also be available. Auburn to pursue.
- **O'Brien's Hill funding application** – Master plan to be displayed. Project works to commence in early 2010.
- **Sound for Henry Lawson's Bust** – design approved. Mount currently being constructed. Company to commence works when structure is complete. Ancillary works to be undertaken after the equipment is installed.
- **Bird Routes** - Bird watching groups are being invited to the Weddin Shire. Bird Fair to be held at Leeton in September 2010.
- **Railway Station Development** – funding for works to seal access and carpark formally approved in the 2009/2010 budget. Works to commence in near future.
- **Gold Trail Project** – Regional grant funding application for \$500,000 unsuccessful. Feedback has been obtained and application to be resubmitted.
- **Embrace the Lachlan Project** – Awaiting further information.
- **Ben Hall Trail Project** - Forbes and Cabonne Shires have invited Weddin to participate in the project. Brochure to be developed depicting the

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..... General Manager Mayor

Grenfell Historical Museum, Ben Halls Cave and Mt Wheoga. \$1400 cost which will give Weddin Shire 10,666 brochures.

Resolved: L Eastaway / J Hetherington that Council participate in the project at a cost of \$1400.

- **Website** – attractions and events to be promoted utilising the www.grenfell.org.au site.

6. Prioritising Events:

Resolved: N Hughes / L Eastaway that the Ben Hall Trail project be included as a high priority.

7. Upcoming Events:

- Australia Day – all events in the Weddin Shire went very well.
- Grenfell Picnic Races – to be held Saturday April 10, 2010.
- Henry Lawson Festival – June 2010.

8. General Business:

Clr N Hughes advised that the Iandra Castle wooden signs have deteriorated. The Manager is intending to write to Council.

- John Hetherington advised we should approach the National Parks requesting they provide a ½ day a month staffing at the Weddin Mountains which would co-inside with tours. Auburn to pursue.
- Clr Niven tabled photos from the Texas Longhorn site and advised photos from the Weddin Shire could be posted on the site so people can download them. Auburn to pursue.
- Lisa advised that the Lachlan Branch of the National Trust will be visiting Grenfell on the 20th March 2010 with fifty people attending.
- Clr McClelland encouraged the committee to bring new tourism projects to the next meeting for consideration and prioritisation. eg. Stan McCabe statue.
- Glen advised Auburn was attending a NSW Agri-Tourism seminar in Forbes to encourage Farmstay accommodation as an alternate income source.

Next Meeting: 6 April 2010

Meeting Closed: 4.57 pm

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

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..... General Manager Mayor

**MINUTES OF HERITAGE COMMITTEE MEETING HELD ON
TUESDAY 9 FEBRUARY 2010 AT 5.00 PM AT THE COUNCIL CHAMBERS (C2.6.22).**

1. **PRESENT:** Clrs N Hughes, J Niven, M Simpson, G McClelland
Mr S Wilson (DES)(Chair), Mr I Pitt, Mr A Hodgson, Mr J Hetherington,
Mrs S Jackson-Stepowski (HA) & Mrs P Livingstone (arrived at 5.17 pm)
Observers: Mr TV Lobb & Mrs I Holmes
2. **APOLOGIES:** Clr C Lobb
3. **CONFIRMATION OF MINUTES:** Tuesday, 8 December 2009.

Resolved: Clr J Niven and Mr I Pitt that the minutes of 8 December 2009 be adopted with mention that Mr J Hetherington was in attendance at that meeting.

4. MATTERS ARISING:

- 4.1 Grenfell Heritage Study/Expansion of the Grenfell Heritage Conservation Area
Mr S Wilson (DES) advised still in progress. Advertising has been completed. Property owners will be advised. Pros and Cons listing to be done.
- 4.2 Brick Maintenance & Re-Pointing Course
Mrs S Jackson-Stepowski (HA) advised a grant has been submitted by University of Canberra on behalf of Mr David Young using Grenfell as a pilot study. The grant is yet to be approved by the Minister of NSW State and Regional Development.
- 4.3 Otto Bins
Mr S Wilson (DES) advised that the Engineering Department has provided costing for bins. Bins are approximately \$2,200 - \$2,500 each.

