

**MINUTES OF THE ORDINARY MEETING OF THE WEDDIN SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, GRENFELL THURSDAY, 17 APRIL 2008 AT 5.00 PM**

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

**APOLOGY:** Nil

**CONFIRMATION OF MINUTES:**

**509 RESOLVED:** Clr N Hughes and Clr Taylor that the Minutes of the Ordinary Meeting, held on 20 March 2008 and the Minutes of the Extra-Ordinary Meeting, held on 7 April 2008 be taken as read and **CONFIRMED**

**QUESTIONS FROM THE PUBLIC:**

Nil

**DECLARATIONS OF INTEREST:**

Forms were submitted as follows:-

<b>Councillor</b>	<b>Item No.</b>	<b>Nature of Interest</b>	<b>Type</b>
Clr Halls	Item No. C5	Wife is a Member of the Garden Club	Conflict
Clr D Hughes	DES Item No. B3	Member of Grenfell Rugby Union Club	Conflict

**CORRESPONDENCE:**

1. Gulgong Heritage Harness Association Inc, C1.4.1:

**510 RESOLVED:** Clr N Hughes and Clr Atchison that Council approve the application subject to approval of the Police and the Local Traffic Committee.

2. Gulgong Heritage Harness Association Inc, C1.4.1:

**511 RESOLVED:** Clr Taylor and Clr D Hughes that a contribution of \$1,000 be approved.

3. Local Government and Shires Association, A3.8.2:

**512 RESOLVED:** Clr Grimm and Clr Niven that the invoice be approved for payment.

**Clr McClelland entered the meeting at this point 5.07 pm.**

4. Local Government and Shires Association, A3.8.2:

**513 RESOLVED:** Clr Grimm and Clr Taylor that Council contribute \$1,793.87 towards the legal costs of Gosford City Council.

## **MINUTES OF THE ORDINARY MEETING CONT.**

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5. Grenfell Geranium and Garden Club Inc, C1.3.28:

**Clr Simpson declared a conflict of interest as his wife is a member of the Garden Club and stayed in the room.**

**Clr Halls declared a conflict of interest as his wife is a member of the Garden Club and stayed in the room.**

**The General Manager declared a conflict of interest as his wife is the secretary of the Garden Club and stayed in the room.**

**514 RESOLVED:** Clr N Hughes and Clr Atchison that the Grenfell Garden and Geranium Club be included on Council's list of voluntary worker organisations.

6. Department of Local Government, C2.10.8:

**Noted**

7. Weddin Community Services Inc, C1.7.5/C1.7.6:

**515 RESOLVED:** Clr Grimm and Clr N Hughes that Council support Weddin Community Services "in principle" with their new project and congratulate them on their initiative.

8. Young Shire Council, C2.9.3:

**516 RESOLVED:** Clr Grimm and Clr Atchison that a letter of support be forwarded to Young Shire Council and advise them that the letter will be referred to the Weddin Health Council for their consideration.

9. Grenfell Tennis Club, C1.2.2:

**517 RESOLVED:** Clr Taylor and Clr Grimm that Council donate \$200 to the Grenfell Tennis Club as a contribution towards the 2008 Jan Lehane O'Neill tournament.

**518 RESOLVED:** Clr N Hughes and Clr Niven that the correspondence be noted except where otherwise resolved.

**519 RESOLVED:** Clr Niven and Clr Hinde that Late Correspondence be received and dealt with.

### **LATE CORRESPONDENCE:**

10. Shires Association of NSW, A3.18.3:

**520 RESOLVED:** Clr Taylor and Clr Halls that Clr Simpson, Clr N Hughes and the General Manager be Council's representatives at the 2008 Shires Association of NSW annual conference.

**521 RESOLVED:** Clr Atchison and Clr Hinde that Clr Simpson be nominated as Council's voting delegate at the 2008 Shires Association of NSW annual conference.

## **MINUTES OF THE ORDINARY MEETING CONT.**

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11. Mid Lachlan Alliance, C2.9.7:

- 522 RESOLVED:** Clr N Hughes and Clr Atchison that the Mayor and General Manager be authorised to nominate a delegate and alternate at the next Alliance meeting.

12. Minister for Planning, C2.7.3:

**Noted**

13. Lachlan Shire Council, C2.9.7:

**Noted**

14. Grenfell Rugby League Club, C1.1.3:

- 523 RESOLVED:** Clr Atchison and Clr Taylor that Council offer the Grenfell Rugby League Club a reduction in their printing costs rather than a donation.