Resolved: Clr M Simpson and Clr N Hughes that Otto Bins in Main Street referred for consideration in the next budget.

- 4.4 National Trust – Heritage Festival 9-24 April 2010
National Trust has published the programme book for the Heritage Festival 2010.
- 4.5 Village Studies
Mr S Wilson (DES) advised still in progress. Advertising has been completed. Property owners will be advised. Pros and Cons listing to be done.
- 4.6 Sloane's Cottage
Mr S Wilson (DES) advised a gravel path is still to be established. Cottage had been vandalised.
- 4.7 Ben Hall's Cave and Sites
Mr S Wilson (DES) advised he has not yet approached Forbes Shire Council about sourcing any local information. Mr S Wilson (DES) to check with ABC TV about recent programme.
- 4.8 Heritage Walk – Signs
Mr S Wilson (DES) has spoken to a local artist who is interested, will organise pricing for signs.
- 4.9 Grenfell Cemetery

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..... General Manager Mayor

Mrs S Jackson-Stepowski advised that Bathurst City Council is prepared to give Council a copy of their Standard Conservation Management Plan for Cemeteries.

Resolved: Clr M Simpson and Clr N Hughes contact Bathurst to request a copy for Council's consideration.

4.10 National Trust Heritage Festival Awards 2010
Mr S Wilson (DES) advised that an application for 6-8 Forbes Street, Grenfell (DA 8/2009) was lodged with owners consent.

5. CORRESPONDENCE:

5.1 HA Referral Memo – Sandra's Coffee Shop (12/12/2009)

Clr G McClelland requested to be excused from the meeting and left at 5.25 pm and did not return.

Resolved: Clr M Simpson and Clr N Hughes that the referral be held over for discussion in General Business Item 6.4.

5.2 HA Referral Memo – National Australia Bank (20/12/09)**Noted**

5.3 HA Referral Memo – Christian Bookshop (21/12/2009)**Noted**

5.4 HA Referral Memo – Sandra's Coffee Shop (15/1/2010)

Resolved: Clr M Simpson and Clr N Hughes that the referral be held over for discussion in General Business Item 6.4.

5.5 HA Referral Memo – Reynders Constructions P/L (12&14/01/10)**Noted**

5.6 Bimbi Post Office – Ms A Nowlan & Mrs M Nowlan-Jones

Resolved: Clr N Hughes and Mrs P Livingstone that referral be held over for discussion in General Business Item 6.3.

5.7 Heritage Advisors Report
Mrs S Jackson-Stepowski (HA) gave a verbal report that she had appointments with Mr K Smith (Fence) and Mrs Jan Parlett (Exchange Hotel). She has also looked at Main Street buildings in regard to insets and boundary to boundary shopfronts.

6. GENERAL BUSINESS

6.1 Heritage Grant – Payments
Mr S Wilson (DES) advised that payments have been made to G & K Hancock and Holy Trinity Hall.

6.2 Sloane's Cottage Entry Form
Mr S Wilson (DES) advised that advertisement for the competition will be done through radio and various papers/magazines.

Resolved: Clr M Simpson and Clr J Niven that prize money be allocated as follows: Photography: First Place \$200, Second Place \$100 & Art: First Place \$400, Second Place \$100.

6.3 Heritage Grant Application – Bimbi Post Office

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..... General Manager Mayor

Mr S Wilson (DES) confirmed that the application had been withdrawn by applicants. General discussion took place on the letter.

6.4 Development Application – 53/2009 Shop Front (TJ & DR Galvin)

Mr S Wilson (DES) advised the Committee about the development. Mrs S Jackson-Stepowski (HA) gave her advice and discussion was held in regard to shopfronts within Grenfell Main Street.