- 524 RESOLVED:** Clr Grimm and Clr Niven that the Late Correspondence be noted except where otherwise resolved.

### **MOTIONS WITH NOTICE:**

#### **1. Local Traffic Committee Minutes, C2.6.3**

**Clr McClelland declared a conflict of interest as a landowner adjacent to Berrys Lane and left the room.**

- 525 RESOLVED:** Clr Niven and Clr Atchison that the minutes of the Weddin Local Traffic Committee dated Friday, 22 February 2008 which were presented to the Weddin Council meeting on Thursday, 20 March 2008, be adopted.

**Clr McClelland returned to the room.**

#### **2. Australia New Zealand Commission on Global Warming, C2.8.1**

**Clr Grimm declared a pecuniary interest as his business has accepted a grant with conditions for carbon credits and left the room.**

- 526 RESOLVED:** Clr Niven and Clr McClelland that Council support the call by Australian Carbon Sense Coalition for an Australian New Zealand royal commission on global warming.

**Clr Grimm returned to the room.**

### **THE GENERAL MANAGER'S REPORT:** Was here submitted

#### **1. Development Control – Performance, T2.1.8**

**Noted**

## **MINUTES OF THE ORDINARY MEETING CONT.**

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### **2. Retention/Alteration of Wards, C2.1.4**

**MOTION:** Clr D Hughes that a survey be conducted by the Grenfell Record to ascertain public opinion in regard to the financing of a referendum to abolish the ward system in the Weddin Shire.

Motion **LAPSED** for want of a seconder.

**527 RESOLVED:** Clr Grimm and Clr Taylor that a referendum be held in conjunction with the September 2008 Council Elections to decide on the abolishment of wards in the Weddin Shire.

### **3. Promoting Better Practice Review, C2.10.8**

**Noted**

### **4. Good Sports Program, C1.2.1**

**528 RESOLVED:** Clr D Hughes and Clr Atchison that a contribution be considered on acceptance by Council of the proposal from the Good Sports Office.

### **5. CENTROC Drought Proofing Feasibility Study, C2.7.3**

**529 RESOLVED:** Clr N Hughes and Clr Atchison that:-

- i) Council support the CENTROC submission for a drought proofing feasibility study.
- ii) a letter of support for funding the Drought Proofing Feasibility study be forwarded to the relevant Minister, with a copy to CENTROC.

### **6. Policy for Salary System (14.20.1),**

**530 RESOLVED:** Clr Niven and Clr D Hughes that the amended Policy for Salary System be adopted.

### **7. Review of Council Policies, C2.4.3**

**531 RESOLVED:** Clr Taylor and Clr McClelland that the Policy for Direct Credit of Wages be deleted.

### **8. Rates for 2008/2009, R1.4**

**532 RESOLVED:** Clr Atchison and Clr Grimm that the proposed objectives be supported.

### **9. Applications for Leave, P4.10041**

**533 RESOLVED:** Clr Atchison and Clr Niven that:-

- i) the leave be approved,
- ii) Director Corporate Services Mr Glenn Carroll be appointed as acting General Manager for the period involved.

### **10. Management Plan 2007/2008 - March 2008 Quarterly Report, A3.4**

**534 RESOLVED:** Clr McClelland and Clr Atchison that the item be noted.

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

## **MINUTES OF THE ORDINARY MEETING CONT.**

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

- |    |  |              |
|----|--|--------------|
| 1. | <b><u>Statement of Bank Balances as at 31 March 2008:</u></b>  | <b>Noted</b> |
| 2. | <b><u>Summary of Income for the month of March follows</u></b> | <b>Noted</b> |
| 3. | <b><u>Roads and Other Expenditure 2007/2008:</u></b>           | <b>Noted</b> |
| 4. | <b><u>Grenfell Community Hub, C1.6.7</u></b>                   | <b>Noted</b> |
| 5. | <b><u>Debt Recovery – Rates and Debtors, A1.7</u></b>          | <b>Noted</b> |
| 6. | <b><u>Budget Review, 31 March 2008, A1.6</u></b>               |              |
- 536 RESOLVED:** Clr McClelland and Clr N Hughes that the budget review for the period ending 31 March 2008 be adopted as presented including the variations therein.
- |     |   |              |
|-----|---|--------------|
| 7.  | <b><u>Budget Review Variances - Administration - A1.6</u></b>     | <b>Noted</b> |
| 8.  | <b><u>Grenfell Library, C2.6.29</u></b>                           | <b>Noted</b> |
| 9.  | <b><u>Economic Development, C2.6.21</u></b>                       | <b>Noted</b> |
| 10. | <b><u>Tourism/Promotions, C2.6.2</u></b>                          | <b>Noted</b> |
| 11. | <b><u>Community Technology Centre (CTC), C2.6.28</u></b>          | <b>Noted</b> |
| 12. | <b><u>Local Government Elections, C2.1.7</u></b>                  | <b>Noted</b> |
| 13. | <b><u>Mid - Lachlan Alliance – Corporate Services, C2.9.8</u></b> | <b>Noted</b> |
| 14. | <b><u>Tender – Auditors, T1.6.27</u></b>                          | <b>Noted</b> |
- 537 RESOLVED:** Clr Atchison and Clr D Hughes that except where otherwise dealt with the Director Corporate Services' Report be adopted.

## MINUTES OF THE ORDINARY MEETING CONT.

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

1. **Works Report (6 April 2008)** Noted
  2. **Future Works** Noted
  3. **Other Works** Noted
  4. **CENTROC Weight of Loads Group, C2.7.16** Noted
  5. **Plant Report**
- 538 **RESOLVED:** Clr N Hughes and Clr Taylor that PI. 3948 International garbage truck advertised for sale as a going concern.
6. **Engineers Alliance – Weddin, Forbes, Parkes and Lachlan** Noted
  7. **RTA SIM Contract, R2.54.1** Noted
  8. **Noxious Weed Report, C2.6.16** Noted
  9. **Emu Creek Flood Study, E2.9.4**
- 539 **RESOLVED:** Clr N Hughes and Clr Atchison that Draft Emu Creek Flood Study be advertised for public comment.
10. **Grants to Local Government for Playground Equipment Upgrade** Noted
  11. **Purchase of Old Gravel Pit Lot 119 in DP 754578** Noted
  12. **Grenfell Cemetery, P2.2.1** Noted
  13. **New Depot, P2.6.4** Noted
  14. **Budget Review Variances – Engineering, A1.6** Noted
  15. **Kerb and Gutter, R2.4.21**
- 540 **RESOLVED:** Clr McClelland and Clr Atchison that approval be given to charge out the kerb and gutter works to the residents at the rate of \$57.40 per lineal metre including GST and debit notices be issued accordingly.

## **MINUTES OF THE ORDINARY MEETING CONT.**

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**541 RESOLVED:** Clr Niven and Clr Grimm that Council adjourn for supper.

**Council adjourned for supper: 6.45 pm**  
**Council resumed at: 7.14 pm**

**542 RESOLVED:** Clr Atchison and Clr D Hughes that Council resume.

**16. 2008/2009 Lawson Oval Facilities, A3.4, P2.1.6**

**Noted**

**17. 2008/2009 Lawson Oval Facilities, A3.4, P2.1.6**

**543 RESOLVED:** Clr McClelland and Clr Atchison that the matter be held over to the May 2008 Council meeting to consider additional information supplied by any Councillor.

**18. Proposed Pipeline - M Mitton, U1.6.1**

**544 RESOLVED:** Clr McClelland and Clr Halls that the Director Engineering meet with Mr Mitton to discuss various options that would be mutually beneficial to both Council and Mr Mitton.

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

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

**A. Public Health and Environmental Matters.**

**1. Sewerage Treatment Works, S1.1.1:**

**Noted**

**2. Caravan Park Operations, P2.3.3:**

**Noted**

**3. Animal Control, A4.4**

**Noted**

**4. Swimming Pool, (Grenfell) P2.3.1**

**Noted**

**5. Swimming Pool, (Quandialla) P2.3.2**

**Noted**

**B. Development Applications – Building Matters:**

**B1. Development Applications under Delegated Authority**

**Noted**

**B2 DA 114/2007 – Alterations/Additions to existing shed**

**546 RESOLVED:** Clr Atchison and Clr Hinde that DA 114/2007 for additions to an existing shed on Lot 1 in DP 1043415 Bimbi Road, Grenfell be approved subject to the following conditions:

### 1. BUILDING

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

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

### 2. PRINCIPAL CERTIFYING AUTHORITY

- (1) A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing. A construction certificate certifies that the provisions of Clauses 79A-79H of the Environmental Planning and Assessment Amendment Regulations, 1998 have been satisfied, including compliance with the Building Code of Australia and conditions of Development Consent.