Resolved: Clr J Niven and Mr J Hetherington that the Heritage Advisor's report as detailed below be endorsed:

To achieve an enduring outcome within the historic main street requires:-

- *Wherever the entry door is, it must be insert: the inset entry could be ramp to satisfy Access Laws*
- *The under shop glass hob to be no more than 400 mm high*
- *Window frame to use thin metal sections, in grey or chrome, preferable over timber frame: traditional framing material is a plain 'mondel' section, also*
- *The entry insert should be splayed : if the insert is along a side boundary the other side to be splayed*

7. **QUESTIONS**

Nil

8. **NEXT MEETING:** 6 April 2010

9. **CLOSURE:** There being no further business the meeting closed at 6.10 pm.

409 RESOLVED: Clr Niven and Clr Halls that the Minutes of the Heritage Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

This is Page No. 54 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

**MINUTES OF CONSULTATIVE COMMITTEE MEETING HELD ON WEDNESDAY,
10 FEBRUARY 2010 IN THE COMMITTEE ROOM AT THE 3.00 PM (C2.6.12)**

1. PRESENT: W Twohill, G Carroll, S Wilson, W Schneider, V Carter and Clr Atchison (Observer).

Resolved: W Twohill and W Schneider that G Carroll be elected as Chair in the absence of M Martens.

2. APOLOGIES: Nil

3. MINUTES:

Resolved: S Wilson and W Schneider that the minutes of the meeting held on 11 November 2009 be adopted as read.

4. MATTERS ARISING:

4.1 Induction Manual – in progress.

Noted

4.2 Job Re-evaluation

Response given to Director Corporate Services who will address it.

Noted

4.3. Review of Caravan Park

Review ongoing.

Noted

4.4 Grenfell Tip

Carrion Enterprises fulfilling six month contract.

Customer survey being carried out.

Noted

M Martens entered the meeting at this point 3.07 pm.

4.5 Sewerage Treatment Plant

Position of Yardman/Sewer attendant being advertised.

Noted

4.6 Draft Policy CCTV Workplace Surveillance

Now adopted by Council with minor amendment that the tip be included as it is an operational area.

Noted

4.7 Employee Assistance Program (EAP)

Agreement signed and posters placed at worksite noticeboards.

Noted

4.8 Training for Code of Conduct

General Manager to facilitate.

Noted

4.9 Cashier/Customer Service Officer

Position finalised.

Noted

4.10 Special Projects Engineer

Position finalised.

Noted

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..... General Manager Mayor

5. CORRESPONDENCE:

5.1 2009 Assessments

Resolved: S Wilson and M Martens that the 2009 assessments be ratified.

5.2 Maternity Leave Position
To be finalised shortly.

5.3 Position of Yardman/ Sewer Attendant
Currently being advertised.

Noted

5.4 Position of Labourer/Operator – Patching Gang
Currently being advertised.

Noted

5.5 Position of Administration Officer (Environmental)
Currently being advertised.

Noted

NEXT MEETING: Tuesday, 4 May 2010 at 3.00 pm.

CLOSURE: There being no further business the meeting closed at 3.20 pm.

410 **RESOLVED:** Clr N Hughes and Clr Atchison that the minutes of the Consultative Committee be noted.

This is Page No. 56 of the Minutes of the Ordinary Meeting of
Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING HELD IN THE COMMITTEE ROOM ON WEDNESDAY, 10 FEBRUARY 2009 COMMENCING AT 3.20 PM (C2.6.14)

1 PRESENT: Messrs M Horne (chair), W Twohill, G Carroll, S Wilson and W Schneider.

2 APOLOGIES: N Baker

Resolved: G Carroll and W Twohill that the apology be accepted.

3 MINUTES:

Resolved: W Schneider and G Carroll that the minutes of the meeting held on 11 November 2009 be adopted.

4 MATTERS ARISING

4.1 Evacuation plans

New Depot and Commonwealth Bank to be completed.

Noted

4.2 Business Continuity Plan

In progress.

Noted

4.3 Volunteers – training, SWMs

Volunteer policy to be drawn up.

Noted

4.4 CENTROC OH & S Working Party Peer Group Audit – Weddin Shire

Asbestos policy to be finalized.

Noted

4.5 Future Inspection

- Tip – Director Environmental Services to advise.
- Depot
- Community Hub
- Sewerage Treatment Works
- Pool
- Council Offices
- Tip
- Old Commonwealth Bank
- Taylor Park
- Vaughn Park
- Rotary Park
- Memorial Park
- Henry Lawson Oval
- Blamey Park
- Edward Square
- Caragabal Park

Noted

4.6 Washbay

Signs erected.

Noted

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..... General Manager Mayor

4.6 Injury Forms
D Strange – StateCover is currently investigating. **Noted**

5. GENERAL BUSINESS

5.1 Cable Covers
Director Environmental Services to pursue. **Noted**

5.2 StateCover Skin Cancer Early Detection Initiative.
To be carried out on 9 – 10 March 2010.

6. INJURY REPORTS

6.1 Howard Hunter – hit head, reported to StateCover **Noted**

6.2 Depot – spiders to be sprayed. Director Environmental Services to pursue.

7. NEXT MEETING: Tuesday, 4 May 2010 at 3.30 pm.

8. CLOSURE: There being no further business the meeting closed at 3.41 pm.

411 RESOLVED: Clr Lobb and Clr Niven that the Minutes of the Occupational Health and Safety Committee be noted.

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Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

MINUTES OF MANEX MEETING HELD ON MONDAY, 15 FEBRUARY 2010 AT 2.00 PM (C2.6.10).

Present: Messrs T Lobb, G Carroll, W Twohill, S Wilson and Clr M Simpson (observer).

Apologies: Nil

Minutes:

Resolved: W Twohill and S Wilson that the minutes of 18 January 2010 be adopted as circulated.

General Business:

1A Administration

- (i) Integrated Planning – guidelines and reference manuals received. Training courses to be attended. General Manager pursuing.
- (ii) Sustainable Procurement –awaiting acceptance. No update received to date.
- (iii) Car for Mayor – incorporated in policy for Fees, Expenses and Facilities for Councillors adopted by Council at the January 2010 Council Meeting. Director Engineering to pursue. Plant fund to be extended.
- (iv) Estimates 2010/11 – extra-ordinary estimates meeting to be held. General Manager to arrange meeting with Directors prior to estimates meeting.

1B Human Resources

- (i) Vacancies – Administration – Cashier/Customer Services Officer fixed term position to be advertised.
 - Engineering – Yardman/Sewer Attendant and Patching Truck Operator currently being Advertised.
 - Environmental - eleven (11) applications Received for Environmental Services Officer position. Interviews to be held Monday 22 February 2010.

2. Public Order and Safety

- (i) Berrys Lane (Dogs) – reported in Director Environmental Services report.

3. Health

- (i) Medical Centre – grant funding application submitted. Result should be known at the end of May 2010.
- (ii) Hospital Dispute – reported in General Manager’s Report.

4. Community Services and Education

Nil

5. Housing and Community Amenities

- (i) Recycling Collection – sorting table ordered by Cowra Shire should be operating in the first half of 2010. Director environmental Services pursuing.

6. Sewerage

Nil

7. Recreation and Culture

- (i) Art Gallery – Official opening of Country Energy exhibition went very well. Exhibition currently in progress.

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..... General Manager Mayor

- (ii) Cinema – films shown through the January holiday period went very well. Other films currently being advertised and shown.
- (iii) Railway Park - concrete works completed by Lions Club. Director Engineering to arrange for backfilling.