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

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

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

- (3) The following information will be required prior to the issue of the Construction Certificate
  - Details of termite protection in accordance with Australian Standards 3660.1-2000
  - A schedule and location of all proposed services in the building in accordance with Section E of the Building Code of Australia.
  - Proposed method of egress from the building in accordance with Section D of the Building Code of Australia.

### 3. CONSTRUCTION

- (1) The timber used shall comply with the National Timber Framing Code Australian Standard 1684.2-2006, in regard to size, span, spacing and method of fixing.

*Reason: to ensure compliance with the Building Code of Australia*

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



## MINUTES OF THE ORDINARY MEETING CONT.

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

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

- (3) All glazing used in the building shall comply with the provisions of AS 1288 “SAA Glass Installation Code” and AS 2208 “Safety Glazing Materials for use in Buildings (Human Impact Considerations)”.

*Reason: to ensure compliance with the Building Code of Australia*

- (4) The structure is to be protected from damage by subterranean termites in accordance with Australian Standard 3660 Part 1-2000.

*Reason: to ensure compliance with the Building Code of Australia.*

- (5) Entrance to the proposed development shall be ramped to permit disabled access in accordance with AS1428-1998.

*Reason: to ensure that satisfactory access and facilities for disabled persons are provided in the proposed development.*

- (6) Facilities for the disabled shall be provided in accordance with the Building Code of Australia and AS1428-1998. Details shall be submitted with the Construction Certificate Application.

*Reason: to ensure that the development complies with the relevant building regulations, codes and policies.*

### 4. EXCAVATION/FILLING/RETAINING WALLS

- (1) All proposed cut and filling shall be adequately retained or battered slopes shall be no steeper than 2:1.

*Reason: to comply with the requirements of the Building Code of Australia*

- (2) 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.*

### 5. HEALTH & SAFETY

- (1) 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).

*Reason: to minimise nuisance to adjoining neighbours.*

### 6. AMENITY

- (1) The site is to be **landscaped** so as to reduce the visual impact from public land. 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 livestock. Dead trees are to be replaced within 3 months of dying.

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

### 7. SITE MANAGEMENT

- (1) 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.*

- (2) An all weather stabilised access point should be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

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

- (3) 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.*

### 8. FIRE SAFETY

- (1) A final fire safety certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Final Fire Safety Certificate is issued, the owner of the building to which it relates:

## MINUTES OF THE ORDINARY MEETING CONT.

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- a. must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades; and
  - b. must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.
- (2) On completion of the proposed building work, the owner shall provide Council with a certificate from a competent person in respect of each Essential Service installed in the building. The owner of the building shall provide Council with a further Certificate (with respect to each Essential Service installed in the building) at least once in every twelve (12) months thereafter.

*Reason: To ensure the compliance with relevant legislation and risk to occupants is minimised.*

- (3) An emergency lighting system shall be provided within the building. The emergency lighting system shall comply with Australian Standard 2293.1.

*Reason: To ensure the compliance with relevant legislation and risk to occupants is minimised.*

- (4) Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard 2444 and Table E1.6 of the Building Code of Australia.

*Reason: to ensure the compliance with relevant legislation and minimise risk to occupants.*

- (5) Exit signs are to be installed over each required exit in accordance with Australian and New Zealand Standard 2293.1.

*Reason: to ensure the compliance with relevant legislation and minimise risk to occupants.*

- (6) A door forming part of a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device, which is located between 900 mm and 1200 mm from the floor.

*Reason: to ensure the compliance with relevant legislation and minimise risk to occupants.*

### **B3. DA 11/2008 – Grenfell Rugby Club**

**Clr D Hughes declared a conflict of interest as a member of the Grenfell Rugby Club and stayed in the room.**

**547 RESOLVED:** Clr Hinde and Clr N Hughes that Development Application No 11/2008 Extension to the existing clubhouse and place of public entertainment be approved subject to the following conditions:

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

## MINUTES OF THE ORDINARY MEETING CONT.

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

2. 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).

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*

3. A **Construction Certificate** must be obtained from Council or an Accredited Certifier prior to work commencing. A construction certificate certifies that the provisions of Clauses 79A-79H of the Environmental Planning and Assessment Amendment Regulations, 1998 have been satisfied, including compliance with the Building Code of Australia and conditions of Development Consent.