8. Mining Manufacture and Construction
Nil

- 9. Transport and Communication**
- (i) RTA Contract – reported in Director Engineering’s report.
 - (ii) Other Programs **Noted**
 - (iii) Rail Branch Lines – Mayor and General Manager to attend a meeting with the Minister to present the consultants final report on Wednesday 24 February 2010.

- 10. Economic Affairs**
- (i) Industrial Estate – negotiations in progress. Purchaser has indicated he will require additional land. General Manager pursuing.
 - (ii) Burrangong Meats – opportunities may arise for “work for the dole” projects to be undertaken by Weddin Shire ex-employees of the factory. Directing Engineering to pursue.

11. General Purpose Revenues
Nil

- 12. Alliances**
- (i) Hawkesbury City Council – no recent activities.
 - (ii) Mid Lachlan Alliance – no recent activities.
 - (iii) CENTROC – next meeting to be held on Thursday 25 February 2010 at Molong.
 - (iv) “E” Division – meeting to be held on Friday 26 February 2010 at Molong.

- 13. Other Matters**
- (i) Clean Up Australia Day – to be held Sunday 7 March 2010. Director Environmental Services pursuing.
 - (ii) Caragabal Recreation Reserve – Forbes Water Commission have advised that as the committee is not a legal entity it is not able to hold a licence. General Manager advised they are currently a Section 355 Committee of Council and this may need to be further formalised.
 - (iii) Mobile Phone Usage – review to be undertaken to ascertain a limit for private call charges. Director Corporate Services to pursue.
 - (iv) The Mayor advised regarding a visit by the State Librarian, insurance requirements for the Henry Lawson Festival procession, minor floodwaters in South Street, a fitness centre and a recent Rural Fire Service meeting.

Next Meeting: Monday, 15 March 2010 at 2.30 pm.

Closure: There being no further business to discuss the meeting closed at 3.34 pm.

412 RESOLVED: Clr N Hughes and Clr Hinde that the Minutes of the Manex Committee Meeting be noted.

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..... General Manager Mayor

MINUTES OF THE NOXIOUS WEEDS COMMITTEE MEETING TO BE HELD AT 4.00 PM ON MONDAY 15 FEBRUARY 2010 (C.2.6.13)

1. **PRESENT:** Clrs G McClelland, G Halls, W. Atchison, M Crutcher, Mr K Starr
Messrs W Twohill, J O'Loughlin and Clr M Simpson (Observers).

2. **APOLOGY:** Clr D Hughes.

RESOLVED: Clrs McClelland and Crutcher that the apology be accepted.

3. **MINUTES:** 12 October 2009

RESOLVED: Clrs Crutcher and Atchison that the minutes be adopted.

4. **MATTERS ARISING:**

4.1 Mapping of Weeds - Up and running **Noted**

5. **CORRESPONDENCE:**

5.1 Australian Rail Track Corporation, E1.3.8/T3.8.2: Advising that it is carrying out the spraying of lines.

**N
o
t
e
d**

5.2 NSW Government, Industry and Investment, E3.1.6: Weeds to be reclassified as a Group by the Lachlan Valley Weeds Advisory Committee.

Letter to be written re:

- Bathurst Burr
- Catheads
- Khaki weed
- Golden Dodder
- African Boxthorn
- Scotch Thistle
- Spiny Burr grass
- St Johns Wort
- Chilean Needlegrass
- Blackberry
- Blue Heliotrope
- Silverleaf Nightshade
- Johnson Grass

RESOLVED: Mr K Starr and Clr W Atchison that the letter be forwarded for the reclassification as a Group of Noxious Weeds.

6. **NOXIOUS WEEDS OFFICERS REPORT**

October 2009 Report (see Director Engineering's report item 8 – November Council Meeting)

November 2009 Report (see Director Engineering's report item 8 – December Council Meeting)

December 2009 Report (see Director Engineering's report item 8 – January Council Meeting)

Noted

7. **GENERAL BUSINESS:** Nil

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..... General Manager Mayor

NEXT MEETING: Monday 17 May 2010 at 4 p.m.