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

4. 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*

5. The timber used shall comply with the National Timber Framing Code Australian Standard 1684.2-2006, in regard to size, span, spacing and method of fixing.

*Reason: to ensure compliance with the Building Code of Australia*

6. Timber exposed to weather which is supporting structural or live loads, such as cantilevered balconies, posts etc., shall be of natural durability Class 1 or 2, or preservative treated to a hazard level of 3 or better in accordance with AS 1684.2-2006.

*Reason: to ensure compliance with the Building Code of Australia*

7. 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.

## MINUTES OF THE ORDINARY MEETING CONT.

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

8. All glazing used in the building shall comply with the provisions of AS 1288 “SAA Glass Installation Code” and AS 2208 “Safety Glazing Materials for use in Buildings (Human Impact Considerations)”.

*Reason: to ensure compliance with the Building Code of Australia*

9. Balustrades are required for any level that is more than 1.2 metre above the surface beneath and shall be at least 1.2 metre high with any openings not permitting a 125 mm sphere to pass through it.

*Reason: to ensure compliance with the Building Code of Australia*

10. Prior to any work commencing on the site it is the responsibility of the owner to contact WorkCover Authority in writing in respect to any demolition or use of any crane, hoist, plant or scaffolding.

*Reason: to meet acceptable minimum standards for health and safety.*

11. In accordance with Clause 3.1.3.2(b) of the Building Code of Australia a durable notice must be permanently fixed to the building in a prominent location, such as a meterbox or the like, indicating:-

- The method of protection;
- The date of installation of the system; and
- Where a chemical is used, its life expectancy, as listed on the National Registration Authority label; and
- The installer’s or manufacturer’s recommendations for the scope and frequency of future inspections for termite activity.

*Reason: to ensure compliance with the Building Code of Australia*

12. 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).

*Reason: to minimise nuisance to adjoining neighbours.*

13. The premises are to comply with the relevant provisions of the Food Act 2003, Food Regulations 2004 and Australian Food Safety Standards.

*Reason: to ensure compliance with the relevant legislation*

14. The emission of sound from the premises shall be controlled at all times so as to not cause unreasonable impact upon nearby owners/occupants.

*Reason: to minimize nuisance to nearby owners/occupants.*

15. The stormwater is to be discharged at a point not nearer than 3m to any structure.

## MINUTES OF THE ORDINARY MEETING CONT.

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

16. 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.*

17. A final fire safety certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Final Fire Safety Certificate is issued, the owner of the building to which it relates:
  - c. must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades; and
  - d. must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

18. On completion of the proposed building work, the owner shall provide Council with a certificate from a competent person in respect of each Essential Service installed in the building. The owner of the building shall provide Council with a further Certificate (with respect to each Essential Service installed in the building) at least once in every twelve (12) months thereafter.

*Reason: To ensure the compliance with relevant legislation and risk to occupants is minimised.*

19. An emergency lighting system shall be provided within the building. The emergency lighting system shall comply with Australian Standard 2293.1.

*Reason: To ensure the compliance with relevant legislation and risk to occupants is minimised.*

20. An extinguisher suitable for the fire loads shall be installed in the kitchen.

*Reason: to ensure compliance with legislation.*

21. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard 2444 and Table E1.6 of the Building Code of Australia.

*Reason: to ensure the compliance with relevant legislation and minimise risk to occupants.*

22. Exit signs are to be installed over each required exit in accordance with Australian and New Zealand Standard 2293.1.

*Reason: to ensure the compliance with relevant legislation and minimise risk to occupants.*

23. A door forming part of a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device, which is located between 900 mm and 1200 mm from the floor.

## MINUTES OF THE ORDINARY MEETING CONT.

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*Reason: to ensure the compliance with relevant legislation and minimise risk to occupants.*

24. Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 Design for access and mobility. Details of compliance are to be provided in the relevant plans and specifications for the Construction Certificate application

*Reason: to ensure compliance with relevant standards.*

25. A separate application shall be made for a liquid trade waste pre treatment device. Full details shall be provided prior to release of a Construction Certificate.