CLOSURE: There being no further business to discuss the meeting closed at 4.25 p.m.

413 **RESOLVED:** Clrs McClelland and Clr Crutcher the minutes of the Noxious Weeds Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

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Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor

**MINUTES OF THE TOWN WORKS COMMITTEE MEETING HELD ON
MONDAY, 15 FEBRUARY 2010 AT 5.00 PM (C2.6.8).**

1. **PRESENT:** Clrs M Simpson (Chair), G McClelland, B Hinde, C Lobb, W Atchison and M Crutcher.
Messrs T Lobb, G Carroll, W Twohill, S Wilson and M Nirupan.

2. **APOLOGY:** Nil

3. **CONFIRMATION OF MINUTES:**

Resolved: Clr Atchison and Clr Hinde that the minutes of 18 January 2010 be adopted.

4. **MATTERS ARISING:**
Nil

5. **CORRESPONDENCE:**
Nil

6. **REPORTS**

6.1 **General Manager's Report**

Clr Simpson declared a conflict of interest as a member of Rotary and stayed in the room.
Clr Lobb declared a pecuniary interest as the wife of the General Manager and left the room.

Report on Community Building Partnerships Grants.

Noted

Clr Lobb returned to the room.

Report on Meeting with Greater Western Area Health Service.

Noted

6.2 **Director Corporate Services' Report**
Reports on Town Costings and Taxi Service.

Noted

6.3 **Director Engineering's Report**
Reports on Works Report, Other Works, Future Works and Grimshaws Lane.

Noted

6.4 **Director Environmental Services' Report**
Reports on Sewerage Treatment Works, Caravan Park, Grenfell Swimming Pool and Town DAs.

Noted

B3. DA 53/2009 and DA 24/2009

Clr McClelland declared a pecuniary interest as an adjoining landowner and real estate agent respectively, left the room and did not return to the meeting.

Clr Crutcher declared an interest as a relative of Clr McClelland, left the room and did not return to the meeting.

Noted

7. **BUSINESS WITH NOTICE:**
Nil

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..... General Manager Mayor

8. QUESTIONS:

- Clr Hinde - advised the drains on the northern side of Manganese Road need cleaning out
→ Director Engineering to investigate.
- enquired in regard to the Camp Street roundabout upgrade
→ Director Engineering advised the plan is currently being developed.

NEXT MEETING: Monday, 15 March 2010 at 5.00 pm.

CLOSURE: There being no further business to discuss the meeting closed at 5.51 pm.

414 RESOLVED: Clr Lobb and Clr Atchison that the minutes of the Town Works Committee be adopted including the recommendations therein except where otherwise resolved.

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..... General Manager Mayor

LIST OF INSPECTIONS, MEETINGS AND DEFERRED ACTIVITIES.

1. INSPECTIONS AND MEETINGS:

- | | |
|---------------|--|
| October 2007 | 1. <u>Payne's Gravel Pit:</u> Ward Councillors and Director Engineering to meet with new landowner (DE).
In Progress |
| December 2009 | 2. <u>Rail Branch Line Study:</u> arrange presentation to Minister for Transport (GM).
Carried Out |
| | 3. <u>Grenfell and Village Heritage Studies:</u> arrange meetings with affected property owners (DES).
In Progress |
| January 2010 | 4. <u>Workshop on Incentives Policies:</u> arrange when all Councillors are available (GM).
In Progress |

2. DEFERRED ACTIVITIES:

- | | |
|---------------|---|
| July 2009 | 1. <u>Code of Conduct Training:</u> defer until New Year (GM).
In Progress |
| November 2009 | 2. <u>Open Day/Market Day:</u> submit review to February Council meeting (DCS).
In Progress |

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..... General Manager Mayor

QUESTIONS

Questions maybe put to councillors and council employees in accordance with clause 25 of the Council's **Code of Meeting Practice**, as follows:-