### PLACES OF PUBLIC ENTERTAINMENT APPROVAL

26. The first floor function room is approved as a place of public entertainment with the following conditions from 1 to 6:-

#### 1. Dangerous entertainment

- (1) Public entertainment must not involve:
- (a) the discharge of ammunition from a firearm, or
  - (b) the use of any material or thing giving off a level of heat or toxicity that poses a threat of harm to patrons or members of the audience, or
  - (c) the use of fireworks unless the use of the fireworks is in accordance with a licence granted under the Explosives Act 2003, or
  - (d) the use of a sharp implement in a manner that poses a threat of harm to patrons or members of the audience, or
  - (e) the screening of a nitrate film.
- (2) In this clause:

***fireworks*** does not include fireworks that are permitted to be used without a licence under the Explosives Act 2003.

#### 2. Seating in paths of travel to designated exit

The audience at a performance must not be seated, and seating must not be located, in aisles or other paths of travel to a designated exit.

#### 3. Locks

Any key-operated fastening fitted to an exit door or gate used by the public as a main entrance must be arranged so that, whenever the public is in attendance, the tongue or bolt is locked in the retracted position to enable the door or gate to yield to pressure from within.

#### 4. Emergency evacuation plans

- (1) An emergency evacuation plan must be prepared, maintained and implemented for any building (other than a temporary structure) used as a place of public entertainment.
- (2) An ***emergency evacuation plan*** is a plan that specifies the following:

## MINUTES OF THE ORDINARY MEETING CONT.

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- (a) the location of all exits, and fire protection and safety equipment, for any part of the building used as a place of public entertainment,
  - (b) the number of any fire safety officers that are to be present during performances,
  - (c) how the audience are to be evacuated from the building in the event of a fire or other emergency.
- (3) Any fire safety officers appointed to be present during performances must have appropriate training in evacuating persons from the building in the event of a fire or other emergency.

### 5. Council may require fire safety information

The owner or occupier of a building that is used as a place of public entertainment must, if required to do so at any time by the council of the area in which the building is located, furnish to the council a certificate from a registered testing authority (within the meaning of the *Building Code of Australia*) or other approved testing authority, as to the early fire hazard or flammability properties of the finish of a wall, ceiling or floor, or of a curtain, blind or cinematograph screen.

### 6. Upholstery, curtains or blinds

Any upholstery, curtains or blinds must, on installation (including replacement), comply with any relevant specifications set out in the following:

- (a) in the case of any upholstery, curtains or blinds installed in a temporary structure—NSW Part H102.7 in Volume One of the *Building Code of Australia*,
- (b) in the case of any upholstery, curtains or blinds installed in any other kind of building—Specification C1.10a and NSW Specification C1.10 in Volume One of the *Building Code of Australia*.

A copy of this approval shall be conspicuously displayed within the entertainment area.

The occupier/licensee of the premises shall ensure that maximum number of persons permitted within the entertainment area does not exceed approved capacity of 80 persons.

Total number of persons shall include total staff and entertainers.

The LA10 noise level emitted from the licensed premises should not exceed the background noise level by more than 5dB(A) from 7.00 am to midnight and shall not exceed the background level from midnight until 7.00 am. No correction for tonality is applied. Measurement is taken at the boundary of the worst affected residence.

Exits and paths of travel to exits are to be maintained free from obstructions at all times.

The occupier / licensee of the premises shall conduct regular maintenance of the following essential services and required exits:

- illuminated exit signs
- emergency lighting
- operation of exit doors
- removal of any obstructions in and around exit doors



## **MINUTES OF THE ORDINARY MEETING CONT.**

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### **C. Other Matters**

#### **1. Repainting of Lawson Oval Grandstand, P2.1.6**

**Noted**

#### **2. Administration Officer (Maternity Leave) Position, P1.4.100**

**Noted**

#### **3. Grenfell Landfill, E3.3.2**

**548 RESOLVED:** Clr N Hughes and Clr Atchison that:-

- i) the operational hours for the Grenfell landfill be as detailed in Option B
- ii) the operational hours are given a trial period of six months from manning the landfill.

#### **4. Keeping of Animals 26 Dagmar Street, A4.4.1**

**549 RESOLVED:** Clr N Hughes and Clr Grimm that:-

- i) the application is deferred until current pending legal action has been resolved.
- ii) those people who made submissions be notified of Council's decision.

**550 RESOLVED:** Clr Taylor and Clr Grimm that except where otherwise dealt with the Director Environmental Services' Report be adopted.

### **DELEGATES REPORT - DROUGHT SUB COMMITTEE MEETING WITH MINISTER MACDONALD:** were here submitted:-

**551 RESOLVED:** Clr N Hughes and Clr Niven that the Delegates Report – Drought Sub Committee Meeting with Minister Macdonald be adopted.

### **MINUTES OF THE HENRY LAWSON FESTIVAL COMMITTEE MEETING:** were here submitted:-

**552 RESOLVED:** Clr Hinde and Clr McClelland that the Minutes of the Henry Lawson Festival Committee Meeting be noted.

### **MINUTES OF THE CONSULTATIVE COMMITTEE MEETING:** were here submitted:-

**553 RESOLVED:** Clr Grimm and Clr N Hughes that the Minutes of the Consultative Committee Meeting be noted.

### **MINUTES OF THE WEDDIN SHIRE TOURISM COMMITTEE MEETING:** were here submitted:-

**554 RESOLVED:** Clr McClelland and Clr Hinde that the Minutes of the Weddin Shire Tourism Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

## **MINUTES OF THE ORDINARY MEETING CONT.**

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

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

**MINUTES OF THE MANEX COMMITTEE MEETING:** were here submitted:-

### **8. Mining Manufacture and Construction**

- (i) Broula King Mine

Clr Hinde declared a conflict of interest as a possible employee and left the room.

**Noted**

Clr Hinde returned to the room.

- 556 RESOLVED:** Clr Atchison and Clr Hinde that the Minutes of the Manex Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

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

- 557 RESOLVED:** Clr McClelland and Clr Atchison that the Minutes of the Town Works Committee Meeting be adopted including the recommendations therein except where otherwise resolved.

### **LIST OF INSPECTIONS, MEETINGS AND DEFERRED ACTIVITIES**

- (a) **List of Inspections and Deferred Activities.**

#### **1 INSPECTIONS AND MEETINGS:**

1.1	<u>Payne's Gravel Pit</u>	<b>In Progress</b>
1.2	<u>Council Friendship Agreement</u>	<b>In Progress</b>
1.3	<u>Old Mortuary</u>	<b>In Progress</b>
1.4	<u>Estimates 2008/2009</u>	<b>Carried Out</b>
1.5	<u>Community Hub and Depot</u>	<b>Carried Out</b>

#### **2. DEFERRED ACTIVITIES:**

2.1	<u>Dalton Street Depot</u>	<b>In Progress</b>
2.2	<u>Retention of Wards</u>	<b>Carried Out</b>
2.3	<u>Heritage Committee</u>	<b>Carried Out</b>
2.4	<u>Joint IWCM</u>	<b>Carried Out</b>
2.5	<u>Lawson Oval Charges</u>	<b>In Progress</b>
2.6	<u>Grenfell Open Days:</u>	<b>In Progress</b>
2.7	<u>Local Traffic Committee</u>	<b>Carried Out</b>

## **MINUTES OF THE ORDINARY MEETING CONT.**

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### **TENDERS**

#### **1. Sale of Bushfire Tankers E1.3.11**

- 558 RESOLVED:** Clr Atchison and Clr Halls that Council accept the tendered prices for the sale of bushfire tankers as follows:-

a)	Stanley Hazell	Emu Creek 7	\$2,150.00
b)	R & V Walsh	Quandialla 2	\$2,000.00

Further that Council readvertise BFO 5550 Pullabooka 2.

#### **2. Auditors, T1.6.27**

- 559 RESOLVED:** Clr N Hughes and Clr Niven that Council accept the tender of Morse Group to provide audit services for a six year period commencing 1 July 2007 for a fee of \$22,650 (GST Exc).

### **QUESTIONS**

Nil

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

### **CLOSED COUNCIL**

#### **DIRECTOR ENVIRONMENTAL SERVICES' REPORT**

- 1. 290 Berrys Lane Grenfell Keeping of Dogs, A3.22.6**  
Reason for confidentiality - legal matter (Section 10A(2)(g))

- 561 RESOLVED:** Clr Atchison and Clr N Hughes that the various options be considered and the matter be reported back to the May 2008 Council meeting.
- 562 RESOLVED:** Clr Atchison and Clr N Hughes that Council return to Open Council.

#### **REPORT FROM CLOSED COUNCIL**

The Mayor read out the resolution concerning 290 Berrys Lane Grenfell, keeping of dogs.

**CLOSURE:** There being no further business the meeting closed at 8.35 pm

Taken as read and confirmed as a true record this day 15 May 2008.

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