- “(1) *A councillor:*
 (a) *may, through the chairperson, put a question to another councillor, and*
 (b) *may, through the chairperson and the General Manager, put a question to a council employee.*
- (2) *However, a councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.*
- (3) *The councillor must put every such question directly, succinctly, and without argument.*
- (4) *The chairperson must not permit discussion on any reply or refusal to reply to a question put to a councillor or council employee under this clause. “*

Questions should not be used to introduce **business without notice**. This is covered in Clause 17 of Council's **Code of Meeting Practice**, as follows:-

- “(3) , *business may be transacted at a meeting of a Council even though due notice of the business has not been given to the councillors. However, this can happen only if:*
 (a) *a motion is passed to have the business transacted at the meeting, and*
 (b) *the business proposed to be brought forward is ruled by the chairperson to be of great urgency.*
- Such a motion can be moved without notice.*
- (4) , *only the mover of a motion referred to in subclause (3) can speak to the motion before it is put.”*

Questions on routine **operational matters** should be directed to the General Manager or the appropriate Director separately from and/or prior to the meeting.

- Clr Atchison** - enquired if householder and businesses could be notified if there are sealing works to be carried out.
→ Director Engineering to attend to.
- enquired if a trainee could be employed in the position of cashier/customer service officer.
→ General Manager advised the position has already been advertised as a cashier/customer service officer but it may be possible to consider a trainee.

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..... General Manager Mayor

CLOSED COUNCIL

THE LOCAL GOVERNMENT ACT

The authority for Council to close a meeting to the public is given under Section 10 of the Local Government Act, for which the following excerpts apply:

[s 10A1 Which parts of a meeting can be closed to the public?

10A

- (1) **[Meetings may be closed]** A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
- (a) the discussion of any matters listed in subclause (2), or
 - (b) the receipt or discussion of any of the information so listed.
- (2) **[Grounds for closure]** The matters and information are the following:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (3) **[Closure of Resolution to close]** A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
- (4) **[Public's right to make representations]** A council, or a committee of a council may allow members of the public to make representations to or at a meeting, before and part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

[s 10C] Notice of likelihood of closure not required in urgent cases

- 10C** Part of a meeting of a council, or of a committee of the council of which all the members are councillors, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A(2), and
 - (b) the council or committee, after considering any representations made under section 10A(4), resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

[s 10D] Grounds for closing part of meeting to be specified

- 10D (1)[Record of grounds for closure]** The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- (2) **[Details to be specified]** The grounds must specify the following:
- (a) the relevant provision of section 10A(2),
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which the discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

RECOMMENDATION: 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, as stated below:

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..... General Manager Mayor

Note: A council, or a committee of a council, may allow members of the public to make representation to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

415 RESOLVED: Clr N. Hughes and Clr Lobb that council form a Closed Council 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, as stated below:

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..... General Manager Mayor

417 **RESOLVED:** Clr N Hughes and Clr Niven that Council return to Open Council.

REPORT FROM CLOSED COUNCIL

The Mayor here read out the following resolution from the Closed Council Meeting, as follows:

DIRECTOR ENVIRONMENTAL SERVICES' REPORT

1. Berrys Road Dogs, A3.22.6

RESOLVED: that Council,

1. Acknowledge the legal advice given by Gordon Garling Moffitt,
2. Enter Judgment for the debt against Mr Marsh in the Local Court.

CLOSURE: There being no further business the meeting closed at 7.04 pm.

Taken as read and confirmed as a true record this day 18 March 2010.

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

I hereby certify that I have authorised the use of my signature stamp on pages **1 – 70** of the Minutes, following the formal adoption.

Signed: _____
Mayor

Date: _____

This is Page No. 69 of the Minutes of the Ordinary Meeting of Weddin Shire Council held, **18 February 2010.**

..... General Manager Mayor